



BCDC Enforcement Committee Meeting
Update on Enforcement Case No. ER1990.026
Simmons Island Habitat Restoration Project

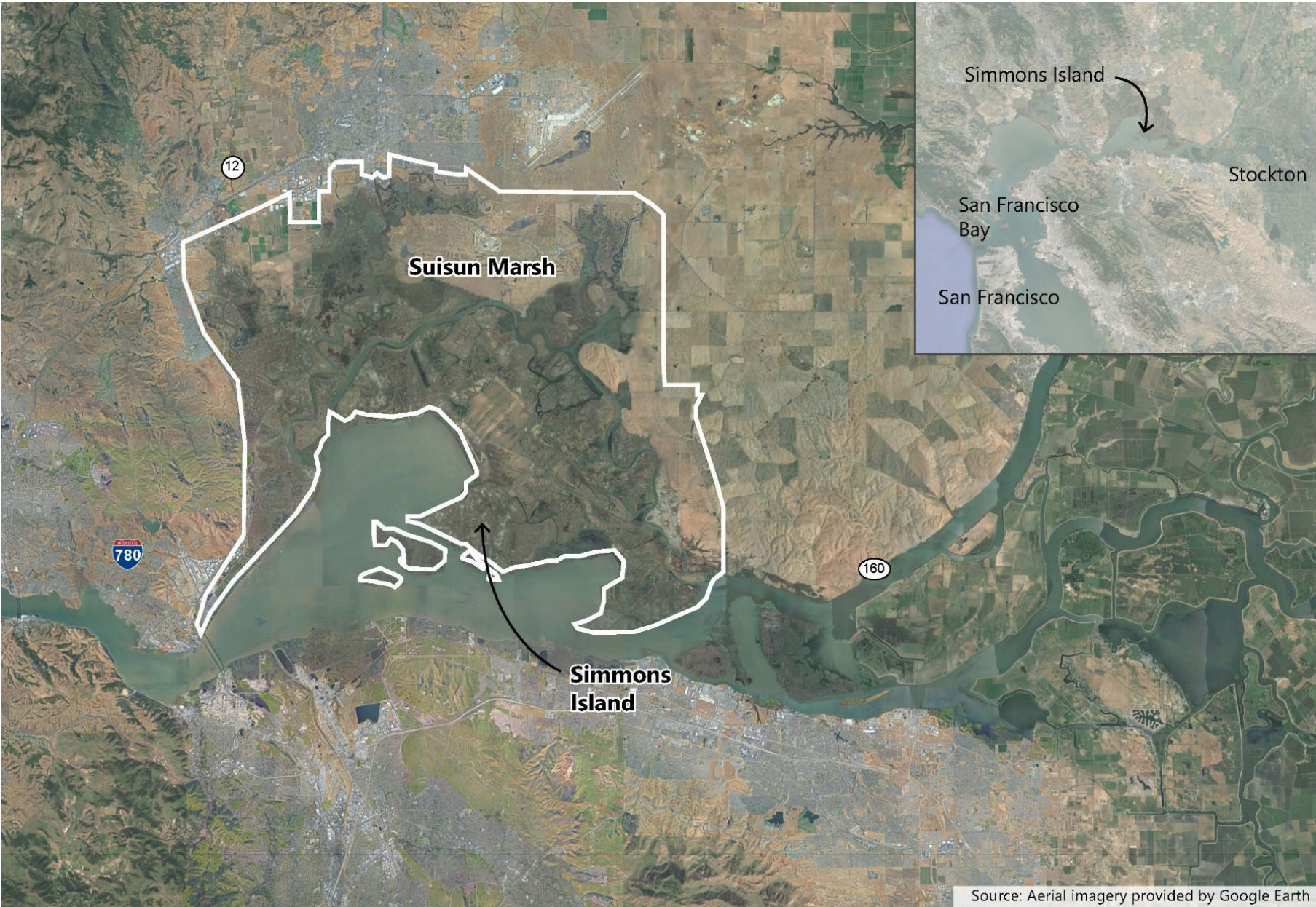
December 21, 2022

Presentation Outline

- Project Background, Summary, and Construction Schedule
- Requested Permits and Approvals Status

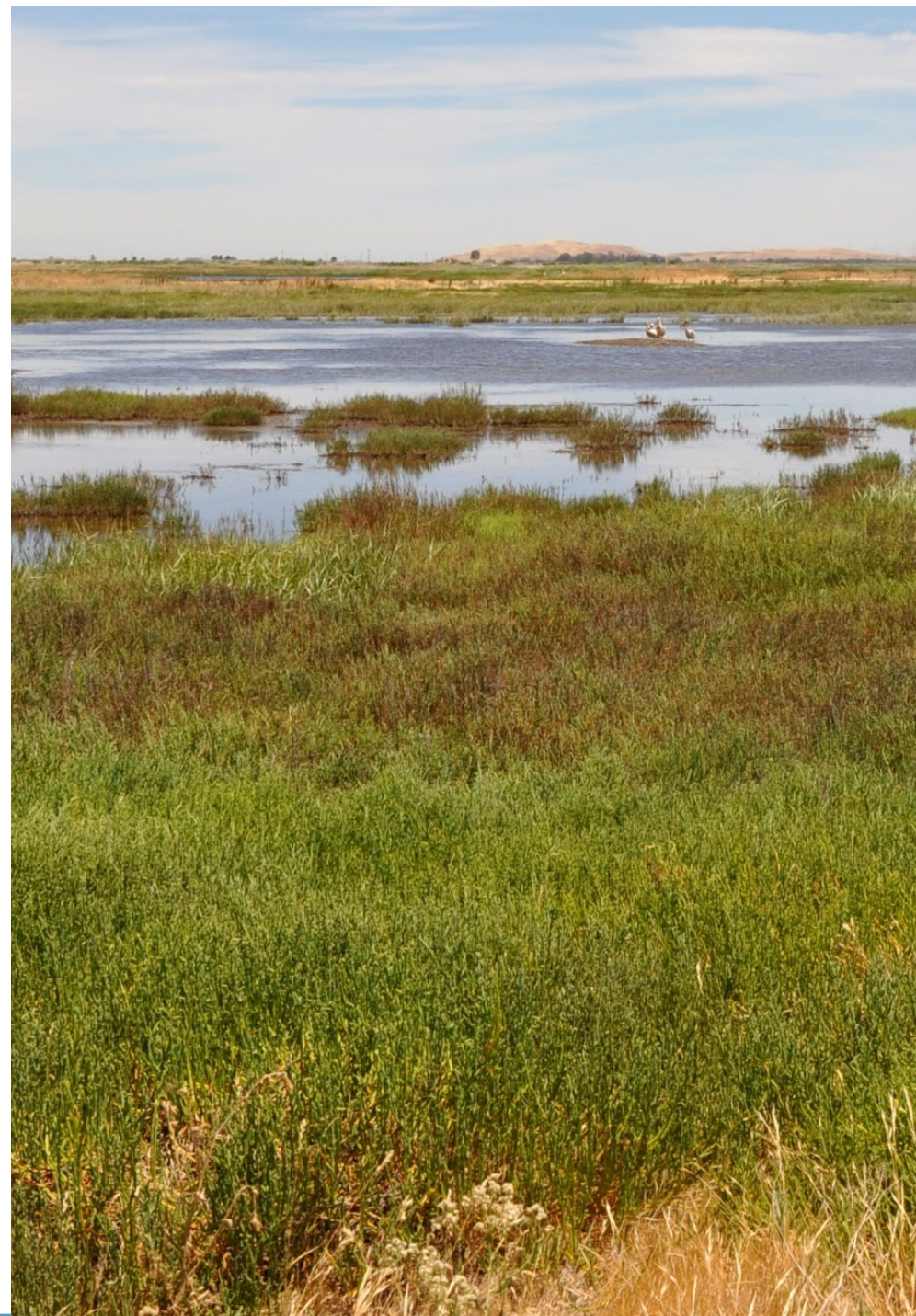
Project Background, Summary, and Construction Schedule

Vicinity Map



Proposed Restoration Key Elements

- Applicant: Port of Stockton and Rich Island Duck Club
- Project Size: 30 acres
- Volume of material moved: 38,200 cubic yards
- Construction Schedule:
 - Contingent upon permit approvals and conditions
 - 2-month duration during summer 2023
 - One construction season



Requested Permits and Approvals Status

Anticipated Permits and Approvals Status

Agency	Approval	Status
U.S. Army Corps of Engineers (USACE)	Clean Water Act Section 404 Permit (Nationwide Permit 27)	Application submitted in September 2022; ongoing discussions with USACE project manager.
U.S. Fish and Wildlife Service (USFWS)	Section 7 Endangered Species Act Consultation	Informal Consultation initiated on November 29, 2022. While USACE initiated informal consultation, USFWS has indicated that it will proceed with formal consultation.
Office of Historic Preservation	Section 106 National Historic Preservation Act Compliance	USACE requested a new cultural resources assessment. Anchor QEA archaeologist is drafting report and we anticipate to submit the report before end of December 2022.
Port of Stockton	California Environmental Quality Act (CEQA) Compliance	Documentation supporting CEQA compliance underway.

Anticipated Permits and Approvals Status (cont.)

Agency	Approval	Status
San Francisco Bay Regional Water Quality Control Board (SFRWQCB)	Section 401 Water Quality Certification/ Waste Discharge Requirements	Application submitted in September 2022; notice of incomplete application from SFRWQCB received on December 15; draft response letter anticipated to be submitted in January.
Bay Conservation and Development Commission (BCDC)	Marsh Development Permit	Application submitted in September 2022; response to BCDC incomplete letter submitted in December 2022.
Delta Stewardship Council	Consistency Determination	Obtained in December 2022.

Questions/Discussion

