U.S. DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service EISX-005-53-006-1107702473 August 2026

McGriff Lakes – Sutter Basin Watershed Flood Control and Flood Safety Project Environmental Impact Statement Record of Decision

RECORD OF DECISION (ROD)

Proposal Name: McGriff Lakes – Sutter Basin Watershed Flood Control and Flood Safety Project Watershed Plan-Environmental Impact Statement

Proposal Tracking #: EISX-005-53-006-1107702473

Agency Name: Natural Resources Conservation Service

Unit Name: California State Office

Documentation Informing the ROD

This Record of Decision incorporates the Environmental Impact Statement and relies on documentation contained therein.

Consideration of Substantive Alternatives, Information, and Analyses

The agency adequately considered all of the substantive alternatives, information, and analyses submitted by State, Tribal, and local governments and public commenters in developing the environmental impact statement.

In order to determine the most viable alternatives for the McGriff Lakes – Sutter Basin Watershed Flood Control and Flood Safety Project, RD 1500 and NRCS used input obtained during public scoping discussions to focus on relevant resource concerns and issues and eliminated those that were not relevant from further detailed study. The scoping process for the Watershed Plan-EIS followed the general procedures consistent with NRCS guidance and PL 83-566 requirements. Resource concerns for scoping were identified and categorized as relevant or not relevant to the proposed Project action. All relevant resources are discussed in the Affected Environment and Environmental Consequences sections of the EIS. Alternatives were presented that strived to meet Project objectives and provide the best, most reliable flood control and flood damage reduction caused by above average precipitation and river seepage within the Sutter Basin. RD 1500 and NRCS evaluated the current Karnak Drainage Facility infrastructure along with relevant resource concerns for each proposed solution. Seven different flood management alternatives were considered. The Project alternatives for providing reliable flood control, including modernizing the existing Karnak facility, were presented in a Preliminary Investigative Report (PIR) and provided to the public for review and discussion prior to a public scoping meeting.

RD 1500 and NRCS conducted a public scoping meeting in March 2021 as part of the NEPA review process following preparation of a Public Participation Plan and the PIR. The public scoping meeting sought input on issues of economic, environmental, cultural, and social importance in the watershed. RD 1500 and NRCS organized the public scoping meeting to provide an opportunity to review and evaluate the Project alternatives, express concerns or support, and gain further information regarding the

Project. Information from the public scoping meeting was utilized to evaluate alternatives as part of the Watershed Plan-EIS and has been used to verify that the proposed Project meets the program criteria and authorized purpose of Flood Prevention (Flood Damage Reduction) found in Title 390, National Watershed Program Manual, Part 500, Subpart A, Section 500.3B.

The project's planning process followed the nine steps of planning used in Title 180, National Planning Procedures Handbook (NPPH), Part 600. The planning process consists of nine steps, divided into three phases, which must identify the problem, determine the objective, inventory and analyze the resources, formulate and evaluate alternatives, analyze the effects of each alternative, provide reasoning for selecting the preferred alternative, and then implement and evaluate the plan. All steps were performed and are described in the EIS, with the exception of the last two steps - Implement the Plan and Evaluate the Plan - which are future activities that will occur after final approval of the Watershed Plan-EIS.

NRCS and RD 1500, the local sponsor, worked within an ecosystem services framework throughout the investigation and planning process. Ecosystem services include: Provisioning services; Regulating services; Supporting services; and Cultural services. NRCS and RD 1500 approached ecosystem services initially from a qualitative perspective to identify the types of services present in the watershed, and then specifically to identify those that could interact with (impact or be impacted by) the Project. A decision tree was used to assist in determining whether to monetize, quantify or qualitatively assess an ecosystem service effect of various project alternatives along with evaluation of other resource concerns to assess the reasonable alternatives selected for detailed evaluation.

Activities Approved

I have decided to approve the Modernization Alternative (Alternative A) as described in the "Preferred Alternative" section of the Environmental Impact Statement.

The Proposed Action is construction of the Preferred Alternative, known as the Modernization Alternative, which involves rehabilitation and modernization of the antiquated existing Karnak Drainage Facility and would result in a Project that, compared to the other alternatives, addresses all aspects of the purpose & need for the Project, is the most feasible, is the most environmentally preferred, and includes the highest economic benefit while providing assured flood management protection for the areas that rely upon the facility. The Project would overhaul and modernize the existing drainage and flood protection facility to increase reliability and efficiency, leveraging to the extent possible, the existing facilities that RD 1500 already owns. Construction would occur within the footprint of the existing facility. The Project entails four major components: (1) Modernize the existing Pumping Plant 1 (PP1) pumping equipment and electrical system; and refurbish existing discharge culverts; (2) Upgrade the existing PG&E utility service (real property); (3) Remove the existing PP2 building and equipment; construct a gravity outlet structure with fish barrier; and refurbish existing culverts for gravity drainage; and (4) Remove the existing PP3 building and equipment;

construct a slightly larger, new pumping plant (PP4) with submersible pumps; refurbish the existing discharge culverts; and install an engine generator set onto a portion of the outer levee slope to serve as a backup power source. The project includes increased pumping capacity to provide redundancy and provide for projected precipitation variability.

Although the Preferred Alternative of modernizing the existing Karnak Drainage Facility would have an adverse affect on historic properties and could affect various resources temporarily during construction, those effects would be mitigated through the implementation of Best Management Practices (BMPs) during construction and other conservation and compliance measures as discussed in the EIS. The effect to historic properties is unavoidable, negative and significant, while other potential impacts can be managed and mitigated to a less than significant impact. The Preferred Alternative would provide flood management protection to the community of Robbins, rural residential property, emergency roads, and maintain environmental and economic benefits of farming in a cost-effective manner while resulting in the lowest environmental impact of any action. The Preferred Alternative will result in the loss of two historic properties (PP2 and PP3 pump buildings), modifications to one historic property (PP1 pump building), and a loss of historical integrity of the Reclamation District 1500 Historic District. In August 2023, the SHPO and the NRCS agreed to develop mitigation measures to resolve the adverse effects to historic properties, as well as measures to avoid potential adverse effects to archaeological resources during construction. The NRCS completed Section 106 review and consultation in December 2025 with NRCS and SHPO signing a Programmatic Agreement (PA) resolving these impacts.

The Affected Environment section of the EIS describes the pertinent physical, ecological, economic, ecosystem services, and social information that are relevant to the Proposed Action for the McGriff Lakes-Sutter Basin Watershed. Ecosystem services and resource concerns that may affect or be affected by measures to address the problem, whether directly, indirectly, or cumulatively, are considered to be relevant to the proposed action and are discussed in the EIS. Resource concerns identified and addressed in the Watershed Plan-EIS include Cultural and Historic Resources; Land Resources/Prime Farmland; Scenic Beauty; Geology and Soils; Public Safety; Socioeconomics; Air Resources; Water Resources/Waters of the US; Vegetation/Invasive and Non-native Plant Species; Wetlands and Riparian Areas; Fish and Wildlife/Fish Habitat; and Special Status Species/Migratory Bird Treaty Act Species.

As part of the Watershed Plan-EIS approval process and initiating acquisition of required permits for the project, NRCS initiated consultation with the appropriate Federal agencies and the District initiated consultation with the appropriate State agencies. Consultation with the SHPO under Section 106 of the National Historic Preservation Act has been concluded and resulted in signing of a PA. NRCS also concluded consultation for potential impacts to threatened and endangered species with the United States Fish and Wildlife Service (USFWS), pursuant to Section 7 of the ESA, and the National Marine Fisheries Service (NMFS), under the Magnuson-Stevens Act.

The conclusion of consultation with NMFS resulted in a determination of "No Effect" to salmonids as long as measures identified in the EIS are applied, which such measures have been incorporated into the Project. The conclusion of consultation with USFWS resulted in concurrence with NRCS' determination that the proposed project may affect, but is not likely to adversely affect, the giant garter snake. USFWS reached this determination due to the low likelihood that the snake will be present in the proposed project area and the relatively small area of proposed disturbance. Conservation measures identified in the EIS along with construction BMPs have been incorporated into the Project to avoid effects to the snake.

The following avoidance, minimization and mitigation measures have been incorporated into the project to reduce any potential impacts to relevant resources to a less than significant impact:

Biological Resources

- Special status plant species, including Wooly-Rose Mallow, Sanford's Arrowhead, and Suisun Marsh Aster (mitigation measures include rare plant surveys, avoidance and relocation as needed).
- Green sturgeon, Chinook salmon and white sturgeon (avoidance measures explained in Appendix A3 of Watershed Plan-EIS will be followed)
- Giant garter snake (mitigation measures include pre-construction surveys, education program, exclusion, monitoring, and vegetation removal).
- Western pond turtle (mitigation measures include pre-construction survey and avoidance).
- Swainson's hawk (mitigation measures include avoidance, establish buffers, and foraging habitat compensation).
- Burrowing owl (mitigation measures include take avoidance surveys, avoidance of nest burrows, and avoidance or passive relocation of resident owls).
- Nesting Bank Swallow, Western Yellow-billed Cuckoo, Tricolored Blackbird, Northern Harrier, White-tailed Kite, Modesto Song Sparrow, Long-eared Owl, Short-eared Owl, Loggerhead Shrike and other Nesting Raptors and Migratory Birds (mitigation measures include avoidance, preconstruction surveys, special status bird nest consultation, nest buffers, and other minimization or mitigation measures).
- Townsend's big-eared bat, pallid bat, western red bat, and other roosting bats (mitigation measures include preconstruction survey, avoidance, consultation, establish buffers and exclusion).

Water Resources

- Waters of the United States and other jurisdictional waters and wetlands (mitigation measures include delineation, minimization, and permits).
- Degradation of water quality in seasonal drainages and downstream waters (mitigation measures include preparation of a Storm Water Pollution Prevention Plan and implementation of spill containment and material storage measures).

Cultural Resources

- Discovery of archaeological remains (compliance with "*Archaeological Monitoring and Inadvertent Discovery Plan for Modernization of the RD 1500 Karnak Drainage Facility*" and recommendations of archaeologist).
- Modifications to the exterior of PP1 building shall conform with the Secretary of the Interior's Standards for Preservation and the Secretary of the Interior's Standards for the Treatment of Historic Properties as economically and technically feasible to realize the objectives of the proposed Project.
- New construction of the elevated electrical control building shall conform with the Secretary of the Interior's Standards for the Treatment of Historic Properties as economically and technically feasible to realize the objectives of the proposed Project.
- Discovery of human remains (compliance with "*Archaeological Monitoring and Inadvertent Discovery Plan for Modernization of the RD 1500 Karnak Drainage Facility"*, contact Sutter County Coroner)
- Demolition of PP2 and PP3 shall be monitored by a qualified archaeologist and tribal monitor.

Geology and Soils

- Should a unique paleontological resource, site, or unique geological feature be unearthed, work in the area of discovery will cease until the area is evaluated by a qualified geologist and/or paleontologist.

The primary mitigation measures that will affect the timing of Project construction are avoidance of potential impacts to the Giant Garter Snake and potential fisheries impacts during migration. Construction in and around water is anticipated to follow work period constraints identified in the EIS, pending concurrence or revision by the appropriate agency. Construction of the Project has been divided into four Measures that correspond to the major work items. Components of the project to be installed and the anticipated timeline for construction of the main components of each measure have been identified considering the identified work period constraints.

Prior to construction activities, additional coordination will be required to comply with appropriate Federal, State and local laws and regulations to identify and mitigate impacts of the project. The exact permits and compliance measures that will be required for the project will be determined as the consultation and design process continues and as permit applications are submitted. In addition to the consultation that has been concluded, permits and compliance measures that are anticipated to still be required include:

- US Army Corps of Engineers for Section 404 permit under the Clean Water Act and 408 permission for any potential alteration to existing levees;
- CA Department of Fish and Wildlife for Section 1602 Lake or Streambed Alteration (LSA) Agreement and for potential impacts to nesting birds;
- CA Regional Water Quality Control Board for Section 401 water quality certification and Stormwater Pollution Prevention Plan (SWPPP) compliance;

- Cental Valley Flood Protection Board encroachment permit; and
- Sutter County building permit.

RD 1500 will work closely with permitting agencies to incorporate applicable avoidance and minimization measures into the Proposed Action and require contractors to follow such measures to minimize adverse effects. Environmental enhancement will be achieved following construction of the Preferred Alternative, which is the environmentally preferred alternative.

Significant Impact Considerations

Significant impact considerations took into account the analysis and evidence provided in the “Environmental Consequences” section of the Environmental Impact Statement. I used this information to reach the following conclusions:

In considering the degree of effects I considered the tradeoffs of beneficial and adverse short-term and long-term effects of the proposed action on the environment against the consequences of taking no action.

If no action is taken, the antiquated existing Karnak Drainage Facility would continue to be used and repaired by RD 1500 as needed until parts are no longer available, leading to reduced reliability, reduction of pumping capacity and ultimate failure of the facility, resulting in the inability to discharge the required volume of water out of the Sutter Basin to protect the RD 1500 service area from flood damages. Lacking an ability to discharge floodwater out of the Sutter Basin in the event of a large storm event would result in flooding prime farmland, inundating the community of Robbins, and blocking a portion of an emergency evacuation route.

The proposed action would modernize the existing Karnak Drainage Facility, portions of which are over 100 years old, to continue providing reliable flood protection for the Sutter Basin and Reclamation District No. 1500 service area, which lies within the McGriff Lakes–Sutter Basin Watershed. Under the Modernization Alternative, the existing Karnak Drainage Facility would be overhauled and modernized to increase reliability and efficiency, leveraging to the extent possible, the existing facilities that RD 1500 already owns. Construction would occur within the footprint of the existing facility. The project includes increased pumping capacity to provide redundancy and provide for projected precipitation variability.

Project design features and Best Management Practices will be applied during and after construction of the Preferred Alternative to avoid and minimize effects on environmental and social resources, primarily cultural and biological resources. Ground disturbance activities during construction will not occur during work period constraints identified for the Giant Garter Snake and potential fisheries impacts during migration.

Short-term consequences include temporary soil disturbances and potential temporary impacts on air quality during construction. Soil disturbances and air quality impacts will be minimized through use of Best Management Practices during construction. All

practicable means to avoid or minimize environmental harm have been identified in the EIS and have been adopted. In the long-term the proposed action will provide more efficient continued flood protection for the Sutter Basin in an environmentally friendly way.

The Preferred Alternative will be planned, designed, and installed to provide reliable, long-term flood control while providing long-term net beneficial effects on environmental and social resources. Implementation of the Preferred Alternative will comply with all required permits but may result in minor, short-term adverse impacts during construction that will be mitigated if unable to be avoided. The only unavoidable impact is on historical properties, which will be mitigated in accordance with the terms of the Programmatic Agreement between NRCS and SHPO. The loss of historical properties was deemed necessary to achieve the project's purpose and need and to avoid the much greater potential loss of productivity and quality of life that would result from future flooding of the Sutter Basin under the No Action Alternative.

After careful consideration, I determined that the long-term benefits of the proposed action – substantial reduction of flood risk, protection of life and property, improved public safety, economic resilience, and enhancement of ecosystem services – outweigh the adverse impacts and the consequences of inaction.

Other Factors Influencing the Decision

The following benefits will be achieved through implementation of the Modernization Alternative:

- Reliable and long-term flood management protection;
- Prevent future flooding of homes and other infrastructure in the community of Robbins and surrounding rural areas;
- Protect over 60,000 acres of prime farmland from flooding;
- Protect emergency response and evacuation routes, specifically State Route 113 that bisects the District, a designated emergency evacuation route;
- Protect high voltage PG&E transmission lines in the basin;
- Avoid potential significant direct and indirect revenue losses to the regional economy because of flooding;
- Maintain beneficial discharge flow for existing fish and wildlife habitat;
- Enhance environmental benefits through reliable, improved water management by maintaining farming practices in the RD 1500 service area;
- Maintain historical drainage of lands and avoidance of ponded surface water by removal of the water by pumping plants.

The Modernization Alternative (Preferred Alternative) has the highest benefit-cost ratio of any of the alternatives that were considered for the McGriff Lakes-Sutter Basin Watershed Flood Control and Flood Safety Project and is the environmentally preferred alternative and the most cost-effective option for providing reliable flood control to the RD 1500 service area. The Preferred Alternative maximizes net economic benefits and

is the alternative that provides the most safety and protection for the community of Robbins and surrounding area, maintains environmental benefits and avoids environmental impacts, protects farmland and emergency access roads, maintains the local economy, and is the most logistically reasonable alternative for meeting the purpose and need of the Project.

Anticipated Implementation of Authorized Activities

I intend to implement the approved activities following congressional approval and completion of final design and permitting, with construction anticipated from 2031 through 2032, contingent upon funding and permit approvals.

Signature and Authorization Date

Carlos Suarez California State Conservationist

Click or tap to enter a date.

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CARLOS SUAREZ OLIVA

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