

# Solano County component of the Suisun Marsh Local Protection Program

Cody Aichele-Rothman

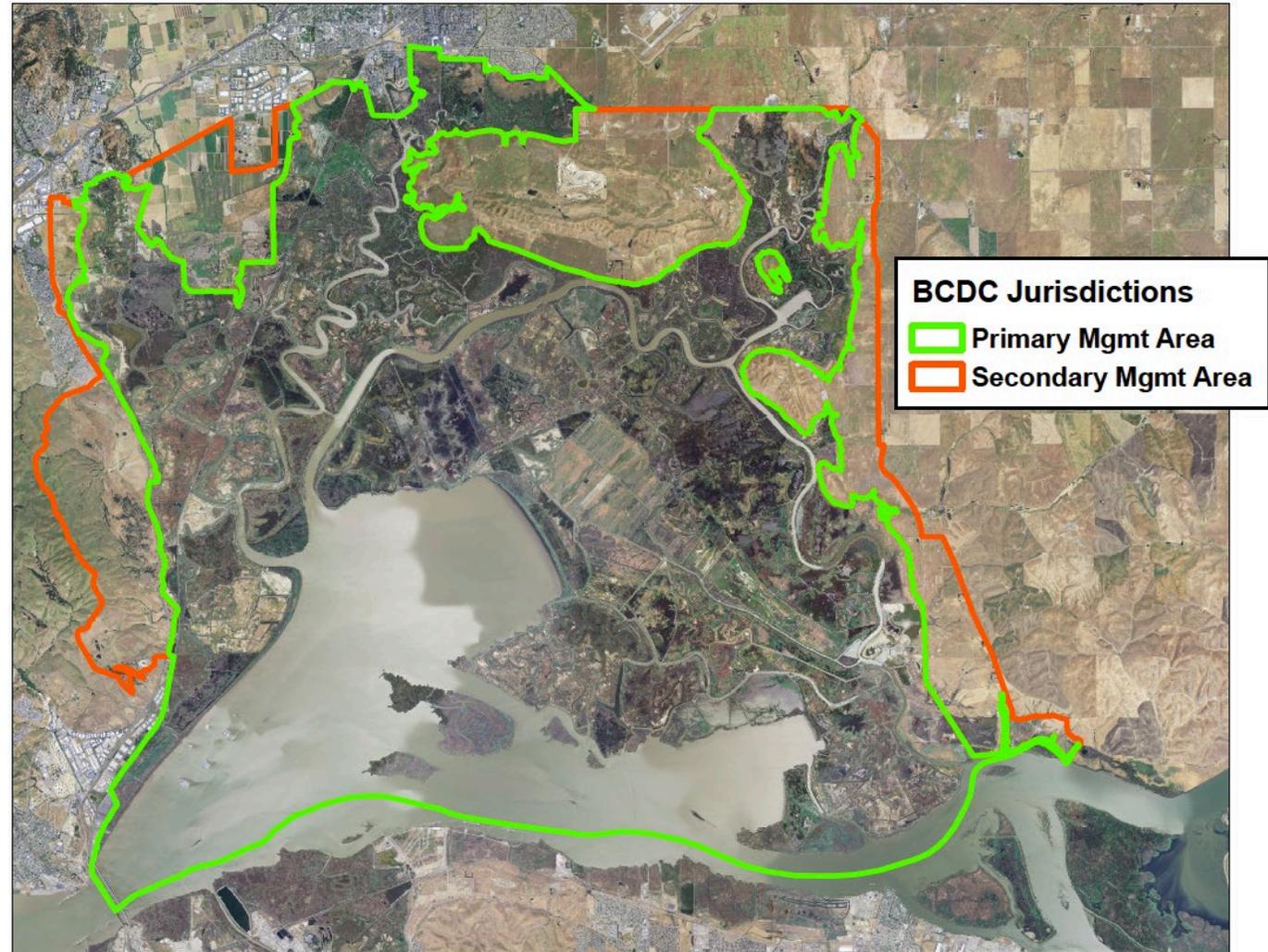
March 7, 2019





# The Suisun Marsh

- Largest contiguous brackish marsh in the United States
  - 116,000 acres Primary Management Area
  - 22,500 acres of **significant buffer lands** Secondary Management Area
- Most productive type of marsh supporting the widest variety of marsh dependent wildlife
  - +200 birds, +40 mammals, +40 fish, 9 reptiles, 6 amphibians





# BCDC and Suisun Marsh

1976

Suisun Marsh  
Protection Plan  
(SMPP)

1977

Suisun Marsh  
Preservation  
Act (SMPA)  
codified the  
SMPP into law

1980's

Suisun Marsh  
Local  
Protection  
Program (LPP)

- Solano County
- Suisun RCD
- Fairfield,  
LAFCO, SMAD
- Suisun City

1999

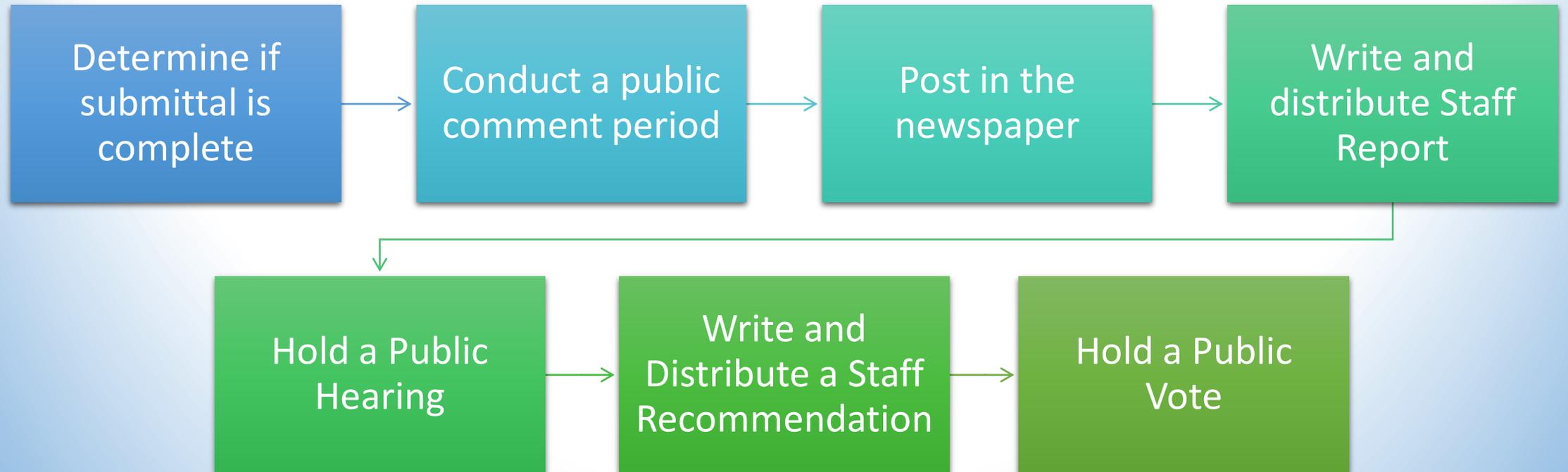
Solano County  
LPP  
component  
amendment  
Certified

2012

Solano  
County LPP  
component  
submitted  
and withdrawn



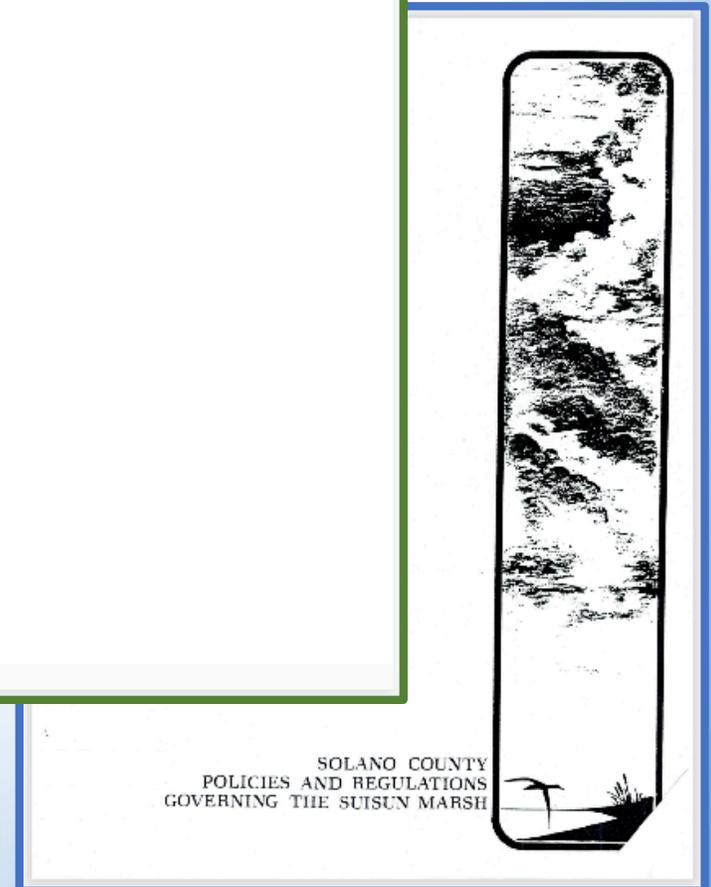
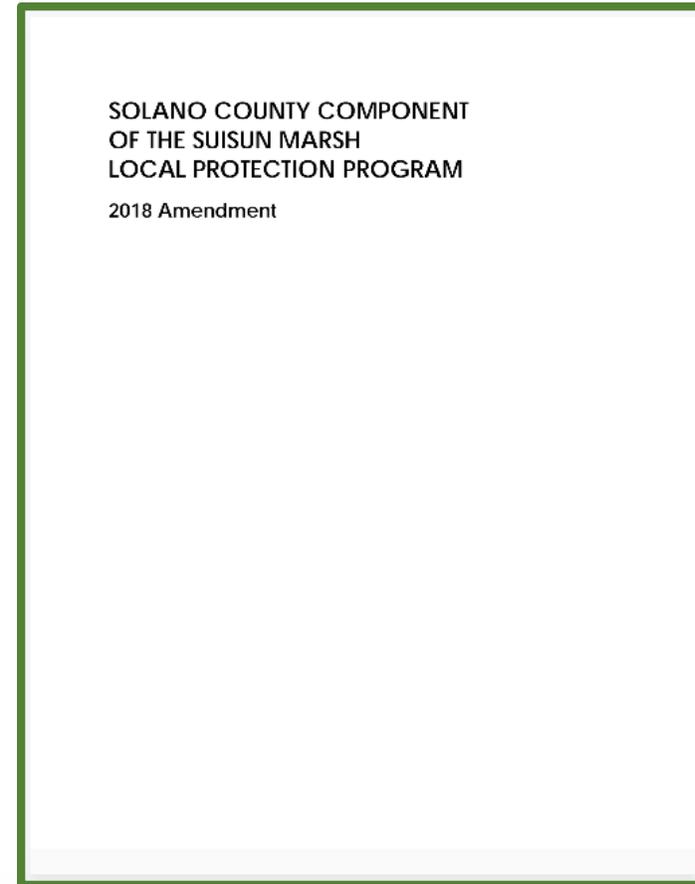
# LPP component certification process:





# Summary of 2018 LPP changes

- Revisions to 2012 Zoning Code and added definitions
- Revisions to 2008 General Plan
- Updated maps and land use tables
- Potrero Hills Landfill edits
- Focus on the Marsh boundaries
- Minor formatting and clarifying changes throughout



# Potrero Hills Landfill



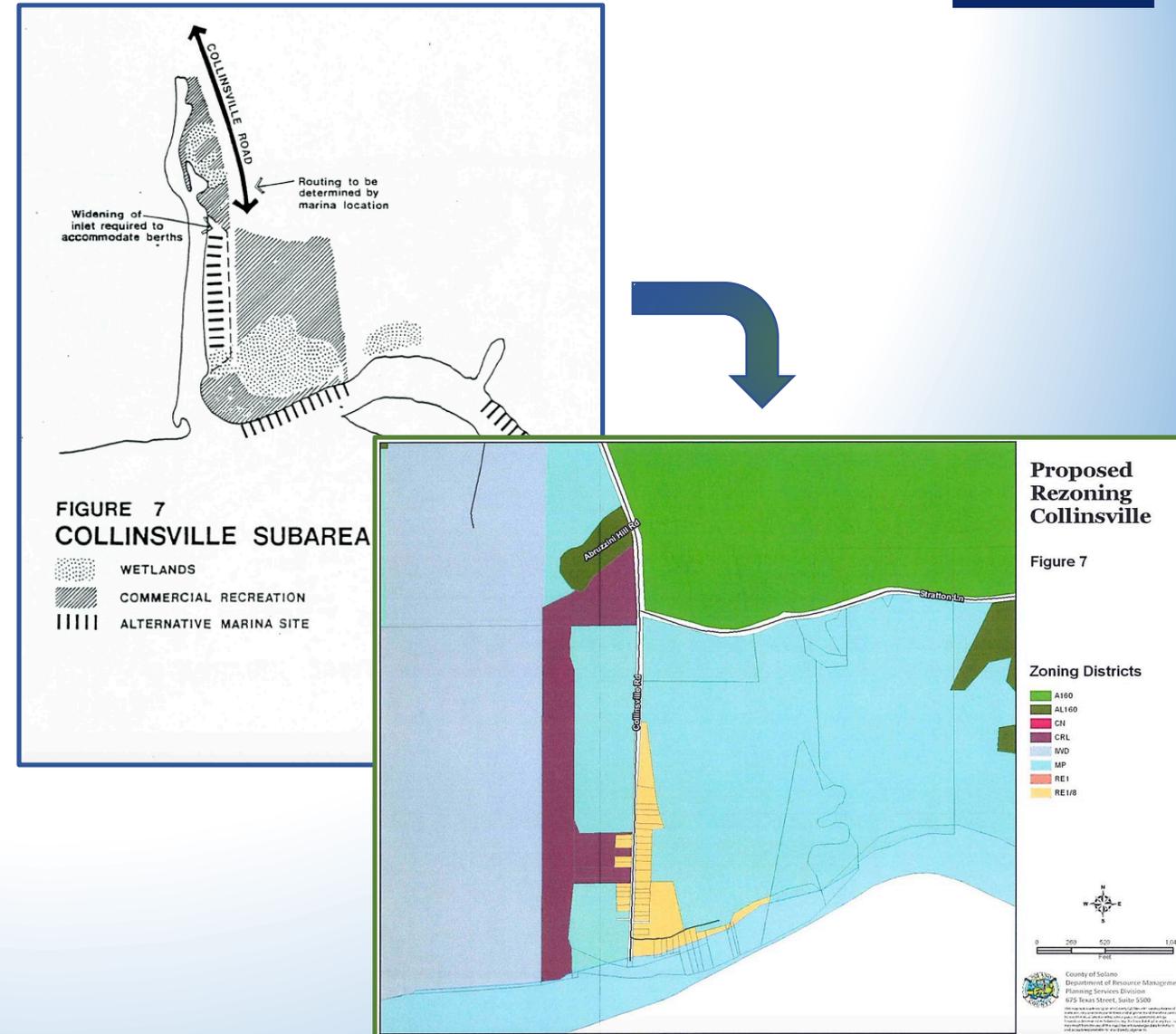
- 2012 Lawsuit settled
  - Permits are valid
  - Operate as permitted
- BCDC permit (M)2010.03 for the landfill describes the closure and post-closure plans
- Limited to Agricultural Use once capacity is reached and the facility is closed

Source: <https://www.dailyrepublic.com/all-dr-news/solano-news/solano-county/potrero-hills-landfill-legal-appeals-exhausted/>

# Recommendation 1:

Certify Solano County Component of the Suisun Marsh LPP as submitted

- Include updated maps and tables describing all designations shown on the maps

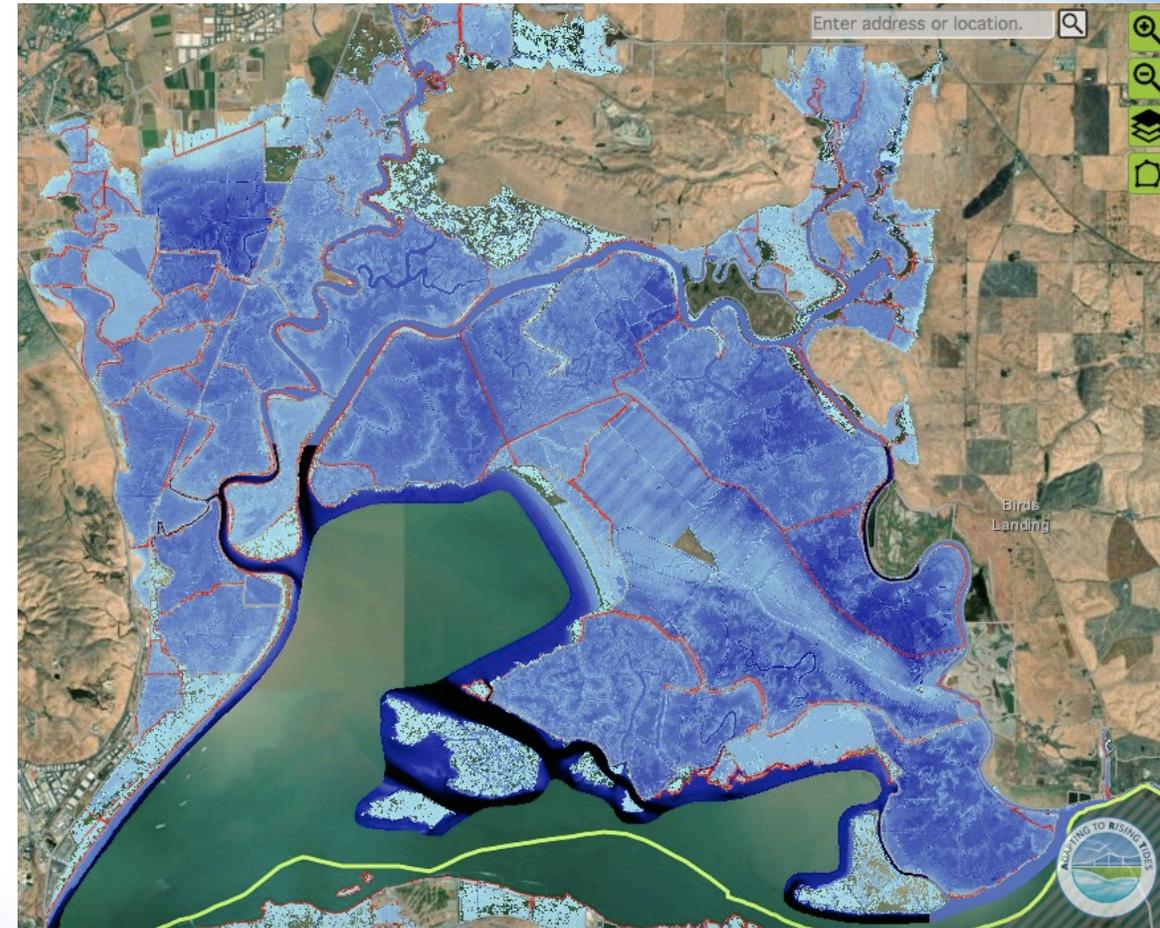


## Recommendation 2:

Direct BCDC staff to work with local elected officials, a broad array of landowners and interest groups, and members of the State Legislature to review the Suisun Marsh Protection Plan and the Suisun Marsh Preservation Act and propose amendments so that they accurately reflects the diverse needs of the Marsh and its interests, and direct the Executive Director to procure funding to implement that recommendation.

Potential items to include:

- Updated technology and science, such as wind, cellular
- Sea level rise
- Environmental justice



Total water level shown = 12 inches.

Source: BCDC's Bay Shoreline Flood Explorer



Thank you!



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# How to Update:

## Suisun Marsh Protection Plan:

Commission may amend by resolution following SMPA, Section 29202:

- Adequate descriptive notice
  - General description of the changes
- 90 days till public hearing
- Affirmative vote of two-thirds
- LPP components have 1 year to amend

## Suisun Marsh Preservation Act:

To be done by the Legislature!

There are no directions! So let's suggest some:

- Clear and transparent process
- Environmental justice groups, local residents and agencies active involvement and participation
- Streamlined timeline



# Directions to Amend the SMPP:

## SMPA, Section 29202

- (a) Consistent with this division, the commission may amend the protection plan. Such amendments shall be made by resolution of the commission adopted after a public hearing on the proposed change, of which adequate descriptive notice shall be given. Such descriptive notice shall include a general description of the changes, if any, that would be required in the certified local protection program and whether any changes would be required in the local protection program as it applies to any area outside the marsh. If the proposed amendment pertains to a policy of the protection plan, the resolution adopting the amendment may not be voted upon less than 90 days following notice of hearing on the proposed change and shall require the affirmative vote of two-thirds of the commission members. The resolution adopting any other amendment to the protection plan may not be voted on less than 30 days following notice of hearing on the proposed amendment and shall require the affirmative vote of a majority of the commission members.
- (b) Any local government or district or the Solano County Local Agency Formation Commission, if affected by any such amendment to the protection plan, shall, within one year from the effective date of such amendment, prepare and submit any amendments to the local protection program, or any component thereof, to bring such program or component into conformity with the amended protection plan.
- (c) No amendment to the policies of the protection plan that will require a change in the local protection program as it applies to the marsh or any area outside the marsh shall be effective until approved by the Legislature by statute if, within the 90-day period provided in subdivision (a), the local government having jurisdiction over any such area objects to such amendment in writing to the commission.
- (d) No amendment to the policies of the protection plan may require a change or amendment to the component of the local protection program prepared by the Suisun Resource Conservation District until it has been approved by the Legislature by statute if, within the 90-day period provided in subdivision (a), the department objects to such amendment in writing to the commission on the grounds that such amendment would be inconsistent with this division.
- (e) No amendment to the policies of the protection plan may require a change or amendment to the component of the local protection program prepared by the Solano County Mosquito Abatement District until it has been approved by the Legislature by statute if, within the 90-day period provided in subdivision (a), the Director of Health objects to such amendment in writing to the commission on the grounds that such amendment would be inconsistent with the applicable provisions of the Health and Safety Code.



# LPP component map:

