

**DELTA PROTECTION COMMISSION**

14215 RIVER ROAD  
P.O. BOX 530  
WALNUT GROVE, CA 95690  
PHONE: (916) 776-2290  
FAX: (916) 776-2293



December 1, 1997

Collette Zemitis  
Department of Water Resources  
3251 S Street  
Sacramento, CA 95816

Subject: Negative Declaration: Prospect Island Wildlife Habitat Restoration Project,  
Solano County; SCH #97102109

Dear Ms Zemitis:

Thank you for forwarding to the Delta Protection Commission the combined Negative Declaration and Finding of No Significant Impact for the Prospect Island Wildlife Habitat Restoration Project, in a document entitled "Draft Prospect Island Project Modification Report, October 1997". The Commission itself has not had the opportunity to review the material so these are staff comments only. The Delta Protection Commission is a State-authorized regional land use planning agency with no authority over State or federal projects, so these comments are advisory only. One of the Commission's key areas of responsibility is monitoring land use changes in the Delta, and seeking an appropriate balance between the three major land uses in the area: agriculture, wildlife habitat, and recreation.

The project is located in the Primary Zone of the Delta, within the Commission's planning and monitoring area, between the Sacramento Deepwater Ship Channel and Miner Slough. The site is bounded by private property to the north, and lands owned by the Port of Sacramento to the south. The environmental document states there are private lands within the study area. The comments largely ask for additional information so the Delta Protection Commission and staff can understand the nature and extent of improvements proposed for the site.

Plan Formulation:

The stated purpose of the project is twofold: to minimize on-going maintenance costs associated with levee maintenance along the Deepwater Ship Channel, and to provide aquatic and shaded riverine aquatic habitats to mitigate for past losses of similar habitat. To clarify the project, it would be helpful if the environmental document included the following information:

\* Clarify, with the use of maps, the proposed water depths on the site at various critical times of the year, including: water elevations during Delta smelt and splittail spawning seasons, at high and low tides and during high water flow years. It would be helpful to understand how the water elevations at the site would be affected by high flows in the Yolo Bypass.

\* Describe how the relocation of the second inlet to the site could affect use of the site by salmon migrating upstream, as well as the described use for salmon smolts migrating downstream.

\* Describe more clearly and provide maps of the depth of water within the proposed channel. Currently the channel is described as six feet deep and 300 feet wide, however, because of the change in elevation from north to south, the water depth over the unexcavated areas and within the channel will vary, and will vary based on the tide and other factors.

\* Describe proposed management of the site, including if the site will be managed for habitat purposes only, or will there be some provisions for public access and/or recreation, and if there will be oversight of the site. In addition, the document should clarify whether there will be physical maintenance, such as removal of exotic plants, from the restoration area.

\* The document should include descriptions of other sites in the northern portion of the Delta, i.e. north of State Highway 12, which are owned and/or managed for wildlife purposes, and how the proposed restoration project fits into regional goals for the Delta area. Sites include: Jepsen Prairie Preserve, DFG's property along Calhoun Cut, Yolo Bypass Wildlife Area, restoration areas near the toe of the Yolo Bypass, Little Holland Tract, Cosumnes Preserve, Stones Lakes Wildlife Refuge, and others.

### Recreation.

The Commission's adopted land use plan recommends that "State and federal projects in the Primary and Secondary Zones should include appropriate recreation and/or public access components to the extent consistent with project purposes and with available funding."

At a briefing before the Commission in June of 1995, in response to a question from Commissioner Curry, representing Department of Boating and Waterways, regarding boating at the site, Corps staff said boating would be allowed, but restricted to non-motorized vessels. However, neither the 1995 Reconnaissance Report nor the current document clearly outline what public recreational opportunities could or will be provided as part of the project.

The "Prospect Island Wildlife Habitat Restoration Study, Solano, CA Environmental Assessment/Initial Study" (Appendix C) states "Although not designed for such activities, the

proposed project would provide opportunities for bird watching, relaxing, and possible canoeing or kayaking. Access to the property via the road to Arrowhead Harbor would be available to FWS personnel and adjacent landowners who have a gate key." The project description should indicate where the locked gate is to be located and should include a description of opportunities and restrictions for public access and recreation at the site including: small boat launching, boating, fishing, hunting, hiking, biking, picnicking, wildlife observation, etc. The project should include a description and location of any proposed facilities such as signage, small boat launch ramp, parking, paved or unpaved paths, benches, fishing piers, fish cleaning stations, restrooms, etc.

#### Evaluation of Conversion of Agricultural Land.

The environmental assessment/initial study states (p. 43) "Using the site assessment criteria set forth in the Farmland Protection Policy Act of 1981, as amended in 1994, the site receives 89 out of 160 possible points. According to the Farmland Protection Policy Act, farmland receiving a total farmland conversion impact rating less than 160 need not be given further consideration for protection, and alternative actions do not need to be considered. Based on these criteria, there would be no adverse effect to farmland resulting from implementation of the proposed action."

Review of the Farmland Conversion Impact Rating (Appendix D) against the criteria outlined in Section 658.5 CFR for July 5, 1984 indicate that some of the scores may be inaccurate. The following items should be re-evaluated:

- \* Item 4, Protection Provided by State and Local Government, is rated 0 out of 20 points; at the time of acquisition the site was under a Williamson Act contract, was protected by a special Solano County ordinance, and within the Primary Zone of the Delta.
- \* Item 6, Distance to Urban Support Services, is rated 10 out of 15 points; there are no nearby water lines, sewer lines, or other local facilities and services which would promote nonagricultural use of the site.
- \* Item 7, Size of Present Farm Unit Compared to Average, is rated 9 out of 10 points; the average farm size in Solano County is 391 acres, the site is 1,316 acres.
- \* Item 9, Availability of Farm Support Services, is rated 0 out of 5 points; the site does not have available an adequate supply of farm support services and markets, as indicated by the farming of the site until purchased by the Bureau of Reclamation.
- \* Item 10, On-Farm Investments, is rated 0 out of 20 points; the farm does not have extensive outbuildings and structures, but does have levees, channels, irrigation ditches, pumps, and siphons associated with the agricultural operation.

\* Item 12, Compatibility with Existing Agricultural Use, is rated 0 out of 10 points; possible impacts of the proposed conversion on agricultural lands directly to the north (AP 42-190-15, 354 acres) should be evaluated, and possible impacts to Ryer Island to the east should be evaluated. Ryer Island claims there will be adverse impacts from seepage if the project goes forth as proposed. Appendix J, Prospect and Ryer Island Seepage Analysis, states "no definite conclusion can be reached on the relationships between flooding of prospect Island, stage elevations in Miner Slough and groundwater elevation in Ryer Island".

If re-evaluation of the Farmland Conversion Impact Rating brings the site to over 160 points, the environmental document should be modified to include analysis of the impacts of the conversion of these farmlands and should include possible mitigation.

The issue of possible impacts to adjacent lands due to seepage should be studied more thoroughly and more clearly explained in the documents. The information in the document appears inadequate for evaluation of possible impacts; no possible mitigation is described.

Finally, the issue of buffers between newly created habitat and existing agriculture should be addressed. The Commission's Plan recommends that buffers be included in new projects, and those buffers should be adequate to eliminate future conflicts between management of new projects and on-going agricultural activities.

No Excavation Alternative.

The applicants should include an alternative with no excavation of the "floor" of Prospect Island. Other sources of fill material for levee reconstruction and island construction could be obtained from existing stockpiles of dredged material, or material to be dredged in the near future. Dredged material has been used for levee maintenance on other islands, and placement of newly dredged material was the technique used for creation of successful habitat islands at Donlon Island and Little Venice Cut.

Thank you for the opportunity to comment on the environmental document for the Prospect Island project. Please call if you have questions about these comments.

Sincerely,



Margit Aramburu  
Executive Director

cc: Patrick N. McCarty, Chairman  
Supervisor Skip Thomson