December 2024

Drought Protection Program Agreement Between the Sacramento River Settlement Contractors Nonprofit Mutual Benefit Corporation, Individual Sacramento River Settlement Contractors, and the U.S. Bureau of Reclamation Project

Findings of Fact and Statement of Overriding Considerations

Glenn-Colusa Irrigation District

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ABBREVIATIONS

Agreement	Water Reduction Program Agreement
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CHRIS	California Historical Resources Information System
CNDDB	California Natural Diversity Database
CNPS	California Native Plant Society
Critical Year	Shasta Critical Year
CVP	Central Valley Project
Delta	Sacramento-San Joaquin River Delta
EIR	Environmental Impact Report
ESA	Endangered Species Act
FOF	Findings of Fact
GCID	Glenn-Colusa Irrigation District
GGS	giant garter snake
GSA	Groundwater Sustainable Agency
GSP	Groundwater Sustainability Plan
HCP	Habitat Conservation Plan
IDP	Inadvertent Discovery Plan
NCCP	Natural Communities Conservation Plan
NPDES	National Pollutant Discharge Elimination System
OHP	Office of Historic Preservation
PRC	Public Resources Code
proposed project	Water Reduction Program Agreement
Reclamation	U.S. Bureau of Reclamation
RWQCB	Regional Water Quality Control Board
SGMA	Sustainable Groundwater Management Act
SOC	Statement of Overriding Considerations
SRSC	Sacramento River Settlement Contractors
SRSCNC	Sacramento River Settlement Contractors Nonprofit Mutual Benefit Corporation
SWP	State Water Project
SWPPP	Stormwater Pollution Prevention Plan
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service

Executive Summary

The following Findings of Fact and Statement of Overriding Considerations (FOF/SOC) are made for the Drought Protection Program Agreement (proposed project or Agreement).[1] The findings are based on the *Drought Protection Program Agreement between the Sacramento River Settlement Contractors Nonprofit Mutual Benefit Corporation (SRSCNC), individual Sacramento River Settlement Contractors (SRSC), and the U.S. Bureau of Reclamation (Reclamation)* Environmental Impact Report (EIR) prepared by the Glenn-Colusa Irrigation District (GCID), acting as lead agency pursuant to the California Environmental Quality Act (CEQA), and all the relevant evidence in the record of proceedings for the Agreement. The custodian of the record or proceedings for the Agreement is the General Manager of GCID. The record of proceedings is maintained at GCID's office, 344 E. Laurel Street, Willows, CA 95988.

Hereafter, unless specifically identified, the Notice of Preparation, Notices of Availability and Completion, Draft EIR, Appendices, Technical Studies, Public Comment, Final EIR containing responses to comments and revisions to the Draft EIR as necessary, and Mitigation Monitoring and Reporting Program will be referred to collectively as the "EIR." The EIR is hereby incorporated by reference into the FOF/SOC. In accordance with the provisions of CEQA and the CEQA Guidelines, GCID adopts these FOF and SOC as part of its approval of the project.

GCID is certifying the EIR for, and is approving and adopting findings for, the entirety of the proposed project described in the EIR, which may be subject to several discretionary approvals by government agencies acting as responsible agencies under CEQA. It is contemplated that, in addition to being used by the lead agency, other responsible agencies may use the certified EIR for CEQA compliance purposes in connection with their consideration of discretionary approvals for the proposed project.

[1] Following release of the Draft EIR, the proposed project name was changed from Water Reduction Program to Drought Protection Program. The change in name did not affect the substance of the Agreement as analyzed in the Draft EIR; for the avoidance of confusion, the Final EIR continues to use the working draft title of Water Reduction Program Agreement.

1 Proposed Project (Preferred Alternative)

1.1 Project Overview

Under the proposed project, the Sacramento River Settlement Contractors Nonprofit Mutual Benefit Corporation (SRSCNC) and individual members of the Sacramento River Settlement Contractors (SRSC) would enter into a new Drought Protection Program Agreement (proposed project or Agreement) with the U.S. Bureau of Reclamation (Reclamation) to forego a larger percentage of their contracted supply in specified drought years. In addition, the SRSC would receive funding from Reclamation to engage in drought-resiliency projects to address potential water loss and improve the resilience of the SRSC's water system and long-term water delivery capabilities.

The term of the Agreement will consist of the following two phases, as indicated:

- Phase 1 (2025 to 2035): The SRSC would reduce contract supply by up 500,000 acre-feet during specified drought years.
- Phase 2 (2036 to 2045): The SRSC would reduce contract supply by up to 100,000 acre-feet during specified drought years.

The amounts reduced under the new Agreement are in addition to existing reductions under existing settlement agreements. In response to the reduced contract supply, the SRSC are expected to engage in activities in response to water reductions, including groundwater substitution, cropland idling, cropland shifting, conservation, and the implementation of the drought-resiliency projects.

Water reductions would be implemented during specified drought years, which may occur within a series of drier years such as during a multiyear drought sequence. By reducing the amount of water that is released from Shasta Lake and diverted by the SRSC, the proposed project would consequently allow for additional flexibility in Reclamation's operation of the Central Valley Project (CVP) during drought conditions.

The Glenn-Colusa Irrigation District (GCID) prepared the Environmental Impact Report (EIR) using available technical information and incorporating potential alternatives to the proposed project. As required by the California Environmental Quality Act (CEQA), GCID must evaluate the information in the EIR, all comments received during public review, proposed mitigation measures, and potentially feasible alternatives, before deciding whether to approve the proposed project or an alternative.

1.2 Project Location

California's Central Valley encompasses almost 20,000 square miles in the center of the state. It is bound by the Cascade Range to the north, the Sierra Nevada to the east, the Tehachapi Mountains to the south, and the Coast Ranges and San Francisco Bay to the west. The valley is close to sea level,

and its land surface has very low relief. Historically, this area was home to significant fish and wildlife populations but is now a vast agricultural region (USGS 2024).

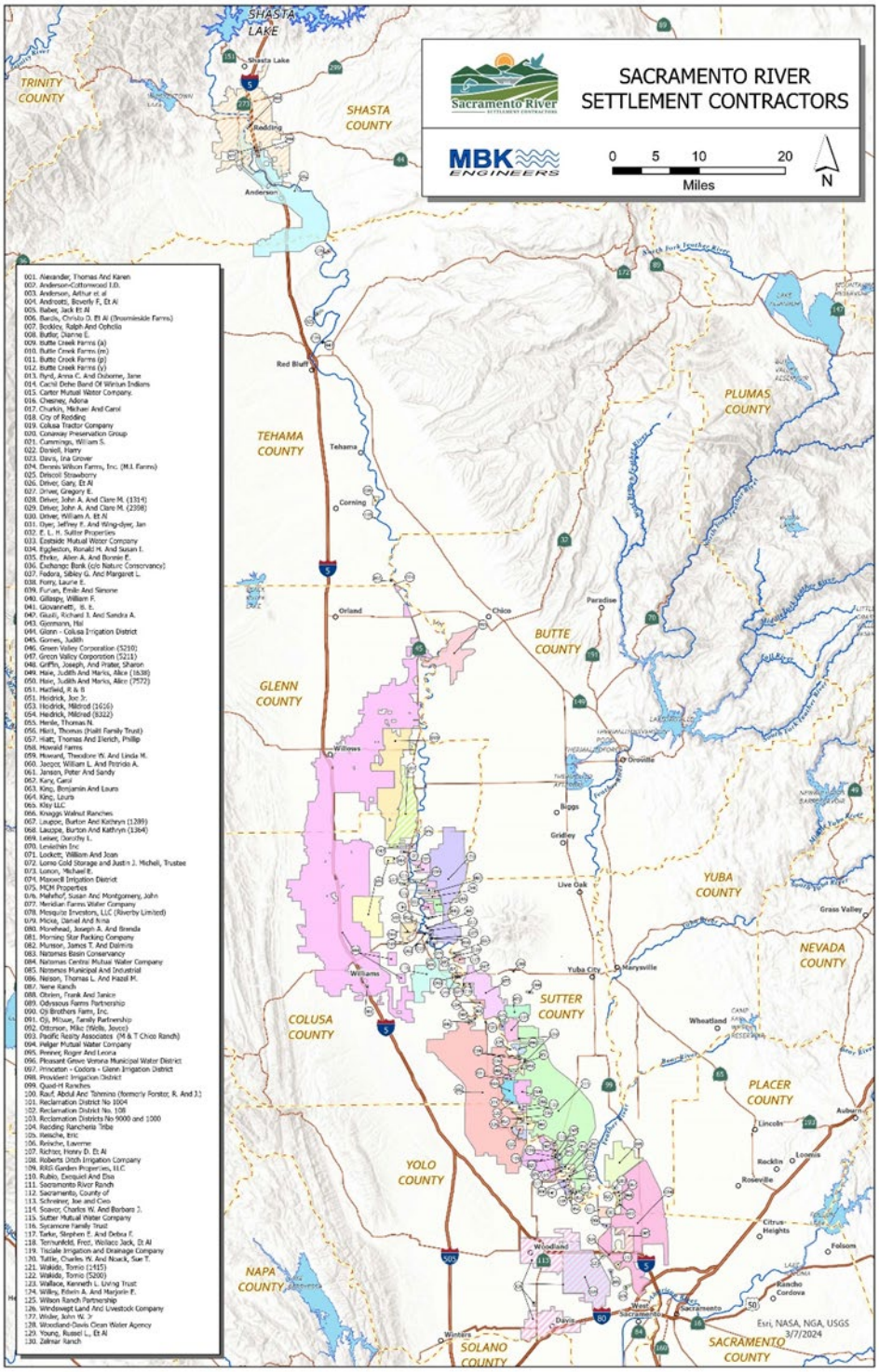
The Central Valley watershed comprises 60,000 square miles. The northern third of the valley is drained by the Sacramento River, and the southern two-thirds of the valley is drained by the San Joaquin River. The Sacramento and San Joaquin river systems meet to form the Sacramento-San Joaquin River Delta (Delta), a large expanse of interconnected canals, streambeds, sloughs, marshes, and peat islands. The Delta empties into the San Francisco Bay and the Pacific Ocean (Congressional Research Service 2024).

1.3 Project Objectives

Pursuant to the CEQA Guidelines and 14 California Code of Regulations 15124, a "statement of the objectives sought by the proposed project" must be provided as part of the project description in an EIR. The proposed project's goal is to approve and facilitate reduced water contract supply to the SRSC during specified drought years to address water shortages at Shasta Lake. Reduced SRSC contract supply allows for Reclamation to respond to shortages in water supplies due to very dry hydrologic conditions, climatic variability, climate change, and regulatory requirements. The proposed project would also develop implementable and supplemental water supplies and drought-resiliency projects to strengthen the resilience of the SRSC's water systems and long-term water delivery capabilities. The project objectives are to:

- Approve and facilitate reduced water contract supply to the SRSC during specified drought years to address water shortages at Shasta Lake in accordance with the Agreement and generally meet existing municipal, agricultural, and habitat demands from 2025 to 2045.
- Develop implementable and supplemental drought-resiliency projects to strengthen the resilience of the SRSC's water systems and long-term water delivery capabilities.

Figure 1
Project Area



Source: MBK Engineers

2 Procedural Findings

These Findings of Fact (FOF) have been prepared by GCID pursuant to Section 21081 of the Public Resources Code (PRC) and Section 15091 of CEQA Guidelines (14 Cal. Code Regs. 15000 et seq.) to support a decision to adopt the proposed project considered as part of the EIR.

CEQA (Pub. Res. Code 21000 et seq.) and the CEQA Guidelines promulgated thereunder require that the environmental impacts of a proposed project be examined before a project is approved. Section 21081 of the PRC and Section 15091 of the CEQA Guidelines provide that no public agency shall approve or carry out a project for which an EIR has been certified that identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. It is the exclusive discretion of the decision-maker certifying the EIR to determine the adequacy of the proposed candidate findings

The possible findings are:

1. Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effects as identified in the Final EIR.
2. Such changes or alterations are the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including provisions of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Additionally, the lead agency must not approve a project that will have a significant effect on the environment unless it finds that specific overriding economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of the project outweigh the unavoidable adverse environmental effects, thereby rendering them “acceptable” to the decision-maker (PRC Section 21081(b); CEQA Guidelines Section 15093).

When making the findings, the agency shall also adopt a program for reporting on or monitoring the changes that it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures (CEQA Guidelines Section 15091[d]). A Mitigation Monitoring and Reporting Program has been prepared for the proposed project.

2.1 Findings of Preferred Alternative

2.1.1 Findings of No Significance and Less-Than-Significant Project Impacts

Based on the EIR, GCID found that for certain resource topics, the proposed project would have no impact or a less-than-significant impact, either directly or cumulatively, without the need for mitigation as indicated in Table 1. Mitigation measures have been included to further reduce the potential for impacts but these measures are not required to reduce impacts below significance.

Table 1
Resource Topics Resulting in No or Less-Than-Significant Environmental Impacts

	Impact Determination	Mitigation Measures	Impact Determination After Mitigation
Aesthetics			
AES-1: Except as provided in PRC Section 21099, would the project have a substantial adverse effect on a scenic vista?	Less than significant	None	Less than significant
AES-2: Except as provided in PRC Section 21099, would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a scenic highway?	Less than significant	None	Less than significant
AES-3: Except as provided in PRC Section 21099, would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Less than significant	None	Less than significant
AES-4: Except as provided in PRC Section 21099, would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than significant	None	Less than significant
Would the project result in cumulative impacts on aesthetics?	Not cumulatively considerable		
Agriculture and Forestry Resources			
AGR-1: Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	Less than significant	None	Less than significant

	Impact Determination	Mitigation Measures	Impact Determination After Mitigation
AGR-2: Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?	Less than significant	None	Less than significant
Would the project result in cumulative impacts on agriculture and forestry resources?	Not cumulatively considerable		
Air Quality			
AIR-1: Would the project conflict with or obstruct implementation of the applicable air quality plan?	Less than significant	MM-AIR-1 MM-AIR-2	Less than significant
AIR-2: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Less than significant	MM-AIR-1 MM-AIR-2	Less than significant
AIR-3: Would the project expose sensitive receptors to substantial pollutant concentrations?	Less than significant	MM-AIR-1 MM-AIR-2	Less than significant
AIR-4: Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Less than significant	None	Less than significant
Would the project result in cumulative impacts on air quality?	Not cumulatively considerable		
Cultural Resources			
Would the project result in cumulative impacts on cultural resources?	Not cumulatively considerable		
Energy			
ENE-1: Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?	Less than significant	MM-AIR-1	Less than significant
ENE-2: Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Less than significant	None	Less than significant
Would the project result in cumulative energy impacts?	Not cumulatively considerable		
Geology and Soils			
GEO-1: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication	Less than significant	MM-GEO-1 MM-GEO-2 MM-GEO-3	Less than significant

	Impact Determination	Mitigation Measures	Impact Determination After Mitigation
42); ii) strong seismic ground shaking; iii) seismic-related ground failure, including liquefaction; or iv) landslides?			
GEO-2: Would the project result in substantial soil erosion or the loss of topsoil?	Less than significant	MM-HYD-1	Less than significant
GEO-3: Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less than significant	MM-GEO-1 MM-GEO-3	Less than significant
GEO-5: Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	No impact	None	No impact
GEO-6: Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less than significant	None	Less than significant
Would the project result in cumulative impacts on geology and soils?	Not cumulatively considerable		
Greenhouse Gas Emissions			
GHG-1: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less than significant	MM-AIR-1	Less than significant
GHG-2: Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Less than significant	MM-AIR-1	Less than significant
Would the project result in cumulative greenhouse gas emissions impacts?	Not cumulatively considerable		
Hazards and Hazardous Materials			
HAZ-3: Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	Less than significant	None	Less than significant
HAZ-5: For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	Less than significant	None	Less than significant
HAZ-6: Would the project impair implementation of or physically interfere with an adopted	Less than significant	None	Less than significant

	Impact Determination	Mitigation Measures	Impact Determination After Mitigation
emergency response plan or emergency evacuation plan?			
HAZ-7: Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	Less than significant	None	Less than significant
Would the project result in cumulative hazards or hazardous materials impacts?	Not cumulatively considerable		
Hydrology and Water Quality			
HYD-4: Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	No impact	None	No impact
Would the project result in cumulative impacts on hydrology and water quality?	Not cumulatively considerable		
Land Use and Planning			
LAN-1: Would the project physically divide an established community?	Less than significant	None	Less than significant
LAN-2: Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Less than significant	None	Less than significant
Would the project result in cumulative land use and planning impacts?	Not cumulatively considerable		
Mineral Resources			
MIN-1: Would the project result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	Less than significant	MM-MIN-1	Less than significant
MIN-2: Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	No impact	None	No impact
Would the project result in cumulative impacts on mineral resources?	Not cumulatively considerable		

	Impact Determination	Mitigation Measures	Impact Determination After Mitigation
Noise			
NOI-1: Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less than significant	MM-NOI-1 MM-NOI-2	Less than significant
NOI-3: For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	Less than significant	MM-NOI-1 MM-NOI-2 MM-NOI-3	Less than significant
Would the project result in cumulative noise impacts?	Not cumulatively considerable		
Population and Housing			
POP-1: Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	No impact	None	No impact
POP-2: Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No impact	None	No impact
Would the project result in cumulative impacts on population and housing?	Not cumulatively considerable		
Public Services			
Would the project result in cumulative impacts on public services?	Not cumulatively considerable		
Recreation			
REC-1: Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	No impact	None	No impact
REC-2: Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	No impact	None	No impact
Would the project result in cumulative impacts on recreation?	Not cumulatively considerable		

	Impact Determination	Mitigation Measures	Impact Determination After Mitigation
Transportation			
TRA-1: Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	Less than significant	None	Less than significant
TRA-2: Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?	Less than significant	None	Less than significant
TRA-3: Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	No impact	None	No impact
TRA-4: Would the project result in inadequate emergency access?	No impact	None	No impact
Would the project result in cumulative impacts on transportation?	Not cumulatively considerable		
Tribal Cultural Resources			
Would the project result in cumulative impacts on Tribal cultural resources?	Not cumulatively considerable		
Utilities and Service Systems			
UTI-2: Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	Less than significant	None	Less than significant
UTI-3: Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	No impact	None	No impact
UTI-4: Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	No impact	None	No impact
UTI-5: Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	No impact	None	No impact
Would the project result in cumulative impacts on utilities and service systems?	Not cumulatively considerable		
Wildfire			
WIL-1: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially	Less than significant	None	Less than significant

	Impact Determination	Mitigation Measures	Impact Determination After Mitigation
impair an adopted emergency response plan or emergency evacuation plan?			
WIL-2: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	Less than significant	None	Less than significant
WIL-3: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	Less than significant	None	Less than significant
WIL-4: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	Less than significant	MM-GEO-2 MM-HYD-1	Less than significant
Would the project result in cumulative wildfire impacts?	Not cumulatively considerable		

2.1.2 Findings of Less-Than-Significant Project Impacts Following Mitigation

The impacts listed in Table 2 were found to be potentially significant but would be reduced to less than significant following implementation of mitigation. Additional information on the less-than-significant impacts with mitigation relative to each of the CEQA impact topics presented in Table 2 is presented after the table.

Table 2
Resource Topics Resulting in Less-Than-Significant Environmental Impacts Following Mitigation

	Impact Determination	Mitigation Measures	Impact Determination After Mitigation
Agriculture and Forestry Resources			
AGR-3: Would the project conflict with existing zoning for, or cause rezoning of forest land (as defined in PRC Section 12220[g]), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g])?	Potentially significant	MM-AGR-1	Less than significant
AGR-4: Would the project result in the loss of forest land or conversion of forest land to non-forest use?	Potentially significant	MM-AGR-1	Less than significant
AGR-5: Would the project involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	Potentially significant	MM-AGR-1	Less than significant
Would the project result in cumulative impacts on agriculture and forestry resources?	Not cumulatively considerable		
Biological Resources			
BIO-2: Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Potentially significant	MM-BIO-1 MM-BIO-5 MM-BIO-8 MM-BIO-9 MM-BIO-11 MM-HYD-1 MM-HYD-2	Less than significant
BIO-3: Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?	Potentially significant	MM-BIO-1 MM-BIO-5 MM-BIO-11 MM-BIO-12 MM-BIO-13 MM-HYD-1 MM-HYD-2	Less than significant
Cultural Resources			
CUL-1: Would the project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	Potentially significant	MM-CUL-1 MM-CUL-2 MM-CUL-3 MM-CUL-4	Less than significant
CUL-2: Would the project cause a substantial adverse change in the significance of an	Potentially significant	MM-CUL-1 MM-CUL-2	Less than significant

	Impact Determination	Mitigation Measures	Impact Determination After Mitigation
archaeological resource pursuant to Section 15064.5?		MM-CUL-3 MM-CUL-4	
CUL-3: Would the project disturb any human remains, including those interred outside of formal cemeteries?	Potentially significant	MM-CUL-1 MM-CUL-2 MM-CUL-3 MM-CUL-4	Less than significant
Geology and Soils			
GEO-4: Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Potentially significant	MM-GEO-1 MM-GEO-3	Less than significant
Hazards and Hazardous Materials			
HAZ-1: Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Potentially significant	MM-HAZ-1 MM-HAZ-2 MM-HYD-1	Less than significant
HAZ-2: Would the proposed project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Potentially significant	MM-HAZ-1 MM-HAZ-2 MM-HYD-1	Less than significant
HAZ-4: Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Potentially significant	MM-HAZ-3	Less than significant
Hydrology and Water Quality			
HYD-1: Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	Potentially significant	MM-HYD-1 MM-HYD-2	Less than significant
HYD-2: Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the of the basin?	Potentially significant	MM-HYD-2	Less than significant
HYD-3: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i) result in substantial erosion or siltation on or off site; ii) substantially increase the rate or amount	Potentially significant	MM-HYD-1	Less than significant

	Impact Determination	Mitigation Measures	Impact Determination After Mitigation
of surface runoff in a manner which would result in flooding on or off site; iii) create or contribute runoff water which would exceed the existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows?			
HYD-5: Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Potentially significant	MM-HYD-1 MM-HYD-2	Less than significant
Noise			
NOI-2: Would the project result in generation of excessive groundborne vibration or groundborne noise levels?	Potentially significant	MM-NOI-1 MM-NOI-2 MM-NOI-3	Less than significant
Public Services			
PUB-1: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services: fire protection, police protection, schools, parks, or other public facilities?	Potentially significant	MM-HYD-1	Less than significant
Tribal Cultural Resources			
TRI-1: Would the project cause a substantial adverse change in the significance of a Tribal cultural resource, defined in PRC Section 21074? Would the project would cause a substantial adverse change in the significance of a Tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is: i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k); or ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe?	Potentially significant	MM-CUL-1 MM-CUL-2 MM-CUL-3 MM-CUL-4	Less than significant

	Impact Determination	Mitigation Measures	Impact Determination After Mitigation
Would the project result in cumulative impacts on Tribal cultural resources?	Not cumulatively considerable		
Utilities and Service Systems			
UTI-1: Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Potentially significant	MM-AGR-1 MM-HAZ-3 MM-MIN-1 MM-NOI-1 MM-NOI-2 MM-NOI-3 MM-BIO-1 MM-BIO-2 MM-BIO-3 MM-BIO-4 MM-BIO-5 MM-BIO-6 MM-BIO-7 MM-BIO-8 MM-BIO-9 MM-BIO-12 MM-BIO-13 MM-HYD-1 MM-UTI-1 MM-UTI-2	Less than significant

2.1.2.1 Agriculture and Forestry Resources

AGR-3: The project would not conflict with existing zoning for, or cause rezoning of forest land (as defined in PRC Section 12220[g]), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g]) following application of mitigation.

Drought-resiliency projects may be installed in or require access to areas adjacent to farmlands. While not expected, if such drought-resiliency projects were to be sited within forest land, they could conflict with existing forest land zoning and therefore, would constitute a potentially significant impact.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect identified

in the EIR. With implementation of the following mitigation measure, forest land impacts would be avoided:

- **MM-AGR-1: Site Drought-Resiliency Projects Outside of Forest Lands.**
  Drought-resiliency projects will not be sited in forest lands.

Rationale for Finding: While not expected that drought-resiliency projects would be sited on forest lands, MM-AGR-1 would restrict projects on forest land, which would eliminate the potential for an impact.

AGR-4: The proposed project would not result in the loss of forest land or conversion of forest land to non-forest use following application of mitigation.

Drought-resiliency projects may be installed in or require access to areas adjacent to farmlands. While not expected, if drought-resiliency projects were to be sited within adjacent forest land, such siting would constitute a potentially significant impact by converting forest land to non-forest use.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect identified in the EIR. With implementation of the following mitigation measure, forest land impacts would be avoided:

- **MM-AGR-1: Site Drought-Resiliency Projects Outside of Forest Lands.**
  Drought-resiliency projects will not be sited in forest lands.

Rationale for Finding: While not expected that drought-resiliency projects would be sited on forest lands, MM-AGR-1 would restrict projects on forest land, which would eliminate the potential for an impact.

AGR-5: The proposed project would not involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use following application of mitigation.

Drought-resiliency projects may be installed in or require access to areas adjacent to farmlands. However, they will not convert farmland to non-agricultural use. While not expected, if drought-resiliency projects were sited within forest land, they would convert forest land use to non-forest land use, constituting a potentially significant impact.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect identified in the EIR. With implementation of the following mitigation measure, forest land impacts would be avoided:

- **MM-AGR-1: Site Drought-Resiliency Projects Outside of Forest Lands.**

Drought-resiliency projects will not be sited in forest lands.

Rationale for Finding: While not expected that drought-resiliency projects would be sited on forest lands, MM-AGR-1 would restrict projects on forest land, which would eliminate the potential for an impact.

2.1.2.2 Biological Resources

BIO-2: The proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service following application of mitigation.

Groundwater substitution could potentially result in indirect impacts to riparian plant communities from pumping lowering the groundwater table and affecting the relative difference between groundwater and surface water elevations. The water pumped from a groundwater well could potentially reduce the amount of surface water compared with pre-pumping conditions through the following:

- Induced leakage: Lowering of the groundwater table causes a condition in which the groundwater table is lower than the surface water level. This condition causes leakage out of surface waterbodies and could increase percolation rates on irrigated lands.
- Interception of groundwater: A well-used for groundwater substitution pumping can intercept groundwater that normally might have discharged to the surface water.

As part of the proposed project, there would be an increased use of groundwater to irrigate crops, which could potentially result in reduced groundwater levels in the vicinity of pumps. Most agricultural wells would be pumping from at least 50 feet below the surface, which would likely have little effect to plant root systems located in the top 20 to 30 feet of the soil surface. Increases in subsurface drawdown would be too far below the root growth zones when drawing from aquifers at least 50 feet below the surface to affect natural communities such as riverine, riparian, seasonal wetland, and managed wetland habitats, which rely on groundwater for all or part of their water supply. In pumping locations adjacent to or in association with riparian vegetation where groundwater elevations are less than 20 feet below ground, surface and natural communities are reliant on groundwater, these habitats would be more likely to be impacted.

Increased subsurface drawdown on groundwater that normally discharges to surface waters nearby from increased groundwater substitution would potentially impact riparian habitats reliant on groundwater resources, constituting a potentially significant impact. Riparian vegetation that has formed on large, perennial irrigation canals and ditches could be potentially impacted by drought-

resiliency project construction activities that involve work in the canal or ditch or in immediately adjacent riparian areas, constituting a potentially significant impact.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effects identified in the EIR. Implementation of the following mitigation measures would reduce the potential impacts to riparian habitats or other sensitive natural communities:

- **MM-BIO-1: Conduct Desktop Special Status Wildlife Species, Plant Species, and Aquatic Resources Evaluation for Drought-Resiliency Projects**
  Prior to implementing a drought-resiliency project that involves grading, vegetation removal, or other form of construction in irrigation and drainage canals or upland areas outside of established agricultural croplands with a history of discing, planting, and maintenance, a qualified biologist will conduct a desktop evaluation of the site using digital web-based aerial photography. The purpose of the desktop evaluation will be to determine the potential for special status wildlife and plant species habitat or aquatic resources subject to regulation by the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), or California Department of Fish and Wildlife (CDFW) to occur on site. A qualified biologist will also perform a review of the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation, California Natural Diversity Database (CNDDB), California Native Plant Society (CNPS), and Calflora databases to identify known records or potential for special status plant or wildlife species to occur in the project vicinity. If through this assessment, the biologist determines that potential habitat for special-status wildlife or plants or jurisdictional aquatic resources exist, then site-specific survey(s) will be conducted per MM-BIO-2, MM-BIO-3, MM-BIO-4, MM-BIO-5, and MM-BIO-6, as applicable.
- **MM-BIO-5: Implement General Biological Resources Protection Measures during Drought-Resiliency Project Construction**
  The construction contractor and operations personnel shall implement the following general biological resources protection measures during drought-resiliency project construction:
  - Limit construction and operations activities to daylight hours to the extent feasible. If nighttime activities are unavoidable, then workers shall direct all lights for nighttime lighting into the work area and shall minimize the lighting of natural habitat areas adjacent to the work area. Light glare shields shall be used to reduce the extent of illumination into sensitive habitats. If the work area is located near surface waters, the lighting shall be shielded such that it does not shine directly into the water.
  - Vegetation clearing will be limited to only those areas necessary for construction.
  - Any excavated and stockpiled soils will be placed outside of designated special-status species habitat.
  - Dispose of cleared vegetation and soils at a location that will not create habitat for special-status wildlife species.
  - Dispose of food-related and other garbage in wildlife-proof containers and remove the garbage from the project area daily during construction. Vehicles carrying trash will be required to have loads covered and secured to prevent trash and debris from falling onto roads and adjacent properties.
  - Store all construction-related vehicles and equipment in the designated staging areas. These areas shall not contain native or sensitive vegetation communities and shall not support sensitive plant or wildlife species.
  - Construction-related vehicles and equipment will not exceed a 20-mile-per-hour speed limit at the construction site, staging areas, or on unpaved roads.

- The qualified biologist will provide the contractor with worker environmental awareness training.
- Prior to the initiation of work each day, the contractor will inspect construction pipes, culverts, or similar features; construction equipment; or construction debris left overnight in areas that may be occupied by special-status species that could occupy such structures prior to being used for construction.
- Avoid wildlife entrapment by completely covering or providing escape ramps for all excavated steep-walled holes or trenches more than 1 foot deep at the end of each construction work day. The qualified biologist shall inspect open trenches and holes and shall remove or release any trapped wildlife found in the trenches or holes prior to filling by the construction contractors.
- Capture and relocation of trapped or injured wildlife listed under the federal Endangered Species Act (ESA) or the California Endangered Species Act (CESA) can only be performed by personnel with appropriate state and/or federal permits. Any sightings and any incidental take (mortality) shall be reported to CDFW via email within one working day of the discovery. Notification shall include the date, time, and location (U.S. Geological Survey [USGS] 7.5-minute quadrangle and/or similar map at a scale that will allow others to find the location in the field) of the incident or of the discovery of an individual special-status species that is dead or injured (type of injury shall be included). For each special-status species encountered, the biologist shall submit a completed CNDDB field survey form (or equivalent) to CDFW no more than 90 days after completing the last field visit to the project site.

- **MM-BIO-8: Compensate for Permanent Loss of Special-Status Wildlife Species Habitat from Drought-Resiliency Projects**

  If it is determined through implementation of MM-BIO-1 and MM-BIO-3 that a drought-resiliency project site includes high-quality foraging or breeding habitat for special status wildlife species and there will be a permanent loss of such habitat resulting from construction, impacts will be compensated for through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved conservation bank. Based on the findings of MM-BIO-3, the qualified biologist will prepare a plan that outlines proposed compensatory mitigation and coordinate with USFWS and CDFW. Compensatory lands will be of similar or better quality than habitat lost, preferably located in the vicinity of the drought-resiliency project site, and be permanently preserved through a conservation easement. The plan will identify conservation actions to ensure that the compensatory lands are managed to provide for the continued existence of the species. The plan will also identify an approach for funding assurance for the long-term management of the conserved land, as relevant.
- **MM-BIO-9: Tree Replanting Requirements for Drought-Resiliency Projects**

  Avoid native tree removal where practicable through adjustments to the alignment of ditches, pipelines, or other construction features. If protected or heritage native tree removal is not avoidable, local county requirements for replacement would be prescribed at the ratio specified in their general plan. Replanting ratios vary between counties. For trees known to be used by nesting raptors, preservation efforts shall be pursued to the maximum extent possible. Nest tree losses in Habitat Conservation Plan (HCP)-covered areas could be subject to replacement at 15:1, such as in the Natomas Basin HCP.
- **MM-BIO-11: Maintain Minimum Water Depth in Irrigation and Drainage Canals in Key Areas During Agreement Years**

  Certain croplands abut or are immediately adjacent to areas with known important GGS populations that may be in or connected to areas with specific management plans for GGS either for mitigation or as wildlife refuges. Croplands abutting or immediately adjacent to the following areas are considered important GGS populations:

- Butte Creek between Upper Butte Basin and Gray Lodge Wildlife areas
- Colusa Basin drainage canal between Delevan and Colusa National Wildlife Refuges
- Gilsizer Slough
- Colusa Drainage Canal
- Land side of the Toe Drain along the Sutter Bypass
- Willow Slough and Willow Slough Bypass in Yolo County
- Hunters and Logan Creeks between Sacramento and Delevan National Wildlife Refuges
- Lands in the Natomas Basin

To the extent practicable, irrigation and drainage canal water depths in areas that are considered important GGS populations will be similar to years when the Agreement is not in effect or, where information on baseline water depths is limited, at least 2 feet deep.

- **MM-HYD-1: Implement Erosion and Spill Control Measures for Drought-Resiliency Projects**
  To ensure that contaminants are not accidentally introduced into irrigation ditches and canals, the following measures will be implemented during construction of drought-resiliency projects:
  - BMPs (e.g., filter fabric or sandbags) be used to prevent pollutants from entering drainage channels
  - Equipment be inspected daily for leaks or spills
  - Materials for cleanup of spills be available on site
  - Flammable materials be stored in appropriate containers
  - Spill prevention kits be in close proximity when using hazardous materials
  - Spills and leaks be cleaned up immediately and disposed of in accordance with local, state, and federal regulations
  - Vehicles and equipment be kept clean
  - Construction personnel to be appropriately trained in spill prevention, hazardous material control, and cleanup of accidental spills
  - For drought-resiliency projects involving over an acre of land disturbance, a National Pollutant Discharge Elimination System (NPDES) Construction Stormwater General Permit will be obtained, and a construction Stormwater Pollution Prevention Plan (SWPPP) will be prepared.
- **MM-HYD-2: Install and Operate Groundwater Wells in Accordance with Groundwater Sustainability Plans (GSPs) and the Sustainable Groundwater Management Act (SGMA) for All Groundwater Pumping Activities Undertaken Under the Agreement**
  The installation of any new groundwater wells and the operation of existing and new groundwater wells will be in accordance with targets and requirements set by applicable GSPs managed by Groundwater Sustainability Agencies (GSAs) in the project area, as well as the requirements set forth by SGMA, including the submittal of annual reports regardless of determination status following adoption of a GSP or alternative.

Rationale for Finding: Implementation of MM-BIO-1 would map potential riparian vegetation within the footprint of any proposed drought-resiliency project so that impacts can be avoided or minimized during construction. Implementation of MM-BIO-5 would ensure that other types of direct and indirect impacts on riparian habitat are avoided or minimized through inspections, clearing requirements, and clean working conditions, among other measures, during drought-resiliency project construction. Implementation of MM-BIO-8 would require that if construction of any drought-resiliency project results in impacts to high-quality foraging or breeding habitat for special status wildlife species (which may include riparian habitat), those impacts will be mitigated

through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved conservation bank. Implementation of MM-BIO-9 would require that any native trees removed, including from riparian habitat, for drought-resiliency project construction be replanted to meet county or Natomas Basin HCP requirements, as applicable. Implementation of MM-BIO-11 would require to the extent practicable that minimum water depths are maintained in drainage canals in key areas during Agreement Years. This mitigation measure would reduce impacts associated with premature leaf loss, die back, or loss of riparian vegetation in irrigation ditches and canals, as most riparian vegetation occurs in association with larger irrigation canals and drainages. Reduced water levels in canals and drainages would still allow extant vegetation to leaf out in the spring and be sustained by the minimum water depths.

Implementation of MM-HYD-1 would require that erosion and spill control measures be implemented during drought-resiliency project construction. Implementation of MM-HYD-2 would require all new groundwater well installation and all groundwater well operation to occur in accordance with targets and requirements set by applicable GSA-managed GSPs or where there are no GSPs, in accordance with SGMA. Complying with GSA and SGMA requirements would ensure that the appropriate siting, evaluation, and documentation steps are taken and that substantial loss of groundwater reliant riparian vegetation is avoided. Impacts would be reduced to less than significant with mitigation.

BIO-3: The proposed project would not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means following application of mitigation.

Water drawdown that reaches upper levels of the soil surface has the potential to impact wetland vegetation survival. Due to the broad range of well conditions in the project area, impacts are considered potentially significant. If jurisdictional wetlands or waters are present in drought-resiliency project areas where physical changes to the land are proposed, construction activities have the potential to fill and significantly impact wetlands. Impacts to state or federally protected wetlands or waters would be considered potentially significant.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effects identified in the EIR. Implementation of the following mitigation measures would reduce potential impacts on jurisdictional wetlands and waters.

- **MM-BIO-1: Conduct Desktop Special Status Wildlife Species, Plant Species, and Aquatic Resources Evaluation for Drought-Resiliency Projects**
  Prior to implementing a drought-resiliency project that involves grading, vegetation removal, or other form of construction in irrigation and drainage canals or upland areas outside of established agricultural croplands

with a history of discing, planting, and maintenance, a qualified biologist will conduct a desktop evaluation of the site using digital web-based aerial photography. The purpose of the desktop evaluation will be to determine the potential for special status wildlife and plant species habitat or aquatic resources subject to regulation by the USACE, RWQCB, or CDFW to occur on site. A qualified biologist will also perform a review of the USFWS Information for Planning and Consultation, CNDDB, CNPS, and Calflora databases to identify known records or potential for special status plant or wildlife species to occur in the project vicinity. If through this assessment, the biologist determines that potential habitat for special-status wildlife or plants or jurisdictional aquatic resources exist, then site-specific survey(s) will be conducted per MM-BIO-2, MM-BIO-3, MM-BIO-4, MM-BIO-5, and MM-BIO-6, as applicable.

- **MM-BIO-5: Implement General Biological Resources Protection Measures during Drought-Resiliency Project Construction**

  The construction contractor and operations personnel shall implement the following general biological resources protection measures during drought-resiliency project construction:

  - Limit construction and operations activities to daylight hours to the extent feasible. If nighttime activities are unavoidable, then workers shall direct all lights for nighttime lighting into the work area and shall minimize the lighting of natural habitat areas adjacent to the work area. Light glare shields shall be used to reduce the extent of illumination into sensitive habitats. If the work area is located near surface waters, the lighting shall be shielded such that it does not shine directly into the water.
  - Vegetation clearing will be limited to only those areas necessary for construction.
  - Any excavated and stockpiled soils will be placed outside of designated special-status species habitat.
  - Dispose of cleared vegetation and soils at a location that will not create habitat for special-status wildlife species.
  - Dispose of food-related and other garbage in wildlife-proof containers and remove the garbage from the project area daily during construction. Vehicles carrying trash will be required to have loads covered and secured to prevent trash and debris from falling onto roads and adjacent properties.
  - Store all construction-related vehicles and equipment in the designated staging areas. These areas shall not contain native or sensitive vegetation communities and shall not support sensitive plant or wildlife species.
  - Construction-related vehicles and equipment will not exceed a 20-mile-per-hour speed limit at the construction site, staging areas, or on unpaved roads.
  - The qualified biologist will provide the contractor with worker environmental awareness training.
  - Prior to the initiation of work each day, the contractor will inspect construction pipes, culverts, or similar features; construction equipment; or construction debris left overnight in areas that may be occupied by special-status species that could occupy such structures prior to being used for construction.
  - Avoid wildlife entrapment by completely covering or providing escape ramps for all excavated steep-walled holes or trenches more than 1 foot deep at the end of each construction work day. The qualified biologist shall inspect open trenches and holes and shall remove or release any trapped wildlife found in the trenches or holes prior to filling by the construction contractors.
  - Capture and relocation of trapped or injured wildlife listed under ESA or CESA can only be performed by personnel with appropriate state and/or federal permits. Any sightings and any incidental take (mortality) shall be reported to CDFW via email within one working day of the discovery. Notification shall include the date, time, and location (U.S. Geological Survey [USGS] 7.5-minute quadrangle and/or similar map at a scale that will allow others to find the location in the field) of the incident or of the

discovery of an individual special-status species that is dead or injured (type of injury shall be included). For each special-status species encountered, the biologist shall submit a completed CNDDB field survey form (or equivalent) to CDFW no more than 90 days after completing the last field visit to the project site.

- **MM-BIO-11: Maintain Minimum Water Depth in Irrigation and Drainage Canals in Key Areas During Agreement Years**
  Certain croplands abut or are immediately adjacent to areas with known important GGS populations that may be in or connected to areas with specific management plans for GGS either for mitigation or as wildlife refuges. Croplands abutting or immediately adjacent to the following areas are considered important GGS populations:
  - Butte Creek between Upper Butte Basin and Gray Lodge Wildlife areas
  - Colusa Basin drainage canal between Delevan and Colusa National Wildlife Refuges
  - Gilsizer Slough
  - Colusa Drainage Canal
  - Land side of the Toe Drain along the Sutter Bypass
  - Willow Slough and Willow Slough Bypass in Yolo County
  - Hunters and Logan Creeks between Sacramento and Delevan National Wildlife Refuges
  - Lands in the Natomas Basin

  To the extent practicable, irrigation and drainage canal water depths in areas that are considered important GGS populations will be similar to years when the Agreement is not in effect or, where information on baseline water depths is limited, at least 2 feet deep.
- **MM-BIO-12: Conduct Aquatic Resources Surveys and Avoidance for Drought-Resiliency Projects.**
  If the drought-resiliency project site survey identified in MM-BIO-1 indicates that the project site contains potentially jurisdictional aquatic resources, including wetlands, other waters, and riparian habitat, that may be affected by construction, an aquatic resources delineation to identify and delineate wetlands and other waters shall be conducted. Wetlands and waters identified on site will be flagged as environmentally sensitive areas and avoided to the extent practicable. Permanent impacts to jurisdictional aquatic resources will be mitigated per MM-BIO-13.
- **MM-BIO-13: Obtain Required Permits and Implement Wetland Mitigation for Drought-Resiliency Projects**
  If impacts to wetlands and waters cannot be avoided, then required permits, potentially including permits from the USACE, RWQCB, and CDFW would be obtained and complied with per MM-BIO-13. Mitigation for project-related permanent impacts to jurisdictional wetlands or other waters will be provided at a minimum 1:1 ratio through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved bank.
- **MM-HYD-1: Implement Erosion and Spill Control Measures for Drought-Resiliency Projects**
  To ensure that contaminants are not accidentally introduced into irrigation ditches and canals, the following measures will be implemented during construction of drought-resiliency projects:
  - BMPs (e.g., filter fabric or sandbags) be used to prevent pollutants from entering drainage channels
  - Equipment be inspected daily for leaks or spills
  - Materials for cleanup of spills be available on site
  - Flammable materials be stored in appropriate containers
  - Spill prevention kits be in close proximity when using hazardous materials
  - Spills and leaks be cleaned up immediately and disposed of in accordance with local, state, and federal regulations

  - Vehicles and equipment be kept clean
  - Construction personnel to be appropriately trained in spill prevention, hazardous material control, and cleanup of accidental spills
  - For drought-resiliency projects involving over an acre of land disturbance, a NPDES Construction Stormwater General Permit will be obtained, and a construction SWPPP will be prepared.
- **MM-HYD-2: Install and Operate Groundwater Wells in Accordance with GSPs and SGMA for All Groundwater Pumping Activities Undertaken Under the Agreement**
  The installation of any new groundwater wells and the operation of existing and new groundwater wells will be in accordance with targets and requirements set by applicable GSPs managed by GSAs in the project area, as well as the requirements set forth by SGMA, including the submittal of annual reports regardless of determination status following adoption of a GSP or alternative.

Rationale for Finding: Implementation of MM-BIO-1 and MM-BIO-12 would map and delineate wetland and water areas within the footprint of any proposed drought-resiliency project so that impacts can be avoided or minimized during construction. Implementation of MM-BIO-5 would ensure that other types of direct and indirect impacts on wetlands and waters are avoided or minimized through inspections, clearing requirements, and clean working conditions, among other measures, during drought-resiliency project construction. If impacts to wetlands and waters cannot be avoided, then required permits, potentially including permits from the USACE, RWQCB, and CDFW would be obtained and complied with per MM-BIO-13. Mitigation for project-related permanent impacts to jurisdictional wetlands or other waters will be provided at a minimum 1:1 ratio through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved bank. Implementation of MM-BIO-11 would require to the extent practicable that minimum water depths are maintained in drainage canals in key areas during Agreement Years.

Implementation of MM-HYD-1 would require that erosion and spill control measures be implemented during drought-resiliency project construction. Implementation of MM-HYD-2 would require all new groundwater well installation and all groundwater well operation to occur in accordance with targets and requirements set by applicable GSA-managed GSPs or where there are no GSPs, in accordance with SGMA. Complying with GSA and SGMA requirements would ensure that the appropriate siting, evaluation, and documentation steps are taken and that substantial loss of groundwater-dependent wetlands and waters are avoided. Impacts would be reduced to less than significant with mitigation.

2.1.2.3 Cultural Resources

CUL-1: The proposed project would not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5 following application of mitigation.

Although implementation of the water reduction activities does not have the potential to result in significant impacts to historical resources, individual drought-resiliency projects could have the

potential to impact historical resources. Therefore, impacts are considered to be potentially significant.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect identified in the EIR. Implementation of the following mitigation measures would substantially lessen the potential of the proposed project to impact historical resources.

- **MM-CUL-1: Conduct California Historical Resources Information System (CHRIS) Review and Desktop Evaluation for Drought-Resiliency Projects**
  Prior to the start of any drought-resiliency project, a qualified historian/archaeologist will request information regarding cultural resources already recorded in CHRIS to determine whether a drought-resiliency project may be located in an area where cultural resources are recorded. If through this review, a cultural resource is identified within the specific drought-resiliency project area or the historian/archaeologist determines through desktop review that the specific project area has potential to contain cultural resources, then implementation of MM-CUL-2 will be required.
- **MM-CUL-2: Conduct Pre-Construction Surveys and Establish Buffers for Drought-Resiliency Projects**
  If determined required by the qualified historian/archaeologist in MM-CUL-1, a site-specific pre-construction field survey will be conducted by a qualified historian/archaeologist prior to the start of construction activities. The pre-construction survey will be designed to identify historic structures, archaeological sites, and potential Tribal cultural resources that may be present at the specific location of the drought-resiliency project that is to be implemented. Reports would be made available to the Office of Historic Preservation (OHP) and Native American Tribes that have requested consultation (if any), and these entities would be afforded an opportunity to comment prior to the start of construction. Any historical or archaeological resources identified during the survey would be recorded and flagged with a 30-foot buffer (or based on topography and access points to protect the find, as determined appropriate by the qualified historian/archaeologist).
- **MM-CUL-3: Develop and Implement Applicable Monitoring and Mitigation for Drought-Resiliency Project Impacts**
  If the pre-construction survey conducted in MM-CUL-2 identifies any historic or archaeological resources and a Tribe(s) has requested consultation, then that Tribe(s) will be notified. If historic structures, archaeological sites, and potential Tribal cultural resources are identified and flagged, but impacts cannot be avoided or adequately minimized, then OHP and Tribes that have requested consultation (if any) will be provided a project-specific monitoring and mitigation plan. Impacts will be mitigated through implementation of this plan, with mitigation expected to include but not be limited to monitoring, resource investigation, documentation, recovery, or preservation as well as interpretive measures.
- **MM-CUL-4: Develop Inadvertent Discovery Plan (IDP) to be Implemented if Prehistoric or Historical Archaeological Resources Are Encountered during Drought-Resiliency Project Construction**
  A qualified archaeologist will develop an IDP for the proposed project to be provided to on-site personnel involved in drought-resiliency projects that involve excavation below depths routinely disced or disturbed through routine agricultural operations. The IDP will include steps to be taken in the event that cultural resources, any artifact, or an unusual amount of bone, shell, or non-native stone are identified during construction. Work will immediately stop, and activities will be relocated to another area beyond 10 meters (30 feet) of the discovery. In the case of potential human remains, the find must be reported to local law

enforcement. The IDP will specify steps to notify and consult with the OHP and Tribes. If the resources are found to be significant, they would be avoided or if avoidance is not possible, mitigated in accordance with MM-CUL-3.

Rationale for Finding: Implementation of MM-CUL-1 would ensure that CHRIS search information for specific drought-resiliency project locations is reviewed and that qualified historians evaluate the need for pre-construction field surveys. Implementation of MM-CUL-2 would ensure that any historical resources at specific drought-resiliency project locations are identified and flagged for avoidance. Implementation of MM-CUL-3 would ensure that applicable monitoring and mitigation is provided for any historical resources that cannot be avoided during construction of drought-resiliency projects. Implementation of MM-CUL-4 would ensure that any inadvertent discoveries—whether at a drought-resiliency project location that was surveyed or not—are handled in accordance with the appropriate protocols. Implementation of MM-CUL-1 through MM-CUL-4 would eliminate the potential for a significant impact to historical resources. Impacts would be reduced to less than significant with mitigation.

CUL-2: The proposed project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 following application of mitigation.

While water reduction activities do not have the potential to result in significant impacts to archaeological resources, construction of the drought-resiliency projects could potentially result in substantial changes in the significance of an archaeological resources. Impacts would be considered potentially significant.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect identified in the EIR. Implementation of the following mitigation measures would substantially lessen the potential of the proposed project to disturb archaeological materials during construction.

- **MM-CUL-1: Conduct CHRIS Review and Desktop Evaluation for Drought-Resiliency Projects**
  Prior to the start of any drought-resiliency project, a qualified historian/archaeologist will request information regarding cultural resources already recorded in CHRIS to determine whether a drought-resiliency project may be located in an area where cultural resources are recorded. If through this review, a cultural resource is identified within the specific drought-resiliency project area or the historian/archaeologist determines through desktop review that the specific project area has potential to contain cultural resources, then implementation of MM-CUL-2 will be required.
- **MM-CUL-2: Conduct Pre-Construction Surveys and Establish Buffers for Drought-Resiliency Projects**
  If determined required by the qualified historian/archaeologist in MM-CUL-1, a site-specific pre-construction field survey will be conducted by a qualified historian/archaeologist prior to the start of construction activities. The pre-construction survey will be designed to identify historic structures, archaeological sites, and potential Tribal cultural resources that may be present at the specific location of the drought-resiliency project that is to be implemented. Reports would be made available to OHP and Native American Tribes that have requested consultation (if any), and these entities would be afforded an opportunity to comment prior

to the start of construction. Any historical or archaeological resources identified during the survey would be recorded and flagged with a 30-foot buffer (or based on topography and access points to protect the find, as determined appropriate by the qualified historian/archaeologist).

- **MM-CUL-3: Develop and Implement Applicable Monitoring and Mitigation for Drought-Resiliency Project Impacts**
  If the pre-construction survey conducted in MM-CUL-2 identifies any historic or archaeological resources and a Tribe(s) has requested consultation, then that Tribe(s) will be notified. If historic structures, archaeological sites, and potential Tribal cultural resources are identified and flagged, but impacts cannot be avoided or adequately minimized, then OHP and Tribes that have requested consultation (if any) will be provided a project-specific monitoring and mitigation plan. Impacts will be mitigated through implementation of this plan, with mitigation expected to include but not be limited to monitoring, resource investigation, documentation, recovery, or preservation as well as interpretive measures.
- **MM-CUL-4: Develop IDP to be Implemented if Prehistoric or Historical Archaeological Resources Are Encountered during Drought-Resiliency Project Construction**
  A qualified archaeologist will develop an IDP for the proposed project to be provided to on-site personnel involved in drought-resiliency projects that involve excavation below depths routinely disced or disturbed through routine agricultural operations. The IDP will include steps to be taken in the event that cultural resources, any artifact, or an unusual amount of bone, shell, or non-native stone are identified during construction. Work will immediately stop, and activities will be relocated to another area beyond 10 meters (30 feet) of the discovery. In the case of potential human remains, the find must be reported to local law enforcement. The IDP will specify steps to notify and consult with the OHP and Tribes. If the resources are found to be significant, they would be avoided or if avoidance is not possible, mitigated in accordance with MM-CUL-3.

Rationale for Finding: Implementation of MM-CUL-1 would ensure that CHRIS search information for specific drought-resiliency project locations is reviewed and that qualified archaeologists evaluate the need for pre-construction field surveys. Implementation of MM-CUL-2 would ensure that any archaeological resources at specific drought-resiliency project locations are identified and flagged for avoidance. Implementation of MM-CUL-3 would ensure that applicable monitoring and mitigation is provided for any archaeological resources that cannot be avoided during construction of drought-resiliency projects. Implementation of MM-CUL-4 would ensure that any inadvertent discoveries—whether at a drought-resiliency project location that was surveyed or not—are handled in accordance with the appropriate protocols. Implementation of MM-CUL-1 through MM-CUL-4 would eliminate the potential for a significant impact to archaeological resources. Impacts would be reduced to less than significant with mitigation.

CUL-3: The proposed project would not disturb any human remains, including those interred outside of formal cemeteries following application of mitigation.

Implementation of the drought-resiliency projects may result in disturbance of human remains, and therefore impacts would be considered potentially significant.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect identified in the EIR. Implementation of the following mitigation measures would substantially lessen the potential of the proposed project to disturb any human remains during construction.

- **MM-CUL-1: Conduct CHRIS Review and Desktop Evaluation for Drought-Resiliency Projects**
  Prior to the start of any drought-resiliency project, a qualified historian/archaeologist will request information regarding cultural resources already recorded in CHRIS to determine whether a drought-resiliency project may be located in an area where cultural resources are recorded. If through this review, a cultural resource is identified within the specific drought-resiliency project area or the historian/archaeologist determines through desktop review that the specific project area has potential to contain cultural resources, then implementation of MM-CUL-2 will be required.
- **MM-CUL-2: Conduct Pre-Construction Surveys and Establish Buffers for Drought-Resiliency Projects**
  If determined required by the qualified historian/archaeologist in MM-CUL-1, a site-specific pre-construction field survey will be conducted by a qualified historian/archaeologist prior to the start of construction activities. The pre-construction survey will be designed to identify historic structures, archaeological sites, and potential Tribal cultural resources that may be present at the specific location of the drought-resiliency project that is to be implemented. Reports would be made available to OHP and Native American Tribes that have requested consultation (if any), and these entities would be afforded an opportunity to comment prior to the start of construction. Any historical or archaeological resources identified during the survey would be recorded and flagged with a 30-foot buffer (or based on topography and access points to protect the find, as determined appropriate by the qualified historian/archaeologist).
- **MM-CUL-3: Develop and Implement Applicable Monitoring and Mitigation for Drought-Resiliency Project Impacts**
  If the pre-construction survey conducted in MM-CUL-2 identifies any historic or archaeological resources and a Tribe(s) has requested consultation, then that Tribe(s) will be notified. If historic structures, archaeological sites, and potential Tribal cultural resources are identified and flagged, but impacts cannot be avoided or adequately minimized, then OHP and Tribes that have requested consultation (if any) will be provided a project-specific monitoring and mitigation plan. Impacts will be mitigated through implementation of this plan, with mitigation expected to include but not be limited to monitoring, resource investigation, documentation, recovery, or preservation as well as interpretive measures.
- **MM-CUL-4: Develop IDP to be Implemented if Prehistoric or Historical Archaeological Resources Are Encountered during Drought-Resiliency Project Construction**
  A qualified archaeologist will develop an IDP for the proposed project to be provided to on-site personnel involved in drought-resiliency projects that involve excavation below depths routinely disced or disturbed through routine agricultural operations. The IDP will include steps to be taken in the event that cultural resources, any artifact, or an unusual amount of bone, shell, or non-native stone are identified during construction. Work will immediately stop, and activities will be relocated to another area beyond 10 meters (30 feet) of the discovery. In the case of potential human remains, the find must be reported to local law enforcement. The IDP will specify steps to notify and consult with the OHP and Tribes. If the resources are found to be significant, they would be avoided or if avoidance is not possible, mitigated in accordance with MM-CUL-3.

Rationale for Finding: Implementation of MM-CUL-1, MM-CUL-2, and MM-CUL-3 would ensure that drought-resiliency project locations are reviewed, evaluated, and surveyed, as determined necessary

by a qualified archaeologist and that the appropriate applicable monitoring and mitigation is conducted during construction activities. Implementation of MM-CUL-4 would ensure that any inadvertent discoveries, including potentially discovery of human remains—whether at a drought-resiliency project location that was surveyed or not—are handled in accordance with the appropriate protocols. Implementation of MM-CUL-1 through MM-CUL-4 would ensure that the appropriate steps are taken in the event that human remains are encountered. Impacts would be reduced to less than significant with mitigation.

2.1.2.4 Geology and Soils

GEO-4: If located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), the proposed project would not create substantial direct or indirect risks to life or property following application of mitigation.

Because construction of drought-resiliency projects on expansive soils could create substantial risks to life or property project, impacts related to siting on expansive soils could be potentially significant.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect identified in the EIR. Implementation of the following mitigation measures would reduce impacts related to expansive soils to less than significant:

- **MM-GEO-1: As-Needed Implementation of Geotechnical Recommendations for Drought-Resiliency Projects**
  Recommendations from geotechnical assessments or reports for specific project elements would be implemented as needed, including use of materials and construction techniques specifically addressing potential seismic and geologic hazards.
- **MM-GEO-3: Adhere to Applicable Seismic Design Parameters for Drought-Resiliency Projects**
  Drought-resiliency projects would adhere to all applicable seismic design parameters.

Rationale for Finding: Implementation of MM-GEO-1 would include as-needed adherence to geotechnical recommendations, which would reduce the significance of impacts related to expansive soils. Implementation of MM-GEO-3 would ensure that drought-resiliency projects are constructed in adherence with applicable seismic standards. Impacts related to expansive soils would be reduced to less than significant with mitigation.

2.1.2.5 Hazards and Hazardous Materials

HAZ-1: The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials following application of mitigation.

Construction of the proposed drought-resiliency projects is designed to minimize potential hazardous material impacts to workers and the environment (for instance, by ensuring that potential hazardous

materials resulting from construction of the drought-resiliency projects are disposed at appropriate landfills). However, the proposed project involves handling of limited hazardous materials, potentially including contaminated soils, and there is potential for construction equipment spills. Impacts would be considered potentially significant impact.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect identified in the EIR. Implementation of the following mitigation measures would substantially lessen potential impacts from the transport and use of hazardous materials:

- **MM-HAZ-1: Soil Testing in Accordance with Disposal Site Requirements**
  To address potential impacts to people and the environment from management of potentially contaminated soils, any excavated soils that would not be reused on site would be tested in accordance with disposal site requirements.
- **MM-HAZ-2: Spill Kits**
  All heavy construction equipment vehicles would maintain spill kits with oil-absorbent material and tarps to contain minor releases.
- **MM-HYD-1: Implement Erosion and Spill Control Measures for Drought-Resiliency Projects**
  To ensure that contaminants are not accidentally introduced into irrigation ditches and canals, the following measures will be implemented during construction of drought-resiliency projects:
  - BMPs (e.g., filter fabric or sandbags) be used to prevent pollutants from entering drainage channels
  - Equipment be inspected daily for leaks or spills
  - Materials for cleanup of spills be available on site
  - Flammable materials be stored in appropriate containers
  - Spill prevention kits be in close proximity when using hazardous materials
  - Spills and leaks be cleaned up immediately and disposed of in accordance with local, state, and federal regulations
  - Vehicles and equipment be kept clean
  - Construction personnel to be appropriately trained in spill prevention, hazardous material control, and cleanup of accidental spills
  - For drought-resiliency projects involving over an acre of land disturbance, a NPDES Construction Stormwater General Permit will be obtained, and a construction SWPPP will be prepared.

Rationale for Finding: Implementation of MM-HAZ-1, MM-HAZ-2, and MM-HYD-1 would substantially lessen potential hazardous materials impacts from project construction by establishing appropriate soil management and emergency response measures, requiring spills kits, and developing and implementing hazardous material spill prevention and cleanup plans. Impacts would be reduced to less than significant with mitigation.

HAZ-2: The proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment following application of mitigation.

Construction of the drought-resiliency projects may disturb soils that may be contaminated and the use of construction equipment could result in inadvertent fuel and lubricants spills. This is considered a potentially significant impact.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect identified in the EIR. Implementation of the following mitigation measures would substantially lessen potential impacts from the transport and use of hazardous materials:

- **MM-HAZ-1: Soil Testing in Accordance with Disposal Site Requirements**
  To address potential impacts to people and the environment from management of potentially contaminated soils, any excavated soils that would not be reused on site would be tested in accordance with disposal site requirements.
- **MM-HAZ-2: Spill Kits**
  All heavy construction equipment vehicles would maintain spill kits with oil-absorbent material and tarps to contain minor releases.
- **MM-HYD-1: Implement Erosion and Spill Control Measures for Drought-Resiliency Projects**
  To ensure that contaminants are not accidentally introduced into irrigation ditches and canals, the following measures will be implemented during construction of drought-resiliency projects:
  - BMPs (e.g., filter fabric or sandbags) be used to prevent pollutants from entering drainage channels
  - Equipment be inspected daily for leaks or spills
  - Materials for cleanup of spills be available on site
  - Flammable materials be stored in appropriate containers
  - Spill prevention kits be in close proximity when using hazardous materials
  - Spills and leaks be cleaned up immediately and disposed of in accordance with local, state, and federal regulations
  - Vehicles and equipment be kept clean
  - Construction personnel to be appropriately trained in spill prevention, hazardous material control, and cleanup of accidental spills
  - For drought-resiliency projects involving over an acre of land disturbance, a NPDES Construction Stormwater General Permit will be obtained, and a construction SWPPP will be prepared.

Rationale for Finding: Implementation of MM-HAZ-1, MM-HAZ-2, and MM-HYD-1 would substantially lessen potential hazardous materials impacts from project construction by establishing appropriate soil management and emergency response measures, requiring spills kits, and developing and implementing hazardous material spill prevention and cleanup plans. Impacts would be reduced to less than significant with mitigation.

HAZ-4: The proposed project would not have a substantial adverse effect by being located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would not create a significant hazard to the public or the environment following application of mitigation.

If construction and operation of drought-resiliency projects were to overlap with active cleanup sites, impacts would be considered potentially significant.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect identified in the EIR. Implementation of the following mitigation measure would avoid potential impacts related to hazardous materials sites.

- **MM-HAZ-3: Site Drought-Resiliency Projects Away from Active Cleanup Sites**
  Drought-resiliency projects will be sited away from active cleanup sites.

Rationale for Finding: With implementation of MM-HAZ-3, drought-resiliency projects would avoid active cleanup sites. Impacts would be reduced to less than significant with mitigation.

2.1.2.6 Hydrology and Water Quality

HYD-1: The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality following application of mitigation.

There is potential for both positive and negative impacts to surface and groundwater quality as a result of water reduction activities and construction and operation of the drought-resiliency projects. Potentially significant impacts include possible impacts to nearby water and groundwater due to erosion following cropland idling, as well as release of hazardous substances during construction of the drought-resiliency projects.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect identified in the EIR. Implementation of the following mitigation measures would substantially lessen potential water quality impacts:

- **MM-HYD-1: Implement Erosion and Spill Control Measures for Drought-Resiliency Projects**
  To ensure that contaminants are not accidentally introduced into irrigation ditches and canals, the following measures will be implemented during construction of drought-resiliency projects:
  - Use of BMPs (e.g., filter fabric or sandbags) to prevent pollutants from entering drainage channels
  - Equipment be inspected daily for leaks or spills
  - Materials for cleanup of spills be available on site
  - Flammable materials be stored in appropriate containers
  - Spill prevention kits be in close proximity when using hazardous materials
  - Spills and leaks be cleaned up immediately and disposed of in accordance with local, state, and federal regulations
  - Vehicles and equipment be kept clean
  - Construction personnel to be appropriately trained in spill prevention, hazardous material control, and cleanup of accidental spills

  - For drought-resiliency projects involving over an acre of land disturbance, a NPDES Construction Stormwater General Permit will be obtained and a construction SWPPP will be prepared.
- **MM-HYD-2: Install and Operate Groundwater Wells in Accordance with GSPs and SGMA for All Groundwater Pumping Activities Undertaken Under the Agreement**
  The installation of any new groundwater wells and the operation of existing and new groundwater wells will be in accordance with targets and requirements set by applicable GSPs managed by GSAs in the project area, as well as the requirements set forth by SGMA, including the submittal of annual reports regardless of determination status following adoption of a GSP or alternative.

Rationale for Finding: Implementation of MM-HYD-1 would include erosion and spill control measures, which would reduce the significance of erosion impacts and potential impacts from accidental spills. Implementation of MM-HYD-2 would require all new groundwater well installation and all groundwater well operation to occur in accordance with targets and requirements set by applicable GSA-managed GSPs or where there are no GSPs, in accordance with SGMA. Complying with GSA and SGMA requirements would ensure that the appropriate siting, evaluation, and documentation steps are taken. Impacts to surface and groundwater water quality would be reduced to less than significant with mitigation

HYD-2: The proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin following application of mitigation.

The proposed project elements (water reduction activities and operation of drought-resiliency projects) could cause both additional decreases to groundwater supplies and reduce seepage that helps recharge groundwater, and increase the potential for land subsidence, which would cause a potentially significant impact to groundwater supplies and sustainable groundwater management.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect identified in the EIR. Implementation of the following mitigation measure would substantially lessen impacts related to groundwater.

- **MM-HYD-2: Install and Operate Groundwater Wells in Accordance with GSPs and SGMA for All Groundwater Pumping Activities Undertaken Under the Agreement**
  The installation of any new groundwater wells and the operation of existing and new groundwater wells will be in accordance with targets and requirements set by applicable GSPs managed by GSAs in the project area, as well as the requirements set forth by SGMA, including the submittal of annual reports regardless of determination status following adoption of a GSP or alternative.

Rationale for Finding: Implementation of MM-HYD-2 would require all new groundwater well installation and all groundwater well operation to occur in accordance with targets and requirements set by applicable GSA-managed GSPs or where there are no GSPs, in accordance with SGMA. Complying with GSA and SGMA requirements would ensure that the appropriate siting, evaluation,

and documentation steps are taken. Additionally, implementation of MM-HYD-2 would ensure that no land subsidence occurs as a result of groundwater substitution activities in the project area. Impacts would be reduced to less than significant with mitigation.

HYD-3: The proposed project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i) result in substantial erosion or siltation on or off site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site; iii) create or contribute runoff water which would exceed the existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows following application of mitigation.

While water reduction activities and operation of the drought-resiliency projects would reduce the possibility of erosion or siltation, flooding, increased runoff, or impairment of flood flows, the drought-resiliency projects could cause increased erosion during construction. Therefore, impacts could be considered potentially significant.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect identified in the EIR. Implementation of the following mitigation measure would substantially lessen erosion impacts.

- **MM-HYD-1: Implement Erosion and Spill Control Measures for Drought-Resiliency Projects**
  To ensure that contaminants are not accidentally introduced into irrigation ditches and canals, the following measures will be implemented during construction of drought-resiliency projects:
  - Use of BMPs (e.g., filter fabric or sandbags) to prevent pollutants from entering drainage channels
  - Equipment be inspected daily for leaks or spills
  - Materials for cleanup of spills be available on site
  - Flammable materials be stored in appropriate containers
  - Spill prevention kits be in close proximity when using hazardous materials
  - Spills and leaks be cleaned up immediately and disposed of in accordance with local, state, and federal regulations
  - Vehicles and equipment be kept clean
  - Construction personnel to be appropriately trained in spill prevention, hazardous material control, and cleanup of accidental spills
  - For drought-resiliency projects involving over an acre of land disturbance, a NPDES Construction Stormwater General Permit will be obtained and a construction SWPPP will be prepared.

Rationale for Finding: Implementation of MM-HYD-1 would include erosion control measures, which would substantially lessen erosion impacts. Potential erosion impacts would be reduced to less than significant with mitigation.

HYD-5: The proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan following application of mitigation.

The proposed water reduction activities, especially cropland idling, as well as the construction of drought-resiliency projects through impacts to nearby water due to erosion could conflict with the provisions of water quality control plan or sustainable groundwater management plan. There could be the potential for significant impacts.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect identified in the EIR. Implementation of the following mitigation measures would substantially lessen impacts related to water quality control plans and sustainable groundwater management plans.

- **MM-HYD-1: Implement Erosion and Spill Control Measures for Drought-Resiliency Projects**
  To ensure that contaminants are not accidentally introduced into irrigation ditches and canals, the following measures will be implemented during construction of drought-resiliency projects:
  - Use of BMPs (e.g., filter fabric or sandbags) to prevent pollutants from entering drainage channels
  - Equipment be inspected daily for leaks or spills
  - Materials for cleanup of spills be available on site
  - Flammable materials be stored in appropriate containers
  - Spill prevention kits be in close proximity when using hazardous materials
  - Spills and leaks be cleaned up immediately and disposed of in accordance with local, state, and federal regulations
  - Vehicles and equipment be kept clean
  - Construction personnel to be appropriately trained in spill prevention, hazardous material control, and cleanup of accidental spills
  - For drought-resiliency projects involving over an acre of land disturbance, a NPDES Construction Stormwater General Permit will be obtained and a construction SWPPP will be prepared.
- **MM-HYD-2: Install and Operate Groundwater Wells in Accordance with GSPs and SGMA for All Groundwater Pumping Activities Undertaken Under the Agreement**
  The installation of any new groundwater wells and the operation of existing and new groundwater wells will be in accordance with targets and requirements set by applicable GSPs managed by GSAs in the project area, as well as the requirements set forth by SGMA, including the submittal of annual reports regardless of determination status following adoption of a GSP or alternative.

Rationale for Finding: Implementation of MM-HYD-1 would include erosion control measures, which would substantially lessen erosion impacts and any potential conflict with a water quality control plan. Implementation of MM-HYD-2 would require all new groundwater well installation and all groundwater well operation to occur in accordance with targets and requirements set by applicable GSA-managed GSPs or where there are no GSPs, in accordance with SGMA. Complying with GSA and SGMA requirements would ensure that the appropriate siting, evaluation, and documentation steps are taken. The potential for conflict or obstruction with implementation of a water quality control

plan or sustainable groundwater management plan would be reduced to less than significant with mitigation.

2.1.2.7 Noise

NOI-2: The proposed project would not result in generation of excessive groundborne vibration or groundborne noise levels following application of mitigation.

Construction-related vibration resulting from drought-resiliency projects could exceed Federal Transit Administration thresholds, which would be considered a potentially significant impact.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect identified in the EIR. Implementation of the following mitigation measures would substantially lessen construction noise impacts.

- **MM-NOI-1: Notification Requirements to Off-Site Noise-Sensitive Receptors for Drought-Resiliency Projects**
  Written notification of project activities would be provided to all off-site noise-sensitive receptors (e.g., residential land uses) located within 500 feet of drought-resiliency project locations. Notification would include anticipated dates and hours during which activities are anticipated to occur and contact information of the project representative, including a daytime telephone number.
- **MM-NOI-2: Power Equipment Use and Maintenance Requirements for Drought-Resiliency Projects**
  All powered heavy equipment and power tools will be used and maintained according to manufacturer specifications. All diesel- and gasoline-powered equipment will be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations.
- **MM-NOI-3: Heavy Equipment Must Operate at Least 25 Feet from Neighboring Structures for Drought-Resiliency Projects**
  Drought-resiliency projects involving the use of heavy equipment (such as a large bulldozer) will be sited to occur at least 25 feet from neighboring historical buildings and structures that are extremely susceptible to vibration damage.

Rationale for Finding: Implementation of MM-NOI-1 would ensure that sensitive receptors are informed of drought-resiliency project construction timing. MM-NOI-2 would ensure that equipment is used and maintained according to manufacturer specifications. Implementation of MM-NOI-3 would ensure heavy equipment does not cause impactful vibration impacts on neighboring structures. Impacts would be reduced to less than significant with mitigation.

2.1.2.8 Public Services

PUB-1: The proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental

impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services: fire protection, police protection, schools, parks, or other public facilities following application of mitigation.

Due to its location outside of an area designated as a Very High or High Fire Hazard Severity Zone, implementation of water reduction activities would not substantially impair the ability to fight wildland fires nor would substantially impact fire protection service ratios, response times, or other performance objectives. Drought-resiliency projects could result in increased fire protection services demand during construction. There could be increased potential for on-site fires from the use of flammable construction materials and operation of construction equipment. This would be considered a potentially significant impact.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect identified in the EIR. Implementation of the following mitigation measure would substantially lessen potential impacts related to fire protection and on-site fires.

- **MM-HYD-1: Implement Erosion and Spill Control Measures for Drought-Resiliency Projects**
  To ensure that contaminants are not accidentally introduced into irrigation ditches and canals, the following measures will be implemented during construction of drought-resiliency projects:
  - BMPs (e.g., filter fabric or sandbags) be used to prevent pollutants from entering drainage channels
  - Equipment be inspected daily for leaks or spills
  - Materials for cleanup of spills be available on site
  - Flammable materials be stored in appropriate containers
  - Spill prevention kits be in close proximity when using hazardous materials
  - Spills and leaks be cleaned up immediately and disposed of in accordance with local, state, and federal regulations
  - Vehicles and equipment be kept clean
  - Construction personnel to be appropriately trained in spill prevention, hazardous material control, and cleanup of accidental spills
  - For drought-resiliency projects involving over an acre of land disturbance, a NPDES Construction Stormwater General Permit will be obtained, and a construction SWPPP will be prepared.

Rationale for Finding: Implementation of MM-HYD-1 would ensure the construction contractor carefully stores flammable materials in appropriate containers and immediately and completely clean up spills of flammable materials when they occur. In addition, construction managers and personnel would be trained in spill prevention, hazardous material control, and cleanup of accidental spills. Impacts would be reduced to less than significant with mitigation.

2.1.2.9 Tribal Cultural Resources

TRI-1 The proposed project would not cause a substantial adverse change in the significance of a Tribal cultural resource, defined in PRC Section 21074 following application of mitigation.

While water reduction activities do not have the potential to result in significant impacts to Tribal cultural resources, construction of the drought-resiliency projects could potentially result in substantial changes in the significance of a Tribal cultural resource. Impacts would be considered potentially significant.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect identified in the EIR. Implementation of the following mitigation measures would substantially lessen impacts to Tribal cultural resources.

- **MM-CUL-1: Conduct CHRIS Review and Desktop Evaluation for Drought-Resiliency Projects**
  Prior to the start of any drought-resiliency project, a qualified historian/archaeologist will request information regarding cultural resources already recorded in CHRIS to determine whether a drought-resiliency project may be located in an area where cultural resources are recorded. If through this review, a cultural resource is identified within resiliency project area or the historian/archaeologist determines through desktop review that the specific project area has potential to contain cultural resources, then implementation of MM-CUL-2 will be required.
- **MM-CUL-2: Conduct Pre-Construction Surveys and Establish Buffers for Drought-Resiliency Projects**
  If determined required by the qualified historian/archaeologist in MM-CUL-1, a site-specific pre-construction field survey will be conducted by a qualified historian/archaeologist prior to the start of construction activities. The pre-construction survey will be designed to identify historic structures, archaeological sites, and potential Tribal cultural resources that may be present at the specific location of the drought-resiliency project that is to be implemented. Reports would be made available to OHP and Native American Tribes that have requested consultation (if any), and these entities would be afforded an opportunity to comment prior to the start of construction. Any historical or archaeological resources identified during the survey would be recorded and flagged with a 30-foot buffer (or based on topography and access points to protect the find, as determined appropriate by the qualified historian/archaeologist).
- **MM-CUL-3: Develop and Implement Applicable Monitoring and Mitigation for Drought-Resiliency Project Impacts**
  If the pre-construction survey conducted in MM-CUL-2 identifies any historic or archaeological resources and a Tribe(s) has requested consultation, then that Tribe(s) will be notified. If historic structures, archaeological sites, and potential Tribal cultural resources are identified and flagged, but impacts cannot be avoided or adequately minimized, then OHP and Tribes that have requested consultation (if any) will be provided a project-specific monitoring and mitigation plan. Impacts will be mitigated through implementation of this plan, with mitigation expected to include but not be limited to monitoring, resource investigation, documentation, recovery, or preservation as well as interpretive measures.
- **MM-CUL-4: Develop IDP to be Implemented if Prehistoric or Historical Archaeological Resources Are Encountered during Drought-Resiliency Project Construction.**
  A qualified archaeologist will develop an IDP for the proposed project to be provided to on-site personnel involved in drought-resiliency projects that involve excavation below depths routinely disced or disturbed through routine agricultural operations. The IDP will include steps to be taken in the event that cultural resources, any artifact, or an unusual amount of bone, shell, or non-native stone are identified during construction. Work will immediately stop and activities will be relocated to another area beyond 10 meters (30 feet) of the discovery. In the case of potential human remains, the find must be reported to local law

enforcement. The IDP will specify steps to notify and consult with the OHP and Tribes. If the resources are found to be significant, they would be avoided or if avoidance is not possible, mitigated in accordance with MM-CUL-3.

Rationale for Finding: Implementation of MM-CUL-1 would ensure that CHRIS search information for specific drought-resiliency project locations is reviewed and that qualified archaeologists evaluate the need for pre-construction field surveys. If this process reveals that an individual project area contains known sites, features, places, or cultural landscapes that are listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC 5020.1(k), or a resource determined by GCID, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in PRC 5024.1(c) in the project area, MM-CUL-2 would be implemented. Implementation of MM-CUL-2 would ensure that any Tribal cultural resources at specific drought-resiliency project locations are identified and flagged for avoidance. Implementation of MM-CUL-3 would ensure that applicable monitoring and mitigation is provided for any Tribal cultural resources that cannot be avoided during construction of drought-resiliency projects. Implementation of MM-CUL-4 would ensure that any inadvertent discoveries—whether at a drought-resiliency project location that was surveyed or not—are handled in accordance with the appropriate protocols. Impacts would be reduced to less than significant with mitigation.

2.1.2.10 Utilities and Service Systems

UTL-1: The proposed project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects, following application of mitigation.

Because the drought-resiliency projects would require utility connections and the routes cannot be determined at this time, impacts could be potentially significant.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect identified in the EIR. Implementation of the following mitigation measures would substantially lessen impacts to utilities and service systems.

- **MM-AGR-1: Site Drought-Resiliency Projects Outside of Forest Lands**
  Drought-resiliency projects will not be sited in forest lands.
- **MM-HAZ-3: Site Drought-Resiliency Projects Away from Active Cleanup Sites**
  Drought-resiliency projects will be sited away from active cleanup sites.
- **MM-MIN-1: Avoid Siting Drought-Resiliency Projects in Mineral Resource Zones**
  Site drought-resiliency projects away from areas mapped as mineral resource zones to the extent practicable.
- **MM-NOI-1: Notification Requirements to Off-Site Noise-Sensitive Receptors for Drought-Resiliency Projects**

Written notification of project activities would be provided to all off-site noise-sensitive receptors (e.g., residential land uses) located within 500 feet of drought-resiliency project locations. Notification would include anticipated dates and hours during which activities are anticipated to occur and contact information of the project representative, including a daytime telephone number.

- **MM-NOI-2: Power Equipment Use and Maintenance Requirements**
  All powered heavy equipment and power tools will be used and maintained according to manufacturer specifications. All diesel- and gasoline-powered equipment will be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations.
- **MM-NOI-3: Heavy Equipment Must Operate at Least 25 Feet from Neighboring Structures for Drought-Resiliency Projects**
  Drought-resiliency projects involving the use of heavy equipment (such as a large bulldozer) will be sited to occur at least 25 feet from neighboring historical buildings and structures that are extremely susceptible to vibration damage.
- **MM-BIO-1: Conduct Desktop Special Status Wildlife Species, Plant Species, and Aquatic Resources Evaluation for Drought-Resiliency Projects**
  Prior to implementing a drought-resiliency project that involves grading, vegetation removal, or other form of construction in irrigation and drainage canals or upland areas outside of established agricultural croplands with a history of discing, planting, and maintenance, a qualified biologist will conduct a desktop evaluation of the site using digital web-based aerial photography. The purpose of the desktop evaluation will be to determine the potential for special status wildlife and plant species habitat or aquatic resources subject to regulation by the USACE, RWQCB, or CDFW to occur on site. A qualified biologist will also perform a review of the USFWS Information for Planning and Consultation, CNDDB, CNPS, and Calflora databases to identify known records or potential for special status plant or wildlife species to occur in the project vicinity. If through this assessment, the biologist determines that potential habitat for special status wildlife or plants or jurisdictional aquatic resources exist, then site-specific survey(s) will be conducted per MM-BIO-2, MM-BIO-3, MM-BIO-4, MM-BIO-5, and MM-BIO-6, as applicable.
- **MM-BIO-2: Conduct Special Status Plant Species Surveys and Avoidance for Drought-Resiliency Projects**
  If the drought-resiliency project site survey indicates that the project site contains suitable habitat for special status plant species, surveys using USFWS, CDFW, and California Native Plant Society protocols will be conducted by a qualified biologist. If present, special status plant species will be flagged for avoidance. If avoidance is not possible, USFWS and/or CDFW will be consulted to determine the appropriate approach for minimizing impacts to special status plant species and compensating for unavoidable impacts, and the project proponents will implement all necessary minimization and compensation measures.
- **MM-BIO-3: Conduct Special Status Wildlife Species Surveys and Avoidance for Drought-Resiliency Projects**
  If the drought-resiliency project site survey indicates that the project site provides habitat for special status wildlife, site-specific pre-construction surveys using USFWS and/or CDFW protocols will be conducted by a qualified biologist. If special status wildlife species are actively using an area within the site, work shall not be permitted to occur within 100 feet until the animals have left on their own or, if necessary, are relocated in accordance with MM-BIO-5. Setback areas will be flagged. A qualified biologist shall be present during construction to monitor construction activities.
- **MM-BIO-4: Conduct Nesting Bird Species Surveys and Avoidance for Drought-Resiliency Projects**
  If the drought-resiliency project site survey indicates that the project site provides habitat for nesting birds that may be affected by construction and construction would occur between March 1 and September 15, pre-

construction nesting bird surveys (two site visits at least one week apart) will be conducted by a qualified biologist within 14 days prior to construction to detect the presence of nesting birds. If an active nest is found, then the qualified biologist will establish an appropriate buffer (minimum 100 feet for non-raptors and 250 feet for raptors) based on site-specific factors such as the topography, the type of work to be performed, natural visual and/or auditory barriers between the nest and proposed work area, and the species. If work must be performed within the established buffer zone, a qualified biologist should monitor the nest prior to work activities to determine baseline nesting behaviors. Work shall be permitted to occur within the buffer zone with a qualified biologist present to monitor the work for signs of disturbance, to adjust (increase) the buffer size as needed, and to exercise stop work authority if nest disturbance is observed. No further work may occur within the buffer zone until nesting birds have fledged from nests on their own. Setback areas will be flagged.

- **MM-BIO-5: Implement General Biological Resources Protection Measures during Drought-Resiliency Project Construction**

  The construction contractor and operations personnel shall implement the following general biological resources protection measures during drought-resiliency project construction:

  - Limit construction and operations activities to daylight hours to the extent feasible. If nighttime activities are unavoidable, then workers shall direct all lights for nighttime lighting into the work area and shall minimize the lighting of natural habitat areas adjacent to the work area. Light glare shields shall be used to reduce the extent of illumination into sensitive habitats. If the work area is located near surface waters, the lighting shall be shielded such that it does not shine directly into the water.
  - Vegetation clearing will be limited to only those areas necessary for construction.
  - Any excavated and stockpiled soils will be placed outside of designated special status species habitat.
  - Dispose of cleared vegetation and soils at a location that will not create habitat for special status wildlife species.
  - Dispose of food-related and other garbage in wildlife-proof containers and remove the garbage from the project area daily during construction. Vehicles carrying trash will be required to have loads covered and secured to prevent trash and debris from falling onto roads and adjacent properties.
  - Store all construction-related vehicles and equipment in the designated staging areas. These areas shall not contain native or sensitive vegetation communities and shall not support sensitive plant or wildlife species.
  - Construction-related vehicles and equipment will not exceed a 20-mile-per-hour speed limit at the construction site, staging areas, or on unpaved roads.
  - The qualified biologist will provide the contractor with worker environmental awareness training.
  - Prior to the initiation of work each day, the contractor will inspect construction pipes, culverts, or similar features; construction equipment; or construction debris left overnight in areas that may be occupied by special status species that could occupy such structures prior to being used for construction.
  - Avoid wildlife entrapment by completely covering or providing escape ramps for all excavated steep-walled holes or trenches more than 1 foot deep at the end of each construction work day. The qualified biologist shall inspect open trenches and holes and shall remove or release any trapped wildlife found in the trenches or holes prior to filling by the construction contractors.
  - Capture and relocation of trapped or injured wildlife listed under ESA or CESA can only be performed by personnel with appropriate state and/or federal permits. Any sightings and any incidental take (mortality) shall be reported to CDFW via email within one working day of the discovery. Notification

shall include the date, time, and location (U.S. Geological Survey (USGS) 7.5-minute quadrangle and/or similar map at a scale that will allow others to find the location in the field) of the incident or of the discovery of an individual special status species that is dead or injured (type of injury shall be included). For each special status species encountered, the biologist shall submit a completed CNDDB field survey form (or equivalent) to CDFW no more than 90 days after completing the last field visit to the project site.

- **MM-BIO-6: Implement GGS Avoidance Measures for Drought-Resiliency Projects**
  If the need for a drought-resiliency project site survey is identified as part of MM-BIO-1, and the initial assessment indicates that that the project site provides habitat for GGS, avoidance measures must be implemented to avoid GGS during construction. Construction activities within GGS habitat will be restricted to between May 1 and October 1, to the extent feasible. If work must be conducted within GGS habitat between October 2 and April 30, two GGS pre-construction surveys will be conducted in any area within 200 feet of GGS aquatic habitat by a qualified biologist. The first survey will occur within 15 days prior to onset of construction and the second will occur within 24 hours prior to the onset of construction. The information collected from the first pre-construction survey will serve primarily to alert the biologist and construction crews of the general level of GGS activity at the site and borrow area, and the second survey will serve to minimize potential for take of GGS. If GGS is found in the project area, then to avoid direct impacts on GGS, the following measures will be implemented during construction of the drought-resiliency project:
  - Temporary fencing will be installed to exclude GGS from the work area. The design of the fence will be approved by the CDFW prior to installation.
  - Fence installation will be supervised by a qualified biologist.
  - The qualified biologist will provide the contractor with worker environmental awareness training, including instructing the contractor on how to inspect the exclusion fence.
  - Prior to the initiation of work each day, the contractor will inspect the exclusion fence to ensure it is functional for the intended purpose.

  If GGS is observed within the temporary fencing around the construction site, the contractor will stop work and allow the species to leave the site of its own volition or the snake will be captured by a qualified biologist with appropriate collecting/handling permits and relocated to the nearest suitable habitat beyond the influence of the project work area. "Take" of a state or federal special status species is prohibited without appropriate permits from the USFWS and CDFW.
- **MM-BIO-7: Obtain Incidental Take Authorization for Take of Listed Species from Drought-Resiliency Project Impacts**
  If species avoidance is not expected to be possible through implementation of MM-BIO-1, MM-BIO-3, MM-BIO-4, MM-BIO-5, or MM-BIO-6, USFWS and/or CDFW will be consulted to determine the appropriate approach for minimizing impacts to special status wildlife species and compensating for potential incidental take. Impacts will be compensated for through purchase of mitigation credits at an approved conservation bank and/or on-site or off-site restoration and enhancement. Incidental take authorization will be obtained for take of listed species resulting from construction of a drought-resiliency project.
- **MM-BIO-8: Compensate for Permanent Loss of Special Status Wildlife Species Habitat from Drought-Resiliency Projects**
  If it is determined through implementation of MM-BIO-1 and MM-BIO-3 that a drought-resiliency project site includes high-quality foraging or breeding habitat for special status wildlife species and there will be a permanent loss of such habitat resulting from construction, impacts will be compensated for through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved conservation

bank. Based on the findings of MM-BIO-3, the qualified biologist will prepare a plan that outlines proposed compensatory mitigation and coordinate with USFWS and CDFW. Compensatory lands will be of similar or better quality than habitat lost, preferably located in the vicinity of the drought-resiliency project site, and be permanently preserved through a conservation easement. The plan will identify conservation actions to ensure that the compensatory lands are managed to provide for the continued existence of the species. The plan will also identify an approach for funding assurance for the long-term management of the conserved land, as relevant.

- **MM-BIO-9: Tree Replanting Requirements for Drought-Resiliency Projects**
  Avoid native tree removal where practicable through adjustments to the alignment of ditches, pipelines, or other construction features. If protected or heritage native tree removal is not avoidable, local county requirements for replacement would be prescribed at the ratio specified in their general plan. Replanting ratios vary between counties. For trees known to be used by nesting raptors, preservation efforts shall be pursued to the maximum extent possible. Nest tree losses in HCP covered areas could be subject to replacement at 15:1 such as in the Natomas Basin HCP.
- **MM-BIO-12: Conduct Aquatic Resources Surveys and Avoidance for Drought-Resiliency Projects**
  If the drought-resiliency project site survey identified in MM-BIO-1 indicates that the project site contains potentially jurisdictional aquatic resources, including wetlands, other waters, and riparian habitat, that may be affected by construction, an aquatic resources delineation to identify and delineate wetlands and other waters shall be conducted. Wetlands and waters identified on site will be flagged as environmentally sensitive areas and avoided to the extent practicable. Permanent impacts to jurisdictional aquatic resources will be mitigated per MM-BIO-13.
- **MM-BIO-13: Obtain Required Permits and Implement Wetland Mitigation for Drought-Resiliency Projects**
  If impacts to wetlands and waters cannot be avoided, then required permits, potentially including permits from the USACE, RWQCB, and CDFW would be obtained and complied with per MM-BIO-13. Mitigation for project-related permanent impacts to jurisdictional wetlands or other waters will be provided at a minimum 1:1 ratio through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved bank.
- **MM-HYD-1: Implement Erosion and Spill Control Measures for Drought-Resiliency Projects**
  To ensure that contaminants are not accidentally introduced into irrigation ditches and canals, the following measures will be implemented during construction of drought-resiliency projects:
  - BMPs (e.g., filter fabric or sandbags) be used to prevent pollutants from entering drainage channels
  - Equipment be inspected daily for leaks or spills
  - Materials for cleanup of spills be available on site
  - Flammable materials be stored in appropriate containers
  - Spill prevention kits be in close proximity when using hazardous materials
  - Spills and leaks be cleaned up immediately and disposed of in accordance with local, state, and federal regulations
  - Vehicles and equipment be kept clean
  - Construction personnel to be appropriately trained in spill prevention, hazardous material control, and cleanup of accidental spills
  - For drought-resiliency projects involving over an acre of land disturbance, a NPDES Construction Stormwater General Permit will be obtained, and a construction SWPPP will be prepared.
- **MM-UTI-1: Notify Utility Companies of Drought-Resiliency Projects**

Prior to construction of the drought-resiliency projects, utility companies will be contacted to determine whether the potential for utility line crossing or conflict exists. Notice of construction of the drought-resiliency projects will be provided to utility providers to request additional information on the location, if any, of private cables or utilities.

- **MM-UTI-2: Conduct Utility Surveys and Coordinate with Utility Companies for Drought-Resiliency Projects if Needed**
  During the design phase for each of the drought-resiliency projects and if coordination with utility companies reveals the potential for utility lines to be in the project area, site-specific utilities surveys will be completed to locate, understand, and avoid conflicts with existing utilities. In addition, all overhead and buried utility lines will be demarcated and avoided unless modifications are required. Modifications will be coordinated with the utility company.

Rationale for Finding: MM-UTI-1 and MM-UTI-2 would ensure that utility locations are known, utilities are avoided, or if avoidance is not possible, that the utility company approves of the modifications needed. MM-AGR-1 would ensure that any potential utility expansions to support drought-resiliency projects avoid forest lands. MM-HAZ-3 and MM-MIN-1 would ensure that utility expansions to support drought-resiliency projects avoid active cleanup sites and mineral resource zones. MM-NOI-1 would ensure that sensitive receptors are informed of any potential utility expansion timing for drought-resiliency projects. MM-NOI-2 would ensure that equipment is used and maintained according to manufacturer specifications when constructing utility expansions. Implementation of MM-NOI-3 would ensure that utility expansions to support drought-resiliency projects avoid impacting adjacent structures from vibration or noise impacts. MM-BIO-1, MM-BIO-2, MM-BIO-3, and MM-BIO-12 would map and flag potential special status wildlife or plant species habitats to avoid or minimize impacts on potential habitat and individuals from utility expansions to support drought-resiliency project construction. MM-BIO-4 and MM-BIO-6 would ensure that impacts to any potentially present nesting birds and GGS are respectively avoided or minimized during utility expansions to support drought-resiliency project construction. MM-BIO-5 would ensure that other types of direct and indirect impacts on potentially present special status species and habitats are avoided or minimized through requiring construction timing requirements, inspections, clearing requirements, clean working conditions, and proper agency reporting, among other measures during utility expansions to support drought-resiliency project construction. If take of special status wildlife species is likely as part of utility expansions to support drought-resiliency projects, MM-BIO-7 requires coordinating with USFWS and CDFW and obtaining an Incidental Take Permit, which could include providing compensatory mitigation. Issuance of the Incidental Take Permit would be considered to mitigate to a less-than-significant level the individual impacts on special status species. Implementation of MM-BIO-8 would require that permanent impacts to high-quality foraging or breeding habitat for special status wildlife species from utility expansions to support drought-resiliency project construction be mitigated through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved conservation bank. MM-BIO-9 would require that any native trees removed for utility expansions to support drought-

resiliency project construction be replanted to meet county or Natomas Basin HCP requirements, as applicable. If impacts to wetlands and waters cannot be avoided from utility expansions, then required permits, potentially including permits from the USACE, RWQCB, and CDFW would be obtained and complied with per MM-BIO-13. Mitigation for project-related permanent impacts to jurisdictional wetlands or other waters will be provided at a minimum 1:1 ratio through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved bank. Implementation of MM-HYD-1 would require that utility expansions associated with drought-resiliency projects implement erosion and spill control measures. Impacts would be reduced to less than significant with mitigation.

2.1.3 Findings of Significant and Unavoidable Project Impacts

As outlined in the EIR, GCID hereby finds that the environmental impacts of the proposed project listed in Table 3 are significant and unavoidable and cannot be reduced below significance by available mitigation measures or feasible alternatives.

Table 3
Resource Topics Resulting in Significant and Unavoidable Impacts

	Impact Determination	Mitigation Measures	Impact Determination After Mitigation
Biological Resources			
BIO-1: Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Potentially significant	MM-BIO-1 MM-BIO-2 MM-BIO-3 MM-BIO-4 MM-BIO-5 MM-BIO-6 MM-BIO-7 MM-BIO-8 MM-BIO-9 MM-BIO-10 MM-BIO-11 MM-HYD-1 MM-HYD-2	Significant and unavoidable
BIO-4: Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Potentially significant	MM-BIO-1 MM-BIO-3 MM-BIO-4 MM-BIO-5 MM-BIO-8 MM-BIO-9 MM-BIO-10	Significant and unavoidable

	Impact Determination	Mitigation Measures	Impact Determination After Mitigation
		MM-BIO-11	
BIO-5: Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Potentially significant	MM-BIO-1 MM-BIO-2 MM-BIO-3 MM-BIO-4 MM-BIO-5 MM-BIO-6 MM-BIO-7 MM-BIO-8 MM-BIO-9 MM-BIO-10 MM-BIO-11 MM-BIO-12 MM-BIO-13 MM-HYD-1 MM-HYD-2	Significant and unavoidable
BIO-6: Would the project conflict with the provisions of an adopted HCP, Natural Community Conservation Plan, or other approved local, regional, or state HCP?	Potentially significant	MM-BIO-1 MM-BIO-2 MM-BIO-3 MM-BIO-4 MM-BIO-5 MM-BIO-6 MM-BIO-7 MM-BIO-8 MM-BIO-9 MM-BIO-10 MM-BIO-11 MM-BIO-12 MM-BIO-13 MM-HYD-1 MM-HYD-2	Significant and unavoidable
Would the project result in cumulative impacts on biological resources?	Cumulatively considerable		

2.1.3.1 Biological Resources

BIO-1: The proposed project would have a substantial adverse effect, either directly or through habitat modifications, on GGS and northwestern pond turtle during construction if they occur in the project area, even following the application of mitigation.

Fallowed rice fields and reduced water in connecting drainage canals and ditches could reduce foraging habitat, impact GGS genetic diversity, disconnect natural GGS habitats, and stress GGS from the loss of essential cover from predators. Dewatered irrigation ditches could reduce habitat and foraging opportunities for northwestern pond turtle. These would constitute potentially significant impacts.

Ditch/canal work associated with certain drought-resiliency projects could impact GGS or northwestern pond turtle during construction if they occur in the project area. This would constitute a potentially significant impact.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that would reduce the significant environmental effect identified in the EIR, but not below a level of significance. No additional feasible mitigation or alternative is available that would avoid or substantially lessen these impacts. Implementation of the following mitigation measures would reduce some impacts to GGS and northwestern pond turtle, and other candidate, sensitive, or special status species, but these impacts to GGS and northwestern pond turtle would remain significant and unavoidable with mitigation.

- **MM-BIO-1: Conduct Desktop Special Status Wildlife Species, Plant Species, and Aquatic Resources Evaluation for Drought-Resiliency Projects**
  Prior to implementing a drought-resiliency project that involves grading, vegetation removal, or other form of construction in irrigation and drainage canals or upland areas outside of established agricultural croplands with a history of discing, planting, and maintenance, a qualified biologist will conduct a desktop evaluation of the site using digital web-based aerial photography. The purpose of the desktop evaluation will be to determine the potential for special status wildlife and plant species habitat or aquatic resources subject to regulation by the USACE, RWQCB, or CDFW to occur on site. A qualified biologist will also perform a review of the USFWS Information for Planning and Consultation, CNDDB, CNPS, and Calflora databases to identify known records or potential for special status plant or wildlife species to occur in the project vicinity. If through this assessment, the biologist determines that potential habitat for special status wildlife or plants or jurisdictional aquatic resources exist, then site-specific survey(s) will be conducted per MM-BIO-2, MM-BIO-3, MM-BIO-4, MM-BIO-5, and MM-BIO-6, as applicable.
- **MM-BIO-2: Conduct Special Status Plant Species Surveys and Avoidance for Drought-Resiliency Projects**
  If the drought-resiliency project site survey indicates that the project site contains suitable habitat for special status plant species, surveys using USFWS, CDFW, and California Native Plant Society protocols will be conducted by a qualified biologist. If present, special status plant species will be flagged for avoidance. If avoidance is not possible, USFWS and/or CDFW will be consulted to determine the appropriate approach for minimizing impacts to special status plant species and compensating for unavoidable impacts, and the project proponents will implement all necessary minimization and compensation measures.
- **MM-BIO-3: Conduct Special Status Wildlife Species Surveys and Avoidance for Drought-Resiliency Projects**
  If the drought-resiliency project site survey indicates that the project site provides habitat for special status wildlife, site-specific pre-construction surveys using USFWS and/or CDFW protocols will be conducted by a qualified biologist. If special status wildlife species are actively using an area within the site, work shall not be permitted to occur within 100 feet until the animals have left on their own or, if necessary, are relocated in

accordance with MM-BIO-5. Setback areas will be flagged. A qualified biologist shall be present during construction to monitor construction activities.

- **MM-BIO-4: Conduct Nesting Bird Species Surveys and Avoidance for Drought-Resiliency Projects**
  If the drought-resiliency project site survey indicates that the project site provides habitat for nesting birds that may be affected by construction and construction would occur between March 1 and September 15, pre-construction nesting bird surveys (two site visits at least one week apart) will be conducted by a qualified biologist within 14 days prior to construction to detect the presence of nesting birds. If an active nest is found, then the qualified biologist will establish an appropriate buffer (minimum 100 feet for non-raptors and 250 feet for raptors) based on site-specific factors such as the topography, the type of work to be performed, natural visual and/or auditory barriers between the nest and proposed work area, and the species. If work must be performed within the established buffer zone, a qualified biologist should monitor the nest prior to work activities to determine baseline nesting behaviors. Work shall be permitted to occur within the buffer zone with a qualified biologist present to monitor the work for signs of disturbance, to adjust (increase) the buffer size as needed, and to exercise stop work authority if nest disturbance is observed. No further work may occur within the buffer zone until nesting birds have fledged from nests on their own. Setback areas will be flagged.
- **MM-BIO-5: Implement General Biological Resources Protection Measures during Drought-Resiliency Project Construction**
  The construction contractor and operations personnel shall implement the following general biological resources protection measures during drought-resiliency project construction:
  - Limit construction and operations activities to daylight hours to the extent feasible. If nighttime activities are unavoidable, then workers shall direct all lights for nighttime lighting into the work area and shall minimize the lighting of natural habitat areas adjacent to the work area. Light glare shields shall be used to reduce the extent of illumination into sensitive habitats. If the work area is located near surface waters, the lighting shall be shielded such that it does not shine directly into the water.
  - Vegetation clearing will be limited to only those areas necessary for construction.
  - Any excavated and stockpiled soils will be placed outside of designated special status species habitat.
  - Dispose of cleared vegetation and soils at a location that will not create habitat for special status wildlife species.
  - Dispose of food-related and other garbage in wildlife-proof containers and remove the garbage from the project area daily during construction. Vehicles carrying trash will be required to have loads covered and secured to prevent trash and debris from falling onto roads and adjacent properties.
  - Store all construction-related vehicles and equipment in the designated staging areas. These areas shall not contain native or sensitive vegetation communities and shall not support sensitive plant or wildlife species.
  - Construction-related vehicles and equipment will not exceed a 20-mile-per-hour speed limit at the construction site, staging areas, or on unpaved roads.
  - The qualified biologist will provide the contractor with worker environmental awareness training.
  - Prior to the initiation of work each day, the contractor will inspect construction pipes, culverts, or similar features; construction equipment; or construction debris left overnight in areas that may be occupied by special status species that could occupy such structures prior to being used for construction.
  - Avoid wildlife entrapment by completely covering or providing escape ramps for all excavated steep-walled holes or trenches more than 1 foot deep at the end of each construction work day. The

qualified biologist shall inspect open trenches and holes and shall remove or release any trapped wildlife found in the trenches or holes prior to filling by the construction contractors.

- Capture and relocation of trapped or injured wildlife listed under ESA or CESA can only be performed by personnel with appropriate state and/or federal permits. Any sightings and any incidental take (mortality) shall be reported to CDFW via email within one working day of the discovery. Notification shall include the date, time, and location (U.S. Geological Survey (USGS) 7.5-minute quadrangle and/or similar map at a scale that will allow others to find the location in the field) of the incident or of the discovery of an individual special status species that is dead or injured (type of injury shall be included). For each special status species encountered, the biologist shall submit a completed CNDDB field survey form (or equivalent) to CDFW no more than 90 days after completing the last field visit to the project site.

- **MM-BIO-6: Implement GGS Avoidance Measures for Drought-Resiliency Projects**
  If the need for a drought-resiliency project site survey is identified as part of MM-BIO-1, and the initial assessment indicates that that the project site provides habitat for GGS, avoidance measures must be implemented to avoid GGS during construction. Construction activities within GGS habitat will be restricted to between May 1 and October 1, to the extent feasible. If work must be conducted within GGS habitat between October 2 and April 30, two GGS pre-construction surveys will be conducted in any area within 200 feet of GGS aquatic habitat by a qualified biologist. The first survey will occur within 15 days prior to onset of construction and the second will occur within 24 hours prior to the onset of construction. The information collected from the first pre-construction survey will serve primarily to alert the biologist and construction crews of the general level of GGS activity at the site and borrow area, and the second survey will serve to minimize potential for take of GGS. If GGS is found in the project area, then to avoid direct impacts on GGS, the following measures will be implemented during construction of the drought-resiliency project:
  - Temporary fencing will be installed to exclude GGS from the work area. The design of the fence will be approved by the CDFW prior to installation.
  - Fence installation will be supervised by a qualified biologist.
  - The qualified biologist will provide the contractor with worker environmental awareness training, including instructing the contractor on how to inspect the exclusion fence.
  - Prior to the initiation of work each day, the contractor will inspect the exclusion fence to ensure it is functional for the intended purpose.

  If GGS is observed within the temporary fencing around the construction site, the contractor will stop work and allow the species to leave the site of its own volition or the snake will be captured by a qualified biologist with appropriate collecting/handling permits and relocated to the nearest suitable habitat beyond the influence of the project work area. “Take” of a state or federal special status species is prohibited without appropriate permits from the USFWS and CDFW.

- **MM-BIO-7: Obtain Incidental Take Authorization for Take of Listed Species from Drought-Resiliency Project Impacts**
  If species avoidance is not expected to be possible through implementation of MM-BIO-1, MM-BIO-3, MM-BIO-4, MM-BIO-5, or MM-BIO-6, USFWS and/or CDFW will be consulted to determine the appropriate approach for minimizing impacts to special status wildlife species and compensating for potential incidental take. Impacts will be compensated for through purchase of mitigation credits at an approved conservation bank and/or on-site or off-site restoration and enhancement. Incidental take authorization will be obtained for take of listed species resulting from construction of a drought-resiliency project.

- **MM-BIO-8: Compensate for Permanent Loss of Special Status Wildlife Species Habitat from Drought-Resiliency Projects**
  If it is determined through implementation of MM-BIO-1 and MM-BIO-3 that a drought-resiliency project site includes high-quality foraging or breeding habitat for special status wildlife species and there will be a permanent loss of such habitat resulting from construction, impacts will be compensated for through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved conservation bank. Based on the findings of MM-BIO-3, the qualified biologist will prepare a plan that outlines proposed compensatory mitigation and coordinate with USFWS and CDFW. Compensatory lands will be of similar or better quality than habitat lost, preferably located in the vicinity of the drought-resiliency project site, and be permanently preserved through a conservation easement. The plan will identify conservation actions to ensure that the compensatory lands are managed to provide for the continued existence of the species. The plan will also identify an approach for funding assurance for the long-term management of the conserved land, as relevant.
- **MM-BIO-9: Tree Replanting Requirements for Drought-Resiliency Projects**
  Avoid native tree removal where practicable through adjustments to the alignment of ditches, pipelines, or other construction features. If protected or heritage native tree removal is not avoidable, local county requirements for replacement would be prescribed at the ratio specified in their general plan. Replanting ratios vary between counties. For trees known to be used by nesting raptors, preservation efforts shall be pursued to the maximum extent possible. Nest tree losses in HCP covered areas could be subject to replacement at 15:1 such as in the Natomas Basin HCP.
- **MM-BIO-10: Timing Requirements for Discing in Fallow Fields During Agreement Years**
  If discing occurs in idled croplands during an Agreement Year, the following will be adhered to:
  - Between February 15 and September 15, discing will occur when vegetation is on average 12 inches or less in height.
  - Between September 15 and February 15, discing may occur without vegetation height restriction.
- **MM-BIO-11: Maintain Minimum Water Depth in Irrigation and Drainage Canals in Key Areas**
  During Agreement Years Certain croplands abut or are immediately adjacent to areas with known important GGS populations that may be in or connected to areas with specific management plans for GGS either for mitigation or as wildlife refuges. Croplands abutting or immediately adjacent to the following areas are considered important GGS populations:
  - Butte Creek between Upper Butte Basin and Gray Lodge Wildlife areas
  - Colusa Basin drainage canal between Delevan and Colusa National Wildlife Refuges
  - Gilsizer Slough
  - Colusa Drainage Canal
  - Land side of the Toe Drain along the Sutter Bypass
  - Willow Slough and Willow Slough Bypass in Yolo County
  - Hunters and Logan Creeks between Sacramento and Delevan National Wildlife Refuges
  - Lands in the Natomas Basin

  To the extent practicable, irrigation and drainage canal water depths in areas that are considered important GGS populations will be similar to years when the Agreement is not in effect or, where information on baseline water depths is limited, at least 2 feet deep.
- **MM-HYD-1: Implement Erosion and Spill Control Measures for Drought-Resiliency Projects**
  To ensure that contaminants are not accidentally introduced into irrigation ditches and canals, the following measures will be implemented during construction of drought-resiliency projects:

  - BMPs (e.g., filter fabric or sandbags) be used to prevent pollutants from entering drainage channels
  - Equipment be inspected daily for leaks or spills
  - Materials for cleanup of spills be available on site
  - Flammable materials be stored in appropriate containers
  - Spill prevention kits be in close proximity when using hazardous materials
  - Spills and leaks be cleaned up immediately and disposed of in accordance with local, state, and federal regulations
  - Vehicles and equipment be kept clean
  - Construction personnel to be appropriately trained in spill prevention, hazardous material control, and cleanup of accidental spills
  - For drought-resiliency projects involving over an acre of land disturbance, a NPDES Construction Stormwater General Permit will be obtained, and a construction SWPPP will be prepared.
- **MM-HYD-2: Install and Operate Groundwater Wells in Accordance with GSPs and the SGMA for all Groundwater Pumping Activities undertaken under the Agreement**
  The installation of any new groundwater wells and the operation of existing and new groundwater wells will be in accordance with targets and requirements set by applicable GSPs managed by GSAs in the project area, as well as the requirements set forth by SGMA, including the submittal of annual reports regardless of determination status following adoption of a GSP or alternative.

Rationale for Finding: Implementation of MM-BIO-10 would require that discing occurring between February 15 and September 15 during an Agreement Year be conducted when vegetation is on average 12 inches or less in height, which would prevent potential impacts on nesting birds. Discing between September 15 and February 15 during an Agreement Year may occur without vegetation height restriction. With mitigation, impacts from crop idling on special status bird species and habitats would be reduced to less than significant.

Implementation of MM-BIO-11 would require to the extent practicable that during crop idling minimum water depths are maintained in drainage canals in key areas during Agreement Years for the benefit of GGS and northwestern pond turtle. While this mitigation measure could reduce impacts to GGS associated with loss of genetic diversity, disconnected natural habitats, and stress from the loss of essential cover from predators, as well as to northwestern pond turtle from reduced habitat and foraging opportunities, there could be areas where sufficient water cannot be left in irrigation canals and ditches due to inadequate surface water. Therefore, crop idling impacts on GGS and northwestern pond turtle would remain significant and unavoidable with mitigation incorporated.

Implementation of MM-HYD-2 would require all new groundwater well installation and all groundwater well operation to occur in accordance with targets and requirements set by applicable GSA-managed GSPs or where there are no GSPs, in accordance with SGMA. Complying with GSA and SGMA requirements would ensure that the appropriate siting, evaluation, and documentation steps are taken. With mitigation, impacts from groundwater substitution on special status species and habitats would be reduced to less than significant.

Implementation of MM-BIO-1, MM-BIO-2, and MM-BIO-3 would require mapping and flagging potential special status wildlife or plant species habitats to avoid or minimize impacts on potential habitat and individuals from drought-resiliency project construction. Implementation of MM-BIO-4 and MM-BIO-6 would ensure that impacts to any potentially present nesting birds and GGS, respectively, are avoided or minimized during drought-resiliency project construction. Implementation of MM-BIO-5 would ensure that other types of direct and indirect impacts on potentially present special status species and habitats are avoided or minimized through requiring construction timing requirements, inspections, clearing requirements, clean working conditions, and CDFW CNDDB reporting, among other measures during drought-resiliency project construction. If take of special status wildlife species is likely as a result of a drought-resiliency project even after implementation of the avoidance, minimization, and the mitigation measures described previously, implementation of MM-BIO-7 requires coordinating with USFWS and CDFW and obtaining an Incidental Take Permit, which could include providing compensatory mitigation. Issuance of the Incidental Take Permit would be considered to mitigate to a less-than-significant level the individual impacts on special status species. Implementation of MM-BIO-8 would require that permanent impacts to high-quality foraging or breeding habitat for special status wildlife species from drought-resiliency project construction be mitigated through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved conservation bank. Implementation of MM-BIO-9 would require that any native trees removed for drought-resiliency project construction be replanted to meet county or Natomas Basin HCP requirements, as applicable. Implementation of MM-HYD-1 would require that erosion and spill control measures be implemented during drought-resiliency project construction. With mitigation, construction of drought-resiliency projects would result in less-than-significant impacts on special status species and habitats.

In summary, while numerous mitigation measures would be implemented to reduce the proposed project's potential environmental impacts, due to the potentially significant and unavoidable impacts on GGS and northwestern pond turtle from crop idling, the proposed project could substantially adversely affect special status species and habitats. There are no feasible mitigation measures or alternatives capable of avoiding or substantially lessening this impact. Impacts would remain significant and unavoidable.

BIO-4: The proposed project would interfere substantially with the movement of GGS and northwestern pond turtle, which are native resident or wildlife species with established native resident or migratory wildlife corridors, or impede the use of their nursery sites, even following the application of mitigation.

GGS and northwestern pond turtle are found throughout the project area within existing habitats throughout the year. Interrupted water connections from water reduction activities and direct

construction impacts from drought-resiliency projects have the potential to interfere substantially with the movement of these species. This would constitute a potentially significant impact.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that would reduce the significant environmental effect identified in the EIR, but not below a level of significance. Implementation of the following mitigation measures would reduce some impacts to GGS and northwestern pond turtle, identified as candidate, sensitive, or special status species, to the extent feasible, but no additional feasible mitigation or alternative is available that would avoid or substantially lessen these impacts. Impacts would remain significant and unavoidable with mitigation.

- **MM-BIO-1: Conduct Desktop Special Status Wildlife Species, Plant Species, and Aquatic Resources Evaluation for Drought-Resiliency Projects**
  Prior to implementing a drought-resiliency project that involves grading, vegetation removal, or other form of construction in irrigation and drainage canals or upland areas outside of established agricultural croplands with a history of discing, planting, and maintenance, a qualified biologist will conduct a desktop evaluation of the site using digital web-based aerial photography. The purpose of the desktop evaluation will be to determine the potential for special status wildlife and plant species habitat or aquatic resources subject to regulation by the USACE, RWQCB, or CDFW to occur on site. A qualified biologist will also perform a review of the USFWS Information for Planning and Consultation, CNDDB, CNPS, and Calflora databases to identify known records or potential for special status plant or wildlife species to occur in the project vicinity. If through this assessment, the biologist determines that potential habitat for special status wildlife or plants or jurisdictional aquatic resources exist, then site-specific survey(s) will be conducted per MM-BIO-2, MM-BIO-3, MM-BIO-4, MM-BIO-5, and MM-BIO-6, as applicable.
- **MM-BIO-3: Conduct Special Status Wildlife Species Surveys and Avoidance for Drought-Resiliency Projects**
  If the drought-resiliency project site survey indicates that the project site provides habitat for special status wildlife, site-specific pre-construction surveys using USFWS and/or CDFW protocols will be conducted by a qualified biologist. If special status wildlife species are actively using an area within the site, work shall not be permitted to occur within 100 feet until the animals have left on their own or, if necessary, are relocated in accordance with MM-BIO-5. Setback areas will be flagged. A qualified biologist shall be present during construction to monitor construction activities.
- **MM-BIO-4: Conduct Nesting Bird Species Surveys and Avoidance for Drought-Resiliency Projects**
  If the drought-resiliency project site survey indicates that the project site provides habitat for nesting birds that may be affected by construction and construction would occur between March 1 and September 15, pre-construction nesting bird surveys (two site visits at least one week apart) will be conducted by a qualified biologist within 14 days prior to construction to detect the presence of nesting birds. If an active nest is found, then the qualified biologist will establish an appropriate buffer (minimum 100 feet for non-raptors and 250 feet for raptors) based on site-specific factors such as the topography, the type of work to be performed, natural visual and/or auditory barriers between the nest and proposed work area, and the species. If work must be performed within the established buffer zone, a qualified biologist should monitor the nest prior to work activities to determine baseline nesting behaviors. Work shall be permitted to occur within the buffer zone with a qualified biologist present to monitor the work for signs of disturbance, to adjust (increase) the buffer size as needed, and to exercise stop work authority if nest disturbance is observed. No further work

may occur within the buffer zone until nesting birds have fledged from nests on their own. Setback areas will be flagged.

- **MM-BIO-5: Implement General Biological Resources Protection Measures during Drought-Resiliency Project Construction**

  The construction contractor and operations personnel shall implement the following general biological resources protection measures during drought-resiliency project construction:

  - Limit construction and operations activities to daylight hours to the extent feasible. If nighttime activities are unavoidable, then workers shall direct all lights for nighttime lighting into the work area and shall minimize the lighting of natural habitat areas adjacent to the work area. Light glare shields shall be used to reduce the extent of illumination into sensitive habitats. If the work area is located near surface waters, the lighting shall be shielded such that it does not shine directly into the water.
  - Vegetation clearing will be limited to only those areas necessary for construction.
  - Any excavated and stockpiled soils will be placed outside of designated special status species habitat.
  - Dispose of cleared vegetation and soils at a location that will not create habitat for special status wildlife species.
  - Dispose of food-related and other garbage in wildlife-proof containers and remove the garbage from the project area daily during construction. Vehicles carrying trash will be required to have loads covered and secured to prevent trash and debris from falling onto roads and adjacent properties.
  - Store all construction-related vehicles and equipment in the designated staging areas. These areas shall not contain native or sensitive vegetation communities and shall not support sensitive plant or wildlife species.
  - Construction-related vehicles and equipment will not exceed a 20-mile-per-hour speed limit at the construction site, staging areas, or on unpaved roads.
  - The qualified biologist will provide the contractor with worker environmental awareness training.
  - Prior to the initiation of work each day, the contractor will inspect construction pipes, culverts, or similar features; construction equipment; or construction debris left overnight in areas that may be occupied by special status species that could occupy such structures prior to being used for construction.
  - Avoid wildlife entrapment by completely covering or providing escape ramps for all excavated steep-walled holes or trenches more than 1 foot deep at the end of each construction work day. The qualified biologist shall inspect open trenches and holes and shall remove or release any trapped wildlife found in the trenches or holes prior to filling by the construction contractors.
  - Capture and relocation of trapped or injured wildlife listed under ESA or CESA can only be performed by personnel with appropriate state and/or federal permits. Any sightings and any incidental take (mortality) shall be reported to CDFW via email within one working day of the discovery. Notification shall include the date, time, and location (U.S. Geological Survey (USGS) 7.5-minute quadrangle and/or similar map at a scale that will allow others to find the location in the field) of the incident or of the discovery of an individual special status species that is dead or injured (type of injury shall be included). For each special status species encountered, the biologist shall submit a completed CNDDB field survey form (or equivalent) to CDFW no more than 90 days after completing the last field visit to the project site.

- **MM-BIO-8: Compensate for Permanent Loss of Special Status Wildlife Species Habitat from Drought-Resiliency Projects**

If it is determined through implementation of MM-BIO-1 and MM-BIO-3 that a drought-resiliency project site includes high-quality foraging or breeding habitat for special status wildlife species and there will be a permanent loss of such habitat resulting from construction, impacts will be compensated for through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved conservation bank. Based on the findings of MM-BIO-3, the qualified biologist will prepare a plan that outlines proposed compensatory mitigation and coordinate with USFWS and CDFW. Compensatory lands will be of similar or better quality than habitat lost, preferably located in the vicinity of the drought-resiliency project site, and be permanently preserved through a conservation easement. The plan will identify conservation actions to ensure that the compensatory lands are managed to provide for the continued existence of the species. The plan will also identify an approach for funding assurance for the long-term management of the conserved land, as relevant.

- **MM-BIO-9: Tree Replanting Requirements for Drought-Resiliency Projects**
  Avoid native tree removal where practicable through adjustments to the alignment of ditches, pipelines, or other construction features. If protected or heritage native tree removal is not avoidable, local county requirements for replacement would be prescribed at the ratio specified in their general plan. Replanting ratios vary between counties. For trees known to be used by nesting raptors, preservation efforts shall be pursued to the maximum extent possible. Nest tree losses in HCP covered areas could be subject to replacement at 15:1 such as in the Natomas Basin HCP.
- **MM-BIO-10: Timing Requirements for Discing in Fallow Fields During Agreement Years**
  If discing occurs in idled croplands during an Agreement Year, the following will be adhered to:
  - Between February 15 and September 15, discing will occur when vegetation is on average 12 inches or less in height.
  - Between September 15 and February 15, discing may occur without vegetation height restriction.
- **MM-BIO-11: Maintain Minimum Water Depth in Irrigation and Drainage Canals in Key Areas During Agreement Years**
  During Agreement Years Certain croplands abut or are immediately adjacent to areas with known important GGS populations that may be in or connected to areas with specific management plans for GGS either for mitigation or as wildlife refuges. Croplands abutting or immediately adjacent to the following areas are considered important GGS populations:
  - Butte Creek between Upper Butte Basin and Gray Lodge Wildlife areas
  - Colusa Basin drainage canal between Delevan and Colusa National Wildlife Refuges
  - Gilsizer Slough
  - Colusa Drainage Canal
  - Land side of the Toe Drain along the Sutter Bypass
  - Willow Slough and Willow Slough Bypass in Yolo County
  - Hunters and Logan Creeks between Sacramento and Delevan National Wildlife Refuges
  - Lands in the Natomas Basin

  To the extent practicable, irrigation and drainage canal water depths in areas that are considered important GGS populations will be similar to years when the Agreement is not in effect or, where information on baseline water depths is limited, at least 2 feet deep.

Rationale for Finding: Implementation of MM-BIO-1 and MM-BIO-3 would map and flag potential species habitats to avoid or minimize impacts from drought-resiliency project construction. Implementation of MM-BIO-4 would reduce impacts to migratory birds during drought-resiliency

project construction. Implementation of MM-BIO-5 would ensure that other types of direct and indirect impacts on species are avoided or minimized through requiring construction timing requirements, inspections, clearing requirements, clean working conditions, and proper agency reporting, among other measures during drought-resiliency project construction. Implementation of MM-BIO-8 would require that impacts to high-quality foraging or breeding habitat for special status wildlife species (which would include habitat for common wildlife species) from drought-resiliency project construction be mitigated through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved conservation bank. Implementation of MM-BIO-9 would require that any native trees removed for drought-resiliency project construction be replanted to meet county or Natomas Basin HCP requirements, as applicable. With mitigation, construction of drought-resiliency projects would present no conflict with local policies or ordinances protecting biological resources.

Implementation of MM-BIO-10 would require that discing occurring between February 15 and September 15 during an Agreement Year be conducted when vegetation is on average 12 inches or less in height, would prevent potential impacts on nesting birds. Discing between September 15 and February 15 during an Agreement Year may occur without vegetation height restriction. With mitigation, discing as part of the proposed project would present no conflict with local policies or ordinances protecting biological resources.

Implementation of MM-BIO-11 would require to the extent practicable that during crop idling minimum water depths are maintained in drainage canals in key areas during Agreement Years for the benefit of GGS and northwestern pond turtle. While this mitigation measure could reduce impacts to GGS associated with loss of population and genetic diversity, disconnected natural habitats, and stress from the loss of essential cover from predators, as well as reduce impacts to northwestern pond turtle from reduced habitat and foraging opportunities, there could still be areas where sufficient water cannot be maintained due to inadequate surface water. Therefore, crop idling impacts on GGS and northwestern pond turtle could substantially interfere with the movement of native resident or migratory wildlife species or with established native resident or migratory wildlife corridors, constituting a significant and unavoidable impact.

In summary, while numerous mitigation measures would be implemented to reduce the proposed project's potential environmental impacts, due to the potentially significant and unavoidable impacts on GGS and northwestern pond turtle from crop idling, the proposed project could substantially interfere with the movement of native resident or migratory wildlife species or with established native resident or migratory wildlife corridors. There are no feasible mitigation measures or alternatives capable of avoiding or substantially lessening this impact. Impacts would remain significant and unavoidable.

BIO-5*: *The proposed project would conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, even following the application of mitigation.

Fallowed rice fields and dewatered connecting drainage canals and ditches could eliminate foraging habitat, impact GGS population numbers and genetic diversity, disconnect natural GGS habitats, and stress GGS from the loss of essential cover from predators. Dewatered irrigation ditches could reduce habitat and foraging opportunities for northwestern pond turtle.

Ditch/canal work associated with certain drought-resiliency projects could impacts GGS or northwestern pond turtle during construction if they occur in the project area. Drought-resiliency projects on non-agricultural lands with generally undisturbed habitat could impact special status plants during construction activities.

These impacts could potentially conflict with local policies or ordinances to protect biological resources. This would be considered a potentially significant impact.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that would reduce the significant environmental effect identified in the EIR, but not below a level of significance. Implementation of the following mitigation measures would reduce some impacts to GGS and northwestern pond turtle, identified as candidate, sensitive, or special status species to the extent feasible, but not below a level of significance. No additional mitigation or feasible alternative is available that would avoid or substantially lessen impacts. These impacts would remain significant and unavoidable with mitigation.

- **MM-BIO-1: Conduct Desktop Special Status Wildlife Species, Plant Species, and Aquatic Resources Evaluation for Drought-Resiliency Projects**
  Prior to implementing a drought-resiliency project that involves grading, vegetation removal, or other form of construction in irrigation and drainage canals or upland areas outside of established agricultural croplands with a history of discing, planting, and maintenance, a qualified biologist will conduct a desktop evaluation of the site using digital web-based aerial photography. The purpose of the desktop evaluation will be to determine the potential for special status wildlife and plant species habitat or aquatic resources subject to regulation by the USACE, RWQCB, or CDFW to occur on site. A qualified biologist will also perform a review of the USFWS Information for Planning and Consultation, CNDDB, CNPS, and Calflora databases to identify known records or potential for special status plant or wildlife species to occur in the project vicinity. If through this assessment, the biologist determines that potential habitat for special status wildlife or plants or jurisdictional aquatic resources exist, then site-specific survey(s) will be conducted per MM-BIO-2, MM-BIO-3, MM-BIO-4, MM-BIO-5, and MM-BIO-6, as applicable.
- **MM-BIO-2: Conduct Special Status Plant Species Surveys and Avoidance for Drought-Resiliency Projects**
  If the drought-resiliency project site survey indicates that the project site contains suitable habitat for special status plant species, surveys using USFWS, CDFW, and California Native Plant Society protocols will be conducted by a qualified biologist. If present, special status plant species will be flagged for avoidance. If avoidance is not possible, USFWS and/or CDFW will be consulted to determine the appropriate approach for

minimizing impacts to special status plant species and compensating for unavoidable impacts, and the project proponents will implement all necessary minimization and compensation measures.

- **MM-BIO-3: Conduct Special Status Wildlife Species Surveys and Avoidance for Drought-Resiliency Projects**
  If the drought-resiliency project site survey indicates that the project site provides habitat for special status wildlife, site-specific pre-construction surveys using USFWS and/or CDFW protocols will be conducted by a qualified biologist. If special status wildlife species are actively using an area within the site, work shall not be permitted to occur within 100 feet until the animals have left on their own or, if necessary, are relocated in accordance with MM-BIO-5. Setback areas will be flagged. A qualified biologist shall be present during construction to monitor construction activities.
- **MM-BIO-4: Conduct Nesting Bird Species Surveys and Avoidance for Drought-Resiliency Projects**
  If the drought-resiliency project site survey indicates that the project site provides habitat for nesting birds that may be affected by construction and construction would occur between March 1 and September 15, pre-construction nesting bird surveys (two site visits at least one week apart) will be conducted by a qualified biologist within 14 days prior to construction to detect the presence of nesting birds. If an active nest is found, then the qualified biologist will establish an appropriate buffer (minimum 100 feet for non-raptors and 250 feet for raptors) based on site-specific factors such as the topography, the type of work to be performed, natural visual and/or auditory barriers between the nest and proposed work area, and the species. If work must be performed within the established buffer zone, a qualified biologist should monitor the nest prior to work activities to determine baseline nesting behaviors. Work shall be permitted to occur within the buffer zone with a qualified biologist present to monitor the work for signs of disturbance, to adjust (increase) the buffer size as needed, and to exercise stop work authority if nest disturbance is observed. No further work may occur within the buffer zone until nesting birds have fledged from nests on their own. Setback areas will be flagged.
- **MM-BIO-5: Implement General Biological Resources Protection Measures during Drought-Resiliency Project Construction**
  The construction contractor and operations personnel shall implement the following general biological resources protection measures during drought-resiliency project construction:
  - Limit construction and operations activities to daylight hours to the extent feasible. If nighttime activities are unavoidable, then workers shall direct all lights for nighttime lighting into the work area and shall minimize the lighting of natural habitat areas adjacent to the work area. Light glare shields shall be used to reduce the extent of illumination into sensitive habitats. If the work area is located near surface waters, the lighting shall be shielded such that it does not shine directly into the water.
  - Vegetation clearing will be limited to only those areas necessary for construction.
  - Any excavated and stockpiled soils will be placed outside of designated special status species habitat.
  - Dispose of cleared vegetation and soils at a location that will not create habitat for special status wildlife species.
  - Dispose of food-related and other garbage in wildlife-proof containers and remove the garbage from the project area daily during construction. Vehicles carrying trash will be required to have loads covered and secured to prevent trash and debris from falling onto roads and adjacent properties.
  - Store all construction-related vehicles and equipment in the designated staging areas. These areas shall not contain native or sensitive vegetation communities and shall not support sensitive plant or wildlife species.
  - Construction-related vehicles and equipment will not exceed a 20-mile-per-hour speed limit at the construction site, staging areas, or on unpaved roads.

- The qualified biologist will provide the contractor with worker environmental awareness training.
- Prior to the initiation of work each day, the contractor will inspect construction pipes, culverts, or similar features; construction equipment; or construction debris left overnight in areas that may be occupied by special status species that could occupy such structures prior to being used for construction.
- Avoid wildlife entrapment by completely covering or providing escape ramps for all excavated steep-walled holes or trenches more than 1 foot deep at the end of each construction work day. The qualified biologist shall inspect open trenches and holes and shall remove or release any trapped wildlife found in the trenches or holes prior to filling by the construction contractors.
- Capture and relocation of trapped or injured wildlife listed under ESA or CESA can only be performed by personnel with appropriate state and/or federal permits. Any sightings and any incidental take (mortality) shall be reported to CDFW via email within one working day of the discovery. Notification shall include the date, time, and location (U.S. Geological Survey (USGS) 7.5-minute quadrangle and/or similar map at a scale that will allow others to find the location in the field) of the incident or of the discovery of an individual special status species that is dead or injured (type of injury shall be included). For each special status species encountered, the biologist shall submit a completed CNDDB field survey form (or equivalent) to CDFW no more than 90 days after completing the last field visit to the project site.

- **MM-BIO-6: Implement GGS Avoidance Measures for Drought-Resiliency Projects**

  If the need for a drought-resiliency project site survey is identified as part of MM-BIO-1, and the initial assessment indicates that that the project site provides habitat for GGS, avoidance measures must be implemented to avoid GGS during construction. Construction activities within GGS habitat will be restricted to between May 1 and October 1, to the extent feasible. If work must be conducted within GGS habitat between October 2 and April 30, two GGS pre-construction surveys will be conducted in any area within 200 feet of GGS aquatic habitat by a qualified biologist. The first survey will occur within 15 days prior to onset of construction and the second will occur within 24 hours prior to the onset of construction. The information collected from the first pre-construction survey will serve primarily to alert the biologist and construction crews of the general level of GGS activity at the site and borrow area, and the second survey will serve to minimize potential for take of GGS. If GGS is found in the project area, then to avoid direct impacts on GGS, the following measures will be implemented during construction of the drought-resiliency project:
  - Temporary fencing will be installed to exclude GGS from the work area. The design of the fence will be approved by the CDFW prior to installation.
  - Fence installation will be supervised by a qualified biologist.
  - The qualified biologist will provide the contractor with worker environmental awareness training, including instructing the contractor on how to inspect the exclusion fence.
  - Prior to the initiation of work each day, the contractor will inspect the exclusion fence to ensure it is functional for the intended purpose.

  If GGS is observed within the temporary fencing around the construction site, the contractor will stop work and allow the species to leave the site of its own volition or the snake will be captured by a qualified biologist with appropriate collecting/handling permits and relocated to the nearest suitable habitat beyond the influence of the project work area. "Take" of a state or federal special status species is prohibited without appropriate permits from the USFWS and CDFW.
- **MM-BIO-7: Obtain Incidental Take Authorization for Take of Listed Species from Drought-Resiliency Project Impacts**

If species avoidance is not expected to be possible through implementation of MM-BIO-1, MM-BIO-3, MM-BIO-4, MM-BIO-5, or MM-BIO-6, USFWS and/or CDFW will be consulted to determine the appropriate approach for minimizing impacts to special status wildlife species and compensating for potential incidental take. Impacts will be compensated for through purchase of mitigation credits at an approved conservation bank and/or on-site or off-site restoration and enhancement. Incidental take authorization will be obtained for take of listed species resulting from construction of a drought-resiliency project.

- **MM-BIO-8: Compensate for Permanent Loss of Special Status Wildlife Species Habitat from Drought-Resiliency Projects**
  If it is determined through implementation of MM-BIO-1 and MM-BIO-3 that a drought-resiliency project site includes high-quality foraging or breeding habitat for special status wildlife species and there will be a permanent loss of such habitat resulting from construction, impacts will be compensated for through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved conservation bank. Based on the findings of MM-BIO-3, the qualified biologist will prepare a plan that outlines proposed compensatory mitigation and coordinate with USFWS and CDFW. Compensatory lands will be of similar or better quality than habitat lost, preferably located in the vicinity of the drought-resiliency project site, and be permanently preserved through a conservation easement. The plan will identify conservation actions to ensure that the compensatory lands are managed to provide for the continued existence of the species. The plan will also identify an approach for funding assurance for the long-term management of the conserved land, as relevant.
- **MM-BIO-9: Tree Replanting Requirements for Drought-Resiliency Projects**
  Avoid native tree removal where practicable through adjustments to the alignment of ditches, pipelines, or other construction features. If protected or heritage native tree removal is not avoidable, local county requirements for replacement would be prescribed at the ratio specified in their general plan. Replanting ratios vary between counties. For trees known to be used by nesting raptors, preservation efforts shall be pursued to the maximum extent possible. Nest tree losses in HCP covered areas could be subject to replacement at 15:1 such as in the Natomas Basin HCP.
- **MM-BIO-10: Timing Requirements for Discing in Fallow Fields During Agreement Years**
  If discing occurs in idled croplands during an Agreement Year, the following will be adhered to:
  - Between February 15 and September 15, discing will occur when vegetation is on average 12 inches or less in height.
  - Between September 15 and February 15, discing may occur without vegetation height restriction.
- **MM-BIO-11: Maintain Minimum Water Depth in Irrigation and Drainage Canals in Key Areas During Agreement Years**
  Certain croplands abut or are immediately adjacent to areas with known important GGS populations that may be in or connected to areas with specific management plans for GGS either for mitigation or as wildlife refuges. Croplands abutting or immediately adjacent to the following areas are considered important GGS populations:
  - Butte Creek between Upper Butte Basin and Gray Lodge Wildlife areas
  - Colusa Basin drainage canal between Delevan and Colusa National Wildlife Refuges
  - Gilsizer Slough
  - Colusa Drainage Canal
  - Land side of the Toe Drain along the Sutter Bypass
  - Willow Slough and Willow Slough Bypass in Yolo County
  - Hunters and Logan Creeks between Sacramento and Delevan National Wildlife Refuges

  - Lands in the Natomas Basin

  To the extent practicable, irrigation and drainage canal water depths in areas that are considered important GGS populations will be similar to years when the Agreement is not in effect or, where information on baseline water depths is limited, at least 2 feet deep.
- **MM-BIO-12: Conduct Aquatic Resources Surveys and Avoidance for Drought-Resiliency Projects**
  If the drought-resiliency project site survey identified in MM-BIO-1 indicates that the project site contains potentially jurisdictional aquatic resources, including wetlands, other waters, and riparian habitat, that may be affected by construction, an aquatic resources delineation to identify and delineate wetlands and other waters shall be conducted. Wetlands and waters identified on site will be flagged as environmentally sensitive areas and avoided to the extent practicable. Permanent impacts to jurisdictional aquatic resources will be mitigated per MM-BIO-13.
- **MM-BIO-13: Obtain Required Permits and Implement Wetland Mitigation for Drought-Resiliency Projects**
  If impacts to wetlands and waters cannot be avoided, then required permits, potentially including permits from the USACE, RWQCB, and CDFW would be obtained and complied with per MM-BIO-13. Mitigation for project-related permanent impacts to jurisdictional wetlands or other waters will be provided at a minimum 1:1 ratio through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved bank.
- **MM-HYD-1: Implement Erosion and Spill Control Measures for Drought-Resiliency Projects**
  To ensure that contaminants are not accidentally introduced into irrigation ditches and canals, the following measures will be implemented during construction of drought-resiliency projects:
  - BMPs (e.g., filter fabric or sandbags) be used to prevent pollutants from entering drainage channels
  - Equipment be inspected daily for leaks or spills
  - Materials for cleanup of spills be available on site
  - Flammable materials be stored in appropriate containers
  - Spill prevention kits be in close proximity when using hazardous materials
  - Spills and leaks be cleaned up immediately and disposed of in accordance with local, state, and federal regulations
  - Vehicles and equipment be kept clean
  - Construction personnel to be appropriately trained in spill prevention, hazardous material control, and cleanup of accidental spills
  - For drought-resiliency projects involving over an acre of land disturbance, a NPDES Construction Stormwater General Permit will be obtained, and a construction SWPPP will be prepared.
- **MM-HYD-2: Install and Operate Groundwater Wells in Accordance with GSPs and the SGMA for all Groundwater Pumping Activities undertaken under the Agreement**
  The installation of any new groundwater wells and the operation of existing and new groundwater wells will be in accordance with targets and requirements set by applicable GSPs managed by GSAs in the project area, as well as the requirements set forth by SGMA, including the submittal of annual reports regardless of determination status following adoption of a GSP or alternative.

Rationale for Finding: Implementation of MM-BIO-10 would require that discing occurring between February 15 and September 15 during an Agreement Year be conducted when vegetation is on average 12 inches or less in height, which would prevent potential impacts on nesting birds. Discing between September 15 and February 15 during an Agreement Year may occur without vegetation

height restriction. With mitigation, discing as part of the proposed project would present no conflict with local policies or ordinances protecting biological resources.

Implementation of MM-BIO-11 would require to the extent practicable that during crop idling minimum water depths are maintained in drainage canals in key areas during Agreement Years for the benefit of GGS and northwestern pond turtle. While this mitigation measure could reduce impacts to GGS associated with loss of population and genetic diversity, disconnected natural habitats, and stress from the loss of essential cover from predators, as well as reduce impacts to northwestern pond turtle from reduced habitat and foraging opportunities, there could still be areas where sufficient water cannot be maintained due to inadequate surface water. Therefore, crop idling impacts on GGS and northwestern pond turtle could represent a conflict with local policies or ordinances protecting biological resources, constituting a significant and unavoidable impact.

Implementation of MM-HYD-2 would require all new groundwater well installation and all groundwater well operation to occur in accordance with targets and requirements set by applicable GSA-managed GSPs or where there are no GSPs, in accordance with SGMA. Complying with GSA and SGMA requirements would ensure that the appropriate siting, evaluation, and documentation steps are taken. With mitigation, groundwater substitution would present no conflict with local policies or ordinances protecting biological resources.

Implementation of MM-BIO-1, MM-BIO-2, MM-BIO-3, and MM-BIO-12 would require mapping and flagging potential special status wildlife or plant species habitats to avoid or minimize impacts on potential habitat and individuals from drought-resiliency project construction. Implementation of MM-BIO-4 and MM-BIO-6 would ensure that impacts to any potentially present nesting birds and GGS, respectively, are avoided or minimized during drought-resiliency project construction. Implementation of MM-BIO-5 would ensure that other types of direct and indirect impacts on potentially present special status species and habitats are avoided or minimized through requiring construction timing requirements, inspections, clearing requirements, clean working conditions, and CDFW CNDDB reporting, among other measures during drought-resiliency project construction. If take of special status wildlife species is likely as a result of a drought-resiliency project even after implementation of the avoidance, minimization, and the mitigation measures described previously, implementation of MM-BIO-7 requires coordinating with USFWS and CDFW and obtaining an Incidental Take Permit, which could include providing compensatory mitigation. Issuance of the Incidental Take Permit would be considered to mitigate to a less-than-significant level the individual impacts on special status species. Implementation of MM-BIO-8 would require that permanent impacts to high-quality foraging or breeding habitat for special status wildlife species from drought-resiliency project construction be mitigated through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved conservation bank. Implementation of MM-BIO-9 would require that any native trees removed for drought-resiliency

project construction be replanted to meet county or Natomas Basin HCP requirements, as applicable. If impacts to wetlands and waters cannot be avoided, then required permits, potentially including permits from the USACE, RWQCB, and CDFW would be obtained and complied with per MM-BIO-13. Mitigation for project-related permanent impacts to jurisdictional wetlands or other waters will be provided at a minimum 1:1 ratio through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved bank. Implementation of MM-HYD-1 would require that erosion and spill control measures be implemented during drought-resiliency project construction. With mitigation, construction of drought-resiliency projects would present no conflict with local policies or ordinances protecting biological resources.

In summary, while numerous mitigation measures would be implemented to reduce the proposed project's potential environmental impacts, due to the potentially significant and unavoidable impacts on GGS and northwestern pond turtle from crop idling, the proposed project could conflict with local policies or ordinances protecting biological resources. There are no feasible mitigation measures or alternatives capable of avoiding or substantially lessening this impact. Impacts would remain significant and unavoidable.

BIO-6: The proposed project would conflict with the provisions of an adopted HCP, Natural Community Conservation Plan, or other approved local, regional, or state HCP regarding impacts to GGS and northwestern pond turtle, even following the application of mitigation.

Due to the potentially significant and unavoidable impacts on GGS and northwestern pond turtle from crop idling, the proposed project could conflict with the provisions of HCPs/Natural Communities Conservation Plans (NCCPs). This would constitute a potentially significant impact.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that reduce the significant environmental effect identified in the EIR but not below a level of significance. Implementation of the following mitigation measures would reduce impacts to the extent feasible, but no additional mitigation or feasible alternative is available that would avoid or substantially lessen impacts. These impacts would be significant and unavoidable with mitigation.

- **MM-BIO-1: Conduct Desktop Special Status Wildlife Species, Plant Species, and Aquatic Resources Evaluation for Drought-Resiliency Projects**
  Prior to implementing a drought-resiliency project that involves grading, vegetation removal, or other form of construction in irrigation and drainage canals or upland areas outside of established agricultural croplands with a history of discing, planting, and maintenance, a qualified biologist will conduct a desktop evaluation of the site using digital web-based aerial photography. The purpose of the desktop evaluation will be to determine the potential for special status wildlife and plant species habitat or aquatic resources subject to regulation by the USACE, RWQCB, or CDFW to occur on site. A qualified biologist will also perform a review of the USFWS Information for Planning and Consultation, CNDDB, CNPS, and Calflora databases to identify known records or potential for special status plant or wildlife species to occur in the project vicinity. If

through this assessment, the biologist determines that potential habitat for special status wildlife or plants or jurisdictional aquatic resources exist, then site-specific survey(s) will be conducted per MM-BIO-2, MM-BIO-3, MM-BIO-4, MM-BIO-5, and MM-BIO-6, as applicable.

- **MM-BIO-2: Conduct Special Status Plant Species Surveys and Avoidance for Drought-Resiliency Projects**
  If the drought-resiliency project site survey indicates that the project site contains suitable habitat for special status plant species, surveys using USFWS, CDFW, and California Native Plant Society protocols will be conducted by a qualified biologist. If present, special status plant species will be flagged for avoidance. If avoidance is not possible, USFWS and/or CDFW will be consulted to determine the appropriate approach for minimizing impacts to special status plant species and compensating for unavoidable impacts, and the project proponents will implement all necessary minimization and compensation measures.
- **MM-BIO-3: Conduct Special Status Wildlife Species Surveys and Avoidance for Drought-Resiliency Projects**
  If the drought-resiliency project site survey indicates that the project site provides habitat for special status wildlife, site-specific pre-construction surveys using USFWS and/or CDFW protocols will be conducted by a qualified biologist. If special status wildlife species are actively using an area within the site, work shall not be permitted to occur within 100 feet until the animals have left on their own or, if necessary, are relocated in accordance with MM-BIO-5. Setback areas will be flagged. A qualified biologist shall be present during construction to monitor construction activities.
- **MM-BIO-4: Conduct Nesting Bird Species Surveys and Avoidance for Drought-Resiliency Projects**
  If the drought-resiliency project site survey indicates that the project site provides habitat for nesting birds that may be affected by construction and construction would occur between March 1 and September 15, pre-construction nesting bird surveys (two site visits at least one week apart) will be conducted by a qualified biologist within 14 days prior to construction to detect the presence of nesting birds. If an active nest is found, then the qualified biologist will establish an appropriate buffer (minimum 100 feet for non-raptors and 250 feet for raptors) based on site-specific factors such as the topography, the type of work to be performed, natural visual and/or auditory barriers between the nest and proposed work area, and the species. If work must be performed within the established buffer zone, a qualified biologist should monitor the nest prior to work activities to determine baseline nesting behaviors. Work shall be permitted to occur within the buffer zone with a qualified biologist present to monitor the work for signs of disturbance, to adjust (increase) the buffer size as needed, and to exercise stop work authority if nest disturbance is observed. No further work may occur within the buffer zone until nesting birds have fledged from nests on their own. Setback areas will be flagged.
- **MM-BIO-5: Implement General Biological Resources Protection Measures during Drought-Resiliency Project Construction**
  The construction contractor and operations personnel shall implement the following general biological resources protection measures during drought-resiliency project construction:
  - Limit construction and operations activities to daylight hours to the extent feasible. If nighttime activities are unavoidable, then workers shall direct all lights for nighttime lighting into the work area and shall minimize the lighting of natural habitat areas adjacent to the work area. Light glare shields shall be used to reduce the extent of illumination into sensitive habitats. If the work area is located near surface waters, the lighting shall be shielded such that it does not shine directly into the water.
  - Vegetation clearing will be limited to only those areas necessary for construction.
  - Any excavated and stockpiled soils will be placed outside of designated special status species habitat.
  - Dispose of cleared vegetation and soils at a location that will not create habitat for special status wildlife species.

- Dispose of food-related and other garbage in wildlife-proof containers and remove the garbage from the project area daily during construction. Vehicles carrying trash will be required to have loads covered and secured to prevent trash and debris from falling onto roads and adjacent properties.
- Store all construction-related vehicles and equipment in the designated staging areas. These areas shall not contain native or sensitive vegetation communities and shall not support sensitive plant or wildlife species.
- Construction-related vehicles and equipment will not exceed a 20-mile-per-hour speed limit at the construction site, staging areas, or on unpaved roads.
- The qualified biologist will provide the contractor with worker environmental awareness training.
- Prior to the initiation of work each day, the contractor will inspect construction pipes, culverts, or similar features; construction equipment; or construction debris left overnight in areas that may be occupied by special status species that could occupy such structures prior to being used for construction.
- Avoid wildlife entrapment by completely covering or providing escape ramps for all excavated steep-walled holes or trenches more than 1 foot deep at the end of each construction work day. The qualified biologist shall inspect open trenches and holes and shall remove or release any trapped wildlife found in the trenches or holes prior to filling by the construction contractors.
- Capture and relocation of trapped or injured wildlife listed under ESA or CESA can only be performed by personnel with appropriate state and/or federal permits. Any sightings and any incidental take (mortality) shall be reported to CDFW via email within one working day of the discovery. Notification shall include the date, time, and location (U.S. Geological Survey (USGS) 7.5-minute quadrangle and/or similar map at a scale that will allow others to find the location in the field) of the incident or of the discovery of an individual special status species that is dead or injured (type of injury shall be included). For each special status species encountered, the biologist shall submit a completed CNDDB field survey form (or equivalent) to CDFW no more than 90 days after completing the last field visit to the project site.

- **MM-BIO-6: Implement GGS Avoidance Measures for Drought-Resiliency Projects**
  If the need for a drought-resiliency project site survey is identified as part of MM-BIO-1, and the initial assessment indicates that that the project site provides habitat for GGS, avoidance measures must be implemented to avoid GGS during construction. Construction activities within GGS habitat will be restricted to between May 1 and October 1, to the extent feasible. If work must be conducted within GGS habitat between October 2 and April 30, two GGS pre-construction surveys will be conducted in any area within 200 feet of GGS aquatic habitat by a qualified biologist. The first survey will occur within 15 days prior to onset of construction and the second will occur within 24 hours prior to the onset of construction. The information collected from the first pre-construction survey will serve primarily to alert the biologist and construction crews of the general level of GGS activity at the site and borrow area, and the second survey will serve to minimize potential for take of GGS. If GGS is found in the project area, then to avoid direct impacts on GGS, the following measures will be implemented during construction of the drought-resiliency project:
  - Temporary fencing will be installed to exclude GGS from the work area. The design of the fence will be approved by the CDFW prior to installation.
  - Fence installation will be supervised by a qualified biologist.
  - The qualified biologist will provide the contractor with worker environmental awareness training, including instructing the contractor on how to inspect the exclusion fence.

- Prior to the initiation of work each day, the contractor will inspect the exclusion fence to ensure it is functional for the intended purpose.

If GGS is observed within the temporary fencing around the construction site, the contractor will stop work and allow the species to leave the site of its own volition or the snake will be captured by a qualified biologist with appropriate collecting/handling permits and relocated to the nearest suitable habitat beyond the influence of the project work area. "Take" of a state or federal special status species is prohibited without appropriate permits from the USFWS and CDFW.

- **MM-BIO-7: Obtain Incidental Take Authorization for Take of Listed Species from Drought-Resiliency Project Impacts**

  If species avoidance is not expected to be possible through implementation of MM-BIO-1, MM-BIO-3, MM-BIO-4, MM-BIO-5, or MM-BIO-6, USFWS and/or CDFW will be consulted to determine the appropriate approach for minimizing impacts to special status wildlife species and compensating for potential incidental take. Impacts will be compensated for through purchase of mitigation credits at an approved conservation bank and/or on-site or off-site restoration and enhancement. Incidental take authorization will be obtained for take of listed species resulting from construction of a drought-resiliency project.
- **MM-BIO-8: Compensate for Permanent Loss of Special Status Wildlife Species Habitat from Drought-Resiliency Projects**

  If it is determined through implementation of MM-BIO-1 and MM-BIO-3 that a drought-resiliency project site includes high-quality foraging or breeding habitat for special status wildlife species and there will be a permanent loss of such habitat resulting from construction, impacts will be compensated for through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved conservation bank. Based on the findings of MM-BIO-3, the qualified biologist will prepare a plan that outlines proposed compensatory mitigation and coordinate with USFWS and CDFW. Compensatory lands will be of similar or better quality than habitat lost, preferably located in the vicinity of the drought-resiliency project site, and be permanently preserved through a conservation easement. The plan will identify conservation actions to ensure that the compensatory lands are managed to provide for the continued existence of the species. The plan will also identify an approach for funding assurance for the long-term management of the conserved land, as relevant.
- **MM-BIO-9: Tree Replanting Requirements for Drought-Resiliency Projects**

  Avoid native tree removal where practicable through adjustments to the alignment of ditches, pipelines, or other construction features. If protected or heritage native tree removal is not avoidable, local county requirements for replacement would be prescribed at the ratio specified in their general plan. Replanting ratios vary between counties. For trees known to be used by nesting raptors, preservation efforts shall be pursued to the maximum extent possible. Nest tree losses in HCP covered areas could be subject to replacement at 15:1 such as in the Natomas Basin HCP.
- **MM-BIO-10: Timing Requirements for Discing in Fallow Fields During Agreement Years**

  If discing occurs in idled croplands during an Agreement Year, the following will be adhered to:
  - Between February 15 and September 15, discing will occur when vegetation is on average 12 inches or less in height.
  - Between September 15 and February 15, discing may occur without vegetation height restriction.
- **MM-BIO-11: Maintain Minimum Water Depth in Irrigation and Drainage Canals in Key Areas During Agreement Years**

  Certain croplands abut or are immediately adjacent to areas with known important GGS populations that may be in or connected to areas with specific management plans for GGS either for mitigation or as wildlife

refuges. Croplands abutting or immediately adjacent to the following areas are considered important GGS populations:

- Butte Creek between Upper Butte Basin and Gray Lodge Wildlife areas
- Colusa Basin drainage canal between Delevan and Colusa National Wildlife Refuges
- Gilsizer Slough
- Colusa Drainage Canal
- Land side of the Toe Drain along the Sutter Bypass
- Willow Slough and Willow Slough Bypass in Yolo County
- Hunters and Logan Creeks between Sacramento and Delevan National Wildlife Refuges
- Lands in the Natomas Basin

To the extent practicable, irrigation and drainage canal water depths in areas that are considered important GGS populations will be similar to years when the Agreement is not in effect or, where information on baseline water depths is limited, at least 2 feet deep.

- **MM-BIO-12: Conduct Aquatic Resources Surveys and Avoidance for Drought-Resiliency Projects**
  If the drought-resiliency project site survey identified in MM-BIO-1 indicates that the project site contains potentially jurisdictional aquatic resources, including wetlands, other waters, and riparian habitat, that may be affected by construction, an aquatic resources delineation to identify and delineate wetlands and other waters shall be conducted. Wetlands and waters identified on site will be flagged as environmentally sensitive areas and avoided to the extent practicable. Permanent impacts to jurisdictional aquatic resources will be mitigated per MM-BIO-13.
- **MM-BIO-13: Obtain Required Permits and Implement Wetland Mitigation for Drought-Resiliency Projects**
  If impacts to wetlands and waters cannot be avoided, then required permits, potentially including permits from the USACE, RWQCB, and CDFW would be obtained and complied with per MM-BIO-13. Mitigation for project-related permanent impacts to jurisdictional wetlands or other waters will be provided at a minimum 1:1 ratio through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved bank.
- **MM-HYD-1: Implement Erosion and Spill Control Measures for Drought-Resiliency Projects**
  To ensure that contaminants are not accidentally introduced into irrigation ditches and canals, the following measures will be implemented during construction of drought-resiliency projects:
  - Use of BMPs (e.g., filter fabric or sandbags) to prevent pollutants from entering drainage channels
  - Equipment be inspected daily for leaks or spills
  - Materials for cleanup of spills be available on site
  - Flammable materials be stored in appropriate containers
  - Spill prevention kits be in close proximity when using hazardous materials
  - Spills and leaks be cleaned up immediately and disposed of in accordance with local, state, and federal regulations
  - Vehicles and equipment be kept clean
  - Construction personnel to be appropriately trained in spill prevention, hazardous material control, and cleanup of accidental spills
  - For drought-resiliency projects involving over an acre of land disturbance, a NPDES Construction Stormwater General Permit will be obtained and a construction SWPPP will be prepared.
- **MM-HYD-2: Install and Operate Groundwater Wells in Accordance with GSPs and the SGMA for all Groundwater Pumping Activities undertaken under the Agreement**

The installation of any new groundwater wells and the operation of existing and new groundwater wells will be in accordance with targets and requirements set by applicable GSPs managed by GSAs in the project area, as well as the requirements set forth by SGMA, including the submittal of annual reports regardless of determination status following adoption of a GSP or alternative.

Rationale for Finding: Implementation of MM-BIO-10 would require that discing occurring between February 15 and September 15 during an Agreement Year be conducted when vegetation is on average 12 inches or less in height, which would prevent potential impacts on nesting birds. Discing between September 15 and February 15 during an Agreement Year may occur without vegetation height restriction. With mitigation, discing as part of the proposed project would present no conflict with the provisions of HCPs/NCCPs.

Implementation of MM-BIO-11 would require to the extent practicable that during crop idling minimum water depths are maintained in drainage canals in key areas during Agreement Years for the benefit of GGS and northwestern pond turtle. While this mitigation measure could reduce impacts to GGS associated with loss of population and genetic diversity, disconnected natural habitats, and stress from the loss of essential cover from predators, as well as reduce impacts to northwestern pond turtle from reduced habitat and foraging opportunities, there could still be areas where sufficient water cannot be maintained due to inadequate surface water. Therefore, crop idling impacts on GGS and northwestern pond turtle could represent a conflict with the provisions of HCPs/NCCPs, constituting a significant and unavoidable impact.

Implementation of MM-HYD-2 would require all new groundwater well installation and all groundwater well operation to occur in accordance with targets and requirements set by applicable GSA-managed GSPs or where there are no GSPs, in accordance with SGMA. Complying with GSA and SGMA requirements would ensure that the appropriate siting, evaluation, and documentation steps are taken. With mitigation, groundwater substitution would present no conflict with the provisions of HCPs/NCCPs.

Implementation of MM-BIO-1, MM-BIO-2, MM-BIO-3, and MM-BIO-12 would require mapping and flagging potential special status wildlife or plant species habitats to avoid or minimize impacts on potential habitat and individuals from drought-resiliency project construction. Implementation of MM-BIO-4 and MM-BIO-6 would ensure that impacts to any potentially present nesting birds and GGS, respectively, are avoided or minimized during drought-resiliency project construction. Implementation of MM-BIO-5 would ensure that other types of direct and indirect impacts on potentially present special status species and habitats are avoided or minimized through requiring construction timing requirements, inspections, clearing requirements, clean working conditions, and CDFW CNDDB reporting, among other measures during drought-resiliency project construction. If take of special status wildlife species is likely as a result of a drought-resiliency project even after implementation of the avoidance, minimization, and the mitigation measures described previously,

implementation of MM-BIO-7 requires coordinating with USFWS and CDFW and obtaining an Incidental Take Permit, which could include providing compensatory mitigation. Issuance of the Incidental Take Permit would be considered to mitigate to a less-than-significant level the individual impacts on special status species. Implementation of MM-BIO-8 would require that permanent impacts to high-quality foraging or breeding habitat for special status wildlife species from drought-resiliency project construction be mitigated through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved conservation bank. Implementation of MM-BIO-9 would require that any native trees removed for drought-resiliency project construction be replanted to meet county or Natomas Basin HCP requirements, as applicable. If impacts to wetlands and waters cannot be avoided, then required permits, potentially including permits from the USACE, RWQCB, and CDFW would be obtained and complied with per MM-BIO-13. Mitigation for project-related permanent impacts to jurisdictional wetlands or other waters will be provided at a minimum 1:1 ratio through on-site and/or off-site restoration, enhancement, and/or purchase of mitigation credits at an approved bank. Implementation of MM-HYD-1 would require that erosion and spill control measures be implemented during drought-resiliency project construction. With mitigation, construction of drought-resiliency projects would present no conflict with the provisions of HCPs/NCCPs.

In summary, while numerous mitigation measures would be implemented to reduce the proposed project's potential environmental impacts, due to the potentially significant and unavoidable impacts on GGS and northwestern pond turtle from crop idling, the proposed project could conflict with provisions of HCPs/NCCPs. There are no feasible mitigation measures or alternatives capable of avoiding or substantially lessening this impact. Impacts would remain significant and unavoidable.

2.1.3.2 Cumulative Impacts

The proposed project would have a cumulatively considerable impact, either directly or through habitat modifications, to GGS and northwestern pond turtle and from interfering with their migratory movement corridors (Impacts BIO-1 and BIO-4). The proposed project would have a cumulatively considerable impact regarding compatibility with local policies and ordinances that protect biological resources and adopted HCPs and NCCPs (Impacts BIO-5 and BIO-6). These impacts are significant.

Finding: GCID hereby finds that changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen many but not all the significant environmental effects to biological resources identified in the EIR. Implementation of mitigation measures discussed in Section 2.1.3 would lessen the impacts regarding habitat modifications and interference with the migratory movement corridors of GGS and northwestern pond turtle, as well as incompatibility with local policies and ordinances protecting GGS and northwestern pond turtle, and adopted HCPs and NCCPs, but not below levels of less than significance. Therefore, these impact areas would contribute to cumulative impacts and would be cumulatively considerable (Impacts BIO-1, BIO-4, BIO-5, and

BIO-6). Cumulative impacts to biological resources would be significant and unavoidable. As discussed in Section 2.1.3, all feasible mitigation has been applied.

2.2 Findings on the Alternatives to the Proposed Project

The CEQA Guidelines (Section 15126) require that an EIR consider a range of reasonable alternatives to the project or to the location of the project that would feasibly attain most of its basic objectives but would avoid or substantially lessen any of the significant effects of the project. The alternatives considered in the EIR included the following:

- No Project Alternative
- Alternative 1: No Groundwater Substitution Alternative

The proposed alternatives were fully considered by GCID in accordance with the requirements of CEQA (PRC Section 21000 et seq.; CEQA Guidelines Section 15000 et seq.) through an EIR. GCID has provided opportunities for the public to participate in the environmental review process. Chapter 6 of the Draft EIR discusses the environmental effects of alternatives to the proposed project. A description of these alternatives, a comparison of their environmental impacts to the proposed project, and GCID's findings are listed in this section.

2.2.1 No Project Alternative

The No Project Alternative analyzes what would be expected to occur if the proposed project were not approved. Pursuant to Section 15126.6(e)(2) of the CEQA Guidelines, the No Project Alternative shall:

> …discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time the environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.

Under the No Project Alternative, the Agreement between the SRSC and Reclamation would not be signed, and water would continue to be managed based on current allocations and management plans. Neither of the objectives of the proposed project, to facilitate surface water reductions during specified drought years and to implement drought-resiliency projects to address potential water loss and strengthen the resilience of the SRSC's water system and long-term water delivery capabilities, would be achieved. As part of the No Project Alternative, SRSC members would continue to receive contracted water per the existing agreements (shown in Table 26 of the Draft EIR).

Contractors would continue to manage water on an individual basis and may elect to implement certain water reduction activities (e.g., canal lining) and/or shift agriculture practices (e.g., crops shifting or idling) based on drought and/or economic conditions similar to the individual practices occurring under baseline conditions. Such activities would not be completed in any coordinated way and are too speculative to define in terms of timing and location.

Finding: The No Project Alternative is not feasible because it would not meet any of the project objectives. Also, while most environmental impacts would be reduced when compared to the proposed project, the No Project Alternative would result in increased impacts on aquatic species.

Facts in Support of Finding: The No Project Alternative would have increased impacts on aquatic species because more water would be diverted from Shasta Lake as compared to under the proposed project and there would be further reductions in water storage in Shasta Lake during certain drought years. Adverse impacts associated with lower Shasta Lake levels would continue and beneficial impacts to special status wildlife species, and enhanced operational flexibility for the CVP, from additional water volume in Shasta Lake during drought years would not be realized.

2.2.2 Alternative 1: No Groundwater Substitution Alternative

This alternative would involve accomplishing surface water use reductions through cropland idling, cropland shifting, and conservation activities, without groundwater substitution occurring as a result of the Agreement. To compensate for the lost groundwater, it is assumed that contractors would idle additional cropland. This alternative would not increase subsurface drawdown of groundwater from increased groundwater substitution, and therefore would not impact riparian or wetland habitats reliant on groundwater resources from groundwater substitution, or have other potential adverse impacts related to groundwater pumping.

Finding: Alternative 1 meets all project objectives and is considered feasible but, as shown in Table 3, would result in similar and increased environmental impacts compared to the proposed project.

Facts in Support of Finding: Alternative 1 would avoid all impacts associated with groundwater pumping but would result in increased crop idling impacts as compared to the proposed project and similar impacts related to crop shifting, conservation, and drought-resiliency projects. As compared to the proposed project, impacts would be higher with less groundwater available to replace some of the water reductions. Idled croplands could directly affect nests present in the vegetation. Fallowed rice fields and reduced water in connecting drainage canals and ditches would also reduce GGS foraging habitat, impact GGS genetic diversity, disconnect natural GGS habitats, and stress GGS from the loss of essential cover from predators. Dewatered irrigation ditches would reduce habitat and foraging opportunities for northwestern pond turtle. These effects of Alternative 1 would be similar to those of the proposed project but would occur at higher levels because more cropland would be

idled. Such effects would result in a higher level of significant impacts than the proposed project. Therefore, impacts on GGS and northwestern pond turtle would remain significant and unavoidable with the same mitigation as that of the proposed project but the severity of those impacts would be increased.

3 Statement of Overriding Considerations

Pursuant to Section 15093 of the CEQA Guidelines, GCID must balance the benefits of the proposed project against unavoidable environmental risks in determining whether to approve the proposed project. GCID adopts this Statement of Overriding Considerations (SOC), which identifies the specific overriding economic, legal, social, technological, or other benefits of the project that outweigh the significant environmental impacts identified in the Final EIR. GCID has balanced the benefits of the Drought Protection Program Agreement against the unavoidable adverse impacts associated with the proposed project and has adopted all feasible mitigation measures. GCID has also examined alternatives and has determined that adoption and implementation of the Drought Protection Program Agreement is the most feasible, and appropriate action to meet project objectives

3.1 Significant and Unavoidable Impacts

The proposed project would result in significant unavoidable project and cumulative impacts to biological resources, namely GGS and northwestern pond turtle. GCID recognizes that these significant and unavoidable impacts related to special status species, as described in Section 2 of this document and identified in the EIR, are not mitigated to a less-than-significant levels. While numerous mitigation measures would be implemented to reduce the proposed project's potential environmental impacts, due to the potentially significant and unavoidable impacts on GGS and northwestern pond turtle from crop idling, the proposed project could conflict with local policies or ordinances protecting biological resources. In addition, because the proposed project would occur in severe drought years there could be areas where sufficient water cannot be left in irrigation canals and ditches due to inadequate surface water, with significant impacts on GGS and northwestern pond turtle. Even with all feasible mitigation incorporated, impacts would remain significant and unavoidable.

3.2 Project Benefits

The proposed project would facilitate reduced water contract supply to the SRSC during specified drought years to address water shortages at Shasta Lake. Reduced SRSC contract supply allows for Reclamation to respond to shortages in water supplies due to very dry hydrologic conditions, climatic variability, climate change, and regulatory requirements. The proposed project would also develop implementable and supplemental water supplies and drought-resiliency projects to strengthen the resilience of the SRSC's water systems and long-term water delivery. The following stated reasons summarize the benefits, goals, and objectives of the proposed project and provide the rationale for the overriding benefits of the proposed project. GCID finds that any one of the

environmental, technological, policy, and economic benefits of the proposed project set forth in the following list is sufficient by itself to warrant approval of the proposed project:

- **Facilitate Reclamation's Ability to Manage Water Levels at Shasta Lake During Shasta Critical Years (Critical Years)**: Reduced SRSC contract supply allows for Reclamation to respond to shortages in water supplies due to very dry hydrologic conditions, climatic variability, climate change, and regulatory requirements. The proposed project allows for Reclamation to reduce contracted supply above levels currently allowed, which would provide Reclamation with a greater ability to manage water levels at Shasta Lake during critically dry years. Currently, SRSC-contracted quantities may be reduced by amounts specified in each contract, up to 75% of their contracted amount during Critical Years.[2] Under the proposed project, the SRSCNC and individual members of the SRSC would enter into a new Agreement with Reclamation to forego a larger percentage of their contracted supply in specified drought years under two phases: from 2025 to 2035 and from 2036 to 2045, and to receive funding from Reclamation to develop drought-resiliency projects.
- **Facilitate Reclamation Ability to Operating Shasta Lake for Multiple Purposes and in Accordance with its Multiple Legal Obligations** GCID finds that the proposed project would address water shortages at Shasta Lake during specified drought years by approving and facilitating reduced water contract supply to the SRSC during the specified drought years, which would allow Reclamation to continue operating Shasta Lake for multiple purposes and in accordance with its multiple legal obligations, including
  - Meeting SRSC-contracted supplies and other CVP water supplies
  - Managing releases of water for fish and wildlife purposes
  - Adhering to flood control requirements, and
  - Power generation.
- **Implement Drought Resilient Projects:** The proposed project would develop implementable and supplemental water supplies and drought-resiliency projects to strengthen the resilience of the SRSC's water systems and long-term water delivery capabilities during normal, dry, and multiple dry years.

3.3 Conclusion

In accordance with PRC Section 21081(b) and Section 15093(b) of the CEQA Guidelines, GCID has:

- Adopted all feasible mitigation measures available and incorporated project design features to lessen significant and unavoidable impacts; and
- Considered alternatives to the proposed project.

[2] The reduction requirements for the City of Redding and certain smaller SRSC (short-form contractors) differ slightly from the other SRSC. The City of Redding uses contract supply for municipal water year-round. The short-form SRSC have the option to irrigate "not in excess of 75 percent of its irrigable acreage."

Having balanced the benefits of the proposed project against its significant and unavoidable impacts, GCID hereby finds that the specific overriding economic, legal, social, technological, or other benefits of the proposed project set forth herein are individually, as well as collectively, sufficient to outweigh its significant effects on the environment, and the adverse environmental effects of the proposed project are considered acceptable.

4 References

Congressional Research Service, 2024. *Central Valley Project: Issues and Legislation*. Updated April 29, 2024. Available at: https://sgp.fas.org/crs/misc/R45342.pdf.

USGS (U.S. Geological Survey), 2024. "California's Central Valley." Available at: https://ca.water.usgs.gov/projects/central-valley/about-central-valley.html.