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# DELTA STEWARDSHIP COUNCIL

*A California State Agency*

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January 31, 2017

Nedzlene Ferrario, Senior Planner  
Planning Services Division  
Solano County Department of Resource Management  
675 Texas Street, Suite 5500  
Fairfield, CA 94533

Via email: [nferrario@solanocounty.com](mailto:nferrario@solanocounty.com)

**RE: Honker Bay Conservation Bank Recirculated Draft Initial Study / Mitigated Negative Declaration, SCH#2014092063**

Dear Ms. Ferrario:

Thank you for the opportunity to comment on the recirculated draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Honker Bay Conservation Bank proposed by Wildlands, Inc. and responses to the comments on the initial 2014 draft IS/MND.

As mentioned in the IS/MND, the Delta Stewardship Council (Council) has a legally enforceable management framework for the Delta and Suisun Marsh called the Delta Plan. In our previous comment letter dated October 20, 2014 in response to your initial draft IS/MND, we encouraged you to consider whether the Honker Bay Conservation Bank project is a “covered action” under the Delta Plan and if so, to file a certification of consistency. We highlighted a few Delta Plan regulatory policies that are commonly relevant to habitat restoration projects and recommended you also consider our non-regulatory Delta Plan recommendations. We appreciate that the recirculated draft IS/MND addresses each of the policies as well as the recommendations we highlighted and anticipate that this work can be a foundation upon which Solano County prepares a Delta Plan consistency certification. Below we have a few suggestions for how to further demonstrate consistency with the Delta Plan policies.

## **Adaptive Management**

Delta Plan Policy G P1 (23 CCR Section 5002) calls for ecosystem restoration projects to include adequate provisions for continued implementation of adaptive management, appropriate to the scope of the action; this requirement can be satisfied through the development of an adaptive management plan that is consistent with the framework described in Appendix 1B of the Delta Plan

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*"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

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(<http://deltacouncil.ca.gov/sites/default/files/2015/09/Appendix%201B.pdf>), along with documentation of adequate resources to implement the proposed adaptive management process.

In order to demonstrate full consistency with G P1 requirements, Solano County should ensure that a full draft of the adaptive management plan is completed prior to submission of a Delta Plan consistency certification for the Honker Bay Conservation Bank. In addition, Solano County should explicitly describe how the project's proposed monitoring and adaptive management plan will be funded and how that funding will be assured. The Delta Science Program's Adaptive Management Liaisons are available to provide further consultation and guidance to help Solano County with completion of the adaptive management plan. Please contact Maggie Christman ([Maggie.Christman@deltacouncil.ca.gov](mailto:Maggie.Christman@deltacouncil.ca.gov)) of the Delta Science Program to arrange those discussions.

### **Best Available Science**

Delta Plan Policy G P1 (23 CCR Section 5002) also states that covered actions must document use of best available science. Best available science should be consistent with the criteria listed in Table 1A-1 of the Delta Plan regulations

(<http://deltacouncil.ca.gov/sites/default/files/2015/09/Appendix%201A.pdf>), including relevance, inclusiveness, objectivity, transparency and openness, timeliness and peer review.

For example, although the IS/MND attempted to incorporate best available science by accounting for sea level rise, the IS/MND acknowledges that there is a level of uncertainty around the amount of sea level rise that would occur. Recent science suggests melting polar ice may cause higher rises in sea levels. Advice recently given to Council staff by the California Natural Resources Agency indicates that the higher range of forecasts in sea level rise forecast by the National Research Council's 2012 report on sea level rise on the Pacific Coast is encouraged to be used in planning efforts.

One way we advise project proponents to demonstrate the use of best available science, for the purpose of demonstrating consistency with Policy G P1 is through the development of a robust, scientifically driven adaptive management plan. Such a plan would be developed with guidance from a broad suite of peer-reviewed publications, agency reports, and professional documents to help elucidate how those materials informed different components of the adaptive management plan.

### **Land Use Conflicts**

Delta Plan Policy DP P2 (23 CCR Section 5011) states that plans for ecosystem restoration must be sited to avoid or reduce conflicts with existing uses when feasible, considering comments from local agencies and the Delta Protection Commission. The Honker Bay Conservation Project may affect neighboring properties or infrastructure, such as the Roaring River Distribution System (RRDS). We are encouraged to hear that Wildlands Inc. has been coordinating directly with the Department of Water Resources (DWR). It is recommended to continue consulting with DWR regarding any impacts to RRDS that may not be adequately addressed.

## **Water Quality Impacts**

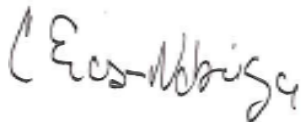
Delta Plan Recommendations WQ R1 and WQ R2 states that water quality in the Delta should be maintained to protect beneficial uses and that Delta Plan Covered actions should identify any significant impacts to water quality. Again as mentioned in our previous letter, the Delta Plan recommendations are non-regulatory, however the Council hopes that all proposed projects within the Delta are consistent with the entire framework of the Delta Plan.

Although the response to comments from the previous IS/MND suggests that for all reasons stated in the “Master Response 2 – Potential Impacts to Water Quality, Specifically Salinity Concentration”, states the proposed project would not result in significant water quality impacts, we continue to recommend that Solano County coordinate with other restoration project proponents to evaluate the impact on salinity due to cumulative impacts of nearby proposed tidal marsh restoration projects. As mentioned in our previous letter, it is expected that there will be substantial tidal marsh restoration in the vicinity of the Honker Bay Conservation Bank project over the course of the next three decades, which may lead to changes in salinity and impact water quality for Delta water users.

## **Final Remarks**

We look forward to continued early consultations, as needed, with Solano County regarding this project to ensure consistency with the Delta Plan. I encourage you to contact Megan Brooks at [Megan.Brooks@deltacouncil.ca.gov](mailto:Megan.Brooks@deltacouncil.ca.gov) for any questions you have.

Sincerely,



Cassandra Enos-Nobriga  
Deputy Executive Officer  
Delta Stewardship Council