



980 NINTH STREET, SUITE 1500
SACRAMENTO, CALIFORNIA 95814
HTTP://DELTACOUNCIL.CA.GOV
(916) 445-5511

DELTA STEWARDSHIP COUNCIL

A California State Agency

Date: September 16, 2015
To: Council Members and
Jessica Pearson, Executive Officer
From: Jessica Davenport, Program Manager
Subject: Habitat Restoration Issue Paper – One Year Later

Chair
Randy Fiorini

Members
Aja Brown
Frank C. Damrell, Jr.
Phil Isenberg
Patrick Johnston
Mary Piepho
Susan Tatayon

Executive Officer
Jessica R. Pearson

This memo provides a progress report on actions taken by Council staff and others to accelerate the construction of habitat restoration projects and address the 10 areas of focus identified in the issue paper, *Restoring Habitat with Science and Society in Mind*, endorsed by the Council in August 2014.

Background

Habitat restoration is a key element of ecosystem restoration, which for purposes of Delta and resource management, is one of the State's coequal goals (Water Code section 85054). The Delta Stewardship Council (Council) held an oversight hearing in July 2013 at which the Delta Independent Science Board (Delta ISB) presented its review of the scientific research, monitoring, and assessment programs that support adaptive management of habitat restoration in the Delta (Water Code section 85280(a)(3)). In August 2014, staff presented and the Council endorsed an issue paper, *Restoring Habitat with Science and Society in Mind*, which included 10 areas of focus for the following two years. This report fulfills the staff's commitment to provide a progress report to the Council after one year.

The Delta Reform Act and the Delta Plan

The Delta Reform Act provides guidance regarding how the Delta Plan should promote habitat restoration in the Delta. Water Code section 85022(d)(5) states, "Develop new or improved aquatic and terrestrial habitat and protect existing habitats to advance the goal of restoring and enhancing the Delta ecosystem." Water Code section 85302(e) states that one of the strategies for restoring a healthy ecosystem to be included in the Delta Plan is to "[r]estore large areas of interconnected habitats within the Delta and its watershed."

The Delta Plan has eight policies and recommendations that are most relevant to habitat restoration. These include:

"Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place."

– CA Water Code §85054

- **G P1:** Use the best available science and adaptive management.
- **ER P2:** Restore habitats at appropriate elevations.
- **ER R2:** Prioritize habitat restoration within six geographic areas.
- **ER P5:** Avoid introductions of and habitat improvements for invasive nonnative species.
- **DP P2:** Site habitat restoration projects to avoid or reduce conflict with existing uses, such as agriculture and managed wetlands for waterfowl, where feasible.
- **DP R7:** Construct subsidence reversal and carbon sequestration projects by growing native wetland plants on subsided islands and develop carbon markets.
- **DP R11** and **DP R14:** State agencies should provide opportunities for public access and recreation at habitat areas where feasible.

Habitat Restoration Issue Paper

Using the Delta Plan as its foundation, and the ISB's habitat review and Delta Science Plan as its guide, the issue paper reviewed the challenges associated with restoring habitat while applying the best available science, respecting existing land uses and enhancing flood protection. The paper noted that lessons learned from the current pilot stage of restoration are expected to inform more ambitious restoration efforts that will require even more extensive scientific analysis and greater coordination of habitat restoration with farmland preservation, conservation of existing habitat, and flood protection efforts.

Progress to Date

Since the Habitat Restoration Issue Paper was released in August 2014, the California EcoRestore program has launched, three restoration projects have broken ground, two restoration projects have been certified as covered actions, and much progress has been made in the 10 areas of focus identified in the Issue Paper, as summarized in Attachment 1.

This April, the Administration announced a new preferred alternative to the BDCP. The new alternative would not complete the BDCP as a Natural Community Conservation Plan (NCCP), but instead proposes construction of water conveyance facilities through an initiative called California WaterFix. A parallel effort called California EcoRestore proposes to accelerate implementation of a suite of habitat restoration actions being planned in the Delta (Attachment 2). With the Governor's support, EcoRestore has been advancing restoration on three tracks:

1. Accelerating the construction, over the next four years, of a set of restoration projects totaling 30,000 acres (Attachments 3 and 4). EcoRestore's first major accomplishment was to accelerate funding and permitting for the Knights Landing Outfall Gate project, described below.
2. Seeking funding and institutional changes to improve the feasibility of long-term adaptive management of habitat restoration projects and programs.
3. Supporting landscape-scale planning by the Delta Conservancy, beginning with pilot projects in the Northeast Delta and Cache Slough Complex.

The three restoration projects that have broken ground over the last year are the following:

Lindsey Slough Restoration Project – Located in the California Department of Fish and Wildlife’s 965-acre Calhoun Cut Ecological Reserve in Solano County, this project was initiated and completed in October 2014, reestablishing tidal connection with the historic marsh and channel system and enhancing the existing marsh habitat. The reserve is located within the Cache Slough Complex, one of the Delta Plan’s priority habitat restoration areas.

Knights Landing Outfall Gate Fish Barrier Project – Located north of the Delta on the Sacramento River, upstream of the Fremont Weir, this project will prevent adult salmon from entering the Colusa Basin Drain, where they have no way to return the Sacramento River to complete their lifecycle by spawning in appropriate upstream habitat. The project broke ground in August 2015.

Sherman Island Whale’s Mouth Wetland Restoration Project – This project will restore approximately 600 acres of freshwater emergent wetlands within an 877-acre project site on Sherman Island. In addition to its habitat benefits, the project is intended to increase stability and reduce seepage on a threatened section of levee and determine carbon sequestration rates and amounts. The project will be complete by October 2015.

Two restoration projects have been certified as consistent with the Delta Plan: the Sherman Island Whale’s Mouth Project, described above, and the Dutch Slough Restoration Project, which is awaiting final permits. The Lindsey Slough project was not certified because it received an exemption from the Delta Reform Act, as well as the California Environmental Quality Act, under the Governor’s Drought Executive Order. The Executive Order directed CDFW to immediately implement projects that respond to drought conditions through habitat restoration on property owned or managed by CDFW for the benefit of fish and wildlife impacted by the drought. The Knights Landing Outfall Gate project was not certified because it is located outside the Delta.

Conclusion

The habitat issue paper endorsed by the Council has provided a sound framework for guiding habitat restoration efforts in the Delta and Suisun Marsh, even in the face of major changes in the institutional landscape, i.e., the shift from the Bay Delta Conservation Plan as a Natural Community Conservation Plan to EcoRestore. Council staff will continue track progress in the ten areas of focus identified in the paper and will report back to the Council in 2016.

Link to *Restoring Habitat with Science and Society in Mind*:

<http://deltacouncil.ca.gov/sites/default/files/documents/files/14-0923%20Ecosystem%20issue%20paper%20Final.pdf>

Attachment 1: Progress in the 10 Areas of Focus Identified the 2014 Habitat Restoration Issue Paper

Attachment 2: EcoRestore Fact Sheet and Map

Attachment 3: Summary of Progress toward EcoRestore Goals

Attachment 4: Status of EcoRestore Projects