BOARD MEETING

Agenda

January 9, 2025, 6:00 pm

1887 Howard Street, Anderson (Council Chambers)

1. **Call To Order**
2. **Flag Salute**
3. **Public Participation**

   Time set aside for members of the public that wish to address the Board regarding matters of the District within the jurisdiction of the Board. Individuals are requested to limit comments to a maximum of three minutes.
4. **Business Items**
   a. Election of Officers
   b. Review and Approve RESOLUTION 25-01: Approve the Water Reduction Program Agreement Between the Sacramento River Settlement Contractors Nonprofit Mutual Benefit Corporation, Individual Sacramento River Settlement Contractors, and the U.S. Bureau of Reclamation following consideration of the Environmental Impact Report prepared by lead agency Glenn-Colusa Irrigation District, Adopt Findings of Fact and a Statement of Overriding Considerations, Adopt a Mitigation Monitoring and Reporting Program and Approve the Project
5. **Closed Session**
   a. **Conference with Legal Counsel – Anticipated Litigation (Government Code § 54956.9(d)(2) or (3)**
6. **Adjourn**

Anderson-Cottonwood Irrigation District

Draft 2025 Board Officers

DIV	Area	Term Begins	Term Ends	Director	Position	E-Mail
1	Redding Division 1	December 2022	2026	Ronnean Lund	Director	ronneanlund@aol.com
2	Anderson Division 2	December 2022	2026	Audie Butcher	Director	jj-ranch@att.net
3	E. Cottonwood Division 3	December 2024	2028	Dan Woolery	**President**	danwoolery.bamm@outlook.com
4	W. Cottonwood Division 4	December 2024	2028	Ivar Amen	Director	amen4hay@yahoo.com
5	Churn Creek Division 5	December 2022	2026	James Rickert	**Vice-President**	oldorchardranch@gmail.com

Date: 1/9/2025 Agenda Item No. 4b

Water resources managers and fish and wildlife agencies have worked together in the Sacramento River watershed to develop an operations plan for the Sacramento River that will manage and operate the water and flood protection system to serve multiple beneficial purposes along the river that include cities and rural communities, farms, functional ecology for fish and birds, hydropower, and recreation.

There are a number of potential changes in operations of the Sacramento River that may affect Anderson-Cottonwood Irrigation District. Collectively, these proposed initiatives would re-operate the Sacramento River over the next two decades in a concerted and collaborative manner, learning from the various dry years during the previous decades, with a focus to avoid the devastating effects (most vividly in 2022) we saw to communities and farms dependent upon this water. The objective is to manage the available water supplies in all year types to ensure an appropriate balance of water in the rivers and creeks, across the landscape, and for farms and communities in the State of California. Potential operational changes include:

- In specified critically dry years, the operations plan will include a significant compensated **water reduction program** (up to 500,000 acre-feet) as part of the Long-Term Operations (LTO) for the Central Valley Project (CVP). This is memorialized in a 20-year agreement between Sacramento River Settlement Contractors (SRSCs) and the United States Bureau of Reclamation called the Drought Protection Program Agreement, or DPP Agreement. The DPP Agreement is now publicly available.
- Glenn-Colusa Irrigation District served as the lead agency for environmental review of the DPP Agreement under the California Environmental Quality Act (CEQA). **Information on the final environmental impact report prepared under CEQA is available** here.
- A companion agreement known as the Winter Run Action Plan (WRAP) between the SRSCs and multiple state and federal agencies is also part of the water reduction program to ensure agencies during the 20 years are collectively committed to proactive projects and actions to benefit winter run salmon.
- In years when surface water is available, there will be a concerted effort to recharge groundwater to support **aquifer health** and ensure high quality groundwater is available when needed in the region.

Water Reduction Program in Critically Dry Years

In specified critically dry years, the Bureau of Reclamation and the Sacramento River Settlement Contractors (Settlement Contractors) will implement a water reduction program with program water made available to facilitate CVP dry year operations on the Sacramento River that will benefit temperature management for Chinook Salmon, the delivery of water for farms and wildlife refuges in the State of California, Delta outflow requirements, and other purposes of the CVP.

Program Water

Program water will be made available to Reclamation by the SRSCs reducing their diversions.

- Up to 500,000 acre-feet of water for the first ten years (Phase 1, February 2025 – February 2035) and 100,000 acre-feet for the next ten years (Phase 2, February 2035 – February 2045).
- Reclamation will use this water to help manage the Sacramento River under the Long-Term Operations (LTO) for the CVP, including retaining carryover storage in Lake Shasta for temperature management below Shasta Dam and preparing for future dry years.
- Reclamation will make an initial investment to the Settlement Contractors from drought funding in the federal Inflation Reduction Act (IRA) at the beginning of the program to ensure that program water will be available during the specified severely critically dry years.
- The program water is in addition to the contract reductions under the Settlement Contracts for the specific year type and is a beneficial use of water and does not change the underlying water rights. As this program is implemented in Phase 1, the Settlement Contractors will never go below 50% allocation in severely critically dry years.
- The SRSCs will coordinate their diversions to ensure maximum efficiency during these critical years.
- Program water is contingent upon completing the milestones in the Winter-Run Action Plan (WRAP).

Carryover Storage

The program is designed with more conservative Lake Shasta operations, including higher carryover storage and reductions to water supply as described above. The program will be continually evaluated to determine the best approach to carryover storage for temperature management and water supplies.

Process under Water Reduction Agreement

On March 15, Reclamation will provide an initial forecast based on a 90% exceedance to the SRSCs to help define the water year type and whether the conditions support a program year, including the initial quantity of "Program Water", up to 500,000 acre-feet. This information will be updated by April 15 with Reclamation identifying the final amount of Program Water.

By July 15, Reclamation will provide a forecast (based on 90% exceedance) for the end of September Shasta Lake storage. If the forecast is greater than 2.0 maf, the SRSCs' Program Water will be available to the SRSCs for their use. If less than 2.0 maf, Reclamation and the SRSCs will meet and confer on operations for the remainder of the water year that may include water transfers and diversion smoothing by the SRSCs to assist fall-run salmon.

Winter-Run Action Plan (WRAP)

Under the WRAP, including the operation of Shasta and Keswick dams and associated diversion of water for beneficial purposes in the Sacramento River watershed as part of the long-term operations of the CVP and State Water Project. The WRAP will improve every freshwater life-stage of salmon and the Parties intend to coordinate efforts to improve winter-run salmon viability through the

implementation of the WRAP by executing a range of priority science, habitat/fishery, and infrastructure activities that are expected to yield the most significant survival benefits for the species.

Under the WRAP, the Parties will take actions to:

- improve the status and trend monitoring of winter-run and to conduct special studies to address areas of scientific uncertainty that impact recovery actions, water supply, flood control and power generation.

- comprehensively reduce stressors on the viability of winter-run Chinook salmon that may contribute to recovery and reduce impacts to other species, water supply, flood control and power generation.

What Does This Mean for Anderson-Cotton Irrigation District?

- During a Phase I program year (2025-2034) ACID will be reduced by up to 30,000 acre-feet, a total 50% allocation and the ability to divert 63,750 acre-feet of surface water.
    - During a Phase II program year (2035-2044) ACID will be reduced by up to 6,000 acre-feet, a total 70% allocation in the most critically of dry years and will retain the ability to divert 87,750 acre-feet of surface water.
- ACID will receive funding in the amount of$14,214,345 and a majority of this funding will need to be invested in facilities improvement (Capital Projects). These improvements will help ACID more efficiently manage and deliver water and to minimize water supply impacts should a program year occur. ACID's investments in its capital facilities during the last two off-seasons will count towards this majority requirement.
- The WRAP habitat enhancement and restoration projects will hopefully reverse recent declines in salmon populations and consequently ease pressure on ACID's and other SRSCs' water rights.
- The DPP Agreement and WRAP help assure a "non-jeopardy" biological opinion and continued incidental take protection under the Endangered Species Act.
- GCID as the lead agency under CEQA approved the Final Environmental Impact Report, related documents, and the DPP Agreement at a meeting on December 30, 2024. ACID is considered a "responsible agency" under CEQA. ACID legal counsel has prepared Resolution 25-01 to address ACID's legal responsibilities as a responsible agency under CEQA and, if approved, would also authorize ACID to execute the DPP Agreement. Exhibits to the Resolution are key documents associated with the DPP Agreement: (1) Exhibit A – GCID's resolution certifying the Final EIR under CEQA and approving the DPP Agreement; (2) Exhibit B – CEQA Findings and Statement of Overriding Considerations; (3) Exhibit C – CEQA Mitigation, Monitoring and Reporting Program; and (4) Exhibit D – the Final Draft of the DPP Agreement.
- The Commissioner of the Bureau of Reclamation, representatives of the Sacramento River Settlement Contractor Corporation, and some individual Sacramento River Settlement Contractors are planning to execute the DPP Agreement the week of January 13, 2025.

Recommendation: Recommend approval of Resolution 25-01 addressing ACID's responsible agency requirements under CEQA and authorize the President of the Anderson Cottonwood Irrigation District Board of Directors to execute the Drought Protection Program Agreement

RESOLUTION NO. 25-01

A RESOLUTION OF THE BOARD OF DIRECTORS
OF ANDERSON-COTTONWOOD IRRIGATION DISTRICT
(1) CERTIFYING ITS REVIEW OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE WATER REDUCTION PROGRAM AGREEMENT BETWEEN THE SACRAMENTO RIVER SETTLEMENT CONTRACTORS NONPROFIT MUTUAL BENEFIT CORPORATION, INDIVIDUAL SACRAMENTO RIVER SETTLEMENT CONTRACTORS, AND THE U.S. BUREAU OF RECLAMATION;
(2) MAKING CERTAIN CEQA FINDINGS AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS;
(3) APPROVING A MITIGATION MONITORING AND REPORTING PROGRAM; AND
(4) APPROVING THE PROJECT

WHEREAS, Glenn-Colusa Irrigation District (GCID) is the lead agency under the California Environmental Quality Act, Public Resources Code sections 21000 et seq., (CEQA) for the proposed "Water Reduction Program Agreement Between the Sacramento River Settlement Contractors Nonprofit Mutual Benefit Corporation, individual Sacramento River Settlement Contractors, and the U.S. Bureau of Reclamation", State Clearinghouse Number 2024050834, (Project); and

WHEREAS, Anderson-Cottonwood Irrigation District (ACID) is an individual Sacramento River Settlement Contractor and is a responsible agency under CEQA for the Project; and

WHEREAS, GCID, in consultation with ACID, has caused to be prepared in accordance with CEQA a notice of preparation (NOP), Draft Environmental Impact Report (EIR), and a Final EIR consisting of (a) the Draft EIR, (b) comments to the Draft EIR and GCID's responses to those comments, (c) revisions to the Draft EIR, (d) Findings of Fact and Statement of Overriding Considerations, and (e) a Mitigation, Monitoring and Reporting Program; and

WHEREAS, pursuant to California Code of Regulations, Title 14, (CEQA Guidelines) section 15096, subdivisions (f) and (g), ACID as a responsible agency must consider the environmental effects of the entire Project as shown in the Final EIR and feasible mitigation measures and alternatives within ACID powers prior to reaching a decision on the Project; and

WHEREAS, pursuant to CEQA Guidelines section 15050, subdivision (b), each responsible agency must certify that its decisionmaking body reviewed and considered the information in the EIR on the Project; and

WHEREAS, prior to ACID's consideration of the Final EIR and accompanying documents, GCID's Board of Directors on December 30, 2024 adopted Resolution No. 2024-013, "Resolution of the Glenn-Colusa Irrigation District to Certify the Final Environmental Impact

Report for the Water Reduction Program Agreement Between the Sacramento River Settlement Contractors Nonprofit Mutual Benefit Corporation, Individual Sacramento River Settlement Contractors, and the U.S. Bureau of Reclamation; Adopt Findings of Fact and Statement of Overriding Considerations; Adopt a Mitigation Monitoring and Reporting Program; and Approve the Project" (GCID's Resolution); and

WHEREAS, the Board of Directors of ACID reviewed and considered GCID's Resolution, including exhibits thereto and incorporates the same into this Resolution by this reference as Exhibit A; and

WHEREAS, on January 9, 2025, a regular meeting of ACID was held to consider the Final EIR and all supporting documentation and other relevant documents, including Exhibit A, to receive public comment on ACID's consideration and certification of the Final EIR as a responsible agency, and to consider adoption of the Project.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND DIRECTED by the Board of Directors of Anderson-Cottonwood Irrigation District as follows:

1. The above recitals are true and correct and are incorporated herein as findings of the Board of Directors.

2. Based on its review of the whole record before it, including the Final EIR, Draft EIR, all appendices and references, Exhibit A, and presentations by ACID staff and consultants, the Board of Directors finds, determines and certifies that (i) it reviewed and considered the information prepared by GCID, as lead agency, before acting and considering the Project; (ii) pursuant to CEQA Guidelines section 15096, subdivision (f), ACID considered the environmental effects of the proposed Project as described in the Draft and Final EIR and accompanying documents; and (iii) the Final EIR reflects the independent judgment and analysis of the ACID Board of Directors. Consequently, acting as a responsible agency, the Board of Directors of ACID hereby certifies, adopts and approves the Final EIR as the environmental impact report for the Project under CEQA.

3. The Board of Directors hereby adopts and approves the CEQA Findings and Statement of Overriding Considerations attached as Exhibit B. By so adopting, the Board of Directors has satisfied its obligations concerning CEQA findings in that Exhibit B: (i) identifies all feasible mitigation measures that can substantially lessen or avoid significant environmental effects associated with the Project; (ii) explains why certain proposed mitigation measures are rejected as inappropriate or infeasible; (iii) explains why Project alternatives cannot feasibly and adequately satisfy the objectives of the Project; (iv) finds certain environmental impacts to of the Project to be significant an unavoidable and cannot be reduced below significance by avoidable mitigation measures or feasible alternatives and consequently adopts a statement of overriding considerations; and (iv) explains why the Project is considered feasible and is being adopted as the Project.

4. The Board of Directors hereby adopts and approves and attaches as Exhibit C the Mitigation, Monitoring and Reporting Program and authorizes and directs ACID staff to implement and enforce the mitigation measures in the implementation and management of the Project.

5. Having certified the Final EIR as a responsible agency, the Board of Directors hereby approves and elects to carry out the Project as set forth in the Final EIR. The General Manager of ACID is authorized and directed to execute the "Agreement Between the United State Bureau of Reclamation, the Sacramento River Settlement Contractors, a California Nonprofit Mutual Benefit Corporation, and Individual Sacramento River Settlement Contractors for the Establishment of a Drought Protection Program", a copy of which is attached as Exhibit D.

6. The Board of Directors authorizes and directs the ACID's General Manager or his designee to prepare and sign a CEQA Notice of Determination for the Project and to file this notice within five (5) working days following the date of adoption of this resolution with the State Clearinghouse and affected counties [Tehama, Butte, Colusa, Glenn, Sacramento, Shasta, Sutter, and Yolo counties] and directs that copies of the Final EIR be retained at ACID's office for public review.

7. The documents which constitute the record of proceedings upon which the decision of the Board of Directors is based are located at the offices of Anderson-Cottonwood Irrigation District, 2810 Silver Street, Anderson, CA 96007, and the Secretary to the Board of Directors is the custodian thereof.

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ADOPTED by the Board of Directors of Anderson-Cottonwood Irrigation District at a regular meeting of said Board, held on the 9th day of January, 2025, by the following vote of said Board:

Aye:

No: 0

Abstain: 0

Absent: 0

_____

President of the Board of Directors

Attest:

_____

Secretary to the Board of Directors

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Central Valley Project, California

AGREEMENT BETWEEN THE UNITED STATES BUREAU OF RECLAMATION, THE SACRAMENTO RIVER SETTLEMENT CONTRACTORS, A CALIFORNIA NONPROFIT MUTUAL BENEFIT CORPORATION, AND INDIVIDUAL SACRAMENTO RIVER SETTLEMENT CONTRACTORS FOR THE ESTABLISHMENT OF A DROUGHT PROTECTION PROGRAM

THIS AGREEMENT, made this _____ day of January, 2025, pursuant to the Reclamation Act of 1939 (53 Stat. 1187), the Reclamation Reform Act of 1982 (P.L. 97-293), and the Inflation Reduction Act of 2022 (P.L. 117-169), between the UNITED STATES BUREAU OF RECLAMATION, hereinafter the United States or Reclamation, and represented by the officer executing this Agreement, the SACRAMENTO RIVER SETTLEMENT CONTRACTORS, a California nonprofit mutual benefit corporation, hereinafter referred to as the SRSC Corp., acting for and on behalf of its members and any other non-member Sacramento River settlement contractor that receives funding pursuant to this Agreement, and individual Sacramento River settlement contractors that have executed this Agreement.

EXPLANATORY RECITALS

[1st] WHEREAS, the United States has constructed and is operating the Central Valley Project (Project) for diversion, storage, carriage, and distribution of waters of the Sacramento

River, the American River, the Trinity River, and the San Joaquin River and their tributaries for irrigation and other beneficial uses to serve Project purposes; and

[2nd] WHEREAS, Reclamation has entered into contracts with senior water right holders on the Sacramento River, known as the Sacramento River settlement contractors, for the settlement of claimed water rights; and

[3rd] WHEREAS, Reclamation and the Sacramento River settlement contractors renewed these contracts in or around 2005, which among other things provide for a 25% reduction of water available for diversion in a Critical Year as defined in the contracts; and

[4th] WHEREAS, on September 30, 2021, Reclamation requested reinitiation of consultation with the United States Fish and Wildlife Service and the National Oceanic and Atmospheric Administration's National Marine Fisheries Service regarding the long-term operations of the Central Valley Project and the State Water Project pursuant to 50 C.F.R. § 402.16 of the federal Endangered Species Act;

[5th] WHEREAS, on November 9, 2023, Reclamation issued a "Biological Assessment for the 2021 Reinitiation of Consultation on the Long-Term Operation of the Central Valley Project and the State Water Project";

[6th] WHEREAS, Reclamation issued a Final Environmental Impact Statement (EIS) for the Long-Term Operation of the Central Valley Project and the State Water Project on November 15, 2024;

[7th] WHEREAS, Reclamation issued a Record of Decision on the Long-Term Operation of the Central Valley Project and State Water Project on December 20, 2024;

[8th] WHEREAS, in anticipation of Reclamation's operational commitments in the LTO Biological Assessment, Reclamation and the undersigned Sacramento River settlement contractors agree to a Drought Protection Program under specific hydrologic conditions;

[9th] WHEREAS, the undersigned Sacramento River settlement contractors agree to a Drought Protection Program, to be implemented in two phases, based on the parties' commitment to improve spawning, rearing, and migratory conditions for salmon species in the Upper Sacramento River, hatchery operations, and other spawning locations in tributaries like Battle Creek, and to otherwise support the recovery of salmon species;

[10th] WHEREAS, the undersigned Sacramento River settlement contractors agree to a second phase of a Drought Protection Program based on anticipated investments in drought resiliency projects;

[11th] WHEREAS, the SRSC Corp. will coordinate activities among its members and other Sacramento River settlement contractors and distribute funding to the undersigned Sacramento River settlement contractors as set forth in the articles to follow;

[12th] WHEREAS, the SRSC Corp. will accept funding and coordinate activities in support of the Winter-Run Action Plan and to assist the United States in achieving the milestones to support recovery of salmon species in the Upper Sacramento River; and

[13th] WHEREAS, the U.S. Fish and Wildlife Service issued a biological opinion on the Sacramento River Settlement Contractors Drought Protection Program, on January 7, 2025; and

[14th] WHEREAS, Reclamation completed an Environmental Assessment for the Sacramento River Settlement Contractors Drought Protection Program, and signed a Finding of No Significant Impact, on January 7, 2025,

[15th] WHEREAS, on December 30, 2024, Glenn-Colusa Irrigation District, as lead agency, certified the Final Environmental Impact Report for the 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, adopted Findings of Fact and a Statement of Overriding Considerations, adopted a Mitigation Monitoring and Reporting Program, and approved the project, and other Sacramento River settlement contractors, as responsible agencies, approved execution of this Agreement in reliance on the Final Environmental Impact Report.

NOW, THEREFORE, in consideration of the mutual and dependent covenants herein contained, the parties agree as follows:

1. DEFINITIONS

When used herein unless otherwise distinctly expressed, or manifestly incompatible with the intent of the parties as expressed in this Agreement, the term:

(a) "Agreements to Support Healthy Rivers and Landscapes" shall mean the suite of plans and voluntary agreements proposed by signatory state agencies, Reclamation, public water agencies, and other water users as an alternative program of implementation for achieving water quality objectives for the Sacramento River, tributaries, and the Delta as part of the California State Water Resources Control Board's update of its Bay-Delta Water Quality Control Plan;

(b) "Base Supply" shall mean the quantity of Surface Water established in Articles 3 and 5 of the Settlement Contracts, and listed in Exhibit A of each Settlement Contract, which may be diverted by the Contractor from the Sacramento River or its Source of Supply without payment to the United States for such quantities diverted;

(c) "Contract Totals" shall mean the sum of the Base Supply and Project Water available for diversion under the Settlement Contracts held by the Settlement Contractors that have executed this Agreement;

(d) "Critical Year" shall have the same meaning as the term "Critical Year" in the Settlement Contracts, which, as stated in the Settlement Contracts, means any Year in which either of the following eventualities exists:

(i) The forecasted full natural inflow to Shasta Lake for the current Water Year, as such forecast is made by the United States on or before February 15 and reviewed as frequently thereafter as conditions and information warrant, is equal to or less than 3.2 MAF; or

(ii) The total accumulated actual deficiencies below 4.0 million acre-feet in the immediately prior Water Year or series of successive prior Water Years each of which had inflows of less than 4.0 million acre-feet, together with the forecasted deficiency for the current Water Year, exceed 800,000 acre-feet.

For the purpose of determining a Critical Year, the computation of inflow to Shasta Lake shall be performed in a manner that considers the extent of upstream development above Shasta Lake during the year in question, and shall be used as the full natural flow to Shasta Lake. In the event that major construction has occurred or occurs above Shasta Lake after September 1, 1963, and which has materially altered or alters the regimen of the stream systems contributing to Shasta Lake, the computed inflow to Shasta Lake used to define a Critical Year will be adjusted to eliminate the effect of such material alterations. After consultation with the State of California, the National Weather Service, and other recognized forecasting agencies, the Contracting Officer will select the

forecast to be used and will make the details of it available to the Settlement Contractors. The same forecasts used by the United States for the operation of the Project shall be used to make the forecasts hereunder;

(e) "Contracting Officer" will mean Reclamation's Regional Director (unless otherwise stated) or his duly authorized representative;

(f) "CVPIA" shall mean the Central Valley Project Improvement Act, Title XXXIV of the Act of October 30, 1992 (106 Stat. 4706);

(g) "Drought Resiliency Projects" shall mean an integrated, broad range of actions intended to strengthen the resilience of the Settlement Contractors' water system and long-term water delivery capabilities, thereby assisting Reclamation and the Settlement Contractors to withstand and recover from climatic variability in order to support healthy rivers and landscapes (including but not limited to terrestrial ecosystems) and create durable water savings while sustaining a more drought-resilient economy that retains its vitality. Drought Resiliency Projects include but are not limited to the following actions: 1) protecting and enhancing natural systems through habitat projects and other environmental stewardship; 2) making investments to conserve water supplies over the long-term; 3) diversifying water supplies; and 4) enhancing water management actions with improved data, forecasting, conveyance, and administration under the Settlement Contracts;

(h) "Effective Date" shall mean January 8, 2025.

(i) "Exhibit A" shall mean the listing of those Settlement Contractors that have executed this Agreement, which Exhibit may be modified by the SRSC Corp. without amendment of this Agreement if and when those entities or persons that hold a Settlement

Contract with Reclamation as originally executed in or about 1964, and as renewed in or about 2005, execute this Agreement after the Effective Date but on or before July 31, 2025.

(j) "Final EIR" shall mean the Final Environmental Impact Report to support a 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, certified by Glenn-Colusa Irrigation District on December 30, 2024.

(k) "Five Agency Memorandum of Understanding" shall mean the "Memorandum of Agreement for the Purpose of the Recovery of Winter-Run Chinook Salmon Pursuant to the Winter-Run Action Plan by and among United States Fish and Wildlife Service, National Marine Fisheries Service, Bureau of Reclamation, California Department of Water Resources, California Department of Fish and Wildlife, and Sacramento River Settlement Contractors Corporation" dated [date].

(l) "Inflation Reduction Act" or "Act" shall mean Public Law No. 117-169, 136 Stat. 1818 (2022).

(m) "LTO Biological Assessment" means the "Biological Assessment for the 2021 Reinitiation of Consultation on the Long-Term Operation of the Central Valley Project and the State Water Project" issued by Reclamation on November 9, 2023.

(n) "Parties" shall mean the United States or Reclamation, SRSC Corp., and the Settlement Contractors that have executed this Agreement.

(o) "Phase One" shall mean the period that lasts ten years from the date of the execution of this Agreement when the provisions of Article 3 of this Agreement are effective.

(p) "Phase One Program Year" shall mean when all the following conditions are satisfied by April 15 in any Year during Phase One:

(i) Based on Bin 3B Indicators in the LTO Biological Assessment, forecasted end-of-April Shasta Lake storage is less than 3.0 million acre-feet;

(ii) Based on Bin 3B Indicators in the LTO Biological Assessment, forecasted end-of-September Shasta Lake storage is less than 2.0 million acre-feet;

(iii) Combined actual and forecasted natural inflow to Shasta Lake from October 1 through April 30 is less than 2.5 million acre-feet; and

(iv) Reclamation forecasts a Critical Year under the Settlement Contracts.

Forecasts to determine whether conditions (i)-(iv) are satisfied shall be based on a 90% exceedance.

(q) "Phase Two" shall mean the period following the expiration of Phase One through February 28, 2045, when the provisions of Article 4 of this Agreement are effective.

(r) "Phase Two Program Year" shall mean when all the following conditions are satisfied by April 15 in any Year during Phase Two:

(i) Combined actual and forecasted natural inflow to Shasta Lake from October 1 through April 30 is less than 2.5 million acre-feet; and

(ii) Reclamation forecasts a Critical Year under the Settlement Contracts.

Forecasts to determine whether conditions (i)-(ii) are satisfied shall be based on a 90% exceedance.

(s) "Program Water" shall mean the total quantity reduced under all Settlement Contracts participating in the Drought Protection Program during a Phase One Program Year, not to exceed a combined 500,000 acre-feet per Phase One Program Year, in order to result in a

forecasted end-of-September storage in Shasta Lake of up to 2.0 million acre-feet; the total reduction shall be in addition to reductions under Article 5 of the Settlement Contracts.

(t) "Project" shall mean the Central Valley Project owned by the United States and managed by the Department of Interior, Bureau of Reclamation;

(u) "Project Water" shall have the same meaning as the term "Project Water" in the Settlement Contracts, which, as stated in the Settlement Contracts, means all Surface Water diverted or scheduled to be diverted each Year by the Contractor from the Sacramento River which is in excess of the Base Supply. The United States recognizes the right of the Contractor to make arrangements for acquisition of water from projects of others than the United States for delivery through the Sacramento River and tributaries subject to written agreement between Contractor and the United States as to identification of such water which water when so identified shall not be deemed Project Water under this Settlement Contract;

(v) "Rates" shall have the same meaning as the term "Rates" in the Settlement Contracts, which, as stated in the Settlement Contracts, means the payments for Project Water determined annually by the Contracting Office in accordance with the then current applicable water ratesetting Policies for the Project, as described in subdivision (a) of Article 8 of the Settlement Contract.

(w) "Reclamation Program Water" shall mean any Program Water made available for use by Reclamation pursuant to this Agreement;

(x) "Record of Decision" shall mean the decision document issued on December 20, 2024, in which Reclamation selected an alternative for the long-term operations of the Central Valley Project and State Water Project based on the analysis of the range of alternatives analyzed

in the EIS titled "Long-Term Operations of the Central Valley Project and State Water Project", posted on November 15, 2024.

(y) "Recoverable SRS Contractor Program Water" shall mean the quantity of SRS Contractor Program Water that is available for use in accordance with Article 3(g)-(i); except that portion determined by Reclamation as Recoverable SRS Contractor Program Water Spill;

(z) "Recoverable SRS Contractor Program Water Spill" shall mean Recoverable SRS Contractor Program Water that, upon determination by Reclamation, is irrecoverably lost from Reclamation's control at Shasta Reservoir;

(aa) "Rescheduling Fee" shall have the same meaning as the term "Rescheduling Fee" in the Settlement Contracts, which, as stated in the Settlement Contracts, means the payments required for each acre-foot of Base Supply rescheduled pursuant to subdivision (c)(l) of Article 3 of the Settlement Contract, as determined annually by the Contracting Officer in accordance with the then-current applicable water rate setting policies for the Project;

(bb) "SRS Contractor Program Water" shall mean any Program Water that is not made available for use by Reclamation as Reclamation Program Water;

(cc) "Secretary" shall mean the Secretary of the Interior, a duly appointed successor, or an authorized representative acting pursuant to any authority of the Secretary and through any agency of the Department of the Interior;

(dd) "Settlement Contractor(s)" shall mean those entities or persons that hold a Settlement Contract with Reclamation as originally executed in or about 1964, and as renewed in or about 2005, and who have agreed to participate in the Drought Protection Program by executing this Agreement.

(ee) "Settlement Contract(s)" shall mean the Sacramento River Settlement Contracts as originally executed in or about 1964, and as renewed in or about 2005.

(ff) "Surface Water" shall have the same meaning as the term "Surface Water" in the Settlement Contracts, which, as stated in the Settlement Contracts, means only those waters that are considered as surface water under California law;

(gg) "Drought Protection Program" shall mean the program implementing reductions to Contract Totals in Phase One pursuant to Article 3 of this Agreement and in Phase Two pursuant to Article 4 of this Agreement.

(hh) "Water Year" shall have the same meaning as the term "Water Year" in the Settlement Contracts, which, as stated in the Settlement Contracts, means the period commencing with October 1 of one year and extending through September 30 of the next;

(ii) "Winter-Run Action Plan" or "WRAP" shall mean the plan that has been developed collaboratively among representatives from Reclamation, National Marine Fisheries Service, U.S. Fish and Wildlife Service, California Department of Water Resources, California Department of Fish and Wildlife, and the SRSC Corp. as an integrated plan to improve the survival and viability of Winter-run Chinook salmon that functions alongside planned operation of Shasta Reservoir, and as the plan is identified and described in Sections 3.13.3.2 and 3.16.1 of the LTO Biological Assessment; and

(jj) "Year" shall have the same meaning as the term "Year" in the Settlement Contracts, which, as stated in the Settlement Contracts means a calendar year.

2. DURATION OF CONTRACTUAL OBLIGATIONS

Except for Reclamation's obligations under Article 7 of this Agreement, the Parties' respective rights, responsibilities and performance obligations during Phase One of the Drought

Protection Program shall remain in effect from February 1, 2025, through February 15, 2035. The Parties' respective rights, responsibilities and performance obligations during Phase Two of the Drought Protection Program shall begin on February 16, 2035, and shall remain in effect through February 28, 2045.

3. PHASE ONE OF THE DROUGHT PROTECTION PROGRAM

(a) Reclamation will establish a Drought Protection Program to reduce water furnished to Settlement Contractors in certain years and under specific hydrologic conditions as defined in this Agreement. The Drought Protection Program will be implemented in two phases, with each phase lasting approximately ten years. This article prescribes the terms of Phase One of the Drought Protection Program.

(b) Reclamation will identify whether any Year is a Phase One Program Year, as defined in Article 1(p), and the amount of Program Water based on the following forecasts and process:

(i) On March 15 of each Year, Reclamation will provide a forecast based on a 90% exceedance to the Settlement Contractors as to whether the conditions for a Phase One Program Year are forecasted to be satisfied, and if so, will identify the initial quantity of Program Water.

(ii) On April 15 of each Year, Reclamation will provide a forecast based on a 90% exceedance to the Settlement Contractors as to whether the conditions for a Phase One Program Year are satisfied, and if so, will identify the final amount of Program Water.

(iii) Reclamation may not increase the amount of Program Water after April 15 under this Agreement. The Settlement Contractors may voluntarily agree to an increase in the quantity of Program Water subject to a separate agreement with Reclamation.

(iv) The forecast provided by Reclamation on April 15 will be the final notice to Settlement Contractors as to whether it is a Phase One Program Year.

(c) In addition to reductions under Article 5 of the Settlement Contracts, in a Phase One Program Year, Reclamation will reduce the Contract Totals for the Settlement Contractors by the final amount of Program Water identified on April 15; the reduction to Contract Totals because of reductions for Program Water shall be distributed among the Settlement Contractors as identified in Exhibit A. The Settlement Contractors may redistribute the reductions to Contract Totals among the Settlement Contractors, provided that the total amount of Program Water identified by Reclamation is met by the combined reduction to Contract Totals of the Settlement Contractors. Any water reductions pursuant to this subdivision shall be deemed equivalent to a reasonable beneficial use of water to the extent of the reduction in supply, do not reflect any change to the underlying water rights of the Settlement Contractors, and will not be considered by Reclamation as a reduction in water use or demand during any renewal of the Settlement Contracts, unless otherwise mutually agreed.

(d) By April 15 of any Phase One Program Year, Reclamation shall have the first right to make Program Water available for use by Reclamation upon a mutually agreed upon amount of funding made available to the Settlement Contractors; such water shall be "Reclamation Program Water." Program Water not funded by Reclamation by April 15 shall be "SRS Contractor Program Water."

(e) Between April 15 and July 15 in a Phase One Program Year, the Settlement Contractors may voluntarily provide an option to Reclamation to provide funding for use of SRS Contractor Program Water by Reclamation at an amount agreed upon in the future by Reclamation and the Settlement Contractors.

(f) In a Phase One Program Year, no later than July 15, Reclamation will provide a forecast based on a 90% exceedance to the Settlement Contractors that identifies the forecasted end-of-September Shasta Lake storage:

(i) If the forecasted end-of-September Shasta Lake storage is greater than 2.0 million acre-feet, then the SRS Contractor Program Water will become "Recoverable SRS Contractor Program Water" and may be used in accordance with subdivisions (g)-(i) of this Article 3. Recoverable SRS Contractor Program Water will be distributed among the Settlement Contractors in accordance with Exhibit A.

(ii) If the forecasted end-of-September Shasta Lake storage is less than 2.0 million acre-feet, then Reclamation and the Settlement Contractors will meet and confer on operations for the remaining period of the Water Year in accordance with Article 6 of this Agreement.

(g) Each Settlement Contractor may use its amount of Recoverable SRS Contractor Program Water for the following purposes and subject to Reclamation's operational constraints:

(i) Diversion and use within a Settlement Contractor Service Area identified in Exhibit B of a Settlement Contract;

(ii) Settlement Contractor flow contributions or other actions under the Agreements to Support Healthy Rivers and Landscapes;

(iii) Subject to Reclamation's right of first refusal to provide funding to make Recoverable SRS Contractor Program Water available for use by Reclamation, request assignment and delivery to Project water service and/or repayment contractors or National Wildlife Refuges, or

(iv) Subject to Reclamation's right of first refusal to provide funding to make Recoverable SRS Contractor Program Water available for use by Reclamation, transfer to non-Project contractors in accordance with Article 3(e) of the Settlement Contracts.

Use of Recoverable SRS Contractor Program Water plus quantities diverted or transferred under the Settlement Contracts in each Year shall not exceed the Contract Totals.

(h) Requested use of Recoverable SRS Contractor Program Water shall not result in a forecasted end-of-September Shasta Lake storage of less than 2.0 million acre-feet during the year of the requested use.

(i) Requests by Settlement Contractors to use Recoverable SRS Contractor Program Water for the purposes in subdivision (g)(i)-(iv) of this Article 3 shall be submitted to Reclamation at least two weeks prior to the date of the requested use. Reclamation and the Settlement Contractors shall cooperate to reach agreement on a schedule for the requested use, subject to Reclamation's operational constraints, within two weeks of submittal of a request.

(j) After October 1 of each Year, SRS Contractor Program Water shall become Recoverable SRS Contractor Program Water. Any Recoverable SRS Contractor Program Water shall be carried over in Shasta Lake subject to the following:

(i) Reclamation shall have the right to provide funding to make any Recoverable SRS Contractor Program Water available for use by Reclamation beginning October 1. Any Recoverable SRS Contractor Program Water that Reclamation does not

fund by April 15 of the following year shall remain Recoverable SRS Contractor Program Water.

(ii) In the event the following year is not a Phase One Program Year, Settlement Contractors may use Recoverable SRS Contractor Program Water for the purposes and subject to the conditions in subdivision (g) of this Article 3. Requested use of Recoverable SRS Contractor Program Water shall not result in a forecasted end-of-September Shasta Lake storage of less than 2.0 million acre-feet during the Year of the requested use.

(iii) Recoverable SRS Contractor Program Water that is carried over may become Recoverable SRS Contractor Program Water Spill. The determination of Recoverable SRS Contractor Program Water Spill will be made by Reclamation.

(iv) Reclamation shall provide an accounting of Recoverable SRS Contractor Program Water Spill with a notification to SRS Contactors within 45 days its determination.

(v) Recoverable SRS Contractor Program Water Spill shall be accounted as meeting the Settlement Contractors' obligations to provide flow contributions under the Agreements to Support Healthy Rivers and Landscapes to the extent possible.

(k) Recoverable SRS Contractor Program Water remaining in Shasta at the end of Phase One, if any, will be carried over in Shasta for future use for the purposes and subject to the conditions in subdivision (g).

4. PHASE TWO OF THE DROUGHT PROTECTION PROGRAM

(a) This article prescribes the terms of Phase Two of the Drought Protection Program. Phase Two shall expire on February 28, 2045, unless otherwise extended by mutual agreement.

(b) Reclamation will identify whether any Year is a Phase Two Program Year, as defined in Article 1(r), based on the following forecasts and process:

(i) On March 15 of each Year during Phase Two, Reclamation will provide a forecast based on a 90% exceedance to the Settlement Contractors as to whether the conditions for a Phase Two Program Year are forecasted to be satisfied; and

(ii) If the conditions for a Phase Two Program Year are forecasted to be satisfied on March 15, then Reclamation and the Settlement Contractors will begin to meet and confer on whether a reduction, in addition to reductions under Article 5 of the Settlement Contracts, is necessary to promote the survival and recovery of federally endangered or threatened species in the Sacramento River below Shasta Dam above I Street Bridge.

(iii) On April 15 of each year during Phase Two, Reclamation will provide a forecast based on a 90% exceedance to Settlement Contractors as to whether the conditions for a Phase Two Program Year are satisfied. The forecast provided by Reclamation on April 15 will be the final notice to Settlement Contractors as whether it is a Phase Two Program Year.

(c) If Reclamation determines that is a Phase Two Program Year on April 15, and, as a result of the meet and confer process described in Article 6, Reclamation and the Settlement Contractors agree that a reduction in addition to reductions under Article 5 of the Settlement Contracts is necessary to achieve temperature control in the Upper Sacramento River, then the Settlement Contractors will voluntarily reduce the Contract Totals under the Settlement Contracts by up to 100,000 acre-feet.

(d) The Settlement Contractors may distribute the reductions to Contract Totals among the Settlement Contractors, provided that the total amount of up to 100,000 acre-feet is met by the combined reduction to Contract Totals by the Settlement Contractors.

(e) Any water reductions pursuant to Article 4(c) shall be deemed equivalent to a reasonable beneficial use of water to the extent of the reduction in supply, do not reflect any change to the underlying water rights of the Settlement Contractors, and will not be considered by Reclamation as a reduction in water use or demand during any renewal of the Settlement Contracts, unless otherwise mutually agreed.

(f) Reclamation will utilize any water savings resulting from the reductions by the Settlement Contractors under Article 4(c) of this Agreement for non-reimbursable purposes necessary to promote the survival and recovery of federally endangered or threatened species in the Sacramento River below Shasta Dam above I Street Bridge and will not make these savings available for water supply allocations to CVP contractors in a Phase Two Program Year.

(g) The Parties agree that during Phase Two any voluntary reductions in water furnished to the Settlement Contractors beyond the reductions provided for in Article 4(c) of this Agreement shall be subject to a separate agreement with Reclamation.

5. SETTLEMENT CONTRACT PERFORMANCE

(a) Reclamation agrees to the following terms during a Phase One Program Year or a Phase Two Program Year:

(i) Reclamation will allow Settlement Contractors to reschedule the amounts of Base Supply not diverted in a month into any other months, including into the critical months defined in the Settlement Contracts, or otherwise as needed to accommodate the demand shift pattern.

(ii) Reclamation shall ensure that water furnished under the Settlement Contracts is available on a pattern that allows the Settlement Contractors to make use of the entire Contract Total, with applicable reductions under the Settlement Contracts and this Agreement.

(iii) Reclamation will waive the requirement of Article 3(c)(2)(ii) of the Settlement Contracts.

(iv) Reclamation will allow the accounting order for diversion schedules for each month to be regular monthly Base Supply, then unused Base Supply rescheduled from another month, and then Project Water.

(v) Reclamation shall waive fees for the rescheduling of Base Supply into other months as set forth in Article 3(c)(1) of the Settlement Contracts.

(vi) Reclamation will waive the take or pay provisions in Article 8(a)(1) of the Settlement Contracts.

(vii) For the purpose of future water transfers related to groundwater substitution or crop idling/shifting, Reclamation will account for baseline conditions only in years that do not involve reductions to Contract Totals beyond those described in Article 5 of the Settlement Contracts.

(viii) Both Base Supply and Project Water shall be available for use in water transfers consistent with sections 3403(f) and 3405(a)(1)(M) of the CVPIA.

(b) In the event of a conflict between the terms in subdivision (a) of Article 5 of this Agreement and the terms of a Settlement Contract, the terms in subdivision (a) of Article 5 of this Agreement shall govern.

(c) To the maximum extent possible, the terms in subdivision (a) of Article 5 of this Agreement will also apply to the use of Recoverable SRS Contractor Program Water if it becomes available for use in a Phase One Program Year in Phase One of the Drought Protection Program.

6. MEET AND CONFER

The Settlement Contractors will meet and confer with Reclamation as appropriate to determine if there is any additional role for the Settlement Contractors in connection with Reclamation's operational decision-making for Shasta Reservoir annual operations in Phase One Program Years and Phase Two Program Years. This determination will include consideration of what actions are feasible, consistent with the terms of this Agreement and the Settlement Contracts. In addition to the reduction during Critical Years as set forth in the Settlement Contracts, and the reductions under Articles 3 and 4 of this Agreement, the types of actions that may be considered include, but are not necessarily limited to: (1) the scheduling of spring diversions by the Settlement Contractors; (2) voluntary, compensated water transfers by the Settlement Contractors subject to Reclamation approval; and (3) smoothed diversions by the Settlement Contractors during the fall months. Any mutually agreeable proposed actions resulting from these meet-and-confer discussions must be consistent with the terms of this Agreement and the Settlement Contracts and subject to other regulatory approvals.

7. FUNDING FOR THE DROUGHT PROTECTION PROGRAM

(a) Reclamation will fund the Drought Protection Program by providing the following payment to SRSC Corp.:

(i) $250 million upon the Effective Date of this Agreement, in a one-time, non-refundable payment to the SRSC Corp., with funds available to Reclamation under the Inflation Reduction Act.

(ii) The Settlement Contractors shall use the majority of the proceeds from Article 7(a)(i) to invest in Drought Resiliency Projects. For purposes of this provision, Drought Resiliency Projects include actions taken by Settlement Contractors and costs of those actions incurred from August 16, 2022, the date of enactment of the Inflation Reduction Act, to December 20, 2024, up to $30 million. The balance of the proceeds (less than the majority of funds from the Inflation Reduction Act) may be used for any lawful Settlement Contractor purposes.

(iii) The proceeds from Article 7(a), once transferred to the Settlement Contractors under Article 11, are eligible to meet any local agency cost share for a matching funds requirement.

(b) In accordance with Article 2 of this Agreement, Reclamation has the right to the first 275,000 acre-feet of Program Water during Phase One. Reclamation shall have the right to take actions to make additional quantities of Program Water or SRS Contractor Program Water available for use by Reclamation as set forth in subdivisions (d), (e), and (g) of Article 3 of this Agreement in exchange for a mutually agreed payment or payments to the Settlement Contractors based upon future negotiations between Reclamation and the Settlement Contractors.

(c) The funds described in subdivision (a) of this Article will be distributed by the SRSC Corp. to the Settlement Contractors in accordance with Exhibit A. The SRSC Corp. will retain 5% of the funds described in subdivision (a) of Article 7 as consideration for its obligations arising under this Agreement and as an administrative fee for managing such

funds. The SRSC Corp. will make the balance of such funds available to Settlement Contractors who are party to this Agreement proportionately based on a Settlement Contractor's share of Contract Totals.

(d) The Settlement Contractors agree to comply with any mitigation requirements contained in the Final EIR associated with the water reductions described in Articles 3 and 4 and Drought Resiliency Projects described in Article 7(a)(ii).

8. SUPPORT OF THE WINTER RUN ACTION PLAN

(a) During Phase One of the Drought Protection Program, and upon Reclamation acquiring a cumulative Program Water quantity of 500,000 acre-feet under Article 3 of this Agreement, any additional Program Water is contingent on completing mutually agreed Winter Run Action Plan (WRAP) deadlines, milestones, and timely deliverables for each WRAP priority action, as set forth in the mutually agreeable schedule to be developed by Reclamation and the Settlement Contractors consistent with section 4.10 of the Five Agency Memorandum of Understanding, or as otherwise agreed upon between Reclamation and the SRSC Corp.

(b) To support the Winter Run Action Plan, Reclamation will use its rate-setting policies and reduce the Rates for Project Water by $10 per acre-foot for all Project Water charged to each Settlement Contractor during Phase One. Reclamation will notify each Settlement Contractor of the $10 per acre-foot reduction in accordance with the procedures in Article 8(b) of the Settlement Contract. Each Settlement Contractor will pay Rates for Project Water, reduced by $10 per acre-foot, in accordance with the schedule set forth in Article 8(c) of the Settlement Contract.

(c) The SRSC Corp. will invoice each Settlement Contractor based on the amount of Project Water that Reclamation charges the Settlement Contractor in Reclamation's final water

account record for the Water Year in acre-feet and multiply that amount by $10. Each Settlement Contractor shall pay the amount invoiced, based on this formula, to the SRSC Corp. annually. The funds collected by the SRSC Corp. will be managed by the SRSC Corp. and provided either through contract, grant, or direct funding for studies and programs that support the Winter-Run Action Plan.

(d) All funds collected under this Article 8 are non-reimbursable.

9. RESERVATION OF RIGHTS

Reclamation and the Settlement Contractors agree to enter into this Agreement in anticipation of Reclamation's operational commitments in the LTO Biological Assessment and Record of Decision. In the event that there are legal actions concerning the Record of Decision in any forum, the Settlement Contractors reserve their rights to participate in such actions to ensure consistency with and the performance of this Agreement or the Settlement Contracts. Nothing in this Agreement shall limit the Settlement Contractors from defending any actions brought against this Agreement or the Settlement Contracts.

In the event a court of competent jurisdiction finds that the Record of Decision, or any portion thereof, is unlawful, this Agreement shall continue to remain in effect in accordance with Article 2 of this Agreement.

During the term of this Agreement, Reclamation will not voluntarily take any actions or seek any relief, over any objection of the Settlement Contractors, that would result in further water reductions under the Settlement Contracts beyond those reductions agreed to in this

Agreement or consistent with the Settlement Contracts, unless required by applicable law or court order.

10. DISCLAIMER OF LIABILITY

Subject to the conditions, limitations, and provisions hereinafter expressed, the Settlement Contractors agree to hold harmless, and the United States and its officers, agents, or employees assume no responsibility for any damage whether direct or indirect arising out of or in any manner caused by reducing Contract Totals in a Phase One Program Year by the amount of Program Water determined in accordance with Article 3 of this Agreement, or a Phase Two Program Year in accordance with Article 4 of this Agreement.

11. METHOD OF PAYMENT

(a) The SRSC Corp. shall register at the U.S Federal District Registration System for Award Management (SAM) website at www.sam.gov prior to receipt of payment. The SRSC Corp. will notify Reclamation when it has successfully established a SAM account and provide Reclamation the necessary routing information for prompt payment.

(b) All payment made by the United States under this Agreement shall be made by electronic funds transfer (EFT) using the EFT information contained in the SAM database. The SRSC Corp. is responsible during the term of this Agreement for the accuracy and completeness of the data within the SAM database, and for any liability resulting from the United States or Reclamation's reliance on inaccurate or incomplete data. To remain registered in the SAM database after initial registration, the SRSC Corp. is required to review and update on an annual basis, from the date of initial registration or subsequent updates, its information in the SAM database to ensure it is current, and complete.

(c) The SRSC Corp. will disburse the funds to the Settlement Contractors in accordance with Exhibit A.

(d) Any funds not distributed in accordance with subsection (c) of this Article 9 shall be retained by the SRSC Corp.

12. NO ARGUMENT, PRECEDENT, OR ADMISSION

Nothing in this Agreement shall be offered for or against a Party (or any of the Settlement Contractors) as argument, admission, admission of wrongdoing, liability, waiver, acquiescence, or precedent regarding any issue of fact or law, including but not limited to issues related to the interpretation or future performance of the Settlement Contracts, in any mediation, arbitration, litigation, or other administrative or legal proceeding, except that this Agreement may be used in any future proceeding to interpret or enforce the terms of this Agreement, consistent with applicable law. No actions under this Agreement shall be evidence of lack of beneficial use of the subject water supplies, or shall in any way prejudice any of the Settlement Contractors' water rights or Reclamation's water rights.

13. AUTHORIZATION

The Parties represent and warrant that the persons executing this Agreement on behalf of each respective Party has full power and authority to enter this Agreement and that the Parties are authorized by law to perform the services and actions set forth herein.

14. NO COUNTERPARTS CLAUSE

This Agreement may be executed in counterparts with the same force and effect as if executed in one complete document by all Parties. Sacramento River settlement contractors may become party to this Agreement by delivering a signed counterpart to SRSC Corp. on or before July 31, 2025, and thereby be a Settlement Contractor under this Agreement. The SRSC Corp.

will assemble any such counterparts and attach them to the final Agreement and distribute copies of the final Agreement to the parties.

15. PROTECTION OF WATER AND AIR QUALITY

The SRSC Corp. shall comply with all applicable water and air pollution laws and regulations of the United States and state law; and shall obtain all required permits or licenses from the appropriate Federal, State, or local authorities necessary for the delivery of water by the Settlement Contractors; and shall be responsible for compliance with all Federal, State, and local water quality standards applicable to surface and subsurface drainage and/or discharges generated through the use of Central Valley Project facilities or Settlement Contractor facilities or water provided by the Settlement Contractor within its water service area.

This article shall not affect or alter any legal obligations of the Secretary of the Interior to provide drainage or other discharge services.

16. BOOKS, RECORDS, AND REPORTS

The SRSC Corp. shall establish and maintain accounts and other books and records pertaining to administration of the terms and conditions of this Agreement, including the SRSC Corp.'s financial transactions; water supply data; Project operation, maintenance, and replacement logs; Project land and rights-of-way use agreements; the water users' land-use (crop census), landownership, land-leasing, and water-use data; and other matters that the Contracting Officer may require. Reports shall be furnished to the Contracting Officer in such form and on such date or dates as the Contracting Officer may require. Subject to applicable Federal laws and regulations, each party to this Agreement shall have the right during office hours to examine and make copies of the other party's books and records relating to matters covered by this Agreement.

17. ASSIGNMENT LIMITED - SUCCESSORS AND ASSIGNS OBLIGATED

The provisions of this Agreement shall apply to and bind the successors and assigns of the parties hereto, but no assignment or transfer of this Agreement or any right or interest therein by either party shall be valid until approved in writing by the other party.

18. OFFICIALS NOT TO BENEFIT

No Member of or Delegate to the Congress, Resident Commissioner, or official of the SRSC Corp. and the Settlement Contractors shall benefit from this Agreement other than as a water user or landowner in the same manner as other water users or landowners.

19. NOTICES

All notices and other communications required under this Agreement shall be in writing and shall be deemed to have been duly given on the date of service, if served personally, on the person to whom notice is to be given, or on the third (3rd) day after mailing, if mailed to the party to whom notice is to be given by first class mail, registered or certified, postage-prepaid, and properly addressed as follows:

To SRSC Corp.:
P.O. Box 150
Willows, CA 95988

To Reclamation: U.S. Bureau of Reclamation
California Great Basin Region
Resources Management Division
Attention: Regional Resources Manager, CGB-400
2800 Cottage Way
Sacramento, California 95842

To Settlement Contractors:
c/o SRSC Corp.
P.O. Box 150
Willows, CA 95988

20. CONTRACT DRAFTING CONSIDERATIONS

This Agreement has been negotiated and reviewed by the parties hereto, each of whom is sophisticated in the matters to which this Agreement pertains. The double-spaced articles of this Agreement have been drafted, negotiated, and reviewed by the Parties, and no one party shall be considered to have drafted the stated articles.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

UNITED STATES OF AMERICA

By: _____
Regional Director
Interior Region 10 California- Great Basin
Bureau of Reclamation

THE SACRAMENTO RIVER SETTLEMENT CONTRACTORS, A CALIFORNIA NONPROFIT MUTUAL BENEFIT CORPORATION

By:_____
President, Board of Directors

SETTLEMENT CONTRACTOR COUNTERPART

Date:_____ Name:_____

Type of Entity:_____

By:_____

Name: _____

Title:_____

EXHIBIT A

SRSC	Contract No.	Contract Total (af)	% of SRSC Contract Total	Program Water Reduction (Based on 500,000 AF)- see note below**	SRSC Funding (Based on 500,000 AF)
Glenn-Colusa Irrigation District	14-06-200-855A-R-1	825,000	39.501%	197,505	$93,814,682.75
Reclamation District No. 108	14-06-200-876A-R-1	232,000	11.108%	55,541	$26,381,825.94
Sutter Mutual Water Company	14-06-200-815A-R-1	226,000	10.821%	54,104	$25,699,537.34
Anderson-Cottonwood Irrigation District	14-06-200-3346A-R-1	125,000	5.985%	29,925	$14,214,345.87
Natomas Central Mutual Water Company	14-06-200-885A-R-1	120,200	5.755%	28,776	$13,668,514.99
Reclamation District No. 1004	14-06-200-890A-R-1	71,400	3.419%	17,093	$8,119,234.36
Princeton-Codora-Glenn Irrigation District	14-06-200-849A-R-1	67,810	3.247%	16,234	$7,710,998.35
Provident Irrigation District	14-06-200-856A-R-1	54,730	2.620%	13,102	$6,223,609.20
Conaway Preservation Group, LLC	14-06-200-7422A-R-1	40,862	1.956%	9,782	$4,646,612.81
Meridian Farms Water Company	14-06-200-838A-R-1	35,000	1.676%	8,379	$3,980,016.84
Sycamore Mutual Water Company	14-06-200-2146A-R-1	31,800	1.523%	7,613	$3,616,129.59
RRG Garden Properties, LLC	14-06-200-878A-R-1	29,800	1.427%	7,134	$3,388,700.06
Pleasant Grove Verona Mutual Water Company	14-06-200-5520A-R-1	26,290	1.259%	6,294	$2,989,561.22
Redding, City of	14-06-200-2871A-R-1	21,000	1.005%	5,027	$2,388,010.11
Maxwell Irrigation District	14-06-200-6078A-R-1	17,980	0.861%	4,304	$2,044,591.51
M&T Chico Ranch, Inc.	14-06-200-940A-R-1	17,956	0.860%	4,299	$2,041,862.36
Woodland-Davis	14-06-200-7422X-R-1	10,000	0.479%	2,394	$1,137,147.67
Pelger Road 1700	14-06-200-1286A-R-1	10,070	0.482%	2,411	$1,145,107.70
Tisdale Irrigation and Drainage Company	14-06-200-2781A	9,900	0.474%	2,370	$1,125,776.19
Pelger Mutual Water Company	14-06-200-2073A	8,860	0.424%	2,121	$1,007,512.84
Carter Mutual Water Company	14-06-200-2401A	7,122	0.341%	1,705	$809,876.57
Lomo Cold Storage	14-06-200-931A	7,110	0.340%	1,702	$808,511.99
Baber, Jack, et al	14-06-200-1604A	6,260	0.300%	1,499	$711,854.44
RD Heer Capital, LLC	14-06-200-2427A	4,740	0.227%	1,135	$539,008.00
Robert's Ditch Irrigation Company	14-06-200-935A	4,440	0.213%	1,063	$504,893.57
Windswept Land & Livestock	14-06-200-2045A	4,040	0.193%	967	$459,407.66
TeVelde Family Revocable Trust	14-06-200-2149A	4,000	0.192%	958	$454,859.07
Knights Landing Investors, LLC	14-06-200-4604A	3,640	0.174%	871	$413,921.75
Andreotti Associates	14-06-200-1898A	3,620	0.173%	867	$411,647.46
Oji Brothers Farm, Inc.	14-06-200-3753A	3,200	0.153%	766	$363,887.25
Saeed, Faraz A.	8-07-20-W0117	3,160	0.151%	757	$359,338.66
Eastside Mutual Water Company	14-06-200-1053A	2,804	0.134%	671	$318,856.21
Richter Brothers, et al	14-06-200-4362A	2,780	0.133%	666	$316,127.05
Howald Farms, Inc.	14-06-200-1042A	2,760	0.132%	661	$313,852.76
Griffin & Prater Tenancy-in-Common	14-06-200-2895A	2,760	0.132%	661	$313,852.76
Tarke, Stephen	14-06-200-1949A	2,700	0.129%	646	$307,029.87
Dennis, L.C. (Canal Farms)	14-06-200-2896A	1,815	0.087%	435	$206,392.30
Giusti, Richard, et al	14-06-200-4076A	1,610	0.077%	385	$183,080.77
T&P Farms	14-06-200-2993A	1,560	0.075%	373	$177,395.04
Thiara Family Trust	14-06-200-7691A	1,533	0.073%	367	$174,324.74
Van Ruiten Bros.	14-06-200-880A	1,485	0.071%	356	$168,866.43
MCM Properties, Inc.	14-06-200-7827A	1,470	0.070%	352	$167,160.71
Byrd, Anna C. and Jane Osborne	14-06-200-1595A	1,265	0.061%	303	$143,849.18
Lonon, Michael, et al	14-06-200-8658A	1,155	0.055%	277	$131,340.56
Kary, Carol	14-06-200-2520A	1,000	0.048%	239	$113,714.77
Lauppe, Burton	14-06-200-1289A	950	0.045%	227	$108,029.03
Henle Family Limited Partnership	14-06-200-932A	935	0.045%	224	$106,323.31
Green Valley Corporation (Swenson Farms, LLC)	14-06-200-5210A	890	0.043%	213	$101,206.14
Swenson Farms, LLC	14-06-200-5211A	880	0.042%	211	$100,068.99
Jaeger, William, et al	7-07-20-W0002	870	0.042%	208	$98,931.85
Wallace, Kenneth L. Living Trust	14-06-200-1175A-X	867	0.042%	208	$98,590.70

O'Brien, Frank J., Family Trust	14-06-200-4105X	839	0.040%	201	$95,406.69
Driscoll Strawberry Associates, Incorporated	14-06-200-4736A	820	0.039%	196	$93,246.11
Exchange Bank (TNC)	14-06-200-3774A	780	0.037%	187	$88,697.52
Lake California Property Owners Association	14-06-200-4961A	780	0.037%	187	$88,697.52
River Partners (Forry)	14-06-200-7691X	752	0.036%	180	$85,513.50
Sacramento, County of	14-06-200-2404A	750	0.036%	180	$85,286.08
Chesney, Adona, Bypass Trust et al	14-06-200-930A	700	0.034%	168	$79,600.34
Leviathan, Inc.	14-06-200-7308A	700	0.034%	168	$79,600.34
Butte Creek Farms (P)	14-06-200-7744X	640	0.031%	153	$72,777.45
Odysseus Farms Partnership	14-06-200-8574A	630	0.030%	151	$71,640.30
Yolo Land Trust	14-06-200-2148A	630	0.030%	151	$71,640.30
Van Ruiten Bros.	14-06-200-880X	584	0.028%	140	$66,409.42
Heidrick & McGinnis Properties, L.P.	14-06-200-1176A	560	0.027%	134	$63,680.27
Dyer, Jeffrey E. and Jan Wing	14-06-200-2486A	520	0.025%	124	$59,131.68
Four Corners Farmland Fund Yolo, LLC	14-06-200-991A	520	0.025%	124	$59,131.68
J.B. Unlimited, Inc.(Flynn Farmlands, LLC)	14-06-200-2519A	510	0.024%	122	$57,994.53
Quad H Ranches	14-06-200-2153A	500	0.024%	120	$56,857.38
Riverby Ranches, LLC	14-06-200-934A	500	0.024%	120	$56,857.38
Natomas Basin Conservancy	14-06-200-1364A	490	0.023%	117	$55,720.24
Anderson, Art, et al	14-06-200-3591A	490	0.023%	117	$55,720.24
Seaver, Charles	14-06-200-3296A	480	0.023%	115	$54,583.09
Reische, Laverne C., et ux	14-06-200-1150A	450	0.022%	108	$51,171.65
Butler, Dianne E., Revocable Intervivos Trust	14-06-200-2365A	434	0.021%	104	$49,352.21
Yocha Dehe Wintun Nation (formerly Heidrick)	14-06-200-8322A	430	0.021%	103	$48,897.35
Lockett, William P. & Jean B.	14-06-200-4105A	417	0.020%	100	$47,419.06
Reclamation District #1000	14-06-200-1779A	404	0.019%	97	$45,940.77
Tuttle, Charles W. - Trust	14-06-200-7296A	390	0.019%	93	$44,348.76
Ehrke, Allen A., et ux	14-06-200-8330A	380	0.018%	91	$43,211.61
Wilson Ranch Partnership	14-06-200-4520A	370	0.018%	89	$42,074.46
Wallace, Joseph and Janine	14-06-200-5200A	355	0.017%	85	$40,368.74
Lauppe, B & K	14-06-200-1364X	350	0.017%	84	$39,800.17
Van Ruiten Bros.	14-06-200-1415A	325	0.016%	78	$36,957.30
Charter, Nickolas J. and Charter, Michael J.	14-06-200-8118A	300	0.014%	72	$34,114.43
Cummings, William C.	7-07-20-W0054	300	0.014%	72	$34,114.43
Riverview Golf & Country Club	14-06-200-8286A	280	0.013%	67	$31,840.13
Morehead, Joseph A., et ux	14-06-200-5789A	255	0.012%	61	$28,997.27
Gomes, Frank & Judy - Trust	14-06-200-1827X	246	0.012%	59	$27,973.83
Anderson Properties L.P., R and J	14-06-200-1726A	237	0.011%	57	$26,950.40
Driver Family Trust	14-06-200-1314A	230	0.011%	55	$26,154.40
Kaelin, Cameron C. Trust (Gillaspy)	14-06-200-8117A	210	0.010%	50	$23,880.10
Fedora, Sib, et al	14-06-200-2916A	210	0.010%	50	$23,880.10
Redding Rancheria Tribe	7-07-20-W0006	205	0.010%	49	$23,311.53
Butte Creek Farms (M)	14-06-200-1976A	204	0.010%	49	$23,197.81
estern Almonds, LLC (Knights Landing Properties)	14-06-200-889A	200	0.010%	48	$22,742.95
Jansen, Peter & Sandy	14-06-200-1426A	190	0.009%	45	$21,605.81
Empire Group, LLC	14-06-200-2145A	181	0.009%	43	$20,582.37
Cachil Dehe Band of Wintun Indians of the Colusa Indian Community	14-06-200-7206A	180	0.009%	43	$20,468.66
Penner, Roger & Leona	14-06-200-960A	180	0.009%	43	$20,468.66
KLSY, LLC	14-06-200-7556A	170	0.008%	41	$19,331.51
ZelMar Ranches	14-06-200-1827A	164	0.008%	39	$18,649.22
Van Ruiten Bros.	14-06-200-5200X	160	0.008%	38	$18,194.36
Driver, William Trust, et al	14-06-200-939A-1	160	0.008%	38	$18,194.36
Sooch, Jagtar, et al (Munson)	14-06-200-7049A	155	0.007%	37	$17,625.79
Nelson Family Trust	14-06-200-1954A	136	0.007%	33	$15,465.21
Churkin, Michael, et al	14-06-200-7227A	130	0.006%	31	$14,782.92
Hale & Marks	14-06-200-7572A	130	0.006%	31	$14,782.92
Micke, Daniel	14-06-200-7995A	100	0.005%	24	$11,371.48
Butte Creek Farms (A)	14-06-200-5206A	95	0.005%	23	$10,802.90
Willey, Edwin & Marjorie, Revocable Trust	14-06-200-3556A	95	0.005%	23	$10,802.90

Reische, Eric	14-06-200-1150X	90	0.004%	22	$10,234.33
Yocha Dehe Wintun Nation (formerly Heidrick)	14-06-200-1616A	85	0.004%	20	$9,665.76
Davis, Grover L., et ux	14-06-200-1851A	85	0.004%	20	$9,665.76
Howard, Theodore	14-06-200-1976X	76	0.004%	18	$8,642.32
Hale & Marks	14-06-200-1638A	75	0.004%	18	$8,528.61
Eggleston, Ronald H., et ux	14-06-200-7339A	65	0.003%	16	$7,391.46
B & D Family Partnership	14-06-200-4178A	60	0.003%	14	$6,822.89
Leonard, James C.	14-06-200-1175A	53	0.003%	13	$6,026.88
Butte Creek Farms (Y)	14-06-200-2851A	36	0.002%	9	$4,093.73
Wisler, John Jr.	14-06-200-5215A	35	0.002%	8	$3,980.02
Driver, Gary, et al	14-06-200-8585A	30	0.001%	7	$3,411.44
Hatfield, Robert and Bonnie	14-06-200-2365X	26	0.001%	6	$2,956.58
King, Laura	14-06-200-1086Z	26	0.001%	6	$2,956.58
Alexander, Thomas, et ux	14-06-200-7754A	22	0.001%	5	$2,501.72
Driver, Gregory E.	14-06-200-939A-2	20	0.001%	5	$2,274.30
Lauppe, Alan, et al (ELH)	14-06-200-1364Y	20	0.001%	5	$2,274.30
Daniell, Harry	14-06-200-4348A	20	0.001%	5	$2,274.30
King, Ben	14-06-200-1086Y	19	0.001%	5	$2,160.58
Driver Family Trust	14-06-200-2398A	16	0.001%	4	$1,819.44
Rubio, Exequiel & Elsa	14-06-200-2368A	16	0.001%	4	$1,819.44
Gjermann, Hal	14-06-200-4010A	12	0.001%	3	$1,364.58
Burdick 1999 Family Trust	14-06-200-2552A	10	0.000%	2	$1,137.15
Total	**133 Contracts**	**2,088,559**	**100%**	**500,000**	**$237,500,000**
				5% SRSC	**$12,500,000**
				IRA Funding	**$250,000,000**

**If the Program Water amount identified during any Phase One Program Year is less than 500,000 AF, then there will be proportionate reductions to the amounts shown in this column for each contractor.

GLENN-COLUSA IRRIGATION DISTRICT

RESOLUTION NO. 2024-13

Resolution of the Glenn-Colusa Irrigation District to: (1) Certify the Final Environmental Impact Report for the Water Reduction Program Agreement Between the Sacramento River Settlement Contractors Nonprofit Mutual Benefit Corporation, Individual Sacramento River Settlement Contractors, and the U.S. Bureau of Reclamation;(2) Adopt Findings of Fact and a Statement of Overriding Considerations; (3) Adopt a Mitigation Monitoring and Reporting Program; and (4) Approve the Project

WHEREAS, the Glenn-Colusa Irrigation District (GCID) has proposed the Water Reduction 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); and

WHEREAS, a Notice of Preparation for an environmental impact report (EIR) for the Project was submitted to the California State Clearinghouse and issued to reviewing agencies and interested parties on May 17, 2024, and notice of the proposed EIR was appropriately posted and published; and

WHEREAS, a draft EIR (Draft EIR) was prepared for the proposed Project and on September 19, 2024, a Notice of Availability for the Draft EIR was submitted to the State Clearinghouse and interested parties; and

WHEREAS, the Draft EIR was circulated for public review from September 20, 2024 through November 4, 2024; and

WHEREAS, interested agencies, organizations and members of the public have reviewed and commented on the Draft EIR and proposed Project; and

WHEREAS, after the release of the Draft EIR, the name of the proposed Project was changed to the Drought Protection Program Agreement; and

WHEREAS, GCID is the lead agency for the Project under the California Environmental Quality Act (CEQA), and the GCID Board of Directors (Board) is the decision-making body for the Project; and

WHEREAS, the final EIR for the Project (Final EIR) was prepared in accordance with CEQA and published consistent with applicable CEQA requirements on or before December 19, 2024, and addressed all comments on the Draft EIR received prior to that date; and

WHEREAS, the Project will have a significant effect on the environment. The Final EIR sets forth the mitigation measures that will reduce most, but not all, of the significant effects on the environment below a level of significance; and

WHEREAS, Findings of Fact and a Statement of Overriding Considerations for approval of the Project have been prepared in accordance with the applicable provisions of CEQA; and

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND DIRECTED that GCID by and through its Board of Directors, after thoroughly and carefully considering the environmental analysis and public testimony, including all comments, written and oral, makes the following findings:

1. The Final EIR has been prepared in compliance with the requirements of CEQA and the CEQA Guidelines; and

2. The Final EIR reflects GCID's independent judgment and analysis.

BE IT FURTHER RESOLVED, that having found that the Final EIR is adequate and complete and in full compliance with the requirements of CEQA, that the GCID Board of Directors certifies the Water Reduction Program Final EIR (SCH Number 2024050834);

BE IT FURTHER RESOLVED, that based on the determination to certify the Water Reduction Program Final EIR, the GCID Board of Directors hereby approves the Drought Protection Program Agreement as the Project is described in the Final EIR;

BE IT FURTHER RESOLVED that the GCID Board of Directors adopts the following:

1. Findings of Fact and Statement of Overriding Considerations for the Drought Protection Program Agreement (as set forth in attached Exhibit A); and

2. Mitigation Monitoring and Reporting Program for the Drought Protection Program Agreement (as set forth in attached Exhibit B).

BE IT FURTHER RESOLVED that:

1. The GCID General Manager is hereby directed to file a Notice of Determination within five (5) days of this resolution; and

2. The GCID General Manager and such other GCID employees and consultants as may be designated by the General Manager are hereby directed to execute the Drought Protection Program Agreement, and take such other and additional steps as may be reasonably necessary to implement the Project as expeditiously as possible.

PASSED AND ADOPTED by the following vote of the Board of Directors on December 30, 2024.

Ayes: Directors Amaro, Bransford, Dennis and Knight

Noes:

Absent: Director Vann

Abstain:

* * *

I hereby certify that I am the Secretary of the Glenn-Colusa Irrigation District and that the foregoing resolution was duly adopted by the Board of Directors of said District at a meeting thereof duly held on December 30, 2024, at which meeting a quorum of said Board of Directors was at all times present and acting.

IN WITNESS WHEREOF, I have set my hand and the seal of the District on this 30th day of December 2024.

Jeff Sutton, Secretary
Board of Directors
Glenn-Colusa Irrigation District

EXHIBIT A

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

GCID | GLENN-COLUSA IRRIGATION DISTRICT

TABLE OF CONTENTS

TABLES

FIGURE

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).

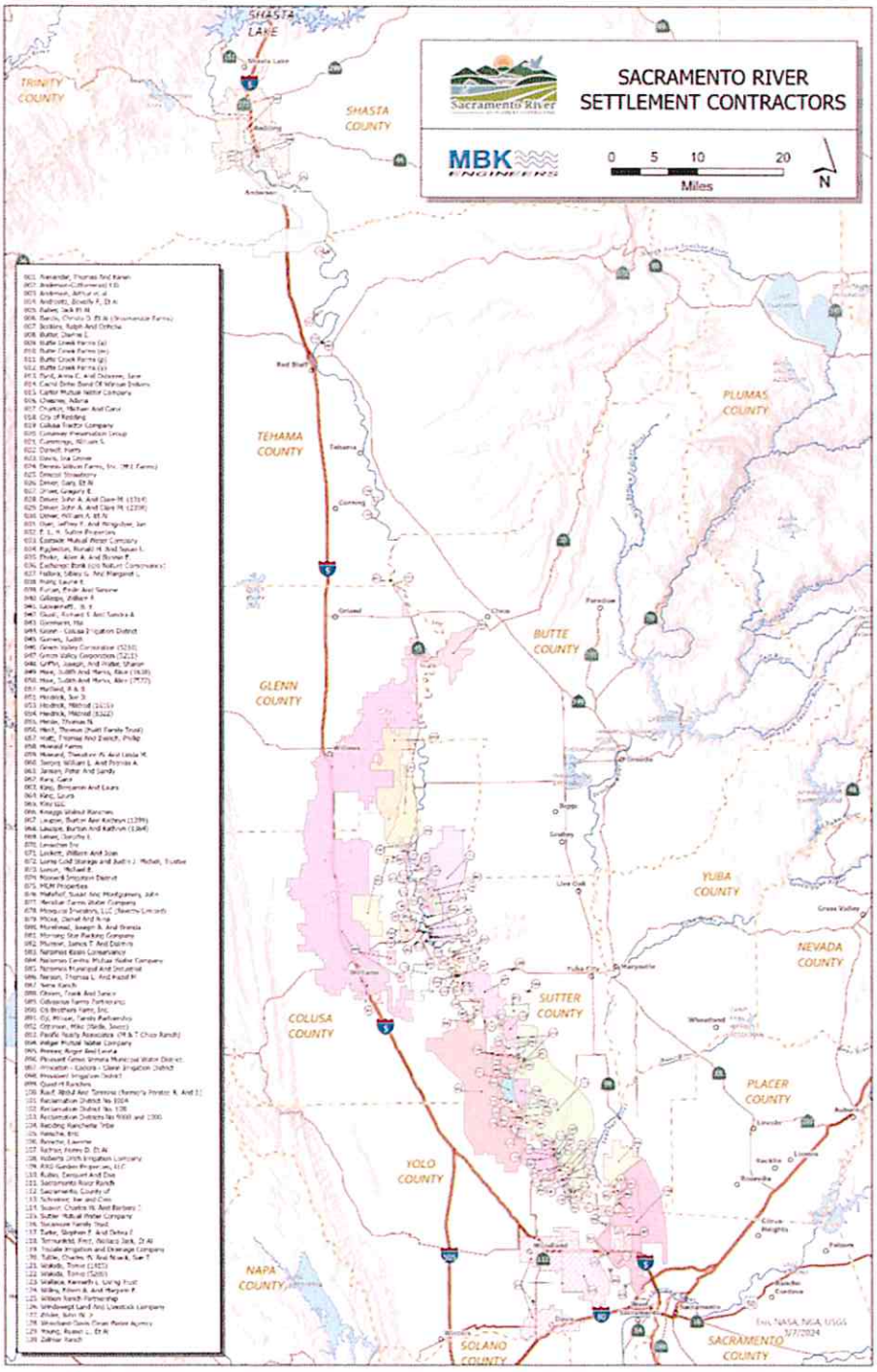
The Central Valley watershed comprises 60,000 square miles. The northern third of the valley is drained by the Sacramento River, and the southern two-thirds of the valley is drained by the San Joaquin River. The Sacramento and San Joaquin river systems meet to form the Sacramento-San Joaquin River Delta (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.

EXHIBIT B

December 2024
State Clearinghouse Number: 2024050834

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

Mitigation Monitoring and Reporting Program

Prepared for the Glenn-Colusa Irrigation District

December 2024
State Clearinghouse Number: 2024050834

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

Mitigation Monitoring and Reporting Program

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TABLE OF CONTENTS

TABLE

ABBREVIATIONS

BMP	best management practice
CCR	California Code of Regulations
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
EIR	Environmental Impact Report
ESA	Endangered Species Act
FEIR	Final Environmental Impact Report
GCID	Glenn-Colusa Irrigation District
GGS	giant garter snake
GSP	Groundwater Sustainability Plan
HCP	Habitat Conservation Plan
IDP	Inadvertent Discovery Plan
MMRP	Mitigation and Monitoring Reporting Program
mph	mile per hour
MRZ	mineral resource zone
NPDES	National Pollutant Discharge Elimination System
OHP	Office of Historic Preservation
Reclamation	U.S. Bureau of Reclamation
RWQCB	Regional Water Quality Control Board
SGMA	Sustainable Groundwater Management Act
SRSC	Sacramento River Settlement Contractors
SRSCNC	Sacramento River Settlement Contractors Nonprofit Mutual Benefit Corporation
SWPPP	Stormwater Pollution Prevention Plan
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey

1 Introduction

On December 30, 2024, the Glenn-Colusa Irrigation District (GCID), in compliance with the California Environmental Quality Act (CEQA; California Public Resources Code, Division 13, Section 21000 et seq.) and CEQA Guidelines (14 California Code of Regulations [CCR] 15000 et seq.) certified a Final Environmental Impact Report (FEIR) to support the approval of the Drought Protection Program Agreement[1] (project or 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). Under the project, the SRSCNC and individual members of the SRSC will enter into an Agreement with Reclamation to forego a larger percentage of their contract supply in specified drought years under two phases. In addition, the SRSC will engage in drought-resiliency projects to address potential water loss and strengthen the resilience of the SRSC's water system and long-term water delivery capabilities. The project would occur within the SRSC service areas in eight counties: Shasta, Tehama, Glenn, Butte, Sutter, Colusa, Yolo, and Sacramento.

CEQA (PRC Section 21081.6) requires a Lead or Responsible Agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) when approving or carrying out a project. The purpose of this program is to ensure that when an environmental document, either an Environmental Impact Report (EIR) or a negative declaration, identifies measures to reduce potential adverse environmental impacts to less-than-significant levels, that those measures are implemented as detailed in the environmental document. As lead agency for the EIR, GCID is responsible for implementation of this MMRP.

The EIR prepared for the project addresses the potential environmental impacts and, where appropriate, recommends measures to mitigate these impacts. As such, this MMRP is required to ensure that adopted mitigation measures are successfully implemented and a monitoring strategy was prepared for each mitigation measure. Once GCID adopts the MMRP, the individual SRSC members signing the Agreement would be required to comply with these mitigation measures as enforceable conditions of the Agreement. Individual SRSC members must document their compliance with all applicable mitigation measures and provide proof of compliance to the SRSCNC, which shall maintain a record of compliance that is available for inspection and verification by GCID.

Therefore, in accordance with the aforementioned requirements, this document lists each mitigation measure, describes the methods for implementation, and identifies the responsible party or parties.

[1] Prior to its approval, the Drought Protection Program Agreement was previously known as the Water Reduction Program Agreement.

2 Monitoring Program

This MMRP was prepared and is accompanied by the associated reporting forms used to verify compliance with individual mitigation measures. This MMRP identifies each mitigation measure by discipline, the entity or organization responsible for implementation, and the monitoring phase required for each measure. Certain inspections and reports may require preparation by qualified individuals; these are specified as needed.

Table 1
Mitigation and Monitoring Program

Mitigation Measures		
Measure	**Responsible Party and Implementation**	**Timing and Monitoring**
MM-AGR-1: Site Drought-Resiliency Projects Outside of Forest Lands. Drought-resiliency projects will not be sited in forest lands.	The SRSC member implementing the drought-resiliency project shall review all proposed drought-resiliency project locations to ensure that none are sited in forest lands.	During planning for drought-resiliency projects.
MM-AIR-1: Construction Truck Idling Requirements. During construction of drought resiliency projects, SRSC contractors will require construction contractors to minimize heavy-duty construction equipment idling time to 2 minutes where feasible. Currently, the In-Use Off-Road Diesel Vehicle Rule restricts construction equipment idling to 5 minutes. This measure would further reduce the time allowance for idling to 2 minutes to reduce emissions. Exceptions include equipment that needs to idle to perform work, vehicles being serviced, or vehicles in a queue waiting for work consistent with the In-Use Off-Road Diesel Vehicle Rule.	This measure shall be incorporated into any applicable construction contracts initiated by an individual SRSC for a drought-resiliency project.	Prior to commencement of and during all drought-resiliency project construction events.
MM-AIR-2: Dust Reduction Measures. • During drought-resiliency project construction in non-Agreement Years, the following dust control measures will be implemented as applicable to the drought-resiliency project: – Active construction areas will be watered at least twice daily. – Haul trucks will maintain at least two feet of freeboard. – Trucks hauling soil, sand, and other loose materials will be covered. – Non-toxic binders (e.g., latex acrylic copolymer) will be applied to exposed areas after cut-and-fill operations and hydroseed area. – Inactive storage piles will be covered. • During Agreement Years, a 20-mph speed limit for vehicles driving on unpaved roads or farmland devoid of crops will be established and enforced. Speed limits will be posted and workers will be notified in writing of restrictions. In addition, the	This measure shall be incorporated into any applicable construction contracts initiated by an individual SRSC for a drought-resiliency project.	Prior to commencement of drought-resiliency project construction in non-Agreement Years and during all Agreement Years, as specified in the measure.

Mitigation Measures		
Measure	**Responsible Party and Implementation**	**Timing and Monitoring**
following measures will be implemented as applicable to the drought-resiliency project: – Haul trucks will maintain at least 2 feet of freeboard. – Trucks hauling soil, sand, and other loose materials will be covered. – Non-toxic binders (e.g., latex acrylic copolymer) will be applied to exposed areas after cut-and-fill operations and hydroseed area. – Inactive storage piles will be covered.		
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.	If a drought-resiliency project 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, the SRSC implementing the project shall complete a desktop special status wildlife species, plant species, and aquatic resources evaluation.	During planning for and prior to construction of drought-resiliency projects.
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	If a drought-resiliency project site contains suitable habitat for special-status plant species, the SRSC implementing the project shall ensure that surveys by a qualified biologist are conducted	During planning for, prior to construction of, and after completing construction for drought-resiliency projects.

Mitigation Measures		
Measure	**Responsible Party and Implementation**	**Timing and Monitoring**
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.	and that if present, special-status plant species are flagged for avoidance by the qualified biologist. If avoidance is not possible, the SRSC implementing the project shall consult with USFWS and/or CDFW regarding the appropriate approach for minimizing impacts to special status plant species and compensating for unavoidable impacts. The SRSC implementing the project shall implement all necessary minimization and compensation measures as applicable or required for drought-resiliency projects undertaken as part of the Agreement.	
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.	If a drought-resiliency project site contains suitable habitat for special status wildlife species, the SRSC implementing the project shall ensure that surveys by a qualified biologist are conducted. If wildlife is actively using the area, the SRSC shall verify the work area is flagged with setbacks until the animals have left on their own or are relocated in accordance with mitigation measure MM-BIO-5. Avoidance requirements in accordance with measure shall be incorporated into any applicable construction contracts initiated by an individual SRSC for a drought-resiliency project.	During planning for, prior to construction of, and during construction of drought-resiliency projects.
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	If the drought-resiliency project site contains suitable habitat for nesting birds that may be affected by construction, the SRSC implementing the project shall ensure pre-construction nesting bird surveys are completed by a qualified biologist. If an active nest is found, the SRSC shall ensure an appropriate buffer zone is established	During planning for, within 14 days prior to commencement of construction activities for, and during construction of drought-resiliency projects.

Mitigation Measures		
Measure	**Responsible Party and Implementation**	**Timing and Monitoring**
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.	by a qualified biologist. If work must occur within the buffer zone, the SRSC shall ensure that a qualified biologist monitors the nest prior to construction, is present during all construction activities within the buffer zone, and flags all setback areas. Avoidance requirements in accordance with measure shall be incorporated into any applicable construction contracts initiated by an individual SRSC for a drought-resiliency project.	
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.	The SRSC implementing a drought-resiliency project shall ensure that the general biological resources protection measures are implemented in constructing drought-resiliency projects. The general biological resources protection measures shall be incorporated into any applicable construction contracts initiated by an individual SRSC for a drought-resiliency project.	During planning for and prior to construction of drought-resiliency projects.

Mitigation Measures		
Measure	**Responsible Party and Implementation**	**Timing and Monitoring**
• 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		

Mitigation Measures		
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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.	The SRSC implementing the project shall ensure that the GGS avoidance measures are implemented in constructing drought-resiliency projects. Avoidance requirements in accordance with this measure shall be incorporated into any applicable construction contracts initiated by an individual SRSC for a drought-resiliency project.	During planning for and prior to construction of drought-resiliency projects.

Mitigation Measures		
Measure	**Responsible Party and Implementation**	**Timing and Monitoring**
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 or offsite restoration and enhancement. Incidental take authorization will be obtained for take of listed species resulting from construction of a drought-resiliency project.	The SRSC implementing the project shall ensure that incidental take authorization is obtained if special status species avoidance is not possible for constructing drought-resiliency projects.	Prior to the commencement of construction activities for drought-resiliency projects.
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 onsite and/or offsite 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	The SRSC implementing the project shall ensure that compensatory mitigation is provided for permanent loss of special status species habitat from construction of drought-resiliency projects.	After implementation of mitigation measures MM-BIO-1 and MM-BIO-3 for drought-resiliency project sites that include high-quality foraging or breeding habitat for special status wildlife species and where there will be a permanent loss of such habitat resulting from construction.

Mitigation Measures		
Measure	**Responsible Party and Implementation**	**Timing and Monitoring**
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.	The SRSC implementing the project shall ensure that trees are replanted in accordance with this measure to compensate for any tree removal required for construction or operation of drought-resiliency projects.	During drought-resiliency project planning and prior to any tree removal associated with a drought-resiliency project.
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.	During Agreement Years, all SRSC members idling croplands shall ensure that the timing requirements stated in this measure are complied with when discing croplands fallowed under the Agreement.	Prior to discing croplands idled as a result of the Agreement.

Mitigation Measures		
Measure	**Responsible Party and Implementation**	**Timing and Monitoring**
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.	During Agreement Years and to the extent practicable, all SRSC members idling croplands shall ensure that any croplands abutting or immediately adjacent to the areas specified in this measure maintain irrigation and drainage canal water depths of at least 2 feet deep.	Prior to cropland idling during Agreement Years.
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.	The SRSC implementing the project shall ensure that aquatic resources surveys and avoidance measures are implemented for drought-resiliency projects.	During planning for and prior to construction of drought-resiliency projects.

Mitigation Measures		
Measure	**Responsible Party and Implementation**	**Timing and Monitoring**
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 onsite and/or offsite restoration, enhancement, and/or purchase of mitigation credits at an approved bank.	The SRSC implementing the project shall ensure that required USACE, RWQCB, and CDFW permits are obtained and that mitigation for permanent impacts to waters and wetlands is provided at a minimum 1:1 ratio for drought-resiliency projects. This measure shall be incorporated into any applicable construction contracts initiated by any SRSC for a proposed drought-resiliency project.	Prior to construction of, during construction of, and after construction of drought-resiliency projects.
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 Stormwater Pollution Prevention Plan (SWPPP) will be prepared.	This measure and all listed BMPs shall be incorporated into any applicable construction contracts initiated by a SRSC member for any drought-resiliency project and enforced by the SRSC. Implementation of the measures and listed BMPs shall be documented by the SRSC implementing the project.	Prior to commencement of and during construction of drought-resiliency projects.

Mitigation Measures		
Measure	**Responsible Party and Implementation**	**Timing and Monitoring**
MM-HYD-2: Install and Operate Groundwater Wells in Accordance with Groundwater Sustainability Plans (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 Groundwater Sustainability Agencies 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.	The implementing SRSC shall ensure that any installation and operation of new wells, and operation of existing wells, is in accordance with GSPs and SGMA.	During planning for any new groundwater wells; ongoing for continued compliance for existing groundwater wells.
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.	The SRSC implementing the project shall verify that a CHRIS review and desktop evaluation has been completed for the drought-resiliency projects by a qualified historian/archaeologist. If a cultural resource is identified or it is determined that the project area has the potential to contain cultural resources, the SRSC shall ensure implementation of mitigation measure MM-CUL-2.	During planning for and prior to the construction of any drought-resiliency project.
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/archeologist 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	If a qualified historian/archeologist determines that a site-specific pre-construction survey is required prior to the start of construction of a drought-resiliency project, the implementing SRSC shall ensure that a site-specific pre-construction survey is conducted. Reports on historic structures, archeological sites, and potential Tribal cultural resources that may be present a specific drought-resiliency project site shall be made available to OHP and Native American Tribes that have requested consultation and any resource shall be recorded and flagged with a 30-foot buffer (or appropriate).	Prior to the start of construction for drought-resiliency projects.

Mitigation Measures		
Measure	**Responsible Party and Implementation**	**Timing and Monitoring**
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/archeologist).	This measure shall be written in applicable contracts for drought-resiliency projects.	
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.	If historic or archaeological resources are identified in a project area and a Tribe(s) has requested consultation, the SRSC implementing the project shall confirm that requesting Tribe(s) are properly notified; that resources are identified and flagged and impacts are minimized and avoided; or, if needed, a project-specific monitoring and mitigation plan is developed and shared with requesting Tribe(s). This measure shall be written in applicable contracts for drought-resiliency projects.	Prior to the start of construction for drought-resiliency projects.
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 onsite 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.	For drought-resiliency projects that involve excavation below depths routinely disced or disturbed, the SRSC implementing the project shall ensure an IDP is prepared by a qualified archaeologist and that it is implemented if prehistoric or historical archaeological resources are encountered during construction. Plans for all drought-resiliency projects that involve excavation shall include the IDP to be provided to onsite personnel, this measure shall be written in applicable contracts.	Prior to the start of construction for drought-resiliency projects.

Mitigation Measures		
Measure	**Responsible Party and Implementation**	**Timing and Monitoring**
MM-GEO-1: 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.	The SRSC implementing the project shall ensure that geotechnical assessments or reports are consulted or prepared to verify the need for specific project elements, if any, to ensure seismic and geological hazards requirements are included in the final drought-resiliency project design.	During planning for drought-resiliency projects.
MM-GEO-2: Unstable Area Buffer for Drought-Resiliency Projects. Within a 50-foot-wide buffer around unstable areas regardless of percent slope, no drought-resiliency project construction would occur without approval from an earth sciences/physical sciences professional.	The SRSC implementing the project shall engage an earth sciences/physical sciences professional to determine the need for and, if needed, establish a 50-foot buffer around any unstable areas regardless of percent slope. If needed, the implementing SRSC shall ensure this requirement is included in final drought-resiliency project plans.	Prior to construction of any drought-resiliency project that includes unstable areas as determined by an earth sciences/physical sciences professional.
MM-GEO-3: Adhere to Applicable Seismic Design Parameters for Drought-Resiliency Projects. Drought-resiliency projects would adhere to all applicable seismic design parameters.	The SRSC implementing the project shall ensure that a drought-resiliency project is compliant with all applicable seismic design parameters and that these parameters are included in final drought-resiliency project plans.	During planning for any drought-resiliency project.
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.	For drought-resiliency projects that will not reuse excavated soils on site, the SRSC implementing the project shall require that applicable construction contracts and plans include a requirement to test excavated spoils in accordance with disposal site requirements.	During planning for any drought-resiliency project.
MM-HAZ-2: Spill Kits. All heavy construction equipment vehicles would maintain spill kits with oil-absorbent material and tarps to contain minor releases.	For drought-resiliency projects that involve use of heavy construction equipment vehicles, the SRSC implementing the project shall require that plans and contracts include a requirement to maintain spill kits with oil-absorbent material and tarps at all times to contain minor releases.	During planning for any drought-resiliency project.

Mitigation Measures		
Measure	**Responsible Party and Implementation**	**Timing and Monitoring**
MM-HAZ-3: Site Drought-Resiliency Projects Away from Active Cleanup Sites. Drought-resiliency projects will be sited away from active cleanup sites.	The SRSC implementing the project shall ensure that a drought-resiliency project is sited away from active cleanup sites.	During planning for any drought-resiliency project.
MM-MIN-1: Avoid Siting Drought-Resiliency Projects in Mineral Resource Zones. Site drought-resiliency projects away from areas mapped as MRZ to the extent practicable.	The SRSC implementing the project shall ensure that a drought-resiliency project is not sited in areas mapped as MRZ to the extent practicable.	During planning for any drought-resiliency project.
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.	The SRSC implementing the project shall ensure written notification of drought-resiliency project activities is provided to all off-site noise-sensitive receptors located within 500 feet of a drought-resiliency project site.	Prior to commencement of drought-resiliency project construction activities.
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.	Plans for all drought-resiliency projects shall include this requirement in all construction contracts that include the use of power equipment and power tools.	During planning for drought-resiliency projects and during drought-resiliency project construction activities.
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.	If a project is sited near historic buildings or structures that are extremely susceptible to vibration damage, and the drought-resiliency project would use heavy equipment, the implementing SRSC shall review final project plans to ensure that the project is not sited within 25 feet of those historic buildings or structures.	During planning for drought-resiliency projects.

Mitigation Measures		
Measure	**Responsible Party and Implementation**	**Timing and Monitoring**
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.	The SRSC implementing the project shall notify all relevant utility companies in the vicinity of project activities to determine possible construction conflicts. The implementing SRSC shall verify this measure is included in final drought-resiliency project plans.	Prior to construction of a drought-resiliency project.
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.	The SRSC implementing the project shall conduct utility surveys to locate, understand, and avoid conflicts with existing utilities and coordinate with utility companies for modifications, as necessary. This measure shall be incorporated into any applicable design and engineering contracts for all proposed drought-resiliency projects undertaken under the Agreement.	During planning for drought-resiliency projects.