COASTAL CONSERVANCY

Staff Recommendation
May 16, 2019

SOUTH BAY SALT POND RESTORATION PHASE 2:
EDEN LANDING DESIGN

Project No. 02-070-05
Project Managers: Brenda Buxton and Laura Cholodenko

RECOMMENDED ACTION: Authorization to 1) disburse up to $600,000 to Ducks Unlimited, Inc. for final construction planning and design of Phase 2 South Bay Salt Pond Restoration Project actions proposed for ponds between Old Alameda Creek and Alameda Creek Flood Control Channel at Eden Landing Ecological Reserve, Alameda County, 2) disburse up to $284,760 to environmental services contractors to design a gravel beach and berm for the bayfront levee at Eden Landing Ecological Reserve, and 3) add Eden Landing Ecological Reserve to the sites available for placement of dredged sediment from the Redwood City Harbor; and adoption of findings pursuant to the California Environmental Quality Act.

LOCATION: Eden Landing Ecological Reserve, Cities of Hayward and Union City, Alameda County (Exhibit 1).

PROGRAM CATEGORY: San Francisco Bay Conservancy Program

EXHIBITS

Exhibit 1: Project Location Map

Exhibit 2: December 6, 2018 Redwood City Harbor Beneficial Reuse Project Staff Recommendation

Exhibit 3: South Bay Salt Pond Restoration Project Map

Exhibit 4: Eden Landing Ecological Reserve Map

Exhibit 5: Eden Landing Phase 2 Preferred Alternative

Exhibit 6: Final Eden Landing Phase 2 EIR and Mitigation Monitoring and Reporting Program

Exhibit 7: Project Letters

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160 - 31165 of the Public Resources Code:

"The State Coastal Conservancy hereby authorizes the disbursement of up to $600,000 (six hundred thousand dollars) to Ducks Unlimited, Inc. for completion of construction designs, bid package documentation, and permit applications for actions proposed for Eden Landing Ecological Reserve as part of Phase 2 of the South Bay Salt Pond Restoration Project, subject to the condition that prior to the disbursement of any funds Ducks Unlimited, Inc. shall submit for the review and approval of the Conservancy's Executive Officer a work program including a budget and schedule, the names of any contractors it intends to use, and an acknowledgement plan.

The Conservancy further authorizes the disbursement of up to $284,760 (two hundred eighty-four thousand seven hundred sixty dollars) to one or more environmental services contractors to design a gravel beach and berm for the bayfront levee of Eden Landing Ecological Reserve.

The Conservancy further authorizes Eden Landing Ecological Reserve as a site for the placement of sediment dredged from Redwood City Harbor by the U.S. Army Corps of Engineers pursuant to its agreement with the Conservancy (authorized by the Conservancy on December 6, 2018) regarding beneficial placement of dredged sediment from Redwood City Harbor."

Staff further recommends that the Conservancy adopt the following findings:

"Based on the accompanying staff report 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. The Conservancy independently reviewed and considered the *2007 South Bay Salt Pond Restoration Project Final Environmental Impact Statement/Environmental Impact Report* (2007 EIS/R) and made findings pursuant to its duties as a responsible agency under the California Environmental Quality Act (CEQA) when taking actions to fund Phase 1 projects. Phase 2 remains consistent with those earlier findings and authorizations, including those made on November 6, 2008 and June 4, 2009.
4. The Conservancy has independently reviewed and considered the information contained 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 prior to this Conservancy meeting by the California Department of Fish and Wildlife in May 2019 pursuant to the California Environmental Quality Act ("CEQA"), and is attached to the accompanying staff recommendation as Exhibit 6.
5. The Final Eden Landing Phase 2 EIR identifies "significant and unavoidable" impacts regarding traffic impacts from material import. The Final EIR explains that one potential mitigation measure (changing the timing of traffic signals to reduce delay at affected intersections) is not feasible without causing larger, regional impacts on traffic. Therefore, the Conservancy finds that it is infeasible to avoid, reduce or mitigate this possible significant environmental effect of the project on traffic.

6. The Final Eden Landing Phase 2 EIR identifies "significant and unavoidable" impacts in the area of Air Quality from short-term construction-generated emissions of nitrogen oxides (NOx) if diesel fuel is used to power the pumps that deliver dredge material to the project site. In this event, even the project-specific mitigation measure to use more efficient equipment and reduce NOx emissions would be insufficient to reduce NOx emissions below regional significance thresholds. Because diesel fuel may be used, the Conservancy finds that it is infeasible to avoid, reduce, or mitigate this possible significant environmental effect of the project on air quality.
7. The Final Eden Landing Phase 2 EIR identifies "significant and unavoidable" impacts in the area of Recreational Resources due to temporary closures of trails to protect public safety during construction. The Conservancy finds it is infeasible to avoid, reduce, or mitigate this possible significant environmental effect of the project on recreation resources.
8. The Conservancy finds that specific environmental and other benefits of the project described in the Statement of Overriding Considerations in the accompanying staff recommendation outweigh and render acceptable the project's unavoidable adverse environmental effects because the project will result in long-term environmental benefits including restoring native habitat for threatened and endangered salt marsh species as well as enhancing managed ponds for other plant and animal species that otherwise would be threatened by loss of habitat. In addition, the project will maintain or improve the existing level of flood protection, which will benefit adjacent residences, businesses, and public infrastructure. Finally, although there are temporary impacts to recreational resources (from closure to construct the project and its public access features), the project will also construct new trails, overlooks, interpretive signs and other public amenities that will increase wildlife-oriented recreation and public access opportunities.
9. Ducks Unlimited, Inc. is a nonprofit organization existing under section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code."

PROJECT SUMMARY:

Conservancy approval of the recommended funding will launch Phase 2 implementation of the South Bay Salt Pond Restoration Project (Exhibit 3) at the Eden Landing Ecological Reserve (Exhibit 4). This proposed authorization will enable Ducks Unlimited, Inc. (DU) to complete construction designs, prepare bid documents, and submit permit applications needed to construct Phase 2 of the South Bay Salt Pond (SBSP) Restoration Project at Eden Landing Ecological Reserve.

The Conservancy commenced Phase 2 implementation on the federally owned portions of the South Bay Salt Pond Restoration Project on May 26, 2016 with the certification and adoption of the *Final Environmental Impact Statement/Report, South Bay Salt Pond Restoration Project – Phase 2 (Final Phase 2 EIS/R)* and authorization of up to $13,727,170 to DU for construction of Phase 2 restoration at the Mountain View Ponds and Ravenswood Ponds (see Exhibit 3 for map of all the SBSP Restoration Project's pond complexes). These actions, however, did not include

Eden Landing Ecological Reserve. Due to the complexity of the flood management issues, Phase 2 planning and environmental review for the Eden Landing pond complex was on a separate schedule – a schedule that has now been completed. The *Final Environmental Impact Report, South Bay Salt Pond Restoration Project, Eden Landing Phase 2* (Final Eden Landing Phase 2 EIR) for Eden Landing was certified by the California Department of Fish and Wildlife (the CEQA lead agency) in May 2019.

The activities proposed as part of Phase 2 at Eden Landing focus on the southern portion of the complex, south of Old Alameda Creek (Exhibit 4). The Final Eden Landing Phase 2 EIR Preferred Alternative includes tidal wetland restoration, creation of managed pond habitat, phased restoration of some ponds pursuant to an adaptive management process, improvement of flood protections features, as well as construction of habitat transition zones and public recreation features (see Exhibit 5). These actions include the following:

- Breach the Bay Ponds (Ponds E1, E2, E4, and E7) to allow tidal exchange with Old Alameda Creek and the development of approximately 1,375 acres of tidal wetlands.
- Create approximately 900 acres of either tidal wetlands or enhanced managed ponds as determined through adaptive management program in the Inland Ponds (Pond E6, E6C, E5) and Southern Ponds (Ponds E1C, E2C, E4C, and E5C) by adding and replacing water control structures. In the future, as the water control structures need to be replaced, depending on the results of the South Bay Salt Pond Restoration Project's Adaptive Management Plan, the land managers may determine that some of the Inland Ponds or Southern Ponds, the water control structures should be removed, and the ponds restored to tidal wetland. However, Pond E6C would be specifically enhanced and maintained as western snowy plover habitat permanently.
- To facilitate the passage of fish from Alameda Creek Flood Control Channel into the evolving tidal marsh habitat in the Bay Ponds, the project would create an armored breach in the channel levee to facilitate a hydrologic connection.
- In order to maintain and improve the existing level of flood protection and provide transition zones, the bayside levee in ponds E1 and E2 would be improved and a habitat transition zone (an earthen slope) would be constructed on the eastern, inboard side of the levee. The bayfront side of this levee would be enhanced with root wads, gravel and sand to improve stability and habitat complexity and overall habitat values. In addition, the berms in the middle of the project area and on the landside would be improved and additional habitat transition zones constructed.
- The Preferred Alternative includes completing the Bay Trail through the southern half of the Eden Landing Ecological Reserve area. The proposed Bay Trail route would be on a combination of CDFW land and properties owned by others, based on successful acquisition of those neighboring landowner agreements. Starting at the existing terminus of the Bay Trail in northern Eden Landing, the to-be-constructed segment would extend on CDFW berms to Old Alameda Creek. The trail would then cross the 20-tide-gate structure and continue along the CDFW berms to the southeast corner of Pond E6C. From there, the trail would cross a footbridge over an existing channel (owned by the Alameda County Flood Control and Water Conservation District) and then run along the

northwest edge of Ponds E4C, E5C, and E1C to connect to the Alameda Creek Flood Control Channel levee. The trail berms would be raised to increase their resilience to sea level rise and to comply with Bay Trail design standard guidelines. A viewing platform featuring benches, interpretive panels, and/or recreational information would be installed along the Alameda Creek Flood Control Channel trail near a trail junction or another interesting habitat feature.

- The Preferred Alternative also includes a bridge over the Alameda Creek Flood Control Channel in approximately the Cal Hill area in order to allow for the potential for other local agency partners to construct this bridge.
- The Preferred Alternative also includes the beneficial reuse of dredge material in the Bay and Inland Ponds (except for Pond E6C, the western snowy plover habitat pond). Adding dredge material would raise pond bottoms more quickly than natural sedimentation processes and would speed up the development of tidal marsh, a particularly desired outcome in the face of accelerating sea level rise. The average annual rate of dredged sediment delivery to the Bay and Inland Ponds is expected to range from 0.9 to 1.8 MCY (million cubic yards) per year. Dredged material would be sourced from dredging projects around the Bay, which typically provide a range of fine and coarse material, although fines would likely be predominant. Only material meeting the San Francisco Bay Regional Water Quality Control Board's (RWQCB) wetland cover suitability criteria or the RWQCB's foundation material suitability criteria and/or permit requirements would be accepted. The dredge material would be mixed with seawater to create a slurry that could be pumped from an offloader via pipelines to the Bay and Inland Ponds. The offloading facility would be located in the deep-water channel approximately 3 miles offshore of Pond E2. Dredging projects wishing to dispose of material at the southern Eden Landing ponds are subject to separate environmental review and permits to dredge and to transport their material to a deep-water transfer point located in the Bay. The U.S. Army Corps of Engineers (ACOE) and RWQCB have already certified a joint environmental impact statement/environmental impact report addressing dredging at Redwood City Harbor and transportation of dredged sediment for disposal, including transportation to beneficial reuse sites.

This authorization would allow DU to commence construction design of the Preferred Alternative proposed in the Final Eden Landing Phase 2 EIR and apply for permits for construction.

This proposed authorization would also enable environmental services contractors to prepare designs for a gravel beach and berm feature that would be installed along the bayfront levee of the Eden Landing Phase 2 restoration site. This nature-based shoreline feature would help protect the levee from erosion and failure due to wave action and will provide protected shorebird roosting and nesting habitat, as well as habitat for fish and other aquatic wildlife. Contractors would also prepare outreach materials about this feature to enhance understanding about the function of coarse-grain beaches to the Bay Area and their role in the provision of habitat. The gravel beach and berm feature was developed through the Resilient by Design Bay Area Challenge that brought together local residents, public officials and local, national and international experts to develop innovative solutions that strengthen the Bay Area's resilience to

sea level rise, severe storms and flooding. Based on comment and input from the Resilient by Design team, a 300 linear foot pilot gravel beach and berm feature that will test different design options was added to the CEQA Preferred Alternative.

Grantee Qualifications: DU, a nonprofit organization, has extensive experience restoring habitat for waterfowl and other species. DU has completed numerous wetland restoration projects around San Francisco Bay including several Phase 1 SBSP Restoration projects. In addition to its successful record planning and implementing wetland restoration projects, DU has been successful in securing matching funds. DU was awarded $500,000 from the U.S. Environmental Protection Agency's San Francisco Bay Water Quality Grant Program and has an application pending from the San Francisco Bay Restoration Authority for an additional $600,000 to complete the pre-construction planning, design, and permitting for Eden Landing.

Site Description: Eden Landing Ecological Reserve is one of the three pond complexes that make up the South Bay Salt Pond Restoration Project (the other two are the Ravenswood and Alviso Pond Complexes, see Exhibit 3). The ponds between Old Alameda Creek and the Alameda Creek Flood Control Channel, referred to as southern Eden Landing, have been the focus of Phase 2 planning since most of the ponds in northern Eden Landing were restored or enhanced as part of Phase 1. Historically, the southern part of Eden Landing consisted of tidal marshes interwoven with the mouth of Alameda Creek. Eden Landing was one of the first places around San Francisco Bay where marshes were converted to salt evaporation ponds and salt works remnants can still be seen on the landscape. Today Eden Landing supports a diversity of wildlife including waterfowl, shorebirds, fish, and threatened and endangered species, including the largest western snowy plover colony in the south bay. There is currently no public access in the southern portion of Eden Landing except for the Alameda Creek Flood Control Channel levee trail, currently managed by the East Bay Regional Park District.

Project History: In the late nineteenth and early twentieth centuries much of the vast tidal marshes that surrounded San Francisco Bay south of the San Mateo Bridge were converted to salt evaporation ponds, contributing to the total estimated 85 percent loss of the historic tidal marshes in the San Francisco Bay-Delta Estuary. Although dramatically different from 150 years ago, the South Bay's wetland habitats (salt ponds, tidal marshes, sloughs, mudflats, and open bay) are used by large populations of waterfowl and shorebirds, harbor seals, numerous fish species, and by a number of threatened and endangered species, including the California Ridgway's rail, California black rail, California brown pelican, California least tern, western snowy plover, salt marsh harvest mouse, and steelhead trout. The 2003 acquisition of 15,100 acres of salt evaporation ponds created the South Bay Salt Pond Restoration Project. From 2009 through 2016, as part of implementation of Phase I of the South Bay Salt Pond Restoration Project, 630 acres of ponds in the northern portion of Eden Landing were restored to tidal action and 920 acres enhanced for pond species. In addition, a Bay Trail spur, a boardwalk over the historic salt works ruins, and a kayak launch were constructed. Existing levees were raised and widened to maintain or improve flood protection.

PROJECT FINANCING

Coastal Conservancy	$658,660

Duck Unlimited, Inc. (US EPA)	$500,000
San Francisco Bay Restoration Authority (pending)	*$600,000*
National Fish and Wildlife Foundation	$226,100
Project Total	**$1,984,760**

A portion of the proposed Conservancy funds is anticipated to be from appropriations of the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1, Water Code Section 79700 et seq.). Funds appropriated to the Conservancy derive from Chapter 6 (commencing with § 79730) and may be used "for multi-benefit water quality, water supply, and watershed protection and restoration projects for the watersheds of the state" (Section 79731). Section 79732 identifies specific purposes of Chapter 6 and includes: protect and restore aquatic, wetland and migratory bird ecosystems, including fish and wildlife corridors; protect and restore coastal watersheds, including, but not limited to bays, marine estuaries, and nearshore ecosystems; and assist in the recovery of endangered, threatened or migratory species by improving watershed health, instream flows, fish passage and coastal or inland wetland restoration.

As required by Proposition 1, the proposed project provides multiple benefits. By undertaking the pre-construction work necessary to restore the salt marsh and enhance pond habitat, the project will significantly improve ecological and hydraulic function of the South Bay's wetlands while also contributing to management of flood risk in adjacent communities and providing public access improvements and environmental interpretation. The proposed project will help achieve the three Chapter 6 purposes identified above by restoring wetland ecosystems for fish and other wildlife, protecting and restoring the San Francisco Bay estuary, and assisting in recovery of endangered, threatened, and migratory species.

In accordance with Section 79707(b), which requires agencies to prioritize "projects that leverage private, federal, or local funding or produce the greatest public benefit," this project leverages federal funding as noted above.

DU's proposal for planning and design of Phase 2 improvements at Eden Landing was selected through a competitive grant process under the Conservancy's *Proposition 1 Grant Program Guidelines* adopted in June 2015 ("Prop 1 Guidelines"). (See § 79706(a)). The proposed grant meets each of the evaluation criteria in the Prop 1 Guidelines as described in further detail in this "Project Financing" section, and in the "Promotion and implementation of state plans and policies" discussion under the "Consistency with Conservancy's Project Selection Criteria & Guidelines" section of this report.

The remaining Conservancy funds are anticipated to come from appropriations to the Conservancy from the "Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006" (Proposition 84). This funding source may be used for the protection of beaches, bays and coastal waters, including projects that protect and restore the natural habitat values of coastal waters, pursuant to the Conservancy's enabling legislation, Division 21 of the Public Resources Code. These funds would be used to hire contractors to design a gravel beach and berm element of the Eden Landing Phase 2 project. The proposed gravel beach and berm serves to restore coarse grain beach habitat, a habitat type that was

historically common in San Francisco Bay, that provides important nesting and roosting habitat for shorebird and provides nature-based shoreline protection.

Consistent with Proposition 84 requirements, the proposed gravel berm project includes development of a monitoring plan to evaluate the feature's stability, habitat function, and maintenance needs. This monitoring information will be useful to other shoreline property owners in San Francisco Bay that may benefit from implementing this type of nature-based shoreline protection.

Proposition 84 also requires that for restoration projects that protect natural resources, the Conservancy assess whether the project meets at least one of the criteria specified in Section 75071(a)-(e). The gravel beach and berm project satisfies the following criteria: (a) landscape/habitat linkages – the gravel beach and berm will provide habitat for shorebirds, facilitating their movements throughout the region, and (b) watershed protection – the project will contribute to long-term protection of and improvement to the water and biological quality of San Francisco Bay.

The matching funds provided by DU include a $500,000 award from the U.S. Environmental Protection Agency's San Francisco Bay Water Quality Improvement Fund. DU anticipates raising the additional funding needed for pre-construction activities through an application to the San Francisco Bay Restoration Authority's Measure AA grant program. If this application is not successful, DU will continue to work on designs and permit applications to the extent possible but may not complete all the proposed tasks until additional funds have been secured.

Matching funds also include a $237,405 award from the National Fish and Wildlife Foundation (NFWF), approximately $11,000 of which will provide support for Conservancy staff. The funding comes from the National Coastal Resilience Fund that is made available through a partnership with NFWF and the National Oceanic and Atmospheric Administration.

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 design of Bay Trail segments and connecting trails 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 for the planning and design work necessary to restore tidal connections to at least 1,300 acres, enhance approximately 400 to

800 acres of managed pond habitat, construct upland transitions zones, and build new trails in the former salt-evaporation ponds at Eden Landing. 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. 97, 126-139, *Baylands Goals Update (2015)* pp. 198, 203, and the *San Francisco Basin (Region 2) Water Quality Control Plan (June 29, 2013)* pp. 2-2 and 4-92), (2) is 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 12, Objective C** of the Conservancy's Strategic Plan, the proposed project will complete the construction planning for 1,300 to 2,270 acres of wetlands habitat and for **Goal 13, Objective D,** approximately 4 miles of the Bay Trail. Consistent with **Goal 8, Objective B**, the proposed project will design an adaptation feature to increase resilience of natural systems to sea level rise.

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 above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.

3. **Promotion and implementation of state plans and policies:** The design and planning of the restoration, recreation, and flood protection project elements as proposed as part of Phase 2 SBSP Restoration Project at Eden Landing will promote and implement several state plans including:

   • *California State Wildlife Action Plan 2015 Update (SWAP 2015 Update).* The restoration of 1,300 acres of tidal wetlands, enhancement of 400 to 800 acres of managed pond habitat, and construction of habitat transition zones as proposed in Phase 2 at Eden Landing will significantly contribute to the SWAP 2015 Update goals for the Bay-Delta and Central Coast region by 2025 to increase by 5% from 2015 levels the following: acres of salt-marsh habitat, acres with desired genetic connectivity, acres with desired structural diversity, areas connected, and acres of habitat providing high-tide refugia. This project will do this by improving water quality in the Bay, increasing carbon sequestration, increasing the amount of salt-marsh habitat, targeting restoration sites that are physically adjacent to facilitate species movement and genetic connectivity, and increasing the structural (topographic and botanical) diversity of marshlands by creating ecotone that will provide high-tide refugia and areas for salt-marsh migration with rising seas. Planning for Phase 2 actions at Eden Landing is consistent with the plan's objective to provide support for the Coastal Conservancy and others to implement established priorities and conservation goals for San Francisco Bay and with the conservation action to "develop, fund, and implement…the South San Francisco Bay Salt Pond Restoration Project" (p.5.3-48).

   • *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 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." In addition, the project supports Goal #8, Increase Flood Protection, which calls for flood protection projects that achieve multiple benefits including through floodplain restoration.

   • *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."

3. **Support of the public:** Letters supporting DU's request for funds for planning Eden Landing design are in Exhibit 7. These letters were sent in 2018 when the Conservancy staff originally anticipated authorizing DU funding. Completing the CEQA process, however, delayed this authorization. The support of these organizations has not changed. In addition, the use of dredged material at Eden Landing Ecological Reserve is supported by the regulatory agencies engaged in the Long-Term Management Strategy for the Placement of Dredged Material in Bay Region (LTMS).

4. **Location:** The proposed project is located in the southern San Francisco Bay Area, Alameda County, consistent with Section 31162 of the Public Resources Code.
5. **Need:** Approximately 85 percent of the tidal marsh in San Francisco Bay has been lost since the Gold Rush, leading to dramatic losses of fish and wildlife, decreased water quality and increased turbidity in the Bay, and changes to physical processes as the size of the Estuary shrank, increasing the need for dredging and the local hazards of flooding. The need for restoration of tidal marsh in San Francisco Bay in order to aid in the recovery of at-risk species, and improve water quality and the physical health of the Bay, is well recognized among scientists and resource managers. Conservancy support is needed to provide funds for pre-construction designs and permitting and to provide match to federal grant funds.
6. **Greater-than-local interest:** Restoration of this area is of national significance and will result in at least 1,300 acres in tidal wetland restoration which will provide benefits to a large number of species, including migratory waterfowl and shorebirds, and aid in the recovery of several threatened or endangered species, including the California Ridgway's Rail and Salt Marsh Harvest Mouse. In addition, the project will improve flood protection for several adjacent communities and provide regional trail connections.
7. **Sea level rise vulnerability:** Due to their location, all tidal wetland restoration projects can be vulnerable to sea-level rise impacts. However, once the marsh plain of a restored wetland is colonized by vegetation, marshes become efficient sediment traps. Hydrological modeling done as part of the SBSP Restoration Project's geomorphological analysis indicates that the South Bay's wetlands are likely to keep up with an accelerated pace of sea-level rise. If sea-level rise rates are higher than modeled, it could take longer for marsh vegetation to develop or, in more extreme scenarios, may mean that the restoration sites do not evolve past the intertidal mudflat or shallow open water stage. However, much of the project area is likely to withstand the impacts from sea-level rise for several reasons. The Eden Landing ponds have subsided less than ponds in other parts of the Bay, are located in the sediment-rich South Bay, and past wetland restoration projects have shown much more rapid than predicted sedimentation and colonization by vegetation. It is essential to implement the project as soon as possible because the earlier sites are restored and develop vegetation, the better they will fare against rising sea levels. The flood protection elements of the project would increase the flood protection for the adjacent communities and make them more resilient to sea level rise impacts. This authorization also includes beneficial use of dredged sediment which will further address sea level rise at Eden Landing. By raising the elevations of the pond bottoms prior to breaching, the restored wetlands reach marsh plain elevation earlier than if the site solely relied on natural processes.

Additional Criteria

8. **Urgency:** The grant funds that the Conservancy has received have expiration dates and it is urgent that planning activities lead to construction soon in order to meet these deadlines.
9. **Resolution of more than one issue**: The restoration of the former salt-evaporation ponds will provide for habitat restoration for fish and wildlife, improved water quality and flood control, and enhanced recreational opportunities.
10. **Leverage**: See the "Project Financing" section above.

11. **Innovation**: The SBSP Restoration Project is a national model of how to coordinate a scientifically sound, publicly-supported, multi-objective, multi-agency project, on scale with the Everglades and Chesapeake Bay. The successful use of adaptive management to guide planning and implementation has made the project a model for other projects around the nation.

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 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 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.

15. **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. DU's partnership to raise funds and complete design is an example of the on-going cooperation among the SBSP Restoration Project participants.

CONSISTENCY WITH SAN FRANCISCO BAY PLAN:

The project is consistent with the following policies of BCDC's San Francisco Bay Plan (Reprinted March 2012):

Part III: The Bay as a Resource

Fish, Other Aquatic Organisms and Wildlife (p. 16)

- To assure the benefits of fish, other aquatic organisms and wildlife for future generations, to the greatest extent feasible, the Bay's tidal marshes, tidal flats, and subtidal habitat should be conserved, restored and increased.

Water Quality (p.19)

- The Bay's tidal marshes, tidal flats, and water surface area and volume should be conserved and, whenever possible, restored and increased to protect and improve water quality.

Water Surface Area and Volume (p. 20)

- Water circulation in the Bay should be maintained, and improved as much as possible.

Tidal Marshes and Mudflats (p. 23-24)

- Where a transition zone does not exist and it is feasible and ecologically appropriate, shoreline projects should be designed to provide a transition zone between tidal and upland habitats.
- Where feasible, former tidal marshes and tidal flats that have been diked from the Bay should be restored to tidal action in order to replace lost historic wetlands or should be managed to provide

important Bay habitat functions, such as resting, foraging and breeding habitat for fish, other aquatic organisms and wildlife.

- Any ecosystem restoration project should include clear and specific long-term and short-term biological and physical goals, and success criteria, and a monitoring program to assess the sustainability of the project.

Part IV: Development of the Bay and Shoreline

Public Access (pp. 67-68)

In addition to the public access to the Bay provided by waterfront parks, beaches, marinas, and fishing piers, maximum feasible access to and along the waterfront and on any permitted fills should be provided in and through every new development in the Bay or on the shoreline, whether it be for housing, industry, port, airport, public facility, wildlife area, or other use, except in cases where public access would be clearly inconsistent with the project because of public safety considerations or significant use conflicts, including unavoidable, significant adverse effects on Bay natural resources. In these cases, in lieu access at another location preferably near the project should be provided.

Public access to some natural areas should be provided to permit study and enjoyment of these areas. However, some wildlife is sensitive to human intrusion. For this reason, projects in such areas should be carefully evaluated in consultation with appropriate agencies to determine the appropriate location and type of access to be provided.

Part IV: Development of the Bay and Shoreline

Dredging (pp. 44-49)

- Dredging and dredged material disposal should be conducted in an environmentally and economically sound manner. Dredgers should reduce disposal in the Bay and certain waterways over time to achieve the LTMS goal of limiting in-Bay disposal volumes to a maximum of one million cubic yards per year. The LTMS agencies should implement a system of disposal allotments to individual dredgers to achieve this goal only if voluntary efforts are not effective in reaching the LTMS goal. In making its decision regarding disposal allocations, the Commission should confer with the LTMS agencies and consider the need for the dredging and the dredging projects, environmental impacts, regional economic impacts, efforts by the dredging community to implement and fund alternatives to in-Bay disposal, and other relevant factors.
- To ensure adequate capacity for necessary Bay dredging projects and to protect Bay natural resources, acceptable non-tidal disposal sites should be secured, and the Deep Ocean Disposal Site should be maintained. Further, dredging projects should maximize use of dredged material as a resource consistent with protecting and enhancing Bay natural resources, such as creating, enhancing, or restoring tidal and managed wetlands, creating and maintaining levees and dikes, providing cover and sealing material for sanitary landfills, and filling at approved construction sites.
- Interested agencies and parties are encouraged to explore and find funding solutions for the additional costs incurred by transporting dredged materials to nontidal and ocean disposal

sites, either by general funds contributed by ports and other relevant parties, dredging applicants or otherwise.

COMPLIANCE WITH CEQA:

In order to comply with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), USFWS and the California Department of Fish and Wildlife (CDFW) prepared a Draft *South Bay Salt Pond Restoration Project, Environmental Impact Statement/Report, Eden Landing Phase 2* to evaluate the potential environmental impacts of Phase 2. However, since NEPA is not required in securing a USFWS permit for the project, and because this Phase 2 project is not taking place on federal lands and because the USFWS is not providing federal funding towards implementation, the document is being finalized as an EIR rather than an EIS/EIR. Instead, CDFW has certified the *Final Environmental Impact Report, South Bay Salt Pond Restoration Project, Eden Landing Phase 2* (Final Eden Landing Phase 2 EIR) solely as an EIR. However, the Final Eden Landing Phase 2 EIR includes enough information to help facilitate the eventual NEPA process that will take place as part of future federal agency permitting (e.g., U.S. Army Corps of Engineers Section 404 Clean Water Act permitting) that will be necessary for project implementation. The Final Eden Landing Phase 2 EIR and Mitigation Monitoring and Reporting Program are attached as Exhibit 6.

This environmental document is a project-level environmental impact report addressing the specific components and implementation of Eden Landing Phase 2 but tiers off of the *2007 South Bay Salt Pond (SBSP) Restoration Project Programmatic Environmental Impact Statement/Environmental Impact Report* (2007 EIS/R). The Department of Fish and Wildlife was the CEQA lead for the 2007 EIS/R. In 2008-2009, the Conservancy, as a responsible agency under CEQA, used the 2007 EIR/S as its environmental document to approve funding for construction of Phase 1 of the SBSP Restoration Project.

The Programmatic Context of the Phase 2 Alternatives

The Final Eden Landing Phase 2 EIR tiers from the analysis conducted for the 2007 EIS/R by advancing the restoration, public access, and flood protection goals of the SBSP Restoration Project. The 2007 EIS/R assessed the environmental consequences associated with two long-term restoration alternatives. In consideration of the environmental consequences discussed in the 2007 EIS/R, the USFWS Record of Decision (ROD) and the CDFW Notice of Determination (NOD) state that the USFWS and CDFW will implement Programmatic Alternative C, the Tidal Emphasis Alternative, which would eventually convert 90 percent of the former salt ponds to tidal marsh, while 10 percent would remain as enhanced managed ponds. The USFWS and CDFW will retain the option of stopping tidal marsh restoration prior to restoring 90 percent of total acreage as tidal marsh if, for example, monitoring shows that pond-dependent species appear to be adversely affected by the losses of pond habitats. In this case, the SBSP Restoration Project may shift future project phases toward enhanced managed pond habitat and achieve an end result somewhere between Programmatic Alternative B (50% tidal restoration) and Programmatic Alternative C (90% tidal restoration).

Phase 2, as the second project component of this long-term restoration project, would incrementally advance the project toward these end goals. Although Phase 2 is a significant

increment, at the end of all the Phase 2 projects proposed at Eden Landing as well as in the Ravenswood and Alviso pond complexes (Final Phase 2 EIS/R, April 2016), a total of almost 50% of the total project area will have been enhanced or restored as either marsh or enhanced managed ponds. The long-term restoration project will still need additional phases of implementation to reach Programmatic Alternative B (50% tidal restoration) which was the minimum tidal restoration alternative proposed by the project. It is only when combined with the tidal restoration proposed by the Shoreline Study project combined with the Phase 2 actions that are proposed in the Final Eden Landing Phase 2 EIR for Eden Landing that over 50% of the project area will have been restored to tidal wetlands and the SBSP Restoration project will have met its minimum goals.

Adaptive Management's Role in Preventing Significant Impacts

The 2007 EIS/R identified adaptive management as having a significant role in preventing impacts. While many of the impacts identified in the 2007 EIS/R were beneficial, (e.g. increased tidal wetlands), to achieve those benefits some negative impacts to the environment could occur (e.g. loss of pond habitat). By incorporating the adaptive management process into the design of the Phase 1, those potentially significant negative impacts were avoided. A similar approach was used for the design of Phase 2. Using information from monitoring and applied studies, the SBSP Restoration Project Management Team (PMT) has continually assessed progress towards project objectives and restoration targets. The PMT has been largely successful in using adaptive management as it was intended: not as a series of remedial actions to make up for negative impacts, but rather, as a method to detect problems early and take action to avoid impacts before they reach a threshold of significance. This approach continues at Eden Landing where decisions whether or not to restore the Inland Ponds to tidal wetlands will be made pursuant to an adaptive management process that will weigh the impacts of tidal conversion to the species currently using the ponds with the benefits of additional marsh restoration.

Eden Landing Phase 2 Project Analysis

In order to create a reasonable range of alternatives as required under CEQA, a No Action Alternative (referred to as Alternative A for each project area in the Final Eden Landing Phase 2 EIR) as well as separate sets of Action Alternatives. This discussion focuses only on the action alternatives. All project alternatives proposed tidal restoration in the Bay Ponds (Ponds E1, E2, E4, E7) but Alternative B proposed tidal restoration in all ponds (Bay, Inland and Southern). Alternative C proposed tidal restoration in the Bay Ponds, but the Inland Ponds (Ponds E5, E6, and E6C and the Southern Ponds (E4C, E5C, E1C, E2C) would become permanent managed ponds. Alternative D proposed that restoration of the Inland (E6, E5, E6C) and Southern Ponds would be phased in through an adaptive management-informed decision making. Based on the configuration of tidal restoration goals, the habitat transition zones and flood protection features, levee breaches, and water control structures varied to implement the restoration scenario. The alternatives for trail alignment also varied depending on the availability of berms or levees for the trail, the location of the pond breaches, and the need to direct the public away from sensitive wildlife habitat (such as the E6C, snowy plover habitat). Most trail alternatives completed the route through the site by connecting the existing Eden Landing Bay Trail terminus and the Alameda Creek Flood Control Channel levee trail but one of the variations directed a short segment of the trail onto city streets, before reaching the Flood Control Channel, in case

agreements with neighboring landowners to complete the trail on their lands could not be obtained. The Preferred Alternative completes the route through the Eden Landing site but notes that agreements will need to be negotiated with other landowners to allow the trail in some locations. The use of dredge material involved construction of an offloader facility in all alternatives but Alternative B and D proposed using the material in Bay and Inland Ponds, while Alternative C proposed the Bay Ponds only. In addition, the Preferred Alternative incorporates public comment to expand the habitat enhancements of the outboard, bayside levee proposed in Alternative B to also include some coarse grain beach and berm features that will provide added flood protection and shorebird habitat. The difference between the alternatives is described in the Environmental Setting, Impacts, and Mitigation Measures Chapter, Sections 3.2 through 3.17, and summarized in the Executive Summary, Table ES-1, of the Final Eden Landing Phase 2 EIR.

To create the Preferred Alternative, the PMT considered comments on the Draft Eden Landing Phase 2 EIS/R from regulatory agencies, adjacent landowners, as well as other stakeholders, input from scientists conducting applied studies for the project, and judgment of other technical experts, including USFWS and CDFW staff, in order to select a Preferred Alternative that would best accomplish the goals of the SBSP Restoration Project. The Preferred Alternative as proposed combines individual components from action alternatives or makes minor modifications in order to create the best project for that Eden Landing Phase 2 project area. The Alternatives are summarized and compared with the Preferred Alternative in Table 6-1, pp. 6-5 – 6, of the Final Eden Landing Phase 2 EIR.

CEQA Process

The CDFW and the USFWS complied with CEQA and NEPA noticing requirements through the draft EIR/S. A Notice of Intent to prepare an EIS/R for Phase 2 of the SBSP Restoration Project was published in the Federal Register on June 20, 2016, and a Notice of Preparation was distributed to responsible agencies and the public on May 24, 2016. A public scoping meeting was held on June 30, 2016, to solicit comments on environmental issues to be addressed in the Draft Eden Landing Phase 2 EIS/R. The scoping comments received during the comment period and additional comments received after the comment period are presented in Appendix A of the Final Eden Landing Phase 2 EIR. The Draft Eden Landing Phase 2 EIS/R was released on April 5, 2018, and the public review and comment period closed June 4, 2018. During that comment period, a public meeting was held on May 8, 2018. The project team received 51 letters from individuals and organizations with over 300 individual comments. The Final Eden Landing Phase 2 EIR provides responses to all comments in Appendix J and changes to the document as appropriate to respond to comments. Copies of the Final Eden Landing Phase 2 EIR including the responses to comments have been provided to state and local trustee and responsible agencies as well as parties who commented or requested copies. In addition, copies have been sent to 15 local libraries and posted on southbayrestoration.org, and email notices of availability have been sent to the SBSP Restoration Project stakeholders.

This Conservancy staff recommendation is being written before CDFW's anticipated certification of the Final Eden Landing Phase 2 EIR and approval of the project on approximately May 13, 2019. Conservancy staff intend to advise the Conservancy verbally at the Conservancy meeting about this certification and any other necessary updates regarding actions taken after the publication of the staff recommendation.

Significant Effects Reduced to Less Than Significant Levels by Mitigation

The 2007 EIS/R developed program-wide comprehensive mitigation measures that were adopted as part of Phase 1 and could be incorporated into future phases. These programmatic mitigation measures are identified in Section 2.3 in Chapter 2 of the Final Eden Landing Phase 2 EIR. The Final Eden Landing Phase 2 EIR incorporates these general mitigation measures into the project designs; therefore, they are part of Phase 2 projects. These project features include actions to manage illegal dumping and urban runoff, protocols for the discovery of unknown resources, management of construction and emissions from construction equipment as well as requirements for health and safety plans from construction contractors.

In addition to the measures identified in the 2007 EIS/R, the Final Eden Landing Phase 2 EIR identifies two project-level mitigation measures developed for the Eden Landing Phase 2 project. **Mitigation Measure AQ-A, Construction Equipment** requires equipment to meet the Tier 4 California Emission Standards unless such equipment is proven to be unavailable. **Mitigation Measure AQ-B, Marine Vessels** requires construction contractors and dredge material operators to use vessels that meet the latest U.S. EPA exhaust emission standards for marine engines unless such engines are proven to be unavailable.

Mitigation Monitoring and Reporting Program

Under CEQA whenever measures are required and adopted in order to mitigate or avoid the significant effects on the environment of an approved project, the agency must also prepare and adopt a mitigation monitoring or reporting program designed to ensure compliance with the required mitigation during project implementation (Public Resources Code Section 21081.6). CDFW has adopted a Mitigation Monitoring and Reporting Program for the project, attached as part of Exhibit 6.

Significant Impacts

The Final Eden Landing Phase 2 EIR found three impacts that cannot be reduced to less-than-significant (see Table ES-2 Summary Impact Table in Exhibit 6) even after implementation of project-specific mitigation measures, as described below:

- ***Eden Landing Phase 2 Impact 3.6-5: Result in the temporary construction-related closure of adjacent public parks or other recreation facilities, making such facilities unavailable for public use.*** Existing parking areas, park access, and some trails would be temporarily closed during portions of the construction work under the Action Alternatives. This approach is necessary to keep the public safe and provide a route through existing parks to bring materials and equipment to the project areas. These impacts are significant and unavoidable.

- ***Eden Landing Phase 2 Impact 3.11-1: Potential short-term degradation of traffic operations at intersections and streets due to construction.*** A traffic impact analysis was prepared to analyze the impact of construction-related traffic on each of the Action Alternatives; this study found that at the AM peak hour the impact is considered significant. The optimization of the I-880 Southbound Ramps/Whipple Road/Dyer Street

intersection would mitigate the impact to less than significant. However, this mitigation is not feasible as this intersection is part of a synchronized series of intersections. This would therefore cause a significant and unavoidable impact for each Action Alternative.

- ***Eden Landing Phase 2 Impact 3.13-1: Short-term construction-generated air pollutant emissions.*** Construction-generated average daily NO_x emissions would exceed applicable regional significance thresholds during import and placement of dredge materials. Project-specific mitigation measures will be used to reduce NO_x emissions to the greatest extent feasible, but for those options where diesel is used to power the offloading facility and booster pumps, NO_x emissions would still exceed the regional threshold of significance. Therefore, significant and unavoidable impacts would occur for each Action Alternatives if diesel is used to power the construction equipment during import and placement of dredge materials. (Annual emissions would be below General Conformity *de minimis* levels with incorporation of the project-specific mitigation measures. Therefore, construction-related emissions associated with diesel powered construction equipment would conform to the State Implementation Plan, and a formal conformity analysis would not be required.)

Cumulative Impacts

The Final Eden Landing Phase 2 EIR also evaluates the potential environmental impacts of Eden Landing Phase 2 when considered together with other projects. The analysis addresses the impacts that could occur as a result of project construction and operation, based on the significance criteria provided for each resource. The analysis of cumulative impacts follows these steps: First, the "Cumulative Impacts" section of the 2007 EIS/R was reviewed based on an updated list of relevant cumulative impact projects to determine if these findings needed to be updated or changed. Then Eden Landing Phase 2 was evaluated as to whether it, in combination with impacts from other projects, would create a significant new cumulative impact. In cases where a significant cumulative impact already existed, even without the SBSP Restoration Project, Eden Landing Phase 2 was examined to determine if it would make a considerable contribution to that impact. If it was determined that Eden Landing Phase 2 would not make a considerable contribution to a significant cumulative impact, the impacts were determined to be less than significant. This analysis found that project-specific mitigation measures will reduce NOx emissions to the greatest extent feasible but for those options where diesel is used to power the offloading facility and booster pumps during dredge material operations, NOx emissions would still exceed the regional threshold of significance, but this project would not make a cumulatively considerable contribution to them.

Project Benefits

Eden Landing Phase 2 of the South Bay Salt Pond Restoration Project includes the following benefits:

- Construction and/or raising of levees and habitat transition zones to ensure flood protection and reduce the potential effects on people and property from subsequent flooding.

- Providing habitat for threatened and endangered salt marsh species such as California Ridgway's rail, salt marsh harvest mouse, and steelhead trout.
- Providing increased cover and escape from storm-run up and sea-level rise for marsh-dependent species by creating and planting habitat transition zones.
- Creating suitable habitat for special-status plant species in habitat transition zones.
- Providing habitat for resident and migrating shorebirds and waterfowl by providing more extensive shallow water habitats than would occur in marshes that develop in ponds that breach unintentionally.
- Providing coarse grain beach habitat for shorebirds and other wildlife, which also provides levee erosion protection.
- Helps meet the goals of adopted regional plans to beneficially reuse dredge material that would otherwise be disposed of in the ocean or other in-bay sites.
- Providing improved connection to estuarine rearing habitat for migratory steelhead.
- Improving water flows and circulation in the ponds to reduce water quality impacts.
- Increasing the amount and quality of public access and recreation.
- Increasing opportunities for wildlife viewing and environmental interpretation.

Statement of Overriding Considerations

In the event a project has unavoidable significant effects, the CEQA Guidelines require the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project (14 Cal. Code of Regulations, Section 15093). If the specific project benefits outweigh the unavoidable adverse environmental effects of the project, a Statement of Overriding Considerations may be adopted and the project approved, despite its adverse environmental effects.

The overall environmental benefits of the proposed project as detailed above and in the Final Eden Landing Phase 2 EIR recommend that the Conservancy approve the project even though not all of the potentially significant environmental effects of the project are mitigated.

The "significant and unavoidable" impacts are related to construction. Due to temporary closures to public access facilities (i.e. trails, trailheads) during construction, there would be a temporary loss of use of recreational facilities (**Impact 3.6-5**). In the absence of the proposed Eden Landing Phase 2 projects, these impacts could still happen from other construction projects in the area (i.e. flood protection projects), but without the habitat and other benefits described above. The inconvenience of closed facilities is of short-term duration but the benefits of habitat restoration, improve flood protection, and new recreational facilities will be long-term. Construction would also require movement of equipment and dirt hauling operations that could exacerbate traffic congestion around the project area (**Impact 3.11-1**). This impact would end with the completion of construction and dirt hauling. Finally, if electric engines cannot be used for the offloader facility and booster pumps during the placement of dredge material, then air quality impacts would be significant, although limited to the construction period only (**Impact 3.13-1**).

For these reasons, the Conservancy staff recommends that Conservancy find that the specific environmental, resource, flood protection and public access enhancement benefits of the Preferred Alternative proposed in the Final Eden Landing Phase 2 EIR, as described in the Project Benefits section above, outweigh the unmitigated or unavoidable environmental effects of the project, thereby warranting its approval. Upon Conservancy approval of the proposed project, Conservancy staff will file a Notice of Determination.