NOTICE OF PREPARATION

TO: DISTRIBUTION

DATE: March 24, 2006

SUBJECT: **Notice of Preparation of Draft Environmental Impact Report (EIR)**

LEAD AGENCY: California Department of Water Resources

PROJECT NAME: Dutch Slough Restoration Project

PROJECT LOCATION: The Dutch Slough restoration site is located in the City of Oakley in northeast Contra Costa County. It is bounded on the south by the Contra Costa Canal, on the west by Marsh Creek, on the north by Dutch Slough and on the east by Jersey Island Road. The project may also entail restoration of 100 acres immediately west of Marsh Creek on lands owned by the Ironhouse Sanitary District.

The California Department of Water Resources (DWR) will prepare an environmental impact report for the Dutch Slough Restoration Project, which includes the following components:

- Dutch Slough Restoration Project and various operational scenarios
- Marsh Creek Delta Restoration Project (Iron House Parcel)
- Dutch Slough Community Park and Public Access Conceptual Master Plan

The project description, location, and environmental issues are contained in the attached **Notice of Preparation.**

We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use this EIR when considering your permit or other approval for the project. **Due to the time limits mandated by State law, your response must be received at the earliest possible date but not later than May 5, 2006.**

A public scoping hearing will be held on April 5, 2006 from 9:00 a.m. to 12:00 p.m. at the City of Oakley Community Annex, 204 2nd Street, Oakley, CA 94561. Please send your written response, including the name of a contact person with your agency, to **California Department of Water Resources, attention Tom Hall** at the address below.

Department of Water Resources
Delta Suisun Marsh Office
P.O. Box 942863
Sacramento,CA94236-0001
Tel: (916) 651-7005
Fax: (916) 651-9678
thall@water.ca.gov

DATE ISSUED: **MARCH 24, 2006**

NOTICE OF PREPARATION
OF A DRAFT ENVIRONMENTAL IMPACT REPORT

The California Department of Water Resources (DWR), the California Environmental Quality Act (CEQA) lead agency for the Dutch Slough Restoration Project, will prepare an Environmental Impact Report (EIR). This Notice of Preparation (NOP) has been prepared to satisfy the requirements of CEQA.

This EIR will evaluate the environmental effects of implementation of a restoration plan for 1,266 acres of agricultural lands adjacent to Dutch Slough in the Sacramento/San Joaquin River delta, in the City of Oakley. The EIR also will address, at a conceptual level, the proposed 55-acre City of Oakley Community Park adjacent to the restoration parcels, and a public access master plan for the restoration site. Subsequent CEQA review by the City of Oakley may be required for the City Park.

The Dutch Slough restoration project will restore a mosaic of wetland habitat types including tidal freshwater marsh and riparian vegetation, open water, and tidal sloughs. The purpose of the project is to provide public access, restore native habitats and species, and increase scientific understanding of tidal marsh systems. The California Bay-Delta Authority and the California State Coastal Conservancy funded acquisition of the site and project planning. The Dutch Slough property is owned and managed by the Department of Water Resources. This EIR will be tiered off of the CALFED Programmatic EIR.

The project will be conducted in close coordination with California Department of Fish and Game (CDFG), US Army Corps of Engineers, City of Oakley, and other local agencies, and landowners in the project area.

The NOP is an important step in the environmental scoping process, which is designed to determine the range of issues to be addressed in the EIR. The objectives of scoping include:

- Ensuring agency and public involvement in the environmental review process,
- Determining which specific impacts must be evaluated in the EIR,
- Establishing a reasonable range of alternatives, and
- Identifying the scope of issues that must be discussed in order to adequately and accurately address the potential impacts of the project as they relate permitting and approval authority.

The California Department of Water Resources requests your comments on the scope and content of the draft EIR.

Pursuant to CEQA Section 21080.4(a) responsible and trustee agencies are asked to provide in writing the scope and content of the environmental information that is germane to their statutory responsibilities, as these agencies will need to use the EIR prepared by the Department of Water Resources when considering permits or other approvals for the project. Responsible and trustee agencies are also requested to provide a list of the permits and/or other approvals that must be obtained in order to implement the project.

A Notice of Preparation, prepared pursuant to CEQA Section 21080.6, is attached and includes: 1) a description of the proposed action and alternatives and the basis for selecting the alternatives, 2) a list of the potentially significant effects on the environment of the project, and 3) the scope of, and analyses and methodology for, EIR preparation. As indicated in the NOP, the major environmental issues to be addressed include water quality, biological resources, hydrology, visual resources, historic resources, land use, air quality, and noise.

For additional information about the project or the scoping process, please contact:

Tom Hall
California Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001
Tel: (916) 651-7005
Fax: (916) 651-9678
thall@water.ca.gov

Written comments on the scope and content of the EIR should be directed to Tom Hall and must be received at the above address no later than **May 5, 2006**.

A formal scoping hearing, designed to solicit public comment on the proposed action and alternatives, has also been scheduled for **April 5, 2006 at 9:00 a.m. at the City of Oakley Community Annex, 204 2nd Street, Oakley, CA 94561.**

ATTACHMENT: Notice of Preparation

NOP DISTRIBUTION:

This Notice of Preparation/Intent was sent to the following agencies, organizations, firms, and individuals:

California Department of Fish and Game
California Regional Water Quality Control Board
California State Clearinghouse
California State Coastal Conservancy
California State Lands Commission
California State Parks
City of Oakley Community Development Department
Contra Costa County Community Development Department
Contra Costa County Flood Control and Water Conservation District
Contra Costa County Mosquito and Vector Control District
Contra Costa Water District
Delta Protection Commission
East Bay Regional Park District
Ironhouse Sanitary District
National Marine Fisheries Service (National Oceanic and Atmospheric Administration Fisheries)
Pacific Gas and Electric Company
Reclamation District 2137
Reclamation District 799
U. S. Army Corps of Engineers
U. S. Bureau of Reclamation
U. S. Fish and Wildlife Service
University of California Natural Reserve System

NOTICE OF PREPARATION

FOR THE DUTCH SLOUGH RESTORATION PROEJCT
ENVIRONMENTAL IMPACT REPORT

INTRODUCTION:

The Dutch Slough Restoration Project is a 1,166-acre tidal marsh restoration project in northeast Contra Costa County. The goals of the project are to:

1. Provide shoreline access, educational and recreational opportunities.

2. Benefit native species by re-establishing natural ecological processes and habitats.

3. Contribute to scientific understanding of ecological restoration by implementing the project under an adaptive management framework.

The environmental impact report (EIR) will be prepared in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, as amended. This EIR will be tiered off of the CALFED Programmatic EIR. Because the document may be adapted or otherwise used by the US Army Corps of Engineers for compliance with the National Environmental Policy Act (NEPA), it will be formatted to address all alternatives at an equal level, as required under NEPA. The California Department of Water Resources (DWR) will be the lead agency under CEQA. In accordance with CEQA, the lead agency has the responsibility for the scope, content, and legal adequacy of the document.

The Draft EIR (DEIR) will incorporate public concerns associated with the Proposed Action and associated project alternatives, and will be sent out for a 45-day public review period, during which time both written and verbal comments will be solicited on the adequacy of the document. The Final EIR (FEIR) will address the comments received on the DEIR during public review. The document will be furnished to all who commented on the DEIR, and made available to anyone that requests a copy during the 45-day public comment period. The draft and final EIR must 1) provide a full and fair discussion of the proposed action's significant environmental impacts, and 2) inform the decision-makers and the public of reasonable alternatives that would avoid or minimize adverse impacts.

The final step in the CEQA process for the EIR is certifying the EIR and adopting a Mitigation Monitoring and Reporting Plan. A certified EIR indicates that the environmental document has been completed in compliance with CEQA; that the decision-making body of the lead agency reviewed and considered the FEIR prior to approving the project; and that the FEIR reflects the lead agency's independent judgement and analysis.

SCOPING PROCESS:

Public participation in the environmental scoping process is an important step in determining the full scope of issues to be addressed in the EIR. DWR requests your comments on the scope and content of the EIR, as outlined in this NOP. Written comments must be provided to Tom Hall at DWR **no later than May 5, 2006.**

A formal scoping hearing has also been scheduled for April 5 April 5, 2006 at 9:00 a.m. at the City of Oakley Community Annex, 204 2nd Street, Oakley, CA 94561.

PROJECT LOCATION:

The 1,166-acre Dutch Slough Restoration Project site and the 55-acre Community Park site are located in the City of Oakley in northeast Contra Costa County. The Restoration site and community park comprise 1,221 acres that is bounded on the south by the Contra Costa Canal, on the west by Marsh Creek, on the north by Dutch Slough and on the east by Jersey Island Road. The project may also entail restoration of an additional 100 acres of land immediately west of Marsh Creek on lands owned by the Iron House Sanitary District.

BACKGROUND:

The 1,166-acre Dutch Slough property was purchased in 2003 with funds from the California Bay-Delta Authority and the California State Coastal Conservancy (SCC). DWR owns the 1,166 Dutch Slough property and is serving as the lead agency under CEQA. The City of Oakley owns 55-acres at the end of Sellers Avenue that is contiguous with the Dutch Slough property. The City has developed a conceptual plan for developing a community park on the 55-acres and providing public access to approximately 4 miles of trails around the Dutch Slough property. Over the last two years SCC and DWR have developed the Draft Dutch Slough Tidal Marsh Restoration Conceptual Plan and Feasibility Report. The City of Oakley has similarly completed a Draft Dutch Slough Community Park and Public Access Conceptual Master Plan for the 55-acre community park site as well as the public access component of the Dutch Slough Restoration Project. These reports provide a detailed description of the project.

PURPOSE:

The Dutch Slough Restoration Project is a 1,166-acre tidal marsh restoration project in northeast Contra Costa County. The goals of the project are to:

1. Provide shoreline access, educational and recreational opportunities.

2. Benefit native species by re-establishing natural ecological processes and habitats.

3. Contribute to scientific understanding of ecological restoration by implementing the project under an adaptive management framework.

A more detailed list of project objectives is identified in the Draft Dutch Slough Tidal Marsh Restoration Conceptual Plan and Feasibility Report.

PROJECT DESCRIPTION:

The core project entails wetland and upland restoration on the 1,166-acre Dutch Slough properties owned by DWR. Two projects that are closely associated with the Dutch Slough Restoration Project will also be evaluated in the EIR including the City of Oakley Community Park and restoration of the Marsh Creek Delta on lands owned by the Iron House Sanitary District to the west of Marsh Creek. Additional environmental documentation under CEQA may be necessary for the Community Park site depending on the specifics of the plan that have not yet been identified.

Project Components to be assessed in the Dutch Slough EIR include:

- Dutch Slough Restoration Project and various operational scenarios
- Marsh Creek Delta Restoration Project (Iron House Parcel)
- Dutch Slough Community Park and Public Access Conceptual Master Plan
- The EIR will evaluate individual and cumulative impacts of THREE alternatives, as well as the no project/no action alternative, in accordance with CEQA.

The Draft Dutch Slough Tidal Marsh Restoration Conceptual Plan and Feasibility Report identified a range of restoration alternatives to meet the habitat restoration and adaptive management goals, with consideration of project cost (figure 1). The alternatives represent different mixes of habitat, with different amounts of grading and imported fill to create these habitats. The City of Oakley worked with DWR and SCC to develop a Draft Dutch Slough Community Park and Public Access Conceptual Master Plan that is consistent with the restoration alternatives.

The restoration alternatives are:

- No Action Alternative
- Alternative 1: Low marsh and open water emphasis with minimal grading (Low cost alternative)
- Alternative 2: Mix of mid marsh, low marsh, and open water with moderate fill (Preferred alternative)
- Alternative 3: Mid marsh and low marsh emphasis with imported fill

  The "action" alternatives (Alternatives 1 – 3) vary the mix of restored habitats and the amount of fill used to create emergent tidal marsh. Alternative 1 will use minimal grading in all three parcels. Alternative 2 will use on-site grading (approximately 1,320,000 cubic yards) to create tidal marsh in all three parcels, and requires a moderate

amount of additional fill (approximately 360,000 cubic yards). Alternative 3 will use a larger amount of grading and imported fill (approximately 3 million cubic yards total).

The alternatives have many features in common, including the restoration approach for native plant revegetation, marshplain microtopograhy, tidal channel networks, levee breaching and lowering, open water areas, infrastructure protection, and the accommodation of public assess and recreation. Restored habitats will be revegetated with native plant species to provide a diversity of habitat functions (shelter, food, nesting) for fish, birds, and other wildlife. Tules will be pre-established in restored low marsh and mid marsh areas prior to breaching by encouraging natural recruitment with flood irrigation, with limited supplemental planting of rhizomes using farm equipment and/or volunteers. The pre-establishment of tules will inhibit the invasion of non-native species such as egeria, golden flag iris, and arundo, especially at lower tidal elevations where natural colonization of tules is less likely to occur under tidal conditions. Planting high marsh and the ecotone (transition area) between marsh and riparian communities will be important to minimize the establishment of invasive weeds like perennial pepperweed and Himalayan blackberry.

Under the action alternatives, a levee will be constructed to protect on-site infrastructure, Jersey Island Road, and adjacent property to the east from flooding and groundwater seepage (using approximately 190,000 cubic yards of fill material). Pacific Gas and Electric's on-site infrastructure crosses the northeast corner of the Burroughs parcel, which includes electric transmission line, high pressure gas line, and gas gathering line. This area (approximately 25 acres) will not be restored to tidal marsh and will remain diked behind the new levee. It may be possible to restore upland or other habitat in this area.

All three restoration alternatives include areas of open water, which will not be filled to reduce costs. There are several options for managing open water areas, which include breaching to create subtidal habitat planted with native submerged aquatic vegetation (SAV), managing open water pond habitat, growing tules as a subsidence reversal technique (biomass accumulation), and constructing wide marsh "berms" to form a "skeletal" tidal channel network. All of these options are compatible with Alternatives 1 – 3.

Restoration of a Delta at the mouth of Marsh Creek along the western edge of the parcel will be analyzed as a potential option under all of the action alternatives. There are several options for restoring a Delta. It could either be diverted onto the Emerson parcel or diverted onto the Westside of Marsh Creek onto lands owned by the Ironhouse Sanitary District. The decision regarding whether and where to divert Marsh Creek will be based in part on the water quality implications of diverting Marsh Creek into the restored Dutch Slough site, cost, fill availability, and ecological benefit.

If Marsh Creek is diverted onto the Emerson parcel, it will connect with the tidal channel network, flowing through the restored marsh to Dutch Slough and creating a system of backwater channels. Flows in Marsh Creek will deliver sediment to the marshes, recreating natural deltaic processes and features that are expected to benefit native fish

and wildlife. Over time, Marsh Creek deposition will raise ground elevations within low marsh areas.

Marsh Creek could be diverted onsite in one of several potential locations (figure 2). The existing Marsh Creek channel will be blocked below the diversion to re-direct flow into the restored delta. A vehicle-accessible bridge will span the Marsh Creek diversion to allow for a trail and maintenance of the Ironhouse Sanitary District pipeline. The Ironhouse pipeline currently crosses over Marsh Creek and into the Emerson parcel at an existing footbridge and will be moved into the Marsh Creek levee. If the creek is diverted onsite downstream of the existing pipeline crossing, the pipeline may need to cross the creek diversion at the new bridge.

Marsh Creek may also be diverted onto a 100 acre parcel owned by the Ironhouse Sanitary District to the west of Marsh Creek and the Dutch Slough site as a coordinated project (figure 3). Restoration of marsh on the west side of Marsh Creek would not only expand the footprint of the project, but may also provide a source of inexpensive fill necessary to implement the larger Dutch Slough Restoration Project parcel. The Marsh Creek restoration options are flexible and allow for Marsh Creek to be diverted through both the Ironhouse parcel and the Emerson parcel, potentially providing a larger restored delta at the creek mouth.

The location and sizing of the Marsh Creek diversion and channel will be determined in future design phases. The design of the Marsh Creek diversion and delta restoration will need to maintain or improve the existing level of flood protection provided by the Marsh Creek flood control channel. Restoring a large marsh floodplain has the potential to lower flood levels in Marsh Creek. Hydraulic modeling and consideration of sediment dynamics are recommended to evaluate potential changes in flood risk.

POTENTIAL DISCRETIONARY ACTIONS AND APPROVALS:

The following actions and approvals are anticipated to be required:

Potentially Required Agency Approvals and Actions:

- U. S. Army Corps of Engineers permits underSection 10 of the Rivers and Harbors Act and Section 404 of the Federal Clean Water Act;
- Federal and State Endangered Species Act Consultations;
- California Department of Fish and Game Streambed Alteration Agreements(s), Section 1601 of the CDFG code;
- California State Regional Water Quality Control Board 401 Certification and/or Discharge Permit (s);
- California State Bay Area Air Quality Management District Permit (s);
- City of Oakley grading permit.

Responsible, cooperating, and trustee agencies are requested to review and refine this list of required actions and approvals.

ISSUE ANALYSIS (ENVIRONMENTAL CONSEQUENCES)

For each issue listed below, the EIR will include a discussion of the parameters used in evaluating impacts; potential impacts from the various alternatives; recommended mitigation, indicating the effectiveness of mitigation measures proposed to be implemented and what, if any, additional measures would be required to reduce the impacts to below a level of significance. Impact analysis will include a discussion of direct and indirect impacts, short- and long-term impacts, cumulative impacts, and unavoidable impacts. In addition, the impact discussion will also identify any areas of known controversy. Finally, the EIR will identify any unavoidable adverse impacts that would result from project implementation.

The list of issues presented below are preliminary both in scope and number. Additional issues may be identified during the scoping process.

Aesthetics Issues: *The various project components will change the aesthetic character of the project sites. This change could be viewed either positively or negatively.*

The EIR will:

- describe and present photographs of the existing project aesthetic conditions.

- compare the scenic and visual resources of the project sites in their existing condition (drained, diked bayland, derelict dairy operation, agricultural fields) with short-term conditions during wetland construction, and long-term conditions for predicted stages of wetland restoration and park development.

Air Quality Issues. *The proposed project components could have significant short-term air quality impacts due to fugitive dust, which could contain hazardous contaminants, from earthmoving, dredging, and filling operations during construction and adaptive management activities.*

The EIR will:

- identify and discuss short-term construction dust impacts, as well as necessary mitigation measures to reduce these impacts to a less than significant level.

- assess the project's operational (traffic) air quality impacts, including contribution to cumulative air quality impacts, based on the anticipated levels of activity at the City park and onsite trails.

- address the project's conformity with applicable air quality plans, exposure of sensitive receptors to criteria air pollutants, and odors, as well as Federal Clean Air Act conformity.

Agricultural Resources. *The project will remove existing agricultural operations from the proposed Dutch Slough, City Park, and Marsh Creek sites. Loss of prime agricultural soils, if any, could be a significant impact.*

The EIR will:

- assess project effects on loss of agricultural resources including any prime agricultural soils and Williamson Act issues.

Biological Resources.

Wetland Biological Resources. *The project will eliminate the existing wetlands on much of the site, and replace them with tidal freshwater marsh and riparian vegetation, open sub-tidal basins and channels, and tidal sloughs (channels within tidal marshes). This loss of habitat could be significant.*

The EIR will:

- identify and describe existing wetland and upland habitats on the site.

- evaluate how project alternatives are likely to differ in producing different amounts and configurations of wetland and aquatic habitats over time, and how they vary in the way they relate to adjacent habitats, such as grassland (floodplain), relict dune soils, Marsh Creek, and Big Break.

- consider potential differences in restored marsh form, function, and biological diversity among alternatives over time. The discussion will emphasize key biological resources with special public and agency interest, such as rare or endangered species, dominant species and communities, pest species (invasive nonnative wetland plants and submernged aquatic vegetation (SAV), nonnative predators, etc.).

- address potential project effects on existing non-tidal wetlands on site, and tidal wetland and other aquatic habitats in the site vicinity.

Aquatic Biological Resources. *Native fish benefits are a major objective of the Dutch Slough project and most of the site does not currently support fish life. Other aquatic species which could benefit from the project include giant garter snake and western pond turtle. Benefits can vary across species with differing wetland restoration approaches, as does the potential to create habitats that support predatory fish detrimental to target species.*

The EIR will:

- describe existing fish conditions onsite and in the project area.

- review available information to evaluate how each alternative provides both beneficial and detrimental ecological conditions for target species.

- emphasize the most important issues related to the potential effects of tidal marsh restoration on native and nonnative fish populations.

- address many of the main uncertainties and underlying assumptions about the benefits of tidal marsh restoration for native estuarine fish, so that non-technical public will be able to evaluate and contrast alternatives in terms of potential effects on fish resources.

- consider effects on recreational and commercial fisheries as well as non-game fish resources.

Terrestrial Biological Resources. *Existing upland biological resources will be adversely affected by development of the project. The marsh restoration alternatives will restore terrestrial habitats present on the site, including terrestrial habitats that will persist after wetlands are restored, and artificially reclaimed "uplands" (diked, drained historic agricultural lands subsided below sea level) that currently support some terrestrial (and wetland) biological resources.*

The EIR will:

- describe existing upland terrestrial biological habitats and sensitive species.

- evaluate the loss of terrestrial habitats from project development.

- evaluate potential future interactions between restored wetlands and persistent, managed terrestrial habitats, and the effects of marsh restoration alternatives on reclaimed terrestrial habitat below sea level.

Cultural Resources. *The project site includes a number of potentially historic structures and landscapes, some of which will be substantially altered or removed by the project. The site also may contain prehistoric cultural resources that may be affected by project development.*

The EIR will:

- review available information, including the existing archaeological site resources report on the existence of cultural resources on the site and available studies on file at the City and the Northwest Information Center, Sonoma State University to determine if any previous cultural resources have been identified in the project area.

- prepare an architectural history analysis of potential historic structures, including 3 farm and ranch complexes in the project area.

- evaluate the Dutch Slough area as a potential historic landscape as per the evaluation criteria in National Register Bulletin 30 Guidelines for

Evaluating and Documenting Rural Historic Landscapes.

- document potential historic structures and landscape features (on California Department of Park and Recreation 523 forms).

- identify appropriate mitigation measures to address the possibility of encountering previously unknown cultural resources during construction, public access, or adaptive management activities, as well as effects of moving, altering, or demolishing any historic structures on the site or altering potentially significant landscape features.

Geology and Soils. *Geologic issues include potential erosion during and after construction due to proposed grading, dredging, channel reconfiguration, levee reconfiguration, and armoring. Geotechnical considerations will arise relative to existing perimeter levee stability and to the newly constructed levee alongside Jersey Island Road.*

The EIR will:

- describe the site's geologic conditions/hazards based on existing information and geologic/geotechnical/hydrologic reports for the site and nearby past projects.

- Summarize the implications of these conditions with respect to project outcomes, and identify appropriate mitigation measures.

Hazards and Hazardous Materials. *This section of the EIR will address site contamination issues. Portions of that site may be contaminated from a former animal waste pond. The Iron House parcel may be contaminated from its use as a land based sewage treatment system. The proposed wetland restoration also may increase health risks associated with mosquitoes.*

The EIR will:

- discuss and summarize the existing Environmental Site Assessments' findings on soil contamination and other potential hazards at the site, and contact the Regional Water Quality Control Board and the Contra Costa County Health Services Department, Hazardous Materials Programs, if appropriate.

- review and summarize Iron House Sanitary District data on potential soil contamination of that site.

- identify potential impacts to project workers and recreation users due to soil contamination and other potential hazards at the project site, and describe necessary mitigation measures. No additional studies on hazardous materials are proposed

- contact the Contra Costa County Mosquito Abatement District to identify the severity of mosquito health risks associated with the proposed wetlands, and potential mitigation measures.

Hydrology and Water Quality. *The project could affect water quality through release of contaminants and sediment from construction activities, as well as through mercury methylation and interactions of dissolved organic carbon (DOC) with water purification chemicals. The project could also alter hydrodynamic processes which control local salinity levels in Delta waters. The project also could increase turbidity during and after construction, adversely affecting water quality. In addition, flows along Dutch Slough, Marsh Creek, and the dead-end sloughs bisecting the site parcels are likely to change with the increased tidal prism following restoration; these increased flows could affect water quality, erosion along these waterways, and fisheries use of these waterways. The project also could result in a groundwater seepage problem on off-site properties after the levees are breeched. Potential flood hazards issues also exist.*

The EIR will:

- review and summarize the existing methyl-mercury studies and identify any potential impacts based on that information.

- review available project data to evaluate potential effects on salinity levels in Delta water and identify mitigation measures as appropriate.

- review the PWA hydrodynamic studies and, based on those studies, evaluate the ability of the restored tidal wetlands to achieve the degree of tidal circulation and exchange along with the appropriate geomorphology necessary to provide the habitats of interest on the project site.

- evaluate the potential water quality effects of diverting Marsh Creek onto the project site versus retaining the creek in its current configuration, based upon available studies, modeling results, design documents, and related information from other wetland restoration projects, and develop conceptual mitigations as necessary.

- analyze project impacts on water quality and hydrology on the basis of existing information.

- Describe levee seepage and groundwater elevation issues (based on existing studies) and summarizes potential flood hazards associated with the project.

Land Use/Planning. *The project may conflict with City of Oakley land use plans and policies, and with adjacent land uses.*

The EIR will:

- describe nearby land uses in the project area, assess project impacts on nearby existing and planned land uses, and identify any potential land use conflicts.

- review and summarize applicable goals and policies in the City's General Plan, and assess the project's consistency with General Plan goals and policies, land use designations, and the Zoning Ordinance, including conformity with height and density limits and parking requirements.

Noise. *The project will result in temporary noise impacts from construction, and possible long-term noise from traffic and use of the park facilities.*

The EIR will:

- review the existing applicable noise standards to determine the appropriate noise descriptors.

- describe existing onsite noise levels.

- compare the future noise levels with existing noise levels to determine if the project would cause a significant increase.

- compare future noise levels with applicable noise goals as promulgated by the City of Oakley General Plan.

- evaluate the potential for temporary noise impacts from construction and adaptive management activities, including any construction noise impacts to noise-sensitive biotic species.

Public Services. *The proposed park and public access could increase demand on local police and fire protection services. It is not anticipated to generate significant impacts on other public facilities.*

The EIR will:

- contact the Oakley Fire Department and Police Department to identify any concerns or constraints associated with provision of fire and police protection.

Recreation. *The project will result in benefits to recreation from public access and the new park.*

The EIR will:

- analyze potential recreation benefits to the public as a result of the project and identify mitigation measures if significant impacts are identified.

Transportation/Traffic. *The proposed public access and park will increase traffic to the area, potentially affecting levels of service on local streets.*

The EIR will:

- review and organize the existing documentation available regarding the existing and future transportation conditions and summarize existing transportation conditions and trends.

- describe existing roadway facilities, bicycle/pedestrian facilities, and transit services, and discuss the existing traffic volumes and level of service in the project study area. In addition, current plans to improve transportation facilities

and services will be summarized, and the traffic impacts associated with currently planned developments will be described.

- address potential traffic and parking impacts from the restoration project, including construction traffic impacts. Oakley park traffic impacts will be assessed at a conceptual level.

- qualitatively assess project impacts on transit services, pedestrian activity, and bicycle activity in the study area.

- if appropriate, develop a series of potential mitigation measures for analysis. These mitigations may range from roadway improvements (such as traffic signals and turn lanes), to bicycle/pedestrian facilities, to improvements in public transit and shuttle systems.

Utilities/Service Systems. *Construction and operation of the project may affect water, wastewater, and other utility services.*

The EIR will:

- contact the City of Oakley and applicable utility districts to identify possible constraints to provision of water and wastewater service to the proposed City park, and identify any significant impacts and required mitigation measures. Impacts on storm drainage will be summarized.

- discuss maintaining sufficient access to Pacific Gas and Electric Company's overhead transmission lines.

ALTERNATIVES.

The EIR will:

- assess the comparative impacts of the three "action" alternatives identified in the Draft Dutch Slough Tidal Marsh Restoration Conceptual Plan and Feasibility Report, and the No-Project Alternative.

- include the two Marsh Creek options for two of the alternatives.

- describe different operational scenarios and inclusion of the Marsh Creek delta restoration on the Ironhouse parcel for each of the "build" alternatives.

- Include the City's park in the various project alternatives at a conceptual level (the EIR will not address alternative configurations for the proposed park).

- treat alternatives' impacts at equivalent levels of detail to meet possible National Environmental Policy Act evaluation requirements.

Figure 1: Alternatives Identified in the Draft Dutch Slough Tidal Marsh Conceptual Plan and Feasibility Report

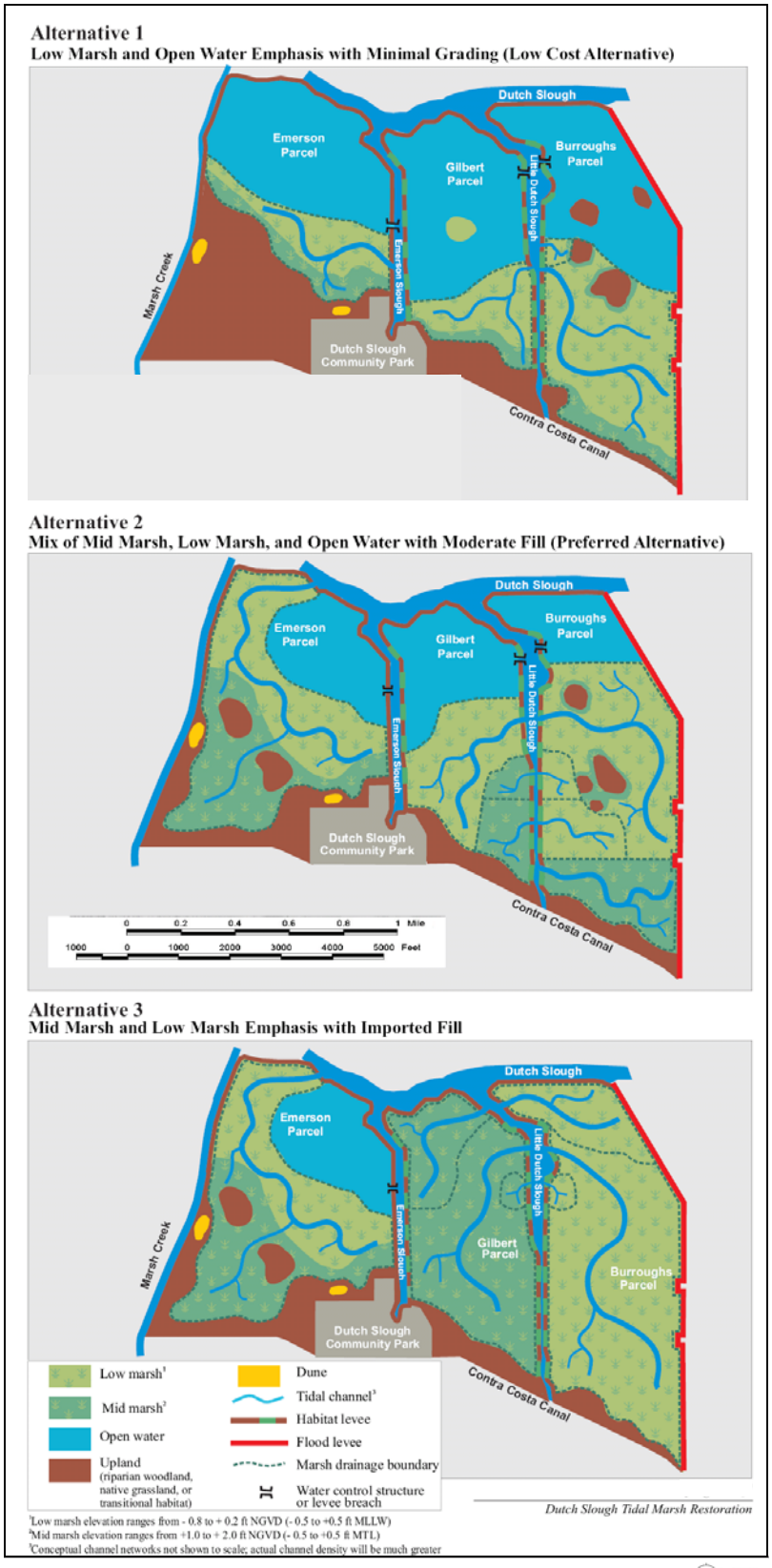

Figure 2: Options for diverting Marsh Creek onto the Emerson Parcel

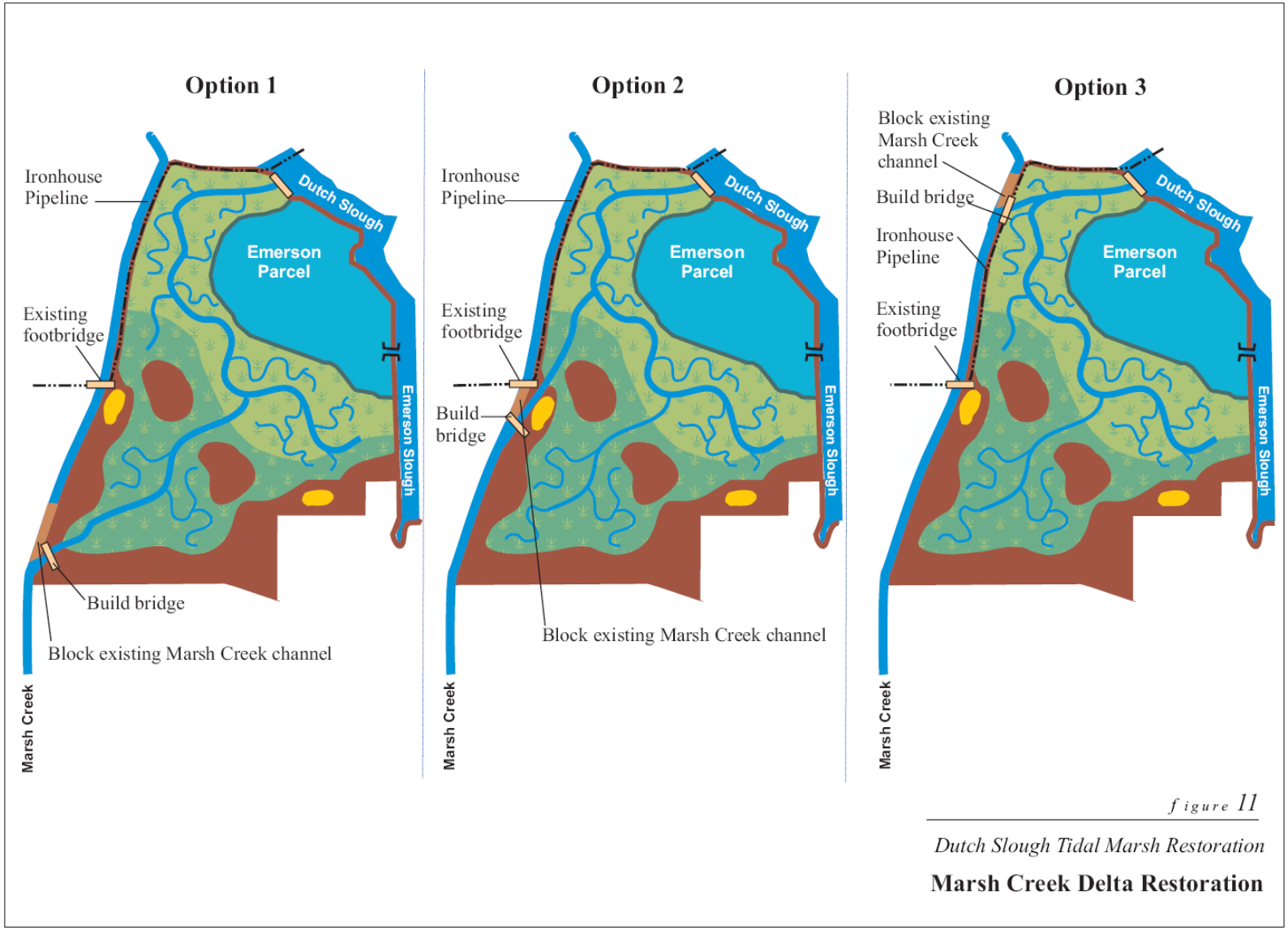

Figure 3: Marsh Creek delta restoration component proposed for lands owned by the Ironhouse Sanitary District on the west side of Marsh Creek