



Agenda Submittal

Agenda #: 17 **Status:** Consent Calendar
Type: Miscellaneous **Department:** Resource Management
File #: 17-701 **Contact:** Bill Emlen, 784-6062
Agenda date: 9/26/2017 **Final action:** 9/26/2017
Title: Authorize the Director of Resource Management to execute the Bay Conservation and Development Commission Permit for the Hill Slough Wildlife Area Tidal Restoration Project; and Authorize the Director of Resource Management to accept up to 1 acre of road right of way along Grizzly Island Road from the California Department of Fish and Wildlife
Governing body: Board of Supervisors
District: District 3
Attachments: 1. A - Site Map, 2. B - BCDC Permit Conditions, 3. Minute Order

Date	Ver.	Action By	Action	Result
9/26/2017	1	Board of Supervisors	Approved	

Published Notice Required? Yes ☐ No ☒
Public Hearing Required? Yes ☐ No ☒

DEPARTMENTAL RECOMMENDATION:

The Department of Resource Management recommends that the Board:

- 1) Authorize the Director of Resource Management to execute the Bay Conservation and Development Commission Permit for the Hill Slough Wildlife Area Tidal Restoration Project; and
- 2) Authorize the Director of Resource Management to accept up to 1 acre of road right of way along Grizzly Island Road from the California Department of Fish and Wildlife.

SUMMARY:

The California Department of Fish and Wildlife (CDFW) has been planning for over a decade on tidal restoration of Hill Slough on State property, as well as raising a portion of Grizzly Island Road (Project) which is a necessary to meet tidal elevations. To construct the Project, CDFW needs to execute a permit with the Bay Conservation and Development Commission (BCDC), which BCDC also requires the County to be a co-permittee as the jurisdictional owner of Grizzly Island Road.

The project improvements to Grizzly Island Road include realigning the first curve south of Suisun City to a 25-mph standard (currently 20-mph). For CDFW to realign the curve, they will offer up to 1 acre of right of way easement to Solano County to ensure the new roadway alignment remains within public right of way.

The project has been reviewed by the Suisun Resource Conservation District and they have found the project consistent with the Suisun Marsh Plan.

With the Board's authorization, the Director will execute the permit (attached), and accept right of way dedication along Grizzly Island Road for the future realignment.

FINANCIAL IMPACT:

All project work is being paid by CDFW. All staff work by the Department is being paid through encroachment permit fees paid by CDFW. There is potential for some minor long term costs to the Road Fund for signage or striping changes to the bike lanes constructed by the Project, as well as roadway flood reporting to BCDC. There is no impact General Fund.

DISCUSSION:

Over 10 years ago, the California Department of Fish and Wildlife (CDFW) approached the Department of Resource Management to discuss and consider a project to raise a portion of Grizzly Island Road. At that time, CDFW had no funding for construction of the Project. In 2014, Governor Brown issued an Executive Order which provided the Hill Slough Project, as well as others, with exemption from the California Environmental Quality Act. The Project also received funding in the State budget for construction, which allowed CDFW to begin federal environmental clearance and design for the Project. In general, the whole Project includes (see Site Map):

- 1) Restoration of 640 acres of tidal wetlands;
- 2) Enhancement of 192 acres of managed wetlands;
- 3) Improvement of Grizzly Island Road, from the Suisun City limit to 1.6 miles south, by raising, widening, and realigning the roadway; and
- 4) Enhancement and creation of public trails and bicycle lanes at Hill Slough Wildlife Area in Suisun Marsh.

While the Executive Order grants CDFW special privileges/exemptions to accelerate the Project, CDFW has partnered with the Department to obtain design comments for the Grizzly Island Road improvements. The Department has asked CDFW to include bike lanes in accordance with the Countywide Bike Plan, widen the lanes and shoulders to the County road standard, realign the first tight curve to a standard dimension, and construct an enhanced pavement section in consideration of the softer soils in the area. The Department also asked CDFW to obtain an encroachment permit with a deposit fee to cover staff costs related to design review and construction oversight of the road work. CDFW has accommodated the Department's requests, and offered to dedicate right of way, up to 1 acre, to accommodate the realignment of the roadway curve.

While the Project is CEQA exempt, it must still comply with the Suisun Marsh Preservation Act and obtain a permit through BCDC. BCDC requires all jurisdictions within the permitted activity to be co-permittees. On September 7, 2017, BCDC established the conditions of the permit (attached). The primary conditions of the permit specify the various mitigations and requirements for CDFW to manage the project and property. The offsite public access trails will be maintained by CDFW.

However, specific conditions in the permit will require Solano County to maintain the new roadway improvements, review the new bike lane use after construction, and report to BCDC any tidal flooding on the roadway which exceeds 2 weeks. The Department already maintains all public roads in accordance with the Streets and Highways code. Parking in the bike lanes or any other issues related to the safe use of the bike lanes will be reviewed and addressed by the Department. BCDC's flooding concerns for the roadway are related to the potential of sea level rise over the next 50-100 years. The Project raises the lowest elevations of Grizzly Island Road approximately 4 feet, and thus significantly delays the potential for sea level rise flooding on the roadway. The Department views any long term minor costs related to the permit conditions as favorable considering the general benefits of raising, widening, and realigning Grizzly Island Road.

Execution of the permit will allow CDFW to complete the design and environmental work. CDFW is planning construction to start in 2018 and completion by 2022.

ALTERNATIVES:

The Board of Supervisors may choose not to authorize execution of the BCDC permit, nor authorize acceptance of additional right of way from CDFW. This is not recommended as the project will improve the existing elevation and alignment of Grizzly Island Road, bringing it up to the County road standard, as well as enhance public access to the area.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed and approved this item as to form. The Suisun Resource Conservation District has reviewed this permit/project and has issued a letter of support.

CAO RECOMMENDATION:

APPROVE DEPARTMENTAL RECOMMENDATION