

FLUME 45 CRITICAL WATER SYSTEM INFRASTRUCTURE PROJECT

Final Environmental Impact Report

Prepared By:



El Dorado Irrigation District
2890 Mosquito Road
Placerville, California 95667

May 2025

Final Environmental Impact Report

**El Dorado Irrigation District
Flume 45 Critical Water System
Infrastructure Project**

State Clearinghouse Number: 2024091018

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May 2025

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Acronyms and Abbreviations

BMP	best management practice
BRA	Biological Resources Area
BSA	biological study area
CDFW	California Department of Fish and Wildlife
CESA	California Endangered Species Act
CEQA	California Environmental Quality Act
County	El Dorado County
District	El Dorado Irrigation District
EID	El Dorado Irrigation District
EIR	Environmental Impact Report
ESA	Federal Endangered Species Act
FWARG	Far Western Anthropological Group
FERC	Federal Energy Regulatory Commission
FYLF	foothill yellow-legged frog
IS	Initial Study
LTS	less than significant
MSE	mechanically stabilized earth
NOA	Notice of Availability
NOI	Notice of Intent
NOP	Notice of Preparation
PRC	California Public Resources Code
Project	Critical Water System Infrastructure Project
USFS	U.S. Forest Service
USFWS	U.S. Fish and Wildlife Service

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Chapter 1. Introduction

1.1 Purpose

This Final Environmental Impact Report (Final EIR) document has been prepared in accordance with California Environmental Quality Act (CEQA) as amended (Public Resources Code [PRC] section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations [CCR] section 15000 et seq.). Before approving a project, a lead agency must prepare a Final EIR (CCR Section 15089[a]). According to the CEQA Guidelines (CCR Section 15132) the Final EIR shall consist of the following:

1. The Draft Environmental Impact Report (Draft EIR) or a revision of the Draft EIR;
2. Comments and recommendations received on the Draft EIR either verbatim or in summary;
3. A list of persons, organizations, and public agencies comments on the Draft EIR;
4. The responses of the lead agency to significant environmental points raised in the review and consultation process; and
5. Any other information added by the lead agency.

The Final EIR is the document that decision-makers in the lead and responsible agencies consider before approving or denying a project. Completion and certification of the Final EIR precede the lead agency's determination of whether to approve or carry out the project (CCR Section 15089[a] and Section 15090[b]), and its adoption of findings (required by PRC Section 21081 and CCR Section 15091 and Section 15093).

As the lead agency for the Flume 45 Critical Water System Infrastructure Project (Project), the El Dorado Irrigation District (District or EID) has prepared this Final EIR in accordance with the CEQA Guidelines. This Final EIR provides documentation of the comments received on the Draft EIR (State Clearinghouse # 2024091018), a response to these comments, necessary text revisions to the Draft EIR, clarifying information, and the Mitigation Monitoring and Reporting Program (MMRP). The publicly circulated DEIR described the environmental consequences associated with the implementation of the Project and identified mitigation measures to reduce potentially significant impacts.

1.2 Environmental Review Process

According to the CEQA Guidelines, lead agencies are required to consult with public agencies having jurisdiction over a proposed project and to provide the agencies and the public with an opportunity to comment on the DEIR. Those processes are described below.

1.2.1 Notice of Preparation Process

In accordance with CEQA Guidelines Section 15082(a), the District distributed a NOP of a Draft EIR, including the IS discussed above, on September 25, 2024. The NOP/IS was circulated to provide the public an opportunity to provide comments on the scope of the analysis that should be included in this Draft EIR. The public scoping comment period closed on October 25, 2024. A public scoping meeting was not held. In addition, the District coordinated and provided the El Dorado County Historical Museum with additional information on the project and the historic rock wall on the project site. A copy of the NOP including the IS is provided in Appendix A.

1.2.2 Draft Environmental Impact Report Process

The Draft EIR was made available for public review on February 21, 2025, and was distributed to local and State of California (State) responsible and trustee agencies. The CEQA-mandated 45-day review and comment period for the public and agencies ended on April 11, 2025.

Pursuant to Section 15087 of the CEQA Guidelines, a public Notice of Availability (NOA) of the Draft EIR was given. Section 15087 of the CEQA Guidelines requires that the NOA (a) be mailed to the last known name and address of all organizations and individuals who have previously requested such notice in writing, and (b) be provided via at least one of the following procedures:

1. NOA publication in a newspaper of general circulation in the area affected by the project at least once. If more than one area is affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas.
2. NOA posting on and offsite in the area where the project is to be located.
3. NOA direct mailing to the owners and occupants of property contiguous to the parcels on which the project is located. Owners of such property shall be identified as shown on the latest equalized assessment roll.

The NOA was also published in the Mountain Democrat newspaper at the time of publication of the Draft EIR. The NOA, Draft EIR, and appendices were made available at EID's website (www.eid.org/ceqa) and at the District Customer Service Building, 2890 Mosquito Road, Placerville, California. The NOA was also posted at the following locations:

- El Dorado County Recorder-Clerk Placerville Office, 360 Fair Lane, Placerville, California
- Placerville Main Public Library, 345 Fair Lane, Placerville, California
- Pollock Pines Public Library, 6210 Pony Express Trail, Pollock Pines, California

During the comment period the District received a total of one comment letter. A copy of written comments received are included in Chapter 2.0 of this document.

1.2.3 Final Environmental Impact Report Process

Consistent with CEQA Guidelines (Section 15132) the Final EIR includes the following: (1) necessary revisions to the Draft EIR; (2) comments received on the Draft EIR; (3) responses to significant environmental points raised in the review process and to comments on environmental issues; and (4) related information to clarify and amplify the contents of the Draft EIR.

The Final EIR includes the comments received regarding the Draft EIR, as well as the District's responses to comments, and incorporates the Draft EIR by reference. The District evaluated the comments received on environmental issues and prepared written responses to those comments. In addition, the District provided a written response for each CEQA-related comment received during the public review period.

The Final EIR also includes revisions to the Draft EIR and clarifications added to the Draft EIR after the public review period (Section 3.0, Draft EIR Text Revisions). These changes and additional clarifying information do not require recirculation of the Draft EIR because they do not constitute "significant new information" (Section 15088.5). The clarifications do not assess new significant impacts or entail substantial increases in the severity of the impacts analyzed in the Draft EIR. The changes made to the Draft EIR and the information provided in the Final EIR merely clarify or amplify information contained in the Draft EIR or make insignificant modifications. No new mitigation measures or substantial revisions to existing mitigation measures were identified as a result of comments on the Draft EIR.

1.3 Document Organization

This FINAL EIR document consists of the following chapters:

- **Chapter 1: Introduction.** This chapter discusses the purpose and organization of this Final EIR and summarizes the environmental review process for the Project.
- **Chapter 2: List of Comments and Responses.** This chapter contains lists of agencies, organizations, and individuals who submitted written comments during the public review period; reproductions of all comment letters received on the Draft EIR; and a written response for each CEQA-related comment received during the public review period.
- **Chapter 3: Draft EIR Text Revisions.** Revisions to the Draft EIR that are necessary in light of the comments received and responses provided, or necessary to amplify or clarify material in the DEIR, are contained in this chapter. Double underline text represents language that has been added to the DEIR; text with ~~strikeout~~ has been deleted from the Draft EIR.
- **Chapter 4: Final EIR Document Preparers.** This chapter lists Final EIR document contributions, qualifications, and quality control procedures.
- **Chapter 5: References.** This chapter includes new references used for preparation of the Final EIR.

Chapter 2. COMMENTS AND RESPONSES

2.1 List of Comments

This chapter includes the written comments received during the Draft EIR comment period and the District’s responses to significant environmental information raised by those comments (CEQA Guidelines, 14 CCR section 15132). Written comments are organized and grouped by affiliation of the commenter: State agency and individuals (Table 2.1). The written comments received were annotated in the margin according to the following organization and grouped with the corresponding response as follows:

Table 2.1. List of Comments

No.	Date	Commenter
1	March 17, 2025	California Department of Fish and Wildlife (CDFW)

From: Kanz, Will@Wildlife <Will.Kanz@Wildlife.ca.gov> Letter 1
 Sent: Monday, March 17, 2025 4:15 PM
 To: Baron, Michael <mbaron@eid.org>; DL_Flume45EIR <Flume45EIR@eid.org>
 Cc: Garcia, Jennifer@Wildlife <Jennifer.Garcia@wildlife.ca.gov>; Seapy, Briana@Wildlife <Briana.Seapy@Wildlife.ca.gov>; Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>
 Subject: CDFW Comments - Flume 45 Critical Water System Infrastructure - SCH# 2024091018

Dear Michael Baron:

1 ↓ The California Department of Fish and Wildlife (CDFW) received and reviewed the Draft Environmental Impact Report from El Dorado Irrigation District (Lead Agency) for the Flume 45 Critical Water System Infrastructure Project (Project) pursuant the California Environmental Quality Act (CEQA) statute and guidelines. CEQA is codified in the California Public Resources Code in section 21000 et seq. The “CEQA Guidelines” are found in Title 14 of the California Code of Regulations, commencing with section 15000.

↓ Thank you for the opportunity to provide comments and recommendations

regarding those activities involved in the Project that may affect California fish, wildlife, native plants, and their habitat. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may need to exercise its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Fish & G. Code, § 1802.) Similarly for purposes of CEQA, CDFW provides, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

1
(cont.)

CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

The Project site is located in El Dorado County, east of the town of Pollick Pines. The total Project site footprint, encompassing all construction areas, covers approximately 5-acres. The purpose of the Project is to increase protection of Flume 45 and the District's overall El Dorado Hydroelectric Project 184 from potential catastrophic wildfire:

- Ensure a reliable water supply for drinking water and hydroelectric generation;
- Improve the safety of the El Dorado canal system; and,
- Ensure continued operational reliability of the El Dorado canal system.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comment and recommendation below to assist the Lead Agency in adequately identifying and, where appropriate, mitigating the Project's significant, or potentially significant, direct and indirect impacts on

2

↑ fish and wildlife (biological) resources.

Comment 1: Foothill yellow-legged frog (*Rana boylei*)

Issue: The DEIR states that the Project site provides suitable terrestrial habitat for foothill yellow-legged frog (FYLF), an endangered species under CESA. Additionally, Project activities will occur during the winter months when flows in the South Fork American River are higher and FYLF are likely occupying side tributaries.

2
(cont.)

Recommendation: CDFW recommends a qualified biologist conduct surveys of the Project site immediately prior to Project construction activities and during any ground-disturbing activities. If frogs in any life stage are found during surveys, work should be suspended, and the project proponent should notify CDFW and demonstrate compliance with CESA.

ENVIRONMENTAL DATA

3

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be submitted online or mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov.

FILING FEES

4

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

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Pursuant to Public Resources Code § 21092 and § 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the proposed project. Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670 or emailed to R2CEQA@wildlife.ca.gov.

↓ CDFW appreciates the opportunity to comment on the DEIR for the Flume 45 Critical Water System Infrastructure Project. CDFW personnel are available for

5 (cont.) ↑ consultation regarding biological resources and strategies to minimize and/or mitigate impacts. Questions regarding this letter or further coordination should be directed to Will Kanz, Environmental Scientist, at Will.Kanz@wildlife.ca.gov.

Sincerely,

Will Kanz
Water Infrastructure Scientist
North Central Region (R2)
California Department of Fish and Wildlife
Will.Kanz@wildlife.ca.gov
Cell: 916-880-8981

Response 1, March 17, 2025, Kanz, Will, CDFW

1	The introductory text regarding CDFW's role as a Trustee Agency and potential Responsible Agency as well as the project description summary is acknowledged.
2	<p>The District believes the impact determination of less-than-significant for <i>BIO-1: Impacts to Foothill Yellow-legged Frog from Construction Activities</i> is appropriate given the substantial evidence provided in the Draft EIR. The information provided in the Draft EIR that supports the impact determination includes 1) lack of suitable habitat for FYLF present within the Project area, 2) steep terrain between known occurrences of FYLF and the Project area, and 3) conclusions from a recent federal consultation for activities within the Project area.</p> <p>1) Lack of suitable habitat for FYLF within the Project area</p> <p>The initial biological assessment prepared for the Project found that there was no potential for FYLF to occur on the Project site because "no suitable habitat is present on or adjacent to the project site". (Draft EIR Appendix C. Biological Resources Survey Results, Table 2. Page 10; September 2022)</p> <p>An updated assessment of special status species with potential to occur within the Project area was prepared for the Draft EIR. The updated assessment described that "Suitable breeding habitat [for FYLF] is not present within the [Project area] and only submarginal uplands habitat is present. Occurrence records in Ogilby Creek and the South Fork American River are located downslope steep terrain from Project activities." (Draft EIR Appendix D. Updated Biological Resources Information, Table E-2, page D-12; February 2025)</p> <p>The information provided in the biological evaluations in Appendix C and D of the Draft EIR supports a less than significant impact determination because these reports conclude that there is a lack of suitable breeding habitat for FYLF in the Project area and that any potential uplands (i.e., terrestrial) habitat in the Project area is only considered submarginal.</p> <p>2) Steep terrain between known occurrences of FYLF and the Project area</p> <p>The Draft EIR describes that the potential for FYLF to utilize upland (i.e., terrestrial) habitat in the Project area is low because the terrain located between known occurrences and the Project area is extremely steep and FYLF are unlikely to traverse the area:</p> <p>"The potential for FYLF is limited to upland habitat in the Project site. Suitable aquatic habitat is present in the vicinity of the Project site and includes South Fork American River, Plum Creek, and Ogilby Creek. The nearest known occurrences for FYLF are in the South Fork American River approximately 0.29 miles to the</p>

south of the Project site. This occurrence is located on severely steep, rugged terrain, in which frogs are unlikely to traverse up. Occurrence records located within Ogilby Creek are located 0.96 miles west of the construction footprint.” (Draft EIR under Section 3.2.2 Environmental Setting, page 3.2-15)

3) Conclusions from a recent federal consultation for activities within the Project area

The Draft EIR cites the District’s recent consultation and the concurrence letter received for Informal Consultation on the Proposed El Dorado Canal Fuel Break Project, El Dorado County, California (USFWS 2024d). This consultation included an evaluation of potential impacts to FYLF for a fuels management project that is planned for implementation in and around the Project area. Based on the evaluation conducted, the U.S. Fish and Wildlife (USFWS) concluded the fuels treatments would not adversely affect FYLF. Information provided in the Draft EIR states:

"In a recent USFWS concurrence letter for a separate wildfire fuels management project, which included the Project site, it was determined that direct impacts to FYLF could potentially occur within 82 feet of aquatic habitat (USFWS 2024d). No construction activities would be located within 82 feet of suitable aquatic habitat." (Draft EIR, Impact BIO-1: Impacts to Foothill Yellow-legged Frog from Construction Activities, page 3.2-19)

Because 1) the USFWS concluded that the only suitable habitat within the proposed fuels treatment area (which includes the Project area) was within 82 feet of aquatic habitat and 2) Project construction or ground disturbing activities are not occurring within 82 feet of suitable aquatic habitat, it is reasonable to conclude that the Project would have less than significant impact on FYLF.

Conclusion:

Due to the lack of suitable habitat present within the Project area, the steep terrain that FYLF are unlikely to traverse located between suitable habitat and the Project area, and the findings from a recent USFWS consultation for fuel reduction activities within the Project area, the District believes it is not necessary to implement CDFW’s recommendation to conduct FYLF surveys of the Project site prior to construction and during any ground-disturbing activities to avoid potential adverse effects to FYLF.

Please note that the District is implementing a biological resources awareness training program for the Project. Although not cited or needed as a mitigation measure to reduce potential impacts to FYLF to less than significant, this training program required by this mitigation measure will include information on FYLF. The text of the mitigation measure is provided below and in the Draft EIR (pages 3.2-20 and 3.2-21): "Mitigation Measure BIO-1: Conduct a Biological Resources Training to All Staff That Will be On-site During Project Activities."

The District shall provide biological resources awareness training for workers prior to beginning Project construction activities. The District shall have a qualified biologist prepare training materials (i.e., printed handouts) that provide information on the following topics:

- How to recognize special-status plant species, wildlife species, and sensitive habitats that could occur in the Project area (i.e., special-status amphibian identification and habitat, special-status avian identification and habitat, wetland habitats, and riparian habitats);
- What to do if special-status species are encountered in the Project area;
- Information on practicing good housekeeping (e.g., removing litter, trash, and other debris on a daily basis to avoid attracting animals to the Project site) and implementing BMPs

The training shall initially be presented to key Project personnel at the Project kickoff. Printed handouts shall be distributed and used for future reference by Project personnel. Project personnel that are trained during the Project kickoff shall be responsible for making sure that other workers on the Project receive the training before initiating on-site work. A roster of trained Project personnel shall be maintained in the Project construction office and made available for review by regulatory agencies, if needed. For multi-year projects, the training shall be updated on a yearly basis to ensure project applicability and any lessons learned. All personnel are required to re-take the training yearly."

3 CDFW’s request for reporting of any special-status species and natural communities detected during surveys is recognized. Any detections made would be reported per the District’s discretion and/or per a Project-

	specific permit requirement (i.e., CDFW LSAA). This comment does not introduce significant new information, and no substantial changes to the Draft EIR text are necessary.
4	CDFW's requirements for fees is acknowledged. This comment does not introduce significant new information, and no substantial changes to the Draft EIR text are necessary.
5	CDFW's request for written notification on proposed actions and decisions regarding the Project as well as contact information for CDFW is acknowledged. All noticing for the Final EIR would comply with CEQA Guideline requirements and State regulations. This comment does not introduce significant new information, and no substantial changes to the Draft EIR text are necessary.

Chapter 3. Draft EIR TEXT REVISIONS

This Chapter presents text changes to the Draft EIR that have been made in response to the comments (Included in Section 3.1) and/or District self-initiated changes that amplify, clarify, or make modifications or corrections (Included in Section 3.2). These changes do not change the results or conclusions presented in the Draft EIR. Changes in the text are indicated by strikeout where text is removed and by double underline where text is added. Section numbers correspond to the section numbers of the Draft EIR.

3.1 Draft EIR Revisions

The following text from the Draft EIR is hereby changed to reflect modifications resulting from comments received.

DEIR Section 3.2.3, Page 3.2-19: Impact BIO-1

On page 3.2-19 of the Draft EIR – Impact BIO-1: Impacts to Foothill Yellow-legged Frog from Construction Activities, the following edit has been made to clarify the assessment of the habitat quality at the Project site:

The Project site provides only submarginal suitable terrestrial habitat for FYLF, and known occupied aquatic resources, South Fork American River and Ogilby Creek, are located over 200 feet downslope of the Project site and location of Camp P access road maintenance activities. In a recent USFWS concurrence letter for a separate wildfire fuels management project, which included the Project site, it was determined that direct impacts to FYLF could potentially occur within 82 feet of aquatic habitat (USFWS 2024d). No construction activities would be located within 82 feet of suitable aquatic habitat. Therefore, impacts from the Project activities to FYLF would be considered less than significant.

Appendix D, Page D-12: Table E-2

In Appendix D on page D-12 of the Draft EIR – Table E-2: Special-Status Wildlife Species Evaluated for Potential Impacts in the Study Area, the following edits have been made to Column 6 to clarify the rationale for analyzing impacts to FYLF in the Project area:

Suitable breeding habitat is not present within the Project area and only submarginal uplands habitat for FYLF is present. Occurrence records in Ogilby Creek and the South Fork American River are located downslope in very steep terrain from Project activities. ~~Although, Camp P Road is planned for slight widening and will be utilized as a construction access route, it does run parallel to Ogilby Creek. Surveys conducted in 2013, 2016, 2021, and 2023 determined~~ A recent consultation with the USFWS found that suitable upland habitat for foothill yellow-legged frogs could occur in uplands is limited to areas within 82 feet of aquatic habitat (USFWS 2024d). No construction activities would be located within 82 feet of suitable aquatic habitat.

Chapter 4. REPORT PREPARERS

4.1 DRAFT EIR PREPARERS AND REVIEWERS

4.1.1 District Staff

Brian Deason.....Environmental Resources Supervisor
Michael Baron.....Environmental Review Analyst
Sifang Shan, PESenior Civil Engineer

4.1.2 GEI Consultants

Ryan Jolley.....Project Director
Erick CookeProject Manager
Chrissy Burns.....Environmental Planner
Jenifer King.....Senior Environmental Planner
Julie De Barros.....Senior Biologist
Devin Barry.....Biologist
Denise Jurich.....Cultural Resources Director
Jesse Martinez.....Senior Archaeologist
Madeline BowenSenior Architectural Historian
Lena Philliber.....Architectural Historian
Steve Irving.....Senior GIS Specialist
Ryan Snyder.....GIS Specialist
Natashia Masten.....Document Specialist

Chapter 5. REFERENCES

USFWS. 2024. Informal Consultation on the Proposed El Dorado Fuel Break Project, El Dorado County, California Concurrence Letter.

Appendix A Mitigation Monitoring and Reporting Program



FLUME 45 CRITICAL WATER SYSTEM INFRASTRUCTURE PROJECT

Mitigation Monitoring and Reporting Program

Prepared By:



El Dorado Irrigation District
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May 2025

Mitigation Monitoring and Reporting Program

Flume 45 Critical Water System Infrastructure Project

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May12, 2025

Project No. 22014.01

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Mitigation Monitoring and Reporting Program

Introduction

In accordance with the California Environmental Quality Act (CEQA), El Dorado Irrigation District (EID) has prepared Environmental Impact Report (EIR) to provide the public and responsible and trustee agencies with information about the potential environmental impacts associated with implementation of the Flume 45 Critical Water Infrastructure Project (Project).

The EIR concludes that implementation of the Project would generate significant and potentially significant adverse effects on the environment. The EIR identifies feasible mitigation measures that avoid, mitigate, or reduce these impacts to a less-than-significant level.

Section 21081.6(a)(1) of the California Public Resources Code and Section 15097 of the State CEQA Guidelines require a public agency “to adopt a reporting and monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment.” A mitigation monitoring and reporting program (MMRP) is required for the Project because the EIR identifies potentially significant and significant adverse impacts related to construction activities, and mitigation measures have been identified to mitigate those impacts.

EID is the lead agency that must adopt the MMRP for the Project. Adoption of this MMRP will occur along with approval of the Project and adoption of CEQA Finding of Fact.

Purpose of the Mitigation Monitoring and Reporting Program

This MMRP has been prepared to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during the construction of the Project. The MMRP may be modified by EID during project implementation, as necessary, in response to changing conditions or other refinements. Table 1 has been prepared to assist the responsible parties in implementing the MMRP. The table identifies individual mitigation numbers, mitigation measures, timing/schedule, the responsible entity(ies) for implementing each mitigation measure, and space to confirm implementation of the mitigation measures. The numbering of mitigation measures follows the numbering sequence found in the EIR.

Roles and Responsibilities

EID is responsible for taking all actions necessary to implement the mitigation measures according to the specifications provided for each measure and for demonstrating that the action has been successfully completed. EID, at its discretion, may delegate implementation responsibility or portions thereof to a licensed contractor or other designated agent as long as EID maintains final responsibility for ensuring that the actions are taken.

EID will be responsible for overall administration of the MMRP and for verifying that EID staff members and/or the construction contractor has completed the necessary actions for each measure. EID will designate a project manager to oversee the MMRP. The Project manager will be charged with the following duties:

- Ensure that routine inspections of the construction site are conducted by appropriate EID staff, check plans, reports, and other documents required by the MMRP, and conduct report activities;
- Serve as a liaison between EID and other responsible agencies (where necessary), and the construction contractor regarding mitigation monitoring issues;
- Complete forms and maintain reports and other records and documents generated by the MMRP; and,
- Coordinate and ensure that corrective actions or enforcement measures are taken, if necessary.

The responsible party for implementation of each item will identify the staff members responsible for coordinating with EID on the MMRP.

Mitigation Monitoring Plan

The Mitigation Monitoring and Reporting Program is presented in tabular format. The table columns contain the following information:

Mitigation Number: Lists the mitigation measures by number, as designated in the EIR.

Mitigation Measure: Provides the text of the mitigation measures, each of which has been adopted and incorporated into the project.

Timing/Schedule: Lists the time frame in which the mitigation measure is expected to take place.

Implementation Responsibility: Identifies the entity responsible for implementing the mitigation measure.

Completion of Implementation: EID is responsible for reporting on implementation of the mitigation measures. The “Completion of Implementation” column is to be used by EID to indicate when implementation of a mitigation measure has been completed. EID at their discretion may delegate implementation responsibility or portions thereof to qualified consultants or contractors.

Table 1. Mitigation Monitoring and Reporting Program for the Project

Mitigation Number	Mitigation Measure	Timing/Schedule	Implementation Responsibility	Completion of Implementation
Air Quality				
AIR-1	<p>Dust and Emissions Control Plan</p> <p>The District shall require that the selected contractor prepare and implement a Project Dust and Emissions Control Plan that is approved by the EDAQMD prior to construction. Additionally, the District will comply with EDAQMD adopted rules designed specifically to address a variety of air quality impacts due to construction-related air quality emissions. EDAQMD rules that apply to the Project include (Rule 202, 207, 223, and 223-1). The following measures shall be conducted throughout the construction period to limit and control dust and air emissions:</p> <ul style="list-style-type: none"> ▪ All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent fugitive dust from leaving the property boundaries and/or causing a public nuisance. ▪ All areas with vehicle traffic shall be watered or have a dust palliative applied as necessary to minimize dust emissions. ▪ All on-site vehicle traffic shall be limited to a speed of 15 mph on unpaved roads. ▪ All land clearing, grading, earth moving, or excavation activities on the Project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 mph. ▪ All inactive portions of the construction site shall be covered, seeded, or watered or otherwise stabilized until a suitable cover is established. ▪ All material transported off-site shall be either sufficiently watered or securely covered to prevent it from being entrained in the air and there must be a minimum of six (6) inches of freeboard in the bed of the transport vehicle. ▪ Paved streets adjacent to the Project shall be reasonably clean through methods such as sweeping or washing at the end of each day, or more frequently, if necessary, to remove excessive accumulations or visibly raised areas of soil which may have resulted from activities at the Project area. ▪ Prior to the end of construction, the applicant shall re-establish ground cover on the site through seeding. ▪ The Project contractor shall ensure that all construction equipment is properly maintained. 	Before and during construction activities	EID and it's construction contractor(s)	

Biological Resources

<p>BIO-1</p>	<p>Conduct a Biological Resources Training to All Staff That Will be On-site During Project Activities.</p> <p>The District shall provide biological resources awareness training for workers prior to beginning Project construction activities. The District shall have a qualified biologist prepare training materials (i.e., printed handouts) that provide information on the following topics:</p> <ul style="list-style-type: none"> ▪ How to recognize special-status plant species, wildlife species, and sensitive habitats that could occur in the Project area (i.e., special-status amphibian identification and habitat, special-status avian identification and habitat, wetland habitats, and riparian habitats); ▪ What to do if special-status species are encountered in the Project area; ▪ Information on practicing good housekeeping (e.g., removing litter, trash, and other debris on a daily basis to avoid attracting animals to the Project site) and implementing BMPs; ▪ Information on other mitigation measures relevant to biological resources; and, ▪ Information on regulations and applicable civil and criminal penalties for violations. <p>The training shall initially be presented to key Project personnel at the Project kickoff. Printed handouts shall be distributed and used for future reference by Project personnel. Project personnel that are trained during the Project kickoff shall be responsible for making sure that other workers on the Project receive the training before initiating on-site work. A roster of trained Project personnel shall be maintained in the Project construction office and made available for review by regulatory agencies, if needed. For multi-year projects, the training shall be updated on a yearly basis to ensure project applicability and any lessons learned. All personnel are required to re-take the training yearly.</p>	<p>Before and during construction activities</p>	<p>EID and it's construction contractor(s)</p>	
<p>BIO-2</p>	<p>Avoid or Minimize Impacts to Special-Status Bird Species, Nesting Raptors, and Other Migratory Birds Protected under the MBTA and FGC</p> <p>EID shall implement the following measures to avoid and minimize impacts to special-status bird species, nesting birds, and other migratory birds.</p> <ol style="list-style-type: none"> 1. Tree and Vegetation Removal to Occur Outside Nesting Season. If trees and vegetation are removed, or commencement of construction occurs outside the nesting season, February 15 through September 15, no mitigation is required. If tree or vegetation removal, or commencement of construction occurs between February 15 and September 15, a qualified biologist shall conduct preconstruction surveys for active nests of migratory nesting birds and raptors, including special-status species, northern 	<p>Before and during construction activities</p>	<p>EID and it's construction contractor(s)</p>	

	<p>goshawk, and bald eagle, within 14-days before the start of any construction-related activities.</p> <p>2. Avoidance Buffers for Active Nests. If active nests are found, a qualified biologist shall consult with appropriate agencies to establish avoidance buffers around nests that will be sufficient so that breeding will not be likely to be disrupted or adversely affected by Project activities. An avoidance buffer will constitute an area where Project-related activities (i.e., vegetation removal, earth-moving, and construction) will not occur. Typical avoidance buffers during the nesting season will be a radius of 100-feet for nesting passerine birds and 500 feet for nesting raptors, unless a qualified biologist determines that smaller buffers will be sufficient to avoid impacts on nesting raptors and/or other birds. Factors to be considered for determining buffer size will include: the presence of existing buffers provided by vegetation, topography, and infrastructure; nest height; locations of foraging territory; and baseline levels of noise and human activity. The buffer zone will be delineated by highly visible, temporary construction fencing. A qualified biologist will monitor active nests during construction, to ensure that the species is not harmed or harassed by the noise or activity resulting from Project-related activities. The buffers will be maintained until a qualified biologist has determined that the young have fledged and are no longer reliant on the nest or parental care for survival. If construction activities need to occur within the buffer, a biological monitor shall be present to monitor the birds' behavior. The biologist will stop authority if the birds exhibit behaviors of agitation.</p>			
<p>BIO-3</p>	<p>Avoid and Minimize Impacts to Bats EID shall implement the following measures to avoid and minimize impacts to special-status bats.</p> <p>1. Avoidance of Sensitive Life Stages of Bats. If vegetation removal or commencement of construction occurs outside of the bat maternity activity period, from March through July, and outside of the overwintering period, from October through February, no mitigation is required.</p> <p>2. Roosting Bat Habitat Assessment and Surveys. If vegetation removal or commencement of construction occurs within the bat maternity activity period, from March through July, a habitat assessment shall be conducted a minimum of 30- to 90-days prior to tree removal and shall include a visual inspection of potential roosting features (e.g., cavities, crevices in wood and bark, and exfoliating bark) on all trees slated for trimming or removal. If suitable habitat is identified on the impacted trees the qualified biologist can either conduct night emergence surveys or complete a visual examination of roost features to determine if roosting bats are present. If bats are identified, a temporary 300-foot buffer shall be established with no Project activities allowed until the bats have vacated on their own accord as confirmed by a</p>	<p>Before and during construction activities</p>	<p>EID</p>	

	<p>qualified biologist. The biologist shall be present for all activities that have the potential to impact bats.</p> <p>3. Two-step Tree Removal Process. If vegetation removal or commencement of construction occurs during the overwintering seasonal period of bat activity, from October through February, a two-step tree removal process would be implemented. Two-step tree removal shall be conducted over two consecutive days. The first day (in the afternoon), under the direct supervision and instruction by a qualified biologist, limbs and branches shall be removed by a tree cutter using hand tools only; limbs with cavities, crevices or deep bark fissures shall be avoided. The second day the entire tree shall be removed. The biologist shall be present for all activities that have the potential to impact bats.</p>			
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Cultural Resources

CUL-1	<p>Document the Flume 45 Rock Wall (P-09-000599/ELD-511H)</p> <p>EID shall hire a qualified architectural historian to prepare Historic American Engineering Record (HAER) documentation for the historic rock wall that shall meet Section 106 requirements and follow NPS guidelines. The HAER shall include standard information such as a historical narrative and photographs of the resource in a manner consistent with Section 106 requirements. Preparation of the documentation shall include three main tasks: gathering data, prepare photographic documentation, and prepare a written descriptive report. Copies of the report and photographs shall be distributed to appropriate area repositories including local historical societies and organizations and branches of the El Dorado County Library system. Additional or alternate mitigation may be required, pending further Section 106 consultation with the SHPO and other consulting parties.</p>	Prior to and during construction activities.	EID	
CUL-2	<p>Conduct Preconstruction Cultural Resource Awareness Training</p> <p>EID shall provide cultural resources awareness training for workers prior to beginning Project construction activities. EID shall prepare training materials (e.g., printed handouts, recorded presentation) that provide information on the following topics:</p> <ul style="list-style-type: none"> ▪ How to recognize cultural resources, including prehistoric and historic artifacts, ▪ What to do if artifacts are encountered in the Project area, ▪ Information on other measures relevant to cultural resources, and ▪ Information on regulations and applicable civil and criminal penalties for violations. <p>The training shall initially be presented to key Project personnel at the Project kickoff. Printed handouts shall be distributed and used for future reference by Project personnel. Project personnel that are trained during the Project kickoff shall be responsible for making sure that other workers on the Project receive the training before initiating on-site work. A roster of trained Project personnel shall be maintained</p>	Prior to construction activities	EID and its construction contractor(s)	

	in the Project construction office and made available for review by regulatory agencies, if needed. This training may be conducted in coordination with tribal cultural resource awareness training (see Mitigation Measure TRIB-2 in Section 3.8, "Tribal Cultural Resources").			
CUL-3	<p>Address Previously Undiscovered Historical and Archaeological Resources</p> <p>If cultural resources are encountered during construction, compliance with federal and State regulations and guidelines regarding the treatment of cultural resources and/or human remains shall be required.</p> <ol style="list-style-type: none"> 1. If potential prehistoric or historic-period archaeological resources are encountered during Project implementation, all construction activities within 100-feet shall halt and EID shall be notified. 2. A qualified archaeologist, defined as one meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology, shall inspect the findings as soon as practicable following discovery and report the results of the inspection to EID. 3. If the identified archaeological resource is determined to be prehistoric, the EID and qualified archaeologist shall coordinate with and solicit input from a culturally affiliated Native American Tribal Representative regarding significance and treatment of the resource as a potential Tribal Cultural Resource. Any Tribal Cultural Resources discovered during Project work shall be treated in consultation with the tribe, with the goal of preserving in place with proper treatment. See MM TRIB-1, TRIB-2, and TRIB-3 for more discussion of tribes and culturally sensitive areas. 4. If EID determines that the resource qualifies as a historical resource or a unique archaeological resource (as defined pursuant to the CEQA Guidelines) and that the Project has potential to damage or destroy the resource, mitigation shall be implemented in accordance with PRC Section 21083.2 and CEQA Guidelines Section 15126.4. Consistent with CEQA Guidelines Section 15126.4(b)(3), mitigation shall be accomplished through either preservation in place or, if preservation in place is not feasible, data recovery through excavation. 5. If preservation in place is feasible, this may be accomplished through one of the following means: (1) modifying the construction plan to avoid the resource; (2) incorporating the resource within open space; (3) capping and covering the resource before building appropriate facilities on the resource site; or (4) deeding the resource site into a permanent conservation easement. 6. If avoidance or preservation in place is not feasible, a qualified archaeologist shall prepare and implement a detailed treatment plan to recover the scientifically consequential information from and about the resource, which shall be reviewed and approved by EID prior to any excavation at the resource site. 	Prior to and during construction activities	EID and its construction contractor(s)	

	<p>7. Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2, including creation of a treatment plan. Treatment for most resources shall consist of (but shall not be limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim of targeting the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the Project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and State repositories, libraries, and interested professionals.</p>			
CUL-4	<p>Avoid Potential Effects on Undiscovered Burials.</p> <p>EID shall implement the following measures to reduce or avoid impacts related to undiscovered burials. In accordance with the California Health and Safety Code (CHSC), if human remains are uncovered during ground-disturbing activities, all potentially damaging ground-disturbance in the area of the burial and within a 100-foot radius, shall halt and the El Dorado County Coroner shall be notified immediately. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or State lands (CHSC Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, then EID shall ensure that the procedures for the treatment of Native American human remains contained in CHSC Sections 7050.5 and 7052 and Public Resources Code Section 5097 are followed. California law recognizes the need to protect Native American human burials, skeletal remains, and items associated with Native American burials from vandalism and inadvertent destruction.</p> <p>If found on Federal lands, EID shall ensure that the procedures contained in Federal laws governing the disposition of Native American human remains be followed. Specifically, the Native American Graves Protection and Repatriation Act, Pub L. 101-601, 25 U.S.C. 3001 et seq., 104 Stat. 3048 requires Federal agencies and institutions that receive Federal funding to return Native American cultural items to lineal descendants and culturally affiliated Indian Tribes and Native Hawaiian organizations. Cultural items include human remains, funerary objects, sacred objects, and objects of cultural patrimony. The Native American Graves Protection and Repatriation Act has established procedures for the inadvertent discovery of Native American cultural items on Federal or Tribal lands, which includes consultation with potential lineal descendants or Tribal officials as part of their compliance responsibilities.</p>	During construction activities	EID and its construction contractor(s)	
Geology and Soils				
GEO-1	<p>Prepare and Implement a SWPPP and BMPs to Reduce Erosion</p> <p>The selected construction contractor shall be required to comply with a site-specific SWPPP to reduce the risk of substantial soil erosion or loss of topsoil in accordance with requirements of the latest amendment of the NPDES General Construction Permit. The Construction General Permit requires the development of a SWPPP by a Qualified SWPPP Developer. The SWPPP is required to identify appropriate BMPs to</p>	Before and during construction activities	EID and its construction contractor(s)	

	prevent erosion or soil loss from the Project site. These measures would include the implementation of construction staging in a manner that minimizes the amount of area disturbed at any one time; secondary containment for storage of fuel and oil; and the management of stockpiles and disturbed areas by means of earth berms, diversion ditches, straw wattles, straw bales, silt fences, gravel filters, mulching, revegetation, and temporary covers as appropriate. The SWPPP shall also meet post-construction performance standards to ensure the post construction site is stabilized appropriately.			
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Hazards and Hazardous Materials

HAZ-1	Prepare and Implement a Hazardous Materials Release Prevention Plan The District shall require the Contractor to follow the Project 184 Hazardous Substances Plan to reduce the risk of exposure to hazards due to the handling of hazardous materials during construction. The plan identifies control measures to prevent the release of hazardous materials, as well as a detailed action plan to respond to an incidental spill in compliance with all local, State, and federal regulations relating to the handling and disposal of hazardous materials. Throughout construction, the construction contractor shall be responsible for following the plan and implementing the action plan in the event of a spill. EID shall be responsible for verifying and documenting that the contractor follows the Project 184 Hazardous Substances Plan. The selected construction contractor shall be responsible for following the plan and implementing the action plan in event of a spill.	Before and during construction activities	EID and its construction contractor(s)	
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Tribal Cultural Resources

TRIB-1	Implement Best Management Practices to Reduce or Avoid Impacts on Tribal Cultural Resources EID shall implement the following measure to reduce or avoid impacts on TCRs. If interested Native American tribe(s) provide information demonstrating the significance of the Project site and specific evidence supporting the determination that the site is sensitive for TCRs, the District will conduct a site visit with tribal representatives to evaluate the potential for TCRs at the Project site. If tribal representatives and the District determine the site is sensitive for TCRs and that the Project may have a significant impact on TCRs, the District, in consultation with tribal representatives, will develop and implement Best Management Practices (BMPs) to reduce or avoid impacts on TCRs. BMPs may include but are not limited to: 1) modifying the Project to preserve the TCRs in place; 2) establishing exclusion zones and/or minimize work activities in proximity to TCRs; or, 3) implementing other recommendations developed in consultation with tribal representatives to minimize potential impacts to TCRs.	Prior to and during construction activities	EID and its construction contractor(s)	
TRIB-2	Conduct Preconstruction Tribal Cultural Resource Awareness and Sensitivity Training The District shall provide TCR awareness training for workers prior to beginning Project construction activities. The District shall utilize information provided by	Prior to and during construction activities	EID and its construction contractor(s)	

	<p>culturally affiliated tribal representatives to develop the training materials (i.e., printed handouts) that provide information on the following topics:</p> <ul style="list-style-type: none"> ▪ How to recognize TCRs, ▪ What to do if TCRs are suspected or encountered in the Project area, ▪ Information on avoidance and other measures relevant to TCRs, and ▪ Confidentiality and culturally appropriate treatment of TCRs ▪ Information on regulations and applicable civil and criminal penalties for violations. <p>The training materials will be shared with tribal representatives and tribal representatives will be invited to participate in the training. The training shall be presented to Project personnel at the Project kickoff. Printed handouts shall be distributed and used for future reference by Project personnel. A roster of trained Project personnel shall be maintained in the Project construction office and made available for review by regulatory agencies and culturally affiliated tribal representatives if needed. This training may be conducted in coordination with the cultural resources awareness training (MM CUL-2).</p>			
TRIB-3	<p>Address Previously Undiscovered Tribal Cultural Resources</p> <p>The District shall implement the following measures to reduce or avoid impacts and address the evaluation and treatment of inadvertent/unanticipated discoveries of potential TCRs during the project's ground disturbing activities. If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within the immediate vicinity of the discovery, or an agreed upon distance based on the project area and nature of the discovery. The District shall invite a Tribal Representative from culturally affiliated tribes to visit the site and examine the discovery to determine whether or not the discovery represents a TCR (PRC §21074). Tribal Representatives shall have 48 hours to respond to the District's notification and schedule a site visit. If the discovery represents a TCR, the District will work with Tribal Representatives or others to develop recommendations for culturally appropriate treatment. The contractor shall implement any measures determined by the District to be necessary. Work at the discovery location will not resume until the agreed upon treatment has been implemented to the satisfaction of the District.</p>	Prior to and during construction activities	EID and its construction contractor(s)	
Wildfire				
WILD-1	<p>Prepare and Implement a Fire Safety Plan</p> <p>Prior to commencement of construction activities, EID shall prepare a fire prevention plan, according to Eldorado National Forest guidelines. Measures included in the plan would require that fire suppression equipment be maintained and accessible to work crews at all times during project construction, that spark arrestors be installed on vehicles and equipment, that use of non-sparking tools and fire safe practices be implemented for construction work, among other measures. The fire prevention plan</p>	Prepare fire prevention plan prior to construction activities and implementation throughout project construction.	EID and its construction contractor(s)	

	shall be approved by the USFS prior to the start of construction activities. Fire safe measures in the fire prevention plan would be followed throughout construction on all project work sites.			
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