



NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

DATE: JUNE 28, 2021

PROJECT: MUD SLOUGH RESTORATION PROJECT

LEAD AGENCY: SAN LUIS & DELTA-MENDOTA WATER AUTHORITY

The San Luis & Delta-Mendota Water Authority (Water Authority) is the California Environmental Quality Act (CEQA) lead agency and project sponsor. It is responsible for implementation and operation of the Mud Slough Restoration Project.

CONTACT

Joseph C. McGahan, Drainage Coordinator, San Luis & Delta-Mendota Water Authority, at jmcgahan@summerseng.com

PROJECT LOCATION

The Proposed Project is located on the Newman Land Company property and on the state wildlife refuge known as the China Island Unit of the North Grasslands Wildlife Management Area, east of Route 33 and northwest of Highway 140. It is located east of Newman in an area designated as Agricultural land use in Merced County, California. The Project Area includes the area of evaluation for potential direct and indirect impacts, an area that includes approximately 368 acres, mostly in the China Island Unit of the North Grasslands Wildlife Management Area.

Assessor's Parcel Numbers: Merced County, APN 054-030-001, 054-070-001 and 054-080-008

PROJECT DESCRIPTION

Project Objective: The Mud Slough Restoration Project (Proposed Project) objective is to restore and enhance wildlife habitat on the China Island Unit of the North Grasslands Wildlife Management Area and on the Newman Land Company property by reestablishing Mud Slough flows to portions of those lands that were isolated from Mud Slough as a result of the Grassland Bypass Project (GBP). The Proposed Project would replace the water supplies to Newman Lake through the restoration of the hydrologic connection between Mud Slough and the Lake. Natural erosion

effects of flow in Mud Slough have caused the normal water level to drop to approximately four feet below the Newman Lake water level. Therefore, hydraulic modification is required.

Project Construction and Operation Summary: The Proposed Project is to deliver 1,663 acre-feet of water per year to Newman Lake from a combination of Los Banos Creek flows and Mud Slough flows, depending on hydraulic conditions at the time in both waterways. Excess flows in Newman Lake would flow out the existing spill dam at the north end of the Lake.

A new diversion structure would be constructed in Mud Slough, approximately 300 feet downstream of the confluence with Los Banos Creek. The structure would span the width of Mud Slough to raise the water level in the slough in order to divert water into Newman Lake through a side channel connecting to Los Banos Creek. The structure would be designed as a reinforced concrete, broad-crested weir check with overshot spill structure to fine-tune upstream water levels and maintain downstream flow. The crest elevation would be designed to pass normal high flows without exceeding the Mud Slough channel capacity. High flows would spill and inundate primarily the easterly floodplain with localized inundation of seasonal wetland areas adjacent to the west bank of Mud Slough upstream of the proposed control structure, which is consistent with current conditions. An existing spill structure in Los Banos Creek would be removed.

Minimal channel excavation would be required to key the diversion structure into the channel bed and banks. Modifications to the existing side channel connecting Los Banos Creek to Newman Lake include the installation of a new culvert and road crossing and the removal of accumulated silt for the initial 200 feet of the side channel at Los Banos Creek. The silt would be removed and spread along the adjacent levee. The total construction footprint (including staging area) is estimated to be 1.4 acres. Additional activities include the removal of five abandoned water control structures within the China Island refuge and the reinforcement of the existing Newman Dam at Mud Slough.

The overshot gate would be managed to divert up to 1,663 acre-feet of combined Mud Slough and Los Banos Creek flow into Newman Lake via the side channel connecting Los Banos Creek to Newman Lake. A majority of the diversion, estimated to be 1,523 acre-feet plus another 40 acre-feet to offset seepage and evaporation, would occur during the fall-winter period (September 5 – January 10). Diverted flow would not exceed 10 cubic feet per second (cfs). In extremely dry years, Mud Slough flows would be insufficient to support both downstream flows and the entire Newman Lake water demand. When Mud Slough flows are less than 20 cubic feet per second (cfs), half of the flow would be devoted to Newman Lake water demands, and the remaining half would continue downstream. In situations where Mud Slough flow exceeds 20 cfs, the full diversion of 10 cfs would occur at Newman Lake; and the remainder would continue downstream.

Outside the diversion period (January 11 to September 4), 100 acre-feet of water would be diverted as available for maintaining the water level in Newman Lake. The control gate in the Mud Slough diversion would be lowered (opened to allow all the flow through the structure) except during periods of short duration to allow replenishment water to be diverted to Newman Lake. This replenishment would occur monthly for a period of approximately seven days each time. The actual timing would depend on the water availability, but in no case would the diversion occur for more than seven days at a time during the summer period of operation (June through August). Flows would be maintained downstream equal to half of the total flow as during the primary diversion period.

The Proposed Project would raise the water levels in Mud Slough between the new proposed diversion structure and Highway 140 when the overshot gate is raised during seasonal operations.

This area is often inundated during high flow conditions. The Proposed Project would inundate up to 7.21 acres more than under existing conditions for low to winter median flows (10-120 cfs) during seasonal operations.

Operation of the Proposed Project would require periodic (<1 per week) visits to inspect conditions and remove trash, which is not different from existing conditions.

ENVIRONMENTAL DETERMINATION

The Water Authority has prepared an Initial Study to evaluate the potential environmental impacts of the proposed Mud Slough Restoration Project. The Water Authority has determined that the project may have a significant effect on the environment, but by implementing the identified mitigation measures, the project's impacts could be reduced to less-than-significant levels. Accordingly, the Water Authority intends to adopt a Mitigated Negative Declaration (MND) for the Project in accordance with CEQA. The Water Authority will consider adopting the MND as part of its consideration of the Proposed Project at a future public board meeting.

PUBLIC REVIEW

A 30-day public review period will begin on June 30, 2021 and end on July 30, 2021 at 5:00 p.m.

Any interested person or agency may comment on this matter by submitting written comments to Joseph C. McGahan, Drainage Coordinator, San Luis & Delta-Mendota Water Authority, via postal mail to P.O. Box 1122, Hanford, CA, 93230; via fax to 559-582-7632; or via email to jmcgahan@summerseng.com.

All comments must be in writing, must be received within the public review period, and should indicate a contact person for your agency or organization, if applicable. Responsible agencies are requested to indicate their statutory responsibilities in connection with this project when responding.

Digital versions of the Notice of Intent, Initial Study and MND are available on the Water Authority's website: <https://sldmwa.org/sldmwa-projects/> and copies may be reviewed during business hours at Summers Engineering, 887 N. Irwin St., Hanford, CA 93230. Appendices to these documents are available upon request from Summers Engineering at (559) 582-9237. This notice and the Initial Study/MND are also available at the following libraries:

- California State Library, 900 N Street, Sacramento, CA 95814, phone: (916) 323-9843
- Merced County Library, 2100 O Street, Merced, CA 95340, phone: (209) 385-7485

Please contact the library for hours of service given COVID-19 operating procedures. If the libraries are closed, please contact the Water Authority Drainage Coordinator identified above.

Submitted by:

Signed by Federico Barajas

June 28, 2021

Federico Barajas, Executive Officer
San Luis & Delta-Mendota Water Authority

Date