

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: 10-Year Out-of-District Water Sale ProgramLead Agency: Oakdale Irrigation DistrictContact Name: Scot MoodyEmail: smoody@oakdaleirrigation.comPhone Number: (209) 847-0341Project Location: _____
City *Stanislaus County*
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 MMRP

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

No known areas of controversy

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

Not Applicable

Project Description

Several parameters that would govern the Program implementation have been identified. The OOD lands would be subject to different water availability than the in-district lands. OOD lands shall only receive water under OID's pre-1914 water right. OID would use DWR snowfall and runoff forecasting, Tri-dam project snow surveys and real-time hydrology information throughout the irrigation season on the Stanislaus River from the Department of Water Resources California Data Exchange Center.¹ During the irrigation season OID would continuously monitor DWR's reported full natural flow at Goodwin Dam to determine the amount of pre-1914 water that was available and then ensure surface water diversions for these OOD lands did not exceed that. The amount of available pre-1914 surface water will change from month-to-month and year-to-year based on such a calculation. Additionally, the capacity of OID's existing conveyance system is limited when there is peak in-district demand, usually July to mid-August. Since in-District lands' ability to receive water would not be impacted by OOD deliveries there may be times when pre-1914 surface water is available but cannot be delivered due to capacity limitations within OID's system. During the peak of the irrigation season (generally July-August), OOD landowners can anticipate windows of time where the OID system has reached full capacity from in-district demand and water cannot be delivered to their OOD lands. OID would make as much surface water available as possible within the constraints listed above, without impacting in-district constituents. OID estimates that up to 25,000 acre-feet of water could be conveyed through the system to OOD lands throughout the irrigation season.

An analysis of New Melones Reservoir hydrology with the effects of the Project's proposed water transfer was conducted and is attached in the Hydrology Transfer Memo located in [Appendix B](#) at the end of the Initial Study/Mitigated Negative Declaration (IS/MND). The analysis consists of a baseline operation in which there is no water transferred, and a proposed action operation in which 25,000 acre-feet is transferred in all water year types except critically dry. While the baseline conditions for the IS/MND do include some transferred water (OID has been delivering some OOD water since the mid-1990s), the baseline operation in the Hydrology Transfer Memo consisted of no transferred water for simplicity.

Compared to the analysis baseline, results of the operation comparison primarily show a lessening of reservoir storage in New Melones Reservoir in any year the transfer occurs, and during sequential years this annual depletion can accumulate. The exception to this result occurs in wetter years when the reservoir fills and inflow exceeds downstream demand releases and additional reservoir releases are needed to reach flood control reservoir storage reservation objectives.

Minimum release requirements below Goodwin Dam are always met in both Model scenarios. Due to the additional depletion of reservoir storage in the transfer operation and the subsequent accumulation of less reservoir storage, less release in excess of minimum release requirements will occasionally occur. This outcome will occur during times when reservoir flood control reservation objectives are initially approached in a year or when reservoir management releases occur during the summer. The results of the analysis demonstrate that the proposed Project will not have a significant effect on the storage capacity of New Melones, nor will it cause the cold-water pool to be reached more often than without the Project.

Existing OID policies will remain in effect during the Program term. OID's Fringe Parcels Policy (Policy) applies to those parcels that are partially within the District boundaries and have a total irrigated acreage in excess of that total acreage which lies within the OID boundaries. In accordance with the Policy, these fringe parcels are provided an allocation of water determined by crop type for their in-district acreage at

¹Department of Water Resources California Data Exchange Center can be accessed here: [California Data Exchange Center](#)

in-district rates. Once they have exceeded that allocation, they are billed at the OOD volumetric rate. OOD water can be requested for these fringe parcels if and when it's needed during years when OOD water is determined to be available. These fringe parcels are not required to participate in the 10-year Program to remain eligible to receive OOD water from OID. Additionally, the United States Army Corps of Engineers (USACE) owns and operates the Orange Blossom Park along the Stanislaus River. Through an agreement with OID, the USACE has received OOD water for irrigation of the park. The park is also not required to participate in the 10-year Program to remain eligible to receive OOD water from OID. OOD water deliveries to fringe parcels, as well as to Orange Blossom Park, are accounted for within the 25,000 acre-feet of OOD water anticipated to be conveyed and delivered to OOD lands. Varying levels of construction by the participating landowners are anticipated to be needed in order for these OOD lands to receive OID surplus water. Some landowners have existing canal delivery points (turnouts) and pipelines in place; others are adjacent to an OID canal but require a turnout and short length of new pipeline to be installed; other landowners are not adjacent to OID canals and would require a new turnout and a considerable length of new pipeline to be installed, whether through developed agricultural ground or native ground. The Program also proposes two private reservoirs on private landowner property: one would be up to four acres; and the other would be up to 15 acres (see [Figure 2-2](#) of the IS/MND). These reservoirs are located adjacent to, but not within, parcels that are participating in the Program. While the IS/MND is not intended to include a detailed assessment of each individual private construction project on the lands participating in the Program; the participating parcels would be included in the overall Program footprint and the IS/MND would provide all known anticipated potential impacts based on the parcel location, general construction information and known species of concern in the Program vicinity. A list of suitable mitigation measures based on all known potential impacts within the project footprint would be included in the IS/MND. Landowners of the participating parcels that need new infrastructure would be required to provide an independent biological field study performed by a qualified biologist to evaluate their specific Program area before any construction occurs. All applicable mitigation measures identified in the IS/MND will be followed during construction activities. Should any mitigation measures not identified in the IS/MND be required by the qualified biologist as a result of a site-specific field survey, then a subsequent CEQA review for that specific site would be required. All recommended mitigation measures must be met during construction activities. OID, as lead agency, maintains the right to supervise mitigation and monitoring activities during private construction activities. The following tables detail the Assessor's Parcel Numbers of the 124 parcels that would receive water through the Project. [Table 1](#) lists the parcels that would not require construction to receive water, while [Table 2](#) lists the parcels that would require construction to receive water.

Table 1: Program Parcels – No Construction Necessary to Receive Water

Program Parcels – No Construction Necessary to Receive Water				
001-012-005	002-053-009	002-063-050	002-064-007	002-074-025
001-012-008	002-063-004	002-063-052	002-065-011	002-074-026
001-012-010	002-063-041	002-063-053	002-066-008	010-019-058
001-012-015	002-063-042	002-063-054	002-066-015	010-019-059
002-020-005	002-063-043	002-063-055	002-066-016	011-005-064
002-023-015	002-063-044	002-064-001	002-074-011	011-005-065
002-040-006	002-063-046	002-064-002	002-074-019	011-005-066
002-040-007	002-063-047	002-064-003	002-074-020	011-005-073
002-040-017	002-063-048	002-064-005	002-074-021	
002-040-019	002-063-049	002-064-006	002-074-024	

Table 2: Program Parcels – Construction Required to Receive Water

Program Parcels – Construction Required to Receive Water				
001-011-032	002-072-005	010-020-031	011-005-072	015-002-022
001-011-034	002-072-006	010-084-001	011-006-008	015-002-044
001-011-036	002-072-015	010-084-002	011-006-009	015-081-007
001-011-037	002-072-016	010-084-003	011-006-040	015-081-038
002-020-004	002-072-017	010-084-005	011-006-041	015-081-048
002-020-015	002-072-018	010-084-007	011-006-042	015-081-050
002-021-073	002-072-019	011-003-027	011-006-043	015-081-061
002-054-005	002-072-020	011-005-043	011-006-044	015-081-062
002-054-008	002-072-021	011-005-044	011-006-045	015-082-001
002-054-012	002-072-022	011-005-045	011-006-046	015-082-002
002-064-004	010-015-056	011-005-046	011-006-049	015-082-003
002-064-008	010-015-062	011-005-058	011-007-003	015-082-004
002-072-001	010-015-068	011-005-059	015-001-048	
002-072-002	010-015-073	011-005-060	015-001-049	
002-072-003	010-015-075	011-005-068	015-001-050	
002-072-004	010-020-001	011-005-071	015-001-051	

Construction Schedule

Many of the participants in the Program would not require construction in order to receive water from OID (Table 1). Overall construction needs would include 12 turnouts off of the District’s existing facilities, and up to 12 miles of pipeline to deliver water to some landowner properties, as well as two reservoirs totaling up to 19 acres. Approximate locations of all of these facilities can be seen in Figure 2-2, through Figure 2-15 of the IS/MND. Construction would take place over two years from 2023 to 2025, with the District responsible for constructing all turnouts off of their facilities and landowners responsible for constructing the various pipelines and private reservoirs needed to participate in the Program and receive the water to their parcels. Generally, construction would occur between the hours of 7:00 am and 5:00 pm, Monday through Friday, excluding holidays.

Construction Activities and Equipment

Construction activities would typically include excavation, connection to a District conveyance facility, installation of new pipelines and reservoirs, and installation of flow meters connected to OID’s SCADA system. No new wells would be constructed as part of this Program. Construction equipment would likely include excavators, backhoes, graders, skid steers, loaders, and hauling trucks. Post-construction activities would include system testing, commissioning, and site clean-up. Construction would require temporary staging and storage of materials and equipment. Staging areas would be located onsite.

Operation and Maintenance

Operation and maintenance of new turnouts and pipelines would be largely passive and not require extensive regular maintenance or on-site personnel. The newly constructed facilities would be maintained similarly to existing facilities and site visits to said facilities would take place on an as-needed basis. Any infrastructure installed by private landowners would be their responsibility to maintain.

CHAPTER 5 MITIGATION, MONITORING, AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Project in Stanislaus County. The MMRP lists mitigation measures recommended in the IS/MND for the Program and identifies monitoring and reporting requirements.

Table 5-1: Mitigation, Monitoring, and Reporting Program presents the mitigation measures identified for each project approved within the Program. Each mitigation measure is numbered with a symbol indicating the topical section to which it pertains, a hyphen, and the impact number. For example, AIR-2 would be the second mitigation measure identified in the Air Quality analysis of the IS/MND.

The first column of **Table 5-1: Mitigation, Monitoring, and Reporting Program** identifies the mitigation measure. The second column, entitled “When Monitoring is to Occur,” identifies the time the mitigation measure should be initiated. The third column, “Frequency of Monitoring,” identifies the frequency of the monitoring of the mitigation measure. The fourth column, “Agency Responsible for Monitoring,” names the party ultimately responsible for ensuring that the mitigation measure is implemented. The last columns will be used by the lead and responsible agencies to ensure that individual mitigation measures have been complied with and monitored.

Table 5-1: Mitigation, Monitoring, and Reporting Program

Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
Biological Resources						
General Mitigation Measures						
BIO-1A	(WEAP Training): Prior to initiating construction activities (including staging and mobilization), all personnel associated with Project construction will attend mandatory Worker Environmental Awareness Program (WEAP) training, conducted by a qualified biologist, to aid workers in identifying special status resources that may occur in the APE. The specifics of this program will include identification of the sensitive species and suitable habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. This training will discuss special status species, describe the laws and regulations in place to provide protection of these species, identify the penalties for violation of applicable environmental laws and regulations, and a list of required protective measures to avoid “take.” A fact sheet conveying this information, along with photographs or illustrations of sensitive species with potential to occur onsite, will also be prepared for distribution to all contractors, their employees, and all other personnel involved with construction of the Project. All employees will sign a form documenting that they have attended WEAP training and understand the information presented to them.	Prior to initiating construction activities	Once	OID	Contractor to verify in weekly status report.	
BIO-1B	(BMPs): The Project proponent will ensure that all workers employ the following best management practices (BMPs) in order to avoid and minimize potential impacts to special status species: <ul style="list-style-type: none"> • Vehicles will observe a 15-mph speed limit while on unpaved access routes. • Workers will inspect areas beneath parked vehicles prior to mobilization. If special status species are detected beneath vehicles, the individual will either be allowed to leave of its own volition or will be captured by the qualified biologist (must possess appropriate collecting/handling permits) and relocated out of harm’s way to the nearest suitable habitat beyond the influence of the Project work area. “Take” of a listed (rare, threatened, or endangered) species is prohibited. 	Daily during ground disturbing activities.	Daily	OID	Contractor to verify in weekly status report.	

Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	The presence of any special status species and/or any wildlife mortalities will be reported to the Project's designated biologist and the appropriate regulatory agencies.					
American Badger						
BIO-2A	(Pre-construction Survey): A qualified biologist will conduct a pre-construction survey of Project areas within 30 days prior to vegetation clearing or ground disturbing activities. Goals of this survey include a search for potentially active badger dens and suitable habitat within Project areas for American badger. Environmentally sensitive areas will be flagged for avoidance. If no American badger individuals or suitable burrows are observed, no further mitigation is required.	30 days prior to vegetation clearing or ground disturbing activities.	Daily	OID	Submittal of Pre-construction survey report	
BIO-2B	(Camera Station): If potential dens with dimensions suitable for American badger (diameter of four (4) inches or greater) are detected during pre-construction surveys, each potential den will be monitored by a qualified biologist with remote camera stations for a period of three consecutive nights. If there is no activity at the den location recorded for three consecutive nights, the den can be deemed "inactive" or "unoccupied" and will be sealed or destroyed within 24 hours of the inactive findings.	Prior to initiating construction activities	Prior to initiating construction activities	OID	Verified in writing by a qualified biologist.	
BIO-2C	(Den Avoidance/Buffers): If an American badger is denning on or within 50 feet of the Project site, the Project proponent will avoid the den by a minimum 50-foot buffer. If the 50-foot buffer cannot be maintained, the Project proponent will contact CDFW for guidance on how to proceed.	Prior to initiating construction activities	Prior to initiating construction activities	OID	Biologist verifies buffer.	
BIO-2D	(Consultation/ITP): Badgers will not be evicted from dens without CDFW consultation/ coordination. In the event an active den is detected during surveys and cannot be avoided, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b) is necessary to comply with CESA.	Prior to the start of construction and ground disturbing activities	Prior to the start of construction and ground disturbing activities	OID	Record of consultation and/or ITP submitted to OID	
Bald Eagle						
BIO-3A	(Pre-construction Survey): If activities must occur within breeding season (February 1 to August 31), a qualified biologist will conduct pre-construction surveys for eagle nests within 30 days prior to the start of construction. The survey will include the proposed work area and surrounding lands within one mile. Eagle nests are considered "active" upon the nest-building stage.	If activities must occur within breeding season (February 1 to August 31)	Prior to initiating construction activities	OID	Submittal of pre-construction survey.	

Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance																							
BIO-3B	(Establish Buffers): On discovery of an active eagle nest near work areas, the following no-disturbance buffers will be maintained around each nest: 660-foot no-disturbance buffer. If a 660-foot buffer zone is infeasible, the Project proponent will contact CDFW for guidance on how to proceed.	On discovery of an active eagle nest near work areas	Prior to and during the start of construction and ground disturbing activities	OID	Verified in writing by a qualified biologist.																								
BIO-3C	(Reporting): All detected eagle nests will be reported to CDFW and USFWS immediately. This includes any nest that has been used by an eagle in the past or is being used currently as a primary or alternate nest site. The discovery of any eagle carcasses and any non-lethal or lethal incidental "take" of these species will be reported to CDFW and USFWS immediately.	Daily during ground disturbing activities.	Daily	OID	Record of consultation and/or ITP submitted to OID																								
Burrowing Owl																													
BIO-4A	(Pre-construction Take Avoidance Survey): A qualified biologist will conduct a pre-construction take avoidance survey for burrowing owls and suitable burrows, in accordance with CDFW's <i>Staff Report on Burrowing Owl Mitigation</i> (2012), within 30 days prior to the start of construction activities. The survey shall include the proposed work area and surrounding lands within 500 feet. If no burrowing owl individuals or suitable burrows are observed, no further mitigation is required.	Prior to initiating construction activities	Prior to the start of construction and ground disturbing activities	OID	Submittal of pre-construction survey.																								
BIO-4B	(Avoidance): If an active burrowing owl burrow is detected, the occurrence shall be reported to the local CDFW office and the CNDDDB, and disturbance-free buffers shall be implemented in accordance with CDFW's 2012 Staff Report on Burrowing Owl Mitigation, as outlined in the table below: <table border="1" data-bbox="478 971 873 1117"> <thead> <tr> <th rowspan="2">Location</th> <th rowspan="2">Time of Year</th> <th colspan="3">Level of Disturbance</th> </tr> <tr> <th>Low</th> <th>Medium</th> <th>High</th> </tr> </thead> <tbody> <tr> <td>Nesting sites</td> <td>April 1 – August 15</td> <td>200 meters</td> <td>500 meters</td> <td>500 meters</td> </tr> <tr> <td>Nesting sites</td> <td>August 16 – October 15</td> <td>200 meters</td> <td>200 meters</td> <td>500 meters</td> </tr> <tr> <td>Nesting sites</td> <td>October 16 – March 31</td> <td>50 meters</td> <td>100 meters</td> <td>500 meters</td> </tr> </tbody> </table>	Location	Time of Year	Level of Disturbance			Low	Medium	High	Nesting sites	April 1 – August 15	200 meters	500 meters	500 meters	Nesting sites	August 16 – October 15	200 meters	200 meters	500 meters	Nesting sites	October 16 – March 31	50 meters	100 meters	500 meters	Prior to initiating construction activities	Prior to the start of construction and ground disturbing activities	OID	Verified in writing by a qualified biologist.	
Location	Time of Year			Level of Disturbance																									
		Low	Medium	High																									
Nesting sites	April 1 – August 15	200 meters	500 meters	500 meters																									
Nesting sites	August 16 – October 15	200 meters	200 meters	500 meters																									
Nesting sites	October 16 – March 31	50 meters	100 meters	500 meters																									
BIO-4C	(Consultation with CDFW and Passive Relocation): If avoidance of an active burrowing owl burrow is not feasible, CDFW will be immediately consulted to determine the best course of action, which may include passive relocation during non-breeding season. Passive relocation and/or burrow exclusion will not take place without coordination with CDFW and preparation of an approved exclusion and relocation plan.	Prior to initiating construction activities	Prior to the start of construction and ground disturbing activities	OID	Record of consultation and/or ITP submitted to OID																								
California tiger salamander																													
BIO-5A	(Avoidance): The Project's construction activities should occur, if feasible, between May 1 and September 30 (outside of wet	Prior to initiating construction activities	Prior to initiating construction activities	OID	Submittal of construction																								

Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	season) in an effort to avoid impacts to California tiger salamander.				schedule to OID.	
BIO-5B	(Exclusion fencing): If the Project must occur during the wet season (May 1 – September 30), the Project should install exclusion fencing around active construction to ensure California tiger salamanders do not enter the site during construction. Exclusion fencing materials, size, and placement should follow wildlife agency guidelines appropriate for the species.	Prior to initiating construction activities	Prior to the start of construction and ground disturbing activities	OID	Verified in writing by a qualified biologist.	
BIO-5C	(Formal Consultation): If any California tiger salamanders are observed during construction, work should stop immediately. A qualified wildlife biologist, approved to handle and remove California tiger salamander should be called to identify and remove the species. If take of any individual California tiger salamanders occurs, USFWS should be notified immediately, and the qualified biologist should remain onsite as a monitor during construction activities to provide protection of the species.	Prior to initiating construction activities	Prior to the start of construction and ground disturbing activities	OID	Record of consultation submitted to OID.	
Conservancy Fairy Shrimp, Vernal Pool Fairy Shrimp, and Vernal Pool Tadpole Shrimp						
BIO-6A	(Desktop Survey): A qualified biologist will perform a desktop survey of the APE and an additional 100-foot survey area around the designated APE to determine if appropriate habitat for vernal pool fairy shrimp or vernal pool tadpole shrimp exists within the Project area or has existed in the past. If no suitable habitat is observed, no further mitigation is required.	Prior to the start of construction and ground disturbing activities	Prior to initiating construction activities	OID	Submittal of desktop survey.	
BIO-6B	(Avoidance): On discovery of suitable habitat for special status fairy shrimp, a qualified biologist will determine appropriate construction setback (buffer zones) based on applicable CDFW and/or USFWS guidelines, if appropriate. Please refer to MM BIO-3 Vernal Pools for buffer zones. Construction buffers will be identified with flagging, fencing, or other easily visible means. If appropriate buffer zones cannot be maintained throughout Project activities the Project will not be able to proceed.	Prior to the start of construction and ground disturbing activities	Prior to initiating construction activities	OID	Verified in writing by a qualified biologist.	
BIO-6C	(Project Relocation): If the Project proponent wants to avoid the permitting process, project activities will be moved to provide the appropriate buffer zone identified in MM BIO-3c.	Prior to the start of construction and ground disturbing activities	Prior to the start of construction and ground disturbing activities	OID	Submittal of new Project location.	
Crotch Bumble bee and Western Bumble Be						
BIO-7A	(Pre-Construction Survey): A qualified biologist will survey the Project work area during spring or fall prior to the start of Project activities to identify whether over-wintering, nesting, or foraging habitats of the Crotch bumble bee or Morrison	Prior to initiating construction activities	Prior to the start of construction and ground disturbing activities	OID	Submittal of pre-construction survey	

Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	bumble bee are present on or within 100 feet of the Project work area. If no suitable habitat is observed, no further mitigation is required.					
BIO-7B	(Visual Surveys): If suitable habitat is identified in the Project work area, a qualified biologist will conduct visual surveys during the flying period between March 1 to September 1 prior to Project activity. If an individual or nest is observed, no Project activities will occur until CDFW has been consulted.	Prior to the start of construction and ground disturbing activities	Prior to the start of construction and ground disturbing activities	OID	Verified in writing by a qualified biologist.	
BIO-7C	(Formal Consultation): The qualified biologist will consult with CDFW if an individual or a nest is observed. Work will not occur until CDFW determines distances for disturbance-free buffers, or a plan to protect the Crotch bumble bee/western bumble bee, including over-wintering queens, has been submitted to and approved in writing by CDFW.	Prior to the start of construction and ground disturbing activities	Prior to the start of construction and ground disturbing activities	OID	Record of consultation and/or ITP submitted to OID	
Giant Garter snake						
BIO-8A	(Pre-construction Survey): A qualified biologist shall conduct a pre-construction survey of Project areas within 30 days prior to vegetation clearing or ground disturbing activities. If evidence of a suitable habitat for giant garter snake is detected on pre-construction surveys, construction monitoring will be required.	Prior to initiating construction activities	Prior to the start of construction and ground disturbing activities	OID	Submittal of pre-construction survey	
BIO-8B	(Monitor): A qualified biologist will conduct a pre-activity clearance survey each day and remain onsite to oversee all vegetation clearing and ground disturbing activities conducted within suitable habitat for giant garter snake. The biological monitor must possess required collecting/handling permits. If a special status reptile or amphibian is observed within Project areas, the biologist will stop work order and the individual will either be allowed to leave of its own volition or will be captured by the qualified biologist and relocated out of harm's way to the nearest suitable habitat beyond the influence of the Project work area. "Take" of listed (rare, threatened, or endangered) is prohibited. If a listed species is observed within the Project area, the biologist will stop work and contact the appropriate regulatory agency (CDFW and/or USFWS) for guidance on how to proceed.	Daily during construction activities	Daily during construction activities	OID	Verified in writing by a qualified biologist.	
Monarch Butterfly						
BIO-9A	(Pre-Construction Survey): A qualified biologist will survey the Project work area within 7 days prior to the start of Project activities to identify whether over-wintering or foraging habitats of the Monarch butterfly are present on or within 100 feet of the Project work area. If no individuals or suitable habitat is observed, no further mitigation is required.	Prior to initiating construction activities	Prior to initiating construction activities	OID	Submittal of pre-construction survey	

Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
BIO-9B	(Visual Surveys): If suitable habitat is identified buffer zones of 100 feet will be provided using exclusion fencing. If habitat cannot be avoided, a qualified biologist will conduct visual surveys between October through May prior to Project activity. Surveys will not take place when daytime temperatures are below 55 degrees Fahrenheit. If an individual or colony is observed, no Project activities will occur until CDFW has been consulted.	Prior to initiating construction activities	Prior to initiating construction activities	OID	Verified in writing by a qualified biologist.	
BIO-9C	(Consultation with CDFW): The qualified biologist will consult with CDFW if an individual or a colony is observed. Work will not occur until a plan to protect the Monarch butterfly, including over-wintering colonies, has been submitted and approved in writing by CDFW.	Prior to initiating construction activities	Prior to initiating construction activities	OID	Record of consultation and/or ITP submitted to OID	
Nesting Birds						
BIO-10A	(Avoidance): The Project's construction activities will occur, if feasible, between September 16 and January 31 (outside of nesting bird season) in an effort to avoid impacts to nesting birds.	Prior to initiating construction activities	Prior to initiating construction activities	OID	Submittal of construction schedule to OID.	
BIO-10B	(Pre-construction Surveys): If activities must occur within nesting bird season (February 1 to September 15), a qualified biologist would conduct pre-construction surveys for Swainson's hawk nests onsite and within a 0.5-mile radius. This survey would be conducted in accordance with the <i>Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley</i> (Swainson's Hawk Technical Advisory Committee, 2000) or current guidance. The pre-construction survey would also provide a presence/absence survey for all other nesting birds within the APE and an additional 50 feet, no more than 7 days prior to the start of construction. All raptor nests would be considered "active" upon the nest-building stage.	If activities must occur within nesting bird season (February 1 to September 15), prior to the start of ground disturbing and construction activities	Prior to initiating construction activities	OID	Submittal of pre-construction survey	
BIO-10C	(Establish Buffers): On discovery of any active nests or breeding colonies near work areas, the biologist will determine appropriate construction setback distances based on applicable CDFW and/or USFWS guidelines and/or the biology of the species in question. Construction buffers will be identified with flagging, fencing, or other easily visible means, and will be maintained until the biologist has determined that the nestlings have fledged.	Prior to initiating construction activities	Prior to initiating construction activities	OID	Verified in writing by a qualified biologist.	
BIO-10D	(Consultation with CDFW): In the event that a Tricolored Blackbird nesting colony is detected during surveys, consultation with CDFW is warranted to discuss whether the Project can avoid take and, if take avoidance is not feasible, to	Prior to initiating construction activities	Prior to the start of construction and ground disturbing activities	OID	Record of consultation and/or ITP	

Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	acquire an incidental take permit for Tricolored Blackbird pursuant to Fish and Game Code section 2081, subdivision (b), prior to any Project activities.				submitted to OID	
Northern California Legless Lizard						
BIO-11A	(Avoidance): The Project’s construction activities will occur, if feasible, outside of areas that contain loose soil or leaf litter which are suitable habitats for legless lizards. If no individuals or suitable habitat is observed, no further mitigation is required.	Prior to initiating construction activities	Prior to initiating construction activities	OID	Submittal of construction schedule to OID.	
BIO-11B	(Pre-construction Surveys): If activities must occur in areas that contain loose soil and leaf litter a qualified biologist will conduct pre-construction surveys within 48 hours prior to beginning any Project activities. Any loose substrate in which lizards could bury themselves will be gently raked with a hand tool (e.g., a garden rake) to a depth of two inches to locate any lizards that could be under the surface.	Prior to initiating construction activities	Prior to the start of construction and ground disturbing activities	OID	Submittal of Pre-construction survey report.	
BIO-11C	(Consulting Agencies): On discovery of any Northern California legless lizards, the biologist will consult CDFW and/or USFWS to determine adequate buffers and mitigation since no guidelines currently exist for this species.	Prior to initiating construction activities	Prior to the start of construction and ground disturbing activities	OID	Record of consultation submitted to OID.	
San Joaquin kit fox						
BIO-12A	(Pre-Construction Survey): No less than 14 days and no more than 30 days prior to the start of construction, a pre-construction survey for San Joaquin kit fox will be conducted on and within 500 feet of proposed work areas. If no suitable habitat or potential dens are observed, no further mitigation is required.	No less than 14 days and no more than 30 days prior to the start of construction	Prior to construction	OID	Submittal of Pre-construction survey report.	
BIO-12B	(Establish Buffers): On discovery of any potential SJKF dens near the Project area a qualified biologist will determine appropriate construction setback distances (buffer zones) based on applicable CDFW and/or USFWS guidelines (below). If buffer distances cannot be maintained, a focused survey would be required. Construction buffers will be identified with flagging, fencing, or other easily visible means, and will be maintained until the biologist has determined that the den will no longer be impacted by construction. <ol style="list-style-type: none"> 1. At least 100 feet around den(s); 2. At least 200 feet around natal dens (which SJKF young are reared); and At least 500 feet around any natal dens with pups (except for any portions of the buffer zone that is already fully developed).	On discovery of any potential SJKF dens near the Project area	Daily	OID	Verified in writing by a qualified biologist.	

Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
BIO-12C	(Focused Surveys): If a potential San Joaquin kit fox den is detected within 500 feet of construction activities and buffer distances cannot be maintained, a Focused Survey will be performed in accordance with the <i>USFWS 2011 Standardized Recommendations for Protection of the San Joaquin Kit Fox</i> (United States Fish & Wildlife Service 2022).	If a potential San Joaquin kit fox den is detected within 500 feet of construction activities and buffer distances cannot be maintained	Daily during ground disturbing and construction activities	OID	Submittal of Focused survey report.	
BIO-12D	(Cover Excavations/Mortality Reporting): Pipes or culverts with a diameter greater than 4 inches will be capped or taped closed when it is ascertained that no SJKF are present. Any SJKF found in a pipe or culvert will be allowed to escape unimpeded. The Sacramento Field Office of USFWS and the Fresno Field Office of CDFW will be notified in writing within three working days in the case of the accidental death or injury to a San Joaquin kit fox during construction. Notification must include the date, time, and location of the incident and any other pertinent information.	Prior to the start of ground disturbing and construction activities	During construction and ground disturbing activities	OID	Verified in writing by a qualified biologist.	
Special Status Bat						
BIO-13A	(Operational Hours): Construction activities shall be limited to daylight hours to reduce potential impacts to special status bats that could be foraging onsite.	During construction activities	Daily	OID	Verified by OID	
Valley Elderberry Longhorn Beetle						
BIO-14A	(Pre-Construction Survey): A qualified biologist will conduct a pre-construction survey within the APE and an additional 100-foot survey area around the designated APE for elderberry plants suitable to host Valley elderberry longhorn beetle (VELB) in areas where vegetation removal will occur 30 days prior to the start of construction. If no individuals or suitable habitat is observed, no further mitigation is required.	Prior to ground disturbing activities and vegetation removal	Prior to construction	OID	Submittal of a Pre-construction survey.	
BIO-14B	(Avoidance): If elderberry plants are identified, construction buffers will be placed around the plant(s). Complete avoidance (i.e., no adverse effects) may be assumed when a 100-foot buffer is established and maintained around all elderberry plants. If complete avoidance of all elderberry plants cannot be maintained, then a focused survey according to USFWS's <i>Conservation Guidelines for the Valley Elderberry Longhorn Beetle</i> (United States Environmental Protection Agency 2022), will be required.	If elderberry plants are identified	Daily	OID	Verified in writing by a qualified biologist.	
BIO-14C	(Focused Survey): If elderberry plants are identified a focused survey will be performed between March and June when VELB adults are active. All plants will be inspected to determine if they have stems measuring 1.0 inch or greater in diameter at ground level. Elderberry plants containing stems measuring 1.0	If elderberry plants are identified a focused survey will be performed	Prior to initiating construction activities	OID	Submittal of focused survey.	

Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	inch or greater in diameter at ground level will be inspected for exit holes within the stems as they have the potential to host VELB. If the Elderberry shrubs have no stems measuring 1.0 inch or greater in diameter at ground level, they are unlikely to be habitat for the beetle because of their small size and/or immaturity. Therefore, no minimization measures are required for removal of elderberry plants with no stems measuring 1.0 inch or greater in diameter at ground level with no exit holes. If suitable VELB host plants are found and cannot be avoided, then CDFW will be consulted on how to proceed.	between March and June				
BIO-14D	(Formal Consultation): If suitable VELB host plants are detected within Project work areas during the pre-construction survey, and the plants cannot be avoided, the Project proponent will initiate consultation with CDFW and/or USFWS to determine next steps for relocation or to obtain an Incidental Take Permit (ITP).	Prior to the start of construction	Prior to initiating construction activities	OID	Record of consultation submitted to OID.	
Western Pond Turtle						
BIO-15A	(Pre-construction Survey): No more than thirty (30) days prior to the start of construction, a qualified biologist will conduct a pre-construction survey for western pond turtle within the District's Canals, as well as adjacent to the proposed work area. Pre-construction surveys will be conducted in accordance with the <i>United States Geological Survey Western Pond Turtle (Emys marmorata) Visual Survey Protocol for the Southcoast Ecoregion</i> (United States Geological Survey 2006). Surveys will be conducted outside of winter months (December – February). If no western pond turtles are observed during the pre-construction survey, then construction activities may begin. If construction is delayed or halted for more than 90 days, another pre-construction survey for western pond turtle will be conducted. If the surveys result in the identification of a special status species, the qualified biologist should determine if appropriate buffers can be implemented to avoid impacts to the individual(s) or if further surveys are required to avoid impacts to potential nesting sites.	No more than thirty (30) days prior to the start of construction	Prior to construction	OID	Submittal of Pre-construction survey report.	
BIO-15B	(Monitor): If species observations are found, a qualified biologist will conduct a pre-activity clearance survey each day and remain onsite to oversee all vegetation clearing and ground disturbing activities conducted within suitable habitat for western pond turtle. If a listed species is observed within the Project area, the biologist will stop work and allow the species to leave the site of its own volition or contact the	If species observations are found	During construction and ground disturbing activities	OID	Submittal of pre-activity clearance survey.	

Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	appropriate regulatory agency (CDFW and/or USFWS) for guidance on how to proceed.					
BIO-15C	(ITP): In the event western pond turtles are detected during surveys and cannot be avoided, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b) is necessary to comply with CESA.	In the event western pond turtles are detected during surveys and cannot be avoided	During construction and ground disturbing activities	OID	Record of consultation submitted to OID	
Western Spadefoot						
BIO-16A	(Pre-construction Survey): A qualified biologist will conduct a preconstruction survey within thirty (30) days prior to the start of construction. The goal of this survey will be to identify if any suitable breeding or upland habitat is present within the APE and an additional 100-foot survey area around the designated APE. If no individuals or suitable habitat is observed, no further mitigation is required.	Within thirty (30) days prior to the start of construction	Prior to construction	OID	Submittal of Pre-construction survey report.	
BIO-16B	(Avoidance): On discovery of any suitable habitat near work areas, the biologist will determine appropriate construction setback distances based on applicable CDFW and/or USFWS guidelines for western spadefoot. Construction buffers will be identified with flagging, fencing, or other easily visible means, and will be maintained until the end of the Project. If appropriate construction buffers cannot be maintained a focused survey will be required to determine if western spadefoots are found within the Project area or 100 feet from the Project.	On discovery of any suitable habitat near work areas	During construction and ground disturbing activities	OID	Verified in writing by a qualified biologist.	
BIO-16C	(Focused Survey): If appropriate buffers cannot be maintained, a qualified biologist will conduct a focused survey during the known peak breeding months of this species (February-March), prior to the start of construction. Transects will be walked throughout the entire APE and surrounding lands within 100 feet and vantage points will be used to survey for standing water. If no western spadefoots adults or larvae are observed during the survey, then construction activities may begin. If the survey results in the identification of this special status species, a qualified biologist will consult CDFW to determine if appropriate buffers can be implemented to avoid impacts to individual(s) during construction.	If appropriate buffers cannot be maintained, a qualified biologist will conduct a focused survey during the known peak breeding months of this species (February-March)	Prior to initiating construction activities	OID	Submittal of focused survey.	
BIO-16D	(Monitor): If species observations are found, a qualified biologist will conduct a pre-activity clearance survey each day and remain onsite to oversee all vegetation clearing and ground disturbing activities conducted within suitable habitat for western spadefoot. If a listed species is observed within the	Prior to the start of ground disturbing and construction activities	Prior to initiating construction activities	OID	Submittal of pre-activity clearance survey.	

Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	Project area, the biologist will stop work and allow the species to leave the site of its own volition or contact the appropriate regulatory agency (CDFW and/or USFWS) for guidance on how to proceed.					
BIO-16E	(Formal Consultation): If western spadefoots are detected during surveys and cannot be avoided, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP pursuant to Fish and Game Code section 2081, subdivision (b) is necessary to comply with CESA.	Prior to the start of ground disturbing and construction activities	Prior to initiating construction activities	OID	Record of consultation submitted to OID.	
Special Status Plant Species						
BIO-17A	(Pre-Construction Survey): A qualified botanist/biologist will conduct focused botanical surveys for Ahart's dwarf rush, beaked clarkia, Colusa grass, delta button-celery, dwarf downingia, Greene's tuctoria, hairy Orcutt grass, Hartweg's golden sunburst, heartscale, Hoover's calycadenia, Merced monardella, Pincushion navarettia, San Joaquin Valley Orcutt grass, spiny-sepaled button-celery, Stanislaus monkeyflower, subtle orache, succulent owl's-clover, Tuolumne button-celery, and veiny monardella according to CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (2018) for areas where ground disturbance will occur and prior to the start of construction.	Prior to the start of ground disturbing and construction activities	Prior to construction	OID	Submittal of preconstruction survey report.	
BIO-17B	(Avoidance): If special status plants are identified during a survey, a disturbance-free buffer and use of exclusion fencing will be placed around the area so as not to disturb the plants or their root system.	If special status plants are identified during a survey	During construction and ground disturbing activities	OID	Verified by a qualified biologist.	
BIO-17C	(Formal Consultation): If rare plant individuals or populations or sensitive natural communities are detected within Project work areas during the focused botanical survey, and the plants cannot be avoided, the Project proponent will initiate consultation with CDFW and/or USFWS to determine next steps for relocation or to obtain an Incidental Take Permit (ITP).	If rare plant individuals or populations or sensitive natural communities are detected within Project work areas during the focused botanical survey	Prior to initiating construction activities	OID	Record of consultation submitted to OID.	
Sensitive Natural Communities						
BIO-18A	(Desktop Survey): A qualified biologist will perform a desktop survey of the project area to determine if Northern Hardpan Vernal Pool, other vernal pools, riparian habitat, Critical Habitat, or other sensitive natural communities exist within the	Prior to the start of ground disturbing and construction activities	Prior to the start of ground disturbing and construction activities	OID	Submittal of preconstruction survey report.	

Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	Program area or has existed in the past. If no suitable habitat is observed, no further mitigation is required.					
BIO-18B	(Pre-construction Survey): If areas with suitable habitat were found during the Desktop Survey a qualified biologist will conduct a pre-construction survey of Project areas prior to approving the Project.	Prior to the start of ground disturbing and construction activities	Prior to construction	OID	Submittal of preconstruction survey report.	
BIO-18C	(Avoidance): On discovery of a sensitive natural community, or in the presence of designated Critical Habitat a qualified biologist will determine appropriate construction setback distances (buffer zones) and/or based on applicable CDFW and/or USFWS guidelines. A qualified biologist will determine if this is adequate or if site-specific buffers must be implemented. Construction buffers will be identified with flagging, fencing, or other easily visible means. If appropriate buffer zones cannot be maintained throughout Program activities the Program proponent will need to obtain all necessary permits required by federal, state, and local regulatory agencies.	On discovery of a sensitive natural community	During construction and ground disturbing activities	OID	Qualified biologist will verify buffers.	
Regulated Waters, Wetlands, and Water Quality						
BIO-19A	(Desktop Survey): A qualified biologist will perform a desktop survey of the project area to determine if potential jurisdictional waters or wetlands as defined by Section 404 of the Clean Water Act are present within the Project area or have existed in the past. If no potential jurisdictional waters/wetlands are observed, no further mitigation is required.	Prior to the start of ground disturbing and construction activities	Prior to construction	OID	Submittal of Desktop Survey	
BIO-19B	(Delineation): If areas with suitable habitat were found during the Desktop Survey a qualified biologist will conduct a delineation of Project areas to identify potential jurisdictional waters/wetlands prior to approving the Project.	If areas with suitable habitat were found during	Prior to construction	OID	Verified in writing by a qualified biologist.	
BIO-19C	(Permits and regulations): If potential jurisdictional waters or wetlands are determined to be within the APE or impacted by Project activities, the proponent will ensure all required permits are obtained with all appropriate federal, state, and local regulatory agencies.	If potential jurisdictional waters or wetlands are determined to be within the APE or impacted by Project activities	Prior to construction	OID	Submittal of required permits to OID.	
Wildlife Movement Corridors and Native Wildlife Nursery Sites						
BIO-20A	(Pre-construction Survey): A qualified biologist will conduct a pre-construction survey of construction areas prior to approval. This survey will look for wildlife movement corridors and native wildlife nursery sites. If no suitable habitat is observed, no further mitigation is required.	Prior to the start of ground disturbing and construction activities	Prior to construction	OID	Submittal of preconstruction survey report.	

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BIO-20B	(Operational Hours): Construction activities will be limited to daylight hours to reduce potential impacts to wildlife movement corridors.	Daily during ground disturbing activities.	Daily during ground disturbing activities.	OID	Contractor to verify in weekly status report.	
BIO-20C	(Wildlife Access): At no point will access be blocked outside of construction hours or during overnight hours or weekends. If construction must block both sides of a wildlife access route, an alternative route through the construction area will be identified by a qualified biologist and maintained throughout the construction schedule timeframe.	During construction and ground disturbing activities	Daily during ground disturbing activities.	OID	Contractor to verify in weekly status report.	
BIO-20D	(Cover Excavations): Pipeline/culvert/siphon excavations and vertical pipes shall be covered each night to prevent wildlife from falling in and becoming trapped or injured during migratory or dispersal movements.	Every night during construction activities	During construction and ground disturbing activities	OID	Contractor to verify in weekly status report.	
Cultural Resources						
CUL-1	(Archaeological Resources): In the unlikely event that archaeological resources (sites, features or artifacts) are unearthed or exposed during any stage of Project construction activities, work in the area of discovery will cease until the area is evaluated by a qualified archaeologist. If mitigation is warranted, the project proponent will abide by recommendations of the archaeologist on site.	Daily during ground disturbing activities.	Daily during ground disturbing activities.	OID	Verification of consultation with a qualified archaeologist.	
CUL-2	(Human Remains): In the unlikely event that any human remains are discovered on the Project site, the appropriate County Coroner (Stanislaus County) must be notified of the discovery (California Health and Safety Code, Section 7050.5) and all activities in the immediate area of the find or in any nearby area reasonably suspected to overlie adjacent human remains must cease until appropriate and lawful measures have been implemented. If the Coroner determines that the remains are not recent, but rather of Native American origin, the Coroner will notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours to permit the NAHC to determine the Most Likely Descendent of the deceased Native American.	Daily during ground disturbing activities.	Daily during ground disturbing activities.	OID	Verification of consultation with Stanislaus County.	
Geology and Soils						
GEO-1	Should paleontological resources be encountered on the Project site, all ground disturbing activities in the area shall stop. A qualified paleontologist shall be contacted to assess the discovery. Mitigation may include monitoring, recording the fossil locality, data recovery and analysis, a final report. Public educational outreach may also be appropriate. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and	Upon discovery	Upon discovery	OID	Record of consultation with a qualified paleontologist submitted to OID.	

Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	submitted to the Oakdale Irrigation District for review, and (if paleontological materials are recovered) a paleontological repository, such as the University of California Museum of Paleontology.					
Hazards and Hazardous Materials						
	See WLD-1 outlined in Wildfire.					
Tribal Cultural Resources						
	See CUL-1 outlined above in Cultural Resources.					
	See CUL-2 outlined above in Cultural Resources.					
Wildfire						
WLD-1	<p>OID and/or its contractors shall abide by all fire safety measures discussed below during construction, operation, and maintenance.</p> <ul style="list-style-type: none"> All construction vehicles shall have fire suppression equipment Construction personnel shall park vehicles within roads, road shoulders, graveled areas, and/ or cleared areas (i.e., away from dry vegetation) wherever such surfaces are present at the construction site. Construction workers shall receive training on the proper use of fire-fighting equipment and procedures to be followed in the event of a fire. No smoking shall be permitted at the construction site and/or near construction vehicles. Before use of construction equipment that has the potential to produce a spark (e.g., welding), OID and/or its contractors would water the surrounding area prior to work. 	Daily, during construction	Daily	OID	Contractor to verify in weekly status report.	

Table Notes