

**ADDENDUM**  
**to the**  
**LOWER YOLO RESTORATION PROJECT**  
**FINAL ENVIRONMENTAL IMPACT REPORT**  
**(SCH# 2011032001)**

**1. Introduction**

On July 18, 2013, the State & Federal Contractors Water Agency (“SFCWA”), as lead agency, certified the Final Environmental Impact Report (“Final EIR”) for the Lower Yolo Restoration Project (Project) and approved Alternative No. 4, the Tidal Marsh Complex alternative (“Project”). SFCWA also adopted a Mitigation Monitoring and Reporting Program and findings related to mitigation measures and alternatives.

Westlands Water District (“WWD”) is proposing to implement the approved Project with the minor modifications discussed in further detail below and has prepared this Addendum to the Final EIR as a responsible agency under CEQA. A responsible agency will prepare an addendum if minor technical changes or additions to the certified EIR are necessary, but none of the conditions calling for preparation of a subsequent or supplemental EIR, or subsequent mitigated negative declaration have occurred. (CEQA Guidelines, §§ 15162-15164; Pub. Resources Code, § 21166; *Friends of College of San Mateo Gardens v. San Mateo County Community College Dist.* (2016) 1 Cal. 5th 937.)

WWD proposes minor modifications to the Project that will not result in any new significant environmental impacts, nor will they increase the severity of previously identified significant effects. The evaluation summarized in this document demonstrates that the circumstances, impacts, and mitigation requirements identified in the Lower Yolo Restoration Project Final EIR remain substantively unchanged by the situation described herein and supports the finding that WWD’s proposed implementation of the Project does not raise any new issues and does not cause any substantial increase in the level of impacts identified in the Final EIR. The modified project would be subject to mitigation measures identified in the Final EIR that apply to Alternative 4, Tidal Marsh Complex, the approved Project.

**2. CEQA Requirements**

Section 21166 of CEQA (the statute) sets forth the requirements for how a public agency is to consider changes to a proposed project or the availability of new information that occurs after an EIR for the project has been completed, and section 15162 of the CEQA

Guidelines reiterates those requirements, along with additional guidance. Section 21166 of CEQA states:

*When an environmental impact report has been prepared for a project pursuant to this division, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occurs:*

*(a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.*

*(b) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions in the environmental impact report.*

*(c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.*

Section 15162 of the CEQA Guidelines indicates that:

*(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:*

*(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR ... due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

*(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR ... due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*

*(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete ... shows any of the following:*

*(A) The project will have one or more significant effects not discussed in the previous EIR;*

*(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;*

*(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*

*(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

Section 15164 of the CEQA Guidelines states that an Addendum to an EIR should be prepared "...if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." As is discussed in further detail in the following sections, an Addendum is appropriate for the proposed modifications to the approved Project because they would not result in new or substantially more severe environmental effects requiring major revisions to the Final EIR. The WWD Board, as a responsible agency and the decision-making body in connection with the proposed Project modifications, will consider the Addendum in concert with the Final EIR prior to taking action on the modified Project.

### **3. Project Description**

#### **a. Approved Project**

The EIR evaluated a range of potentially feasible alternatives (see Chapter 5, Alternatives of the Final EIR), which were identified as:

- Alternative No. 1 (No Project alternative).
- Alternative No. 2 (Reduced Restoration Footprint alternative).
- Alternative No. 3 (Offsite Soil Disposal/Reduced-size alternative).
- Alternative No. 4 (Tidal Marsh Complex alternative).

Alternative No. 4, the Tidal Marsh Complex alternative, was determined to be the environmentally superior alternative. SFCWA approved Alternative No. 4 at its July 18, 2013 meeting. Alternative No. 4, as described in the 2013 Final EIR, is the approved Project. As described in the EIR, the entire restoration design would involve modifying up to 1,790 acres of the approximately 3,795-acre site. The overall site encompassed two contiguous properties: Yolo Ranch and Yolo Flyway Farms located along the historic

wetland-upland edge of the Yolo Basin (see Figures 2-4 and 2-5 in the May 2013 Yolo Ranch Restoration Project Long Term Management Plan). The Yolo Flyway Farms parcels are not part of the current restoration Project design.

Restoration and enhancement measures would involve eliminating or relocating existing water control infrastructure elements, grading some lands to facilitate establishment of intertidal wetlands, excavating new starter tidal channels and swales to connect restored wetland areas to adjacent tidal water bodies, removing irrigation from seasonal wetland features, and removing or restricting grazing within the restored and enhanced areas.

As part of the Project, tidal channels and swales would be excavated to facilitate the movement of tidal water between existing tidal sources (Stair Step, Toe Drain) and restored intertidal and seasonal wetlands. Five tidal networks (Networks 1-4 and 6) would be created:

- Network 1: This would be located in a natural topographic drainage swale that is currently managed as cattle pasture. The tidal source for this network would be an excavated swale connecting the lower interior portion of the network with an existing north-south tidally-surcharged irrigation ditch. To promote tidal channel circulation within and out of the network, low internal and perimeter berms and roads would have notches fifty (50) feet wide excavated at strategic locations. The notches would be created by using an excavator to remove soil to an elevation that would match the surrounding field grades. Afterwards, the notches would be seeded with an appropriate seed mix to stabilize them and prevent erosion.
- Network 2: This tidal network would be located in an area of historic tidal marsh that is currently managed as irrigated cattle pasture in the summer and open water and emergent marsh in the winter. The tidal source for this network would be a channel excavated to the junction of Liberty Cut and Shag Slough/Stair Step. The northern portion of this network already experiences limited muted tidal connectivity with a portion of the Stair Step northeast of Liberty Cut through an unmaintained tide gate at its northeast corner. The northern half of the network would be restored to an intertidal pond by retaining most of the existing east-west berm and allowing higher tides to connect with it.
- Network 3: This tidal network would be located in an area of historic tidal marsh that is currently managed as irrigated cattle pasture in the summer and irrigated open water emergent marsh in the winter. The primary tidal sources for this network would be two new channels, one connecting to the Stair Step west of its connection with the Toe Drain and the other to the existing north-south tidally surcharged irrigation ditch referenced above. This flow-through channel arrangement would have two purposes: (1) maximize the efficiency of tidal transport processes from the marsh plain to open water habitats; and (2) provide a fish movement corridor with more complex habitats relative to the Stair Step and Toe Drain. As in Network 1, 50-ft wide notches would be

excavated at strategic location on existing internal and perimeter berms, and then seeded with an appropriate mix to stabilize them and prevent erosion.

- Network 4: This tidal network would be located in an area of historic tidal marsh that is currently managed as upland pasture. The tidal sources for this network would be a new tidal channel connected to the existing east-west tidally surcharged irrigation supply ditch. Several 50-ft wide notches would be excavated at strategic locations on existing internal and perimeter berms. Appropriate seed mix would then be added to stabilize the notches and prevent erosion.
- Network 6: This tidal network would be located in an area of historic tidal marsh that is currently managed as irrigated pasture. No new channels would be excavated to connect this network with Shag Slough/Stair Step, but notches would be excavated at strategic locations on existing internal and perimeter berms to allow for periodic tidal inundation. Appropriate seed mix would then be added to stabilize the notches and prevent erosion.

The dimensions of the constructed tidal channels would vary according to flow capacity needs, depth of intertidal area that the channel would service, and experimental hypotheses associated with each separate network. Deeper channels within Networks 2 and 3 would be excavated to a minimum depth of at least two feet below mean lower low water (MLLW) level to minimize colonization by tules. Deeper channel geometries would also be sized to promote peak ebb tidal flow velocities between 1.6 to 3 feet per second through the networks to actively discourage colonization and establishment of Brazilian waterweed.

At the terminus of the deeper channels in Networks 2 and 3 and the entrance to Network 4, swales 20 to 30 ft wide with 10:1 side slopes and up to one foot below existing grade would be constructed to facilitate connectivity and exchange of productivity between marsh plain and open water habitats. In Networks 1 and 4, existing irrigation and drainage ditches with intertidal elevations, coupled with selective field berm notching, would be used to maximize tidal inundation and flood water retention. The project site's numerous raised ranch roads and internal berms would largely be left in place to help simulate historic hydroperiod conditions. To accomplish this, tidal connections approximately one hundred (100) feet wide would be excavated in the roads and berms at strategic locations throughout the different networks, to facilitate water exchange in and out of the site. Depending on the season, the predominant water source would be tidal incursion from the surrounding channels or flood events in the Yolo Bypass. The excavated notches, coupled with the site's existing topography and irrigated pasture infrastructure, would increase hydraulic residency time, surface flow complexity and discharge distance to receiving waters.

Construction activities would involve:

1. **Tidal marsh restoration.** Restoring approximately 571 acres of tidal marsh and enhancing approximately 28 acres of tidal marsh.

2. **Seasonal marsh enhancement.** Enhancing about 1,100 acres of seasonal floodplain wetlands.
3. **Riparian enhancement.** Enhancing about 47 acres of riparian habitat.
4. **Irrigation and drainage improvements.** Relocating or modifying several water control structures<sup>1</sup> and irrigation and drainage ditches on 37 acres of farmland. Currently, a variety of berms, external tide gates, interior flap gates, permanent and portable pumps, and other conveyance structures moderate how water can enter (irrigate) and leave (drain) the project site during summer and winter. Water control infrastructure will be designed to maintain irrigation and drainage functions for adjacent properties. Modifications to the irrigation and drainage infrastructure would include:
  - The truncation of a tidally-charged supply ditch via the relocation of one tide gate and the replacement of a second tide gate with a ditch block.
  - The reuse of existing permanent pumps for continued irrigation and grazing outside of the Project footprint.
  - The removal of several water control structures, application of selective notching of field berms, and reuse of existing irrigation and drainage ditches within the alternative’s construction footprint to maximize tidal inundation and flood water retention.
  - The rerouting of some drainage ditches outside Alternative 4’s footprint to minimize the movement of drain water into the alternative’s footprint.
  - The construction of a restricted-height perimeter berm to minimize inundation of the remaining grazing lands outside the alternative’s footprint by high tides.
5. **Soils reuse options.** Stockpiling excavated soil (approximately 44,300 cubic yards) will take place behind the restricted-height levee in the northwest corner of the project site (about 50 acres, see Figure 5-14 in the EIR). Following construction, the stockpiles would be stabilized with erosion control measures to prevent damage from Yolo Bypass flood flows. Agricultural use would continue after the stockpiles stabilized.
6. **Buffer area creation.** Removing agricultural irrigation from and restricting grazing on about 391 acres of fringe tidal wetlands surrounding the project

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<sup>1</sup> / *This is the terminology (along with the phrase “tidal connections”) used throughout the EIR to include actions such as the “levee breach.” (See Draft EIR, Table 1-1, p. 1-11.) The existing levee system (onsite and on adjacent lands) and the proposed changes to that system are described in the EIR. (See, e.g., Draft EIR, pp. 2-13 [existing levee system], 3-3 [Figure 3-1, “Phased Project Detail: Restoration Design Features,” including creating new tidal connections through engineered breaches], 3-5 [description of restoration and irrigation/drainage components], 3-9 [estimated acreages and volumes of excavation for irrigation and drainage improvements], 3-19 [analysis of Project’s restoration elements accounts for excavation, transport of excavated materials to soils reuse areas, and construction of tidal connections]; 3-23 – 3-26 [description of construction of tidal connections and irrigation/drainage improvements and hydrologic management, including “removal of some existing water control structures”], 3-27 [Figure 3-4, “Modifications to Irrigation and Drainage Structures”].)*

footprint. Limited grazing would be allowed within this buffer area for invasive plant management, as needed.

7. **Ditch work.** Removing approximately 214 ditch culverts and 344 irrigation spiles (spiles are short pieces of pipe buried in the ditch bank).

Post-construction activities would include:

1. **Long-term operations and maintenance activities.** Managing ancillary site conditions (e.g., installation and repairs of fencing, signage, and minor structures), and carrying out corrective measures to address potential problems (e.g., mosquito production, invasive plant species, and slumping of channel banks).
2. **Project outcome verification monitoring.** Observing Project performance relative to objectives via monitoring and would be conducted separately from mitigation monitoring as required by CEQA.
3. **Regional science support efforts.** Conducting in a cooperative effort, amongst interested stakeholders, monitoring and scientific endeavors at the Project site that may provide invaluable data and insight into future restoration efforts by other entities.

#### **b. WWD's Proposed Actions**

As engineering design of the approved Project has progressed, a limited number of revisions have been provided by the Design Engineer to minimize the Project's impacts and maximize its effectiveness. The following design modifications are being considered for the Project:

- Minimizing potential for fish stranding by further shortening the primary irrigation supply ditch located in the middle of the site.
  - The two proposed tide gates would be reduced to a single tide gate located at the south end of the north-south irrigation supply ditch adjacent to and west of Network 4
  - The north-south irrigation supply ditch would be widened to accommodate the required storage volume for pumping
  - The access/easement to the tidal channel between the proposed tide gate and the Tule Canal would be retained for channel maintenance (i.e., dredging)
  - The perimeter berm would be shortened to accommodate the irrigation supply ditch and reduce the required tide gates to one
- Minimizing long-term maintenance and management by eliminating the water control structures associated with the Subsidy Marsh.<sup>2</sup>

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<sup>2</sup> *The Subsidy Marsh is two of the marsh networks (2 and 3) that was originally proposed to have a control structure at the outlet to vary the residence time of water to increase aquatic food production. The modified project is proposing to remove the structures. The network will still flood naturally versus through a control structure.*

- The three inlet/outlet water control structures would be eliminated
- The interior subtidal channels would be retained
- A subtidal connection would be constructed along the Stair Step co-located with the removal of dilapidated infrastructure
- Additional access roads retained for maintenance purposes would be abandoned or lowered
- Enhancing tidal marsh connectivity to Yolo Flyway Farms (YFF) by lowering additional agricultural berms.
  - The YFF west berm along the property line would be lowered to connect the tidal marshes and increase residence time diversity
  - The YFF south berm along the property line would be lowered to enhance flow through connectivity during shallow flood conditions
- Enhancing tidal marsh connectivity by selectively deepening existing drainages
  - The central drainage canal<sup>3</sup> and distributary canals servicing the restored tidal marsh co-located in the historic pond would be deepened to increase conveyance capacity and enhance connectivity to the extremities of the restored tidal marsh

#### **4. Environmental Review of the Project**

##### **a. Environmental Setting and Baseline Conditions**

The environmental setting has not changed substantially from that of the adopted Project, as described in the EIR. The Project, as approved by SFWCA, constitutes the baseline for this analysis.

##### **b. Relationship to Regional Habitat Restoration Plans**

The Delta Plan is a comprehensive, long-term management plan for the Delta adopted by the state Delta Stewardship Council. Pursuant to the 2009 Delta Reform Act, the Delta Plan creates new rules and recommendations to further the state's coequal goals for the Delta: improve statewide water supply reliability and protect and restore a vibrant and healthy Delta ecosystem, all in a manner that preserves, protects and enhances the unique agricultural, cultural, and recreational characteristics of the Delta. The proposed changes are minor in nature and would not significantly alter the overall intent of the project, just some of the detailed functionality of the site and long-term maintenance obligations. As a result, it would not require further consistency review by the Delta Stewardship Council.

##### **c. Evaluation of Environmental Impacts**

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<sup>3</sup> *The ditch is an existing feature that is located in the middle of the site. The shortening will change where water comes onto the site, but will not have any substantial effect on hydrology, as discussed in further detail below.*

**a. Hydrology.**<sup>4</sup> The Project would be designed to maintain agricultural irrigation and drainage capabilities as well as storm-water conveyance capacity on the Project site and for adjacent parcels to the north that have relied on the existing water control infrastructure. The Project’s soil stockpile (i.e., 50 acres within the restricted-height levee) would have a less-than-significant impact on Yolo Bypass flood/water surface elevations (WSE) (i.e., about 0.04 ft. WSE).

The Project would have minimal to no impact on local groundwater levels. Excavations would be shallow to allow for the creation of “starter channels” with mostly notches in existing berms at various selected locations. There would be no deep excavation or dredging of the adjacent water bodies.

The Project would restore tidal wetlands onsite and transition some pastures from irrigated into non-irrigated pastures, thereby reducing the volumes of water needed to irrigate the site. As a result, the Project would use less water than the baseline requirements for irrigation.

Effect of Modifications: A reduction in the perimeter berm length and an increase in the dredging volume associated with the widened north-south irrigation supply ditch and deepening of the central drainage canal will necessitate disposing of more material in the stockpile area. The earthwork has not been fully designed, but the intent of the design modifications is to keep the earthwork amount the same as or very similar to the estimated for the approved Project.. The modifications will not substantially increase the disposal area nor substantially increase the amount of stockpiled material such that the water surface elevation in the Bypass would be raised enough to affect flood conveyance during flood events.

Shortening the primary irrigation supply ditch will not have any substantial effects on hydrology because local runoff and Yolo Bypass floodwaters can still

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<sup>4</sup> / *In the hydrology chapter, the EIR analyzes whether the Project would “require new or expanded entitlements and water resources to provide sufficient water supplies.” (Draft EIR, p. 4.1-26; see also id. at p. 4.1-27 [identifying significance criteria for potential impacts on groundwater supplies].) The sufficiency of water supplies for the Project is described in the EIR based on appropriative water rights to 15,500 acre-feet of irrigation water from roughly April to October of each year. (See, e.g., Draft EIR, pp. 4.1-28; see also id. at pp. 4.2-25 – 4.2-26 [discussing potential water quality impacts and stating that the “appropriative water rights for Yolo Ranch and Yolo Flyway Farms (i.e., the two parcels that comprise the Project site) allow a total of 15,450 ac-ft for a given irrigation season”].) According to the EIR, the Project would use approximately 8,000 acre-feet per year less than is currently applied to the site for irrigation. (Draft EIR, p. 4.1-28; see also id. at pp. 4.1-39, 4.2-30 [Project activities would have no impact on groundwater supplies or quality].)*

drain back to the Toe Drain and Liberty Cut and irrigation supply is still being sourced from the Toe Drain and Liberty Cut. Consequently, the modifications will not change the impact conclusions in the Final EIR. There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to hydrology. No substantial changes in the environment have occurred since certification of the EIR, which retains its relevance as to the evaluation of potential impacts, identification of mitigation measures, and consideration of alternatives for the Project.

Based on the above, no new significant hydrology impacts or a substantial increase in previously identified hydrology impacts would occur as a result of modifications to the Project. Therefore, impacts related to hydrology do not meet the standards for preparation of either a subsequent or a supplemental EIR pursuant to CEQA Guidelines section 15162.

**b. Water Quality.** As discussed in Section 4.2, Water Quality, of the EIR, methyl mercury (MeHg) concentrations and mass loadings at the project site and within the Delta region involve a certain degree of complexity and uncertainty because of the many variables that can affect MeHg presence and concentration. In addition, the actual loading of MeHg from wetlands depends heavily on the rate of hydrologic exchange with the surrounding environment. Due to this uncertainty, the EIR provided a qualitative analysis of MeHg production and loading; concluding that based on the overall reduction in wetted area with the project and the amount of area subject to less frequent inundation, a less-than-significant impact to MeHg production would occur relative to existing conditions.

Other potential water quality impacts would be less than significant. Due to the distance of water supply facilities, e.g., Barker Slough Pumping Plant at over 11 miles away from the project site, any elevated dissolved organic carbon/total organic carbon levels from the project would be less than significant. Related to that issue would be low dissolved oxygen and or excessive biological oxygen demand; however, with a tidal influence as part of the project, such water quality issues would not occur as “hot spots” on the site. The overall impact would be less than significant.

Effect of Modifications: The Project modifications will not substantially change the footprint or hydrology of the approved Project. The additional excavated material will be stockpiled as envisioned in the approved Project and the surface area covered by stockpiled material is not expected to increase. As a result, no increase in MeHg production is expected beyond that anticipated in the Final EIR. Consequently, the modifications will not change the impact conclusions in the Final EIR. There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to water quality. No substantial changes in the environmental setting pertaining to water quality have occurred

since certification of the EIR, which retains its relevance as to the evaluation of potential impacts, identification of mitigation measures, and consideration of alternatives for the Project.

Based on the above, no new significant water quality impacts or a substantial increase in previously identified water quality impacts would occur as a result of modifications to the Project. Therefore, impacts related to water quality do not meet the standards for preparation of either a subsequent or a supplemental EIR pursuant to CEQA Guidelines section 15162.

**c. Terrestrial Biological Resources.** Temporary but potentially significant construction impacts would remain under the Project and would affect wetland communities, special-status plants, vernal pools and their invertebrates, giant garter snake and their habitat, western pond turtles, migratory and special-status birds with respect to their nesting habitats, and foraging habitats for Swainson's hawk and other special-status raptors. Construction-related and long-term operational and maintenance impacts on terrestrial biological resources would be less than significant after implementation of Mitigation Measures 4.3-1 through 4.3-7. In the long term, benefits of restoration under this alternative would provide improved ecosystem functions to the site and to the Delta freshwater tidal-marsh-floodplain-seasonal wetland-lowland grassland interfaces.

Effect of Modifications: The modifications will not increase the intensity or extent of impacts on terrestrial biological resources. Therefore, the modifications will not change the impact conclusions in the Final EIR. There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to terrestrial biological resources. No substantial changes in the environmental setting pertaining to terrestrial biological resources have occurred since certification of the EIR, which retains its relevance as to the evaluation of potential impacts, identification of mitigation measures, and consideration of alternatives for the Project.

Based on the above, no new significant impacts to terrestrial biological resources or a substantial increase in previously identified impacts would occur as a result of modifications to the Project. Therefore, impacts related to terrestrial biological resources do not meet the standards for preparation of either a subsequent or a supplemental EIR pursuant to CEQA Guidelines section 15162.d. **Aquatic Biological Resources.** The Project's impact would be less than significant with implementation of Mitigation Measure 4.4-2 for potential construction-related (i.e., improvements to the irrigation/drainage infrastructure where drainages may contain individual special-status fishes) and long-term operation and maintenance impacts.

Effect of Modifications: The modifications will not substantially change the Project's hydrology nor its area of impact. The modified design is expected to reduce the potential for fish stranding. Therefore, the modifications will not

change the impact conclusions in the Final EIR. There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to aquatic biological resources. No substantial changes in the environmental setting pertaining to aquatic biological resources have occurred since certification of the EIR, which retains its relevance as to the evaluation of potential impacts, identification of mitigation measures, and consideration of alternatives for the Project.

Based on the above, no new significant impacts to aquatic biological resources or a substantial increase in previously identified impacts would occur as a result of modifications to the Project. Therefore, impacts related to aquatic biological resources do not meet the standards for preparation of either a subsequent or a supplemental EIR pursuant to CEQA Guidelines section 15162.

**e. Agricultural Resources.** The Project would convert 356 acres of unique farmland to wetlands. The EIR concluded that this impact would be a less than significant in the greater context of the County's agricultural lands. Additionally, the agricultural lands on the Project site are limited in use due to the primary role of the Yolo Bypass, which is to protect cities, such as Sacramento and West Sacramento, from flooding during the rainy season. The Project site's agricultural uses are currently limited to cattle grazing and growing alfalfa.

Effect of Modifications: The modifications will not increase the amount of agricultural land converted by the approved Project. Therefore, the modifications will not change the impact conclusions in the Final EIR. There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to agricultural resources. No substantial changes in the environmental setting pertaining to agricultural resources have occurred since certification of the EIR, which retains its relevance as to the evaluation of potential impacts, identification of mitigation measures, and consideration of alternatives for the Project.

Based on the above, no new significant impacts to agricultural resources or a substantial increase in previously identified impacts would occur as a result of modifications to the Project. Therefore, impacts related to agricultural resources do not meet the standards for preparation of either a subsequent or a supplemental EIR pursuant to CEQA Guidelines section 15162.

**f. Air Quality and Greenhouse Gas Emissions.** Calculated NO<sub>x</sub> emissions for the construction phase (total = 0.7 tons per construction project) would not exceed the Yolo-Solano Air Quality Management District (AQMD) threshold of 10 tons per year. However, the 80 pounds per day Yolo-Solano AQMD significance threshold for PM<sub>10</sub> would be exceeded (calculated emissions would be about 225 pounds per day at the height of construction). Implementation of the Mitigation Measure 4.6-1 would result in PM<sub>10</sub> construction emissions that

would not exceed the Yolo-Solano AQMD significance criteria and therefore the air quality impact from PM10 (both individually and cumulatively) would be less than significant.

Construction activities associated with the Tidal Marsh Complex alternative would result in slightly more than 100 metric tons of CO<sub>2</sub>, the major green-house gas (GHG) pollutant. The estimated GHG emissions are less than the 25,000 metric tons per year threshold (refer to threshold discussion in Section 4.6.2 of the EIR) and thus construction of the project would result in a less-than-significant impact with the release of GHG emissions. In addition, converting from conventionally managed agricultural lands to emergent wetlands could reduce long-term net GHG emissions. As described in Section 4.6, Air Quality of the EIR, emergent tule marshes have the ability to sequester 11.5 metric tons CO<sub>2</sub>e per acre per year. This carbon sequestration would be a beneficial effect associated with the Project.

Effect of Modifications: The modifications will not substantially increase the excavation work on the site and the Project will continue to be subject to Mitigation Measure 4.6-1 limiting temporary construction emissions. Therefore, the modifications will not change the impact conclusions in the Final EIR. There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to air quality. No substantial changes in the environmental setting pertaining to air quality have occurred since certification of the EIR, which retains its relevance as to the evaluation of potential impacts, identification of mitigation measures, and consideration of alternatives for the Project.

Based on the above, no new significant impacts to air quality or a substantial increase in previously identified impacts would occur as a result of modifications to the Project. Therefore, impacts related to air quality do not meet the standards for preparation of either a subsequent or a supplemental EIR pursuant to CEQA Guidelines section 15162.

**g. Cultural Resources.** The Project could have potentially significant impacts (i.e., disturbance of buried archaeological resources and unknown human burial resources) during earth-moving activities. With implementation of Mitigation Measures 4.7-1 and 4.7-2, this impact would be less than significant.

Effect of Modifications: The modifications will not change the area of ground disturbance. Mitigation Measures 4.7-1 and 4.7-2 will continue to be in force should any resources be uncovered during earth-moving activities. Therefore, the modifications will not result in a more severe impact than disclosed in the Final EIR. There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to cultural resources. No substantial changes in the environmental setting pertaining to cultural resources have

occurred since certification of the EIR, which retains its relevance as to the evaluation of potential impacts, identification of mitigation measures, and consideration of alternatives for the Project.

Based on the above, no new significant impacts to cultural resources or a substantial increase in previously identified impacts would occur as a result of modifications to the Project. Therefore, impacts related to cultural resources do not meet the standards for preparation of either a subsequent or a supplemental EIR pursuant to CEQA Guidelines section 15162.

**h. Hazards and Hazardous Materials.** The Project would have potentially significant impacts (both individually and cumulatively) with respect to unknown contaminated soil/materials and potential hazards with natural gas wells, energy infrastructure, and related pipelines. Implementation of Mitigation Measures 4.8-1 and 4.8-2 would reduce such impacts to a less than significant level.

Effect of Modifications: The modifications will not substantially increase the amount of excavation work on the site and the Project will continue to be subject to Mitigation Measure 4.8-1 minimizing the effects of soil and materials contamination. The modifications will not increase the extent of the construction area and therefore will not change potential hazards disclosed in the Final EIR and mitigated by Mitigation Measure 4.8-2. Therefore, the modifications will not change the impact conclusions in the Final EIR. There are no substantial changes to the circumstances under which the Project would be undertaken, and there is no new information of substantial importance that has become available relative to hazards and hazardous materials. No substantial changes in the environmental setting pertaining to hazards and hazardous materials have occurred since certification of the EIR, which retains its relevance as to the evaluation of potential impacts, identification of mitigation measures, and consideration of alternatives for the Project.

Based on the above, no new significant impacts related to hazards or hazardous materials or a substantial increase in previously identified impacts would occur as a result of modifications to the Project. Therefore, impacts related to hazards and hazardous materials do not meet the standards for preparation of either a subsequent or a supplemental EIR pursuant to CEQA Guidelines section 15162.

**i. Energy Consumption.** The Project would require a minor amount of energy resources during its one month construction phase for earth-moving activities. Minor ongoing operation and maintenance energy use would similarly not be wasteful and would be less than significant.

Effect of Modifications: The modifications will result in additional excavation, but length of the construction phase would not be substantially altered. This would not substantially increase the amount of energy used. Therefore, the modifications will not result in a more severe impact than disclosed in the Final EIR. There are no substantial changes to the circumstances under which the

Project would be undertaken, and there is no new information of substantial importance that has become available relative to energy consumption. No substantial changes in the environmental setting pertaining to energy consumption have occurred since certification of the EIR, which retains its relevance as to the evaluation of potential impacts, identification of mitigation measures, and consideration of alternatives for the Project.

Based on the above, no new significant impacts related to energy consumption or a substantial increase in previously identified impacts would occur as a result of modifications to the Project. Therefore, impacts related to energy consumption do not meet the standards for preparation of either a subsequent or a supplemental EIR pursuant to CEQA Guidelines section 15162.

**j. Cumulative Impacts.** The EIR found that the approved Project would have short-term, potentially significant impacts on terrestrial biological resources; air quality (PM10); cultural resources; and hazards and hazardous materials. It concluded that implementation of the Project's mitigation measures would reduce its contributions to a less-than-considerable level.

Effect of Modifications: The Project modifications would not substantially increase any of the Project's contributions to cumulative impacts. Therefore, the Project modifications will not result in a new or substantially more severe impact than disclosed in the Final EIR, which retains its relevance as to the evaluation of potential direct, indirect, and cumulative impacts, identification of mitigation measures, and consideration of alternatives for the Project.

**k. Unavoidable Adverse Effects**

The Final EIR concluded that all potentially significant impacts of the Project will be avoided or lessened to less-than-significant levels. The Project as modified likewise would not have any significant and unavoidable impacts.

**5. Conclusions**

The proposed modifications to the approved Project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Furthermore, new information associated with the proposed modifications does not indicate that the modifications to the approved Project will have one or more significant effects not discussed in the certified EIR; that significant effects previously examined will be substantially more severe than shown in the certified EIR.

No mitigation measures identified in the Final EIR were found to be infeasible in the SFCWA's findings. All measures identified for Alternative 4, Tidal Marsh Complex, will be implemented as part of the Project. Accordingly, an Addendum is appropriate for the proposed modifications to the approved Project because they would not result in new or substantially more severe environmental effects requiring major revisions to the Final EIR.

(CEQA Guidelines, § 15164.)

**RESOLUTION 13-1 OF THE BOARD OF DIRECTORS  
OF THE STATE AND FEDERAL CONTRACTORS WATER AGENCY  
CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT  
FOR THE LOWER YOLO RESTORATION PROJECT**

**WHEREAS**, pursuant to the California Environmental Quality Act (CEQA), the State and Federal Contractors Water Agency (SFCWA) released a Notice of Preparation for the Lower Yolo Restoration Project on February 25, 2011; and

**WHEREAS**, after public participation and consultation with various public agencies, SFCWA prepared a Draft Environmental Report (Draft EIR) for the Lower Yolo Restoration Project, which was released for public review and comment on April 22, 2013; and

**WHEREAS**, public agencies and interested parties submitted comments on the Draft EIR; and

**WHEREAS**, a Final Environmental Impact Report (Final EIR) was prepared, which includes responses to comments on the Draft EIR; and

**WHEREAS**, the Final EIR was released on July 8, 2013, at least 10 days before certification of the Final EIR pursuant to the provisions of the California Environmental Quality Act, and noticed for a public hearing on July 18, 2013; and

**WHEREAS**, sufficient public notice has been provided in accordance with state law for all hearings on the CEQA process for the Lower Yolo Restoration Project; and

**WHEREAS**, the Final EIR for the Lower Yolo Restoration Project constitutes the complete environmental documentation and review of Lower Yolo Restoration Project pursuant to the requirements of the California Environmental Quality Act;

**NOW, THEREFORE**, the Board of Directors of SFCWA does hereby resolves as follows:

- A. The Board finds that the Notice of Preparation for the Draft Environmental Impact Report was duly prepared, noticed, and properly circulated in accordance with the provisions of the California Environmental Quality Act;
- B. The Board finds that the Draft Environmental Impact Report was duly prepared, noticed, and properly circulated in accordance with the provisions of the California Environmental Quality Act;

- C. The Board finds that after providing adequate public notice, the Draft Environmental Impact Report was duly circulated in accordance with the provisions of the California Environmental Quality Act, and public hearings which were properly noticed, were conducted by the State and Federal Contractors Water Agency in compliance with the provisions of the Act;
- D. The Board finds that a Noticed Public Hearing was held on the Draft Environmental Impact Report on May 21, 2013;
- E. The Board finds that all comments received during the period of public review were duly considered and incorporated into the Final Environmental Impact Report, and where necessary, replied to, in accordance with the provisions of the California Environmental Quality Act;
- F. The Board finds that a Final Environmental Impact Report was prepared and issued on July 8, 2013;
- G. The Board finds that written responses were provided to all public agency comments that were received on the Draft Environmental Impact Report at least 10 days before certification of the Final EIR pursuant to the provisions of the California Environmental Quality Act;
- H. The Board finds that all reasonable alternatives were considered in the review process under the provisions of the California Environmental Quality Act relating to the decisions and recommendations as described in this Resolution;
- I. The Board finds that the Final Environmental Impact Report for the proposed Lower Yolo Restoration Project has been properly completed and has identified all significant environmental effects of the proposed project, and there are no known potential environmental effects that are not addressed in the Final Environmental Impact Report;
- J. The Board finds that a good faith effort has been made to seek out and incorporate all points of view in the preparation of the Draft Environmental Impact Report and Final Environmental Impact Report; and
- K. The Board hereby certifies that the EIR was presented to the Board and that the Board reviewed and considered the information contained in the EIR prior to taking action on the EIR and the Lower Yolo Restoration Project.
- L. The Board hereby certifies the Final Environmental Impact Report, consisting of all the environmental documents described in this Resolution, as adequate and complete and certifies that the EIR has been completed in compliance with the California Environmental Quality Act.

M. The Board of Directors hereby certifies that it has utilized its own independent judgment in adopting this Resolution and in certifying the Final Environmental Impact Report.

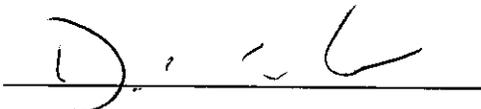
On a motion by Director Burman, seconded by Director Marquez, the foregoing resolution was passed and adopted by the State and Federal Contractors Water Agency at a meeting thereof this 18th day of July, 2013, by the following vote:

AYES: Nelson, Burman, Marquez, Charlton, Duerig, Kao, Harrison

NOES: None

ABSENT: Peltier

ABSTAIN: Gutierrez

  
\_\_\_\_\_, SFCWA President

ATTEST:

  
\_\_\_\_\_, SFCWA Secretary

**RESOLUTION 13-2 OF THE BOARD OF DIRECTORS  
OF THE STATE AND FEDERAL CONTRACTORS WATER AGENCY  
SELECTING ALTERNATIVE FOUR AND MAKING FINDINGS  
FOR THE LOWER YOLO RESTORATION PROJECT**

**WHEREAS**, pursuant to the California Environmental Quality Act (CEQA), the State and Federal Contractors Water Agency (SFCWA) released a Notice of Preparation for the Lower Yolo Restoration Project on February 25, 2011; and

**WHEREAS**, after public participation and consultation with various public agencies, SFCWA prepared a Draft Environmental Report (Draft EIR) for the Lower Yolo Restoration Project, which was released for public review and comment on April 22, 2013; and

**WHEREAS**, public agencies and interested parties submitted comments on the Draft EIR; and

**WHEREAS**, a Final Environmental Impact Report (Final EIR) was prepared, which includes responses to comments on the Draft EIR; and

**WHEREAS**, the Final EIR was released on July 8, 2013, at least 10 days before certification of the Final EIR pursuant to the provisions of the California Environmental Quality Act, and noticed for a public hearing on July 18, 2013; and

**WHEREAS**, sufficient public notice has been provided in accordance with state law for all hearings on the CEQA process for the Lower Yolo Restoration Project; and

**WHEREAS**, the Final EIR for the Lower Yolo Restoration Project constitutes the complete environmental documentation and review of Lower Yolo Restoration Project pursuant to the requirements of the California Environmental Quality Act; and

**WHEREAS**, the Board of Directors certified the Final EIR for the Lower Yolo Restoration Project on July 18, 2013; and

**WHEREAS**, Alternative 4 to the proposed project, known as the Tidal Marsh Complex, is the environmentally superior alternative, as determined in the EIR; and

**WHEREAS**, CEQA allows a lead agency to select an alternative to the project instead of the proposed project, especially if the alternative has less impacts on the environment than the proposed project; and

**WHEREAS**, Alternative Four meets all of the project objectives with the least environmental impacts;

**NOW, THEREFORE**, the Board of Directors of SFCWA does hereby resolve as follows:

- A. SFCWA selects and approves Alternative 4, the Tidal Marsh Complex, as described in the Draft EIR and Final EIR, instead of the proposed Project.
- B. SFCWA hereby adopts the Findings attached to this Resolution as Attachment A and incorporated herein by reference.
- C. By selecting Alternative 4, and as shown in the Findings on the Lower Yolo Restoration Project in Attachment A to this Resolution, SFCWA has eliminated or substantially lessened all significant environmental effects, where feasible.
- D. The mitigation measures listed in the Findings in Attachment A to this Resolution are hereby adopted by SFCWA and incorporated into the project design. By incorporating the mitigation measures into the project design, SFCWA has imposed said mitigation measures on the project. (Public Resources Code, 21081.6(b).)
- E. In making this Resolution, SFCWA has considered the Executive Director's Report, the Final Environmental Impact Report, oral and written public comments, public agency comments, staff reports, and other pertinent information in SFCWA's record of proceedings on the Lower Yolo Restoration Project.
- F. SFCWA finds and certifies that it has independently reviewed and analyzed the Final EIR and determined that the Final EIR reflects its independent judgment. SFCWA further certifies that the Final EIR has been complete in compliance with CEQA and was presented to the decision making body of SFCWA, who reviewed and considered the information.

On a motion by Director Burman, seconded by Director Marquez, the foregoing resolution was passed and adopted by the State and Federal Contractors Water Agency at a meeting thereof this 18th day of July, 2013, by the following vote:

AYES: Nelson, Burman, Marquez, Charlton, Kao, Harrison

NOES: None

ABSENT: Peltier

ABSTAIN: Gutierrez

D. L., SFCWA President

ATTEST:

Jeanette, SFCWA Secretary

**RESOLUTION 13-3 OF THE BOARD OF DIRECTORS  
OF THE STATE AND FEDERAL CONTRACTORS WATER AGENCY  
ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM  
FOR THE LOWER YOLO RESTORATION PROJECT**

**WHEREAS**, the Board of Directors of the State and Federal Water Contractors Agency certified a Final Environmental Impact Report as adequate and complete for the Lower Yolo Restoration Project, as set forth in Resolution No. 13-1, which is incorporated herein by reference; and

**WHEREAS**, the Board of Directors selected Alternative 4, the Tidal Marsh Alternative, instead of the proposed project, as set forth in Resolution No. 13-2, which is incorporated herein by reference; and

**WHEREAS**, the Draft EIR, Final EIR, and the Findings made in connection with Resolution 13-2 identified mitigation measures for the environmental impacts described in the Final Environmental Impact Report; and

**WHEREAS**, those mitigation measures were incorporated into the project design by Resolution 13-2; and

**WHEREAS**, pursuant to Section 21081.6 of the Public Resources Code, a Mitigation Monitoring and Reporting Program is required;

**NOW, THEREFORE**, the Board of Directors of SFCWA does hereby resolve as follows:

The attached document entitled "MITIGATION MONITORING AND REPORTING PROGRAM FOR THE LOWER YOLO RESTORATION PROJECT" (Attachment A) is hereby adopted and incorporated by reference as though wholly set forth herein.

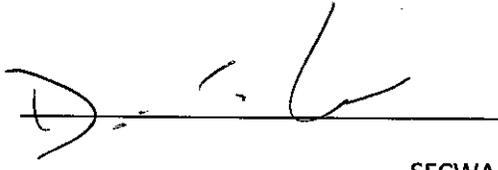
On a motion by Director Burman, seconded by Director Marquez, the foregoing resolution was passed and adopted by the State and Federal Contractors Water Agency at a meeting thereof this 18th day of July, 2013, by the following vote:

AYES: Nelson, Burman, Marquez, Charlton, Duerig, Kao, Harrison

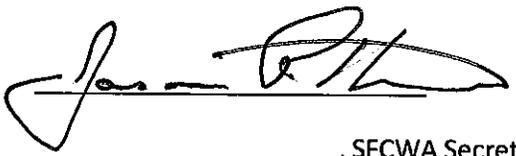
NOES: None

ABSENT: Peltier

ABSTAIN: Gutierrez

  
\_\_\_\_\_, SFCWA President

ATTEST:

  
\_\_\_\_\_, SFCWA Secretary

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# Mitigation Monitoring and Reporting Program for the Lower Yolo Restoration Project

## Chapter 1: Summary of Mitigation Measures

Based on the impact analysis in the Lower Yolo Restoration Project (Project) Draft Environmental Impact Report (Draft EIR, Volume 1) Chapter 4, Environmental Setting, Impacts, and Mitigation Measures, the Lead Agency, State and Federal Contractors Water Agency, determined that six environmental resource categories were found to be impacted significantly by Alternative No. 4 (Tidal Marsh Complex alternative): terrestrial biological resources, aquatic biological resources, air quality, cultural resources, hazards and hazardous materials, and cumulative impacts. Each impact is briefly listed below with its references attributed to the Project's Draft EIR, Volume 1:

- **Terrestrial Biological Resources.** Short-term, but significant, construction impacts would affect wetland communities, special-status plants species, vernal pools and their invertebrates, giant garter snakes (GGS) and their habitats, western pond turtles, migratory and special-status birds with respect to their nesting habitats, and foraging habitats for Swainson's hawk and other special-status raptors. The seven proposed mitigation measures (Mitigation Measures 4.3-1 through 4.3-7) listed in Section 4.3, Terrestrial Biological Resources, would reduce those impacts to less than significant.
- **Aquatic Biological Resources.** Temporary impacts from improvements to the existing irrigation/drainage systems would be significant to trapped, individual sensitive fish species. One proposed mitigation (Mitigation Measure 4.4-2) stated in Section 4.4 (Aquatic Biological Resources) would reduce such impacts to less than significant.
- **Air Quality.** Dust, i.e., particulate matter (PM<sub>10</sub>) would exceed significance criteria established by the Yolo-Solano Air Quality Management District during construction. Proposed Mitigation Measure 4.6-1 would reduce this impact to less than significant (refer to Section 4.6, Air Quality and Greenhouse Gases)..
- **Cultural Resources.** Earth-moving activities in areas not previously disturbed during construction, operation, and routine maintenance could result in the discovery of important archaeological resources and unknown human burial resources. Such occurrences would be potentially significant. With implementation of the proposed mitigations (Mitigation Measures 4.7-1 and 4.7-2) identified in Section 4.7, Cultural Resources, the impacts to cultural resources would be less than significant.
- **Hazards and Hazardous Materials.** Ground-disturbing activities during construction, operation, and routine maintenance could result in the discovery of unknown contamination (such as PCBs from leaking transformers on power poles, isolated soil

contamination from previous agricultural practices, etc.) or the accidental damaging of abandoned natural gas wells and/or related piping. Such occurrences would be potentially significant. With implementation of the proposed mitigation (Mitigation Measures 4.8-1 and 4.8-2) identified in Section 4.8, Hazards and Hazardous Materials, hazardous impacts would be less than significant.

- **Cumulative Impacts.** The environmental resource categories listed below would be subject to temporary but significant cumulative impacts if not mitigated. Section 4.10, Cumulative Impacts, details how each cumulative impact would be reduced to less than significant through implementation of mitigation measures noted above:
  - **Cumulative Terrestrial Biological Resources Impacts.** Wetlands, special-status plant species, GGS and their habitats, western pond turtles, nesting by special-status and migratory bird species, and foraging habitats for special-status raptors (including Swainson’s hawk).
  - **Cumulative Cultural Resources Impacts.** Unknown, buried archaeological resources and human burial resources.
  - **Cumulative Hazards and Hazardous Materials Impacts.** Unknown soils and materials contamination, and accidentally encountering natural gas wells and/or related appurtenant facilities.

With incorporation of the proposed mitigation measures (refer to **Table 1** in Section 2.2), the significant and potentially significant environmental impacts of Alternative No. 4 would be reduced to less than significant for all environmental resources categories. The 13 mitigation measures are listed as follows:

- Mitigation Measure 4.3-1: Wetland Communities.
- Mitigation Measure 4.3-2: Special-status Plants.
- Mitigation Measure 4.3-3: Vernal Pools.
- Mitigation Measure 4.3-4: Giant Garter Snake.
- Mitigation Measure 4.3-5: Western Pond Turtle.
- Mitigation Measure 4.3-6: Special-status and Migratory Birds.
- Mitigation Measure 4.3-7: Swainson’s Hawk.
- Mitigation Measure 4.4-2: Fishes (related to Irrigation and Drainage Improvements).
- Mitigation Measure 4.6-1: Temporary Air Construction Emissions.
- Mitigation Measure 4.7-1: Archaeological Resources.
- Mitigation Measure 4.7-2: Unknown Human Burial Resources.
- Mitigation Measure 4.8-1: Soils and Materials Contamination.
- Mitigation Measure 4.8-2: Natural Gas Wells/Piping Hazards.

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## Chapter 2: Mitigation Monitoring and Reporting Program

With incorporation of the proposed mitigation measures, the significant and potentially significant environmental impacts of Alternative No. 4 or of one of the three other build alternatives (to be selected by SFCWA's Board of Directors) would be reduced to less than significant for all affected environmental topics. There would be no significant, unavoidable adverse environmental impacts associated with implementation of the proposed wetlands restoration activity.

The Mitigation Monitoring and Reporting Program (MMRP) Matrix Table (**Table 1**) will guide SFCWA in its evaluation and documentation of implementing the mitigation measures. The column categories identified in the MMRP Summary Matrix Table are described below:

- **Summary of Mitigation** – lists the mitigation measures by number identified in the EIR and provides the text of the mitigation measures identified in the EIR.
- **Action** – describes the type of action taken to verify implementation of the mitigation.
- **Implementing Party** – identifies the entity responsible for complying with the requirements of the mitigation measure.
- **Timing** – lists the time frame in which the mitigation will take place.
- **Monitoring Party** – identifies the agency that verifies compliance.

Summary of Mitigation	Action	Implementing Party	Timing	Monitoring Party
<p><b>Mitigation Measure 4.3-1:</b> <b>(Prior to or during ground-disturbing activities in sensitive wetland communities)</b></p> <ul style="list-style-type: none"> <li>• Locate construction staging areas outside of sensitive wetland habitats, by having their perimeters be as small as possible, and/or within the excavation/trenching limits. All staging areas shall be clearly flagged to define the limits of the work area. No construction access, parking, or storage of equipment or materials shall be permitted outside of the established limits. This shall be achieved by limiting machinery and vehicle access to temporary tracks or pads, as necessary and direct removal of soils to temporary stockpiles, located away from sensitive areas, for transportation to the selected soils reuse site. These areas shall be identified on work plans, specifications, and other applicable engineering/ contractor documents.</li> <li>• Define clearly on maps the boundaries of sensitive habitats not within the restoration footprint (ground-disturbing areas of the Project site), and demarcated as avoidance areas.</li> <li>• Limit construction and post-construction actions involving ground-disturbing activities to the dry weather season (generally between April and November, but varies each year), thereby reducing the potential for export of contaminants and/or sediments.</li> <li>• Require contractors to sign documentation stating that they have read, agree to, and understand the required avoidance measures.</li> <li>• Require construction crew members to participate in training sessions, which clearly identify and describe sensitive communities and other biological resources.</li> </ul>	<ul style="list-style-type: none"> <li>• Locate and flag construction staging sites outside of sensitive wetlands and identify on work plans, specification, and other applicable documents.</li> <li>• Identify on maps areas that are sensitive and that are not within the restoration footprint.</li> <li>• Limit ground-disturbing activities to the dry weather season.</li> <li>• Require contractors to abide by the mitigation measures.</li> <li>• Require environmental awareness classes for contractors and their</li> </ul>	<p>SFCWA or its designee</p>	<p>Design, Pre-construction, Construction, and Post-construction Phases, as applicable</p>	<p>SFCWA or its designee</p>

- Utilize the services of a qualified biologist onsite to observe ground-disturbing activities when such activities occur within or adjacent to sensitive habitats, and/or to monitor sensitive special-status species' locations.

**Mitigation Measure 4.3-2:**

**Prior to initiation of ground-disturbing activities, a qualified botanist shall conduct appropriately timed, focused botanical surveys of the Project site targeting known and potentially occurring special-status plant species, including Mason's lilaeopsis, Suisun Marsh aster, and Delta tule pea. Dependent on the Project's final design and conditions onsite, the following mitigation shall be undertaken to avoid, minimize, or reduce loss or disturbance to identified special-status plants:**

- Adjust design to avoid or minimize impacts to special-status plants to the extent feasible.
- Enumerate, photograph, and flag conspicuously or mark with temporary drift fencing or other physical barriers the areas supporting individual plants or populations of special-status plants that have the potential to be impacted, prior to construction.
- Limit work areas including access and staging areas to the minimum area practical.
- Notify the California Department of Fish and Wildlife (CDFW) at least ten days in advance of any ground-disturbing activity that could impact special-status plants to allow CDFW the opportunity to salvage affected individual plants for transplanting to a suitable location outside of the disturbed area.
- Require construction workers to inspect their clothing, including shoes, all vehicles, and equipment for invasive plant seeds or plant material, prior to entering and leaving the Project area. Appropriate cleaning measures shall be taken to prevent the

employees.

- Employ the services of a qualified biologist during ground-disturbing activities.

- Conduct botanical surveys by a qualified botanist prior to ground-disturbing activities.

- Alter designs to reduce impacts to special-status plants.

- Identify areas and mark onsite areas supporting special-status plants.

- Restrict access to special-status plants.

- Contact CDFW at least ten days in advance in areas to be disturbed that contain special-status plants.

- Require construction workers to inspect and clean their clothing to prevent spread of invasive plants.

SFCWA or its designee and SFCWA contractor, as applicable

Pre-construction and Construction Phases, as applicable

SFCWA or its designee

spread of invasive species into restored areas.

**Mitigation Measure 4.3-3:**

- Establish and flag conspicuously a buffer area of at least a minimum of 250 ft horizontally from the edge of hydrophytic vegetation associated with the vernal pools. No construction vehicles, equipment, or personnel shall be permitted to enter this buffer zone for the duration of the Project.
- Identify the vernal pools as Environmentally Restricted Areas (ERA) on all applicable engineering and construction drawings, designs, and specification/work plan documents.
- Control nearby grading or contouring in a manner that does not prevent hydrologic inputs to the vernal pools that are similar to what currently happens.

- Create a buffer of at least 250 ft from the vernal pools to avoid impacts during construction. Requirements include adding ERA designations on designs and specifications, and controlling grading adjacent to the pools.

SFCWA or its designee and SFCWA contractor, as applicable

Design, Pre-construction, and Construction Phases, as applicable

SFCWA or its designee

**Mitigation Measure 4.3-4:**

- Require construction personnel shall receive U.S. Fish and Wildlife Service (USFWS)-approved worker environmental awareness training to recognize the giant garter snake (GGS) and its habitat.
- Confine clearing of vegetation to only those areas necessary to facilitate construction activities and no greater. Areas designated as GGS and/or other sensitive-species habitat within or adjacent to the Project site shall be flagged as Environmentally Sensitive Areas and shall be avoided by all construction personnel.
- Survey the site at least 24 hours prior to the initiation of ground-disturbing activities in suitable GGS habitat. This survey shall be conducted by a USFWS-approved biologist in suitable GGS habitat. Surveys shall be repeated if a lapse in construction activity of two weeks or greater occurs. If a GGS is encountered during ground-disturbing activities, activities at that specific location shall cease until appropriate corrective measures, in concurrence with USFWS coordination, have been completed or it has been

- Require environmental awareness classes on GGS for contractors and their employees.
- Avoid impacts during construction by flagging ERAs and restricting access to GGS habitat.
- Survey the site prior to ground-disturbing activities in GGS habitat and implement corrective actions prior to commencement of such construction activities. Coordinate with USFWS.

SCFWA or its designee and SFCWA contractor, as applicable

Pre-construction and Construction Phases, as applicable

SFCWA or its designee

determined that the GGS will not be harmed.  
Sightings shall be reported to USFWS.

- Implement construction activity within GGS habitat between May 1 and October 1. This is the active period for GGS and direct mortality is lessened, because GGS are expected to actively move and avoid danger. Consultation with the USFWS is required for construction activities scheduled to occur in potential GGS habitat between October 2 and April 30.
- Ensure that any dewatered GGS habitat shall remain dry for at least 15 consecutive days after April 15, and prior to excavating or filling of the dewatered GGS habitat.
- Require when working near flooded canals during the summer months, vehicle speeds shall not exceed 15 miles per hour (MPH) in areas where the line-of-site is obstructed and 25 MPH in other areas to avoid hitting the GGS and other special-status wildlife.
- Remove temporary fill and construction debris after construction completion, and, wherever feasible, restore disturbed areas to pre-project conditions.
- Carryout ground-disturbing activities between May 1 and October 1; consult with USFWS outside of that timeframe on GGS.
- Ensure that dewatering activities are restricted for a set period of time to avoid impacting GGS.
- Restrict vehicle speeds to avoid hitting individual GGS and other sensitive wildlife species.
- Restore site to pre-project condition, wherever feasible.

**Mitigation Measure 4.3-5:**

- Survey areas prior to implementing restoration activities and/or dewatering scheduled in or adjacent to suitable aquatic habitat for the western pond turtle, by a qualified biologist.
- Remove western pond turtles found by a qualified biologist to a safe location outside of the work area in a manner consistent with applicable CDFW regulations.
- Conduct periodic monitoring by a qualified biologist of suitable aquatic habitat for the western pond turtle until ground-disturbing/ dewatering activities have ceased in those areas.
- Survey the site prior to construction activities in western pond turtle habitat and implement corrective actions and periodic monitoring prior to/during commencement of such activities. Comply with applicable CDFW regulations.

SFCWA or its designee

Pre-construction and Construction Phases, as applicable

SFCWA or its designee

**Mitigation Measure 4.3-6:**

- Remove or trim a minimal number of trees that would satisfy the Project design and allow for minimal access
- Remove or trim a minimum number of

SFCWA or its designee and SFCWA

Pre-construction, Construction,

SFCWA or its designee

<p>by construction equipment within the construction footprint in advance of nesting season, i.e., August 16 to February 14. Should nesting by sensitive bird species occur prior to February 15, proceed with the remaining steps in this mitigation measure.</p>	<p>trees prior to the nesting season.</p>	<p>contractor, as applicable</p>	<p>and if applicable, Post-construction phases</p>
<ul style="list-style-type: none"> <li>• Conduct preconstruction nesting bird surveys during the bird breeding season (February 15 to August 15) within the construction footprint including a 300-ft buffer, by a qualified biologist, within two weeks prior to equipment or material staging, pruning/grubbing or surface-disturbing activities, including soils grading or excavation. If no active nests are found, no further mitigation shall be required.</li> <li>• Establish a buffer area if active nests (i.e., nests in the egg laying, incubating, nestling or fledgling stages) are found within 300 ft of the Project footprint for raptors (birds of prey), within a 0.5-mile radius for Swainson’s hawk, or 100 feet of the construction footprint for all other bird species. Non-disturbance buffers shall be established at a distance sufficient to minimize disturbance based on the nest location, topography, cover, the nesting pair’s tolerance to disturbance and the type/duration of potential disturbance. The size of the buffers may be adjusted provided a qualified biologist, in consultation with CDFW and USFWS, monitors the behavior of the nesting birds and determines that impacts of Project-related activities are not affecting the birds’ reproductive or rearing efforts.</li> <li>• Ensure that if rescheduling of work is infeasible and non-disturbance buffers cannot be maintained, a qualified biologist shall be onsite to monitor active nests for signs of disturbance for the duration of the construction activity. If it is determined that Project-related activities are resulting in nest disturbance, then work in those sensitive areas shall cease immediately and CDFW and USFWS shall be contacted for further guidance.</li> <li>• Repeat nest surveys by a qualified biologist, if post-</li> </ul>	<ul style="list-style-type: none"> <li>• Conduct pre-construction nesting bird surveys by a qualified biologist.</li> <li>• Establish a buffer area around active nests for special-status birds.</li> <li>• Monitor active nesting sites during construction and consult with CDFW and USFWS.</li> <li>• Redo monitoring/</li> </ul>		

<p>construction activities continue beyond one year.</p>	<p>survey activities if construction goes beyond one year.</p>			
<p><b>Mitigation Measure 4.3-7:</b></p> <ul style="list-style-type: none"> <li>• Ensure that suitable Swainson’s hawk foraging habitat is preserved or enhanced at a ratio of 0.5:1 for up to 52.5 acres, based on final engineering designs, presence of Swainson’s hawk, and consultation with CDFW. Preservation/enhancement may occur through one or more actions: <ul style="list-style-type: none"> <li>○ Preservation and enhancement of habitat onsite with equal or greater quality than existing foraging habitat.</li> <li>○ Payment of a mitigation fee to a CDFW-approved mitigation bank for the preservation of Swainson’s hawk foraging habitat.</li> <li>○ Purchase of conservation easements or fee title to suitable Swainson’s hawk foraging habitat to protect the habitat from urban development.</li> <li>○ Participation in the Yolo County Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) should it be adopted prior to the Project’s start of construction.</li> </ul> </li> <li>• Other measures, as needed, through consultation with CDFW.</li> </ul>	<ul style="list-style-type: none"> <li>• Preserve or enhance suitable Swainson’t hawk foraging habitat by relying on a combination of mitigation strategies.</li> </ul>	<p>SFCWA or its designee</p>	<p>Pre-construction Phase</p>	<p>SFCWA or its designee</p>
<p><b>Mitigation Measure 4.4-2:</b> <b>(Associated with irrigation/drainage improvements)</b></p> <ul style="list-style-type: none"> <li>• Conduct biological surveys to determine if there are any fishes present.</li> </ul>	<ul style="list-style-type: none"> <li>• Conduct biological surveys prior to irrigation/ drainage improvements.</li> </ul>	<p>SFCWA or its designee</p>	<p>Construction and if applicable Post-Construction Phases</p>	<p>SFCWA or its designee</p>

<ul style="list-style-type: none"> <li>• Recover fishes, if present, using appropriate techniques such as beach seining; retain the captured fishes in cooled, aerated containers; and release fishes the same day as captured into the waters of Stair Step or Toe Drain.</li> </ul>	<ul style="list-style-type: none"> <li>• Recover and release fishes found in irrigation/ drainage improvement areas.</li> </ul>	SFCWA contractor	Construction Phase	SFCWA or its designee
<p><b>Mitigation Measure 4.6-1:</b>  <b>The mitigation measure shall be implemented to minimize emissions of NO<sub>x</sub> and PM<sub>10</sub>:</b></p>				
<ul style="list-style-type: none"> <li>• Limit construction on those days where Yolo County is predicted to exceed the “Spare the Air” Air Quality Index (AQI) for ozone &gt;127 by the Sacramento Metropolitan Air Quality Management District (summer downwind area). Examples of limiting construction could range from stopping work that day to reducing construction to a half day or relying on electrical equipment solely. Once the AQI level of unhealthy is reached, i.e., 151 to 200 or beyond, all construction work shall cease for that day.</li> </ul>	<ul style="list-style-type: none"> <li>• Limit construction activities when AQI levels are greater than 127.</li> </ul>			
<ul style="list-style-type: none"> <li>• Require haul trucks and off-road diesel equipment operators to shut down their engines instead of idling for more than five minutes, unless such idling is necessary for proper operation of the equipment. Provide clear signage that posts this requirement for workers at the entrances to the site.</li> </ul>	<ul style="list-style-type: none"> <li>• Minimize or limit engine idling onsite.</li> </ul>			
<ul style="list-style-type: none"> <li>• Require contractors’ construction equipment to be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked and determined to be running in proper condition prior to operations.</li> </ul>	<ul style="list-style-type: none"> <li>• Maintain and properly tune construction equipment.</li> </ul>			
<ul style="list-style-type: none"> <li>• Limit vehicle speeds on unpaved roads to 15 MPH.</li> </ul>	<ul style="list-style-type: none"> <li>• Limit vehicle speeds on unpaved roads to 15 MPH.</li> </ul>			
<ul style="list-style-type: none"> <li>• Cover or maintain at least two feet of freeboard space on haul trucks transporting soil, sand, or loose materials onsite. Any haul trucks that would be</li> </ul>	<ul style="list-style-type: none"> <li>• Cover haul trucks transporting loose materials onsite.</li> </ul>			

traveling along freeways or major roadways shall be covered.

- All active construction sites shall be watered at least twice daily. Frequency shall be based on the type of operation, soil, wind exposure, and the ability to eliminate visible fugitive dust.
- Between the time of completing construction and prior to the onset of winter rains, encourage the property owner and/or property manager to reinstate typical agricultural irrigation practices as a means to wet soils so they do not generate dust, as feasible.
- Cover or water inactive storage piles.
- Develop an emissions reduction plan that demonstrates that off-road equipment of more than 50 horsepower to be used during construction of all project- and program-level elements shall achieve a project-wide fleet-average 20 percent NO<sub>x</sub> reduction and 45 percent PM reduction compared to the most recent California Air Resources Board fleet average. Acceptable options for reducing emissions shall include using late model engines, low-emissions diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or add-on devices such as particulate filters, with specifics dependent on contractor's ability to secure such equipment in a timely fashion.
- Water active construction sites at least twice daily.
- Encourage owner or property manager to resume agricultural irrigation practices on remaining lands on Project site.
- Cover/water inactive storage piles.
- Develop and implement an emissions reduction plan.

**Mitigation Measure 4.7-1:**

**Where ground-disturbing activities may occur:**

- Conduct an environmental awareness training concerning cultural resources management utilizing the services of a qualified archaeologist for contractors and their staff prior to the start of construction.
- Cease ground-disturbing work in the vicinity of the area should buried archaeological resources be
- Require environmental awareness classes for contractors and their employees relating to cultural resources.
- Cease ground-disturbing work in the

SFCWA or its designee and SFCWA contractor, as applicable

Construction and Post-construction Phases, as applicable

SFCWA or its designee

uncovered during construction, operation, and/or routine maintenance, until a qualified archaeologist can visit the site of discovery and assess the significance of the resource. After the assessment is completed, the archaeologist shall submit a report describing the significance of the discovery and its origin with cultural resources management recommendations if the archaeological resources are significant.

immediate vicinity and conduct cultural resources assessment and implement preservation strategies, as applicable.

- Comply with Public Resources Code § 21083.2, as applicable, should buried archaeological resources be found. Avoidance or preservation in an undisturbed state is the preferable course of action.
- Preservation methods may include:
  - Planning construction to avoid archaeological sites.
  - Deeding sites into permanent conservation easements.
  - Capping or covering sites with a layer of soil before building on the sites.
  - Planning parks, greenspace, or other open space to incorporate archaeological sites.

**Mitigation Measure 4.7-2:**

**Where ground-disturbing activities may occur:**

- Notify the Yolo County Coroner, Yolo County Department of Public Works, and designated Most Likely Descendant (MLD) (as identified by the Native American Heritage Commission) in the event of discovering human remains during construction, operation, and/or routine maintenance of the Project. The notification protocol and process shall proceed in accordance with the *State CEQA Guidelines*, California Code of Regulations § 15064.5(e); Public Resources Code § 5097.98; and Health and Safety Code § 7050.5, as applicable.

- Contact Yolo County Coroner, Yolo County Department of Public Works, and MLD and comply with state laws as applicable.

SFCWA or its designee

Construction and Post-construction Phases, as applicable

SFCWA or its designee

**Mitigation Measure 4.8-1:**

SFCWA

Pre-construction and

SFCWA or its designee

<p><b>Based on final design and environmental/ physical conditions onsite, one or more of the following elements of this mitigation measure shall be undertaken if evidence indicates that soil sites and/or materials are contaminated per applicable hazardous waste laws and regulations:</b></p> <ul style="list-style-type: none"> <li>• Develop and implement a monitoring and treatment/disposal plan in accordance with all applicable hazardous waste laws and regulations.</li> <li>• Examine soil below any pole-mounted transformers on the portion of the Project site to be graded. If there is evidence (such as discoloration of the soil) that PCBs have leaked from the transformers, then Pacific Gas &amp; Electric (PG&amp;E) shall be contacted. It is the responsibility of PG&amp;E to perform a soils investigation and cleanup if any of the pole-mounted transformers are determined to have leaked PCBs.</li> <li>• Test or assume that the wood demolished and removed from the existing irrigation system contains potentially hazardous waste (e.g., lead paint, creosote, arsenic, etc.) and then have it treated, recycled, or disposed of in accordance with applicable regulations concerning hazardous waste.</li> </ul>	<ul style="list-style-type: none"> <li>• Prepare a monitoring and treatment/disposal plan.</li> <li>• Contact and coordinate with PG&amp;E if there is evidence of PCB contamination from existing transformers.</li> <li>• Treat, recycle, or dispose of contaminated wood, if found.</li> </ul>	<p>contractor; PG&amp;E (only for leaking transformers and PCB contaminated soil associated with transformers)</p>	<p>Construction Phases, as applicable</p>	
<p><b>Mitigation Measure 4.8-2:</b></p> <ul style="list-style-type: none"> <li>• Develop and implement actions in coordination and concurrence with the Yolo County Fire and Emergency Services Department and California Division of Oil, Gas, and Geothermal Resources to comply with applicable requirements of the Well Review Program (DOGGR 2007) and other applicable public safety requirements. Such measures include contacting the California Underground Service Alert in a timely manner prior to excavation, inspecting site to look for physical evidence of underground facilities, marking off excavated areas, having an emergency plan in place, etc.</li> </ul>	<ul style="list-style-type: none"> <li>• Comply with applicable requirements of the Well Review Program.</li> </ul>	<p>SFCWA contractor</p>	<p>Design, Pre-construction, and Construction Phases, as applicable</p>	<p>SFCWA or its designee</p>

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