

FINAL ◦ JUNE 2022

Bacon Island Levee Rehabilitation Project, Connection Slough and Santa Fe Cut Corridor Mitigation Monitoring and Reporting Program



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Suggested citation:

Reclamation District No. 2028. 2022. Bacon Island Levee Rehabilitation Project, Connection Slough and Santa Fe Cut Corridor Mitigation Monitoring and Reporting Program. Prepared by Stillwater Sciences, Berkeley, California for Reclamation District 2028 (Bacon Island), Stockton, California.

Cover photo: View of Bacon Island's southwestern levee corner and surrounding interior lands.

1 INTRODUCTION

Bacon Island is owned by the Metropolitan Water District of Southern California, and its levees are maintained by Reclamation District No. 2028 (District). The District was formed in March 1918 to maintain the District's levee system that protects approximately 5,625 acres of agricultural land, habitat, local infrastructure, and on-island assets. The District encompasses the entire aerial extent of Bacon Island. The District plans to rehabilitate the north and south sides of Bacon Island's levee system (Connection Slough and Santa Fe Cut), approximately 3.5 miles in length total, to sustainably achieve the minimum requirements of the Bulletin 192-82 standard.

In accordance with the California Environmental Quality Act (CEQA), Reclamation District No. 2028 (RD 2028, District) prepared an Initial Study/Mitigated Negative Declaration (IS/MND) that identifies potentially significant effects related to rehabilitating part of Bacon Island's levee system (Project) (RD 2028 2022). RD 2028 is the CEQA lead agency. California Department of Water Resources (DWR), The Metropolitan Water District of Southern California, and California Department of Fish and Wildlife (CDFW) are CEQA responsible agencies. The IS/MND identifies mitigation measures that would reduce or eliminate potentially significant effects.

2 PURPOSE

In accordance with CEQA (California Public Resources Code Section 21081.6, and Section 15074[d] of the CEQA Guidelines), this Mitigation Monitoring and Reporting Program (MMRP) is designed to ensure compliance with the mitigation measures outlined in the Project's IS/MND. The results of the environmental analyses, including identified mitigation measures, are documented in the Final IS/MND (RD 2028 2022). This MMRP identifies the mitigation measures included in the Project to avoid or minimize potentially significant environmental impacts and includes the monitoring and/or reporting provisions that will be required to ensure proper implementation of these measures.

Table 1 provides a matrix listing the following components of this MMRP:

Measure: The conservation and mitigation measures taken verbatim from the Project's IS/MND (RD 2028 2022).

Responsible Entity: Identifies the entity responsible for implementing each measure.

Monitoring/Enforcement Entity: Identifies the agency, consultant, or other entity responsible for overseeing that mitigation occurs.

Measure Timing: Identifies a general schedule for implementing each measure.

Action: Describes the type of action taken to verify implementation of the measure.

Table 1. Conservation and Mitigation Monitoring and Reporting Program for the Bacon Island Levee Rehabilitation Project.

Measure	Responsible Entity	Monitoring/ Enforcement Entity	Measure Timing	Action
Conservation Measures				
Air Quality				
<p>AIR-1: Air Quality Protection. The following are measures to prevent, control, and minimize emissions during Project construction:</p> <ul style="list-style-type: none"> a) All construction vehicles will be model year 2010 or newer. b) All construction equipment will be properly tuned and maintained prior to and for the duration of on-site operation. c) Diesel-powered construction equipment idling time will be limited to less than five minutes. d) A traffic plan will be developed to minimize traffic flow interference from construction activities. e) An operational water truck will be available at all times. Water will be applied as needed to control dust and to prevent visible emissions violations and off-site dust impacts. f) On-site dirt piles or stockpiled materials will be covered, and water or soil stabilizers will be employed to reduce wind-blown dust emissions. g) Traffic speeds on all unpaved surfaces will be reduced to 20 miles per hour or less. Appropriate training, enforcement, and signage will be provided. h) Ground cover will be re-established in the Project Area as soon as possible after construction. 	District and Primary Construction Contractor	SJVAPCD	Prior to and ongoing during construction	Implement all identified measures and BMPs to minimize emissions during construction. Summarize and report equipment usage to SJVAPCD.
Hazards and Hazardous Materials				
<p>HAZ-1: Hazardous Material Storage and Handling. Prior to Project construction, a SWPPP will be developed that will include, but not be limited to, the following list of BMPs to avoid and minimize potential effects from hazards and hazardous materials:</p> <ul style="list-style-type: none"> a) No potentially hazardous materials will be stored in a location where there is potential to enter any waterway and/or contaminate aquatic resources. b) All construction materials with the potential to pollute runoff will be handled with care and stored under cover and/or surrounded by berms during wet weather or when rain is forecast. c) An effort will be made to store only the amount of a potentially hazardous product necessary to complete the job. d) Materials, fuels, liquids and lubricants, and equipment supplies stored on site will be stored in a neat, orderly manner, in their appropriate containers, with the original manufacturer's label, and, if possible, in an enclosure. e) Any hazardous materials will be stored and labeled according to local, state, and federal regulations. f) If drums must be stored without overhead cover, they will be stored at a slight angle to reduce corrosion and ponding of rainwater on the lids. g) Substances will not be mixed with one another unless recommended by the manufacturer. h) Manufacturer's recommendations for proper use and disposal of a product will be followed. i) Whenever possible, all of a product will be used before disposal of its container. j) If surplus product must be disposed of, the manufacturer's or the local and state recommended methods for proper disposal will be followed. 	Primary Construction Contractor	RWQCB	Ongoing during construction	Implement all identified BMPs such that potential contaminants are isolated from waterways to the extent practicable and feasible

Measure	Responsible Entity	Monitoring/ Enforcement Entity	Measure Timing	Action
<p>HAZ-2 Hazardous Spill Prevention and Response. The SWPPP developed for the Project will include, but not be limited to, the following measures to prevent, control, and minimize impacts from a spill of a hazardous, toxic, or petroleum substance during construction:</p> <p>a) Minor spills are those that can be controlled by onsite personnel. The following actions will occur upon discovery of a minor spill:</p> <ul style="list-style-type: none"> ▪ The spread of the spill will be contained. ▪ If the spill occurs on impermeable surfaces, such as any temporary surfaces installed for pollution prevention during construction, it will be cleaned up using “dry” methods (i.e., absorbent materials, cat litter, and/or rags). ▪ If the spill occurs in permeable substrate areas, it will be immediately contained by constructing an earthen dike. The contaminated soil will be excavated and properly disposed of. ▪ If the spill occurs during rain, the impacted area will be covered to avoid runoff, and appropriate clean-up steps will be taken after precipitation has ceased. ▪ All steps taken to report and contain a spill will be recorded. <p>b) Onsite personnel should not attempt to control major spills until the appropriate and qualified emergency response staff has arrived at the site. Failure to report major spills can result in significant fines and penalties.</p> <ul style="list-style-type: none"> ▪ If a major spill occurs, the Governor's Office of Emergency Services Warning Center will be notified at (800) 852-7550 in addition to local authorities. ▪ For spills of federal reportable quantities, the National Response Center will also be notified at (800) 424-8802. The federal reportable spill quantity for petroleum products is any oil spill that (1) violates applicable water quality standards, (2) causes a film or sheen upon or discoloration of the water surface or adjoining shoreline, or (3) causes a sludge or emulsion to be deposited beneath the surface of the water or adjoining shorelines. ▪ A written report will be sent to all notified authorities. <p>c) Diesel fuel, oil, gasoline, and lubricants are considered petroleum products. These materials will be handled carefully to minimize their exposure to storm water. The risks in using petroleum products will be reduced by following these steps:</p> <ul style="list-style-type: none"> ▪ Waste oil and other petroleum products will not be discharged into the ground or other water bodies. ▪ Petroleum products will be stored in tightly sealed containers that are clearly labeled, in a covered area, within prefabricated spill containment devices, earthen berms, or similar secondary containment features. ▪ On-site vehicles will be monitored for fluid leaks and receive regular preventative maintenance to reduce the chance of leakage (e.g., check for and fix fuel oil leaks in construction vehicles on a regular basis). ▪ Bulk storage tanks having a capacity of more than 55 gallons will be provided with a secondary containment measure. Containment can be provided by a prefabricated temporary containment mat, a temporary earthen berm, or other measure. ▪ Bulk fuel or lubricating oil dispensers will have a valve that must be held open to allow the flow of fuel into construction vehicles. During fueling operations, the contractor will have personnel present to detect and contain spills. <p>d) The following additional spill control and cleanup practices will be followed:</p> <ul style="list-style-type: none"> ▪ Spills will be contained and cleaned up immediately after discovery. ▪ Manufacturer's methods for spill cleanup of a material will be followed as described on the material safety data sheets (MSDS) (kept with product containers). ▪ Materials and equipment needed for cleanup procedures will be kept readily available onsite, either at an equipment storage facility or on the contractor's trucks. Equipment to be kept onsite will include, but not be limited to, brooms, dust pans, shovels, granular absorbents, sand, sawdust, absorbent pads and booms, plastic and metal trash containers, gloves, and goggles. ▪ On-site personnel will be made aware of cleanup procedures, the location of spill cleanup equipment, and proper disposal procedures. ▪ Toxic, hazardous, or petroleum product spills required to be reported by regulations will be documented and a record of the spills will be kept with Project documents. ▪ If a spill occurs that is reportable to the federal, state, or local agencies, the contractor is responsible for making and recording the reports. 	<p>Primary Construction Contractor</p>	<p>RWQCB</p>	<p>Ongoing during construction</p>	<p>Implement all identified BMPs such that potential contaminants are isolated from waterways to the extent practicable and feasible</p>

Measure	Responsible Entity	Monitoring/ Enforcement Entity	Measure Timing	Action
<p>HAZ-3: Fire Prevention. The following are measures to reduce the potential for fire:</p> <ul style="list-style-type: none"> a) Smoking will be permitted only in designated smoking areas. b) Every fuel truck will carry a large fire extinguisher with a minimum rating of 40 B:C, and all flammable materials will be removed from equipment parking and storage areas. 	Primary Construction Contractor	Primary Construction Contractor	Ongoing during construction	Implement all identified BMPs such that potential for fire is reduced
Hydrology and Water Quality				
<p>HYD-1: Erosion Control. The SWPPP developed for the Project will include, but not be limited to, the following BMPs to avoid and minimize potential impacts on waters from erosion:</p> <ul style="list-style-type: none"> a) Construction will occur only during dry periods. b) Prior to storm events, all construction activities shall cease, and appropriate erosion control measures will be implemented. c) Soil, silt, or other organic materials will not be placed, stockpiled, or stored where such materials could pass into surface water or surface water drainage courses during unexpected rain events. d) All areas disturbed by Project activities will be protected from washout or erosion prior to the onset of the rainy season. e) All temporarily affected areas will be restored to pre-construction contours and conditions upon completion of construction activities. f) Prior to initiation of any waterside work, erosion control measures will be utilized throughout all phases of operation where silt and/or earthen fill threaten to enter waters of the U.S. and/or state. 	Primary Construction Contractor	RWQCB	Ongoing during construction	Implement all identified BMPs such that potential impacts on waters from erosion are avoided or minimized to the extent practicable and feasible
Mitigation Measures				
Biological Resources				
<p>BIO-1: Rare Plants. The following measures will ensure that adverse effects on special-status plants are avoided or minimized:</p> <ul style="list-style-type: none"> a) Surveys for special-status plants will be conducted in accordance with the Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants (USFWS 2000) and Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018) and will be comprehensive for vascular plants. b) Areas with special-status plants will be flagged or otherwise marked (e.g., staked, fenced) for avoidance prior to construction, including the incorporation of a clearly marked 10-ft buffer, and all employees will be notified of the plant locations. If work must be conducted within the 10-ft buffer area, CDFW will be consulted to determine appropriate methods to avoid impacts to rare plants. c) If avoidance is not possible, the need for mitigation shall be determined on a case-by-case basis in consultation with CDFW, prior to construction. For impacts that are determined by CDFW to be potentially significant, mitigation shall be provided in a manner and at a location that is acceptable to CDFW. If impacts are mitigated at a location other than a mitigation bank, the new plantings shall be documented using a California Natural Diversity Database (CNDDDB) form and completed forms shall be submitted to CNDDDB following establishment. 	District and Biological Contractor	CDFW	Prior to any site disturbance and ongoing during construction, if applicable	Pre-construction plant surveys conducted in accordance with mitigation requirements

Measure	Responsible Entity	Monitoring/ Enforcement Entity	Measure Timing	Action
<p>BIO-2: Worker Environmental Awareness Training. All contractors and equipment operators will be provided Worker Environmental Awareness Training to educate them on the environmental resources of the Project Area, including the potential for special-status species to be present, and the required protection measures (including all the biological avoidance and minimization measures outlined in the Conservation Measures section [Section 1.5] of this IS/MND). Training will include information about the federal and California Endangered Species Acts (ESA and CESA, respectively), and the consequences of noncompliance with these acts. Workers will be informed about the presence, life history, and habitat requirements of all special-status species that may be affected in the Project Area. Training also will include information on state and federal laws protecting water resources and migratory birds as well as their nests and eggs. This training will be conducted prior to construction for each year of Project implementation and will be provided to any new staff/contractors added during Project construction.</p>	District and Biological Contractor	CDFW	Prior to construction for each year of Project implementation, and for any new staff or contractors added during Project	Conduct training with sign-in sheets for all construction crewmembers and equipment operators
<p>BIO-3: Northwestern Pond Turtle. A survey for northwestern pond turtles (<i>Actinemys marmorata</i>) and any active pond turtle nests (during the nesting and emergence of hatchling season, April 1 through November 30) will be conducted in suitable habitat located within a 100-ft buffer of the Project Area by a qualified biologist within seven days prior to onset of staging or construction activities. If a northwestern pond turtle nest is found, a 100-ft no-disturbance buffer zone will be established around the nest using flagging, fencing, and/or signage as appropriate. No construction activities will occur within the buffer zone until a qualified biologist has determined that the nest not in use. If a northwestern pond turtle is observed at any time before or during construction, it will be left alone to move out of the area on its own.</p>	District and Biological Contractor	CDFW	Prior to any site disturbance and ongoing during construction, if applicable	Conduct northwestern pond turtle surveys and ensure avoidance in accordance with mitigation requirements
<p>BIO-4: Giant Garter Snake. The following measures will be implemented to minimize effects on giant garter snakes (<i>Thamnophis gigas</i>) or their habitat. They are based on the U.S. Fish and Wildlife Service's (USFWS) <i>Standard Avoidance and Minimization Measures During Construction Activities in Giant Garter Snake Habitat, from Programmatic Formal Consultation for U.S. Army Corps of Engineers 404 Permitted Projects with Relatively Small Effects on the Giant Garter Snake within Butte, Colusa, Glenn, Fresno, Merced, Sacramento, San Joaquin, Solano, Stanislaus, Sutter and Yolo Counties, California</i> (USFWS 1997).</p> <ul style="list-style-type: none"> a) If a snake is encountered during construction, activities shall cease until appropriate corrective measures have been completed or it has been determined that the snake will not be harmed. Any sightings and/or any incidental take will be reported to CDFW and USFWS. b) Construction activity within giant garter snake habitat (e.g., aquatic habitat and upland habitat within 200 ft of aquatic margins) will be conducted between May 1 and October 1. This is the active period for the snake; direct mortality is lessened because snakes are expected to actively move and avoid danger. Initiation of construction activities within 200 ft of the banks of snake aquatic habitat will be avoided during the snake's inactive season (October 2 through April 30). With permission from relevant agencies (i.e., USFWS and CDFW), ground-disturbing activities that were initiated prior to October 1 may continue into the snake's inactive season. c) Any irrigation or drainage ditches and borrow sites that will be disturbed or removed will be dewatered prior to the initiation of construction activities. Any dewatered habitat should remain dry for at least 15 consecutive days after April 15 and prior to excavating or filling of the dewatered habitat. d) All Project areas will be surveyed for giant garter snake by a qualified biologist, 24 hours prior to the start of construction activities, and again if there is a lapse in construction activity of two weeks or more. e) The Project will prohibit use of erosion control materials potentially harmful to giant garter snake and other species, such as mono-filament netting (erosion control matting) or similar material, in potential giant garter snake habitat. Tightly woven fiber netting or similar material will be used for erosion control to ensure that giant garter snakes do not get trapped and become entangled. f) During construction operations, the number of access routes, number and size of staging areas, and the total area of the proposed Project activity will be limited to the minimum necessary. g) Routes and boundaries will be clearly demarcated. Movement of heavy equipment to and from the Project site will be restricted to established roadways to minimize habitat disturbance. Project-related vehicles will observe a 20-mile-per-hour speed limit within the construction areas, except for county roads and on state and federal highways. h) Confine all Project-related parking, storage areas, laydown sites, equipment storage, and any other surface-disturbing activities to the Project Area using, to the extent possible, previously disturbed areas. 	District and Biological Contractor	CDFW, USFWS	Prior to any site disturbance and ongoing during construction	Giant garter snake surveys and avoidance measures conducted in accordance with mitigation requirements

Measure	Responsible Entity	Monitoring/ Enforcement Entity	Measure Timing	Action
<p>BIO-5: Breeding Birds and Raptors. For Project activities conducted during the bird breeding season (February 1–August 15), a pre-construction nest survey will be conducted. Surveys will include ground nesting birds and raptors (e.g., northern harriers and short-eared owls), as well as suitable trees, shrubs, buildings, etc., within 500 ft of the Project Area. Species-specific surveys will be conducted as described below in measures BIO-7 through BIO-8. If active nests (nests containing eggs or young) are identified, a no-disturbance buffer zone will be established around the nest using flagging, fencing, and/or signage as appropriate. No construction activities will occur within the buffer zone until a qualified biologist has determined that the young have fledged or that construction activities within the buffer zone are not disturbing the nesting birds. The width of the buffer zone will be determined by a qualified biologist in coordination with CDFW; recommended buffers are 500 ft for raptors and 100 ft for other birds. If the project is delayed longer than 2 weeks during breeding season, an additional survey will be necessary.</p>	District and Biological Contractor	CDFW	Prior to any site disturbance and ongoing during construction, if applicable	Conduct nesting bird surveys and monitoring in accordance with mitigation requirements
<p>BIO-6. Swainson’s Hawk. The following measures will be implemented between March 1 and August 15 to minimize effects on Swainson’s hawk (<i>Buteo swainsoni</i>) and other protected raptors:</p> <ul style="list-style-type: none"> a) In order to avoid take (Fish and Game Code Section 86) of protected raptors (Fish and Game Code Section 3503.5), a pre-construction raptor nest survey will be conducted within a quarter mile (1,320 ft) of the Project site, and within 15 days prior to the beginning of construction activities by a CDFW-approved biologist in order to identify active nests in the Project vicinity. The results of the survey will be submitted to the District and CDFW. b) If active nests are found, a quarter-mile initial temporary nest disturbance buffer will be established. If Project-related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then an on-site biologist/monitor experienced with raptor behavior will be retained to monitor the nest, and will, along with the project proponent, consult with CDFW to determine the best course of action necessary to avoid nest abandonment or take of individuals. c) Work may be only allowed to proceed within the temporary nest disturbance buffer if raptors are not exhibiting agitated behavior such as defensive flights at intruders, getting up from a brooding position, or flying off the nest, and only with the agreement of CDFW. Based on the behavior observed, the buffer may be reduced if the birds are tolerant of construction activities. The designated on-site biologist/monitor shall be on site daily while construction-related activities are taking place within the quarter-mile buffer and shall have the authority to stop work if raptors are exhibiting agitated behavior. d) If the project is delayed longer than 2 weeks during breeding season, an additional survey will be necessary. 	District and Biological Contractor	CDFW	Prior to any site disturbance and ongoing during construction, if applicable	Conduct raptor nest surveys and monitoring in accordance with mitigation requirements
<p>BIO-7. California Black Rail. The following measures will be implemented to avoid or minimize effects on California black rail (<i>Laterallus jamaicensis coturniculus</i>):</p> <ul style="list-style-type: none"> a) If black rail nests are identified during the pre-construction nesting bird surveys, a 700-ft no-work buffer will be established around active nests. No Project-related activities will be allowed to occur within this buffer until young have fledged or the species is no longer attempting to nest. The buffer can be removed prior to the end of their breeding season (July 31) if a qualified biologist determines that all young have fledged or the nest did not end up being occupied. b) If the 700-ft no-disturbance buffer cannot be avoided, construction will be postponed in that area until after the breeding season or as approved by USFWS and CDFW. 	District and Biological Contractor	CDFW	Prior to any site disturbance and ongoing during construction, if applicable	Conduct California black rail surveys and monitoring in accordance with mitigation requirements
<p>BIO-8: Western Burrowing Owl. Western burrowing owl (<i>Athene cunicularia</i>) may be present in the work area. Avoidance of take of individual burrowing owls, their nests, and eggs is currently mandated under Fish and Game Code Sections 86, 3503, 3503.5 and 3513. CDFW recommends the District follow the 2012 Staff Report on Burrowing Owl Mitigation to reduce the chance of adversely impacting burrowing owls if they are thought to be present at the site. Occupied habitat includes areas burrowing owls may use for breeding/nesting (February 1 to August 31), wintering (September 1 to January 31), foraging, and/or migration stopovers. Occupancy of suitable burrowing owl habitat can typically be verified by an observation of at least one burrowing owl, or alternatively, its molted feathers, cast pellets, prey remains, eggshell fragments, or excrement, and/or loose soil near the burrow entrance.</p>	District and Biological Contractor	CDFW	Prior to any site disturbance and ongoing during construction, if applicable	Conduct burrowing owl surveys and monitoring in accordance with mitigation requirements

Measure	Responsible Entity	Monitoring/ Enforcement Entity	Measure Timing	Action
<p>BIO-9: Delta Levees Program Identified Habitat. Impacts on freshwater marsh, scrub-shrub, and riparian forest habitats due to levee rehabilitation and maintenance on Bacon Island have been pre-mitigated under the Fish and Wildlife Habitat Mitigation Agreement by and Between Reclamation District 2041 and the California Department of Fish and Game (CDFG 1993). This mitigation agreement, between CDFW and Reclamation District No. 2041 (Medford Island), provides mitigation lands on Medford Island for past and future long-term losses of freshwater marsh, scrub-shrub, and riparian forest habitats resulting from levee maintenance and rehabilitation on specified Delta islands. Reclamation District No. 2028 (Bacon Island) is one of the islands covered by this agreement. The District is only pre-mitigated for impacts to the waterside levee and to 150 ft landward of the levee centerline. Any impacts to habitat beyond 150 ft will require mitigation. Shaded riverine aquatic habitat and special-status plant species are not pre-mitigated. If any impacts to habitat not covered by the Mitigation Agreement do occur, they will be mitigated in a manner and location acceptable to CDFW.</p>	District	CDFW	If unmitigated impacts occur	If necessary, mitigate impacts in a manner and location acceptable to CDFW
Cultural Resources				
<p>CUL-1: Cultural and Tribal Cultural Resources. The following measures will be implemented during the Project to avoid and minimize potential effects on cultural and tribal cultural resources:</p> <ul style="list-style-type: none"> a) Information about the potential for cultural resources in the Project Area and the measures in place to protect them will be provided to all contractors and equipment operators. Training will include information about the federal and state laws protecting cultural resources, identification of potential cultural resources, and procedures to follow (e.g., protective buffers, personnel to contact) in the event of an inadvertent find. This training will be conducted prior to construction for each year of Project implementation and will be provided to any new staff/contractors added during the Project. b) During Project activities near the Bacon Island Ditch Network (Ditch Network [NIC-2021-Bacon-02]) a 15-ft avoidance buffer will be established around the resource and no ground disturbing activities will occur within the avoidance area. c) If a cultural resource is inadvertently discovered during Project activities, work must be halted within 30 ft of the find and a qualified archaeologist notified immediately so that an assessment of its potential significance can be undertaken. Construction activities may continue in other areas but may not resume in the area of the find until the District provides written permission. If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted and would be discussed in consultation with the District, affiliated tribal organizations, and any other relevant regulatory agencies or invested parties, as appropriate. d) State of California Health and Safety Code Section 7050.5 covers the discoveries of human remains (including those outside of formal cemeteries), except on federal lands. This code section states that no further disturbance may occur, and Project activities in the immediate area will halt, until the County Coroner has made a determination of origin and disposition of the remains pursuant to PRC Section 5097.98. If human remains are found during Project activities, the County Coroner must be notified of the find immediately upon discovery. If the human remains are determined to be of Native American origin, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendent (MLD). The MLD must complete an inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. 	District and Cultural Contractor	NAHC, SHPO	Prior to construction for each year of Project implementation, and for any new staff/ contractors added during Project	Conduct training with sign-in sheets for all construction crewmembers and equipment operators

BMP – Best Management Practice
CDFW – California Department of Fish and Wildlife (formerly CDFG)
CDFG – California Department of Fish and Game
CESA – California Endangered Species Act
District – Reclamation District No. 2028
ESA – Endangered Species Act
MLD – Most Likely Descendant

MSDS – Material Safety Datasheet
NAHC – Native American Heritage Commission
RWQCB – Regional Water Quality Control Board
SHPO – State Historic Preservation Officer
SJVAPCD – San Joaquin Valley Air Pollution Control District
USFWS – U.S. Fish and Wildlife Service

3 REFERENCES

CDFG. 1993. Fish and Wildlife Habitat Mitigation Agreement by and Between Reclamation District 2041 and the California Department of Fish and Game. Signed September 20, 1993.

CDFW (California Department of Fish and Wildlife). 2018. Protocols for surveying and evaluating impacts to special-status native plant populations and sensitive natural communities. California Natural Resources Agency, Sacramento, California.
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959>

RD 2028 (Reclamation District No. 2028). 2022. Initial Study/Mitigated Negative Declaration: Bacon Island Levee Rehabilitation Project, Connection Slough and Santa Fe Cut Corridor. Final. Prepared by Stillwater Sciences, Berkeley, California and MBK Engineers, Sacramento, California for Reclamation District No. 2028 (Bacon Island), Stockton, California.

USFWS. 1997. Programmatic Formal Consultation for U.S. Army Corps of Engineers 404 Permitted Projects with Relatively Small Effects on the Giant Garter Snake within Butte, Colusa, Glenn, Fresno, Merced, Sacramento, San Joaquin, Solano, Stanislaus, Sutter and Yolo Counties, California. Letter from USFWS to USACE on November 13, 1997.

USFWS. 2000. Guidelines for conducting and reporting botanical inventories for federally listed, proposed and candidate plants.