

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

January 17, 2012

Ms. Becky Victorine
Bureau of Reclamation, Bay-Delta Office
801 I Street, Suite 140
Sacramento, CA 95814

Subject: Final Environmental Impact Statement for the Suisun Marsh Habitat Management, Preservation, and Restoration Plan, Solano County, California [CEQ# 20110419]

Dear Ms. Victorine:

The U.S. Environmental Protection Agency has reviewed the Final Environmental Impact Statement for the above project. Our comments are provided pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

The EPA reviewed the Draft EIS and provided comments to the Bureau of Reclamation on January 13, 2011. We rated the Draft EIS as Environmental Concerns - Insufficient Information (EC-2) in part because the preferred alternative, calling for tidal restoration of 5,000 to 7,000 acres, fell short of the 30,000 to 35,000 acre tidal marsh restoration need identified in the Baylands Ecosystems Goals Report. Additionally, our Draft EIS comments highlighted our concerns pertaining to the project's ability to significantly improve water quality, enhance levee system integrity, and adapt to climate change.

We appreciate the additional information and clarifications in the Final EIS. In particular, we note the additional discussion and supporting information regarding how the preferred alternative would maintain and enhance the levee system and address climate change effects.

Despite the additional clarifications, EPA's primary concerns remain. While we recognize the additional references provided to support the selection of the preferred alternative and note that the preferred alternative does not preclude additional tidal restoration from occurring in the Marsh (p. 14-5), the Final EIS does not provide additional substantiation for the claim that greater than 9,000 acres of tidal restoration would result in the inability to meet water quality, land use and habitat objectives for the Suisun Marsh Plan or Delta. EPA continues to believe the SMP represents a unique restoration opportunity to begin to return Suisun Bay and Marsh to its historic role as a large contiguous tidal marsh that serves as a nursery for countless species in the San Francisco Bay-Delta ecosystem. Given this opportunity and the 30 year planning period for which the SMP will guide future actions, we again recommend, at a minimum, the Record of Decision adopt Alternative C - restoration of 7,000 to 9,000 acres of tidal restoration. In addition, we recommend the ROD include a firm commitment to detailed project-specific environmental analyses for tidal restoration projects and major managed wetland activities (e.g., new interior levees, riprap, dredging program). These analyses should fully evaluate the potential to restore maximum tidal wetland acreage and be supported with quantitative data and scientific rationale.

The EPA believes that future research and current science must inform system planning and project-specific analyses over the course of the 30-year implementation time frame. In light of the dynamic conditions in the Marsh, plan assumptions will need to be reevaluated at the project level. For example, we note the response to our climate change comment indicates that tidally restored wetland would be expected to accrete sediment (p. 14-31). Based on monitoring conducted by the USGS (additional information at: <http://ca.water.usgs.gov/abstract/sfbay/>), sediment supply is changing in the San Francisco Bay and suspended sediment has been in a steep decline since they started monitoring in 1999. We recommend that the assumptions of sediment accretion rates at tidal wetlands restoration sites be re-examined in combination with expected sea level rise. Such reassessments are critical to ensure the functioning of a healthy estuarine ecosystem into the future.

With regards to water quality, we note the additional discussion under Master Response 1 indicating the Draft EIS used the best available information related to dissolved oxygen, methylmercury, and other constituents and that new information would be incorporated into subsequent project designs as the tidal restoration component of the SMP is implemented. To help ensure in-depth water quality analyses are conducted in the future and to complement the adaptive management approach outlined in the Final EIS, we recommend that the ROD include a commitment to project-specific quantitative assessments and modeling to disclose potential water quality impacts for all pollutants, including selenium and Polychlorinated Biphenyls. Future projects should adopt mitigation measures, as necessary, to address any elevated levels of pollutants identified during monitoring. Regarding future dredging, we recommend the adaptive management plan be included in the ROD and include a clear commitment to study, assess and improve dredging techniques on a regular basis. The ROD should indicate the source of future dredge material and include a commitment to maximum use of clean fill material.

Regarding the levee system, we note the reference to the 70-acre Blacklock restoration site as the sole example in support of the SMP's levee integrity objective. Given the scarcity of additional examples to support the maintenance and enhancement of levee system integrity, we strongly recommend the ROD include a specific commitment to regular monitoring and, as necessary, adaptive management, to ensure improvements in levee integrity.

EPA appreciates the opportunity to provide input regarding the proposed restoration project. When the Record of Decision is finalized, please send one hard copy and one CD to the address above (Mail Code: CED-2). If you have questions, please contact me at 415-972-3521, or contact Tom Plenys, the lead reviewer for this project. Tom can be reached at 415-972-3238 or plenys.thomas@epa.gov.

Sincerely,

/s/

Kathleen Martyn Goforth, Manager
Environmental Review Office (CED-2)
Communities and Ecosystems Division

Cc: Cay Goude, US Fish and Wildlife Service
Scott Wilson, California Dept. of Fish and Game