

Agency: Madera County
Drought Executive Order N-7-22, Action 13
Self-Certification Form

BACKGROUND: *Consistent with the March 28, 2022 Drought Executive Order N-7-22 Action 13, the California Department of Water Resources (DWR) developed this self-certification form to allow local agencies to submit their proposed recharge projects to DWR and that the project is eligible for the CEQA suspension. After reviewing the information submitted via this self-certification form, DWR will review and may concur. A list of activities eligible for the CEQA suspension is maintained on DWR's website at: <https://water.ca.gov/Water-Basics/Drought>.*

INSTRUCTIONS: *Entities carrying out a proposed recharge project that may meet the objectives of Executive Order N-7-22 Action 13 should complete this self-certification form as soon as possible to initiate DWR's review and potential concurrence that the project is eligible for the CEQA suspension. Please submit one self-certification form for each individual project. For questions, please email SGMPS@water.ca.gov.*

- 1. Please provide a short description of the proposed recharge project in which you are seeking a CEQA suspension, demonstrating how it is consistent with Executive Order N-7-22, Action 13 (include historical land use and current land use on the proposed project location):**

To contribute to sustainable groundwater management in the Chowchilla Subbasin, the Madera County Groundwater Sustainability Agency (GSA) is beginning to implement a phased flood water recharge program to divert and recharge flood flows from the Eastside Bypass (Bypass). Flood flows diverted from the Bypass will be recharged on lands in the Madera County GSA and in the Triangle T Water District (TTWD) GSA. The recharge will occur in the western management area of the Chowchilla Subbasin, which spans the western portion of the Madera County GSA and the TTWD GSA. The Chowchilla Subbasin Recharge Project 1 (proposed project) consists of a group of recharge areas that, taken together, can recharge large amounts of water when it is available. The combination of recharge basins and flood managed aquifer recharge (Flood-MAR) in a single project allows for a larger total recharge capacity while maintaining much of that capacity in productive farmland when water is not being applied for recharge. The proposed project includes two groundwater recharge projects - Clayton (consisting of lands within the Clayton Water District including properties owned by Harman, N&W, Blech, Brazil, Menefee and Soares) and Viet-Haynes (consisting of Viet and Haynes properties) referred to in this document collectively as the Study Area or proposed project sites. The proposed project sites are located in Madera County, west of State Route 99 and south of State Route 152. The proposed project would construct three new points of diversion (PODs) on the Eastside Bypass and the conveyance required (approximately 20,400 feet of pipeline) to divert flood flows to two dedicated recharge basins for direct recharge, and to approximately 2,900 acres of existing farmland for recharge through application to cropped areas, also described as Flood-MAR. The Clayton group of parcels would be utilized for Flood-MAR and the Viet-Haynes parcels would be utilized for both direct recharge and Flood-MAR.

- 2. Please describe the anticipated benefits and the basis of those benefits from implementing the proposed recharge project (in acre-feet/year or estimated volume of water, if possible):**

The proposed recharge project is anticipated to: increase groundwater levels, increase groundwater storage, prevent subsidence (by reducing lowering of groundwater levels), and increase water supply reliability. The Clayton POD would have a capacity of 40 cubic feet per second (cfs) while Vlot and Haynes PODs would each have a maximum capacity of 20 cfs. The combined maximum capacity of these three PODs is 80 cfs, or approximately 160 acre-feet (AF) per day. Assuming that sufficient water is available in the Eastside Bypass to operate all PODs at their maximum capacity for 50 to 150 days, the maximum diversion volume would range between approximately 8,000 and 24,000 AF in years with available flood flows. This represents between 10 and 30 percent of the total estimated recharge of 79,000 acre-feet that could be obtained in years with bypass flows as outlined in the GSP.

3. Please identify the category this proposed recharge project would fall under (multiple answer can be selected):

- ☒ *Flood Managed Aquifer Recharge. (selected option)*
- ☒ *DWR Sustainable Groundwater Management Grant Program. (selected option).*
- ☐ *Other: In Lieu Recharge.*

4. Please identify which of the objectives the proposed recharge project meets as described in the Executive Order (multiple answers can be selected):

- ☐ *Projects is on Open Lands (which are those lands that are native or largely undeveloped from agricultural or industrial practices. These lands could include flood bypasses, natural areas, wildlife preserves, or existing managed wetlands.)*
- ☒ *Project is on Working Lands (which are those lands that have been previously developed for agricultural or other industrial practices. These lands could include active or fallowed agricultural lands, gravel and sand operations, open storage fields, or other similar working lands.) (selected option).*

5. Please describe how the proposed recharge project meets the following objectives as described in the Executive Order:

- ☒ *Project will help mitigate groundwater conditions impacted by the drought (To mitigate groundwater conditions impacted by drought, projects should include the replenishment of groundwater resources to the subsurface, especially shallow aquifers, for the purpose of storage, temporary or otherwise. Drought impacts to groundwater conditions would include lowering of groundwater levels that may have occurred due to lack of natural recharge or groundwater pumping that may especially impact shallow aquifers.) (selected option).*

6. What funding sources are supporting the proposed recharge project? (Please list all local, state, federal, private or public funding sources):

The proposed project is supported with funding from the Proposition 68 Sustainable Groundwater Management Program and received a grant from DWR of approximately \$4,200,000 for the proposed project.

7. Please provide the estimated project start date:

[left blank]

8. Please provide the estimated project end date or date project can be considered operational:
[left blank]

9. Please identify if the proposed recharge project requires a new water right permit to be issued by the State Water Board under their Groundwater Storage Water Rights Permitting process. If an existing water right is being used, please provide the permit number under the 'Other' category (For more information, visit:
https://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/groundwater_recharge/):

☐ No new water right is needed; already have existing water rights or agreements for this proposed recharge project. (selected option).

☐ Need a temporary water right for this recharge project (180 days).

☒ Need a temporary water right for this recharge project (1 to 5 years). (selected option).

☐ Need a streamlined permit for a standard water right.

☒ Need a standard water right for this recharge project. (selected option).

☐ Other.

10. When do you anticipate your proposed recharge project will be ready for construction phase (i.e. shovel ready)?

Proposed project is anticipated to begin in October 2023.

11. Are there other permitting requirements necessary to carry out the proposed recharge project. If so, please describe.

A lake and Streambed Alteration Agreement will be obtained for the proposed project.

12. Please describe if there are any anticipated water quality or other environmental impacts associated with the proposed recharge project (if so, please describe the mitigation measures that will be taken to remedy or offset those impacts):

The following BMPs shall be incorporated into the construction contract for the proposed project to minimize potential releases of soils or sediments, hazardous materials spills, and minimize air quality emissions:

- All equipment and vehicles would be checked daily for the prevention of material leaks. Staging/storage areas for equipment, materials, fuels, and lubricants would be located as far away as possible from open water. A spill kit would be present on site in the event of fuel leaks or spills.*
- All fueling of equipment would be done more than 50 feet away from open water and with a spill containment kit present.*
- If the potential exists for loose sediment to runoff into nearby waterways, use straw waddles or other sediment control measure to prevent sediment runoff.*
- All areas would be cleaned of any trash and debris and returned, as close as possible, to the condition prior to initiation of proposed project activities.*
- To minimize air quality impacts, shut off all equipment not in use. If idling is necessary construction or operation, plan operations to limit idling time as much as practicable.*

- *Limit equipment to 15 mph on site to reduce dust produced by equipment. The following measures, as developed in the Biological Constraints Report, are proposed to protect wildlife:*
 1. *If ground disturbance is scheduled to occur during the avian nesting season (February 1 through August 31), Madera County or its contractor may implement the following measures to avoid potential adverse effects to nesting raptors, including burrowing owl, Swainson's hawk, and white-tailed kite, and other common and special status nesting birds.*
 - a) *No more than two weeks prior to ground disturbance, a qualified biologist shall perform proactivity surveys for nesting birds within 500 feet of the work areas, where access is available. If pre-activity surveys indicate that nests are inactive or potential habitat is unoccupied during the construction activities period, no further surveys or avoidance are required.*
 - b) *If active nests are detected during pre-activity surveys, Madera County shall create a no disturbance buffer around active raptor nests and nests of other special status birds during the breeding season, or until it is determined that young birds have fledged. Buffers shall be at least 250 feet for raptors and at least 150 feet for other nesting birds. Nests initiated within the active work area may have reduced buffer sizes due to the increased tolerance of disturbance. Reductions to nest buffer distances may be allowed on a case by case basis in coordination with the CDFW based on site specific factors such as the existing disturbance levels, the species of nesting bird, and the magnitude of the proposed disturbance.*
 2. *Clearing of vegetation and ground disturbance in waters and wetlands will be confined to the minimal area necessary for project related impacts.*
 3. *Areas of temporary impacts will be restored to pre-project conditions. Due to limited permanent impact to the bypass bank and the lack of habitat and aquatic functions and values at the site, no compensatory mitigation is proposed. All disturbed areas (except roadways) will be reseeded with a seed mix approved by the property owner or jurisdictional agency.*

13. Please provide the name of the Local Agency implementing the proposed recharge project:
Madera County.

14. Please provide a Project Manager Point of Contact First and Last Name:
Stephanie Anagnoson.

15. Please provide a Project Manager Point of Contact Email and Phone Number:
stephanie.anagnoson@maderacounty.com, 559-598-0362.

16. Please identify the groundwater basin in which the proposed recharge project will be located. If possible, please provide the proposed project location coordinates (latitude, longitude). (For more information, visit:
<https://sgma.water.ca.gov/webgis/index.jsp?appid=gasmaster&rz=true>):
The proposed project would occur in the Chowchilla Subbasin.

The Clayton-Flood parcel point-of-diversion (POD) is located at 37.054309° North latitude, -120.500734° West longitude, to the southwest of the City of Chowchilla, along the western edge of the Eastside Bypass (Bypass). The location is just south of the Avenue 21 crossing of the Bypass.

The Vlot parcel POD is located at 37.040063° North latitude, -120.486515° West longitude, to the southwest of the City of Chowchilla, along the western edge of Bypass. The location is approximately 1.25 miles south of the Avenue 21 crossing of the Bypass, however there is no direct public access to the site.

The Haynes parcel POD is located at 37.040002° North latitude, -120.482915° West longitude, to the southwest of the City of Chowchilla, along the eastern edge of Bypass. The location is approximately 1.25 miles south of the Avenue 21 crossing of the Bypass, however there is no direct public access to the site.

The project sites are located on the U.S. Geological Survey (USGS) Bliss Ranch quadrangle map.

17. Please provide the Groundwater Sustainability Agency (GSA) and Groundwater Sustainability Plan (GSP) or Alternative to a GSP that the proposed recharge project is associated:

Madera County Groundwater Sustainability Agency Chowchilla Subbasin Groundwater Sustainability Plan.

18. Please provide any additional information you would like to include in your Self-Certification Form:

None.

In signing this self-certification form, I understand that the Department of Water Resources will rely on this signed certification form to determine if a concurrence with the Drought Executive Order N-7-22, Action 13 is granted for the project described and that false and/or inaccurate representations in this self-certification form may result in the invalidation of the CEQA suspension.

Furthermore, I understand that by receiving concurrence from the Department of Water Resources concerning eligibility for the CEQA suspension outlined in EO N-7-22, DWR makes no claims, promises, or guarantees about the project feasibility, benefits claimed from the completed project, adequacy of the project, potential environmental impacts of the construction activities or completed project, and expressly disclaims liability for project performance, environmental impacts during and after construction, project construction disturbances, unmitigated environmental impacts post-construction, or project failures.

Original document signed by Stephanie Anagnoson on 7/26/2023

Name of Authorized Representative

Signature

Date

Title

Agency