

COASTAL CONSERVANCY

Staff Recommendation
May 27, 2021

**SOUTH BAY SALT POND RESTORATION PROJECT PHASE 2: EDEN LANDING CONSTRUCTION,
ADAPTIVE MANAGEMENT, AND PROJECT MANAGEMENT**

Project No. 02-070-05
Project Manager: Laura Cholodenko

RECOMMENDED ACTION: Authorization to disburse up to: 1) \$7,605,000 to Ducks Unlimited, Inc. for construction, monitoring and modeling of Phase 2 South Bay Salt Pond (SBSP) Restoration Project actions at Eden Landing Ecological Reserve in Alameda County; 2) \$720,000 of in-lieu fee funds awarded to the Conservancy from the California Department of Transportation for development of the public access trail as part of the Phase 2 project at Ravenswood in San Mateo County; 3) \$3,500,000 to the Alameda County Flood Control and Water Conservation District to conduct studies and prepare designs and a 408 permit application for alterations to flood control facilities at Eden Landing; 4) \$460,000 to the Aquatic Science Center for a lead scientist, the SBSP Restoration Project website, and applied studies to support implementation of the SBSP Restoration Project in Alameda, San Mateo, and Santa Clara counties; 5) \$385,000 for executive project management of the SBSP Restoration Project; and 6) \$800,000 to the California Wildlife Foundation for monitoring and applied studies that facilitate ongoing adaptive management of the SBSP Restoration Project.

LOCATION: San Francisco Bay, South of the San Mateo Bridge in Alameda, San Mateo, and Santa Clara Counties (Exhibit 1)

EXHIBITS

- Exhibit 1: [SBSP Restoration Project Location](#)
 - Exhibit 2: [May 26, 2016 South Bay Salt Pond Restoration Project: Phase 2 Implementation Staff Recommendation](#)
 - Exhibit 3: [May 16, 2019 South Bay Salt Pond Restoration Phase 2: Eden Landing Design Staff Recommendation](#)
 - Exhibit 4: [Restoration Plan for Phase 2 at Eden Landing](#)
 - Exhibit 5: [BCDC Approval of In-Lieu Fee Funding for the Ravenswood Trail](#)
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RESOLUTION AND FINDINGS

Staff recommends that the State Coastal Conservancy adopt the following resolution and findings.

Resolution:

The State Coastal Conservancy hereby authorizes the disbursement of funds as follows:

An amount not to exceed seven million six hundred and five thousand dollars (\$7,605,000) to Ducks Unlimited, Inc. to construct, model, and monitor South Bay Salt Pond (SBSP) Restoration Project Phase 2 restoration actions at Eden Landing in Alameda County.

An amount not to exceed seven hundred twenty thousand dollars (\$720,000) of in-lieu fee funds awarded to the Conservancy from the California Department of Transportation to Ducks Unlimited, Inc. for construction of the public access trail proposed as part of the SBSP Restoration Project Phase 2 project at Ravenswood in San Mateo County.

An amount not to exceed three million five hundred thousand dollars (\$3,500,000) to the Alameda County Flood Control and Water Conservation District to conduct studies and prepare designs and a 408 permit application for alterations to flood control facilities at Eden Landing in Alameda County.

An amount not to exceed four hundred sixty thousand dollars (\$460,000) to the Aquatic Science Center for a lead scientist, the SBSP Restoration Project website, and applied studies to support implementation of the SBSP Restoration Project in Alameda, San Mateo, and Santa Clara counties.

An amount not to exceed three hundred eighty-five thousand dollars (\$385,000) for executive project management of the SBSP Restoration Project in Alameda, San Mateo, and Santa Clara counties.

An amount not to exceed eight hundred thousand dollars (\$800,000) to the California Wildlife Foundation for monitoring and applied studies that facilitate ongoing adaptive management of the SBSP Restoration Project in Alameda, San Mateo, and Santa Clara counties.

Prior to commencement of the project, Ducks Unlimited, Inc. (DU) shall submit for the review and approval of the Conservancy's Executive Officer: 1) a detailed work program, schedule, and budget, 2) names and qualifications of any contractors to be retained in carrying out the project, 3) a plan for acknowledgement of Conservancy funding, and 4) evidence that all necessary permits and approvals have been obtained.

Prior to commencement of the project, DU shall enter into and record an agreement pursuant to Public Resources Code 31116(d) sufficient to protect the public interest in the improvements.

In carrying out the project, DU shall comply with all applicable mitigation and monitoring measures that are identified in the relevant CEQA documents or that are required by any permit or approval.

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Prior to commencement of the project, each other grantee shall submit for the review and written approval of the Executive Officer the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.
3. A plan for acknowledgement of Conservancy funding.

Findings:

Based on the accompanying staff recommendation and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, regarding the Conservancy's mandate to address the resources and recreational goals of the San Francisco Bay area.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. Ducks Unlimited, Inc. and the California Wildlife Foundation are nonprofit organizations organized under section 501(c)(3) of the U.S. Internal Revenue Code.

STAFF RECOMMENDATION

PROJECT SUMMARY:

Conservancy approval of this recommended authorization would provide funding to initiate construction, perform additional flood impact analyses, and secure permissions as part of Phase 2 of the South Bay Salt Pond (SBSP) Restoration Project at Eden Landing Ecological Reserve (Eden Landing). In addition, this authorization would provide in-lieu fee funding for the public access trail at the Phase 2 Ravenswood Ponds project, authorized by the Conservancy on May 26, 2016 (Exhibit 2). Lastly, this authorization would provide funds to continue management and science coordination of the SBSP Restoration Project and for field studies and monitoring necessary to adaptively manage the SBSP Restoration Project.

Restoration at Southern Eden Landing

Implementation of Phase 2 at Eden Landing was initiated on May 16, 2019 with a funding authorization to Ducks Unlimited, Inc. (DU) for the development of permit applications and construction designs (Exhibit 3). This authorization would enable DU to implement early construction actions that would enhance managed pond habitat and help set the stage for tidal restoration of almost 1,400 acres of former salt production ponds in southern Eden Landing (Exhibit 4).

Planned construction activities include: levee alterations to maintain or enhance flood protection and facilitate future tidal reconnection with Old Alameda Creek and the Bay Ponds; placement of imported dirt (fill material) to create a segment of the Bay Trail; installation of water control structures to improve water circulation and enhance waterbird habitat in

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managed ponds; enhancement of small islands to attract nesting birds; removal of unused utilities; and habitat enhancement of the bayfront levee that includes installation of tree rootwads and a 300-foot gravel beach pilot project that would trap sediment, create habitat for juvenile fish and shorebirds as well as test a nature-based approach to reducing levee erosion. The majority of these construction activities will occur on property owned by the California Department of Fish and Wildlife; however, some activities will occur on lands owned by the Alameda County Flood Control and Water Conservation District (ACFCD). For this reason, this authorization also provides the ACFCD with funding to undertake additional technical analysis and prepare easements or other permissions that may be needed to implement the Phase 2 restoration work on select parcels.

This funding would also enable DU to conduct monitoring and modeling to better understand processes and conditions that may be impacted by restoration at Eden Landing including sediment scour and accretion as well as changes in water quality. Data from those studies could be used to adjust final restoration designs, if necessary.

To help recover federally threatened steelhead trout and increase rates of sediment accretion in the restoring ponds, the Phase 2 design for Eden Landing includes breached and culverted connections through the Alameda Creek Flood Control Channel (ACFCC) levee. These connections would provide juvenile steelhead access to the evolving tidal marsh at Eden Landing. Access to this critical rearing habitat will improve the ability of juvenile steelhead to survive migration to the ocean. Furthermore, the breaches and culverts would allow sediment moving out of the Alameda Creek watershed to directly enter Eden Landing, raising the elevation of subsided pond bottoms and facilitating tidal marsh restoration.

The Alameda Creek watershed is one of the most important watersheds for steelhead recovery in the Bay Area. Reconnecting the ACFCC to the adjacent Eden Landing tidal wetlands would complement the steelhead restoration efforts by the ACFCD, other County agencies, and environmental groups. These organizations are actively engaged in removing migration barriers, improving habitat for steelhead, and improving sediment transport along Alameda Creek. The District owns and manages the levees that contain the ACFCC and would use funds from this authorization to design the breach of the flood control levee and apply for the necessary Section 408 permit from the U.S. Army Corps of Engineers. The District would also review other sources of sediment on lands it manages that could be brought to Eden Landing to accelerate wetland restoration.

Due to the complexity of flood protection issues associated with reconnecting Eden Landing to the ACFCC, permitting and constructing changes to the flood control levee is being done separately from the planned construction activities described above. Preliminary modeling and evaluations show that once the site is tidally restored, reconnecting it to the ACFCC will increase the volume of water and water surface elevation, and would create crossflow between ACFCC and Old Alameda Creek. These hydraulic changes would create a short delay in outflow from Old Alameda Creek during extreme storm events. To ensure that there is no flood impact to adjacent communities associated with the delay in outflow, this authorization would fund ACFCD to design and conduct environmental review of improvements to its tide gate structure on Old Alameda Creek that would accommodate hydraulic changes due to the reconnection.

The ACFCD would also conduct review and analyses of other flood control facilities that may be impacted by additional flow and changes in hydraulic regime created by tidal restoration of southern Eden Landing.

Public Access at Ravenswood

This authorization would also provide DU with funding to complete the public access trail at the Phase 2 site at Ravenswood. The California Department of Transportation is providing in-lieu fee funding to construct the ½ mile trail segment as well as visitor amenities including a kiosk and interpretive signs (Exhibit 5).

Management and Science

The SBSP Restoration Project is overseen by an Executive Project Manager who works with the primary landowning agencies (U.S. Fish and Wildlife Service and California Department of Fish and Wildlife) to coordinate Phase 2 construction projects on their lands. The Executive Project Manager also conducts extensive planning and outreach with local jurisdictions, stakeholders, the public, and regulators to obtain permissions and generate support for SBSP Restoration Project actions. This authorization would provide approximately two years of funding to continue this role that has supported the Project Management Team since the restoration project was initiated over 15 years ago.

The SBSP Restoration Project is also supported by a part-time lead scientist who oversees the Adaptive Management Program and advises the Project Management Team on science and design of future project phases. The Aquatic Science Center (ASC) has been hosting the lead scientist position since late 2019. This authorization would provide ASC with an additional year of funding to continue hosting the position as well as funding to implement adaptive management studies that relate to project uncertainties identified during science planning for Phase 2. These studies are expected to focus on gaining a better understanding of potential climate driven changes in water quality and sediment supply as well evaluating management actions that can be implemented to enhance sediment deposition within tidal restoration sites. Studies will be designed as much as possible to tier off regional wetland and water quality monitoring programs in order to enhance understanding of large-scale trends that impact Project resources.

ASC would also be provided with funding to continue to maintain and manage the SBSP Restoration Project website (www.southbayrestoration.org) and the associated project data and information on this site for two additional years. The website is where the project participants (scientists, landowners, funders, etc.) archive and share data, science reports, project photos, monitoring reports, and permits. The website also serves an important public information and outreach function.

Lastly, this authorization also includes funding for the California Wildlife Foundation (CWF) to oversee applied studies and monitoring consistent with the Adaptive Management Plan (AMP). CWF is currently overseeing multiple monitoring and applied studies for the SBSP Restoration Project, which have generated important data about the status of nesting and migratory birds as well as the establishment of wetland vegetation in restored project areas. While positive trends are being detected for most resources, some recent declines in bird populations have

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been observed and future data collection is necessary to inform ongoing management of project lands and determine what future restoration and enhancement actions are necessary. For example, the Phase 2 project at Eden Landing includes enhancements of managed ponds that could eventually be restored to tidal marsh based on the results of adaptive management studies and monitoring (Exhibit 4).

Site Description: The SBSP Restoration Project covers three distinct pond complexes totaling 15,100 acres: Eden Landing Ecological Reserve owned and managed by the California Department of Fish and Wildlife; and Ravenswood and Alviso, owned and managed by the U.S. Fish and Wildlife Service as part of the Don Edwards San Francisco Bay National Wildlife Refuge (Exhibit 1).

The Phase 2 actions at Eden Landing are primarily located between Old Alameda Creek and the Alameda Creek Flood Control Channel, referred to as Southern Eden Landing (Exhibit 4). The Phase 2 project includes modifications to the 11 managed ponds that cover most of Southern Eden Landing. These ponds intake water from the Bay on high tides through water control structures or hydrologically linked sloughs and discharge water during low tides. Water levels and salinity are managed in the ponds to provide habitat for a variety of waterfowl and shorebirds. Southern Eden Landing has an existing area of tidal marsh habitat, called Whale's Tail Marsh, in the northwestern part of the site. Southern Eden Landing also has two small hills of upland habitat. A storm water detention area owned by the ACFCD is located in the center of southern Eden Landing.

Northern Eden Landing was restored during Phase 1 of the SBSP Restoration Project and supports a mix of tidal wetlands and managed ponds. The Ravenswood and Alviso pond complexes are located in the far South Bay and also support tidal marsh and managed pond habitat. Phase 2 restoration is currently underway at Alviso and Ravenswood.

Lands within the SBSP Restoration Project area support a wide range of species including populations of endangered Ridgway's rails and salt marsh harvest mice, native fish including steelhead trout, harbor seals, and large numbers of migratory waterfowl and shorebirds including the Bay Area's largest breeding population of the federally threatened western snowy plover at Eden Landing.

Each of the pond complexes also provide opportunities for different types of outdoor recreation and public access, including hiking, bird watching, boating, and hunting. These lands are surrounded by densely populated and developed areas of the South Bay, providing high quality wildlife habitat and public access in a major metropolitan region.

Grant Applicant Qualifications: The construction and monitoring funds for Eden Landing in this authorization would primarily go to Ducks Unlimited (DU) a nonprofit organization with extensive experience restoring habitat for waterfowl and other species. In addition to successfully constructing three SBSP Restoration Project Phase I projects, DU constructed all three phases of the Bair Island Restoration project, as well as numerous other Bay Area wetland restoration projects. DU is also experienced in developing successful permit applications and monitoring wetland restoration projects. Staff at DU are actively engaged with regulatory agencies regarding Phase 2 of the SBSP Restoration Project at Eden Landing and anticipate

receiving all necessary permits for construction of all Phase 2 actions, except the flood control levee modifications, by mid-2022.

A nonprofit organization, the California Wildlife Foundation (CWF) was created in 1990 to support open space and wildlife conservation in California. CWF will administer studies in cooperation with the SBSP Restoration Project Management Team and other project partners. In addition to their current work managing SBSP Restoration Project science, CWF played a key role in the restoration of Inner Bair Island by managing the dirt broker that brought in clean fill to raise the deeply subsided pond to marsh plain elevation. CWF has also been a partner on the Conservancy's Invasive *Spartina* Project and has led *Spartina* eradication activities as well as completed revegetation and enhancement projects. Due to this extensive experience in carrying out complex planning, acquisition, and construction projects, CWF is an appropriate entity to manage the proposed science activities.

The Aquatic Science Center (ASC) is a Joint Powers Authority created by the State Water Resources Control Board and the Bay Area's five largest wastewater treatment agencies. ASC works to integrate, manage, and report on data and information about the condition of waters and aquatic ecosystems. They also work to strengthen the integration of regional monitoring information generated through a variety of efforts. ASC is staffed entirely by the San Francisco Estuary Institute (SFEI), one of California's premier aquatic and ecosystem science institutes. SFEI provides independent science to assess and improve the health of the waters, wetlands, wildlife and landscapes of San Francisco Bay, the California Delta, and beyond.

The Alameda County Flood Control and Water Conservation District (ACFCD) provides flood protection for Western Alameda County residents and businesses. ACFCD plans, designs, constructs, and maintains flood control systems such as natural creeks, channels, levees, pump stations, dams, and reservoirs. ACFCD owns and manages the Alameda Creek Federal Flood Control Channel Levee, which was designated a federal flood control facility by Congress in the 1970s.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on October 2, 2014, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section below.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section below.
3. **Promotion and implementation of state plans and policies:** The design, construction and monitoring actions included in this proposed authorization will promote and implement several state plans including:

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California State Wildlife Action Plan 2015 Update (SWAP 2015 Update). The Phase 2 project at Eden Landing will lead to restoration of almost 1,400 acres of tidal wetlands, significantly contributing to the SWAP goals for the Bay-Delta and Central Coast region by 2025 of increasing by 5% from 2015 levels the following: acres of salt-marsh habitat, acres with desired genetic connectivity, acres with desired structural diversity, and areas connected.

CA Climate Adaptation Strategy/Safeguarding California: Reducing Climate Risk Plan (July 2014). The plan identifies Actions Needed to Safeguard Biodiversity and Habitats including #2: "Implement adaptive management studies to refine approaches for conserving biodiversity, especially for species and communities vulnerable to climate change" such as coastal wetlands.

California Water Action Plan (2014). The SBSP Restoration Project helps achieve Goal #4, Protect and Restore Important Ecosystems as it is one of the 10 "large-scale habitat projects along the California coast in strategic coastal estuaries to restore ecological health and natural system connectivity, which will ... help defend against sea level rise."

California @ 50 Million: The Environmental Goals and Policy Report (2013 Draft). Key Action #3 of the "Preserve and Steward State Lands and Natural Resources" calls for building resilience in natural systems and specifically points out that wetlands "provide important carbon sequestration opportunities for the state."

4. **Support of the public:** The SBSP Restoration Project enjoys extensive support from elected officials, local agencies, and environmental organizations. In addition, the SBSP Restoration Project has an extensive outreach program which includes a Stakeholder Forum made up of representatives of local governments, businesses, nonprofit organizations, homeowner groups, and individuals that meet annually. Furthermore, the project maintains a website with extensive information about the project and opportunities for participation, such as enhancing nesting habitat for western snowy plovers or helping to maintain native plants installed along upland transition zones.
5. **Location:** See the "Project Summary".
6. **Need:** Increasing the amount and quality of wetland habitats is necessary to recover many threatened and endangered species whose populations have been severely reduced due to widespread habitat loss throughout the San Francisco Estuary. The proposed authorization would facilitate the restoration. Furthermore, wetland restoration will improve water quality by absorbing nutrients and contaminants and increasing tidal circulation. Conservancy funding is needed to initiate construction of Phase 2 at Eden Landing.
7. **Greater-than-local interest:** The SBSP Restoration Project is the largest restoration project on the west coast of the United States. It will aid in the recovery of several endangered species, provide flood protection for adjacent communities, as well as provide recreational opportunities. Science funding through this authorization would help address uncertainties that are of concern to restoration practitioners throughout the region, including uncertainties around maintaining water quality and ensuring sufficient sediment supply for restoring wetlands due to ongoing and future impacts of climate change.

8. **Sea level rise vulnerability:** Existing and restoring tidal wetlands in the project area are vulnerable to sea level rise. Rising sea levels will also put more pressure on project levees and could make it more difficult to drain managed ponds. Consistent with the 2015 Baylands Ecosystem Habitat Goals report, the SBSP Restoration Project is restoring tidal marsh as quickly as possible to allow vegetation to become established early and act as a sediment trap to build marsh elevation as rates of sea level rise increase. The Eden Landing ponds are less subsided than ponds in other parts of the Bay which also increases their potential to reach marsh plain elevation relatively quickly.

The 2015 Baylands Ecosystem Habitat Goals report also recommends that as much as possible, complete wetland systems be restored that have interconnected habitats and processes that sustain them. Reconnecting Eden Landing and Alameda Creek will allow sediment to move out of the watershed and naturally deposit at Eden Landing, helping to sustain the wetlands over time.

Elements of this recommended authorization that will help maintain or enhance flood protection in the face of sea level rise include improving levees and installing nature-based shoreline protection along the bayfront levee to prevent erosion. Planning for improvements to ACFCD's tide gate structure will also lead to enhanced flood protection for adjacent communities.

Additional Criteria

9. **Urgency:** Funding through this authorization provides an opportunity to initiate restoration at Eden Landing, improving the potential for this area to withstand the impacts of sea level rise.
10. **Resolution of more than one issue:** The restoration of the former salt-evaporation ponds will provide habitat for fish and wildlife, improved water quality, and enhanced recreational opportunities.
11. **Innovation:** The Phase 2 project design for Eden Landing includes implementation of a 300-foot pilot gravel beach that will test an innovative solution to reducing levee erosion while creating shorebird habitat. This feature will be monitored to assess its effectiveness and can be scaled up and applied to other areas of the bayfront levee at Eden Landing if it is shown to be effective. The lessons learned through monitoring will also be valuable to other restoration projects that are interested in this kind of nature-based solution to reducing erosion.
12. **Readiness:** DU is leading the design and permitting for the Phase 2 SBSP Restoration Project at Eden Landing, which will facilitate a smooth and rapid transition into implementation.
13. **Realization of prior Conservancy goals:** This project builds on the Conservancy's participation in the development of the San Francisco Baylands Ecosystem Habitat Goals Report and its 2015 Baylands Ecosystem Habitat Goals Update which has goals, objectives, and recommendations for restoration in San Francisco Bay, and the Conservancy's participation in wetland acquisition and restoration projects in San Francisco Bay, including

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Napa Marsh, Bair Island, and Hamilton/Bel Marin Keys and others. This authorization builds upon numerous previous authorizations by the Conservancy awarding over \$20 million in funds to support and implement the SBSP Restoration Project.

14. **Cooperation:** The SBSP Restoration Project is an on-going collaboration between local, state, and federal agencies, nongovernmental organizations, special districts, utilities, and the general public who have participated in planning and provided funding in order to fulfill the goal of restoring or enhancing 15,100 acres of former salt ponds within a 50-year timeframe.
15. **Vulnerability from climate change impacts other than sea level rise:** Shallow waters in ponds, sloughs and streams in the SBSP Restoration Project area will experience increases in water temperature as the climate warms. This change may cause the temperature tolerance of certain species to be exceeded. Increasing temperatures may also cause declines in water quality in the South Bay. High nutrient concentrations in the South Bay, combined with increasing water temperatures will likely increase primary productivity for longer periods of the year, leading to longer periods of low dissolved oxygen, and potentially harmful algal blooms and methyl-mercury production. Project science supported through this authorization is expected to help to better understand potential changes to water quality due to climate change.

PROJECT FINANCING

Coastal Conservancy	\$12,750,000
California Department of Transportation (in-lieu fee)	\$720,000
Project Total	\$13,470,000

The California Department of Transportation has provided \$800,000 to the Conservancy for implementation of a public access project that will help fulfill the requirements of Bay Conservation and Development Commission Permit No. M2019.014.00. This BCDC permit authorizes Caltrans' Highway 101 Managed Lane Project that will develop high occupancy toll lanes along Highway 101 in San Mateo County. BCDC approval is provided in Exhibit 5. The Conservancy will use \$720,000 of these funds to complete the Ravenswood Public Access trail and amenities and \$80,000 for administration.

The remaining funds are anticipated to come from the fiscal year 2019 appropriation to the Conservancy from the "California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018" (Prop 68, Public Resources Code Division 45, Chapters 1-13, Sections 80000-80173). In particular, Chapter 9 of Prop 68 allocates funds to the San Francisco Bay Area Conservancy Program for projects that enhance and protect coast and ocean resources including projects that are consistent with the purposes of the San Francisco Bay Area Conservancy Program at Division 21 of the Public Resources Code. (Pub. Res. Code sections 80120 (c) and (d)). As defined by Proposition 68, the term "protection" includes actions that will improve access to public open-space areas and actions to allow the continued use and enjoyment of property and natural, cultural, and historic resources. (Section 80002(l)). The

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SBSP Restoration Project is consistent with these requirements because it will restore tidal wetlands, create transition zone habitat for tidal marsh dependent species, and provide public access along the shoreline of San Francisco Bay.

Prop 68 funds for the San Francisco Bay Program were designated in the 2019 Budget Act specifically for wetland restoration in the Bay Area, consistent with subdivision (c) of Section 80120 of the Public Resources Code. All of the activities covered by the recommended authorization, including construction, management, science, and analyses, would support the wetland restoration and enhancement activities of the South Bay Salt Pond Restoration Project.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

This project will be undertaken pursuant to Chapter 4.5 of the Conservancy's enabling legislation, Public Resources Code Sections 31160-31165, to address resource goals in the San Francisco Bay Area.

The SBSP Restoration Project, including Eden Landing Ecological Reserve, is within the nine-county Bay Area as required under Section 31162 of the Public Resources Code.

Under Section 31162(a), the Conservancy may undertake projects to improve public access to and around the Bay, without having a significant adverse impact on environmentally sensitive areas and wildlife, such as wetlands, through completion of regional trails, local trails connecting to population centers and public facilities and which are part of a regional trail system, and through the provision of related facilities. The proposed project includes construction of trail segments as well as related public facilities, while enhancing wildlife habitat.

Under Section 31162(b), the Conservancy may act to protect, restore, and enhance natural habitats and connecting corridors, watersheds, scenic areas, and other open-space resources of regional significance. This authorization would specifically provide funding for the initial construction work necessary to restore tidal connections to almost 1,400 acres and would result in the enhancement of several hundred acres of managed pond habitat. As part of the SBSP Restoration Project, these actions will contribute towards completing a wetland restoration project of national significance.

Under Section 31162(d), the Conservancy may act to promote, assist, and enhance projects that provide open space and natural areas that are accessible to urban populations for recreational and educational purposes. The implementation of Phase 2, which includes trails and other opportunities for recreation, will provide an important recreational open space area to residents of the South Bay, as well as to residents of the entire Bay Area.

The project is consistent with Sections 31163(a) and (b), directing the Conservancy to participate in and support interagency actions and public/private partnerships in the San Francisco Bay Area to implement long-term resources and outdoor recreational goals.

Consistent with Section 31163(c), the project meets the following criteria: (1) is supported by adopted regional plans (San Francisco Bay Plan, Baylands Ecosystem Habitat Goals Report (1999) pp. 99, 134-134, and Baylands Goals Update (2015) pp. 219-223), (2) is

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multijurisdictional (involves multiple agencies) and serves a regional constituency (the restoration component will facilitate nationally and regionally significant wetland restoration efforts and will complete regional trail connections), (3) can be implemented in a timely way, (4) provides opportunities for habitat, flood protection, and public access benefits that could be lost if the project is not quickly implemented, and (5) includes matching funds from other sources of funding as described above in the “Project Financing” section.

CONSISTENCY WITH CONSERVANCY’S [2018-2022 STRATEGIC PLAN](#) GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 8, Objective C**, the proposed project will implement several adaptation features including repairs and enhancement along the bayfront levee that will increase resilience of natural systems to sea level rise.

Consistent with **Goal 12, Objective D**, the proposed construction activities will lead to the restoration of almost 1,400 acres of tidal wetlands and approximately 900 acres of enhanced managed pond habitat.

Consistent with **Goal 12, Objective E**, the project will improve watershed function by planning for the reconnection of the Alameda Creek Flood Control Channel and Eden Landing to benefit steelhead and facilitate sediment transport to the evolving wetlands.

CEQA COMPLIANCE:

Actions included in this proposed authorization were evaluated in the Final Environmental Impact Report, South Bay Salt Pond Restoration Project, Eden Landing Phase 2 (Final Eden Landing Phase 2 EIR) which was certified by the California Department of Fish and Wildlife in May 2019 pursuant to the California Environmental Quality Act (“CEQA”). The Conservancy made findings on the Final Eden Landing Phase 2 EIR at its May 16, 2019 meeting as part of an authorization of funding for design and permitting of the Phase 2 SBSP Restoration Project at Eden Landing (Exhibit 3). The actions proposed in this authorization remain consistent with those findings.

Other actions considered in this proposed authorization were evaluated as part of the Final Environmental Impact Statement/Report, Phase 2 South Bay Salt Pond Restoration Project, April 2016 (Final Phase 2 EIS/R). The Conservancy made findings on the Final Phase 2 EIS/R at its May 16, 2016 meeting (Exhibit 2) as part of an authorization that provided construction funding for the Phase 2 projects at Alviso and Ravenswood. The actions proposed in this authorization remain consistent with those findings.

The only element of this proposed authorization not previously evaluated under CEQA is the design and environmental review of modifications to ACFCD’s tide gate structure on Old Alameda Creek. This work is exempt from CEQA pursuant to 14 California Code of Regulations Section 15262, which exempts feasibility and planning studies. The work is also exempt pursuant to 14 Cal Code of Regulations Section 15306, which exempts basic data collection, research and resource evaluation activities that do not result in a serious or major disturbance

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to an environmental resource. Staff will file a notice of exemption upon approval of the recommended authorization.