

**Summary Form for Electronic Document Submittal****Form F**

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: \_\_\_\_\_

Project Title: Orestimba Creek Recharge and Recovery Expansion ProjectLead Agency: Central California Irrigation DistrictContact Name: Benjamin FentersEmail: bfenters@ccidwater.orgPhone Number: 209-826-1421Project Location: near Newman  
*City*Stanislaus  
*County*

Project Description (Proposed actions, location, and/or consequences).

See attached Project Description.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

See attached Environmental Commitments attachment for mitigation measures.

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

Provide a list of the responsible or trustee agencies for the project.

California Department of Fish and Wildlife  
Regional Water Quality Control Board  
Del Puerto Water District

## Project Title

Orestimba Creek Recharge and Recovery Expansion Project (Project)

## Purpose and Need for the Proposed Action/Project Objectives

The State of California is currently experiencing unprecedented water management challenges due to severe drought in recent years. Both the State and Federal water projects are forecasting very low storage conditions in all major reservoirs. In addition, south of Delta Central Valley Project (CVP) contractors frequently experience reduced water supply allocations due to hydrologic conditions and/or regulatory requirements.

During dry periods, when surface water supplies are scarce, growers rely on groundwater or other sources of supply to meet their irrigation needs. Excessive groundwater pumping strains aquifers that are already in a state of overdraft, dropping the water level in some wells substantially and causing other wells to go dry. Additional constraints under California's Sustainable Groundwater Management Act (SGMA) and the applicable Groundwater Sustainability Plan(s) (GSP) that apply to CCID and DPWD may limit the amount of groundwater pumping available, further reducing water supplies when they are most needed. As such, water purveyors, such as CCID and DPWD, need to find alternative sources of water to fulfill existing demands to stave off substantial impacts to crop production, the regional economy, loss of jobs, disadvantaged communities, etc. The purpose of the Proposed Action/Project is to provide a long-term solution to support regional agricultural operations by using excess storm and floodwaters with the objective to recharge groundwater supplies for future extraction with a 10% leave behind that would also help to prevent subsidence and reduce groundwater basin overdraft.

## Proposed Action/Project

Under the Proposed Action/Project Reclamation would issue a land use authorization to CCID for the installation, operation, and maintenance of facilities on Reclamation land as described in more detail below. In addition, CCID and DPWD propose to construct various infrastructure and recharge ponds that would expand the previously constructed Pilot Project.

The Proposed Action/Project includes five main components: (1) Securing a temporary and permanent water rights from Orestimba Creek, (2) Constructing diversion facilities and pipelines between Orestimba Creek, the DMC, and the recharge ponds, (3) Constructing recharge ponds (4) Developing recovery wells and associated pipelines, and (5) Conducting geotechnical and soil investigations to help determine the final design and delineate aquatic resources. In addition to the main components, staging areas for loading, unloading, and temporary storage of equipment and materials would be delineated within the work area boundaries. Maintenance would be done semi-annually. Maintenance activities include the removal of sediment, vegetation, and other materials to improve percolation capacity.

## Sources of Recharged Water

### Central California Irrigation District.

CCID in conjunction with the other members of the Exchange Contractors, would generate up to 16,500 AFY for recharge when supplies are available. The 16,500 AFY is comprised of existing water rights and the potential Water Right being pursued as part of the Proposed Action/Project. Supplies would consist of a combination of water from various sources such as conserved water, storm water and flood flows from adjoining watersheds for placement in the recharge ponds. The conserved water would be generated pursuant to the "Water Transfer Program for the San Joaquin River Exchange Contractors, 2014 – 2038", approved by Reclamation in a Record of Decision dated July 30, 2013. In addition, diversion of up to 35 cfs of Orestimba Creek storm flows is a potential source of water to be captured and delivered into the recharge ponds, as well as flood flows (through exchange via the DMC) from both the San Joaquin and Kings Rivers. The Proposed Action/Project is sized for recovery in two dry years and recharge in one wet year per 10 years. CCID may have 8 years of recharge to

develop the account to draw from in the two dry years. However, the Project design is based on one wet year per 10 years to achieve storage sufficient for recovery in two dry years.

#### Del Puerto Water District.

The DPWD is under contract with Reclamation for its water supply, which is delivered from the DMC, a feature of the Central Valley Project (CVP). The contract provides for the delivery of up to 140,210 AFY. DPWD will develop and provide up to 16,500 AFY for recharge when supplies are available. The 16,500 AFY will be made available from its contract supplies and will be generated through DPWD's use of various conservation and water resources projects to make the project water available in certain year types. These include DPWD's water conservation program, DPWD's program to generate water for its own use and for use by the local refuges through several existing contracts with Reclamation to develop CVPIA Level 2 (L2) supplies (GWD Exchange/Volta Wells Exchange and the North Valley Regional Recycled Water Program (NVRWP)), as well as the use of non-CVP supplies developed under the terms and conditions of various Warren Act contracts. The DPWD also has several existing contracts with Reclamation which support the development of Incremental Level 4 (IL4) Central Valley Project Improvement Act (CVPIA) water supplies for Reclamation's Refuge Water Supply Program in exchange for the delivery of CVPIA Level 2 (L2) supplies for DPWD's use (NVRWP/GWD Exchange/Volta Wells Exchange), as well as access to non-CVP supplies developed under the terms and conditions of various Warren Act contracts. These sources, as well as the use delivery of Section 215 water directly to the Proposed Action/Project when made available by Reclamation, would allow DPWD to generate up to 16,500 AFY of supply. Additionally, diversion of up to 35 cfs of Orestimba Creek storm flows is a potential source of water to be recharged in the Proposed Action/Project. It is assumed that there would be two dry years and one wet year per recharge and recovery cycle.

## Environmental Commitments

CCID and DPWD shall implement the environmental protection measures included in Table 1.

Table 1 - Environmental Protection Measures and Commitments

Resource	Protection Measure
Biological Resources	Mitigation Measure (Avoidance). The Project should be designed to avoid impacts to the onsite population of spiny-sepaled button celery. Avoidance would entail establishing a 20-foot disturbance-free buffer around the population. This buffer would be delineated on the ground with temporary construction fencing.
Biological Resources	Mitigation Measure (Minimization). If complete avoidance is not possible, but some of the plants can be avoided, then a qualified botanist shall identify all avoidance areas and establish buffer zones of sufficient size around these areas to eliminate any unnecessary disturbance to the avoided plants during construction. Furthermore, construction fencing would be placed around the buffer zones, as directed by the botanist.
Biological Resources	Mitigation Measure (Salvage). Areas occupied by this plant species that cannot be avoided would require a salvage effort directed by a qualified botanist. The salvage effort would include the collection of seed and topsoil. Seed would be collected at a time of year when the species is most prolific, and stored in a ventilated container in a cool dry location. Soil would be collected and stockpiled at a nearby location. The stockpiled soil, and then the seed, would be returned to the disturbed area in which it was collected once construction in the area is complete.
Biological Resources	Mitigation Measure (Construction Timing). If feasible, Project elements within 0.5 miles of riparian habitat at the intersection of Bell Road and Orestimba Creek would be constructed outside the Swainson's hawk nesting season, typically defined as March 1-September 15.
Biological Resources	Mitigation Measure (Surveys). If Project elements within 0.5 miles of riparian habitat at the intersection of Bell Road and Orestimba Creek must be initiated between March 1 and September 15, a qualified biologist would conduct surveys for Swainson's hawk nests on and within ½ mile of the Project APE following the survey methods and timing prescribed by the Swainson's hawk Technical Advisory Committee (SHTAC) 2000 Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley.
Biological Resources	Mitigation Measure (Avoidance). Should any active nests be discovered in or near proposed construction zones, the biologist would identify a suitable construction-free buffer around the nest. This buffer would be identified on the ground with flagging or fencing, and would be maintained until the biologist has determined that the young have fledged.
Biological Resources	Mitigation Measure (Construction Timing). If feasible, the Project would be implemented outside of the avian nesting season, typically defined as February 1 to August 31.
Biological Resources	Mitigation Measure (Preconstruction Surveys). If construction is to occur between February 1 and August 31, a qualified biologist would conduct

Resource	Protection Measure
	pre-construction surveys for active bird nests within 10 days prior to the start of construction. The survey area would encompass the site and accessible surrounding lands within 250 feet for nesting migratory birds and 500 feet for raptors (i.e. birds of prey).
Biological Resources	Mitigation Measure (Avoidance of Active Nests). Should any active nests be discovered in or near proposed construction zones, the biologist would identify a suitable construction-free buffer around the nest. This buffer would be identified on the ground with flagging or fencing, and would be maintained until the biologist has determined that the young have fledged and are capable of foraging independently.
Cultural Resources	<p>In the event that previously unidentified subsurface deposits believed to be cultural or human in origin are discovered during implementation of this undertaking, then all work must halt within a 50-foot radius of the discovery. Reclamation Cultural Resource Staff would be notified and would follow the procedures for post-review discoveries on Federal lands as described in the regulations at 36 CFR § 800.13(b).</p> <p>A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find on non-Federal lands, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:</p> <ol style="list-style-type: none"> <li>1. If the professional archaeologist determines that the find does not represent a cultural resource, then work may resume immediately and no agency notifications are required.</li> <li>2. If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, then he or she shall immediately notify the Bureau of Reclamation and applicable landowner. The agency shall consult on a finding of eligibility and implement appropriate treatment measures if the find is determined to be eligible for inclusion in the NRHP. Work cannot resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not eligible for the NRHP; or 2) that the treatment measures have been completed to their satisfaction.</li> </ol>
Cultural Resources	<p><u>Human Remains</u></p> <p>Different laws govern the disposition of human remains inadvertently discovered on private, State, Tribal, and Federal lands. It is, therefore, imperative that Reclamation contractors, and other CRM contractors, understand the ownership status of lands on which archaeological work is to be conducted to ensure that the appropriate laws are followed. The following summarizes of the applicable laws that govern the inadvertent (i.e. unplanned) discovery of human remains and the procedures to be followed should human remains be discovered during the course of</p>

Resource	Protection Measure
	<p>archaeological work permitted by Reclamation or other underlying landowner.</p> <p><u>Federal and Tribal Lands</u></p> <p>Under the Native American Graves Protection and Repatriation Act (NAGPRA) (25 USC 3001) and implementing regulations 43 CFR Part 10, Reclamation is responsible for the protection of Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony that are discovered on Reclamation lands. All human remains and potential human remains must be treated with respect and dignity at all times. In the event that suspected human remains are discovered during proposed project activity on Reclamation land, all activities in the immediate area will cease, and appropriate precautions will be taken to protect the remains and any associated cultural items from further disturbance. Reclamation will follow the procedures outlined in 43 CFR § 10.4 Inadvertent Discoveries. The Reclamation Region 10 Cultural Resource Officer will be immediately notified by telephone and will take responsibility for the discovery by contacting the appropriate law enforcement and Reclamation officials. Within three (3) working days of confirmation of the discovery [see 43 CFR Part 10.4(d)(1)(iii)], the Regional Archaeologist will notify by telephone or in person, with written confirmation, the Indian tribes likely to be affiliated with the discovered human remains (e.g., lineal descendant, culturally affiliated Indian tribe, Indian tribe with other cultural relationship, and Indian tribe that aboriginally occupied area). Treatment and handling of the remains will be determined through consultation between Reclamation and consulting tribes.</p> <p><u>Other Public and Private Lands in California</u></p> <p>There are numerous California State laws and codes that direct the preservation of prehistoric and historic cultural resources, establish the procedures for protecting inadvertently discovered Native American human remains, and impose penalties and punishments for persons acting in violation of the legal code. Specifically, Section 7050.5 of the California Health and Safety Code deals with the discovery of human remains in any location other than a dedicated cemetery and directs that in such cases the coroner of the county in which the remains are discovered be contacted and further excavation or disturbance in the location of discovery be discontinued until the coroner has examined the remains and made recommendations concerning their treatment and disposition. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the coroner is required to contact the California Native American Heritage Commission (NAHC), by telephone, within 24 hours. Stipulations encouraging private landowners to work with the NAHC and the most likely descendant identified by the NAHC to establish and carry</p>

Resource	Protection Measure
	out appropriate treatment of the remains are outlined in Section 5097.98 of the California Public Resources Code.
Cultural Resources	If construction is conducted within 1,500 feet of the cemetery, a qualified archaeologist shall be present during ground-disturbing activities.

Environmental consequences for resource areas assume the measures specified would be fully implemented.