

MINUTE ITEM

This Calendar Item No. C20 was approved as Minute Item No. 20 by the California State Lands Commission by a vote of 3 to 0 at its 1-29-99 meeting.

CALENDAR ITEM

C20

A 8

S 4

PRC 8065

01/29/99

W 24811

J. Lam

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

County of Solano
Department of General Services
530 Clay Street
Fairfield, California 94533

AREA, LAND TYPE, AND LOCATION:

5.33 acres, more or less, of sovereign lands in Montezuma Slough at Belden's Landing, Solano County.

AUTHORIZED USE:

Construction and maintenance of a water access facility (boat launch ramp, boarding float, fishing pier and rock slope protection), marshland restoration, and excavation of a tidal channel.

LEASE TERM:

25 years, beginning February 1, 1999.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

OTHER PERTINENT INFORMATION:

1. Applicant has a right to use the uplands adjoining the lease premises.
2. The California Department of Boating and Waterways, Wildlife Conservation Board and the County of Solano are jointly developing a water access facility at Belden's Landing, Montezuma Slough, located south of Suisun City, Solano County. At the present time, the project site is generally unimproved, with no controlled use of the upland area for parking, camping, bank fishing or walking. The proposed project will provide a public boat launching ramp, boarding float and fishing pier in

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Montezuma Slough, which can be used by both boaters and bank anglers for improved fishing access in the Montezuma Slough and the Suisun Marsh area. Once completed, the facility will be managed by the Parks Division of the Department of General Services, County of Solano.

As mitigation for the wetland losses due to the construction of the water access facility, a five-acre marshland area at the project site will be restored to fully functioning wetland habitat for a variety of wildlife species. This will include the excavation of a ten-foot wide and 1,400 foot long tidal channel within the marshland that will provide long term splittail and smelt spawning and rearing habitat. The creation of the tidal channel will require the dredging of a maximum of 2,100 cubic yards of material. The dredged material will be disposed of on the upland portion of the site to be utilized as base material for the development of the project area.

3. A Mitigated Negative Declaration was prepared and adopted for this project by Solano County. The California State Lands Commission's staff has reviewed the document.
4. A Mitigation Monitoring Program was adopted by Solano County.
5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

California Department of Boating and Waterways, Wildlife Conservation Board.

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers, California Department of Fish and Game, Regional Water Quality Control Board, San Francisco Bay Conservation and Development Commission, California State Lands Commission.

EXHIBITS:

- A. Site Map
- B. Location Map
- C. Notice of Determination

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D. Mitigation Monitoring Program

PERMIT STREAMLINING ACT DEADLINE:

July 5, 1999

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE SOLANO COUNTY AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

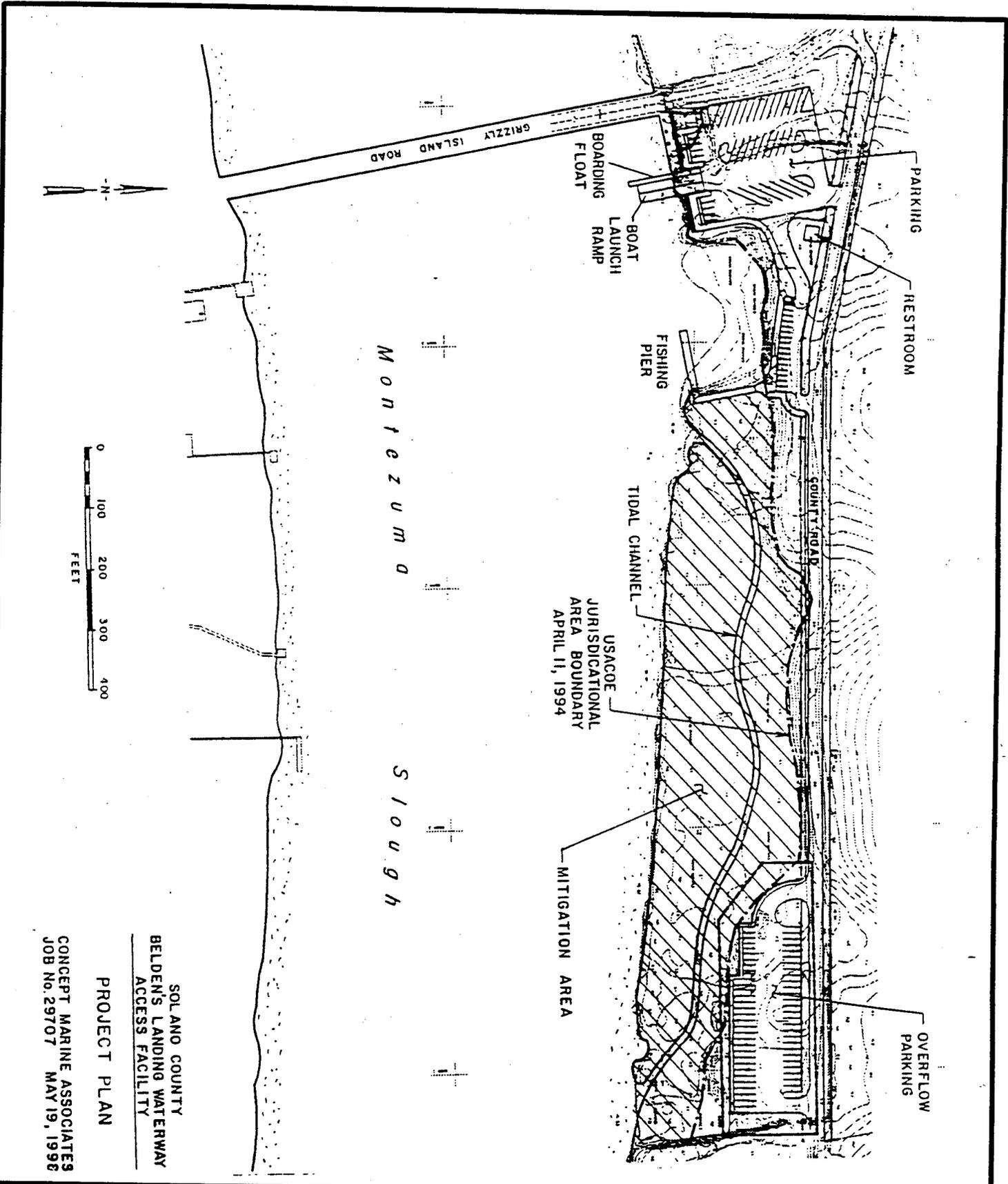
ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED IN EXHIBIT D, ATTACHED HERETO.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO THE COUNTY OF SOLANO, DEPARTMENT OF GENERAL SERVICES OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING FEBRUARY 1, 1999, FOR A TERM OF 25 YEARS, FOR CONSTRUCTION AND MAINTENANCE OF A WATER ACCESS FACILITY, MARSHLAND RESTORATION, AND EXCAVATION OF A TIDAL CHANNEL ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION BEING THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST.



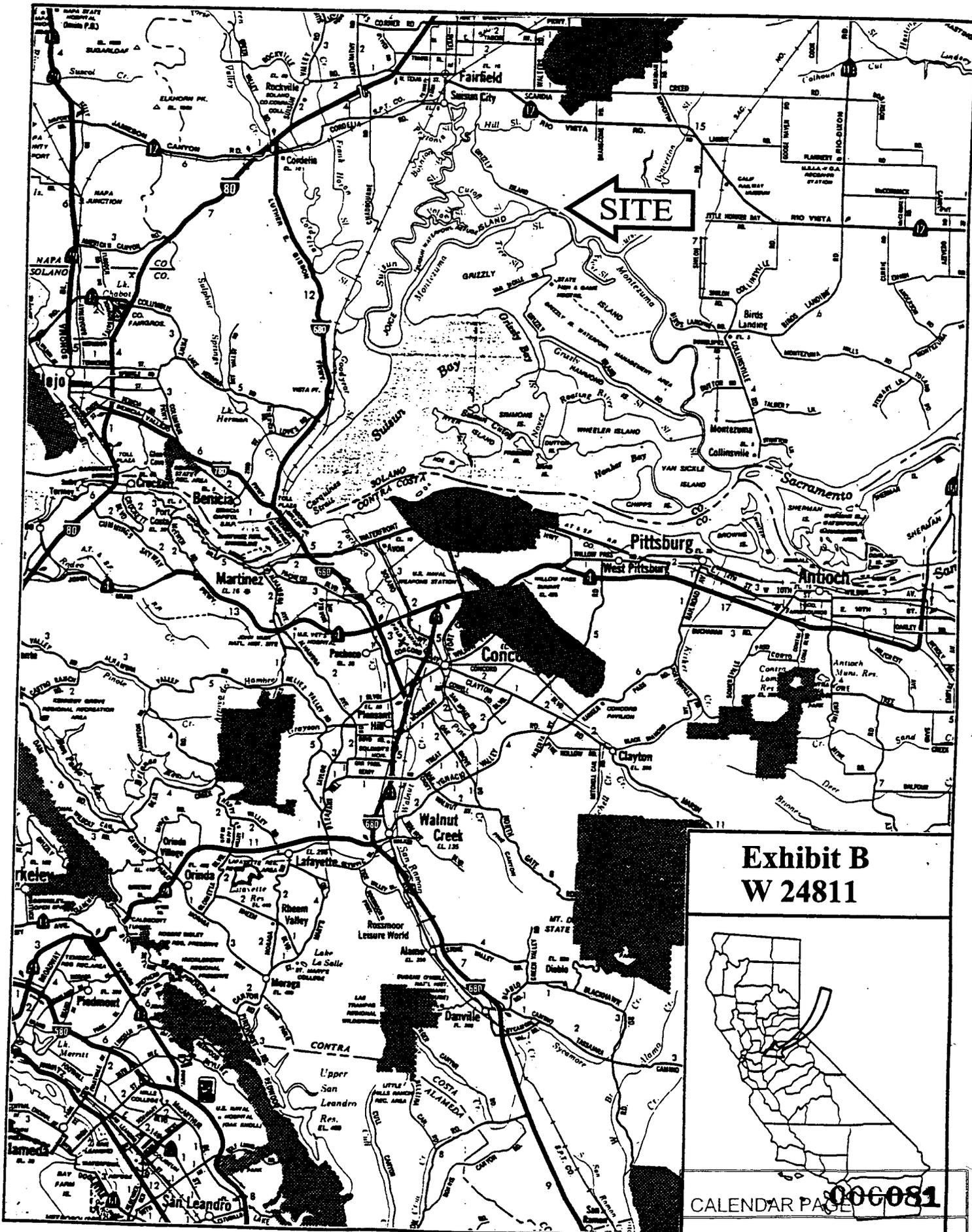
SOLANO COUNTY
 BELDEN'S LANDING WATERWAY
 ACCESS FACILITY

PROJECT PLAN

CONCEPT MARINE ASSOCIATES
 JOB No. 29707 MAY 19, 1996

This exhibit is solely for purposes of generally defining the area to be leased, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or other property.

Exhibit A
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**Exhibit B
W 24811**



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Attachment A
Belden's Landing Water Access Facility
Initial Study Attachment
Part I

I. A. - Project Description

The California Department of Boating and Waterways would construct water access facilities on a 10 acre site owned by the California Wildlife Conservation Board. The project would be managed by the Parks Division of the Solano County General Services Department. (See Vicinity Map and Project Plan). The project would include the following facilities:

- 2- Lane boat launching ramp and boarding float
- Parking -
 - 73 car/trailer spaces
 - 29 car spaces
- Comfort station with onsite septic tank/leach field
- onsite well
- Fishing Pier
- Picnic tables
- Seating
- Shade Structures
- Paved walkway
- Landscaping and Irrigation
- Fencing and gates
- Signage

The site is currently unimproved. Only five acres is being proposed for development. The remainder will be held for on-site mitigation for loss of wetlands. The facility will be available as a day-use facility, open from 8:00 a.m. until dusk. An entrance fee will be charged for parking and utilization of the boat facilities.

Project construction would require grading and filling on site. The existing basin from Montezuma Slough would be cleaned out and along the embankments rock protection approximately two feet thick would be installed. A protective concrete shoreside cut-off wall three feet in height will be constructed at the launch ramp, and will also serve as bleacher-style shoreline fishing access. Grading and fill including dredge spoils for rock shoreline protection will be deposited in upland areas on the site which will bring the overall upland elevation to over seven feet above mean sea level, and above the highest water level.

The project will result in the loss of approximately 0.47 acres of wetlands under the proposed

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or expansion of existing facilities alternative. See attached "Wetland Mitigation, Enhancement and Monitoring Plan for Belden's Landing Water Access Facility"(Plan).

III. A. 1. - Project Site

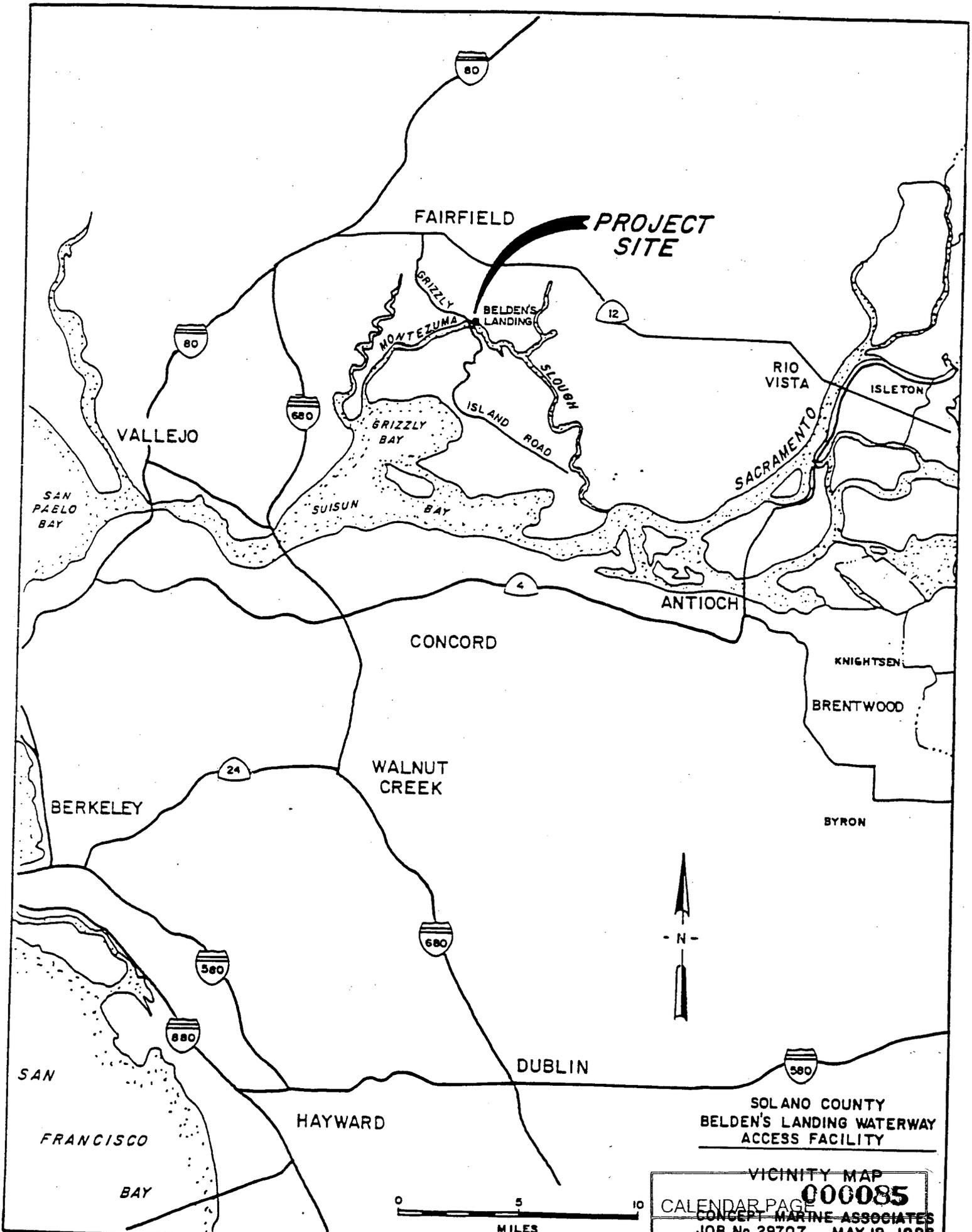
The site is undeveloped and located adjacent to Montezuma Slough to the south. A wetlands area is located along the slough, comprising about one-half of the 10 acre site. Three acres of these wetlands is severely degraded. The upland half of the site is primarily non-native grass lands.

III. A. 2. - Surrounding Properties

The land immediately to the east is undeveloped. A small marina (Montezuma Harbor Marina) is situated approximately 100 feet easterly of the east property line. The property to the north is grass land with agricultural grazing. Solano County Road and Montezuma Slough Bridge are located to the west and Montezuma Slough is on the south.

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SOLANO COUNTY
 BELDEN'S LANDING WATERWAY
 ACCESS FACILITY

VICINITY MAP
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 CONCEPT MARINE ASSOCIATES
 JOB No. 29707 MAY 19, 1998
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EXHIBIT D

1.5 Mitigation for Wetland Losses

Habitat impacts will occur to degraded wetlands, the shoreline, and shallow water, both complete loss of habitat due to fill and partial losses as a result of shadow. Impact from the boat ramp, shoreline rip-rap, and concrete walk may directly affect submerged or emergent vegetation that is potential delta smelt or winter run chinook salmon habitat.

Losses of habitat due to direct fill on wetlands and shallow water amounts to 0.42 acres and will have a mitigation ratio of at least 3:1, or 1.3 acres. The shadows amount to 0.05 acres. These shadows will not completely eliminate wetland values; therefore, the mitigation ratio will be 1:1, or 0.05 acre. Total mitigation for filled wetlands and shadows is 1.35 acres. Refer to Appendix C for a plan for the mitigation area.

The entire five-acre wetland area and small portions of the adjacent uplands will be restored to fully functioning wetland habitat. The upland edge of the wetland and small patches of uplands within the wetlands will be planted with wild rose (*Rosa californica*) and coyote bush (*Baccharis pilularis*) as refuge for wetland wildlife during extreme high water events. The actual amount of restored and created wetlands will be approximately five acres. The ratio of restored and created wetland to affected wetland will be approximately 10:1. A buffer along the upland edge will be created, planted, and protected. The width of this buffer will range from 10 to a maximum of 50 feet. Currently, there is very limited habitat in the marsh for salt marsh harvest mice and no sheltered zones to retreat to when extreme high tides flood the marsh entirely. The proposed plan will create islands of refugia within the marsh, and portions of the upland margin will be reshaped and lowered to provide high marsh zones. In addition, the entire upland edge will be planted with vegetation that will provide safe harbor for these and other marsh animals during those high water events, providing a buffer and refuge where up to now there has been none.

The improvements to the degraded marsh and the adjacent uplands will improve habitat for a variety of wildlife species, including several special status species. Currently there are no shrubs growing along the upper edge of this portion of the tidal marsh. The proposed work will include planting wild rose and coyote brush along the upland edge, and creating additional high marsh adjacent. This will create ideal habitat for Suisun song sparrows, yellowthroats and other wildlife. The project will also increase the acreage of mid marsh, dominated by pickleweed, which should provide additional habitat for black rails, among others.

The wetland mitigation plan is directed at mitigating at least 0.47 acre of impacts to existing wetlands by creating and/or enhancing approximately five acres of the type of wetlands affected. To restore the degraded wetlands we propose to do the following:

1. Approximately one acre of pampas grass that has encroached into the wetland area will be removed.
2. A mosaic of wetland types will be created by excavating uplands, by removing fill material previously placed on wetlands and by enhancing degraded wetlands. The highest percentage will be excavated to an elevation that will produce high-quality wetlands

dominated by pickleweed (*Salicornia virginica*). This elevation is identified in the plan as mid marsh. Small portions of wetlands will be managed for high marsh, which will be dominated by gumplant (*Grindelia camporum*). Portions of the marsh, especially near the channels, will be graded and managed for low marsh where tules (*Scirpus* spp.) will grow. All jurisdictional wetlands between the proposed fishing pier and the boat ramp will be avoided. Staff with DFG and/or WCB will be on site during project surveys to exactly delineate the extent of the jurisdictional wetland and to identify the proper elevations for excavations.

3. A tidal channel ten feet wide and 1,400 feet long with near vertical side slopes and a bottom elevation of -1.0 (MSL) will be excavated. This design was developed in consultation with Kris Vyverberg and George Heise, engineers with the Department of Fish and Game. WCB staff also consulted with Jeff Holtner of Phillip Williams and Associates, hydrologists with considerable experience designing and building tidal channels. The channel will have two entrances to Montezuma Slough; in essence, creating an island of most of the mitigation area. Mr. Holtner believes such a "flow-through" channel will likely become two stable dead-end channels within fifteen years. However, the "flow-through" channel will function as a moat for most of that time, preventing people and many predators, including feral cats and dogs, from reaching most of the mitigation area. The channel, first as a "moat" and later as two dead-end channels, will provide long-term smelt and splittail spawning and rearing habitat, and increase the amount of water-land interface by 2800 feet.

The dead end channels should remain stable once they reach equilibrium, given the characteristics of other artificial channels in the marsh. An artificial channel immediately across Montezuma Slough from the project site has remained stable for many decades. It was created when the levee was built more than 40 years ago and is stable for more than one half mile from its mouth, providing habitat for fish and many other water-dependent species.

4. Portions of the buffer between the proposed project and the mitigation area will be excavated to an elevation such that high marsh plants, such as gumplant can become established. This edge will be gradually shaped to upland areas, where wild rose and coyote bush will be planted.
5. All excavated material will be placed on uplands, preferably on-site, but off-site if necessary.
6. Public access will be eliminated from the restored wetland by fencing the area, by planting wild rose and coyote bush on the wetland boundary, and by creating a barrier from the "flow-through" channel.

1.5.1 Wetland Mitigation Monitoring

The plan for mitigation will be monitored by the Department of Fish and Game for up to ten years. Annual reports will be submitted in years 1-5, 7, 9, and 10, or until all goals have been met. These reports will be submitted to the Corps of Engineers and U.S. Fish and Wildlife Service by October 31 of each report year.

The plan will contain the following elements:

1. Five ½ x 2½ meter permanent sampling plots will be established in the mitigation area. Three will be randomly placed in mid marsh areas of the mitigation area, and two will be placed in low marsh. Five similar quadrats will be placed in the existing marsh west of Grizzly Island Road for comparison. Measure baseline vegetative cover (%), composition (%) and average height prior to construction and in years 1-5, 7, 9, and 10. Target plant species include the following:

High marsh: gumplant (*Grindelia camporum*)

Mid marsh: pickleweed (*Salicornia virginica*) and fat-hen (*Atriplex triangularis*)

Low marsh: alkali bulrush (*Scirpus robustus*), tule (*Scirpus spp.*), and/or cattail (*Typha sp.*)

2. Prior to construction, permanent photo stations will be established at 5 sites throughout the area to monitor vegetative growth. Baseline photos will be taken prior to construction and annually thereafter for five years in August or September.
3. Erosion and sedimentation of the water's edge and the constructed channel will be photo-monitored each year. Posts will be placed at the edge of the excavated channel and the edge of Montezuma Slough to measure changes of the channels' sides and bottom. All photos will be taken at lowest tides (0.0 MSL or lower). Erosion or sedimentation of the marsh edge will be evaluated based on the location of the bank in relation to the permanently established posts. Six permanent stations will be established every 800 feet along the marsh edge of Montezuma Slough. Six photo-monitoring stations for the channel will be established based on final configuration of the channel. All portions of the channel will be photographed. Permanent monitoring sites are identified on Appendices C and D.
4. Success Criteria
 - a) Vegetation composition, percent cover and height will be roughly comparable to similar sites on the west side of Grizzly Island Road.
 - b) Pampas grass and giant cane (*Arundo donax*) removal from the wetland will be 100% successful in year 1 or additional work will be undertaken. White top (*Lepidium sp.*) and cane (*Phragmites sp.*) will be monitored in the mitigation area. If percent cover of either plant reaches 30%, control measures will be implemented.

- c) If erosion of the marsh edge is significantly greater than accretion, or if plant establishment fails and reestablishment is determined to be unlikely, the Department will locate an alternative site within its property to establish tidal wetlands that will adequately mitigate for the loss of 0.47 acres affected by this project.

1.6 Potential Impacts from Boat Wakes

1.6.1 Localized Impacts.

The addition of a boat ramp in this area of the Suisun Marsh will increase boat traffic on nearby portions of Montezuma Slough. To reduce wave action from boat wakes on nearby marshes and the proposed mitigation area, a five-mph speed limit will be imposed for all boats on Montezuma Slough for 1500 feet in either direction from the proposed project.

1.6.2 Analysis of Suisun Marsh Boating Patterns as a Result of the Proposed Project.

We analyzed how the proposed project would affect boat traffic in Suisun Marsh by considering the following questions: 1) Where are fishers going now?, 2) How do they get there?, 3) Where do they want to go, but are choosing to go somewhere else because there is no boat ramp at Belden's Landing?, and 4) Are the areas anticipated to show an increase in boat activity more biologically sensitive than where they are going now?

The analysis is too long to be included here in its entirety (see Appendix E); however, it is appropriate to include an executive summary. In general, fishers are trying to get to the big water of Suisun Bay and lower Suisun Slough and Montezuma Slough to fish for sturgeon and striped bass. They are coming mainly from Suisun City on the north and from Pierce on the west. These two ramps are a long way from the bay, especially the one at Suisun City, which means that these boaters must cruise at high speed through many miles of slough channel simply to get to the fishing areas. In doing so, they create many miles of wakes through good to excellent habitat, especially for clapper rails. If this project is constructed, there would be more boats in the Suisun Marsh as a whole, but they would be traveling less distance through high quality habitat and, in general, at lower speeds. A boat ramp at Belden's Landing should have no overall negative impact on threatened or endangered species in Suisun Marsh as a whole.

1.7 Potential for Increased Bank Fishing Access

Belden's Landing fishing access site is located immediately east of a high tidal marsh area designated in the draft "Tidal Marsh Recovery Plan" as an area of high biological value, which should be protected. This high marsh is part of the Joice Island Unit of the Grizzly Island Wildlife Area and is owned by DFG. At the present time, a two to three hundred foot stretch of the shoreline adjacent to and east of Grizzly Island Road is used extensively by bank anglers to access Montezuma Slough.

The addition of a fishing pier and bulkhead should reduce the number of anglers using the shoreline for fishing access. However, it is possible that the planned facilities at Belden's Landing

could cause an increase in the number of anglers and others using the area, including that portion of the Joice Island Unit. To mitigate a potential increase in damage to tidal marsh vegetation west of Grizzly Island Road (Joice Island Unit) the following measures will be implemented:

1. The west end of the Belden's Landing project will be fenced to eliminate direct foot traffic access to Grizzly Island Road and the Joice Island Unit. People who park in the proposed parking lot will be forced to walk back to the entrance gate, along the county road to Grizzly Island Road, and across the road to the Joice Island Unit. While foot traffic will not be prohibited, anglers will need to walk considerably farther than they do now. And in addition, the new pier and bulkhead should be a more attractive location from which to fish.
2. The existing fence west of Grizzly Island Road, on the Joice Island Unit, will continue to be maintained to allow foot traffic but not allow vehicle traffic.
3. DFG will post appropriate signage on the west side of Grizzly Island Road to inform people that the area contains sensitive wildlife habitat and to discourage unnecessary foot traffic into the vegetated areas.

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