

**DRAFT ENVIRONMENTAL ASSESSMENT
COASTAL WETLAND RESTORATION
AT THE D STREET FILL
SWEETWATER MARSH UNIT OF THE
SAN DIEGO BAY NATIONAL WILDLIFE REFUGE
SAN DIEGO COUNTY, CALIFORNIA**

Executive Summary



Lead Agency:

U.S. Fish and Wildlife Service
San Diego National Wildlife Refuge Complex
P.O. Box 2358
Chula Vista, California 91912

July 2015

EXECUTIVE SUMMARY

Introduction: This draft environmental assessment (EA) has been prepared by the U.S. Fish and Wildlife Service (Service) to describe and analyze the environmental effects of the Coastal Wetland Restoration at the D Street Fill Sweetwater Marsh Unit of the San Diego Bay National Wildlife Refuge (NWR), a proposal to restore a portion of the D Street Fill to intertidal wetlands consistent with the recommendations presented in the San Diego Bay NWR Comprehensive Conservation Plan (CCP) (USFWS 2006). The proposed restoration would occur near the southeast corner of the D Street Fill, located to the west of Interstate 5 and south of the Sweetwater River flood control channel, within the Sweetwater Marsh Unit of the San Diego Bay NWR, in Chula Vista, San Diego County, California (Figure 1).

NEPA Process: The project is subject to the National Environmental Policy Act (NEPA), because it is proposed on lands owned and managed by the Federal government and the Service, a Federal agency, will implement the project. This EA has been prepared by the Service in accordance with NEPA (42 USC 4341 et seq.) and the Council on Environmental Quality (CEQ) NEPA Regulations contained in C.F.R. Parts 1500-1508. The Service will use this draft EA as the basis for determining whether the proposed action would constitute a major Federal action significantly affecting the quality of the human environment or would result in a Finding of No Significant Impact.

Purpose and Need: The purpose of the proposed action is to restore a portion of the D Street Fill to intertidal wetlands consistent with the recommendations presented in the San Diego Bay NWR CCP (USFWS 2006). The restoration of 11.03 acres of coastal wetlands also represents compensatory mitigation for impacts to jurisdictional wetlands associated with the SDG&E SBSR project. The proposed restoration is needed to assist the Refuge in achieving the goals and objectives of the Refuge's CCP, including the CCP's goal to provide opportunities for reversing the trend of historical wetland loss in San Diego Bay by incorporating proposals for restoring, where possible, the Refuge's historical native habitats.

Public Involvement and Agency Coordination: Comments on the draft EA are being solicited from various local, State, and Federal government agencies, tribal governments, non-governmental organizations, and the public during the 30-day comment period. The draft EA was also sent to the California State Clearinghouse for distribution to interested State agencies. The agency and public comments received during the public review period will be considered when analyzing the proposed action and alternatives, determining the effects to the human environment, and selecting the preferred alternative for implementation. Agency consultation and coordination with CCC, USACE, SDUPD, and NOAA has also been conducted.

The public comment period began on Wednesday, July 29, 2015, and ends at 5:00 PM on Thursday, August 27, 2015. Comments on the draft EA can be mailed, faxed, or emailed to the San Diego NWR Complex as follows: by mailed to Brian Collins, Refuge Manager, USFWS, San Diego NWR Complex, P.O. Box 2358, Chula Vista, CA 91912; faxed to (619) 476-9149; or emailed to D_Street_EA@fws.gov (please include “D Street Fill Restoration” in the subject line). All comments received from the public will be placed in the Service’s record for this action. As part of the record, comments will be made available for inspection by the general public, and copies may be provided to the public. For persons who do not wish to have their names and other identifying information made available, anonymous comments will be accepted.

Project Summary: The Service, in partnership with SDG&E, proposes to restore 11.03 acres of tidally influenced coastal wetland habitat and 1.41 acres of upland transition habitat within a 12.44-acre area at the southeast corner of the D Street Fill. Preparation of the site to support 0.62 acre of subtidal habitat, 0.98 acre of intertidal mudflat habitat, 6.60 acres of low salt marsh habitat, 2.83 acres of mid-high salt marsh habitat, and 1.41 acres of native upland/wetland transitional habitat would require the excavation of approximately 125,000 cubic yards of material. The restoration of 11.03 acres of coastal wetlands also represents compensatory mitigation for impacts to jurisdictional wetlands associated with the SDG&E South Bay Substation Relocation project. In addition, a construction staging area will be required on a disturbed portion of the D Street Fill and another off site construction staging area, if necessary, could be established on land immediately to the east of the D Street Fill in a currently disturbed area. Once excavation is completed, the restoration site will be planted with appropriate native vegetation and monitored and maintained for five years.

The EA evaluates the no action alternative and two action alternatives. The primary difference between the two action alternatives involves the way in which the material excavated from the restoration site is handled. Under Alternative B (the proposed action), the approximately 125,000 cubic yards of soil (material) to be excavated from the restoration site would be used to raise the elevation of approximately 29.85 acres located just to the northwest of the project site in an area of the D Street Fill currently managed by the Service and Port of San Diego as a California least tern nesting site. Under Alternative C, the excavated material would be truck off the site for appropriate disposal and or reuse elsewhere. For purposes of analyzing the effects of moving the material offsite, it is assumed that the material will be disposed of at the Otay Landfill in Chula Vista.

Summary of Potential Effects: A summary of the potential effects associated with each of the alternatives evaluated in this EA is presented below.

Summary of Potential Effects of Implementing Alternatives A, B, or C			
Resource	Alternative A	Alternative B	Alternative C
Biological Resources	No biological resources would be adversely affected by this alternative and the benefits associated with wetland restoration would not be realized.	<p><u>Habitat and Vegetation</u></p> <p>Implementation of the restoration project would impact 0.23 acre of tidally influenced southern coastal salt marsh, 1.92 acres of nontidal disturbed coastal salt marsh, 5.32 acres of baccharis scrub and 29.85 acres of a California least tern nesting site located to the northwest of the restoration site that is considered disturbed upland habitat. This impact is considered less than significant as the restoration project would result in an increase in higher quality habitat with greater ecological functionality than that being lost. Additionally, sensitive habitat and plants would be avoided/and or salvaged resulting in a less than significant impact to sensitive habitat and plants.</p> <p><u>Wildlife and Fisheries</u></p> <p>The implementation of the restoration project would result in temporary disturbances to relatively low numbers of wildlife that forage and otherwise utilize the existing restoration site.</p> <p><u>Endangered and Threatened Species and Other Species of Special Concern</u></p> <p>The habitat restoration proposed under this alternative would temporarily impact some sensitive species; however,</p>	Same as Alternative B

Summary of Potential Effects of Implementing Alternatives A, B, or C			
Resource	Alternative A	Alternative B	Alternative C
		implementation of mitigation measures Bio-1 thru Bio-8 identified below would reduce these impacts to a less than significant level.	
Cultural Resources	This alternative assumes the restoration project is not implemented and there is no change from existing management programs. This alternative serves as the baseline to which all other action alternatives are compared. There would be no major changes in habitat management under this alternative. No historic properties would be affected by this alternative.	The proposed action is anticipated to have no effect to historic properties. Given the land use history of the project area (e.g., area was filled with dredge spoils), the potential for intact archaeological sites is considered low.	Same as Alternative B

Mitigation Measures: The measures presented here have been incorporated into the project design to mitigate potential impacts described above to below a level of significance. The Service would be responsible for ensuring that these measures are implemented as described.

Mitigation Measure BIO-1: Avoidance of indirect impacts to eelgrass and aquatic wildlife would be achieved through the creation of a SWPPP implementation of storm water BMPs to prevent erosion and sedimentation, and through implementing a strategic grading process that would prevent actively graded areas from being exposed to tides. The process would leave a narrow berm of soil directly adjacent to the square-shaped subtidal embayment in place until all other grading is complete. The remaining berm of soil would be removed last, thus limiting the exposure of active grading to tidal action. The monitoring program would include pre-construction and post-construction eelgrass surveys in the square-shaped subtidal embayment and the immediately adjacent tidal channel for a distance of approximately 400 feet to the east and to the west. Pre-construction surveys would document existing eelgrass populations. Post-construction surveys would continue through the 5-year maintenance and monitoring period to confirm no long-term indirect impacts to eelgrass populations have occurred. If impacts are identified reinitiation of consultation with the Corps or NMFS is required and shall be requested.

Mitigation Measure BIO-2: Construction would be avoided during nesting season and biological monitoring would be performed to reduce impacts to wildlife such as nesting birds, sea turtles, jackrabbits, and marine mammals. If an animal is believed to be at risk based on the

Restoration Ecologist's judgment, construction would be suspended until the animal moves out of harm's way on its own or through relocation measures approved by the regulatory agencies.

Mitigation Measure BIO-3: Impacts to pinnipeds protected by the Marine Mammal Protection Act and federally listed endangered East Pacific green sea turtles would be mitigated through standard construction BMPs and monitoring during construction. If an animal is believed to be at risk based on the Restoration Ecologist's judgment, construction would be suspended until the animal moves out of harm's way on its own or through relocation measures approved by the regulatory agencies. SDG&E has completed consultation with the Service and NMFS pursuant to Section 7 of the Federal Endangered Species Act and Section 305(b) of the Magnuson-Stevens Act regarding potential impacts to California least terns and other nesting birds, East Pacific green sea turtles, marine pinnipeds, and Essential Fish Habitat. A concurrence letter was received on May 14, 2015 and a special use permit will be issued.

Mitigation Measure BIO-4: Restoration construction activities that include excavating, grading, and hauling of materials with large equipment would occur outside of the nesting season (February 15 through September 30) to avoid disturbance to birds protected by the Migratory Bird Treaty Act that may nest on-site, and the numerous sensitive bird species (e.g., California least tern, Belding's savannah sparrow, light-footed Ridgway's rail) known to nest in the immediate vicinity. Every attempt will be made to complete the harvesting and transplantation during the non-breeding season of sensitive bird species, defined as September 16 – February 14 in Special Condition 2 of the CCC Coastal Development Permit (CDP) for the Project. Restoration construction activities using hand labor such as boundary staking, planting, and irrigation may be allowed within the nesting season if adequate avoidance measures are implemented. These include pre-construction surveys, nondisturbance buffers, and contractor education. Non-disturbance buffer zones would be determined in coordination with the Refuge Manager.

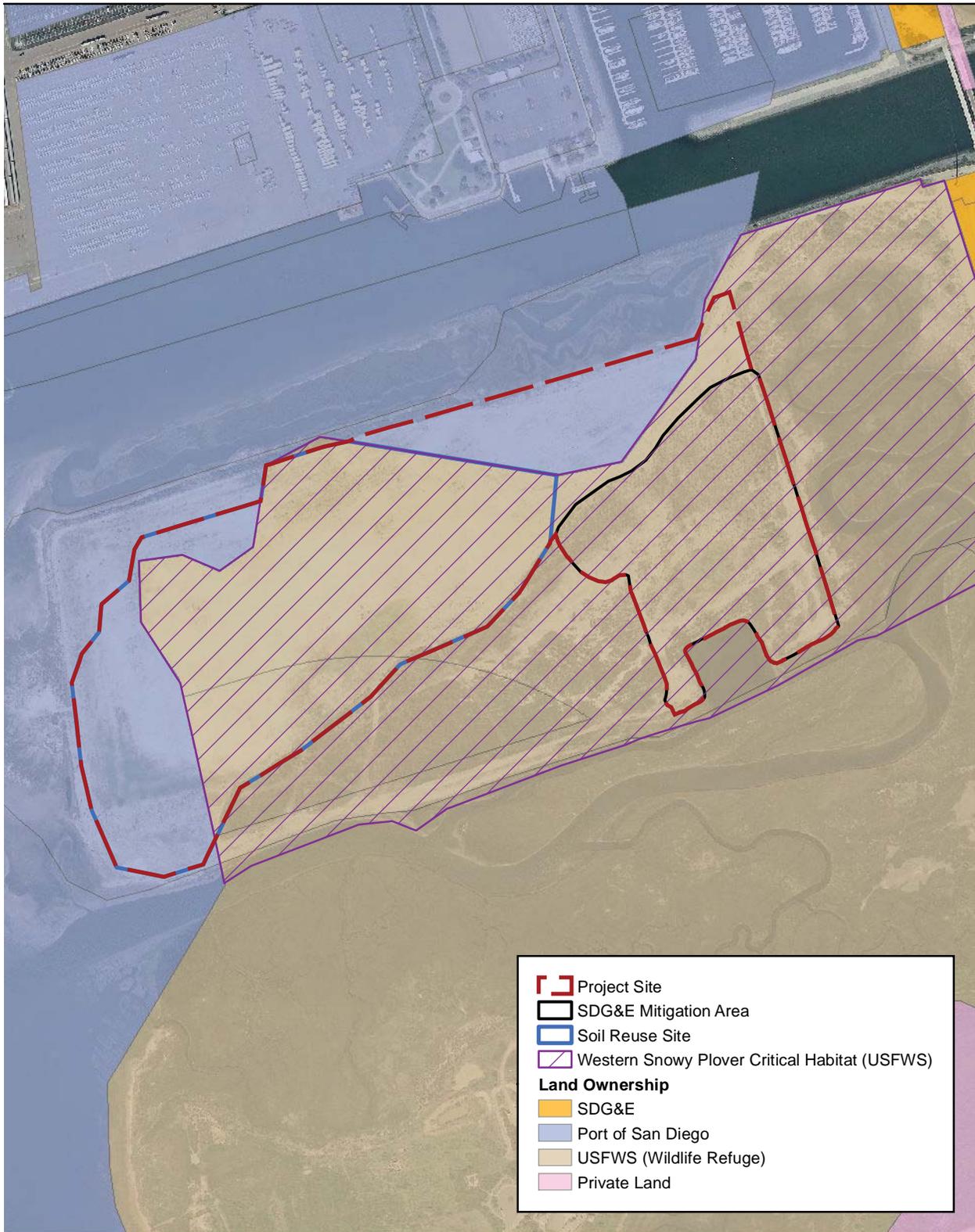
Mitigation Measure BIO-5: The excavation and grading work would involve the salvage and stockpiling of the nesting material layer (coarse sand and shells) prior to ground-disturbing activity associated with the restoration outside the nesting season; the raising of the existing nesting area by 8 feet, to a uniformly flattened area with a 20:1 slope around the entire site; and, the reapplication of the nesting material. This work would take place outside the nesting season and would result in a net benefit to the California least tern and potentially the western snowy plover. Raising and flattening the site while creating 20:1 slopes would allow for a clean line of sight to potential predators, which is a key nest selection criterion for California least tern. In accordance with the predator management plan for the NWR, plants within the transition zone of the restoration site cannot provide perches, refuge, or nesting habitat for predators of California least tern.

Mitigation Measure BIO-6: Impacts to wandering skipper butterflies would be minimized by conducting focused surveys for adult wandering skipper butterflies during the flight period and selectively timed vegetation removal. Vegetation removal on the restoration site would occur in the fall, when nectaring adults are less likely to be present to minimize impacts to this species.

Mitigation Measure BIO-7: Existing native salt marsh vegetation that occurs on the slopes of the square-shaped embayment would be salvaged for later replanting. Plants would be salvaged using an excavator or backhoe and would include approximately 1 foot of soil as well as the aboveground biomass of the plants. Salvaged plants would be stored on-site in basins lined with polyethylene or similar impervious plastic. Salvaged plant storage areas would be located in existing disturbed areas within the project limit of work. Plants would be watered during the storage period as directed by the Restoration Ecologist and Construction Manager.

Mitigation Measure BIO-8: To minimize impacts to sensitive species, a seasonal focused rare plant survey would be conducted to document the sensitive plant populations on-site prior to construction. If sensitive plant species are identified within the proposed restoration footprint, and if avoidance is not feasible, salvage of plants and/or seeds and replanting within the restoration area would occur to the extent feasible.

Mitigation Measure Cul-1: Monitoring by a qualified archaeologist and a Native American representative will be conducted as the D Street fill area is being capped with fill material and throughout the excavation phase of the project. In the event that human remains are encountered during ground-disturbing activities, all work in the immediate vicinity will cease and the Medical Examiner will be contacted, per the California Public Resources Code. Should the remains be identified as Native American, the Medical Examiner will contact the Native American Heritage Commission within 24 hours of identification to provide a most likely descendent to determine appropriate actions. All human remains would be treated in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA). Additionally if cultural resources are encountered during ground-disturbing activities, work in the immediate vicinity would be suspended until the discovery is assessed by a qualified archaeologist and treatment is determined.



Source: Landiscor; SANDAG; USFWS; AECOM 2015; SanGIS 2015



500 250 0 500 Feet



Scale: 1:6,000; 1 inch = 500 feet

Figure 1 & 2
Location Map/Land Ownership
D Street Fill