

## Addendum No. 1 to the Yolo Bypass Salmonid Habitat Restoration and Fish Passage Project Environmental Impact Report



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## Project Purpose and Background

The Department of Water Resources (DWR) is responsible for operating and maintaining the State Water Project (SWP), and the United States Bureau of Reclamation (Reclamation) is responsible for managing the Central Valley Project (CVP). The SWP and CVP deliver water to agricultural, municipal, and industrial contractors throughout California. The National Marine Fisheries Service's (NMFS's) 2009 Biological Opinion (BO) and Conference Opinion (CO) on the Long-term Operations of the Central Valley Project and the State Water Project (NMFS 2009) specified the need to enhance floodplain rearing habitat and fish passage in the Yolo Bypass and/or other suitable areas of the lower Sacramento River basin by implementing RPA action I.6.1 and RPA action I.7 to benefit Sacramento River winter-run Chinook salmon, Central Valley spring-run Chinook salmon, Central Valley steelhead, and the Southern DPS of North American green sturgeon. Reasonable and Prudent Alternative (RPA) Action I.6.1 of the 2009 NMFS BO states the need to increase the availability of floodplain fisheries rearing habitat for juvenile Sacramento River winter-run Chinook salmon, Central Valley spring-run Chinook salmon, and Central Valley steelhead and RPA I.7 states the need to reduce migratory delays and mortalities of federally listed fish species within the Yolo Bypass (NMFS 2009). The Yolo Bypass Salmonid Habitat Restoration and Fish Passage Project (Project) was designed by DWR and Reclamation to achieve compliance with RPA Action I.6.1 and partial compliance with RPA Action I.7 by increasing the availability of floodplain fisheries habitat for juvenile salmonids and improve adult fish passage in the Yolo Bypass.

The Project Environmental Impact Statement/Environmental Impact Report (EIS/EIR) was completed prior to the issuance of the new Biological Opinion on Long Term Operation of the Central Valley Project and the State Water Project issued by NMFS on October 21, 2019 (2019 NMFS BO). However, RPA actions I.6.1 and I.7 were included in the baseline conditions in the 2019 NMFS BO. The action is also required under Section 9.2.2 of the Incidental Take Permit for Long-Term Operation of the State Water Project in the Sacramento-San Joaquin Delta (2081-2019-066-00) (LTO ITP), issued March 31, 2020, by the California Department of Fish and Wildlife (CDFW).

The Project will implement the requirements by creating a better hydraulic connection between the Sacramento River and the Yolo Bypass. The Project will allow increased flow from the Sacramento River to enter the Yolo Bypass through a gated notch on the east side of the Fremont Weir. The gated notch will create an opening in the Fremont Weir that is deeper than the Fremont Weir, with gates to control water going through the facility into the Yolo Bypass. The invert of the new notch will be at an elevation of 14 feet, which is approximately 18 feet below the crest of the existing Fremont Weir.

The Project will connect the new, gated notch to Tule Pond with a channel that parallels the existing east levee of the Yolo Bypass. It will allow flows up to approximately 6,000 cfs, depending on Sacramento River elevation, through the gated notch to provide open channel flow for adult fish passage, juvenile emigration, and floodplain inundation. This Project will include a supplemental fish passage facility on the west side of the Fremont Weir and improvements to allow fish to pass through Agricultural Road Crossing 1 and the channel north of Agricultural Road Crossing 1. See Figure 1 for a map of the construction area and associated vegetation communities.

The California Environmental Quality Act (CEQA) requires public agencies to analyze and disclose impacts on the physical environment likely to be caused by a Proposed Project. DWR, as lead agency,

certified the EIS/EIR and filed the Notice of Determination (NOD) for the Project on July 19, 2019 (SCH #2013032004), in compliance with CEQA.

#### Addendum Purpose

The Project construction as described in the EIS/EIR anticipated a single construction season. (See EIS/EIR Chapter 2, Description of Alternatives.) The Project construction is now anticipated to occur over multiple construction seasons (i.e., not in a single season) (Proposed Change). This addendum (Addendum) sets forth environmental analysis of the proposed shift of the construction timing from one season to multiple seasons for the resources analyzed in the EIS/EIR. Based on the information presented in the below "Analysis of Proposed Changes" section, no conditions triggering a subsequent EIR are present. As such, an addendum is appropriate.

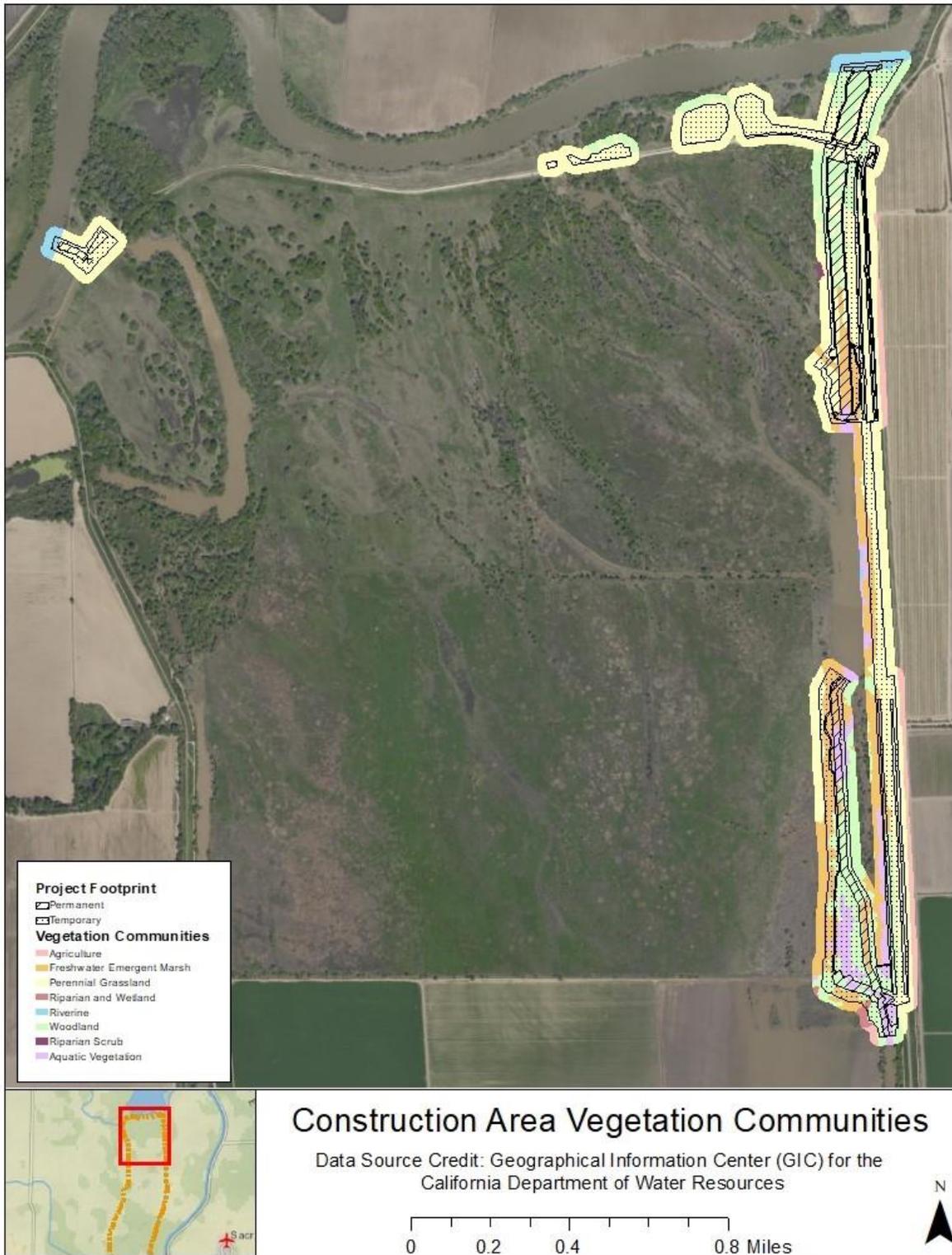


Figure 1. Construction Area Footprint and Vegetation Communities

## Legal Standard for CEQA Addendum

CEQA Guidelines sections 15162 and 15164 set forth criteria to assess which environmental document is appropriate: an Addendum, a Subsequent environmental impact report (EIR), or a Mitigated Negative Declaration (MND). (See also, Public Resources Code section 21166). Further guidance is provided in case law. (*Friends of College of San Mateo Gardens v. San Mateo County Community College Dist.* (2016) 1 Cal. 5<sup>th</sup> 937 (Friends I); and *Friends of College of San Mateo Gardens v. San Mateo County Community College Dist.* (2017) 11 Cal. App. 5<sup>th</sup> 596 (Friends II).)

Pursuant to Section 15164 of the CEQA Guidelines (Cal. Code Regs. Tit. 14, § 15164), an addendum to a previously certified EIR is appropriate “if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 [of the CEQA Guidelines] calling for preparation of a subsequent EIR or negative declaration have occurred.” An addendum does not need to be circulated for public review but must be considered in agency decision-making.

Section 15162 of the CEQA Guidelines (Cal. Code Regs. Tit. 14, § 15162) provides as follows:

(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 or negative declaration 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 or negative declaration 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 or the negative declaration was adopted, shows any of the following:

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

(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.

This Addendum describes the proposed change from one construction season to multiple construction seasons. This Addendum compares the one construction season that was described in the original EIS/EIR to multiple construction seasons and shows that the proposed changes do not meet any of the criteria listed under Section 15162 of the CEQA Guidelines that would require preparation of a subsequent environmental impact report (EIR).

### Proposed Modification to Project Construction Schedule

The Proposed construction is intended to start in May 2022. All project components will be completed in multiple construction seasons during times that are outside of the flood period (construction from April 15 through November 1), unless approved by the appropriate regulatory agencies. DWR is coordinating closely with the selected Construction Contractor to develop and implement a project schedule that avoids impacting sensitive species and habitats beyond those described in the environmental documents and permit project description by phasing components/areas of work or completing work in sensitive habitats in one construction season. The headworks structure would have the longest construction duration and needs to be completed in 2022 and would start at the beginning of the construction period.

Construction may occur 6 to 7 days a week, for approximately 10-12 hours a day, sunrise to sunset. Some construction may need to be completed at night when temperatures are lower (i.e., pouring of concrete). If this is the case, all measures for lighting at night will be in effect.

### Analysis of Proposed Changes

#### Introduction

This section analyzed whether any new or incrementally more severe effects on environmental resources may result from the Proposed Change in relation to the analysis conducted in the EIS/EIR. The conclusions in this Addendum are based on information contained in the EIS/EIR, including the environmental setting, methods, significance criteria, and impact analysis.

#### Unaffected Resources

The EIS/EIR analyzed and disclosed the Project's likely effects on environmental resources. Because no changes to Project operations are contemplated under this Addendum, for the resources listed below, the Proposed construction schedule does not result in any new or incrementally more severe effects beyond those already described in the EIS/EIR. Therefore, these resources are not discussed further in this document.

- Hydrology, Hydraulics, and Flood Control
- Surface Water Supply
- Land Use and Agricultural Resources
- Geology and Soils
- Visual Resources
- Public Services, Utilities, and Power

- Socioeconomics
- Population and Housing
- Environmental Justice

### Potentially Affected Resources

The resources identified below were analyzed for potential new, or more significant, impacts. The following discussion contains a description of potential changes to previously disclosed impacts from the EIS/EIR.

#### *Water Quality*

##### Revised Impacts

- Impact WQ-1: Construction- or maintenance-related degradation of surface water quality such that it would exceed regulatory standards or would substantially impair beneficial uses of surface water

The description of Impact WQ-1 in the EIS/EIR stated that the effect of the Project could increase downstream sedimentation and turbidity relative to existing conditions and might mobilize sediment-associated contaminants, the impact of construction and maintenance could be significant, and any impact would depend on how well construction and maintenance are planned. Implementation of the Construction Risk Management Plan (CRMP), Spill Prevention, Control, and Countermeasure Plan (SPCCP), SWPPP, construction BMPs, and turbidity monitoring plan included in MM-HAZ1 and MM-WQ-1 through MM-WQ-3, respectively, would minimize all water quality risks, and, therefore, the impact would be reduced to less than significant. The Proposed Change will result in no additional impacts to the change in the degradation of surface water quality because work will be planned to avoid temporarily affecting water quality during the construction period for more than one construction season in each surface water area/location. No additional mitigation measures are proposed. However, to ensure best management practices during construction, implementation of the water quality protection measures included in Mitigation Measure HAZ-1 and WQ-1 through WQ-3 would continue to reduce this impact described in the EIS/EIR to less than significant.

#### *Conclusion*

The Proposed Change does not result in any new potentially significant impacts. Additionally, no change in circumstance or new information of substantial importance have been identified for Water Quality that could result in any new potentially significant impacts.

#### *Groundwater*

##### Revised Impacts

- Impact GRW-1: Temporary and Short-Term Construction-Related Effects on Groundwater Levels
- Impact GRW-2: Temporary and Short-Term Construction-Related Effects on Groundwater Quality

The description of Impact GRW-1 in the EIS/EIR states that construction-related impacts on groundwater levels from the Project would be less than significant because dewatering activities would be short-term and would end after construction is complete. The proposed change in construction schedule, as

described in this addendum, will result in no additional impacts because excavation will not exceed what is described in the EIS/EIR. No mitigation measures are proposed.

The description of Impact GRW-2 in the EIS/EIR states that construction from the Project could occur below measured groundwater levels and within proximity to the shallow groundwater aquifer, potential onsite spills or waste discharge runoff during construction would be expected to impact groundwater quality. This impact would be significant. Implementation of the construction BMPs and turbidity monitoring plan included in MM-HAZ-1, MM-WQ-1, MMWQ-2, and MM-WQ-3, respectively, would ensure all surface water and groundwater quality risks would be minimized and the impact would be reduced to less than significant. The Proposed Change will result in no additional impacts to temporary and short-term construction-related effects on groundwater quality because work will be planned to avoid temporarily affecting groundwater quality during the construction period for more than one construction season in each area/location. No additional mitigation measures are proposed. However, to ensure best management practices during construction, implementation of the groundwater protection measures included in Mitigation Measure HAZ-1 and WQ-1 through WQ-3 would continue to reduce this impact described in the EIS/EIR to less than significant.

#### Conclusion

The Proposed Change does not result in any new potentially significant impacts. Additionally, no change in circumstance or new information of substantial importance have been identified for Groundwater that could result in any new potentially significant impacts.

#### *Aquatic Resources and Fisheries*

##### Revised Impacts

- Impact FISH-1: Potential Disturbance to Fish Species or their Habitat due to Erosion, Sedimentation, and Turbidity
- Impact FISH-2: Potential Disturbance to Fish Species or their Habitat due to Hazardous Materials and Chemical Spills
- Impact FISH-3: Potential Disturbance to Fish Species or their Habitat due to Aquatic Habitat Modification
- Impact FISH-4: Potential Disturbance to Fish Species or their Habitat due to Hydrostatic Pressure Waves, Noise, and Vibration
- Impact FISH-5: Potential Disturbance to Fish Species or their Habitat due to Stranding and Entrainment
- Impact FISH-6: Potential Disturbance to Fish Species or their Habitat due to Predation Risk
- Impact FISH-7: Potential Disturbance to Fish Species due to Changes in Fish Passage Conditions
- Impact FISH-8: Potential Disturbance to Fish Species or Their Habitat due to Direct Harm

The description of Impact FISH-1 in the EIS/EIR states that erosion, sedimentation, and turbidity impacts would be significant because construction and maintenance activities would result in temporary increases in sedimentation and turbidity in the Sacramento River and the Yolo Bypass and could temporarily adversely affect all fish species of focused evaluation. Development and implementation of Mitigation Measure MM-WQ-2: Implement a Stormwater Pollution and Prevention Plan and Mitigation Measure MM-WQ-3: Develop Turbidity Monitoring Program would reduce this impact to less than significant. The Proposed Change will result in no additional impacts because work will be planned to avoid impacts to fish species from erosion, sedimentation, and turbidity during the construction period

for more than one construction season in each area/location and the areas of impact have not exceeded what was described in the EIS/EIR. No additional mitigation measures are proposed.

The description of Impact FISH-2 in the EIS/EIR states that hazardous materials and chemical spills impacts would be significant because construction and maintenance activities could potentially result in the release of contaminants to aquatic habitats in the Sacramento River and the Yolo Bypass and could adversely affect all fish species of focused evaluation. Development and implementation of Mitigation Measure MM-WQ-1: Prepare and Implement a Spill Prevention, Control, and Countermeasure Plan would reduce this impact to less than significant. The Proposed Change will result in no additional impacts because work will be planned to avoid impacts to fish species from hazardous materials and chemical spills by scheduling excavation in each wet area to be completed in one construction season and the areas of impact have not exceeded what was described in the EIS/EIR. No additional mitigation measures are proposed.

The description of Impact FISH-3 in the EIS/EIR states that aquatic habitat modification adjacent to the Sacramento River and in the Yolo Bypass associated with construction and maintenance activities would be significant because aquatic and riparian habitat would be permanently affected. Although the temporary and permanent removal of riparian and aquatic habitat could adversely affect habitat availability and suitability for fish species of focused evaluation, particularly juvenile salmonids, temporarily affected habitats would be restored, including planting and seeding the aquatic and upland areas with plant species found in areas of suitable habitat on the Project site through implementation of Mitigation Measure MM-TERR-13: Restore Temporarily Disturbed Giant Garter Snake Aquatic and Upland Habitat. In addition, for areas of SRA habitat that are permanently removed, replacement of those habitats in adjacent areas would be conducted according to a restoration plan to be implemented after construction is completed as part of Mitigation Measure MM-FISH-1: Restore Degraded Riparian and shaded riverine aquatic (SRA) habitat. Implementation of Mitigation Measures MM-TERR-13, MM-TERR-11 and MM-FISH-1 would reduce this impact to less than significant. The Proposed Change will result in no additional impacts because work will be planned to avoid additional impacts aquatic habitat and the areas of impact have not exceeded what was described in the EIS/EIR. No additional mitigation measures are proposed.

The description of Impact FISH-4 in the EIS/EIR states that impacts associated with construction noise would be less than significant if a vibratory pile driver can be used for the entire construction of the cofferdam. However, impacts associated with noise would be significant if impact pile driving was conducted in the Sacramento River, resulting in direct potential impacts to fish species of focused evaluation. If an impact pile driver is necessary to construct the cofferdam in the wet, Mitigation Measure MM-FISH-2: Implement an Underwater Noise Reduction and Monitoring Plan would be implemented to reduce the underwater noise, such as placing a bubble curtain system underwater. Implementation of Mitigation Measure MM-FISH-2: Implement an Underwater Noise Reduction and Monitoring Plan would reduce this impact to less than significant. The Proposed Change will result in no additional impacts because work will be planned to avoid impacts to fish species hydrostatic pressure waves, noise, and vibration by completing pile driving in each location/project component in one construction season and the areas of impact have not exceeded what was described in the EIS/EIR. No additional mitigation measures are proposed.

The description of Impact FISH-5 in the EIS/EIR states that stranding and entrainment impacts would be significant because fish species of focused evaluation could be entrained in the temporary cofferdam and could become stranded in the Yolo Bypass. Implementation of Mitigation Measure MM-FISH-3: Prepare a Fish Rescue and Salvage Plan would reduce this impact to less than significant. The Proposed Change will result in no additional impacts because work will be planned to avoid impacts of stranding and entrainment by completing dewatering in each location/project component in one construction season and the areas of impact have not exceeded what was described in the EIS/EIR. No additional mitigation measures are proposed.

The description of Impact FISH-6 in the EIS/EIR states that predation risk impacts would be significant because fish species of focused evaluation could be at increased risk of predation due to potential indirect effects of construction and maintenance activities. Implementation of Mitigation Measures MM-WQ-2: Implement a Stormwater Pollution and Prevention Plan; MM-WQ-1: Prepare and Implement a Spill Prevention, Control, and Countermeasure Plan; MM-FISH-2: Implement an Underwater Noise Reduction and Monitoring Plan; and MM-FISH-3: Prepare a Fish Rescue and Salvage Plan would reduce this impact to less than significant. The Proposed Change will result in no additional impacts because work will be planned to avoid impacts of predation risk by completing dewatering in each location/project component in one construction season and the areas of impact have not exceeded what was described in the EIS/EIR. No additional mitigation measures are proposed.

The description of Impact FISH-7 in the EIS/EIR states that fish passage impacts would be less than significant because fish species of focused evaluation would either generally not be present near temporary fish passage blockages or would not be substantially affected by temporary blockages. The Proposed Change will result in no additional impacts because there will not be any additional cofferdams or blockages that would change fish passage conditions beyond what was described in the EIS/EIR. No additional mitigation measures are proposed.

The description of Impact FISH-8 in the EIS/EIR states that direct harm impacts would be significant because fish species of focused evaluation could be directly harmed due to construction- and maintenance-related equipment, personnel, or debris. However, a qualified biologist would provide construction monitoring throughout all phases of the project. If possible, all fish species would be allowed to independently move away from the construction area. Fishes that become entrapped in any channel where construction work is taking place would be netted, transported to the river, and released according to the Fish Rescue and Salvage Plan (MM-FISH-3). General fish protection measures also would be implemented to minimize the potential for direct harm to fish species of focused evaluation (MM-FISH-4). Implementation of Mitigation Measures MM-FISH-3 and MM-FISH-4: Implement General Fish Protection Measures would reduce this impact to less than significant. The Proposed Change will result in no additional impacts because there will not be any additional cofferdams or dewatering beyond what was described in the EIS/EIR. No additional mitigation measures are proposed.

### Conclusion

The Proposed Change does not result in any new potentially significant impacts. Additionally, no change in circumstance or new information of substantial importance have been identified for Aquatic Resources and Fisheries that could result in any new potentially significant impacts.

## *Vegetation, Wetlands, and Wildlife Resources*

### *Revised Impacts*

- Impact TERR-1: Potential Mortality or Loss of Habitat for Special-Status Plant Species
- Impact TERR-3: Potential Disturbance or Mortality of and Loss of Suitable Habitat for Giant Garter Snake
- Impact TERR-4: Potential Disturbance or Mortality of and Loss of Suitable Habitat for Western Pond Turtle
- Impact TERR-5: Potential Disturbance or Mortality of Nesting Bird Species and Loss of Suitable Nesting and Foraging Habitat
- Impact TERR-6: Potential Disturbance, Injury, or Mortality of Special-Status Tree-Roosting Bats and Removal of Roosting Habitat
- Impact TERR-7: Potential Disturbance or Mortality of American Badger and Loss of Its Habitat
- Impact TERR-10: Potential Interference with Movement of Native Resident or Migratory Wildlife Species

The description of Impact TERR-1 in the EIS/EIR states construction and maintenance of the Project could result in a significant impact on special-status plant species or their habitat through the introduction or spread of invasive plant species. Implementation of Mitigation Measure MM-TERR-1 would reduce construction and maintenance impacts on special-status plant species and their suitable habitat to less than significant. The Proposed Change will result in no additional impacts because construction in sensitive species habitats will be completed in one construction season and there is no increase in the construction footprint (impact areas) beyond what was already described in the EIS/EIR. No additional mitigation measures are proposed.

The description of Impact TERR-3 in the EIS/EIR states direct or indirect impacts to giant garter snake resulting from the construction and maintenance of the Project would be significant because these activities could result in the mortality or injury of individuals and a reduction in the quantity and quality of suitable giant garter snake habitat. Implementation of Mitigation Measures MM-TERR-2 through MM-TERR-6, MM-TERR-11 through MM-TERR-14, MM-WQ-1 (Implement a spill prevention, control, and countermeasure plan), and MM-WQ-2 (Implement a stormwater pollution and prevention plan) would reduce the impacts of Project construction and maintenance on giant garter snake and suitable habitat to less than significant. The Proposed Change will result in no additional impacts because construction in sensitive species habitats will be completed in one construction season and there is no increase in the construction footprint (impact areas) beyond what was already described in the EIS/EIR. No additional mitigation measures are proposed.

The description of Impact TERR-4 in the EIS/EIR states direct and indirect impacts to western pond turtle resulting from the construction and maintenance of the Project would be significant because these activities could result in the mortality or injury of individuals and a reduction in the quantity and quality of suitable western pond turtle aquatic habitat and upland habitat. Implementation of Mitigation Measures MM-TERR-2 through MM-TERR-6, MM-TERR-11, MM-TERR-15, MM-WQ-1, and MM-WQ-2 would reduce construction, operations, and maintenance impacts on western pond turtle and suitable habitat to less than significant. The Proposed Change will result in no additional impacts because construction in sensitive species habitats will be completed in one construction season and there is no

increase in the construction footprint (impact areas) beyond what was already described in the EIS/EIR. No additional mitigation measures are proposed.

The description of Impact TERR-5 in the EIS/EIR states direct and indirect impacts on nesting bird species resulting from the construction and maintenance of the Project would be significant because these activities could result in the mortality, injury, or disturbance of individuals or eggs and a reduction in the quantity and quality of suitable nesting and foraging habitat. Implementation of Mitigation Measures MM-TERR-2 through MM-TERR-6, MM-TERR-11, and MM-TERR-16 would reduce construction and maintenance impacts on nesting bird species and suitable nesting and foraging habitat to less than significant. The Proposed Change will result in no additional impacts because construction in sensitive species habitats will be completed in one construction season and there is no increase in the construction footprint (impact areas) beyond what was already described in the EIS/EIR. No additional mitigation measures are proposed.

The description of Impact TERR-6 in the EIS/EIR states that direct and indirect impacts to special-status tree-roosting bats, including pallid bats and western red bats, resulting from the construction and maintenance of the Project would be significant because these activities could result in the mortality, injury, or disturbance of individuals and a reduction in the quantity and quality of suitable or occupied habitat. Implementation of Mitigation Measures MM-TERR-2 through MM-TERR-6, MM-TERR-11, and MM-TERR-17 would reduce construction and maintenance impacts to on special-status tree-roosting bats and suitable roosting habitat to less than significant. The Proposed Change will result in no additional impacts because construction in sensitive species habitats will be completed in one construction season and there is no increase in the construction footprint (impact areas) beyond what was already described in the EIS/EIR. No additional mitigation measures are proposed.

The description of Impact TERR-7 in the EIS/EIR states that direct and indirect impacts to American badger resulting from the construction of the Project would be significant because construction activities could result in injury or mortality. Implementation of Mitigation Measures MM-TERR-2 through MM-TERR-6 and MM-TERR-18 would reduce construction impacts to on American badger and its suitable foraging and denning habitat to less than significant. The Proposed Change will result in no additional impacts because construction in sensitive species habitats will be completed in one construction season and there is no increase in the construction footprint (impact areas) beyond what was already described in the EIS/EIR. No additional mitigation measures are proposed.

The description of Impact TERR-10 in the EIS/EIR states that impacts on wildlife movement resulting from the construction of the Project would be less than significant because although construction could interfere with movement of native resident or migratory wildlife species, construction activities are not anticipated to substantially interfere with the movement of these species as they could move to nearby, unaffected habitat within the Fremont Weir Wildlife Area (FWWA). The Proposed Change will result in no additional impacts because construction in sensitive species habitats will be completed in one construction season and there is no increase in the construction footprint (impact areas) beyond what was already described in the EIS/EIR. No additional mitigation measures are proposed.

#### Conclusion

The Proposed Change does not result in any new potentially significant impacts. Additionally, no change in circumstance or new information of substantial importance have been identified for Vegetation, Wetlands, and Wildlife Resources that could result in any new potentially significant impacts.

## *Cultural and Paleontological Resources*

### *Revised Impacts*

- Impact CULT-3: Impacts on Archaeological Sites that May Not Be Identified through Inventory Efforts
- Impact CULT-4: Damage to Buried Human Remains
- Impact CULT-5: Impacts on Paleontological Resources Resulting from Construction

The description of Impact CULT-3 in the EIS/EIR states that construction from the Project has the potential to disturb previously unidentified archaeological sites qualifying as historical resources, historic properties, or unique archaeological resources. Because direct excavation, compaction, or other disturbance may disrupt the spatial associations that contain scientifically useful information, it would alter the potential basis for eligibility, thus, result in a significant impact. These resources would not be identified prior to construction; therefore, they cannot be recorded, and impacts cannot be managed through construction treatment. By implementing discovery protocols, Mitigation Measure MM-CULT-3 would reduce the potential for this impact. However, because archaeological resources may not be identified prior to disturbance through these measures, the impact cannot be entirely avoided. Therefore, this impact would remain significant and unavoidable. By providing preconstruction training for workers, Mitigation Measure MM-CULT-4 would reduce the potential for this impact. However, because archaeological resources may not be identified prior to disturbance through these measures, the impact cannot be entirely avoided. Therefore, this impact would remain significant and unavoidable. The Proposed Change will result in no additional impacts because there is no increase in the construction footprint (impact areas) beyond what was already described in the EIS/EIR. However, Mitigation Measures MM-CULT-3 and MM-CULT-4 would be implemented during multiple construction seasons. No additional mitigation measures are proposed.

The description of Impact CULT-4 in the EIS/EIR states that the Project area is sensitive for buried human remains. Construction likely would result in disturbance of these features. Disturbance of human remains, including remains interred outside of cemeteries, is considered a significant impact in the CEQA Appendix G checklist; therefore, disturbance of these remains would result in a significant impact. While inventory and monitoring efforts are prescribed under Mitigation Measures MM-CULT-2 and MM-CULT-3, the large acreages subject to disturbance from the Project make exhaustive sampling to identify all buried and isolated human remains technically and economically infeasible. For these reasons, it is still possible that such resources may be damaged or exposed before they can be discovered through inventory or monitoring. Implementation of Mitigation Measure MM-CULT-5 would ensure that all significant risks to human remains outside of known cemeteries would be minimized and impacts would be reduced to less than significant. The Proposed Change will result in no additional impacts because there is no increase in the construction footprint (impact areas) beyond what was already described in the EIS/EIR. However, Mitigation Measures MM-CULT-3 through MM-CULT-5 would be implemented during multiple construction seasons. No additional mitigation measures are proposed.

The description of Impact CULT-5 in the EIS/EIR states that due to the shallow depth of proposed excavations and the limited extent of fossiliferous forming strata in the vicinity of the project area, the effect of the Project on paleontological resources would be less than significant. The Proposed Change will result in no additional impacts because there is no increase in the construction footprint (impact areas) beyond what was already described in the EIS/EIR. No mitigation measures are proposed.

### Conclusion

The Proposed Change does not result in any new potentially significant impacts. Additionally, no change in circumstance or new information of substantial importance have been identified for Cultural and Paleontological Resources that could result in any new potentially significant impacts.

### Recreation

#### Revised Impacts

- Impact REC-1: 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
- Impact REC-2: Loss of Recreational and Educational Opportunities due to a Reduction in Access and/or Available Lands

The description of Impact REC-1 in the EIS/EIR states that the Project would result in short-term closures during construction that could temporarily increase use levels within other areas of the FWWA or at Sacramento Bypass Wildlife Area (SBWA) and Yolo Bypass Wildlife Area (YBWA), but these increases would be minimal and temporary and would not be expected to result in the substantial physical deterioration of those recreation areas. Therefore, this impact would be less than significant. The Proposed Change will result in no additional impacts because although the short-term closures of FWWA will occur over multiple construction seasons, there is still plenty of other areas within FWWA or at SBWA and YBWA that can be used in the interim. Additionally, there would be no increase in the construction footprint beyond what was already described in the EIS/EIR. No mitigation measures are proposed.

The description of Impact REC-2 in the EIS/EIR states that reductions in recreational and educational opportunities due to changes in access and available lands for these opportunities from the Project would not result in a substantial adverse effect that would cause a physical change to the environment nor adverse social effects. Therefore, the impact is less than significant. The Proposed Change will result in no additional impacts because although the short-term closures of FWWA will occur over multiple construction seasons, there is still plenty of other areas within FWWA or at SBWA and YBWA that can be used in the interim. Additionally, there would be no increase in the construction footprint beyond what was already described in the EIS/EIR. No mitigation measures are proposed.

### Conclusion

The Proposed Change does not result in any new potentially significant impacts. Additionally, no change in circumstance or new information of substantial importance have been identified for Recreation that could result in any new potentially significant impacts.

### Transportation

#### Revised Impacts

- Impact TRAN-1: Construction Personnel Traffic
- Impact TRAN-2: Construction Events and Related Traffic
- Impact TRAN-3: Construction Roadway Conditions

The description of Impact TRAN-1 in the EIS/EIR states that this impact would be less than significant because construction personnel associated with the Project would not be expected to substantially

encroach upon the peak travel periods in the region. The Proposed Change will result in no additional impacts because construction personnel associated with the Project would not be expected to encroach upon peak travel periods in the region during multiple construction seasons. No mitigation measures are proposed.

The description of Impact TRAN-2 in the EIS/EIR states that this impact would be significant because traffic associated with construction of the Project would potentially introduce congestion to nearby highway facilities due to the amount of expected hourly truck trips as a result of riprap and RSP hauling. Implementation of Mitigation Measure MM-TRAN-3 would ensure that the affected roadways would experience limited temporary increases of project-related traffic during all times of the daily construction shift. With the reduction in hourly and/or daily truck trips, the existing LOS for all affected facilities would be expected to maintain and not exceed LOS D or better conditions during the peak travel hours. Therefore, with these measures, the impact would be reduced to less than significant. The Proposed Change will result in no additional impacts because there would be no additional truck trips and construction-related traffic beyond what is the EIS/EIR. Instead, the construction trips and traffic would be spread out over a longer time period (multiple construction seasons). No additional mitigation measures are proposed, and mitigation Measure MM-TRAN-3 would be implemented during multiple construction seasons.

The description of Impact TRAN-3 in the EIS/EIR states that the impact associated with the Project would be significant because these roads would degrade substantially in quality due to vehicle weight and volume during material hauls and vehicle maneuvers. Implementation of the Mitigation Measures MM-TRAN-1 and MM-TRAN-2 would ensure that the affected roadways would be maintained and returned to pre-project conditions following use of construction vehicles on nearby roads and specified haul routes. With these measures, the impact would be reduced to less than significant. The Proposed Change will result in no additional impacts because the volume and weight of construction-related vehicles would not increase beyond what was described in the EIS/EIR. No additional mitigation measures are proposed, and mitigation measures MM-TRAN-1 and MM-TRAN-2 would be implemented during all construction seasons.

### Conclusion

The Proposed Change does not result in any new potentially significant impacts. Additionally, no change in circumstance or new information of substantial importance have been identified for Transportation that could result in any new potentially significant impacts.

### *Air Quality and Greenhouse Gases*

#### Revised Impacts

- Impact AQ-1: Violate air quality standards or contribute substantially to an existing or projected air quality violation
- Impact AQ-2: Conflict with or obstruct implementation of the applicable air quality plan
- Impact AQ-5: Generate criteria pollutants greater than general conformity de minimis thresholds
- Impact AQ-6: Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment
- Impact AQ-7: Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs

The description of Impacts AQ-1 and AQ-2 in the EIS/EIR state that the impact would be significant from the Project because inhalable particulate matter (PM10) and nitrogen oxides (NOx) construction emissions would exceed the significance thresholds established by the air districts, and NOx operational emissions would exceed Yolo-Solano Air Quality Management District (AQMD)'s significance threshold. Implementation of mitigation measures MM-AQ-1 through MM-AQ-4 would reduce the NOx construction emissions in Yolo County (Yolo-Solano AQMD) and NOx operational emissions in Yolo County (Yolo-Solano AQMD) to less than significant. However, mitigated PM10 construction emissions would continue to exceed both district's AQMD significance thresholds. Therefore, this impact would be significant and unavoidable. The Proposed Change will result in no additional impacts because there would be no additional construction beyond what was described in the EIS/EIR and extending the schedule would reduce air quality impacts. No additional mitigation measures are proposed and mitigation measures MM-AQ-1 through MM-AQ-4 would be implemented during all construction seasons.

The description of Impact AQ-5 in the EIS/EIR states that this impact would be less than significant because emissions associated with the Project would be less than the general conformity de minimis thresholds. The Proposed Change will result in no additional impacts because there would be no additional construction beyond what was described in the EIS/EIR and extending the schedule would reduce air quality impacts. No mitigation measures are proposed.

The description of Impact AQ-6 and AQ-7 in the EIS/EIR states that this impact would be less than significant because Greenhouse Gas (GHG) emissions associated with the Project would not exceed the GHG significance threshold. The Proposed Change will result in no additional impacts because there would be no additional construction beyond what was described in the EIS/EIR and extending the schedule would reduce GHG impacts. No mitigation measures are proposed.

### Conclusion

The Proposed Change does not result in any new potentially significant impacts. Additionally, no change in circumstance or new information of substantial importance have been identified for Air Quality and Greenhouse Gases that could result in any new potentially significant impacts.

### *Hazards & Hazardous Materials*

#### Revised Impacts

- Impact HAZ-1: Increase the risk of exposure from hazardous materials to the public and construction workers
- Impact HAZ-2: Accidental release of hazardous materials
- Impact HAZ-3: Accidental release of hazardous materials from contaminated soil and/or groundwater
- Impact HAZ-4: Increase the risk of wildfire within the vicinity of the Project area
- Impact HAZ-7: Public use of the FWWA for hunting or other uses could cause unsafe situations for the public and/or construction workers

The description of Impact HAZ-1 in the EIS/EIR states that the impact would be significant; however, Mitigation Measure MM-WQ-2 would reduce this impact to a less than significant impact. The Proposed Change will result in no additional impacts because there would not be an increase in exposure beyond

what was described in the EIS/EIR. In addition, implementation of Mitigation Measure WQ-2 would be implemented during all construction seasons. No additional mitigation measures are proposed.

The description of Impact HAZ-2 in the EIS/EIR states that the impact would be significant; however, implementation of a Spill Prevention Control and Countermeasure Plan (SPCCP), Mitigation Measure MM-WQ-1, would reduce impacts to a less than significant level. The Proposed Change will result in no additional impacts because there would still be a chance of accidental release of hazardous materials, however, implementation of Mitigation Measure MM-WQ-1 during all construction seasons. No additional mitigation measures are proposed.

The description of Impact HAZ-3 in the EIS/EIR states that the impacts associated with construction of the Project would be significant because of the proximity of abandoned well sites within the Project area and because unknown soil contamination could be encountered due to prior land uses of the site. The impact associated with the Project would be reduced to less than significant with implementation of Mitigation Measure MM-HAZ-1. The Proposed Change will result in no additional impacts because there is no increase in the construction footprint and excavation of certain project components/project areas would be phased to be completed within one construction season. In addition, implementation of Mitigation Measure WQ-2 would be implemented during all construction seasons. No additional mitigation measures are proposed.

The description of Impact HAZ-4 in the EIS/EIR states that the increased fire risk during construction of the Project would be significant because sparks or contact between power lines and construction equipment could cause a wildfire if the area is dry. The impact for increased fire risk during construction of the Project would be less than significant after implementation of Mitigation Measure (MM-HAZ-2). The Proposed Change will result in no additional impacts because Mitigation Measure MM-HAZ-2 would be implemented during multiple construction seasons. No additional mitigation measures are proposed.

The description of Impact HAZ-7 in the EIS/EIR states that the impact would be significant to public or worker safety during construction of the Project due to hunting or other recreation activities at the FWWA. The EIS/EIR states that for safety reasons public recreation use at the FWWA would be restricted to areas not affected by construction. Mitigation Measure MM-REC-1 requires the posting of notices of scheduled closures and coordination with the California Department of Fish and Wildlife (CDFW) FFWA Manger. With implementation of Mitigation Measure MM-REC-1, impacts would be reduced to less than significant. The Proposed Change will result in no additional impacts because Mitigation Measure MM-REC-1 would be implemented during multiple construction seasons. No additional mitigation measures are proposed.

#### Conclusion

The Proposed Change does not result in any new potentially significant impacts. Additionally, no change in circumstance or new information of substantial importance have been identified for Hazards and Hazardous Materials that could result in any new potentially significant impacts.

## Noise

### Revised Impacts

- Impact NOI-1: Exposure of persons to, or generation of noise and vibration levels in excess of, standards established in the local general plan or noise ordinance or applicable standards of other agencies
- Impact NOI-2: Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels
- Impact NOI-3: A substantial permanent increase in ambient noise levels in the Project vicinity
- Impact NOI-4: A substantial temporary or periodic increase in ambient noise levels in the Project vicinity

The description of Impact NOI-1 in the EIS/EIR states noise and vibration impacts associated with the Project would be less than significant because construction, operation, and maintenance noise and vibration levels would be consistent with the general plans of Yolo and Sutter counties. The Proposed Change will result in no additional impacts because there are no additional construction activities beyond what was already described in the EIS/EIR that would be occurring during any point in time. No mitigation measures are proposed.

The description of Impact NOI-2 in the EIS/EIR states that vibration impacts from the Project would be significant because vibrations from loaded haul trucks along the haul routes could exceed the annoyance threshold for adjacent residential receptors during construction and maintenance. Although implementation of Mitigation Measure MM-NOI-1 would reduce vibration impacts to residents, the high number of haul trucks on peak construction and maintenance days would not reduce vibration levels to less than significant levels. Vibration impacts the Project would remain significant and unavoidable. The Proposed Change will result in no additional impacts because the number of haul trucks on peak construction days will not exceed what was described in the EIS/EIR and Mitigation Measure MM-NOI-1 would be implemented during all construction seasons. No additional mitigation measures are proposed.

The description of Impact NOI-3 in the EIS/EIR states that permanent noise impacts from the Project would be less than significant because construction and maintenance of the Project would not cause a permanent increase in noise. The Proposed Change will result in no additional impacts because construction would still be a short-term impact over multiple construction seasons that would not cause a permanent increase in ambient noise levels. No mitigation measures are proposed.

The description of Impact NOI-4 in the EIS/EIR states that temporary noise impacts from the Project would be significant because ambient noise levels for road-side receptors along the haul and commute routes could increase substantially from construction-and maintenance-related traffic. Implementation of the Noise and Vibration Control Plan (NVCP) included in Mitigation Measure MM-NOI-1 would reduce noise impacts, but it would not reduce noise levels to less than significant on peak construction days given the high number of haul trucks estimated for the Project. Temporary noise impacts from the Project would remain significant and unavoidable. The Proposed Change will result in no additional impacts because the number of haul trucks on peak construction days will not exceed what was described in the EIS/EIR and Mitigation Measure MM-NOI-1 would be implemented during all construction seasons. No additional mitigation measures are proposed.

### Conclusion

The Proposed Change does not result in any new potentially significant impacts. Additionally, no change in circumstance or new information of substantial importance have been identified for Noise that could result in any new potentially significant impacts.

### Environmental Determination

Substantial evidence presented in this Addendum demonstrates that the proposed Project Changes, described and analyzed above, do not create any new potentially significant impacts. DWR finds no substantial evidence to the contrary. Nor are there any new circumstances or new information that could create potentially significant impacts or require more robust analysis (CEQA Guidelines §15162(a)(2)-(3); Friends I, supra, at p.953). Thus, an addendum is appropriate here, and a subsequent EIR is not warranted (CEQA Guidelines § 15164(e); Friends II, 11 Cal. App. 5<sup>th</sup> at pp. 607-608).

This Addendum was prepared to evaluate the Proposed Change. Based on the above analysis, DWR has determined that the Proposed Change would not have any new potentially significant environmental effects not already addressed in the EIS/EIR. Mitigation measures previously adopted and made a part of the Approved Project would continue to be implemented to avoid, minimize and mitigate potential impacts to environmentally sensitive resources as a result of the Approved Project and Proposed Change.

Based on this determination a decision has been made to move forward with the Proposed Change as analyzed in this Addendum.

*Dean Messer*

2/23/2022

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California Department of Water Resources

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Date