



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

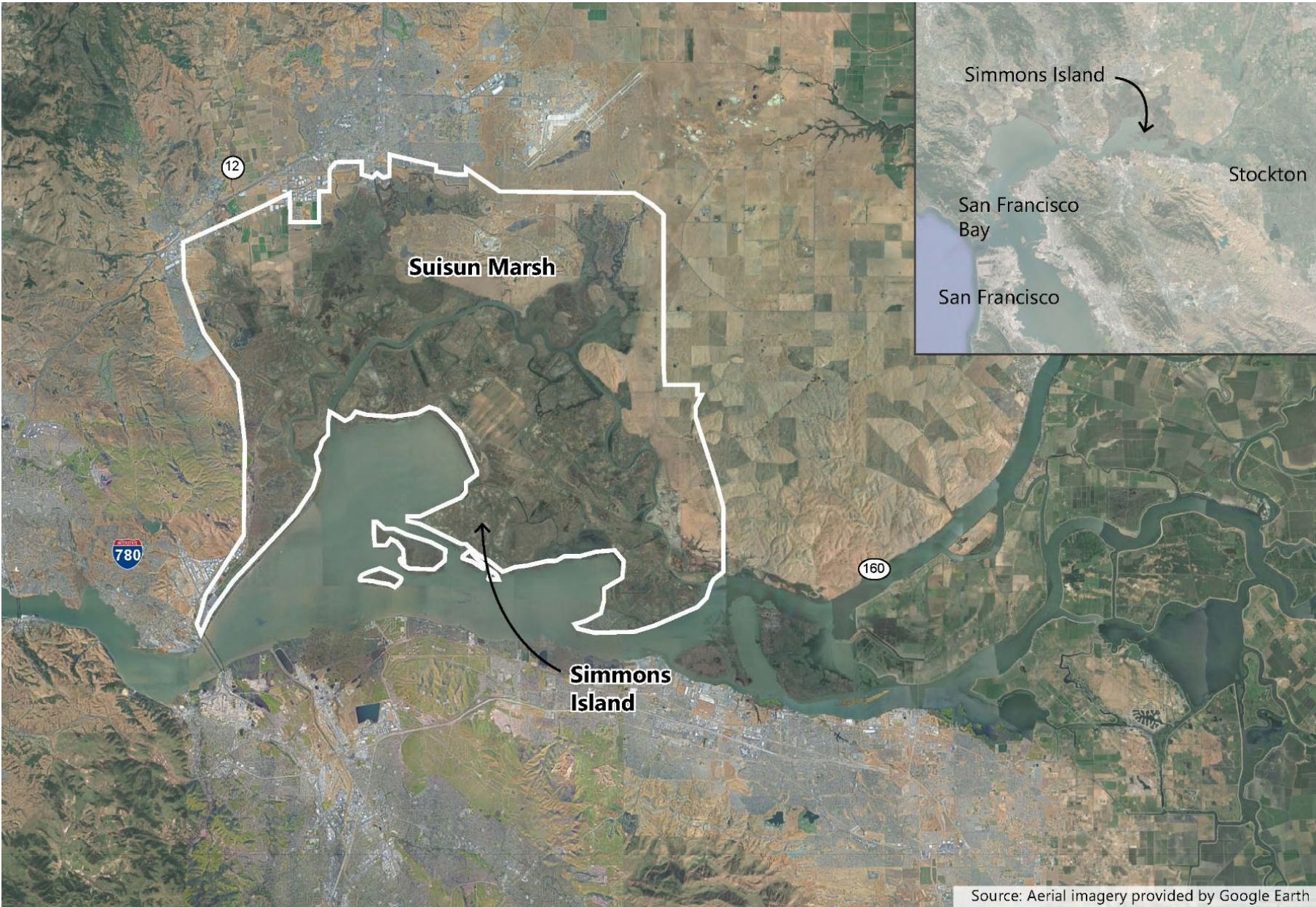
June 21, 2023

# Presentation Outline

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

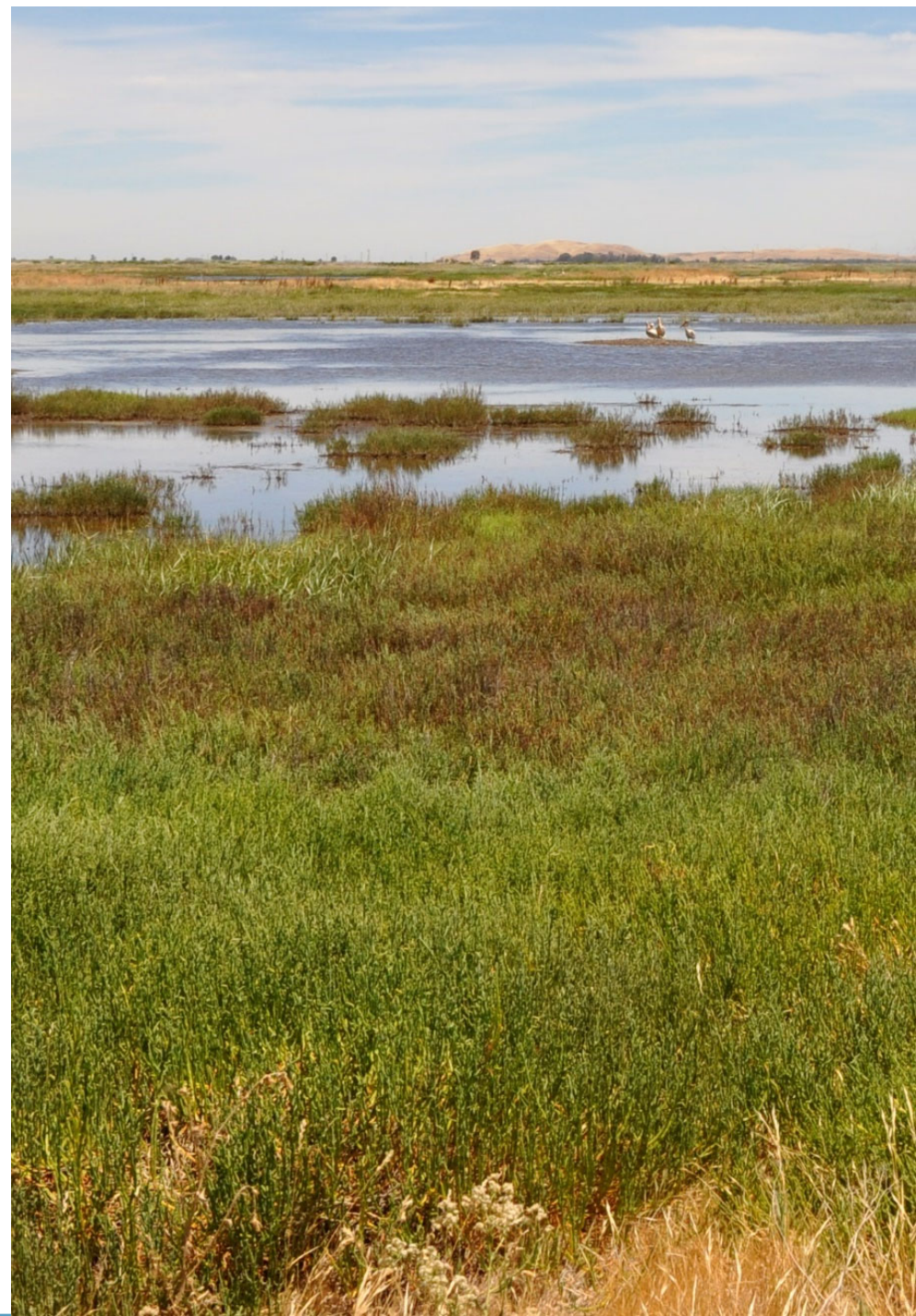
# Project Background, Summary, and Construction Schedule

# 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 2024**
  - 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, site visit conducted on June 15, 2023.
U.S. Fish and Wildlife Service (USFWS)	Section 7 Endangered Species Act Consultation	Informal Consultation initiated on November 29, 2022. USFWS indicated that it would proceed with formal consultation. Biological Opinion was issued on May 24, 2023.
Office of Historic Preservation	Section 106 National Historic Preservation Act Compliance	USACE requested a new cultural resources assessment. Anchor QEA archaeologist submitted the report on December 23, 2022.
Port of Stockton	California Environmental Quality Act (CEQA) Compliance	CEQA compliance completed on June 15, 2023.

# 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; response letter submitted on January 30. Meeting held with SFRWQCB and BCDC on March 1 to discuss additional questions.
Bay Conservation and Development Commission (BCDC)	Marsh Development Permit	Application submitted in September 2022; response to BCDC incomplete letter submitted in December 2022. Meeting held with SFRWQCB and BCDC on March 1 to discuss additional questions.
Delta Stewardship Council	Consistency Determination	Obtained in December 2022.



# Questions/Discussion

