

RECORD OF DECISION

South San Francisco Bay Shoreline Phase 1 Study Santa Clara County, California

The Final Integrated Feasibility Report and Environmental Impact Statement (IFR/EIS) dated September 2015 (revised December 2015), for the South San Francisco Bay Shoreline Phase 1 Study addresses flood risk management and aquatic ecosystem restoration opportunities and feasibility in Santa Clara County, California. The final recommendation is contained in the report of the Chief of Engineers, dated December 18, 2015. Based on these reports, the reviews by other Federal, State and local agencies, Tribes, input of the public, and the review by my staff, I find the plan recommended by the Chief of Engineers to be technically feasible, economically justified, in accordance with environmental statutes, and in the public interest.

The Final IFR/EIS, incorporated herein by reference, evaluated various alternatives that would address flood risk management and aquatic ecosystem restoration in the study area. The recommended plan is the Locally Preferred Plan (LPP) and includes:

- Construction of approximately 19,800 feet of earthen levee extending from high ground near the existing Alviso Marina to the Federal project levee on the left bank of the Coyote Creek bypass.
- Construction of levee closure structures at the crossing of the Union Pacific Railroad and at Artesian Slough.
- Ecosystem restoration of approximately 2,900 acres of former commercial salt ponds to tidal marsh and transitional habitats.
- Excavation of pond breaches and pilot channels to restore tidal connection between the former salt ponds and San Francisco Bay.
- Construction of pedestrian bridges spanning levee closure structures and public access features for viewing the restored habitat.
- Construction of maintenance roads along the crest of the new levee.
- Monitoring and adaptive management to ensure that the project meets ecosystem restoration objectives.
- Non-structural flood risk management measures to reduce residual risk, recommended for local implementation under a flood plain management plan.
- Implementation of the monitoring and Adaptive Management Plan that provides a framework for evaluating the effectiveness of proposed restoration actions and outlines adaptive measures if the project restoration metrics are not met. Monitoring is expected to last no more than 10 years.

In addition to a “no action” plan, four alternatives were evaluated. The alternatives included different combinations of levee alignments, levee heights, and restoration options. The primary factor differentiating impacts among the alternatives was the levee alignment and height. A non-structural alternative consisting of relocations was considered but ruled

out since it did not yield positive net benefits. The primary differences between the NED/NER plan and the LPP is that the levee in the NED/NER plan is about 2.7 feet lower than the one recommended in the LPP, and the transitional habitat being created between the levee and marsh in the NED/NER plan consists of a flat bench with a steep outboard slope, as compared to a 30:1 sloping ecotone that would be constructed under the LPP. The LPP was selected because it provides greater flood risk management benefits as well as potentially providing greater habitat benefits than the NED/NER plan. The recommended plan is the environmentally preferable alternative.

All practicable means to avoid or minimize adverse environmental effects were analyzed and incorporated into the recommended plan. No compensatory mitigation is required.


In accordance with section 7 of the Endangered Species Act of 1973, as amended, the U.S. Fish and Wildlife Service issued a biological opinion, dated April 27, 2015, that determined that the recommended plan will not jeopardize the continued existence of Federally listed species or adversely modify designated critical habitat. All terms and conditions resulting from these consultations shall be implemented in order to minimize take of endangered species.

A water quality certification pursuant to section 401 of the Clean Water Act will be obtained from the San Francisco Bay Regional Water Quality Control Board (RWQCB). The RWQCB reviewed the selected plan and provided a letter of support dated July 13, 2015. Under state law, the RWQCB is unable to provide water quality certification until the non-federal sponsor has completed compliance with the California Environmental Quality Act.

Public review of the draft IFR/EIS was completed on February 23, 2015. All comments submitted during the public comment period were responded to in the Final IFR/EIS. A 30-day waiting period and state and agency review of the Final IFR/EIS was completed on October 26, 2015. In response to these comments, minor changes were made to the report regarding existing conditions relating to mosquito abatement issues and polybrominated diphenyl ethers in San Francisco Bay.

Technical, environmental, and economic criteria used in the formulation of alternative plans were those specified in the Water Resources Council's 1983 Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies. All applicable laws, executive orders, regulations, and local government plans were considered in evaluation of alternatives. Based on the review of these evaluations, I find that benefits of the recommended plan outweigh the costs and any adverse effects. This Record of Decision completes the National Environmental Policy Act process.

July 28, 2016
Date



for Ellen Darcy
Assistant Secretary of the Army
(Civil Works)