# Cady Ranch Water Distribution Project

SAN JOAQUIN, CALIFORNIA

## Draft Initial Study with Proposed Mitigated Negative Declaration

**Prepared by:**
**Stockton East Water District**

6767 East Main Street
Stockton, CA 95215
May 2021

# NOTICE OF INTENT

TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE

CADY RANCH WATER DISTRIBUTION PROJECT

***Notice is Hereby Given*** that an Initial Study/Mitigated Negative Declaration (IS/MND) is available for public review for the Cady Ranch Water Distribution project described below pursuant to the provisions of the California Environmental Quality Act of 1970 (Public Resources Code 21100, et seq.)

**Project Description and Location**

Fowler Brothers Farming, Inc., in cooperation with the Stockton East Water District (District), is proposing to install a new surface water diversion in order to utilize surface water, instead of groundwater, for irrigation purposes on the Cady Ranch property. The Project will consist of two new pumps next to the Calaveras River, a new agricultural holding pond, and approximately 4,900 feet of 27" diameter PVC pipe for the surface water conveyance.

The proposed project is located on farm property approximately 1 ¾ miles south of State Route 26 and approximately 7 miles northeast of the unincorporated community of Linden in San Joaquin County, California.

**Document Review and Availability**

The public comment period will extend from May 13, 2021 to June 13, 2021. Copies of the IS/MND are available for public review at the Stockton East Water District, 6767 East Main Street, Stockton, CA 95215, 8:00 AM to 5:00 PM, Monday through Friday.

This IS/MND can also be reviewed and/or downloaded from the Stockton East Water District website at the following link: www.sewd.net.

During the public review period, written comments on the IS/MND may be provided to:

Darrel Evensen, District Engineer
Stockton East Water District
6767 East Main Street
Stockton, CA 95215
devensen@sewd.net

# PROPOSED MITIGATED NEGATIVE DECLARATION

Pursuant to: Division 13, Public Resources Code

1. ***Project Name:*** *Cady Ranch Water Distribution*

2. ***Description of Project:*** Fowler Brothers Farming, Inc., in cooperation with the Stockton East Water District (District), is proposing to install a new surface water diversion in order to utilize surface water for irrigation purposes on the Cady Ranch property. The Project will consist of installing two new pumps next to the Calaveras River, a new agricultural holding pond, and approximately 4,900 feet of 27" diameter PVC pipe for the surface water conveyance.

3. ***Project Location:*** The proposed project is located on a farm property approximately 1 ¾ miles south of State Route 26 and approximately 7 miles northeast of the unincorporated community of Linden in San Joaquin County, California.

4. ***Date:*** May 13, 2021

5. ***Lead Agency:*** Stockton East Water District

6. ***Name and Address of Applicant:*** Stockton East Water District
   6767 East Main Street
   Stockton, CA 95215

7. ***Contact Person:*** Darrel Evensen, District Engineer, devensen@sewd.net

8. ***Declaration:***

Stockton East Water District has determined that there is no substantial evidence that the above project, as mitigated, may have a significant effect on the environment and proposes that a Mitigated Negative Declaration be adopted. The determination is based on the attached Initial Study and the following findings:

a) *The project will not degrade environmental quality, substantially reduce habitat, cause a wildlife population to drop below self-sustaining levels, reduce the number or restrict the range of special-status species, or eliminate important examples of California history or prehistory.*
b) *The project does not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.*
c) *The project will not have impacts that are individually limited, but cumulatively considerable.*

*d) The project will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.*

*e) No substantial evidence exists that the project will have a negative or adverse effect on the environment.*

*f) The project incorporates all applicable mitigation measures identified in the Initial Study.*

*g) This Mitigated Negative Declaration reflects the independent judgment of the lead agency.*

Written comments on the Initial Study and proposed Mitigated Negative Declaration shall be submitted no later than 5 PM on June 13th, 2021.

**Submit comments to:**
Darrel Evensen
District Engineer
Stockton East Water District
6767 East Main Street
Stockton, CA 95215

**Posting Period:**
May 13, 2021 to June 13, 2021

**Initial Study approved by:**

Dated:_____

_____
Scot A. Moody, General Manager
Stockton East Water District

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# Appendix A – BIOLOGICAL RESOURCES TECHNICAL REPORT

# 1. INTRODUCTION

This Initial Study and Mitigated Negative Declaration (IS/MND) evaluates the environmental effects of the proposed Cady Ranch Water Distribution Project. The proposed project is to divert water for a new reservoir and irrigation of crops.

This IS/MND was prepared to satisfy the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] 21000 et seq.) and State CEQA Guidelines (14 California Codes of Regulations [CCR] 15000 et seq.). The District is the lead agency for this proposed Project under CEQA.

## 1.1 Purpose of this Document

CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects. An MND, which requires inclusion of an IS, is a public document used by the decision-making lead agency to determine whether a project may have a significant adverse impact on the environment. If the agency finds that the proposed Project may have a significant adverse impact on the environment, but that the impacts will be clearly reduced to a less-than-significant level through implementation of specific mitigation measures, an MND shall be prepared.

This IS/MND is a public information document that describes the proposed Project, existing environmental setting at the Project site, and potential environmental impacts of construction and operation of the proposed Project. It is intended to inform the public and decision-makers of the proposed Project's compliance with CEQA and State CEQA Guidelines.

## 1.2 Tiering

CEQA allows for the preparation of environmental documents using a multilevel approach whereby a broad level EIR, termed a "program EIR," includes an analysis of general matters (e.g., the impacts of an entire plan, program, or policy), and subsequent project-level EIRs or negative declarations include analyses of the project-specific effects of projects within the program (State CEQA Guidelines Section 15168). State CEQA Guidelines Section 15168 describes the process of tiering from a program EIR, in which CEQA documents that follow a program EIR incorporate by reference and rely on the general discussions, program-wide analyses, and program-level mitigation measures from the broader EIR, and focus on the site-specific impacts of the individual projects that implement the plan, program, or policy.

## 1.3 Review Process

This IS/MND is being circulated for public and agency review as required by CEQA. Because state agencies will act as responsible or trustee agencies, the District will circulate the IS/MND to the State Clearinghouse of the Governor's Office of Planning and Research for distribution and a 30-day review period. A copy of the CEQA IS/MND is also available for review on the District's website: www.sewd.net.

During the review period, written comments may be submitted to:

Darrel Evensen
District Engineer
Stockton East Water District
6767 East Main Street
Stockton, CA 95215
devensen@sewd.net

After comments are received from the public and reviewing agencies during the public comment period, the District may (1) adopt the Mitigated Negative Declaration and approve the proposed Project; (2) undertake additional environmental studies; or (3) disapprove the Project. If the Project is approved, the District may proceed with detailed design and construction.

## 1.4 Document Organization

This IS/MND is organized as follows:

**Chapter 1: Introduction.** This chapter provides an introduction to the environmental review process, and describes the purpose and organization of this document.

**Chapter 2: Project Description.** This chapter provides a detailed description of the Project and required permits and approvals.

**Chapter 3: Environmental Checklist.** This chapter presents an analysis of a range of environmental issues identified in the CEQA Environmental Checklist and determines if Project actions would result in no impact, a less-than-significant impact, a less-than-significant impact with mitigation incorporated, or a potentially significant impact. If any impacts were determined to be potentially significant, an EIR would be required. For this Project, however, none of the impacts were determined to be significant.

## 1.5 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

❒ Aesthetics ❒ Agricultural Resources ❒ Air Quality

- ❒ Biological Resources
- ❒ Cultural Resources
- ❒ Geology/Soils
- ❒ Hazards & Hazardous Materials
- ❒ Hydrology/Water Quality
- ❒ Land Use/Planning
- ❒ Mineral Resources
- ❒ Noise
- ❒ Population/Housing
- ❒ Public Services
- ❒ Recreation
- ❒ Transportation/Traffic
- ❒ Utilities/Service System
- ❒ Mandatory Findings of Significance

## 1.6 Determination

On the basis of this initial evaluation:

☐ I find that the proposed Project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.

☑ I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the propose Project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions of mitigation measures that are imposed upon the Project, nothing further is required.

By: _____ _____

Scot A. Moody, General Manager — Date

Stockton East Water District

# 2. PROJECT DESCRIPTION

This chapter provides a detailed location, description of the Project, and required permits and approvals.

## 2.1 Project Location

The proposed project is located on a farm property approximately 1 ¾ miles south of State Route 26 and approximately 7 miles northeast of the unincorporated community of Linden in San Joaquin County, California. The project location is shown in Figure 1.

## 2.2 Project Description

Fowler Brothers Farming, Inc., in cooperation with the Stockton East Water District (District), proposes to divert surface water from the Calaveras River for a new almond ranch in San Joaquin County, California. The proposed Project begins on a site next to the Calaveras River where two vertical turbine pumps will be installed. A 27” diameter PVC pipeline will then run approximately 300 feet southwest; it will then turn south along an unnamed access road for 1,581 feet. To avoid property that has already been built on, the 27” diameter PVC pipeline will turn east 105 feet, then turn south 292 feet, turn west 145 feet, and finally turn south 2,600 feet. At the end of the pipeline, a new agricultural holding pond will be built along with booster pumps to increase water pressure and flow. In total, approximately 4,900 feet of the pipeline will be constructed for the surface water conveyance.

Existing water services provided by the District will remain active during Project construction. All ground disturbing activities will take place within the temporary proposed construction areas depicted in the plans. No extended time road closures are anticipated to occur, and access to each residence will be maintained. Temporary closures for local traffic may take place. There will be no right-of-way impacts, temporary construction easements or utility easements; however, a San Joaquin County encroachment permit for crossing Shelton Road will be obtained prior to construction. Construction is anticipated to last two months.

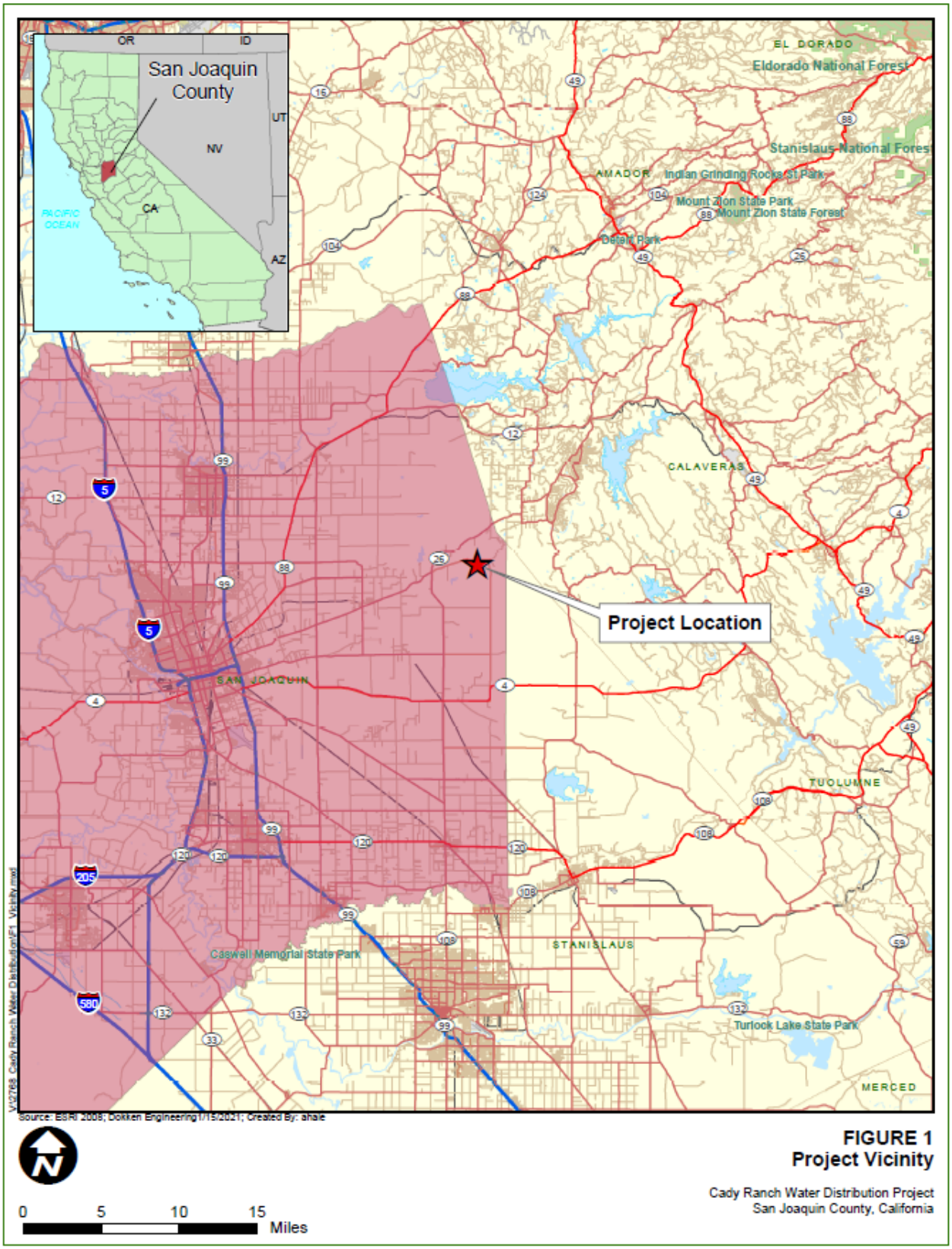


**FIGURE 1**
**Project Vicinity**

Cady Ranch Water Distribution Project
San Joaquin County, California

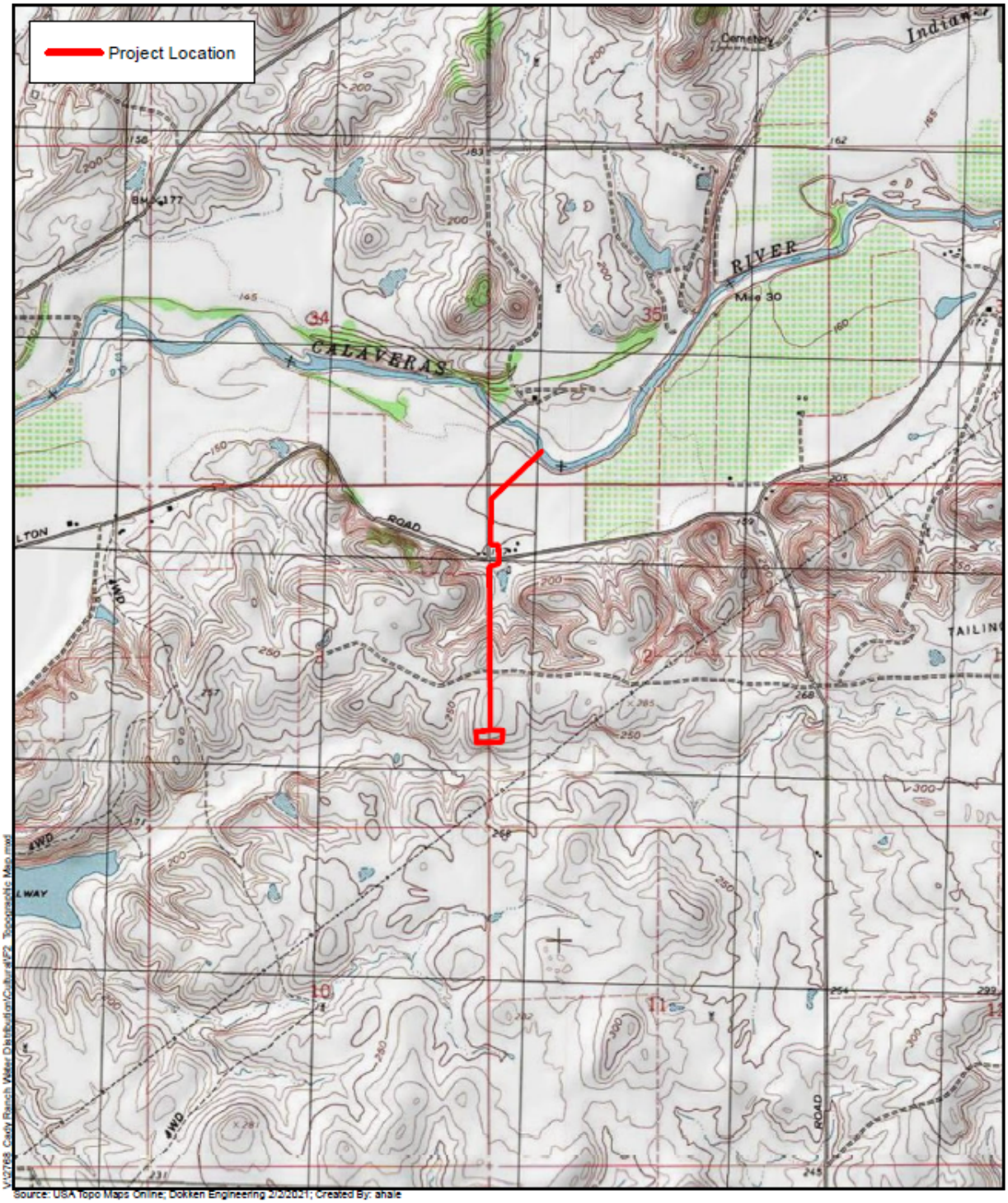


**Figure 2**
**Project Location**
USGS 7.5-minute Quads: Valley Springs SW
Cady Ranch Water Distribution Project
San Joaquin County, California

## 2.3 Required Permits and Project Approvals

As the lead agency pursuant to CEQA, the District is responsible for considering the adequacy of the IS and determining if the project should be approved.

If approved, elements of the project would be subject to permitting and/or approval authority of other agencies included in the following table:

| AGENCY | ACTIVITY | ENTITLEMENT |
|---|---|---|
| Federal | | |
| U.S. Army Corps of Engineers | Required for placement of fill into waters of the United States | Section 404 – Nationwide Permit Authorization |
| State | | |
| California Department of Fish and Wildlife | Work in waters of the State | Section 1600 of the California Fish and Game Code – Lake and Streambed Alteration Agreement |
| Central Valley Regional Water Quality Control Board | Water quality certification required to support the Section 404 Nationwide Permit Authorization | Section 401 – Water Quality Certification |

## 3. ENVIRONMENTAL CHECKLIST

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed Project. In many cases, background studies performed in connection with projects indicate no impacts. A NO IMPACT answer in the last column reflects this determination. Where there is a need for clarifying discussion, the discussion is included either following the applicable section of the checklist or is within the body of the environmental document itself. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

| **I. Aesthetics:** Would the Project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Have a substantial adverse effect on a scenic vista | ☐ | ☐ | ☐ | ☑ |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway | ☐ | ☐ | ☑ | ☐ |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | ☐ | ☐ | ☑ | ☐ |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime view in the area? | ☐ | ☐ | ☐ | ☑ |

a) **No Impact**. There are no known scenic vistas within the vicinity of the Project.

b) **Less than significant impact.** It is anticipated that three riparian trees will need to be trimmed for the Project. Additionally, there are no historic buildings within or adjacent to the Project area.

c) **Less than significant impact**. The existing visual character would slightly change after the installation of the new pumps, but would not degrade the existing visual character.

d) **No Impact.** No additional lighting would be required as a result of the proposed Project. Construction of the pumps would only take place during daylight hours.

**Mitigation Measures**
None.

| **II. Agriculture and Forest Resources:** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | ☐ | ☐ | ☐ | ☑ |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | ☐ | ☐ | ☐ | ☑ |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | ☐ | ☐ | ☐ | ☑ |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☑ |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☑ |

**a)** **No Impact.** The Project will not result in agricultural lands be converted to non-agricultural use.

**b)** **No Impact.** The Project does not conflict with existing zoning or Williamson Act contracts.

**c)** **No Impact.** The Project does not conflict with zoning for forest land.

**d)** **No Impact.** The Project will not result in loss or conversion of forest land.

**e)** **No Impact.** No, the Project fosters the continued, existing agricultural use of the land.

**Mitigation Measures**
None.

| **III. Air Quality:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | ☐ | ☐ | ☑ | ☐ |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | ☐ | ☐ | ☑ | ☐ |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | ☐ | ☐ | ☑ | ☐ |
| d) Expose sensitive receptors to substantial pollutant concentrations? | ☐ | ☐ | ☑ | ☐ |
| e) Create objectionable odors affecting a substantial number of people? | ☐ | ☐ | ☐ | ☑ |

**a,b) Less than Significant with Mitigation.** The proposed Project is located in the portion of San Joaquin County that is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (APCD). Fugitive dust may potentially be generated from the excavation and movement of construction equipment along the unpaved access road on the Project site. Adherence to best management practices, as recommended by the San Joaquin Valley APCD and described below would be implemented to minimize temporary impacts to air quality.

- All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water.

- All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using.

- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.

- Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing water.

- Traffic speeds on unpaved roads shall be limited to 10 miles per hour.

**c)** **Less than Significant.** All construction impacts to air quality would be short-term and intermittent; therefore, impacts are anticipated to be less than significant. The emission of pollutants during construction would not contribute significantly to a net increase of any criteria pollutant. No long-term, operational impacts are anticipated.

**d)** **Less than Significant.** The project site is located within an agricultural area. The closest sensitive receptors are residences located 0.25 miles northeast of the project site; the short-term and intermittent emissions are anticipated to be less than significant at the residences. The project would not result in substantial, long-term quantities of pollutant concentrations that would affect the surrounding rural residents.

**e)** **No Impact.** The Project site is located within an agricultural area and would not produce sufficient quantities of objectionable odors during construction that would affect the surrounding rural residents.

**Mitigation Measures**

None.

| **IV. Biological Resources:** Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | ☐ | ☑ | ☐ | ☐ |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | ☐ | ☑ | ☐ | ☐ |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | ☐ | ☐ | ☑ | ☐ |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | ☐ | ☐ | ☑ | ☐ |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ☐ | ☐ | ☐ | ☑ |

| | | | | |
|---|---|---|---|---|
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | ☐ | ☐ | ☐ | ☑ |

**a)** **Less than Significant Impact with Mitigation Incorporated.** The biological technical report prepared in April 2021, by Dokken Engineering found no special-status plant species have the potential to occur within the biological survey area. The biological technical report by Dokken Engineering determined three special status species have the potential to occur in the project area; California tiger salamander (CTS), Central Valley Steelhead and the Valley elderberry longhorn beetle. Since a portion of the Project will be on a small portion of the Calaveras River, there will be minimal impact on special -status species. In addition, the best management practices (BMP) listed below will further minimize and avoid potential impacts to native plant and animal species and the existing plant and animal communities within the BSA.

- Every individual working on the Project must attend a biological awareness training session delivered by a qualified biologist. This training program shall include information regarding sensitive habitats, special-status species and the importance of avoiding impacts to these species and their habitat.

- Prior to the start of construction activities, the Project limits in proximity to Calaveras River will be marked with high visibility Environmentally Sensitive Area (ESA) fencing or staking to ensure construction will not further encroach into water resources. If ESA fencing is not feasible, the Project limits will be discussed in the biological awareness training so that all Project personnel are aware of the sensitive natural habitats within the Project area.

- All food –related trash must be disposed into closed containers and must be removed from the Project area daily. Construction personnel must not feed or otherwise attract wildlife to the Project area.

- The contractor must not apply rodenticide or herbicide within the BSA during construction.

- Prior to arrival at the Project site and prior to leaving the Project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds.

- Should a special-status plant species be observed within or immediately adjacent to the Project area, Environmentally Sensitive Area (ESA) fencing (orange construction barrier fencing) will be installed around special-status plant populations.

*Migratory Birds*
Native birds are protected by the MBTA and CFG Code Section 3513. To minimize potential impacts to migratory birds, mitigation measure BIO-11 will be incorporated throughout Project construction.

**b) Less than Significant Impact with Mitigation Incorporated.** The biological field survey conducted in April 2021, by Dokken Engineering found that the Project area contains annual grassland habitat within the biological survey area that could potentially be impacted. BMPs will be incorporated into Project design and Project management to minimize impacts to the Calaveras River and Riparian Forest:

- Exposed soils and material stockpiles would be stabilized, through watering or other measures, to prevent the movement of dust at the Project site caused by wind and construction activities such as traffic and grading activities;

- All construction roadway areas would be properly protected to prevent excess erosion, sedimentation, and water pollution;

- All vehicle and equipment fueling/maintenance would be conducted outside of any surface waters;

- Equipment used in and around jurisdictional waters must be in good working order and free of dripping or leaking contaminants;

- Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life shall be prevented from contaminating the soil or entering jurisdictional waters;

- All erosion control measures and storm water control measures would be properly maintained until the site has returned to a pre-construction state;

- All disturbed areas would be restored to pre-construction contours and revegetated, and,

- All excess construction materials brought to the site will be hauled off-site after completion of construction.

- Vegetation removal will be avoided to the greatest extent practicable. Where feasible, trees and shrubs will be trimmed rather than removed.

- Following the completion of construction, all-natural areas (Calaveras River, riparian corridor, and annual grassland) disturbed by Project activities would be re-graded as to de-compact the soils and seeded with a hydroseed mix that is tailored to the specific habitat type to allow the site to return to pre-construction conditions.

- Net permanent impacts to the Calaveras River and riparian forest will be appropriately mitigated for through purchase of credits at an approved mitigation bank or other approved methods.

**c)** **Less than Significant Impact.** No federally protected wetland features were delineated in the near vicinity. The Project will obtain appropriate permits for this Project including Clean Water Act Section 401 Water Quality Certification and Streambed Alteration Agreement under 1602 from CDFW. The proposed Project will avoid federally protected wetlands entirely.

**d)** **Less than Significant Impact.** The Central Valley Steelhead, hardhead and chinook salmon have the potential to occur within the project area. However, the project will have minimal impacts to hardhead and steelhead habitat within the Calaveras River. Therefore, mitigation measures BIO-1 through BIO-3 would ensure potential impacts are avoided to greatest extent possible.

**e)** **No Impact.** The Project area is not included within any tree preservation policies or ordinances.

**f)** **No Impact.** The Project does not conflict with the Calaveras River Habitat Conservation Plan.

**Mitigation Measures**

BIO-01: Every individual working on the Project must attend a biological awareness training session delivered by a qualified biologist. This training program shall include information regarding sensitive habitats, special-status species and the importance of avoiding impacts to these species and their habitat.

BIO-02: Prior to the start of construction activities, the Project limits in proximity to Calaveras River will be marked with high visibility Environmentally Sensitive Area (ESA) fencing or staking to ensure construction will not further encroach into water resources.

If ESA is not feasible, the Project limits will be discussed in the biological awareness training so that all Project personnel are aware of the sensitive natural habitats within the Project area.

BIO-03: BMPs will be incorporated into Project management to minimize impacts on the environment including erosion and the release of pollutants (e. g. oils, fuels):

- Exposed soils and material stockpiles would be stabilized, through watering or other measures, to prevent the movement of dust at the Project site caused by wind and construction activities such as traffic and grading activities;

- All construction roadway areas would be properly protected to prevent excess erosion, sedimentation, and water pollution;

- All vehicle and equipment fueling/maintenance would be conducted outside of any surface waters;

- Equipment used in and around jurisdictional waters must be in good working order and free of dripping or leaking contaminants;

- Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life shall be prevented from contaminating the soil or entering jurisdictional waters;

- All erosion control measures and storm water control measures would be properly maintained until the site has returned to a pre-construction state;

- All disturbed areas would be restored to pre-construction contours and revegetated, either through hydro seeding or other means, with native or approved non-invasive exotic species; and,

- All construction materials would be hauled off-site after completion of construction.

- Upon completion of construction activities, any temporary barriers to surface water flow must be removed in a manner that would allow flow to resume with the least disturbance to the substrate.

BIO-04: Vegetation removal will be avoided to the greatest extent practicable. Where feasible, trees and shrubs will be trimmed rather than removed.

BIO-05: Following the completion of construction, all-natural areas (Calaveras River, riparian corridor, and annual grassland) disturbed by Project activities would be re-graded

as to de-compact the soils and seeded with a hydroseed mix that is tailored to the specific habitat type to allow the site to return to pre-construction conditions.

BIO-06: Net permanent impacts to the Calaveras River and riparian forest will be appropriately mitigated through purchase of credits at an approved mitigated bank, or other approved methods.

BIO-07: A qualified biologist(s) will conduct a visual encounter preconstruction survey of habitat enhancement area for CTS no more than 14 days prior to the start of groundbreaking or other general construction activities that could affect the species. The survey will pay particular attention to detecting any burrows that could be used as refugia by the CTS, as well as any potential depressions that may become inundated. If burrows are discovered, they will be flagged or otherwise marked and avoided by at least 50 feet. If the burrows cannot be avoided, the District will coordinate with USFWS regarding additional measures that may be needed, such as using a scope to see inside the burrows.

BIO-08: Plastic mono-filament netting (erosion control matting) or similar material that could trap wildlife must not be used. Acceptable substitutes include jute, coconut coir matting or tackified hydroseeding compounds.

BIO-09: Impacts to CTS habitat (annual grasslands) will be mitigated for via the purchase of CTS habitat credits from an agency approved mitigation bank. Final mitigation ratios and credits will be determined during the permitting phase of the Project.

BIO-10: No more than 14 days prior to the commencement of work within the Project area, a qualified biologist will conduct a pre-construction survey for the western spadefoot within the Project impact area. If the species is discovered burrowing within the BSA, burrows will be flagged or otherwise marked and avoided by at least 50 feet. If occupied burrows cannot be avoided, the District will coordinate with CDFW regarding additional measures that may be needed.

BIO-11: Prior to vegetation removal or initial ground disturbance during the nesting bird season (February 1st – September 30th) a pre-construction nesting bird survey must be conducted by a Project biologist prior to the start of work. The nesting bird survey must include the Project area plus a 300-foot buffer. Within 2 weeks of the nesting bird survey, all areas surveyed by the biologist must be cleared by the contractor or a supplemental nesting bird survey is required.

A minimum 100-foot no-disturbance buffer will be established around any active nest of migratory birds a minimum of 300-foot no-disturbance buffer will be established around any nesting raptor species. The contractor must immediately stop work in the nesting area until the appropriate buffer is established and is prohibited from conducting work that could disturb the birds (as determined by the Project biologist and in coordination with wildlife agencies) in the buffer area until a qualified biologist determines the young have

fledged. A reduced buffer can be established if determined appropriate by the Project biologist and approved by CDFW.

BIO-12: If a Swainson's hawk nest is observed during the pre-construction survey, a 600-foot no work buffer will be established around the nest and CDFW will be contacted for further guidance. The contractor is prohibited from conducting work that could disturb the birds (as determined by a Project biologist and in coordination with wildlife agencies) in the buffer area until a qualified biologist determines the young have fledged. A reduced buffer can be established if determined appropriate by a Project biologist and approved by CDFW.

BIO-13: Elderberry shrubs adjacent to construction limits will be protected in place. ESA fencing will be placed around the dripline of elderberry shrubs and protective sheeting will be used to block construction dust and debris.

BIO-14: Signs will be installed along the edge of the ESA and will read the following: "This area is habitat of the VELB, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment." The signs should be clearly readable from a distance of 20 feet and must be maintained for the duration of construction.
BIO-15: Herbicides, insecticides, fertilizers, or other chemicals that might harm the VELB or VELB's host plant will not be used within 100 feet of elderberry shrubs. All chemicals will be applied using a backpack sprayer or a similar direct application method.

BIO-16: To prevent fugitive dust from drifting into adjacent habitat, all clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, demolition activities, or other dust generating activities will be effectively controlled

BIO-17: Prior to the commencement of construction activities, a qualified biologist must conduct a focused WPT survey within the Project impact areas in proximity to the Calaveras River. The biologist will relocate any WPTs found to an area downstream from the BSA.

BIO-18: If construction crews observe a turtle within the Project impact area, work will be stopped within 50 feet of the turtle until the turtle has left the Project area or the biologist has been notified, has identified the turtle as a WPT, and has relocated the individual. Only the qualified biologist is permitted to handle a WPT.

| **V. Cultural Resources:** Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | ☐ | ☐ | ☑ | ☐ |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | ☐ | ☐ | ☑ | ☐ |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | ☐ | ☐ | ☐ | ☑ |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | ☐ | ☐ | ☑ | ☐ |

**a,b) Less than Significant Impact.** On Februrary 8, 2021 and March 25, 2021, a pedestrian surface inventory survey of the APE was performed by Dokken Engineering. The surface survey was conducted via controlled transects spaced no greater than 5-meter intervals within the APE. Surface visibility within the APE was 90% south of East Sheldon Road due to recent disking of the fields although grass cover near the existing reservoir obscured ground visibility reducing that area to 20%. North of East Sheldon Road, visibility was 50% due to weed cover along the field dirt road and between the orchard rows. Visibility was also poor, 20%, along the riverbanks where dense blackberry and other species obscured the soils although some exposures were visible at bank cuts. Particular attention was paid to de-vegetated surface exposures, as well as any rodent burrows, cut banks, and other exposed areas where the presence of artifacts, archaeological features, or anthropogenic soils are more likely to be observed.

The pedestrian survey did not identify any cultural resources with the APE. While the general project area is sensitive for archaeological resources, the disturbed site conditions of the project area contribute to the low potential for the discovery of archaeological resources within the APE. Based on proximity of the APE to the Calaveras River and presence of adjacent Holocene aged soils, the APE lies within an area determined to be of moderate sensitivity for prehistoric activity. The project area also includes raised Pleistocene terraces south of East Sheldon Road where deeper construction activities associated with the new reservoir are proposed. These terraces are an erosional environment and are determined to have low sensitivity. Although no prehistoric resources have been reported in the research area, the APE would have been a targeted location of prehistoric activity along the Calaveras River. Project activities, however, will occur primarily within the previously disturbed agricultural fields

and dirt road areas. For this reason, the potential for the Project to impact intact buried cultural resource deposits in the APE is low.

**c)** **No Impact.** The Project site does not contain any unique paleontological resources or geologic features.

**d)** **Less than Significant Impact.** Disturbance to human remains, including that interred outside of formal cemeteries, is not anticipated. In adherence to best management practices related to disturbance of human remains, the District will follow the minimization measures included within the Tribal Cultural Resource section.

**Mitigation Measures**

CR-1: An archaeologist meeting the Secretary of the Interior's Professional Qualification Standards in Archaeology may conduct occasional archaeological monitoring spot checks during geotechnical and construction activities.

CR-2: The Wilton Rancheria shall be contacted prior to ground disturbing activities commencing so that they can have the opportunity to conduct tribal monitoring during geotechnical and construction activities.

CR-3: An archaeologist meeting the Secretary of Interior's Professional Standards shall provide cultural awareness training to all personnel conducting geotechnical and construction activities. The program will include relevant information regarding sensitive tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The worker cultural resources awareness program will also describe appropriate avoidance and minimization measures for resources that have the potential to be located on the project site and will outline what to do and whom to contact if any potential archaeological resources or artifacts are encountered. The program will also underscore the requirement for confidentiality and culturally-appropriate treatment of any kind of significance to Native Americans and behaviors, consistent with Native American Tribal values.

CR-4: If previously unidentified historical or cultural materials are unearthed during construction, work shall be halted within 100 feet of the area until a qualified archaeologist can assess the significance of the find and develop a plan for documentation and removal of resources, if necessary. This buffer can be reduced or increased, based on the type of discovery.

CR-5: If human remains are encountered, State Health and Safety Code Section 7050.5 dictates that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined prehistoric, the Coroner will notify the NAHC, which will determine and notify a Most Likely Descendent (MLD). With the permission of the landowner or his/her authorized representative, the

MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of the notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

| **VI. -Tribal Cultural Resources:** Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe? | ☐ | ☐ | ☑ | ☐ |
| b) Cause a substantial adverse change to a listed or eligible for listing resource in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? | ☐ | ☐ | ☑ | ☐ |
| c) Cause a substantial adverse change to a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.? | ☐ | ☐ | ☑ | ☐ |

**a-c) Less than Significant Impact**. The Project area was defined to encompass permanent Project features and areas of potential ground disturbance during construction.

An archaeological pedestrian ground surface inventory survey was conducted by Dokken Engineering Archaeologist Michelle Campbell on February 8, 2021 and March 25, 2021 for the purpose of identifying and recording archaeological resources. The survey resulted in no identification of cultural resources within the APE.

In February 2021, initial consultation letters were mailed to the Native American tribal governments who have previously submitted a written request to the District requesting to be notified of projects within their traditionally and culturally affiliated areas. Letters were mailed to the following contacts:

- Buena Vista Rancheria (letter received: February 26, 2021)
- Chicken Ranch Rancheria of Me-Wuk Indians of California (letter received: February 26, 2021)
- Torres Martinez Desert Cahuilla Indians (letter received: February 26, 2021)
- Wilton Rancheria (letter received: February 26, 2021)

The District received a response e-mail from Wilton Rancheria on March 16, 2021 which stated that because the Project occurs in a sensitive area and near known cultural resources, the Wilton Rancheria requested monitoring as well as mitigation measures for treatment of unanticipated discoveries. A reply email was sent to the Wilton Rancheria on March 24, 2021 relaying that the District would fulfill the Wilton Rancheria's request for tribal monitoring of ground disturbing activities and that the environmental document will include mitigation measures for monitoring and the treatment of cultural resources, should any be discovered during construction of the Project. No responses from any of the other tribes were received.

**Standard Best Management Practices and/or Minimization Measures**

- Should buried, unforeseen archaeological deposits be encountered during any construction activity, work would cease within a 20-foot radius of the discovery. In accordance with 36 CFR Part 800.13, a qualified archaeologist would be notified to document the discovery, assess its significance, and recommend treatment.
- In the event that human remains or any associated funerary artifacts are discovered during construction, all work would cease within the immediate vicinity of the discovery. In accordance with CEQA and the California Health and Safety Code (Section 7050.5), the San Joaquin County coroner must be contacted immediately. If the remains are deemed to be Native American, the coroner will notify the NAHC, which will in turn appoint and notify a most Likely Descendent (MLD) to act as a tribal representative. The MLD will work with a qualified archaeologist to determine the proper treatment of the human remains and associated funerary objects. Construction activities will not resume until either the human remains are exhumed, or the remains are avoided via project construction design change.

**Mitigation Measures**

See Cultural Resources Mitigation Measures.

| **VII. Geology and Soils:** Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | ☐ | ☐ | ☐ | ☑ |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? | ☐ | ☐ | ☐ | ☑ |
| ii) Strong seismic ground shaking? | ☐ | ☐ | ☐ | ☑ |
| iii) Seismic-related ground failure, including liquefaction? | ☐ | ☐ | ☐ | ☑ |
| iv) Landslides? | ☐ | ☐ | ☐ | ☑ |
| b) Result in substantial soil erosion or the loss of topsoil? | ☐ | ☐ | ☑ | ☐ |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | ☐ | ☐ | ☑ | ☐ |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | ☐ | ☐ | ☑ | ☐ |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | ☐ | ☐ | ☐ | ☑ |

**a (i-iii)** **No Impact.** The site is not located near any known Alquist-Priolo faults.

**a (i-iv)** **No Impact.** The Project area ranges in elevation from approximately 162 ft. above mean sea level. Slopes within the Project area are between zero (0) and fifty (50) percent according to the Natural Resource Conservation Service, with most (38.5%) of the BSA having slopes that range from zero (0) to eight (8) percent. There are no anticipated impacts related to landslides.

**b)** **Less than significant Impact.** Any soil disturbed by the Project will be regraded to the pre-existing site conditions and/or be secured against erosion through the use of rock (rip-rap), matting, or other BMP.

**c)** **Less than significant Impact.** Soils in the Project area are comprised of Cogna loam, Columbia fine sandy loam, Pentz sandy loam, Redding gravelly loam, Yellowlark gravelly loam, Psammentic Haploxerolis-Mollic Fluvaquents-Riverwash-complex. All soils unsuitable for use as a structural base or sub-base shall be removed and replaced with suitable structural base material.

**d)** **Less than significant Impact.** No expansion soil is located at the Project Site. Refer to answer to question (c) above.

**e)** **No Impact.** The Project does not include any waste water disposal systems.

**Mitigation Measures**

None.

| **VIII. Greenhouse Gas Emissions:** Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | ☐ | ☐ | ☑ | ☐ |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | ☐ | ☐ | ☑ | ☐ |

**a & b) Less Than Significant.** Construction impacts to air quality would be short-term in duration and are not anticipated to result in adverse or long-term impacts. The emission of greenhouse gases during construction and operation of the proposed Project would be negligible and therefore less than significant.

**Mitigation Measures**

None.

| **IX. Hazards and Hazardous Materials:** Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ☐ | ☐ | ☑ | ☐ |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | ☐ | ☐ | ☐ | ☑ |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | ☐ | ☐ | ☐ | ☑ |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | ☐ | ☐ | ☐ | ☑ |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☑ |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☑ |

| | | | | |
|---|---|---|---|---|
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☐ | ☑ |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | ☐ | ☐ | ☐ | ☑ |

**a)** **Less than significant Impact.** The Project would involve the use of heavy equipment for grading, hauling, and materials handling. Use of this equipment may require the use of fuels and other common materials that have hazardous properties (e.g., fuels are flammable). These materials would be used in accordance with all applicable laws and regulations and, if used properly, would not pose a hazard to people, animals, or plants. All refueling of construction vehicles and equipment would occur within the designated staging area for the project. The use of hazardous materials would be temporary and the Project would not include a permanent use or source of hazardous materials; therefore, impacts would be less than significant.

**b)** **No Impact.** The Project is pump installation project and would not create a significant hazard to the public or the environment.

**c)** **No Impact.** There are no schools located within one-quarter mile of the proposed Project.

**d)** **No Impact.** According to a search of available environmental records listed on EDR, the Project site is on no known list of hazardous materials sites (Envirostor, 2020).

**e)** **No Impact.** The Project is not located within two (2) miles of a public airport. The nearest airport is the Stockton Municipal Airport located approximately 10 miles west.

**f)** **No Impact.** The Project is not within the vicinity of a private airstrip.

**g)** **No Impact.** Construction and operation of the proposed Project would not result in interference or restriction of access road. There would be no impact to adopted emergency response plans or emergency evacuation plans.

**h)** **No Impact.** The proposed Project would not expose people to any risk of wildland fires.

**Mitigation Measures**
None.

| **X. Hydrology and Water Quality:** Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Violate any water quality standards or waste discharge requirements? | ☐ | ☐ | ☑ | ☐ |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | ☐ | ☐ | ☐ | ☑ |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | ☐ | ☑ | ☐ | ☐ |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | ☐ | ☐ | ☐ | ☑ |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | ☐ | ☐ | ☐ | ☑ |
| f) Otherwise substantially degrade water quality? | ☐ | ☑ | ☐ | ☐ |

| | | | | |
|---|---|---|---|---|
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | ☐ | ☐ | ☐ | ☑ |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | ☐ | ☐ | ☐ | ☑ |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | ☐ | ☐ | ☐ | ☑ |
| j) Inundation by seiche, tsunami, or mudflow | ☐ | ☐ | ☐ | ☑ |

**a)** **Less than significant Impact.** BMPs will be incorporated into Project design and Project management to minimize impacts on the environment including reduction of sedimentation and release of pollutants (oil, fuel, etc.).
The following measures will be implemented to ensure best management practices:

- The area of construction and disturbance would be limited to as small an area as feasible to reduce erosion and sedimentation.
- Measures would be implemented during land-disturbing activities to reduce erosion and sedimentation. These measures may include mulches, soil binders and erosion control blankets, silt fencing, fiber rolls, temporary berms, sediment de-silting basins, sediment traps, and check dams.
- Existing vegetation would be protected where feasible to reduce erosion and sedimentation. Vegetation would be preserved by installing temporary fencing, or other protection devices, around areas to be protected.
- Exposed soils would be covered by loose bulk materials or other materials to reduce erosion and runoff during rainfall events.
- Exposed soils would be stabilized, through watering or other measures, to prevent the movement of dust at the Project site caused by wind and construction activities such as traffic and grading activities.
- All construction roadway areas would be properly protected to prevent excess erosion, sedimentation, and water pollution.

- All vehicle and equipment maintenance procedures would be conducted outside of the river.
- All concrete curing activities would be conducted to minimize spray drift and prevent curing compounds from entering the waterway directly or indirectly.
- All construction materials, vehicles, stockpiles, and staging areas would be situated outside of the channel. All stockpiles would be covered, as feasible.
- Energy dissipaters and erosion control pads would be provided at the bottom of slope drains. Other flow conveyance control mechanisms may include earth dikes, swales, or ditches. Stream bank stabilization measures would also be implemented.
- All erosion control measures and storm water control measures would be properly maintained until the site has returned to a pre-construction state.
- All disturbed areas would be restored to pre-construction contours and revegetated, either through hydroseeding or other means, with native or approved non-invasive species.
- All construction materials would be hauled off-site after completion of construction.

**b)** **No Impact.** The project does not require the use of groundwater.

**c)** **Less than significant Impact with Mitigation.** The drainage pattern within the Project area will not be disturbed. Construction activities that include installing box structure and pumps will be localized away from the river and bank. Only excavation/dredging that will occur shall be for purposes of installing the pipeline and fish screen and will be mitigated using steps listed in answer (a).

**d)** **No Impact.** The crossing will not restrict flow from its normal pathway or alter its original course.

**e)** **No Impact.** The site would be re-graded to return to pre-construction conditions, thereby not increasing historical runoff. The Project does not connect to any existing storm drain system.

**f)** **Less than significant Impact with Mitigation.** See answer (a) above.

**g)** **No Impact.** No housing is included in this project.

**h)** **No Impact.** The project is not constructing any habitable structures and the Project location is not located within a 100-year flood hazard area.

**i)** **No Impact.** The construction of a dam or levee is not included in this Project.

**j)** **No Impact.** The Project is not located within or adjacent to a large body of water.

**Mitigation Measures**

None.

| **XI. Land Use and Planning:** Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Physically divide an established community? | ☐ | ☐ | ☐ | ☑ |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | ☐ | ☐ | ☐ | ☑ |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | ☐ | ☐ | ☐ | ☑ |

**a)** **No Impact.** The Project proposes to construct improvements to mitigate a physical divide between severed areas of private property.

**b)** **No Impact.** The Project would not conflict with applicable land use plans, policies, or regulations of an agency with jurisdiction over the Project.

**c)** **No Impact.** The Project is not within any known habitat or community conservation plans.

**Mitigation Measures**
None.

| **XII. Mineral Resources:** Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | ☐ | ☐ | ☐ | ☑ |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | ☐ | ☐ | ☐ | ☑ |

**a)** **No Impact.** There are no known valuable mineral resources available at the Project site.

**b)** **No Impact.** There is no delineated mineral resources recovery site at the Project site.

**Mitigation Measures**
None.

| **XIII. Noise:**<br>Would the project result in: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | ☐ | ☐ | ☑ | ☐ |
| b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? | ☐ | ☐ | ☑ | ☐ |
| c) A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the project? | ☐ | ☐ | ☑ | ☐ |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the Project? | ☐ | ☐ | ☑ | ☐ |
| e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☑ |
| f) For a Project within the vicinity of a private airstrip, would the project expose people residing or working in the Project area to excessive noise levels? | ☐ | ☐ | ☐ | ☑ |

**a)** **Less than Significant.** The construction activities would only occur during weekday work hours in accordance with Chapter 10.46 Noise Control of the San Joaquin County Code and would not generate noise in excess of the nearby roadway.

**b)** **Less than Significant.** The temporary ground borne vibration and noise of the construction activities would be in accordance with Chapter 10.46 Noise Control of the San Joaquin County Code and would not be excessive to the nearest occupied structures.

**c)** **Less than Significant.** The permanent noise would be due to the intermittent operation of the two pumps. However, the noise level would be in accordance with Chapter 10.46 Noise Control of the San Joaquin County Code and would not be excessive to the nearest occupied structures.

**d)** **Less than Significant.** Construction activities would only occur during weekday work hours and would not generate noise in excess of the nearby roadway.

**e)** **No Impact.** The Project is not located within an airport land use plan.

**f)** **No Impact.** The Project is not in the vicinity of a private airstrip.

**Mitigation Measures**
None.

| **XIV. Population and Housing:** Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | ☐ | ☐ | ☐ | ☑ |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☑ |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☑ |

**a)** **No Impact.** The Project would not induce substantial population growth in the area. The proposed Project provides access to adjacent farmlands for agricultural purposes.

**b)** **No Impact.** No existing housing would be displaced by this Project.

**c)** **No Impact.** Displacement of people and housing would not occur as a part of this Project.

**Mitigation Measures**
None.

| **XV. Public Services:** | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| i) Fire protection? | ☐ | ☐ | ☐ | ☑ |
| ii) Police protection? | ☐ | ☐ | ☐ | ☑ |
| iii) Schools? | ☐ | ☐ | ☐ | ☑ |
| iv) Parks? | ☐ | ☐ | ☐ | ☑ |
| v) Other public facilities? | ☐ | ☐ | ☐ | ☑ |

**a (i, ii) No Impact.** The Project site is located within agricultural fields and would not result in the need for new facilities or affect response times to the adjacent residences.

**a (iii-v) No Impact.** There are no schools, parks, or other public facilities within the Project area. No mitigation measures would be required.

**Mitigation Measures**
None.

| **XVI. Recreation:** | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | ☐ | ☐ | ☐ | ☑ |
| b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | ☐ | ☐ | ☐ | ☑ |

**a)** **No Impact.** The proposed Project would not 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.

**b)** **No Impact.** Bicycle facilities do not currently exist within the Project area. The proposed Project does not include recreational facilities, nor does it require the construction or expansion of recreational facilities.

**Mitigation Measures**
None.

| **XVII. Transportation/Traffic:** Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | ☐ | ☐ | ☑ | ☐ |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | ☐ | ☐ | ☐ | ☑ |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | ☐ | ☐ | ☐ | ☑ |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | ☐ | ☐ | ☐ | ☑ |
| e) Result in inadequate emergency access? | ☐ | ☐ | ☐ | ☑ |
| f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise | ☐ | ☐ | ☐ | ☑ |

| | | | | |
|---|---|---|---|---|
| decrease the performance or safety of such facilities? | | | | |

**a)** **Less than Significant.** The Project would result in increased traffic along East Shelton Road due to visits to the project site for construction; however the work would be temporary and therefore would not result in a significant impact.

**b)** **No Impact.** The Project would not conflict with a congestion management program or standards established by San Joaquin County.

**c)** **No Impact.** The nearest airport is the Stockton Municipal Airport, which is approximately 15 miles south-west of the project. The Project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; therefore, no impact would occur, and no mitigation is required.

**d)** **No Impact.** The proposed Project would not result in any impacts related to increased hazards from design features or incompatible uses.

**e)** **No Impact.** The proposed Project would be constructed within farm roads and would not require any road closures along residential roads.

**f)** **No Impact.** No interruptions to alternative transportation would result from the proposed Project.

**Mitigation Measures**
None.

| **XVIII. Utilities and Service Systems:** Would the project: | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | ☐ | ☐ | ☐ | ☑ |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | ☐ | ☐ | ☐ | ☑ |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | ☐ | ☐ | ☐ | ☑ |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | ☐ | ☐ | ☐ | ☑ |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | ☐ | ☐ | ☐ | ☑ |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | ☐ | ☐ | ☐ | ☑ |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | ☐ | ☐ | ☐ | ☑ |

**a)** **No Impact.** The project will not produce any wastewater.

**b)** **No Impact.** No new water treatment facilities are proposed as a part of this Project.

**c)** **No Impact.** Existing storm water drainage facilities are adequate to deal with the runoff from the Project site. No impacts to existing storm water drainage facilities would occur.

**d)** **No Impact.** The Project does not require any water supplies.

**e)** **No Impact.** There is no wastewater treatment required for this Project.

**f)** **No Impact.** Construction of the proposed Project would result in minor amounts of solid waste that would be disposed of at the Calaveras County Rock Creek Landfill.

**g)** **No Impact.** The Project would comply with all federal, state, and local statutes and regulations related to solid waste disposal. Construction of the proposed Project would result in minor amounts of solid waste that would be disposed of at the Calaveras County Rock Creek Landfill.

**Mitigation Measures**
None.

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| XIX. **Mandatory Findings of Significance:** | Potentially Significant Impact | Less Than Significant Impact with Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| a) Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | ☐ | ☐ | ☑ | ☐ |
| b) Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | ☐ | ☐ | ☐ | ☑ |
| c) Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | ☐ | ☐ | ☐ | ☑ |

**a)** **Less than significant.** The Project will utilize measures listed within Section IV and V to minimize and avoid potential impacts to the Central Valley steelhead, hardhead, chinook, and cultural resources. The Project will not have impacts to the Calaveras River, so no direct impacts to the special status fish species are anticipated. There are no known historic resources within the project area.

**b)** **No Impact.** The Project is a water conveyance project and is not anticipated to have cumulatively significant impacts on environmental resources.

**c)** **No Impact.** No substantial adverse effects on human beings, either directly or indirectly, are anticipated.

**Mitigation Measures:**
None.

# Appendix A – BIOLOGICAL RESOURCES TECHNICAL REPORT