BOARD OF DIRECTORS
SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT
REGULAR MEETING
1402 N. VOSBURG DR. AZUSA, CA 91702
MONDAY, OCTOBER 14, 2024
8:00 AM – 10:00 AM (PDT)

This meeting will be held in person at the District office, located at 1402 North Vosburg Drive, Azusa, California. While the Boardroom is open for public attendance, you are strongly encouraged to participate in the meeting virtually through the remote Zoom link provided below. If you attend the Board meeting in person, please maintain appropriate social distancing to the extent feasible (i.e., maintain a six-foot distance between yourself and other individuals). Face coverings are encouraged but not required for attendees. Lastly, if you are experiencing any COVID-19 symptoms, including fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting or diarrhea, please do not attend the meeting in person.

Join Zoom Meeting
https://us02web.zoom.us/j/89013306120?pwd=SUZJRzFFSDRXUVVTY0NhOXQ0c1l6QT09

Meeting ID: 890 1330 6120
Passcode: 512838
Dial by your location
+1 669 444 9171 US

PLEDGE OF ALLEGIANCE

ROLL CALL: Eng, Knoles, Paulson, Placido, Prince

PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

UPDATES FROM CITY REPRESENTATIVES

CONSENT CALENDAR: The following matters are expected to be routine and will be acted upon by a single motion with little discussion unless any Director or citizen requests a separate action:

REVISED Minutes of the Regular Board Meeting of August 12, 2024
Minutes of the Regular Board Meeting of September 09, 2024
Financial Statements of September 2024
Disbursements of the Revolving Fund Dated September 19, 2024, Check Nos. 12575 - 12580, EFTs and Wires
Disbursements of the Revolving Fund Dated October 3, 2024, Check Nos. 12581 - 12586, EFT, and Wires
Disbursements of the Revolving Fund Dated October 14, 2024, Check Nos. 12587 - 12591, and Wires
Disbursements of the General Fund Dated September 10 - 30, 2024, Check Nos. 44728 - 44744, and EFTs

Disbursements of the General Fund Dated October 1 - 14, 2024, Check Nos. 44745 – 44800 and EFT's
Disbursements of the State Water Project (SWP) Dated September 23, 2024, Check No. 1010

Future Meeting Attendance Approval: None

ACTION ITEMS

1. Delta Conveyance Project Additional Funding Resolution No. 10-2024-839
2. Resolution No. 10-2024-840 Appointing Watermaster Representative
3. Resolution No. 10-2024-841 Appointing Representative and Alternate to WQA
4. Fremont Elementary School (FES) Multibenefit Campus Greening Project

INFORMATION ITEMS

External Affairs Update

UNFINISHED BUSINESS

1. Report on Basin Management
2. Report of WQA
3. Report of the Attorney
4. Report of General Manager/Assistant Manager
5. Report of the State Water Contractors

COMMITTEE MEETING REPORTS

DIRECTOR REPORTS ON EVENTS ATTENDED

DIRECTORS COMMENTS

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: Potential Initiation of Litigation (Government Code Section 54956.9(d)(4):

One potential action

ADJOURNMENT

THIS AGENDA WAS POSTED ON OCTOBER 10, 2024 AT SGVMWD.
THE NEXT REGULAR BOARD MEETING WILL BE ON NOVEMBER 4, 2024.

REVISED
MINUTES
BOARD OF DIRECTORS
SAN GABRIEL VALLEY MUNICIPAL
WATER DISTRICT
REGULAR BOARD MEETING
1402 N. VOSBURG DR. AZUSA, CA 91702
MONDAY, AUGUST 12, 2024
8:00 A.M.

At 8:00 a.m. on August 12, 2024, the Board of Directors meeting was held in person at the District office, located at 1402 North Vosburg Drive, Azusa, California. While the Boardroom was open for public attendance, the District strongly encouraged attendees wanting to attend the meeting to participate in the meeting virtually through the remote Zoom link provided below. Attendees in person were asked to please maintain appropriate social distancing to the extent feasible (i.e., maintain a six-foot distance between yourself and other individuals). Face coverings were encouraged but not required for attendees.
https://us02web.zoom.us/j/89013306120?pwd=SUZJRzFFSDRXUVVTY0NhOXQ0c1l6QT09

Meeting ID: 890 1330 6120
Passcode: 512838
Dial by your location
+1 669 444 9171 US

PLEDGE OF ALLEGIANCE

CALL TO ORDER:

President Paulson called the meeting to order at 8:00 a.m.

ROLL CALL:

Directors present at Roll Call: Eng, Knoles, Paulson

Directors absent: Placido, Prince

ALSO PRESENT:

Darin Kasamoto, General Manager; Steve Kiggins, Assistant General Manager; Linda Esquivel, Executive Assistant: Evelyn Reyes, External Affairs Manager; Jim Ciampa, Lagerlof LLP; Tom Love, Upper San Gabriel Valley Municipal Water District; John Bednarski and Alicia Mendez, Metropolitan Water District of Southern California; Russ Bryden, Main San Gabriel Basin Watermaster

Via telephone/Zoom: Albert Lu, SGVMWD; David Dolphin, City of Alhambra; Mar Lucas and Carlos Solis, City of Azusa; Kelly Gardner, Main San Gabriel Basin Watermaster

PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

UPDATES FROM THE CITY REPRESENTATIVES

None.

CONSENT CALENDAR:

Minutes of the Regular Board Meeting of July 08, 2024
Financial Statements for July 2024
Treasurer's Investment Report Dated June 30, 2024
Disbursements of the Revolving Fund Dated:
July 11, 2024, Check Nos.12535 - 12541, EFT, and Wires in the amount of $66,719.39
July 25, 2024, Check Nos. 12542 - 12548, EFTs, and Wires in the amount of $68,719.74
August 08, 2024, Check Nos. 12549 - 12553, EFT, and Wires in the amount of $64,311.63
August 12, 2024, Check Nos. 12554 - 12557, and Wires in the amount of $3,881.80
Disbursements of the General Fund Dated:
July 09 - 31, 2024, Check Nos. 44599 – 44619 and EFTs in the amount of $176,005.77
August 01 - 12, 2024, Check Nos. 44620 – 44670, and EFTs in the amount of $783,661.07
Disbursements of the State Water Project (SWP) Dated:
July 22, 2024, Check No. 1008, in the amount of $2,034,046.00
Future Meeting Attendance Approval: None

On the motion of Director Eng, seconded by Director Knoles, and unanimously carried 3-0, the Consent Calendar was approved.

ACTION AGENDA ITEM

PURE WATER PROJECT UPDATE

Mr. Bednarski from the Metropolitan Water District of Southern California presented a PowerPoint to the Board regarding the Pure Water Southern California Project and responded to various questions from the directors regarding that project.

RESOLUTION NO. 08-2024-837 ADOPTING PROPERTY TAX RATE

On motion of Director Eng, seconded by Director Knoles, and unanimously carried 3-0, A RESOLUTION OF THE BOARD OF DIRECTORS OF SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT DETERMINING THE AMOUNT OF MONEY NECESSARY TO BE RAISED BY TAXATION FOR PAYMENT OF GENERAL OBLIGATION BONDS AND OTHER VOTER APPROVED INDEBTEDNESS FOR THE FISCAL YEAR 2024-2025 AND FIXING THE RATE OF TAX LEVIED (TAX CODE AREA 367.05 THROUGH 367.12), Resolution No. 08-2024-837 was approved.

Passed and Adopted by the Board of Directors of the San Gabriel Valley Municipal Water District at their regular meeting held on August 12, 2024, by the following roll call vote:

Ayes: Eng, Knoles, Paulson
Noes: None
Absent: Placido, Prince
Abstain: None

RESOLUTION NO. 08-2024-838 MODIFYING PURCHASING/PROCUREMENT POLICY IN ADMINISTRATIVE CODE

On motion of Director Knoles, seconded by Director Eng, and unanimously carried 3-0, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT AMENDING DISTRICT ADMINISTRATIVE CODE, Resolution No. 08-2024-838 was approved.

Passed and Adopted by the Board of Directors of the San Gabriel Valley Municipal Water District at their regular meeting held on August 12, 2024, by the following roll call vote:

Ayes: Eng, Knoles, Paulson
Noes: None
Absent: Placido, Prince
Abstain: None

CORROSION ENGINEERING SERVICES

The Assistant General Manager reported that as part of the District's plans to do a comprehensive pipeline assessment and maintenance plan, a qualified corrosion engineer is required to help with the plan. An RFQ was sent to six firms and two of the firms submitted their qualifications.

On motion of Director Eng, seconded by Director Knoles, and unanimously carried 3 – 0, Corrpro Companies Inc. was approved to be the District's Corrosion Engineer.

INFORMATION ITEMS

EXTERNAL AFFAIRS

External Affairs Report in Agenda Packet.
Ms. Reyes reported on the Irrigation Direct Install Program. She also reported the status of bills that the District is monitoring or has a stance on during the 2024 Legislative Session.

UNFINISHED BUSINESS

REPORT ON BASIN MANAGEMENT

The Assistant General Manager reported that Tony Zampiello's official retirement date will be at the end of September and Lupe Artis will also be retiring at the end of this October. The Watermaster Board approved an agreement for both to work as retired annuitants to provide support services for up to one year and Jackie Tsao was hired as Senior Accountant. The Controller position will be eliminated after Ms. Artis retires. He also reported that Sterling Kippel and Eric Batman reported the significant amount of water conserved for Los Angeles County.

Russ Bryden thanked the Board for their continuous support.

REPORT OF WQA

No report.

REPORT OF THE ATTORNEY

No report.

REPORT OF THE GENERAL MANAGER/ASSISTANT GENERAL MANAGER

The General Manager's written report is in the Agenda Packet.
The General Manager announced the District's Executive Assistant, Linda Esquivel, will be retiring at the end of the year. Maria "Gigi" Jarmin will be promoted to the Executive Assistant position effective as of January 1. At the next Board Meeting, an agenda action item will be brought to the Board for approval for hiring the replacement of the Accounting Specialist position for training and transitioning.

The Assistant General Manager's written report is in the Agenda Packet.
The Assistant General Manager reported that the last of the 2023 carryover water was delivered on August 4th. The pipeline's 55 CFS capacity will be maximized for the remainder of the calendar year. Delivery of the balance of the District's 2024 Table A allocation should be completed by mid-November.

REPORT OF THE STATE WATER CONTRACTORS

The General Manager's written report is in the Agenda Packet.

COMMITTEE MEETING REPORTS

None.

DIRECTOR REPORTS ON EVENTS ATTENDED

None.

DIRECTOR COMMENTS

Director Eng stated that he was very impressed with the Asian Media Event and the City of Monterey Park's PFAS Treatment Facility Dedication event. They both were very well put together and very informative.

ADJOURNED

There being no further business, the meeting was duly adjourned at 9:20 a.m. The next Regular Board Meeting of the San Gabriel Valley Municipal Water District will be on September 9, 2024, at 8:00 a.m.

_____

President Date

ATTEST:

_____

Secretary Date

MINUTES
BOARD OF DIRECTORS
SAN GABRIEL VALLEY MUNICIPAL
WATER DISTRICT
REGULAR BOARD MEETING
1402 N. VOSBURG DR. AZUSA, CA 91702
MONDAY, SEPTEMBER 09, 2024
8:01 A.M.

At 8:01 a.m. on September 09, 2024, the Board of Directors meeting was held in person at the District office, located at 1402 North Vosburg Drive, Azusa, California. While the Boardroom was open for public attendance, the District strongly encouraged attendees wanting to attend the meeting to participate in the meeting virtually through the remote Zoom link provided below. Attendees in person were asked to please maintain appropriate social distancing to the extent feasible (i.e., maintain a six-foot distance between yourself and other individuals). Face coverings were encouraged but not required for attendees.

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PLEDGE OF ALLEGIANCE

CALL TO ORDER:

President Paulson called the meeting to order at 8:01 a.m.

ROLL CALL:

Directors present at Roll Call: Eng, Knoles, Paulson, Placido, Prince (arrived at 8:03 a.m.)

ALSO PRESENT:

Darin Kasamoto, General Manager; Steve Kiggins, Assistant General Manager; Linda Esquivel, Executive Assistant; Maria “Gigi” Jarmin, Accounting Specialist; Evelyn Reyes, External Affairs Manager; Jim Ciampa, Lagerlof LLP; Russ Bryden and Kelly Gardner, Main San Gabriel Basin Watermaster; Melissa Barbosa and Carlos Solis, City of Azusa; Dave DePinto, DMCI

Via telephone/Zoom: Albert Lu, SGVMWD; David Dolphin, City of Alhambra; George Noriega, City of Monterey Park

PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

UPDATES FROM THE CITY REPRESENTATIVES

None.

CONSENT CALENDAR:

Minutes of the Regular Board Meeting of August 12, 2024
Financial Statements for August 2024
Disbursements of the Revolving Fund Dated:
August 22, 2024, Check Nos.12558 - 12564, EFTs, and Wires in the amount of $68,206.01
September 05, 2024, Check Nos. 12565 - 12570, EFT, and Wires in the amount of $64,894.69
September 09, Check Nos. 12571 - 12574, EFT, and Wires in the amount of $2,583.60
Disbursements of the General Fund Dated:
August 13 - 31, 2024, Check Nos. 44671 – 44693 and EFTs in the amount of $194,278.17
September 09, 2024, Check Nos. 44694 – 44727, in the amount of $874,473.30
Disbursements of the State Water Project (SWP) Dated:
August 26, 2024, Check No. 1009, in the amount of $590,824.00
Future Meeting Attendance Approval: SGV Mayors and City Councils Reception – September 7, Monrovia

On the motion of Director Eng, seconded by Director Knoles, and unanimously carried 4 - 0, the Consent Calendar was approved.

DIRECTOR PRINCE ARRIVED AT 8:03 A.M.

ACTION AGENDA ITEM

DELTA CONVEYANCE FUNDING RESOLUTION NO. 09-2024-839

General Counsel Ciampa advised the Board of the need to table this item until the next Board meeting in order to correct the draft Resolution.

On motion of Director Eng, seconded by Director Placido, and unanimously carried 5 - 0, the Delta Conveyance Funding Resolution was tabled and will be considered at the next Board meeting.

CITY OF AZUSA LOAN REQUEST

Melissa Barbosa from the City of Azusa gave a Power Point Presentation of Azusa's South Reservoir Replacement Project (WF-221) to the Board in support of Azusa's request for a $3.4 million loan.

The General Manager reported the City of Azusa has not previously made any loan requests to the District.

On motion of Director Knoles, seconded by Director Eng, and unanimously carried 5-0, the City of Azusa request for a $3.4 million loan to be repaid over a term of 10 years at 0% interest was approved.

PROPOSITION 4

Ms. Reyes reported on the Legislature's enacted of SB 867 and AB 1567, which sets forth a $10 billion climate resiliency, wildfire and water bond identified as Proposition 4 to be voted on at the November 5 general election.

On motion of Director Eng, seconded by Director Paulson, and unanimously carried 5-0, the Board of Directors adopted a "Support" position on Proposition 4 "The Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond of 2024".

APPROVE ANNUAL REPORT

Ms. Reyes presented a draft of the 2023-2024 Annual Report, which was designed by Mr. DePinto. She highlighted areas of the Annual Report: Investing in the district's infrastructure, investing in water supply innovation outreach and conservation, and partnering with member cities to promote water education and conservation.

Mr. DePinto pointed out two major items in the 2023-204 Annual Report. First, the District is celebrating 65 years of service and secondly, the District is investing in infrastructure enhancements and exploring supply innovations.

On motion of Director Prince, seconded by Director Placido, and unanimously carried 5 – 0, the San Gabriel Valley Municipal Water District 2023-2024 Annual Report was approved.

BIDS FOR BACKUP GENERATOR REPLACEMENT

The Assistant General Manager reported the District received two bids for the Backup Generator Project. Upon review of the two bids, Civiltec Engineering recommended rejection of both bids due to costs being substantially higher than their estimate, and to resolicit a modified RFP.

On motion of Director Prince, seconded by Director Placido, and unanimously carried 5 – 0, the bids for the Standby Generator Replacement were rejected and staff was directed to solicit bids for the project under a new RFP.

STAFFING NEEDS

The General Manager asked permission from the Board to hire an additional Accounting Specialist for a three-month period, beginning October. This will result in two Accounting Specialists being on staff for a temporary period, but will provide sufficient time for training until Ms. Esquivel's retirement, at which time her position will be filled by Maria "Gigi" Jarmin as Executive Assistant.

On motion of Director Placido, seconded by Director Knoles, and unanimously carried 5 – 0, the hiring of an additional Accounting Specialist for an initial three-month period was approved, with that employee to remain on staff after the beginning of the new year.

NOVEMBER BOARD MEETING

November 11 is the Veteran's Day Holiday, therefore an alternate date for the Board meeting is warranted.

On motion of Director Prince, seconded by Director Placido, and unanimously carried 5 – 0, the motion to change the November Board Meeting to November 4, 2024, was approved.

INFORMATION ITEMS

EXTERNAL AFFAIRS

External Affairs Report in Agenda Packet.
Ms. Reyes briefly reported on the ACWA press related informational items: Legislative Advisory - Last Year of the 2023-24 Legislative Session Ends with Wins For ACWA Members and Newsom Adapts State's Drought Response To Changing Conditions.

UNFINISHED BUSINESS

REPORT ON BASIN MANAGEMENT

Director Placido reported that he attended a meeting to honor Tony Zampiello and Congresswoman Grace Napolitano for their support and retirement.

Russ Bryden, Executive Officer from Main San Gabriel Basin Watermaster, provided an update on the overall Basin conditions and commended District staff for their cooperative support on delivering water into the Main San Gabriel Basin.

REPORT OF WQA

Director Paulson reported that the WQA endorsed proposal 4 and took action to approve the annual assessment to producers unchanged at $12 per acre foot.

REPORT OF THE ATTORNEY

No report.

REPORT OF THE GENERAL MANAGER/ASSISTANT GENERAL MANAGER

The General Manager's written report is in the Agenda Packet.
The General Manager reported that a question had come up from the last Board meeting regarding the District's tax rate being lower for residents in areas in Azusa and Alhambra that were annexed from Metropolitan Water District (MWD). After further discussion, the Board instructed the General Manager and Counsel to further research the issues and to bring back the item at the October Board meeting.

The Assistant General Manager's written report is in the Agenda Packet.
The Assistant General Manager reported the District's Table A balance as of September 1st was 8,373-acre feet still to be delivered and he expects to have all of that water in the ground by early December. Civiltec solicited corrosion protection design proposals as part of its May 8, 2023, Agreement for Professional Services for DCAP SCH 1 Pipeline Continuity Bonding, Corrosion Assessment Validation, and Cathodic System Design. Corrpro submitted the lowest proposals, and since they were selected as the District's Corrosion Engineer, staff will work directly with Corrpro going forward.

REPORT OF THE STATE WATER CONTRACTORS

The General Manager's written report is in the Agenda Packet.

COMMITTEE MEETING REPORTS

None.

DIRECTOR REPORTS ON EVENTS ATTENDED

None.

DIRECTOR COMMENTS

None.

ADJOURNED

There being no further business, the meeting was duly adjourned at 9:17 a.m. The next Regular Board Meeting of the San Gabriel Valley Municipal Water District will be on October 14, 2024, at 8:00 a.m.

_____
President

ATTEST:

_____
Secretary

San Gabriel Valley Municipal Water District
Balance Sheet
As of September 30, 2024

	Sep 30, 24
ASSETS	
Current Assets	
Checking/Savings	
1001 · General Fund Bank of America	4,080,895.73
1002 · SWP Fund Account	6,906,832.46
1005 · Revolving Cash Fund	179,619.98
1008 · Petty Cash	442.00
1009 · LAIF	10,987,541.83
1009.01 · LAIF FMV Adjustment	-40,026.03
1011 · UBS Resource Management Account	
1012 · Cash with Broker	44,713.70
1013 · Certificates of Deposit	9,991,054.45
Total 1011 · UBS Resource Management Account	10,035,768.15
1014 · UBS Accrued Interest	-52,528.84
Total Checking/Savings	32,098,545.28
Accounts Receivable	
1603 · Accounts Receivable	25,772.40
Total Accounts Receivable	25,772.40
Other Current Assets	
1605 · Taxes Receivable	-0.34
1606 · Interest Receivable	52,528.84
1620 · Prepaid Expenses	248,635.24
1660 · Water Inventory	875,167.47
Total Other Current Assets	1,176,331.21
Total Current Assets	33,300,648.89
Fixed Assets	
1862.1 · A/D Safety Project Assets	-1,864.51
1701 · State Water Project Engineering	156,789.28
1702 · State Water Prj Wtr Cntrct Pmts	5,627,376.00
1701.1 · Accum Ammort - State Water Proj	-4,747,847.25
1750 · SCADA 2013	966,165.05
1750.1 · Accum Depreciaton - SCADA 13	-876,248.08
1801 · Pipeline	27,227,652.85
1801.1 · Accum Depreciation - Pipeline	-17,471,901.92
1840 · SCADA Telemetry	48,442.01
1840.1 · Accum Depreciation -SCADA	-15,542.78
1860 · Repaving	3,950.00
1860.1 · A/D Paving	-1,316.82
1861 · Computer	9,865.84
1861.1 · A/D Computers	-6,385.83
1862 · Safety - Protection	47,955.32
1863 · SanDimas Hydro Deflec Batteries	35,595.25
1863.1 · A/D San Dimas Hydro	-16,315.63
1901 · Land	735,931.46
1902 · Buildings	2,320,676.42
1902.1 · Accum Depr - Buildings	-2,312,358.45
1904 · Furniture and Fixtures	182,299.76
1904.1 · Accum Depr - Furn and Fixtures	-139,574.19
1907 · Vehicles	257,156.24
1907.1 · Accum Depr - Vehicles	-211,537.80
1910 · Pipeline Misc Equipment	223,817.49
1910.1 · Accum Depr - Pipeline Misc Equi	-150,674.77
1923 · Hydroelectric Facility San Dima	1,343,986.21
1923.1 · Accum Depr Hydro Elect San D	-102,910.04
1925 · Roof	58,390.47
1925.1 · A/D Roof	-24,085.64
1920 · Construction in Process	
1921.12 · Sch 1 Joint Bond Est Comp 8/24	2,019,954.17

San Gabriel Valley Municipal Water District
Balance Sheet
As of September 30, 2024

	Sep 30, 24
Total 1920 · Construction in Process	2,019,954.17
Total Fixed Assets	15,187,440.11
Other Assets	
1931 · City Of Monterey Park Loan 2021	4,000,000.00
1925.04 · Monterey Park ADV NR Discount	-322,824.00
1932 · City Of Sierra Madre 2020 Loan	2,160,000.00
1932.1 · Loan to Sierra Madre Short T	270,000.00
1927.01 · Sierra Madre NR Discount	-144,057.00
1998.99 · Deferred Outflows -OPEB	156,710.00
1999.99 · 1999.Deferred Outflows of Res	1,727,477.00
Total Other Assets	7,847,306.00
TOTAL ASSETS	**56,335,395.00**
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2001 · Accounts Payable	68,054.30
Total Accounts Payable	68,054.30
Other Current Liabilities	
2010 · Accrued Payroll - V&SL	444,820.47
24000 · Payroll Liabilities	54.07
Total Other Current Liabilities	444,874.54
Total Current Liabilities	512,928.84
Long Term Liabilities	
1698.99 · Deferred Inflows- OPEB	1,097,070.00
2219.99 · Net Pension Liability	2,082,082.00
1699.99 · Deferred Inflow of Resources	347,692.00
2209 · Other Post-Employment Benefits	4,033,585.99
Total Long Term Liabilities	7,560,429.99
Total Liabilities	8,073,358.83
Equity	
2301 · Fund Balance	4,292,024.73
2302 · San Bernardino Contribution	1,781,730.83
2970 · Retained Earnings	44,805,191.49
2973 · Contribution Aid Capital	1,280,323.11
Net Income	-3,897,233.99
Total Equity	48,262,036.17
TOTAL LIABILITIES & EQUITY	**56,335,395.00**

San Gabriel Valley Municipal Water District
Income Statement - Actual vs. Budget
September 2024

	Sep 24	Budget	Jul - Sep 24	YTD Budget	Annual Budget
Ordinary Income/Expense					
Income					
General Operations					
3002 · Property Tax Revenue	0.00	500,000.00	0.00	1,500,000.00	6,000,000.00
3003 · Water Sales	24,782.40	166,667.00	49,699.20	500,001.00	2,000,000.00
3004 · Interest Income	32,178.57	83,333.00	98,165.77	249,999.00	1,000,000.00
3005 · Ready to Serve Revenue	990.00	990.00	2,970.00	2,970.00	11,880.00
3006 · RDA Prop Tax Trust Fund Alloc	0.00	58,333.00	354,675.49	174,999.00	700,000.00
3008 · SBVMWD Pipeline Maintenance Rev	0.00	2,500.00	0.00	7,500.00	30,000.00
3016 · Unrealized Gain (Loss) on Inves	23,427.75	0.00	91,511.22	0.00	0.00
Total General Operations	81,378.72	811,823.00	597,021.68	2,435,469.00	9,741,880.00
Power Revenue Sales					
3210 · Hydro Power Sales	0.00	4,167.00	0.00	12,501.00	50,000.00
Total Power Revenue Sales	0.00	4,167.00	0.00	12,501.00	50,000.00
Restricted Revenue - SWP					
3306 · Tax Revenue - State Water Proje	0.00	833,333.00	0.00	2,499,999.00	10,000,000.00
Total Restricted Revenue - SWP	0.00	833,333.00	0.00	2,499,999.00	10,000,000.00
Total Income	81,378.72	1,649,323.00	597,021.68	4,947,969.00	19,791,880.00
Gross Profit	81,378.72	1,649,323.00	597,021.68	4,947,969.00	19,791,880.00
Expense					
Unrestricted G.O. Expenses					
4001 · Director Fees	2,400.00	5,000.00	6,000.00	15,000.00	60,000.00
4010 · Salaries- Administrative	25,204.80	27,305.00	69,313.20	81,915.00	327,659.00
4014 · Field Supervision	17,438.40	19,436.00	47,955.60	58,308.00	233,229.00
4020 · Salaries Office	19,619.60	21,255.00	53,953.90	63,765.00	255,054.00
4021 · External Affairs Wages	11,766.40	12,723.00	33,404.41	38,169.00	152,672.00
4022 · Part Time Employee	0.00	0.00	0.00	0.00	0.00
4023 · External Affairs Specialist	6,398.40	6,932.00	16,302.81	20,796.00	83,179.00
4027 · Office Supplies - Equipment Mai	2,961.88	3,667.00	14,781.42	11,001.00	44,000.00
4028 · Water Forum	0.00	0.00	0.00	0.00	0.00
4029 · Election Expenses	0.00	6,833.00	0.00	20,499.00	82,000.00
4031 · Legal Services	3,112.50	4,167.00	5,512.50	12,501.00	50,000.00
4032 · State Water Contract Services	3,028.79	3,917.00	9,086.39	11,751.00	47,000.00
4033 · Public Relations	174.90	11,250.00	10,216.86	33,750.00	135,000.00
4034 · Governmental Relations Consulti	8,000.00	8,167.00	24,115.50	24,501.00	98,000.00
4035 · Consulting & Engineering Expens	10,263.32	83,333.00	33,571.27	249,999.00	1,000,000.00
4036 · Medicare Tax Expense	1,555.52	1,708.00	4,252.10	5,124.00	20,491.00
4039 · PERS - Retiremement Expenses	29,351.73	31,012.00	77,544.81	93,036.00	372,142.00
4040 · Social Security Tax Expense	4,241.93	6,327.00	13,037.39	18,981.00	75,920.00
4041 · State Compensation Fund	1,823.68	1,583.00	7,455.15	4,749.00	19,000.00
4042 · State Unemployment Insurance Ta	0.00	146.00	6.40	438.00	1,748.00

San Gabriel Valley Municipal Water District
Income Statement - Actual vs. Budget
September 2024

	Sep 24	Budget	Jul - Sep 24	YTD Budget	Annual Budget
4043 · Health Insurance Expense	31,657.29	32,000.00	94,971.87	96,000.00	384,000.00
4044 · Dental/ Vision Benefit Expense	5,343.39	7,667.00	11,838.02	23,001.00	92,000.00
4045 · Insurance - Liability, Casualty	3,592.75	4,583.00	34,181.38	13,749.00	55,000.00
4046 · Blue Cross Employee Reimburseme	3,141.98	7,500.00	9,714.05	22,500.00	90,000.00
4048 · Life Insurance	352.15	375.00	1,056.45	1,125.00	4,500.00
4050 · Dues and Associations	7,631.01	8,167.00	24,549.45	24,501.00	98,000.00
4051 · Travel and Conferences -Dir	1,435.10	2,083.00	8,247.91	6,249.00	25,000.00
4052 · Publications and Periodicals	0.00	25.00	0.00	75.00	300.00
4053 · State Water Contractors Audit	2,162.00	875.00	5,407.00	2,625.00	10,500.00
4054 · Financial Audit Expense	0.00	1,667.00	9,161.00	5,001.00	20,000.00
4055 · Travel & Conference -Staff	486.86	2,500.00	5,747.83	7,500.00	30,000.00
4057 · Taxes - Annual Fee	0.00	5,167.00	0.00	15,501.00	62,000.00
4058 · Tax Collection Fees	0.00	3,333.00	0.00	9,999.00	40,000.00
4059 · Property Tax Expense	0.00	71.00	0.00	213.00	850.00
4060 · Telephone Expense	3,150.12	3,083.00	7,268.12	9,249.00	37,000.00
4061 · Utilities - Gas, Electric, and	2,039.07	1,833.00	5,376.00	5,499.00	22,000.00
4063 · Safety Program	0.00	1,667.00	1,100.25	5,001.00	20,000.00
4065 · Water Conservation/Rebates Prog	3,040.00	24,583.00	8,856.00	73,749.00	295,000.00
4067 · OPEB -Other Post Employment Ben	23,333.33	65,000.00	69,999.99	195,000.00	780,000.00
4090 · SWP Transportation Cost	0.00	375,000.00	206,637.07	1,125,000.00	4,500,000.00
4093 · Uniform and Material Rentals	347.50	333.00	986.25	999.00	4,000.00
4095 · Vehicle Maintenance, Operating	2,202.86	2,833.00	6,686.92	8,499.00	34,000.00
4096 · Communication Expense	529.35	817.00	2,533.41	2,451.00	9,800.00
4099 · Facility Maintenance	9,942.81	2,500.00	13,327.43	7,500.00	30,000.00
4100 · Salaries - Field Workers	23,896.76	26,968.00	64,097.24	80,904.00	323,618.00
4108 · Grounds Maintenance and Materia	1,817.51	4,907.00	4,938.46	14,721.00	58,883.00
4112 · Depreciation Expense	49,457.00	0.00	144,987.00	0.00	0.00
4113 · Pipeline Maintenance & Material	375.03	4,167.00	1,218.91	12,501.00	50,000.00
4114 · SCADA Maintence	0.00	833.00	21,922.67	2,499.00	10,000.00
4120 · Grants	0.00	166,667.00	0.00	500,001.00	2,000,000.00
Total Unrestricted G.O. Expenses	323,275.72	1,011,965.00	1,191,320.39	3,035,895.00	12,143,545.00
Riverside Facility					
4300 · Salaries - Riverside	303.51	563.00	1,093.53	1,689.00	6,760.00
4301 · Riverside Maintenance and Mater	920.61	500.00	2,108.99	1,500.00	6,000.00
Total Riverside Facility	1,224.12	1,063.00	3,202.52	3,189.00	12,760.00
Hydro Expenses					
4402 · Salaries - Hydro	250.22	1,300.00	1,128.29	3,900.00	15,600.00
4403 · Hydro Maintenance Materials	579.28	2,083.00	2,676.00	6,249.00	25,000.00
4406 · Hydro So Cal Edison (8800)	516.32	833.00	1,309.47	2,499.00	10,000.00
Total Hydro Expenses	1,345.82	4,216.00	5,113.76	12,648.00	50,600.00

San Gabriel Valley Municipal Water District
Income Statement - Actual vs. Budget
September 2024

	Sep 24	Budget	Jul - Sep 24	YTD Budget	Annual Budget
Restricted Expense					
4510 · State Project Expense	626,839.00	733,333.00	3,251,709.00	2,199,999.00	8,800,000.00
4511 · State Project Amortization	8,034.00	8,083.00	24,102.00	24,249.00	97,000.00
4591 · State Project Cost of Water Adj	9,404.00	0.00	18,808.00	0.00	0.00
Total Restricted Expense	644,277.00	741,416.00	3,294,619.00	2,224,248.00	8,897,000.00
66000 · Payroll Expenses	0.00	0.00	0.00	0.00	0.00
66900 · Reconciliation Discrepancies	0.00	0.00	0.00	0.00	0.00
Total Expense	970,122.66	1,758,660.00	4,494,255.67	5,275,980.00	21,103,905.00
Net Ordinary Income	-888,743.94	-109,337.00	-3,897,233.99	-328,011.00	-1,312,025.00
Other Income/Expense					
Other Expense					
6001 · COVID-19 Expense	0.00	0.00	0.00	0.00	0.00
6002 · Employee Appreciation	0.00	0.00	0.00	0.00	0.00
4700 · Interest Expense	0.00	0.00	0.00	0.00	0.00
Total Other Expense	0.00	0.00	0.00	0.00	0.00
Net Other Income	0.00	0.00	0.00	0.00	0.00
Net Income	**-888,743.94**	**-109,337.00**	**-3,897,233.99**	**-328,011.00**	**-1,312,025.00**

SAN GABRIEL MUNICIPAL WATER DISTRICT

REVOLVING FUND RECAP

September 19, 2024

Check No.	Date	Description	Amount
12575-12578	09/19/24	Payroll Expense	$ 34,870.60
EFT	09/19/24	Payroll Expense - PERS	$ 10,263.50
Wires	09/19/24	Federal & State Payroll Taxes	$ 19,213.60
EFT	09/19/24	State Compensation Insurance	$ 1,823.68
12579	09/19/24	Frontier	$ 630.61
12580	09/19/24	SCE	$ 685.66
September 19, 2024 GRAND TOTAL DISBURSEMENTS.....			$ 67,487.65

REVOLVING FUND RECAP

October 03, 2024

Check No.	Date	Description	Amount
12581-12584	10/03/24	Payroll Expense	$ 34,629.03
EFT	10/03/24	Payroll Expense - PERS	$ 10,176.64
Wires	10/03/24	Federal & State Payroll Taxes	$ 19,024.94
12585	10/03/24	Azusa Light & Water	$ 108.49
12586	10/03/24	The Gas Company	$ 16.27
October 03, 2024 GRAND TOTAL DISBURSEMENTS.....			$ 63,955.37

REVOLVING FUND RECAP

October 14, 2024

Check No.	Date	Description	Amount
12587	10/14/24	Bruce H Knoles	$700.00
12588	10/14/24	Mark R Paulson	$1,095.00
12589	10/14/24	Michael F Eng	$1,095.00
12590	10/14/24	Miles L Prince	$1,095.00
12591	10/14/24	Steven T Placido	$2,007.50
Wires	10/14/24	Federal & State Payroll Taxes	$1,147.60
October 14, 2024 GRAND TOTAL DISBURSEMENTS.....			$7,140.10

San Gabriel Valley Municipal Water District
Transactions by Account
As of September 30, 2024

Type	Date	Num	Name	Amount
1001 · General Fund Bank of America				
Bill Pmt -Check	09/10/2024	EFT	BeniComp (Corp)	-2,049.24
Bill Pmt -Check	09/11/2024	EFT	BeniComp (Corp)	-72.80
Bill Pmt -Check	09/23/2024	EFT	ExxonMobil	-1,795.75
Bill Pmt -Check	09/23/2024	EFT	Shell - Wex Bank	-130.39
Bill Pmt -Check	09/17/2024	EFT	BeniComp (Corp)	-2,540.16
Bill Pmt -Check	09/25/2024	EFT	BeniComp (Corp)	-2,284.13
Bill Pmt -Check	09/26/2024	EFT	BeniComp (Corp)	-20.83
Bill Pmt -Check	09/23/2024	44728	Alliance Communication Servic...	-130.00
Bill Pmt -Check	09/23/2024	44729	Asian Youth Center	-4,000.00
Bill Pmt -Check	09/23/2024	44730	Athens (Corporation)	-522.74
Bill Pmt -Check	09/23/2024	44731	Cash Revolving Fund	-70,000.00
Bill Pmt -Check	09/23/2024	44732	City of Monterey Park2	-500.00
Bill Pmt -Check	09/23/2024	44733	Civiltec Inc (Corp)	-3,150.00
Bill Pmt -Check	09/23/2024	44734	Ernst & Young LLP (Attorney)	-2,162.00
Bill Pmt -Check	09/23/2024	44735	Evelyn Reyes	-108.20
Bill Pmt -Check	09/23/2024	44736	Frontier	-86.14
Bill Pmt -Check	09/23/2024	44737	Lagerlof, LLP (Atty)	-3,112.50
Bill Pmt -Check	09/23/2024	44738	LOWES	-72.43
Bill Pmt -Check	09/23/2024	44739	SCE	-548.14
Bill Pmt -Check	09/23/2024	44740	Sparkletts	-202.84
Bill Pmt -Check	09/23/2024	44741	Spectrum Enterprise	-239.98
Bill Pmt -Check	09/23/2024	44742	Stetson Engineers, Inc.	-983.00
Bill Pmt -Check	09/23/2024	44743	Verizon Wireless (M2M)	-865.05
Bill Pmt -Check	09/23/2024	44744	Western Water Works Supply ...	-2,714.13
Total 1001 · General Fund Bank of America				-98,290.45
TOTAL				**-98,290.45**

San Gabriel Valley Municipal Water District
Transactions by Account
As of October 14, 2024

Type	Date	Num	Name	Amount
1001 · General Fund Bank of America				
Bill Pmt -Check	10/14/2024	EFT	CalPers	-500,000.00
Bill Pmt -Check	10/01/2024	EFT	BeniComp (Corp)	-789.04
Bill Pmt -Check	10/14/2024	EFT	ExxonMobil	-1,497.15
Bill Pmt -Check	10/08/2024	EFT	BeniComp (Corp)	-31.36
Bill Pmt -Check	10/14/2024	44745	ACWA	-22,560.00
Bill Pmt -Check	10/14/2024	44746	ACWA JPIA Medical/Life	-31,505.46
Bill Pmt -Check	10/14/2024	44747	Alliance Communication Servic...	-130.00
Bill Pmt -Check	10/14/2024	44748	Amber Lee	-80.00
Bill Pmt -Check	10/14/2024	44749	Applied Technology Group, Imc.	-320.00
Bill Pmt -Check	10/14/2024	44750	Athens (Corporation)	-522.74
Bill Pmt -Check	10/14/2024	44751	ATT	-676.58
Bill Pmt -Check	10/14/2024	44752	Axis Pest & Termite Solutions	-250.00
Bill Pmt -Check	10/14/2024	44753	Azusa Light & Water (Utilities D...	-1,217.53
Bill Pmt -Check	10/14/2024	44754	Battery Sales Unlimited	-435.79
Bill Pmt -Check	10/14/2024	44755	BOA-Visa	-3,385.10
Bill Pmt -Check	10/14/2024	44756	Brandon Yip	-85.00
Bill Pmt -Check	10/14/2024	44757	Brian Wood Automotive (Corp)	-145.68
Bill Pmt -Check	10/14/2024	44758	California Advocates, Inc. (Corp)	-8,115.50
Bill Pmt -Check	10/14/2024	44759	California Underground Facilities	-73.03
Bill Pmt -Check	10/14/2024	44760	Cash Revolving Fund	-70,000.00
Bill Pmt -Check	10/14/2024	44761	CAT Specialities, Inc.	-1,098.97
Bill Pmt -Check	10/14/2024	44762	Cell Business Equipment	-404.49
Bill Pmt -Check	10/14/2024	44763	Cintas	-347.50
Bill Pmt -Check	10/14/2024	44764	CP Construction Company	-7,450.00
Bill Pmt -Check	10/14/2024	44765	David Cheung	-85.00
Bill Pmt -Check	10/14/2024	44766	David Rawson	-275.00
Bill Pmt -Check	10/14/2024	44767	DePinto Morales Communicati...	-1,813.00
Bill Pmt -Check	10/14/2024	44768	Dexter Tse	-80.00
Bill Pmt -Check	10/14/2024	44769	DigAlert (Corporation)	-274.55
Bill Pmt -Check	10/14/2024	44770	DWR	-9,404.00
Bill Pmt -Check	10/14/2024	44771	Ernst & Young LLP (Attorney)	-2,162.00
Bill Pmt -Check	10/14/2024	44772	Evelyn Reyes	-159.18
Bill Pmt -Check	10/14/2024	44773	Frontier	-145.30
Bill Pmt -Check	10/14/2024	44774	Hazen and Sawyer	-1,030.32
Bill Pmt -Check	10/14/2024	44775	Kerber Automotive Service	-131.04
Bill Pmt -Check	10/14/2024	44776	L A County-Fire	-1,609.00
Bill Pmt -Check	10/14/2024	44777	Lagerlof, LLP (Atty)	-2,812.50
Bill Pmt -Check	10/14/2024	44778	LOWES	-292.93
Bill Pmt -Check	10/14/2024	44779	Luan My Lu Thai	-140.00
Bill Pmt -Check	10/14/2024	44780	Maria Davis	-40.00
Bill Pmt -Check	10/14/2024	44781	Maria Jarmin	-82.14
Bill Pmt -Check	10/14/2024	44782	Mark Paulson (Expense)	-107.78
Bill Pmt -Check	10/14/2024	44783	Meier Enterprises Inc	-1,542.51
Bill Pmt -Check	10/14/2024	44784	Michael F Eng (Expense)	-51.59
Bill Pmt -Check	10/14/2024	44785	Michael Ham	-85.00
Bill Pmt -Check	10/14/2024	44786	Mission ACE Hardware (Corp)	-263.84
Bill Pmt -Check	10/14/2024	44787	Norfield Development Partners,...	-740.25
Bill Pmt -Check	10/14/2024	44788	Petty Cash	-277.21
Bill Pmt -Check	10/14/2024	44789	Public Water Agencies Group (...	-2,143.23
Bill Pmt -Check	10/14/2024	44790	SCE	-696.78
Bill Pmt -Check	10/14/2024	44791	SGV Economic Partnership (C...	-275.00
Bill Pmt -Check	10/14/2024	44792	Sierra Madre Enviromental Acti...	-5,000.00
Bill Pmt -Check	10/14/2024	44793	Solinet Wong	-80.00
Bill Pmt -Check	10/14/2024	44794	Spectrum Enterprise	-239.98
Bill Pmt -Check	10/14/2024	44795	Steven T. Placido DDS (Expen...	-4,335.15
Bill Pmt -Check	10/14/2024	44796	Terra Pave	-5,300.00
Bill Pmt -Check	10/14/2024	44797	Tom McDonald	-80.00
Bill Pmt -Check	10/14/2024	44798	Verizon Wireless	-1,192.30
Bill Pmt -Check	10/14/2024	44799	Water Wise Consulting, Inc	-2,550.00
Bill Pmt -Check	10/14/2024	44800	Zhihao Liu	-85.00
Total 1001 · General Fund Bank of America				-696,702.50
TOTAL				**-696,702.50**

VISA Recap
August 21, 2024 - September 20, 2024

4051	9/5/2024	Bruce K	2024 Luncheon Leadership -Eventbrite	Credit Adj	-$50.00									-$50.00
4055	9/17/2024	Staff	Town & Country Lodging -Calpers -GJ	Credit Adj	-$261.70									-$261.70
4027	8/21/2024	Office Supply	Microsoft	Monthly Fee	$1.99									$1.99
4027	8/21/2024	Office Supply	Amazon	Covid-19 Rapid Test for the office	$254.72									$254.72
4051	8/21/2024	Miles P	2024 ACWA CLE Workshops	Virtual webinar	$225.00									$225.00
4027	8/22/2024	Office Supply	Amazon	Iphone case -Kwise	$19.83									$19.83
4027	8/21/2024	Office Supply	Staples	Supplies	$383.51									$383.51
4055	8/22/2024	Staff	South Point- ALu	Water Smart Innovation Conference	$96.05									$96.05
4055	8/22/2024	Staff	Southwest	Airfare -Alu	$213.96									$213.96
4051	8/26/2022	M Paulson	ACWA 2024 Fall Conference & Expo	Conference	$1,088.00									$1,088.00
4403	8/29/2024	Hydro Maintenance	Graybar	Schneider Electric VDC Sink	$579.28									$579.28
4027	9/1/2024	Office Supply	Google	Monthly Fee	$93.60									$93.60
4033	9/2/2024	Public Relations	Canva	Subscription	$149.90									$149.90
4027	9/3/2024	Office Supply	Intuit	Payroll Monthly Fee	$72.00									$72.00
4055	9/7/2024	Staff	San Diego Marriott -GJ	Hotel -Board Secretary Seminar	$197.23									$197.23
4027	9/9/2024	Office Supply	Board meeting	Lady's donuts	$21.85									$21.85
4027	9/10/2024	Office Supply	Apple.com	Monthly Fee	$2.99									$2.99
4027	9/17/2024	Office Supply	Zoom	Monthly Fee	$31.98									$31.98
4027	9/17/2024	Office Supply	Staples	Supplies	$100.97									$100.97
4027	9/18/2024	Office Supply	Apple.com	Monthly Fee	$2.99									$2.99
4027	9/19/2024	Office Supply	Amazon	4 Drawer Cabinet	$160.95									$160.95
				Total	$3,385.10		$0.00		$0.00		$0.00	$0.00	$0.00	$3,385.10

SAN GABRIEL MUNICIPAL WATER DISTRICT

SWP FUND RECAP

September 23, 2024

Check No.	Date	Description		Amount
1010	09/23/24	DWR	$	626,839.00

September 23, 2024 GRAND TOTAL DISBURSEMENTS..... **$ 626,839.00**

AGENDA ACTION ITEM NO. 1

DELTA CONVEYANCE PROJECT ADDITIONAL FUNDING RESOLUTION NO. 10-2024-839

RECOMMENDED ACTION: Adopt Resolution No. 10-2024-839.

BACKGROUND: Under the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, the Department of Water Resources ("DWR"), acting as Lead Agency, prepared and processed a Final Environmental Impact Report ("Final EIR") for the Delta Conveyance Project ("DCP"). The DCP consists of the construction, operation, and maintenance of new State Water Project ("SWP") water diversion and conveyance facilities in the Sacramento-San Joaquin Delta ("Delta") that would be operated in coordination with existing SWP facilities. The DCP includes the following key components and actions:

- Two intake facilities along the Sacramento River in the north Delta near the community of Hood with on-bank intake structures that would include fish screens.
- A concrete-lined tunnel, and associated vertical tunnel shafts, to convey flow from the intakes about 45 miles to the south of the Bethany Reservoir Pumping Plant and Surge Basin at a location south of the existing SWP Clifton Court Forebay.
- A Bethany Reservoir Pumping Plant to lift the water from inside the tunnel below ground into the Bethany Reservoir Aqueduct for conveyance to the Bethany Reservoir Discharge Structure and into the existing Bethany Reservoir.
- Other ancillary facilities to support construction and operation of the conveyance facilities including, but not limited to, access roads, concrete batch plants, fuel stations, and power transmission and/or distribution lines.
- Efforts to identify geotechnical, hydrogeologic, agronomic, and other field conditions that will guide appropriate construction methods and monitoring programs for final engineering design and construction data collection and field work investigations, including ground-disturbing geotechnical work, water quality and hydrogeologic investigations, agronomic testing, the installation of monitoring equipment, construction test projects, pre-construction design work, and engineering work ("Pre-Construction Work").

DWR certified the Final EIR and approved the DCP on December 21, 2023. DWR also adopted CEQA Findings of Fact ("Findings"), a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program ("MMRP"), and filed a Notice of Determination ("NOD") under CEQA.

The Final EIR identifies the State Water Contractor member agencies as responsible agencies for actions related to the DCP. DWR's Final EIR, Findings, Statement of Overriding Considerations, MMRP, and NOD can be found at the official DWR website at: https://www.deltaconveyanceproject.com/planning-processes/california-environmental-

quality-act/final-eir/final-eir-document]. These documents are also available at the District's office and have been previously provided to and reviewed and considered by the District's Board of Directors.

Although DWR has approved the Delta Conveyance Project, **the District is not approving or committing to the broader Delta Conveyance Project at this time**. Instead, the narrow approval action before the District's Board of Directors today is the provision of funding, at DWR's request, that would allow DWR to undertake continued Pre-Construction Work. Thus, the Board of Directors is being presented with a potential action to authorize funding for that purpose.

Staff recommends that, prior to any approval of funding the Pre-Construction Work, the Board of Directors take actions under CEQA as a Responsible Agency, including by adopting the CEQA findings of the Lead Agency for the Delta Conveyance Project, and adopting a Statement of Overriding Considerations regarding the potentially significant impacts that may result from the Pre-Construction Work.

A Resolution that would take those CEQA actions, approve an expenditure of funds for the Pre-Construction Work, and authorize the General Manager to execute a letter in accordance with the District's existing funding agreement with DWR to commit to contribute additional funding for the DCP. The existing funding agreement and that letter are included for the Board's consideration.

Attachments:

- Resolution No. 10-2024-839, including:
    - Exhibit A (DWR's CEQA Findings for the Delta Conveyance Project)
    - Exhibit B the District's Statement of Overriding Considerations for the Pre-Construction work)
- Agreement for the Advance or Contribution of Money to the Department of Water Resources by the San Gabriel Valley Municipal Water District for Preliminary Planning and Design Costs related to a Potential Delta Conveyance Project
- Letter setting forth District's agreement to contribute additional funds for the Delta Conveyance Project for Calendar Years 2026 and 2027

BUDGET IMPACT: Because funding would begin in 2026, this does not affect the current year's budget.

PRIOR BOARD ACTION: The Board approved a previous 4-year funding commitment in 2020 totaling $2.7 million.

RESOLUTION NO. 10-2024-839

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT (1) CONSIDERING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE DELTA CONVEYANCE PROJECT (STATE CLEARINGHOUSE NO. 2020010227); (2) MAKING RESPONSIBLE AGENCY FINDINGS FOR THE DELTA CONVEYANCE PROJECT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") AND STATE CEQA GUIDELINES SECTION 15096; (3) ADOPTING CEQA FINDINGS OF FACT FOR THE DELTA CONVEYANCE PROJECT UNDER STATE CEQA GUIDELINES SECTION 15091; (4) ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS UNDER STATE CEQA GUIDELINES SECTION 15093 FOR PRE-CONSTRUCTION WORK RELATED TO THE DELTA CONVEYANCE PROJECT; AND (5) AUTHORIZING THE GENERAL MANAGER TO EXECUTE A LETTER SETTING FORTH THE DISTRICT'S AGREEMENT TO ADVANCE OR CONTRIBUTE ADDITIONAL MONEY TO THE DEPARTMENT OF WATER RESOURCES FOR THE DISTRICT'S SHARE OF THE DELTA CONVEYANCE PROJECT PLANNING AND PRE-CONSTRUCTION COSTS FOR CALENDAR YEARS 2026-2027 IN AN AMOUNT NOT TO EXCEED $2,4000,000.

WHEREAS, on April 29, 2019, Governor Gavin Newsom signed Executive Order N-10-19, directing the California Natural Resources Agency, California Environmental Protection Agency, and California Department of Food and Agriculture to develop a comprehensive strategy to build a climate-resilient water system and ensure healthy waterways through the twenty-first century; and

WHEREAS, after a public input period, on July 28, 2020, Governor Newsom released the California Water Resilience Portfolio, which identified a suite of complementary actions to ensure safe and resilient water supplies, flood protection, and healthy waterways for the state's communities, economy, and environment; among these actions was a project (the "**Delta Conveyance Project**") entailing new diversion and conveyance facilities in the Sacramento-San Joaquin Delta ("**Delta**") to safeguard the State Water Project ("**SWP**"); and

WHEREAS, the primary purpose of the SWP is to convey water to local and regional water suppliers across California that, in turn, supply end users engaged in the beneficial uses of that water; to this end, SWP has long-term contracts to supply water to 29 public water agencies, known as State Water Contractors, that distribute that water to farms, homes, and industry; and

WHEREAS, San Gabriel Valley Municipal Water District (the "District") is one of the State Water Contractors, and it possesses a long-term water supply contract with the Department of Water Resources ("**DWR**"), which is the owner and operator of the SWP, which allows for the annual importation of water via the SWP; and

WHEREAS, the District's allocation of imported SWP water fluctuates annually based on a variety of factors, including Delta conditions, reservoir levels, rainfall, snow pack, and pumping capacity in the Delta, as well as operational limits for fish and wildlife protection, water quality, and environmental and legal restrictions; and

WHEREAS, the infrastructure that enables the conveyance, or movement, of water supply from the Delta to the District is of great consequence to the District; and

WHEREAS, factors such as the continuing subsidence of lands, risk of seismic activity and any resulting impact on levees within the Delta, sea level rise, precipitation change, warmer temperatures, and wider variations in the hydrological conditions associated with climate change threaten the reliability of the current SWP water conveyance system; and

WHEREAS, the Delta Conveyance Project involves the construction and future operation of new water intake facilities on the Sacramento River in the north Delta and a single main tunnel to divert and move water entering the north Delta from the Sacramento Valley watershed to existing SWP facilities in the south Delta, which would result in a dual conveyance system in the Delta; and

WHEREAS, DWR's fundamental purpose in proposing to develop the Delta Conveyance Project is to restore and protect the reliability of SWP water deliveries to the State Water Contractors, including the District; and

WHEREAS, in January 2020, DWR, as lead agency for the Delta Conveyance Project under the California Environmental Quality Act ("**CEQA**"), filed and circulated a Notice of Preparation of an Environmental Impact Report ("**EIR**") for the Delta Conveyance Project;

WHEREAS, in July 2022, DWR circulated a Draft EIR (State Clearinghouse No. 2020010227) for the Delta Conveyance Project for a 92-day review period, beginning on July 27, 2022 and closing on October 27, 2022; and

WHEREAS, the EIR analyzed the potential environmental impacts of data collection and field work investigations, including ground-disturbing geotechnical work, water quality and hydrogeologic investigations, agronomic testing, the installation of monitoring equipment, construction test projects, pre-construction design work, and engineering work (collectively, "**Pre-Construction Work**") that would occur after certification of the EIR and that would guide the ultimate design, appropriate construction methods, and monitoring programs for the Delta Conveyance Project; and

WHEREAS, the EIR concluded that the Delta Conveyance Project, including the Pre-Construction Work, would have less than significant impacts without the implementation of mitigation as to some resources; less than significant impacts with the implementation of mitigation measures identified in a Mitigation Monitoring and Reporting Program ("**MMRP**") as to other resources; and significant and unavoidable impacts as to Agricultural Resources, Aesthetics, Cultural Resources, Transportation, Air Quality, Noise, Paleontological Resources, and Tribal Cultural Resources; and

WHEREAS, on December 21, 2023, DWR certified the Final EIR for the Delta Conveyance Project, adopted the MMRP to require DWR's implementation of the mitigation measures identified therein, adopted CEQA Findings of Fact pursuant to State CEQA Guidelines section 15091, adopted a Statement of Overriding Considerations relating to the Delta Conveyance Project's significant and unavoidable environmental impacts pursuant to State CEQA Guidelines section 15093, and approved the Delta Conveyance Project; and

WHEREAS, the Final EIR certified by DWR and related CEQA documents can be found at DWR's website, located at https://www.deltaconveyanceproject.com/planning-processes/california-environmental-quality-act/final-eir/final-eir-document. A copy of these documents has also been retained in the District's files and has been made available to and reviewed and considered by the District's Board of Directors; and

WHEREAS, on December 9, 2020, the District previously entered an Agreement for the Advance or Contribution of Money to DWR for preliminary planning and design costs related to a potential Delta Conveyance Project (the "**Agreement**"); and

WHEREAS, pursuant to Section 5 of the Agreement, the District seeks to execute a letter that commits it to contribute additional funds for Pre-Construction Work for the Calendar Years 2026 and 2027 in an amount not to exceed $2,4000,000; and

WHEREAS, the District only seeks to provide funding for Pre-Construction Work (as defined above), and the District is not approving or committing to the broader Delta Conveyance Project at this time; and

WHEREAS, the District is a responsible agency for the Delta Conveyance Project under CEQA, and pursuant to State CEQA Guidelines section 15096, the District hereby intends to adopt CEQA Findings of Fact under State CEQA Guidelines section 15091 and a Statement of Overriding Considerations under State CEQA Guidelines section 15093; and

WHEREAS, the District has heard, been presented with, reviewed, and considered all of the information and data presented to it, including the certified EIR for the Delta Conveyance Project; DWR's findings relating to the Delta Conveyance Project under State CEQA Guidelines sections 15091 and 15093; and all public comments; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred;

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The foregoing recitals are true and correct and are incorporated herein and made an operative part of this Resolution.

SECTION 2. Adequacy of the EIR under CEQA. The District has independently reviewed and considered the certified EIR for the Delta Conveyance Project, DWR's record of proceedings, and the District's record of proceedings, and the District finds that the EIR adequately and properly analyzes the potential environmental impacts of the Delta Conveyance Project, including Pre-Construction Work that the District seeks to fund.

The District further hereby finds that none of the conditions set forth in State CEQA Guidelines section 15162 that could potentially trigger the need for a Subsequent EIR or Subsequent Negative Declaration apply to the Pre-Construction Work. The Pre-Construction Work does not entail or propose any substantial changes to the Delta Conveyance Project that will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There have been no substantial changes that have occurred with respect to the circumstances under which the Pre-Construction Work, which was analyzed in the EIR, will be undertaken that will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified, which shows that (1) the Pre-Construction Work will have one or more significant effects not discussed in the EIR; (2) significant effects previously examined will be substantially more severe than shown in the EIR; (3) mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the Delta Conveyance Project or Pre-Construction Work; or (4) mitigation measures or alternatives which are considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment. None of these conditions, as set forth in State CEQA Guidelines section 15162, apply here.

SECTION 3. Finding concerning Alternatives and Mitigation Measures. The District, as a responsible agency under CEQA, is more limited than the lead agency (i.e., DWR) when considering alternatives and mitigation measures for the Delta Conveyance Project. A responsible agency has responsibility for mitigating or avoiding only the direct or indirect environmental effects of those parts of a project that the responsible agency decides to carry out, finance, or approve; moreover, a responsible agency is required to adopt a feasible alternative or feasible mitigation measures for a project only if (1) such alternative or mitigation measures are within the responsible agency's powers, and (2) the alternative or mitigation measures would substantially lessen or avoid any significant effect the project would have on the environment.

Here, the District is not approving or committing to carrying out, financing, or approving the broader Delta Conveyance Project, nor does the District have legal authority or powers to approve or carry out modifications or operations to the State Water Project or the Delta Conveyance Project. Instead, the District seeks only to assist in the funding of the Pre-Construction Work, which entails data collection, research, and resource evaluation activities that precede any physical construction of the Delta Conveyance Project. The District finds that the mitigation measures to be implemented by DWR, as set forth in the EIR and the MMRP adopted by DWR, mitigate and avoid the Pre-

Construction Work's potential environmental impacts to the extent feasible. The District finds there are no feasible alternatives or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the Pre-Construction Work would have on the environment beyond what was identified in the EIR and the MMRP.

SECTION 4. CEQA Findings of Fact under State CEQA Guidelines section 15091. The District adopts DWR's CEQA Findings of Fact, a true and correct copy of which is attached hereto as **Attachment "A"** and incorporated herein by reference, as to the Pre-Construction Work.

SECTION 5. Statement of Overriding Considerations. The District finds that the Pre-Construction Work's economic, legal, social, technological, and other benefits outweigh, both individually and collectively, the Pre-Construction Work's potentially significant and unavoidable environmental effects. Pursuant to State CEQA Guidelines section 15093, the District hereby adopts the Statement of Overriding Considerations attached hereto and incorporated by reference as **Attachment "B."**

SECTION 6. Approval of Funding for Pre-Construction Work. The District's Board of Directors hereby authorizes the District's General Manager to execute a letter that commits the District to contribute additional funds for Pre-Construction Work for the Calendar Years 2026 and 2027 in an amount not to exceed $2,4000,000.

SECTION 7. Notice of Determination. The District's Board of Directors hereby directs staff to prepare, file, and cause to be posted a Notice of Determination with the County Clerk or Clerk to the Board of Supervisors in the Counties of Alameda, Contra Costa, Sacramento, San Joaquin, Solano, and Yolo within five (5) working days of the approval of the Resolution.

SECTION 8. Custodian of Documents. The custodian of documents constituting the record of proceedings for this matter is Linda Esquivel, Clerk of the District. The documents constituting the record of proceedings for this matter are located at 1402 North Vosburg Drive, Azusa, California 91702.

SECTION 9. Severability. If any provision of this Resolution is held invalid, the remainder of this Resolution shall not be affected by such invalidity, and the provisions of this Resolution are severable.

SECTION 10. Effective Date. This Resolution shall become effective immediately upon its adoption.

Passed and Adopted by the Board of Directors of the San Gabriel Valley Municipal Water District on this 14th day of October, 2024, by the following vote:

AYES:

NOES:

ABSENT:

_____

Linda Esquivel
Clerk of San Gabriel Valley Municipal
Water District

Attachment "A"

Department Of Water Resources'

CEQA Findings Of Fact

DELTA CONVEYANCE PROJECT

CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

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Chapter 1
Introduction

Under the California Environmental Quality Act (CEQA), a state or local public agency decision maker, before approving a project for which an environmental impact report (EIR) was prepared, must make certain findings with respect to each significant impact identified in the EIR. (See Pub. Resources Code, § 21081, subd. (a); see also Cal. Code Regs., tit. 14, div. 6, ch. 3 ("CEQA Guidelines"), § 15091, subd. (a).) Such findings are one of the primary means by which California public agencies satisfy what the California Supreme Court has called the "substantive mandate" of CEQA, by which such agencies must substantially lessen or avoid the occurrence of significant environmental impacts to the extent feasible. (See *Mountain Lion Foundation v. Fish & Game Com.* (1997) 16 Cal.4th 105, 134; Pub. Resources Code, § 21002.)

With regard to each significant impact, the agency decisionmaker must make at least one of the following findings:

> (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR;
>
> (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
>
> (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

(CEQA Guidelines, § 15091, subd. (a)(1)-(3).)

Additionally, the findings required under CEQA must be supported by substantial evidence. (CEQA Guidelines, § 15091, subd. (b).)

A typical set of CEQA findings identifies all adopted or rejected mitigation measures for the various significant environmental impacts of a proposed project. The findings then go on to explain why various project alternatives identified in EIRs are either infeasible or unnecessary to meet the substantive mandate of CEQA.

A related CEQA requirement is the need for the agency decision maker to adopt a "statement of overriding considerations" before approving any project with environmental effects that cannot feasibly be mitigated to a less than significant level. (Pub. Resources Code, § 21081, subd. (b); CEQA Guidelines, § 15093.) This separate requirement is not a substitute for the adoption of CEQA findings, but is an additional procedural step required as part of the project approval process. A statement of overriding considerations must identify "the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of [the] proposed project [that] outweigh the [project's] unavoidable adverse environmental effects," thereby rendering them "acceptable" to the decision maker. (CEQA Guidelines, § 15093, subd. (a).)

The document at hand is intended to satisfy both of the above-described CEQA requirements with respect to the project commonly known as the Delta Conveyance Project (the Project). As the CEQA lead agency, the California Department of Water Resources (DWR) has completed the Final

Environmental Impact Report (Final EIR) for the Project. As the final decision maker for DWR, the Director of DWR (Director) has certified the EIR pursuant to CEQA Guidelines section 15090 and is now in a position to consider approval of the Project.[1]

Through this document, including its attachments, the Director hereby issues both the CEQA Findings of Fact (Findings) and the Statement of Overriding Considerations necessary for the Project. The Director does so after having received, reviewed, and considered not only the Final EIR, but also the previously issued Draft Environmental Impact Report (Draft EIR), as well as public and agency comments on those documents and all other information in DWR's record of proceedings.

The tables included in Exhibit A (CEQA Findings of Fact for the Project's Significant and Unavoidable Impacts, Impacts that are Less Than Significant after Mitigation and Impacts that are Less Than Significant/No Impact), contain findings that explain all of the mitigation measures proposed in the Final EIR (including the Compensatory Mitigation Plan for Special-Status Species and Aquatic Resources) have been adopted and incorporated into the enforceable Mitigation Monitoring and Reporting Program (MMRP) for the Project. (See Pub. Resources Code, § 21081.6, subds. (a)(1) and (b).) Likewise, the environmental commitments including best management practices (BMPs) set forth in Appendix 3B, *Environmental Commitments and Best Management Practices*, of the Final EIR have been incorporated into the MMRP.

As part of the narrative portion of these findings, the Director explains why the other project alternatives analyzed in the Final EIR are being rejected. Each specific finding is supported by substantial evidence in the record of proceedings.

The Statement of Overriding Considerations, found near the end of this document, then identifies the specific economic, legal, social, technological, and other benefits of the Project that, in the Director's view, outweigh the Project's significant and unavoidable environmental impacts. To the extent that these Findings do not set forth in detail all of the evidence in support of the conclusions reached, readers seeking additional information are directed to the Final EIR and supporting evidence in the record of proceedings, which is hereby incorporated by reference.

In addition to these CEQA Findings and the Statement of Overriding Considerations, Exhibit B to these CEQA Findings sets forth the Director's Public Trust Findings for the Project. The Public Trust Findings consider the Project's potential effect on the public trust and the state's affirmative duty to preserve, so far as consistent with the public interest, the resources and values protected by the trust. While the Public Trust Findings constitute separate findings from the CEQA Findings, the CEQA Findings and overall record of proceedings provide further evidentiary support for the conclusions reached in the Public Trust Findings.

[1] Subsequent actions by other responsible agencies, such as the California Department of Fish and Wildlife, will also be required before Project construction and/or operation may commence. Before DWR commences any project operations, DWR and responsible agencies will take future discretionary actions identified in the EIR, and such future actions will be subject to CEQA.

Chapter 2
Record of Proceedings

For purposes of CEQA and these Findings, the Record of Proceedings for the Project consists of the following documents, at a minimum:

- The Notice of Preparation and all other public notices issued by DWR in conjunction with the Project.
- The Final EIR for the Project and any documents cited therein.
- All comments submitted by agencies or members of the public during the public comment period on the Draft EIR.
- All comments and correspondence submitted to DWR with respect to the Project, in addition to timely comments on the Draft EIR, including responses to the Notice of Preparation.
- The Mitigation Monitoring and Reporting Plan for the Project.
- All reports, studies, memoranda, maps, staff reports, or other planning documents in DWR's files relating to the Project prepared by DWR staff, consultants to DWR, and responsible or trustee agencies with respect to DWR's compliance with the requirements of CEQA and with respect to DWR's actions on the Project.
- All documents submitted to DWR by other public agencies or members of the public with respect to compliance with CEQA or with respect to the Project.
- Any minutes and/or verbatim transcripts of all public meetings held by DWR in connection with the Project.
- Any documentary or other evidence submitted to DWR regarding the Project.
- Matters of common knowledge to DWR, including, but not limited to federal, State, and local laws and regulations;
- Any documents expressly cited in the Final EIR, these findings, or the statement of overriding considerations in addition to those cited above; and
- Any other materials required to be in the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

The custodian of the documents comprising the record of proceedings: Marcus Yee, DWR, Program Manager III for the Project, 1516 9th Street, Sacramento, CA 95814. Many project-related documents that comprise the record of proceedings are also available on DWR's websites for the Project: https://www.deltaconveyanceproject.com and https://water.ca.gov/deltaconveyance.

The Director of DWR has relied directly or indirectly on all the documents listed above in reaching a decision on the Project. Many of the documents listed above were prepared by, or submitted to, DWR during preparation of the EIR for the Project. Other documents reflect prior planning or legislative decisions with which the Director was aware in approving the Project. For that reason, such documents form part of the underlying factual basis for the Director's decisions relating to approval of the Project. (See Pub. Resources Code, § 21167.6, subd. (e)(10); *Browning-Ferris Industries v. City Council of City of San Jose* (1986) 181 Cal.App.3d 852, 866; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 155.)

Chapter 3
Recirculation

Under section 15088.5 of the CEQA Guidelines, recirculation of an EIR is required when "significant new information" is added to the EIR after public notice is given of the availability of the draft EIR for public review but prior to certification of the final EIR. The term "information" can include changes in the project or environmental setting, as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation includes, for example, a disclosure showing that:

> (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
>
> (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
>
> (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
>
> (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

(CEQA Guidelines, § 15088.5, subd. (a).)

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The above standard is "not intend[ed] to promote endless rounds of revision and recirculation of EIR's [sic]. Recirculation was intended to be an exception, rather than the general rule." (*Laurel Heights Improvement Assn. v. Regents of the Univ. of Cal.* (1993) 6 Cal.4th 1112, 1132.)

CEQA case law emphasizes that "'[t]he CEQA reporting process is not designed to freeze the ultimate proposal in the precise mold of the initial project; indeed, new and unforeseen insights may emerge during investigation, evoking revision of the original proposal.'" (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 736-737; see also *River Valley Preservation Project v. Metropolitan Transit Development Bd.* (1995) 37 Cal.App.4th 154, 168, fn. 11.) "'CEQA compels an interactive process of assessment of environmental impacts and responsive project modification which must be genuine. It must be open to the public, premised upon a full and meaningful disclosure of the scope, purposes, and effect of a consistently described project, with flexibility to respond to unforeseen insights that emerge from the process.' [Citation.] In short, a project must be open for public discussion and subject to agency modification during the CEQA process." (*Concerned Citizens of Costa Mesa, Inc. v. 32nd Dist. Agricultural Assn.* (1986) 42 Cal.3d 929, 936.) Similarly, additional studies included in a final EIR that result in minor modifications or additions to analyses concerning significant impacts disclosed in a draft EIR do not constitute "significant new information" requiring recirculation of an EIR. (See *Mount Shasta Bioregional Ecology Center v. County of Siskiyou* (2012) 210 Cal.App.4th 184, 220-221 [incorporation of technical studies in a final

EIR disclosing additional locations affected by a significant noise impact identified in the draft EIR did not require recirculation].)

DWR recognizes that the Final EIR incorporates information obtained and produced after the Draft EIR was completed, and that the Final EIR contains additions, clarifications, and modifications, including data and information to further support the information presented in the EIR. Due to the challenges in making a document with strikeouts ADA compliant and to improve the overall readability of the Final EIR, the Final EIR includes a final clean version of the EIR including the additions, clarifications, and modifications made to the Draft EIR. The Final EIR summarizes the key additions, clarifications, and modifications made by DWR in Volume 2, Chapter 1, *Introduction and Approach to Responses to Comments*. Furthermore, a track change version of the EIR is available to other agencies and the public upon request. DWR has reviewed and considered the Final EIR including all new information included therein. DWR finds that the new information added in the Final EIR either provides additional discussion and analysis not required by CEQA that was included for informational purposes or otherwise clarifies or makes minor changes to the adequate Draft EIR.

As explained further in Exhibit C to these CEQA Findings, none of the new information constitutes significant new information requiring recirculation of the Draft EIR under CEQA. The new information added to the EIR does not involve a new significant environmental impact, a substantial increase in the severity of a previously identified significant environmental impact, or a feasible mitigation measure or alternative that is considerably different from others previously analyzed that would clearly lessen one or more significant environmental impacts of the Project and that DWR declines to adopt.

DWR finds that the changes and modifications made to the EIR after the Draft EIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of Public Resources Code section 21092.1 or CEQA Guidelines section 15088.5. No information indicates that the Draft EIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the Draft EIR. Thus, recirculation of the EIR is not required.

Chapter 4
Subsequent Review

Prior to reaching decisions on the Project, responsible agencies must consider the environmental effects of the project as shown in the EIR and determine whether a subsequent or supplemental EIR is required pursuant to CEQA Guidelines sections 15162 or 15163. Furthermore, the EIR evaluates Project operations based on the Project design and what was known and reasonably foreseeable when the EIR was prepared, but DWR acknowledges that: (1) operations will not occur for well over 15 to 20 years due, in part, to the time required to complete construction of the project, and (2) new information of substantial importance or substantial changes could occur with respect to Project design or the circumstances under which the Project is undertaken. Under these conditions, prior to the commencement of operations, DWR would evaluate whether subsequent CEQA review is required before undertaking any discretionary actions that may be required to change Project design or operational criteria such that they are sufficiently protective to environmental resources.

Chapter 5
Project Background

On April 29, 2019, Governor Newsom signed Executive Order N-10-19 directing the California Natural Resources Agency, California Environmental Protection Agency, and California Department of Food and Agriculture to develop a comprehensive strategy to build a climate-resilient water system and ensure healthy waterways through the twenty-first century. After a public input period, Governor Newsom released the *California Water Resilience Portfolio* on July 28, 2020. The *California Water Resilience Portfolio* identified a suite of complementary actions to ensure safe and resilient water supplies, flood protection, and healthy waterways for the state's communities, economy, and environment. One of the projects identified in the portfolio is new diversion and conveyance facilities in the Sacramento–San Joaquin Delta (Delta) to safeguard the State Water Project (SWP).

In response to Governor Newsom's water policy objectives, DWR as the owner and operator of the SWP, proposed to design and construct two diversion facilities, each at 3,000 cfs capacity, on the Sacramento River; a single tunnel for conveyance; tunnel shafts; and a pumping plant and appurtenant facilities. As discussed further below, DWR's Notice of Preparation (NOP) for the Project EIR identified the proposed project as either the central or eastern alignment with pumping facilities in the south Delta near Clifton Court Forebay. These alternatives are identified as Alternatives 1 and 3 in the Draft EIR. After the process of identifying and screening alternatives evaluated in the Draft EIR (see Final EIR, Volume I, Appendix 3A, *Identification of Water Conveyance Alternatives*) and after an initial evaluation of the alternatives selected for detailed analysis in the Draft EIR, DWR selected a different alternative as the proposed project to analyze in the Draft EIR. Specifically, based on engineering feasibility, conceptual design, constructability, and potential to reduce key environmental impacts on cultural resources, important farmland, wetlands and other waters of the United States, wildlife habitat, transportation, air quality, noise, and Delta community effects, DWR selected the Bethany Reservoir alignment at 6,000 cfs conveyance capacity as the proposed project, which is identified as Alternative 5 in the EIR and referred to herein as the Project. Unlike Alternatives 1 and 3, the Project proposes to discharge water directly to the Bethany Reservoir along the California Aqueduct.

The primary purpose of the SWP is to convey water to local and regional water suppliers across California that, in turn, supply end users engaged in the beneficial uses of that water; it serves as the foundation for local water supplies. The SWP supplies water to 27 million people in northern California, the Bay Area, the San Joaquin Valley, the Central Coast, and southern California. SWP water also irrigates about 750,000 acres of farmland, mainly in the San Joaquin Valley (Final EIR, Volume 1, Chapter 2, *Purpose and Project Objectives*, p. 2-1). Other SWP functions include flood management, water quality maintenance, power generation, recreation, and fish and wildlife enhancement. The SWP was designed to deliver up to nearly 4.2 million acre-feet of water per year, depending on hydrologic conditions. The SWP has long-term contracts to supply water to 29 public water agencies that distribute it to farms, homes, and industry. During the 1999 to 2008 period, SWP deliveries averaged 2.86 MAF per year (California Department of Water Resources 2002, 2008a). But total SWP deliveries averaged about 1.96-million-acre feet (MAF) of water per year from 2009 to 2018 (California Department of Water Resources 2020:18). Of the contracted water supply, approximately 70% goes to municipal and industrial users and 30% to agricultural users (Santa Clara Valley Water 2022). Water supply depends on rainfall, snowpack, runoff, water in

storage facilities, and pumping capacity from the Delta, as well as operational limits for fish and wildlife protection, water quality, and environmental and legal restrictions. The infrastructure that enables the conveyance, or movement, of California's water supply is critical to the health of California's economy.

Factors such as the continuing subsidence of lands, risk of seismic activity and levee failures within the Delta, sea level rise, precipitation change, warmer temperatures, and wider variations in hydrologic conditions associated with climate change threaten the reliability of the current SWP water conveyance system. Additionally, as explained in Final EIR, Volume 1, Chapter 1, *Introduction*, Section 1.2.3.4, *Regulatory Environment*, pumping restrictions applied by regulatory agencies to address water quality and aquatic species concerns at the south Delta diversion continue to prevent the SWP from reliably capturing water when it is available, especially from storm events. Constraints on groundwater use imposed by the Sustainable Groundwater Management Act of 2014 could also increase the need for reliable SWP surface water supplies over time.

DWR's proposal of the Project is informed by past efforts undertaken to address the long-standing issues the SWP faces, including those undertaken through the CALFED Bay-Delta Program, the Delta Risk Management Strategy, and the Bay Delta Conservation Plan/California WaterFix planning process. The need for new Delta water conveyance infrastructure to help achieve the State's coequal goals of "providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem" (Pub. Resources Code § 29702(a)) was recognized by the legislature when it adopted the Sacramento–San Joaquin Delta Reform Act of 2009 (Water Code § 85000 et seq., discussed in Final EIR, Volume 1, Chapter 1, *Introduction*, Section 1.2.3.1, *California Water Supply*, and Section 1.2.4.4, *The Bay Delta Conservation Plan and California WaterFix*).

5.1 Project Objectives

DWR's fundamental purpose in proposing to develop new diversion and conveyance facilities in the Delta is to restore and protect the reliability of SWP water deliveries and, potentially, Central Valley Project (CVP) water deliveries south of the Delta, consistent with the State's Water Resilience Portfolio in a cost-effective manner.

The above stated purpose, in turn, gives rise to several related objectives of the Project, as follows:

- To help address anticipated rising sea levels and other reasonably foreseeable consequences of climate change and extreme weather events.
- To minimize the potential for public health and safety impacts from reduced quantity and quality of SWP water deliveries, and potentially CVP water deliveries, south of the Delta as a result of a major earthquake that could cause breaching of Delta levees and the inundation of brackish water into the areas where existing SWP and CVP pumping plants operate in the southern Delta.
- To protect the ability of the SWP, and potentially the CVP, to deliver water when hydrologic conditions result in the availability of sufficient amounts of water, consistent with the requirements of state and federal law, including the California and federal Endangered Species Acts (CESA and ESA, respectively) and Delta Reform Act, as well as the terms and conditions of water delivery contracts and other existing applicable agreements.

- To provide operational flexibility to improve aquatic conditions in the Delta and better manage risks of further regulatory constraints on project operations.

5.2 Project Description[2]

The Project involves the construction and future operation of new water intake facilities on the Sacramento River in the north Delta and a single main tunnel to divert and move water entering the north Delta from the Sacramento Valley watershed to existing SWP facilities in the south Delta, which would result in a dual conveyance system in the Delta. The water intake facilities would divert water through state-of-the-art fish screens. The proposed north Delta intakes would operate in conjunction with the existing SWP intakes in the south Delta. The proposed intakes would augment the ability to capture excess flows and improve the flexibility of the SWP operations such as for meeting the State Water Board Decision 1641 Delta salinity requirements. The north Delta intakes would be used to capture additional excess flows when the south Delta exports are limited and not able to capture those flows.

Under the Project, two intakes (Intakes B and C as defined in the EIR) would together convey up to 6,000 cfs of water from the north Delta along an eastern alignment to the launch shaft at Lower Roberts Island. From Lower Roberts Island, the single below ground tunnel would follow a route to a location south of Clifton Court Forebay and terminate at the Bethany Complex. A map and a schematic diagram depicting the conveyance facilities associated with the Project are provided in Final EIR, Volume 1, Mapbook 3-3 as well as Figures 3-2 (Bethany Reservoir Alignment) and 3-30. The Project would entail the continued use of the SWP south Delta export facilities as the primary diversion location. The sections below provide details on key features of the Project along with a summary of Project features.

5.2.1 Intake Structure and Fish Screens

Intakes B and C on the east bank of the Sacramento River would divert water and convey it through a single main tunnel. Intake B would be just north of Hood, and Intake C would be between Hood and Courtland (see Final EIR, Volume 1, Mapbook 3-3, Sheets 2 and 3). Intakes B and C would each divert up to 3,000 cfs under the Project. Operated in a coordinated manner with the existing facilities, the north Delta facilities would provide flexibility to alter the location, amount, timing, and duration of diversions to help manage water quality in the Delta or when excess flows occur after all other applicable Delta outflow requirements are met.

At each intake, water would flow through cylindrical tee fish screens mounted on the intake structure to a sedimentation basin before reaching the intake outlet (tunnel inlet) shaft at each site. The intake outlet shaft would serve as the tunnel boring machine reception or maintenance shaft during construction and as the intake shaft and maintenance access during operation. These shafts would have an inside diameter of 83 feet. From the intake outlet shaft, water would flow into a single-bore main tunnel that connects the intakes to the Twin Cities Complex, from which the tunnel route would extend south on the Bethany Reservoir alignment.

[2] This information is derived from Chapter 3, *Description of the Proposed Project and Alternatives,* of the Final EIR and outlines key features of the Project. For more information on the Project components, see Chapter 3 of the Final EIR.

Intake features would include state-of-the-art cylindrical tee fish screens, intake structures, sedimentation basins, sediment drying lagoons, and flow control structures. Intakes would also include associated facilities to support construction and operation of the intakes. Fish screens installed on intake structures minimize aquatic species from being carried into the intake facilities along with the diverted water. The intake screens are designed to draw in water at reduced velocities to reduce potential effects to the subset of fish exposed to the intake screens.

The intake fish screens are part of an overall intake system that includes the screen units and an integrated screen cleaning system, piping, and flow control features. The "tee-shaped" screen units would consist of two fish screen cylinders installed on either side of a center manifold that would be connected to the facility's intake opening. Each intake fish screen would extend about 12 feet from the vertical face of the intake structure into the river. During diversion operations, water would flow from the Sacramento River through the fish screens and a 60-inch diameter pipe and discharge into the sedimentation basins. Control gates would regulate the flow through each screen unit to the sedimentation basin.

5.2.2 Construction of Intake Structures

Installing the intake facility would require construction of a temporary cofferdam for in-river portions of intake construction to divert water and aquatic organisms around the work site and create a dry work area. Portions of the cofferdam would consist of interlocking steel sheet piles installed using vibratory pile driving or, if necessary, a combination of vibratory and impact pile driving. Vibratory pile driving is a method by which the pile is vibrated into the soil beneath the site as opposed to being hammered in, as occurs in impact pile driving. Noise associated with the vibratory pile driving is considerably lower than noise associated with impact hammer pile driving. To minimize noise and other disturbances from pile driving, vibratory pile driving would be used to the extent possible where supported by additional geotechnical information, thus eliminating or minimizing impact pile driving. All pile driving would be restricted to the daytime hours between 7:00 a.m. and 7:00 p.m. and would not occur at night. It is estimated that the longest installation period (at Intake C) would be no more than 255 hours over a 5- or 6- week period, including time for handling and preliminary vibratory pile driving. Assuming 2 minutes of driving time for each sheet pile pair, impact drive time (as a subset of the total installation period) would be a cumulative total of 14 hours at Intake C with 3,000-cfs capacity, occurring over roughly 5 or 6 weeks. Each intake sheet pile construction period would be staggered by about 1 year (Delta Conveyance Design and Construction Authority 2022).

5.2.3 Sedimentation Basins and Drying Lagoons

Diverted water would contain sediment suspended in the river water, a portion of which would be collected in a concrete-lined sedimentation basin. A deep soil-cement-bentonite perimeter wall (cutoff wall) would serve to isolate the sediment basins from the local groundwater and the Sacramento River. Each intake would have one sedimentation basin divided into two cells by a turbidity curtain. Water would flow from the intake through the sedimentation basin and through a flow control structure with radial gates into the outlet channel and shaft structure that would be connected to the tunnel system.

The screen and intake design would allow sufficient flow velocities in diversion pipes to sweep sediment into the sedimentation basin and prevent it from settling in the piping system. Once the diverted water enters the sedimentation basins, larger sand and silt sediment particles would settle

while smaller silt and clay particles would be carried into the tunnel. A flow control structure with four large radial gates and one smaller gate would control the water level in the sedimentation basin and discharge flow into the intake outlet channel and outlet shaft. Tunnel and aqueduct velocity would be sufficient to transport these smaller particles to Bethany Reservoir.

Each intake would have four concrete-lined sediment drying lagoons, each approximately 15 feet deep, containing an average of 10 to 12 feet of water within its embankments when in use. Once a year, during the summer months, the sedimentation basin would be dredged, one half at a time, and sediment slurry discharged to drying lagoons, dewatered, and allowed to dry naturally. The sediment is anticipated to be composed of large silt and sand particles with minimal organic material. During dredging operations, sediment is expected to accumulate to a depth of about 1 foot, distributed over the floor of the drying lagoons. Water drained from the sediment drying lagoon outlet structures and underdrains would be pumped back into the sedimentation basin. The sediment remaining would be dried for 2 to 6 days, which would reduce its moisture content to a point at which the sediment can be removed and transported without creating dust. If sediment is dried to a level that would create dust, the dust would be controlled by application of water from on-site supplies. The dried sediment would be removed by truck for disposal at a permitted disposal site or used for beneficial uses off-site. The fill and drain/dry sequence would take about 7 to 8 days, which would approximately match the dredged material filling rate so continuous operation would be possible. On average, each drying lagoon would fill about once every 4 to 8 days and contain up to about 1,800 cubic yards of sediment. The volume of sediment collected would depend upon the volume, suspended sediment concentration, and flow rate of water diverted at the intake. Intake maintenance activities are described in Final EIR, Volume 1, Chapter 3, *Description of the Proposed Project and Alternatives,* Section 3.16.5, *Intake Maintenance Activities.*

5.2.4 Bethany Complex and Other facilities

The Project would use Intakes B and C to convey up to 6,000 cfs of water from the north Delta along an eastern alignment to the launch shaft at Lower Roberts Island. From Lower Roberts Island, the tunnel would follow a route to a location south of Clifton Court Forebay and terminate at the Bethany Complex. The Bethany Complex would include a pumping plant, a surge basin with reception shaft, a buried pipeline aqueduct system, and a discharge structure to convey water to Bethany Reservoir. The Bethany Complex would be constructed southeast of Clifton Court Forebay. The Bethany Complex includes the Bethany Reservoir Pumping Plant which would be needed to lift the water from the tunnel to Bethany Reservoir. The main tunnel from the intakes would terminate at a reception shaft within the surge basin on the north side of the Bethany Reservoir Pumping Plant. Water would enter the Bethany Reservoir Pumping Plant and be conveyed directly to Bethany Reservoir in an aqueduct system. The Bethany Reservoir Pumping Plant would include the Bethany Reservoir Surge Basin which would remain empty while the Bethany Reservoir Pumping Plant is operating. The Bethany Reservoir Aqueduct system would consist of four 15-foot-diameter parallel pipelines that would convey water from the Bethany Reservoir Pumping Plant to the Bethany Reservoir Discharge Structure, a distance of approximately 2.5 miles each. Two separate aqueduct reaches would require tunnels to carry each pipeline under existing features. The first reach would be under the Jones Pumping Plant discharge pipelines (about halfway from the Bethany Reservoir Pumping Plant to the discharge structure); at this location pipelines would run about 50 feet below ground surface for about 200 feet. Tunnels would also be needed under the existing conservation easement adjacent to Bethany Reservoir (at the last downstream reach of the aqueduct) for about 3,064 feet, ranging from 45 to 180 feet below ground surface. The aqueduct pipelines would

terminate near the bottom of four 55-foot-inside-diameter below ground vertical shafts at the Bethany Reservoir Discharge Structure. The pipelines would make a 90-degree bend upward inside the shafts, ending at the floor of the discharge structure and flowing through a concrete channel into Bethany Reservoir. Finally, the discharge structure portion of the Bethany Complex called the Bethany Reservoir Discharge Structure located near the bank of Bethany Reservoir includes the aqueduct conservation easement tunnel vertical exit shafts, contractor staging areas, and ancillary facilities. The proposed discharge structure site would be on a narrow strip of land between the conservation easement and Bethany Reservoir.

Table 1. Summary of Project Features

Characteristic	Description [a]
Alignment	Bethany Reservoir
Conveyance capacity	6,000 cubic feet per second
Number of Intakes	2; Intakes B and C at 3,000 cfs each
Tunnel from Intakes to Bethany Reservoir Pumping Plant	
Diameter	36 feet inside, 39 feet outside
Length	45 miles
Number of tunnel shafts	11 [b]
Launch shafts diameter	115 feet inside
Reception and maintenance shafts diameter	70 feet inside
Surge Basin reception shaft diameter	120 feet inside
Twin Cities Complex	Construction acres: 586 Permanent acres: 222
New Hope Tract Maintenance Shaft	Construction acres: 11 Permanent acres: 11
Canal Ranch Tract Maintenance Shaft	Construction acres: 11 Permanent acres: 11
Terminous Tract Reception Shaft	Construction acres: 13 Permanent acres: 13
King Island Maintenance Shaft	Construction acres: 12 Permanent acres: 12
Lower Roberts Island Double Launch Shaft site	Construction acres: 610 Permanent acres: 300
Upper Jones Tract Maintenance Shaft	Construction acres: 11 Permanent acres: 11
Union Island Maintenance Shaft	Construction acres: 14 Permanent acres: 14
Bethany Complex	
Bethany Reservoir Pumping Plant and Surge Basin site size (all facilities)	Construction acres: 213 Permanent acres: 184
Bethany Reservoir Pumping Plant pad site	1,166 foot wide x 1,260 feet long (approximately 34 acres)
Surge basin	815 feet wide x 815 feet long x 35 feet deep, approximately 15 acres

Characteristic	Description [a]
Bethany Reservoir Aqueduct	Four 15-foot-diameter parallel below-ground pipelines Approximately 14,900 linear feet each Construction acres: 128 acres Permanent acres: 68
Aqueduct tunnels	Four 20-foot-diameter parallel tunnels, two reaches
Bethany Reservoir Discharge Structure	Construction acres: 15 Permanent acres: 13
RTM Volumes and Storage	
Twin Cities Complex long-term RTM storage (approximate)	214 acres x 15 feet high
Lower Roberts Island long-term RTM storage (approximate)	189 acres x 15 feet high
Bethany Complex	No TBM RTM generated or stored
Total wet excavated RTM volume (for single main tunnel from intakes to Bethany Reservoir Surge Basin shaft)	14.4 million cubic yards

cfs = cubic feet per second; RTM = reusable tunnel material; TBM = tunnel boring machine. The height of the RTM storage stockpiles would decrease as the RTM subsides into the ground over time.

[a] Acreage estimates represent the permanent surface footprints of selected facilities. Overall Project acreage includes some facilities not listed, such as permanent access roads.

[b] Number of shafts for the main tunnel from intakes to Bethany Reservoir Surge Basin shaft, counting the double shaft at Twin Cities Complex and the double shaft at Lower Roberts Island each as one shaft.

5.2.5 Water Conveyance Operational Components

The proposed north Delta intakes would operate in conjunction with the existing SWP. Operations of the existing SWP facilities, and in coordination with CVP operations pursuant to the Coordinated Operations Agreement, will be governed by the applicable regulatory requirements specified under the State Water Board Water Quality Control Plan for the San Francisco Bay/Sacramento–San Joaquin Delta Estuary (Bay-Delta Plan) and assigned to the SWP in the applicable water right decision, applicable biological opinions under ESA, applicable incidental take permit under CESA, and U.S. Army Corps of Engineers (USACE) Clifton Court diversion limits. The operations of the proposed north Delta intakes would remain consistent with these existing regulatory requirements. The Project is seeking a new point of diversion be added to DWR's existing water rights, and is not seeking to expand water right quantity. In addition, diversions at the proposed north Delta intakes would be governed by new operational criteria specific to these intakes, such as the fish screen approach velocity requirements, bypass flow requirements, and pulse protection. These new criteria provide additional protections to the fish species over and above the protections from the state-of-the-art positive barrier fish screens included at the proposed intakes. A detailed table describing the proposed operational criteria is provided in Final EIR, Volume 1, Chapter 3, *Description of the Proposed Project and Alternatives,* Table 3-14. Additional detail for the proposed north Delta intakes is provided in Final EIR, Volume 1, Table 3-15 in Section 3.16.7, *Delta Conveyance Project Preliminary Proposed Operations Criteria.* Also, in Final EIR, Volume 1, Section 3.16.7, Figure 3-37 provides a visual depiction of maximum allowable diversions in winter/spring and expected diversions in summer/fall. Final EIR, Volume 1, Figure 3-38 provides a depiction of the north Delta diversion operations concepts to minimize potential effects to aquatic species.

5.2.6 Adaptive Management and Monitoring

Adaptive management for the Project, as required by the Delta Reform Act and described in Appendix 1B of the Delta Plan, would encompass three major phases: planning, implementation, and evaluation and response (Delta Stewardship Council 2015; Cal. Code Regs., title 23, § 5002(b)(4)). The adaptive management plans and programs would document all activities associated with the planning phase of adaptive management and describe the process to be followed during the implementation and evaluation and response phases. Project objectives were taken into consideration in identifying where adaptive management would be most effective and applicable for the project. As appropriate, mitigation measures identified in the Final EIR, such as implementation of the habitat creation and restoration actions in the Compensatory Mitigation Plan (CMP), would integrate the concept of adaptive management in mitigation plan design, stand-alone site and/or resources-specific adaptive management plans would be adopted if the project is approved. In addition, an Operations Adaptive Management and Monitoring Program would be used to monitor and consider the design and operation of the new north Delta intakes and determine whether they result in unanticipated effects that may warrant refinements in design, management, and/or operation. For more information see Final EIR, Volume 1, Chapter 3, *Description of the Proposed Project and Alternatives,* Section 3.18, *Adaptive Management and Monitoring Program.*

5.3 Environmental Review Process

5.3.1 Alternatives Development and Screening Process

The 2020 NOP identified the proposed project as a 6,000 cfs diversion capacity alternative, to be located on either a central or eastern alignment from intakes in the north Delta to pumping facilities in the south Delta near Clifton Court Forebay. The EIR analyses were initiated with this concept of the proposed project, and with the knowledge that additional engineering refinements, preliminary findings about key environmental impacts, and input from the public and other interested parties may result in future changes. As the development of the EIR progressed, the evaluation provided additional information about the environmental impacts associated with the project alternatives. The preliminary impact assessment found that the Bethany Reservoir alignment had the potential to reduce environmental effects as compared to other project alternatives (see Section 7.3, *Summary Comparison,* for a discussion and comparison of project alternatives). As a result, DWR identified the Bethany Reservoir alignment (Alternative 5) as the proposed project in the EIR.

DWR began the alternatives development process by revisiting the scoping comments received on the Bay Delta Conservation Plan (BDCP) and California WaterFix, as described in Final EIR, Volume 1, Chapter 1, *Introduction*. During the 2009 BDCP EIR/EIS scoping process, 1,051 comments were received related to the development of alternatives. After publishing the Draft BDCP EIR/EIS, based on the Habitat Conservation Plan/Natural Community Conservation Plan approach in December 2013, and after reviewing critical public and fish and wildlife agency comments on that document, the lead agencies introduced a new proposed action called the California WaterFix in a Partially Recirculated Draft EIR/Supplemental Draft EIS in July 2015.

While the BDCP and then California WaterFix had different project objectives, some of these alternative comments or suggestions were applicable to the Delta Conveyance Project. The 2020 Delta Conveyance Project NOP described a new proposed single-tunnel project and solicited

additional suggestions about potential alternatives during the public scoping period. This involved input from a large group of interested parties, an extensive evaluation of various options, and analysis of the environmental impacts that goes beyond the normal scope of a CEQA review. These processes were helpful in informing the public and gathering input on a project that would affect a very complex estuary and a statewide water supply system.

The Project underwent a public scoping period of 93 days from January 15 to April 17, 2020, where DWR received public comments from 2,000 individuals, organizations, and agencies on the scope of issues to be considered in the Draft EIR. Eight scoping meetings, which hosted a total of more than 700 attendees, were held throughout the state to provide information on the project and gather comments. The scoping period was originally scheduled for a period of 65 days ending on March 20, 2020, but was extended for an additional 28 days per the request of interested parties to allow for additional time to review project information, and to accommodate unprecedented circumstances related to the coronavirus disease 2019 (COVID-19) pandemic. During this period, the public was invited to participate in the earliest phase of the environmental review process and DWR accepted public comments on the proposed project as defined in the NOP. For more detailed information about the scoping process and relevant outreach efforts, please see Final EIR, Volume 1, Appendix 1A, *Scoping Summary Report.*

Following the 2020 NOP and consideration of scoping comments, DWR screened a range of alternatives and began evaluating potential impacts from constructing, operating, and maintaining conveyance facility alternatives. Contemporaneously, the engineering team continued to refine potential facility designs, construction approaches, and project operations to optimize the conveyance facility approach and evaluate options to further reduce environmental effects.

The screening process for the Delta Conveyance Project EIR focused on identifying alternatives to the proposed project, as defined in the NOP, and these alternatives were screened with the purpose and objectives of the proposed project in mind. The proposed project identified in the NOP and developed to specifically meet the stated project objectives, Dual Conveyance Central Tunnel Alignment or Dual Conveyance Eastern Tunnel Alignment, with a maximum 6,000 cfs capacity, was the basis against which alternatives were screened. The screening criteria were developed consistent with the legal requirements of CEQA and the project objectives included in the NOP published on January 15, 2020.

The alternatives were grouped into four categories of dual conveyance, isolated conveyance, through-Delta conveyance with proposed diversion facility, and through-Delta conveyance with no new diversion facilities. A fifth "other" category encompassed alternatives proposing other technologies, including capping the California Aqueduct, use of an aboveground "tube" to convey water, and desalination on barges in Monterey Bay. Not including the NOP identified alternatives (Dual Conveyance Central Tunnel Alignment with 6,000-cfs 35 capacity and Dual Conveyance Eastern Tunnel Alignment with 6,000-cfs capacity), a total of 21 alternatives were generated at this stage. In some cases, multiple similar proposals were combined and evaluated as one. Each of the screened alternatives is described in Final EIR, Volume 1, Appendix 3A, *Identification of Water Conveyance Alternatives.*

The 21 potential alternatives to the proposed project were screened through a two-level filtering process. Filter 1 assessed whether a proposed alternative could meet the project purpose and most of the project objectives. Alternatives that met two or more of the following four Filter 1 criteria summarizing the four project objectives were carried forward for screening under Filter 2. Final EIR,

Volume 1, Appendix 3A, Identification of Water Conveyance Alternatives, describes the following Filter 1 criteria in more detail.

- **Climate resiliency.** Addresses anticipated sea level rise and other reasonably foreseeable consequences of climate change and extreme weather events.
- **Seismic resiliency.** Minimizes health and safety risk to public from earthquake-caused reductions in water delivery quality and quantity from the SWP.
- **Water supply reliability.** Restores and protects the ability of the SWP to deliver water in compliance with regulatory limits and SWP contractual agreements.
- **Operational resiliency.** Provides operational flexibility to improve aquatic conditions and manage future regulatory constraints.

Filter 2 examined whether the remaining alternatives would avoid or lessen potential significant environmental impacts compared to the proposed project options identified in the NOP.

Of the 21 potential alternatives to the proposed project (identified in the NOP as Alternatives 1 and 3) that were evaluated as part of the screening process, 11 alternatives or groups were eliminated in Filter 1 (Final EIR, Volume 1, Appendix 3A, *Identification of Water Conveyance Alternatives*, Table 3A-2). The remaining alternatives were screened through Filter 2 to evaluate whether they had the potential to lessen environmental impacts compared to the two project options (Alternatives 1 and 3) identified in the NOP (Final EIR, Volume 1, Appendix 3A, *Identification of Water Conveyance Alternatives*, Table 3A-3). Only the Dual Conveyance Bethany Alignment alternative passed Filter 2 screening for its potential to avoid or reduce impacts compared to the proposed project identified in the NOP (Alternatives 1 and 3). To evaluate the potential for modifications to the capacity of the project options identified in the NOP to potentially avoid or reduce impacts, alternatives with capacities of 3,000 cfs (Alternatives 2b and 4b), 4,500 cfs (Alternatives 2c and 4c), and 7,500 cfs (Alternatives 2a and 4a) were also carried forward for analysis in the EIR. As a result, including the No Project alternative, the EIR evaluates ten proposed alternatives to the Project.

5.3.2 Release of, and Comments on, the Draft EIR

The Draft EIR for the Project was released for public review and comment on July 27, 2022. The public comment period for the Draft EIR was originally set for 92 days and scheduled to close on October 27, 2022. In response to requests from multiple commenters, DWR granted a 50-day extension to the public comment period, which closed at 5:00 p.m. Pacific Standard Time on December 16, 2022. The extension allowed a public comment period totaling 142 days.

DWR conducted three public hearings on September 13, September 22, and September 28, 2022, during different times of the day, during which DWR accepted verbal comments on the Draft EIR. In addition, DWR held two Tribal representatives meetings, on October 12 and December 7, 2022, for Tribal leadership, Tribal government representatives, and Tribal communities to provide verbal comments on the Draft EIR.

DWR received approximately 675 unique letters and communications from federal, state, and local/regional agencies; California Native American Tribal governments; elected officials; nongovernmental organizations; and members of the public. After reviewing letters and communications, DWR identified approximately 7,356 discrete comments.

The comments covered a broad range of environmental concerns and other issues. Major topic areas that elicited frequent comments included but were not limited to: the CEQA process, mitigation measures, and other project requirements; engagement with interested parties and the public outreach process; alternatives development, range and description, including alternative operations; implementation considerations; surface water quality and groundwater methodologies and impacts; fish and aquatic resources methodology and impacts; terrestrial biological resources methodology and impacts; Tribal cultural resources impacts; and air quality methodology and impacts.

5.3.3 Preparation of the Final EIR

To ensure time for comment letters sent by mail, DWR treated all comment letters received before January 1, 2023, as timely. As such, all comments received prior to January 1, 2023, are responded to in Final EIR, Volume 2. Any comments received on or after January 1, 2023, were considered late letters. While late letters have been reviewed and considered by DWR, DWR did not include late letters, or responses thereto, in the Final EIR. The responses to comments provided in Final EIR, Volume 2, represent DWR's best effort to review, consider, and address all timely comments on the Draft EIR and any supporting information provided by commenters.

Agency consultation and coordination activities, including Tribal consultation, continued during preparation of the Final EIR for the Project. DWR also continued to proactively engage interested agencies and the public throughout the CEQA processes including preparing informative websites and social media updates.

Chapter 6
Project Specific Findings on the Delta Conveyance Project Environmental Impacts

Within each of the resource area chapters, the Final EIR lays out the significant environmental impacts of the Project. Each such environmental impact has its ultimate CEQA determination, that is, whether it would be less than significant, could be mitigated to a less than significant level through the implementation of proposed mitigation, or significant and unavoidable. Attached to this document as Exhibit A are three Findings Tables. Table 1 identifies significant and unavoidable impacts, Table 2 identifies significant impacts that can be rendered less than significant with mitigation, and Table 3 identifies impacts that are less than significant or no impact before mitigation. Within the tables, the verb "substantially lessen" is understood to mean "mitigate, but not to a less than significant level," while the verb "avoid" is understood to mean "mitigated to a less than significant level." These tables do not attempt to describe the full analysis of each environmental impact contained in the Final EIR. Rather, such full analysis can be found within the Final EIR, which, as noted earlier, is incorporated by reference herein. In making these findings, the Director of DWR ratifies, adopts, and incorporates into these findings the analysis and explanation in the Final EIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of those documents relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by Exhibit A to these Findings.

As noted above, all of the mitigation measures proposed in the Final EIR have been adopted and incorporated into the enforceable MMRP for the Project. (See Pub. Resources Code, § 21081.6, subds. (a)(1) and (b).) So too have both the generic and project-specific environmental commitments, and BMPs set forth in Final EIR, Volume 1, Appendix 3B, *Environmental Commitments and Best Management Practices*. No mitigation measures identified in the Final EIR have been rejected as infeasible as is permitted under CEQA Guidelines section 15091, subdivisions (a)(3) and (c).

6.1 Potentially Significant and Unavoidable Impacts

Mitigation measures are identified for most of the significant and unavoidable impacts, but the measures are not sufficient to reduce the impacts to less than significant levels. For one significant and unavoidable impact (Impact PALEO-2), there is no feasible mitigation available at all.

Other potential impacts are considered to be significant and unavoidable even though full implementation of recommended mitigation measures by other agencies or in cooperation with DWR would reduce the impacts to less than significant levels. This conservative characterization reflects the fact that several of these mitigation measures cannot be implemented by DWR by itself, but will be dependent on the reasonable cooperation of other agencies or entities. As explained in the Final EIR, if such cooperation is forthcoming, and DWR can work successfully with the other agencies or entities in question (e.g., by reaching written agreements where necessary), the impacts will ultimately be less than significant. But DWR has conservatively concluded in the EIR that these impacts will be significant and unavoidable.

Within Exhibit A to this document, Table 1 includes (1) all potentially significant and unavoidable impacts associated with the Project, (2) adopted feasible mitigation measures or environmental commitments, if available, intended to reduce the severity of such impacts, (3) characterization of significance of the impact after the adoption of appropriate mitigation measures or environmental commitments, if any, and (4) explanations of the nature of the impacts and the effectiveness of mitigation measures or environmental commitments.

Even though the impacts in Table 1 will remain significant and unavoidable, DWR has determined to approve the Project because the Project's benefits outweigh its significant unavoidable environmental impacts. CEQA provides that, where a proposed project would cause significant environmental impacts that cannot be avoided or substantially lessened, a public agency's decision maker, after adopting proper findings, may nevertheless approve the project if the decision maker first adopts a statement of overriding considerations. This latter document must set forth the specific reasons why the agency decision maker finds the project's benefits outweigh its significant unavoidable environmental impacts. The statement of overriding considerations for the Project is included in these Findings in Chapter 8, *Statement of Overriding Considerations*, below.

6.2 Potentially Significant Impacts Reduced to Less than Significant

As noted above, Table 2 within Exhibit A identifies significant impacts that can be reduced to less than significant levels through the adoption and implementation of feasible mitigation measures or environmental commitments. Table 2 includes: (1) all potentially significant impacts associated with the Project, (2) adopted mitigation measures or environmental commitments that DWR finds would avoid or substantially lessen such significant environmental impacts, (3) characterization of less than significance of the impact after the adoption of mitigation measures or environmental commitments, and (4) explanations of the nature of the impacts and the effectiveness of mitigation measures or environmental commitments.

6.3 Impacts that are Less than Significant or No Impact

Under CEQA, no mitigation measures are required for impacts that are less than significant. (Pub. Resources Code, § 21002; CEQA Guidelines, §§ 15126.4, subd. (a)(3), 15091.) Based on substantial evidence in the whole record of this proceeding, DWR finds that implementation of the Project will not result in any significant impacts to the impact areas identified in Table 3 within Exhibit A and that these impact areas, therefore, do not require mitigation. In some instances, the Project would have no impact in a particular area; these instances are noted in the table.

Chapter 7
Findings Regarding Alternatives to the Project

7.1 Basis for Alternatives-Feasibility Analysis

California Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both (1) environmentally superior with respect to such significant, unavoidable effects and (2) feasible within the meaning of CEQA.

Under CEQA Guidelines section 15126.6, the alternatives to be discussed in detail in an EIR should be able to "feasibly attain most of the basic objectives of the project." (See also *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1165-1166 ["[i]n the CALFED program, feasibility is strongly linked to achievement of each of the primary program objectives [¶] ... [¶] a lead agency may structure its EIR alternative analysis around a reasonable definition of underlying purpose and need not study alternatives that cannot achieve that basic goal"].) For this reason, the project objectives described earlier in these Findings provided part of the policy framework by which DWR developed the alternatives analyzed in the EIR. In analyzing such alternatives in detail in the EIR, DWR took these objectives into account, while at the same time focusing on means of substantially lessening or avoiding significant environmental effects as required under CEQA.

The approach taken by DWR is consistent with the approach taken for other water conveyance projects in California as illustrated in the decision by the Second Appellate District in *California Water Impact Network v. City of San Buenaventura* (Jan. 4, 2023, Cal. Ct. App., B315362 [nonpub. opn.]) (CWIN). In CWIN, the City of Buenaventura (City) proposed and prepared an EIR for a seven-mile-long pipeline project to receive its contractual right to water from the SWP. (*Id.* at p. *1.) At the same time that the City was pursuing the pipeline project to connect to the SWP, the City was also pursuing and preparing an EIR for a separate project to increase local water sources including wastewater and groundwater treatment. (*Ibid.*) The purpose of the local water project was to increase the City's overall water supply. (*Ibid.*)

Petitioner argued the City piecemealed environmental review by preparing a separate EIR for the local water supply project and/or that the pipeline project had to include alternatives evaluating local water supply options. (*CWIN, supra*, at pp. *2, *4.) The court rejected both arguments. First, as to the piecemealing claim, the court acknowledged that both the pipeline project and the proposed local water supply project concerned the City's water supply. (*Id.* at p. *3.) However, the court held that the projects had independent utility because the projects involved "different source[s] of water, different infrastructure, and neither project [was] dependent on the completion of the other." (*Ibid.*) Second, the court concluded that the pipeline project EIR did not require local water supply

alternatives because a basic goal of the project was to "bring SWP water to the City... [and] [l]ocal water supply cannot meet the basic goal of bringing SWP water to the City." (*Id.* at p. *4.)

Of relevance to the Delta Conveyance Project, the petitioner in *CWIN* alleged that the project objectives were too narrow because one objective was to receive the City's SWP entitlements, which made "dependence on SWP water a fait accompli." (See *CWIN*, supra, at p. *3.) Petitioner asserted that the project objectives should have been drafted to more generally address the City's water supply and water quality needs and a narrow objective to receive SWP entitlements was improper. (*Ibid.*) The court rejected the petitioner's argument. Citing *San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 14, the court held that "CEQA does not restrict an agency's discretion to identify and pursue a particular project designed to meet a particular set of objectives. [Citation.] Thus, the City's stated objectives are valid even if it means dependence on the SWP is a fait accompli." (*CWIN*, supra, at p. *3.)

Similar to the City's objective in *CWIN* to pursue a project to receive SWP water, DWR is pursuing a project to restore and protect the reliability of SWP water deliveries. This fundamental purpose of the Project necessarily cannot be achieved by pursuing local water supply projects in other areas of the State or by projects that otherwise do not address the existing threats to SWP's reliability (e.g., sea level rise, seismicity, climate change and associated changes in weather patterns, and regulatory constraints). Therefore, the EIR properly focuses on evaluating project alternatives that would, to the extent potentially feasible, restore or protect the reliability of SWP water deliveries in consideration of these existing threats. (See *Yerba Buena Neighborhood Consortium, LLC v. Regents of the University of California* (2023) 95 Cal.App.5th 779, 712-717 [holding that CEQA did not require the Regents to consider an offsite alternative for a new hospital that "would not adequately meet the project's objectives"].)

While the EIR considers project alternatives unrelated to restoring or protecting the reliability of SWP water deliveries, as addressed in Final EIR, Volume 1, Appendix 3A, *Identification of Water Conveyance Alternatives*, DWR rejected those alternatives as part of the EIR's alternative screening process because they did not meet most of the basic project objectives. Based on the extensive alternatives screening process set forth in Final EIR, Volume 1, Appendix 3A, *Identification of Water Conveyance Alternatives*, DWR developed, and addressed in detail, nine (9) alternatives and a No Project Alternative.

Although an EIR must evaluate a reasonable range of *potentially* feasible alternatives, the lead agency decision maker ultimately determines whether such alternatives are *actually* feasible. (See *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 981, 999 *(CNPS).)* "Feasible" is defined in CEQA as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." (Pub. Resources Code, § 21061.1; see CEQA Guidelines, § 15364 [adding "legal" factors].) As courts have noted, "[t]he 'feasibility of ... alternatives must be evaluated within the context of the proposed project.'" (E.g., *Sustainability, Parks, Recycling & Wildlife Legal Def. Fund v. San Francisco Bay Conservation & Development Com.* (2014) 226 Cal.App.4th 905, 918 [omission in original].)

The determination of whether an alternative is actually feasible may be based on several grounds. One ground by which decision makers may reject an alternative as infeasible is that the alternative is inconsistent with project objectives or does not fully meet such objectives. (In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings (2008) 43 Cal.4th 1143, 1165-1166; *see also CNPS, supra,* 177 Cal.App.4th *at p. 1001 ["[*A]n alternative 'may be found infeasible on

the ground it is inconsistent with the project objectives as long as the finding is supported by substantial evidence in the record.'"]; *Save Panoche Valley v. San Benito County* (2013) 217 Cal.App.4th 503, 521-523; *Citizens for Open Government v. City of Lodi* (2012) 205 Cal.App.4th 296, 314-315.) Similarly, a decision maker may reject an alternative as infeasible if the decision maker concludes, after a "reasonable balancing of the relevant economic, environmental, social, and technological factors," that the alternative is undesirable from a policy standpoint. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417 (*City of Del Mar*); see also *Ctr. for Biological Diversity v. California Dep't of Conservation* (2019) 36 Cal.App.5th 210, 242; *CNPS, supra,* 177 Cal.App.4th at p. 1001; *San Diego Citizenry Group, supra,* 219 Cal.App.4th at pp. 17-18.) Thus, under these principles, even if a project alternative would avoid or substantially lessen any or all of the unavoidable significant environmental effects of a proposed project as mitigated, the decision makers may nevertheless reject the alternative for such reasons.

7.2 Alternatives Addressed in the EIR

The nine (9) alternatives analyzed in the Final EIR differ in the location, design, and capacity of conveyance facilities and improvements. With the exception of the CEQA No Project Alternative, each of the alternatives selected for detailed evaluation in the EIR involves some level of construction of conveyance facilities/improvements to the SWP. The following alternatives, as described in detail in Final EIR, Volume 1, Chapter 3, *Description of the Proposed Project and Alternatives*, were carried forward for detailed analysis in the Final EIR.

Alternatives (introduced in the Draft EIR):

- Alternative 1—Central Alignment, 6,000 cfs, Intakes B and C
- Alternative 2a—Central Alignment, 7,500 cfs, Intakes A, B, and C
- Alternative 2b—Central Alignment, 3,000 cfs, Intake C
- Alternative 2c—Central Alignment, 4,500 cfs, Intakes B and C
- Alternative 3—Eastern Alignment, 6,000 cfs, Intakes B and C
- Alternative 4a—Eastern Alignment, 7,500 cfs, Intakes A, B, and C
- Alternative 4b—Eastern Alignment, 3,000 cfs, Intake C
- Alternative 4c—Eastern Alignment, 4,500 cfs, Intakes B and C
- Alternative 5—Bethany Reservoir Alignment, 6,000 cfs, Intakes B and C (Project)

7.3 Summary Comparison

This summary comparison of significant and unavoidable impacts describes the severity and magnitude of the project alternatives relative to the Project. The comparison focuses on two factors: the number of relative impacts for each category (i.e., the number of impacts with a severity greater than, equal to, or less than the Project) and the drivers for the differences in severity. The number of impacts is used as a point of comparison because CEQA does not treat any category of environmental effect as being more important than any other category and the comparison of numbers provides an overall picture of the differences between the project alternatives and the

Project. The drivers are used in the comparison because they illuminate the fundamental differences between the impacts of the Project and those of the project alternatives.

The primary drivers that provide insights into the differences between alternatives are the number of intakes, the alignment, the length and diameter of the tunnel, the location of project facilities relative to sensitive receptors, and the presence or absence of the Southern Complex. Each of these drivers (except location relative to sensitive receptors) affects the amount of ground disturbance associated with the alternative and the size of launch shaft sites, including amount and locations of reusable tunnel material (RTM) stockpiles.

Table 2 below provides an overview of the differences in the number and severity of significant and unavoidable impacts relative to the proposed project and drivers for those differences. Table 3 below compares in more detail the severity and magnitude of the significant and unavoidable impacts of the project alternatives to the Project. The finding of significant and unavoidable is the same across all alternatives (except for Impact AQ-6, which has a significant and unavoidable finding only for Alternatives 2a and 4a), but the severity and magnitude of the impacts may differ by alternative. Where quantitative data are available to compare alternatives and define the magnitude of the impact, Table 3 below provides summary data, their unit of measure, and their source.

As shown in Tables 2 and 3 below, for five impacts, the Project has a lesser severity than all or most project alternatives because it would:

- Include only two intakes and no Southern Complex and would therefore affect fewer acres of important farmland (Impact AG-1).
- Not include the Bouldin Island launch and reception shaft, the Southern Complex on Byron Tract, or the Southern Complex west of Byron Highway and therefore would have lesser impacts on visual quality of public views (Impact AES-1) and scenic vistas (Impact AES-3). In addition, the Bethany Reservoir would be constructed in a location with existing water infrastructure and other facilities.
- Have an alignment that would affect fewer identified built-environment historical resources (Impact CUL-1) and archaeological resources (Impact CUL-3).

For those impacts for which the severity of all project alternatives is the same as the Project (Impacts CUL-2, CUL-4, CUL-5 and Impacts TCR-1 and TCR-2), the impacts were of a type that cannot be quantified because resources have not been inventoried or are important for reasons that cannot be quantified, including cultural heritage.

For Impact TRANS-1, an equal number of project alternatives had per employee vehicle miles traveled (VMT) greater than and less than the Project. The number of employees, and thus number of vehicle trips generated during construction, is influenced by the duration and intensity of construction, which differs among the alternatives. The location of the alignment also influences VMT, with features constructed in more rural locations requiring longer employee vehicle trips, and thus generating more VMT, than features proximate to urban areas.

As shown in Tables 2 and 3 below, for two impacts (Impact AG-2 and Impact PALEO-2), the Project has a greater severity than all or most project alternatives because it would:

- Have an alignment that would intersect with more acres of Williamson Act and Farmland Security Zone acres and therefore result in the conversion of more acres when compared to project alternatives.

- Have a longer tunnel alignment in geologic units with high sensitivity for paleontological resources and therefore have greater potential to disturb paleontological resources when compared to project alternatives.

The single impact for which the Project had a more severe impact than all but one of the project alternatives was related to the number of receptors who would be affected by an increase in ambient noise levels (Impact NOI-1). However, if improvements required to avoid significant impacts are accepted by all eligible property owners, impacts would be less than significant with mitigation.

A summarized comparison in Table 2 below of the multiple pollutants analyzed in Impact AQ-5 across multiple air districts and timeframes would not accurately reflect the differences for each of those factors. For example, while Alternatives 2a and 4a would generally result in higher concentrations of combustion pollutants, fugitive dust concentrations in the San Joaquin Valley Air Pollution Control District (SJVAPCD) under Alternative 5 would be higher than most other alternatives. This is because under Alternative 5, two launch shafts would be constructed at Lower Roberts Island, effectively doubling the amount of earthmoving and vehicles traveling on unpaved surfaces at this location, compared to all other proposed alternatives. Therefore, more detail is provided regarding Impact AQ-5 in Table 3 below.

Table 2. Overview of the Differences in the Number and Severity of Significant and Unavoidable Impacts Relative to the Project and the Drivers for Those Differences

Impact(s)	Number of Alternatives with Impact Severity Greater or Equal to the Project	Project Drivers
CUL-2, CUL-4, CUL-5, TCR-1, and TCR-2	All Project Alternatives = Project	• Severity cannot be distinguished because of uninventoried resources or resources that are important for reasons that cannot be quantified, including cultural heritage
AG-1, AES-1, AES-3, and CUL-3	All 8 Project Alternatives > Project	• Absence of Southern Complex • Absence of Bouldin Island launch and reception shaft, Southern Complex on Byron Tract, or Southern Complex west of Byron Highway • Presence of existing water infrastructure at Bethany Complex • Fewer intakes visible from State Route 160 • Fewer cultural resources in project footprint • Absence of Intake A
AES-2, AG-2, and AQ-6	2 Project Alternatives > Project	
CUL-1	5 Project Alternatives > Project	
TRANS-1	4 Project Alternatives > Project	• Duration and intensity of construction • Location of the alignment (e.g., rural locations requiring longer employee vehicle trips)
PALEO-2	3 Project Alternatives > Project	• Longer tunnel alignment requiring more disturbance of geologic with high sensitivity for paleontological resources
NOI-1	0 Project Alternatives > Project	• Construction near greater number of sensitive noise receptors

Note: Impact AQ-5 is not included in this table because of the complexity of comparing multiple pollutants, timeframes, and air districts across multiple alternatives.

Table 3. Comparison of Significant and Unavoidable Impacts of Project Alternatives Relative to the Project (P)

Potential Impact (includes units of measure when applicable)	Project Alternative 5, Bethany Reservoir Alignment, 6,000 cfs, Intakes B and C	Alternative 1, Central Alignment, 6,000 cfs, Intakes B and C	Alternative 2a, Central Alignment, 7,500 cfs, Intakes A, B, and C	Alternative 2b, Central Alignment, 3,000 cfs, Intake C	Alternative 2c, Central Alignment, 4,500 cfs, Intakes B and C	Alternative 3, Eastern Alignment, 6,000 cfs, Intakes B and C	Alternative 4a, Eastern Alignment, 7,500 cfs, Intakes A, B, and C	Alternative 4b, Eastern Alignment, 3,000 cfs, Intake C	Alternative 4c, Eastern Alignment, 4,500 cfs, Intakes B and C
Impact AG-1: Convert a Substantial Amount of Prime Farmland, Unique Farmland, Farmland of Local Importance, or Farmland of Statewide Importance as a Result of Construction of Water Conveyance Facilities (total acres) (Construction)	SU 2,340	Greater than P 3,793.5	Greater than P 4,124.40	Greater than P 3,308.50	Greater than P 3,661.80	Greater than P 3,464.70	Greater than P 3,819.50	Greater than P 2,943.70	Greater than P 3,318.30
Impact AG-2: Convert a Substantial Amount of Land Subject to Williamson Act Contract or under Contract in Farmland Security Zones to a Nonagricultural Use as a Result of Construction of Water Conveyance Facilities (acres converted) (Construction)	SU 1,217.80	Less than P 1,042.30	Greater than P 1,253.60	Less than P 881.30	Less than P 950.60	Less than P 1,142.50	Greater than P 1,355.20	Less than P 982.00	Less than P 1,051.20
Impact AES-1: Substantially Degrade the Existing Visual Character or Quality of Public Views (from Publicly Accessible Vantage Points) of the Construction Sites and Visible Permanent Facilities and Their Surroundings in Nonurbanized Areas (Construction and O&M)	SU	Greater than P	Greater than P	Greater than P	Greater than P	Greater than P	Greater than P	Greater than P	Greater than P
Impact AES-2: Substantially Damage Scenic Resources including, but Not Limited to, Trees, Rock Outcroppings, and Historic Buildings Visible from a State Scenic Highway (number of intakes) (Construction)	SU 2	Equal to P 2	Greater than P 3	Less than P 1	Equal to P 2	Equal to P 2	Greater than P 3	Less than P 1	Equal to P 2
Impact AES-3: Have Substantial Significant Impacts on Scenic Vistas (Construction and O&M)	SU	Greater than P	Greater than P	Greater than P	Greater than P	Greater than P	Greater than P	Greater than P	Greater than P
Impact AQ-5: Result in Exposure of Sensitive Receptors to Substantial Localized Criteria Pollutant Emissions (PM10) (highest project-level concentration in excess of the significant impact level [µg/m³] across all timeframes [24-hour, annual] and standards [CAAQS, NAAQS]) (Construction)	SU								
	(SMAQMD, 10)	Equal to P (SMAQMD, 10)	Greater than P (SMAQMD, 13)	Less than P (SMAQMD, 9)	Less than P (SMAQMD, 9)	Greater than P (SMAQMD, 12)	Greater than P (SMAQMD, 13)	Less than P (SMAQMD, 9)	Greater than P (SMAQMD, 9)
	(SJVAPCD, 111)	Less than P (SJVAPCD, 50)	Less than P (SJVAPCD, 55)	Less than P (SJVAPCD, 37)	Less than P (SJVAPCD, 45)	Equal to P (SJVAPCD, 111)	Equal to P (SJVAPCD, 111)	Less than P (SJVAPCD, 109)	Less than P (SJVAPCD, 110)
	(BAAQMD, 22)	Greater than P (BAAQMD, 94)	Greater than P (BAAQMD, 94)	Greater than P (BAAQMD, 94)	Greater than P (BAAQMD, 94)	Greater than P (BAAQMD, 94)	Greater than P (BAAQMD, 94)	Greater than P (BAAQMD, 94)	Greater than P (BAAQMD, 94)
Impact AQ-5: Result in Exposure of Sensitive Receptors to Substantial Localized Criteria Pollutant Emissions (PM2.5) (highest project-level concentration in excess of the significant impact level [µg/m³] across all timeframes [24-hour, annual] and standards [CAAQS, NAAQS]) (Construction)	SU								
	(SMAQMD, 1.0)	Greater than P (SMAQMD, 1.4)	Greater than P (SMAQMD, 1.3)	Greater than P (SMAQMD, 1.3)	Less than P (SMAQMD, 0.9)	Greater than P (SMAQMD, 1.5)	Greater than P (SMAQMD, 1.2)	Greater than P (SMAQMD, 1.3)	Less than P (SMAQMD, 0.9)
	(SJVAPCD, 9.3)	Less than P (SJVAPCD, 2.8)	Less than P (SJVAPCD, 2.7)	Less than P (SJVAPCD, 2.5)	Less than P (SJVAPCD, 2.3)	Equal to P (SJVAPCD, 9.3)	Equal to P (SJVAPCD, 9.3)	Equal to P (SJVAPCD, 9.3)	Equal to P (SJVAPCD, 9.3)
	(BAAQMD, 1.5)	Greater than P (BAAQMD, 8.6)	Greater than P (BAAQMD, 8.6)	Greater than P (BAAQMD, 8.6)	Greater than P (BAAQMD, 8.6)	Greater than P (BAAQMD, 8.6)	Greater than P (BAAQMD, 8.6)	Greater than P (BAAQMD, 8.6)	Greater than P (BAAQMD, 8.6)

Potential Impact (includes units of measure when applicable)	Project Alternative 5, Bethany Reservoir Alignment, 6,000 cfs, Intakes B and C	Alternative 1, Central Alignment, 6,000 cfs, Intakes B and C	Alternative 2a, Central Alignment, 7,500 cfs, Intakes A, B, and C	Alternative 2b, Central Alignment, 3,000 cfs, Intake C	Alternative 2c, Central Alignment, 4,500 cfs, Intakes B and C	Alternative 3, Eastern Alignment, 6,000 cfs, Intakes B and C	Alternative 4a, Eastern Alignment, 7,500 cfs, Intakes A, B, and C	Alternative 4b, Eastern Alignment, 3,000 cfs, Intake C	Alternative 4c, Eastern Alignment, 4,500 cfs, Intakes B and C
Impact AQ-5: Result in Exposure of Sensitive Receptors to Substantial Localized Criteria Pollutant Emissions (total 1-hour NO_2, NAAQS [$\mu g/m^3$]) (Construction)	SU (SJVAPCD) LTS (SMAQMD, BAAQMD)	SU (SJVAPCD) LTS (SMAQMD, BAAQMD)	SU (SJVAPCD) LTS (SMAQMD, BAAQMD)	SU (SJVAPCD) LTS (SMAQMD, BAAQMD)	SU (SJVAPCD) LTS (SMAQMD, BAAQMD)	LTS (SJVAPCD, SMAQMD, BAAQMD)	LTS (SJVAPCD, SMAQMD, BAAQMD)	LTS (SJVAPCD, SMAQMD, BAAQMD)	LTS (SJVAPCD, SMAQMD, BAAQMD)
	(SMAQMD, 134)	Less than P (SMAQMD, 133)	Greater than P (SMAQMD, 184)	Greater than P (SMAQMD, 143)	Less than P (SMAQMD, 133)	Less than P (SMAQMD, 133)	Greater than P (SMAQMD, 184)	Greater than P (SMAQMD, 143)	Less than P (SMAQMD, 133)
	(SJVAPCD, 218)	Greater than P (SJVAPCD, 243)	Greater than P (SJVAPCD, 243)	Greater than P (SJVAPCD, 243)	Greater than P (SJVAPCD, 243)	Less than P (SJVAPCD, 186)	Less than P (SJVAPCD, 186)	Less than P (SJVAPCD, 186)	Less than P (SJVAPCD, 186)
	(BAAQMD, 76)	Greater than P (BAAQMD, 80)	Greater than PP (BAAQMD, 80)	Greater than P (BAAQMD, 80)	Greater than P (BAAQMD, 80)	Greater than P (BAAQMD, 80)	Greater than P (BAAQMD, 80)	Greater than P (BAAQMD, 80)	Greater than P (BAAQMD, 80)
Impact AQ-6: Result in Exposure of Sensitive Receptors to Substantial Toxic Air Contaminant Emissions (maximum modeled excess cancer [potential cases per million] by air district) (Construction)	LTS	LTS	SU	LTS	LTS	LTS	SU	LTS	LTS
	(SMAQMD, 7)	Less than P (SMAQMD, 6)	Greater than P (SMAQMD, 16)	Less than P (SMAQMD, 4)	Less than P (SMAQMD, 2)	Less than P (SMAQMD, 6)	Greater than P (SMAQMD, 16)	Less than P (SMAQMD, 4)	Less than P (SMAQMD, 6)
	(SJVAPCD, 5)	Less than P (SJVAPCD, 2)	Less than P (SJVAPCD, 2)	Less than P (SJVAPCD, 2)	Greater than P (SJVAPCD, 6)	Less than P (SJVAPCD, 3)	Less than P (SJVAPCD, 3)	Less than P (SJVAPCD, 3)	Less than P (SJVAPCD, 3)
	(BAAQMD, 1)	Equal to P (BAAQMD, 1)	Greater than P (BAAQMD, 2)	Equal to P (BAAQMD, 1)	Equal to P (BAAQMD, 1)	Equal to P (BAAQMD, 1)	Greater than P (BAAQMD, 2)	Equal to P (BAAQMD, 1)	Equal to P (BAAQMD, 1)
	(YSAQMD, 1)	Equal to P (YSAQMD, 1)	Equal to P (YSAQMD, 1)	Equal to P (YSAQMD, 1)	Equal to P (YSAQMD, 1)	Equal to P (YSAQMD, 1)	Equal to P (YSAQMD, 1)	Equal to P (YSAQMD, 1)	Equal to P (YSAQMD, 1)
Impact CUL-1: Impacts on Built-Environment Historical Resources Resulting from Construction and Operation of the Project (number of resources) (Construction and O&M)	SU 6	Greater than P 10	Greater than P 13	Greater than P 8	Greater than P 10	Equal to P 6	Greater than P 9	Less than P 4	Equal to P 6
Impact CUL-2: Impacts on Unidentified and Unevaluated Built-Environment Historical Resources Resulting from Construction and Operation of the Project (number of resources) (Construction and O&M)	SU 88	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P
Impact CUL-3: Impacts on Identified Archaeological Resources Resulting from the Project (number of resources) (Construction)	SU 8	Greater than P 25	Greater than P 26	Greater than P 22	Greater than P 23	Greater than P 15	Greater than P 17	Greater than P 13	Greater than P 15
Impact CUL-4: Impacts on Unidentified Archaeological Resources That May Be Encountered in the Course of the Project (Construction)	SU	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P

Potential Impact (Includes units of measure when applicable)	Project Alternative 5, Bethany Reservoir Alignment, 6,000 cfs, Intakes B and C	Alternative 1, Central Alignment, 6,000 cfs, Intakes B and C	Alternative 2a, Central Alignment, 7,500 cfs, Intakes A, B, and C	Alternative 2b, Central Alignment, 3,000 cfs, Intake C	Alternative 2c, Central Alignment, 4,500 cfs, Intakes B and C	Alternative 3, Eastern Alignment, 6,000 cfs, Intakes B and C	Alternative 4a, Eastern Alignment, 7,500 cfs, Intakes A, B, and C	Alternative 4b, Eastern Alignment, 3,000 cfs, Intake C	Alternative 4c, Eastern Alignment, 4,500 cfs, Intakes B and C
Impact CUL-5: Impacts on Buried Human Remains (Construction)	SU	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P
Impact NOI-1: Generate a Substantial Temporary or Permanent Increase in Ambient Noise Levels in the Vicinity of the Project in Excess of Standards Established in the Local General Plan or Noise Ordinance, or Applicable Standards of Other Agencies (number of receptors) (Construction)	SU* 408	Less than P 316	Less than P 361	Less than P 74	Less than P 316	Less than P 363	Equal to P 408	Less than P 121	Less than P 363
Impact PALEO-2: Cause Destruction of a Unique Paleontological Resource as a Result of Tunnel Construction and Ground Improvement (million loose cubic yards as a result of tunneling) (Construction)	SU 14.4	Less than P 13.9	Greater than P 18.4	Less than P 7.5	Less than P 10.7	Greater than P 14.8	Greater than P 19.5	Less than P 7.9	Less than P 11.3
Impact TCR-1: Impacts on the Delta Tribal Cultural Landscape Tribal Cultural Resource Resulting from Construction, Operations, and Maintenance of the Project Alternatives (Construction and O&M)	SU	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P
Impact TCR-2: Impacts on Individual Tribal Cultural Resources Resulting from Construction, Operations, and Maintenance of the Project Alternatives (Construction and O&M)	SU	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P	Equal to P
Impact TRANS-1: Increased Average VMT Per Construction Employee versus Regional Average (average VMT per construction employee) (Construction)	SU 25.77	Less than P 25.68	Greater than P 25.82	Greater than P 27.02	Less than P 24.91	Less than P 24.38	Greater than P 26.33	Greater than P 27.57	Less than P 25.06

µg/m³ = micrograms per cubic meter; BAAQMD = Bay Area Air Quality Management District; CAAQS = California ambient air quality standards; cfs = cubic feet per second; HI = hazard index; LTS = less than significant; NAAQS = national ambient air quality standards; NO_2 = nitrogen dioxide; NOx = nitrogen oxides; O&M = operation and management; PM2.5 = particulate matter 2.5 microns in diameter or less; PM10 = particulate matter 10 microns in diameter or less; P = project; SJVAPCD = San Joaquin Valley Air Pollution Control District; SMAQMD = Sacramento Metropolitan Air Quality Management District; SU = significant and unavoidable; VMT = vehicle miles traveled; YSAQMD = Yolo-Solano Air Quality Management District. The metrics reported in this table are for project alternatives only without implementation of the Compensatory Mitigation Plan (CMP) because as disclosed in the EIR the impacts associated with the CMP would be the same across all alternatives.

7.4 Environmentally Superior Alternative

CEQA Guidelines section 15126.6 requires that each EIR identify the "environmentally superior alternative" among those considered. If the No Project Alternative is identified as environmentally superior, then the EIR must also identify the environmentally superior alternative among the other alternatives. (CEQA Guidelines, § 15126.6, subd. (e)(2).)

As discussed in the Final EIR, the No Project Alternative would not result in the construction or operational related impacts discussed for the project alternatives but could result in impacts within the SWP service area and within the Delta that would not occur under the project alternatives.

The Project would, overall, result in less severe environmental impacts than the proposed project options identified in the NOP as well as the other alternatives analyzed in the EIR. Therefore, the Project is considered the environmentally superior alternative because it would reduce the severity of adverse environmental effects across a broad range of environmental resources and would not result in any significant and unavoidable environmental impacts that could be avoided by other feasible alternatives evaluated in the EIR.

The following discussion describes what DWR regards as the environmental pros and cons among the various project alternatives analyzed in the Final EIR by synthesizing the analysis of several of the environmental impacts discussed in Chapters 7 through 32 of the Final EIR, Volume 1.

As described in Chapter 2, *Purpose and Project Objectives*, the project alternatives evaluated in the Final EIR have the following objectives.

- To help address anticipated rising sea levels and other reasonably foreseeable consequences of climate change and extreme weather events.
- To minimize the potential for public health and safety impacts from reduced quantity and quality of SWP water deliveries, and potentially CVP water deliveries, south of the Delta as a result of a major earthquake that could cause breaching of Delta levees and the inundation of brackish water into the areas where existing SWP and CVP pumping plants operate in the southern Delta.
- To protect the ability of the SWP, and potentially the CVP, to deliver water when hydrologic conditions result in the availability of sufficient amounts of water, consistent with the requirements of state and federal law, including the ESA, CESA and Delta Reform Act, as well as the terms and conditions of water delivery contracts and other existing applicable agreements.
- To provide operational flexibility to improve aquatic conditions in the Delta and better manage risks of further regulatory constraints on project operations.

The project alternatives would reduce reliance on diversion from the existing south Delta pumps. Diversions at the project's north Delta facilities would pass through state-of-the-art fish screens. Dual conveyance would provide operational flexibility that could reduce impacts of the SWP on aquatic species by, among other things, allowing operators to divert water at times and places—in either the north or the south—that protect those species at sensitive life stages.

Each project alternative involves a different set of environmental benefits and impacts. For example, the number of north Delta intakes associated with particular alternatives and the alignment of project features typically reflects a balance between localized construction-related, visual, and footprint-related impacts in the Delta against the system-wide environmental benefits associated

with improved reliability of SWP deliveries and meeting the project purpose and objectives. Alternatives with two intakes would involve fewer localized in-Delta impacts than alternatives with three intakes (Alternatives 2a and 4a). Other alternatives with two intakes (Alternatives 1, 2c, 3, 4c, and 5) or with one intake (Alternatives 2b and 4b) would similarly reduce localized, in-Delta impacts compared to alternatives with three intakes. However, alternatives with one intake (Alternatives 2b and 4b) would not have the water supply reliability benefits expected of alternatives with two or three intakes (Alternatives 1, 2a, 2c, 3, 4a, 4c, and 5).

Some of the environmental impacts related to temporary and permanent habitat or agricultural land conversion would be fewer for Alternatives 1, 2b, 2c, 3, 4b, 4c, and 5 than for Alternatives 2a or 4a, which would include three north Delta intakes. Alternatives with three intakes (Alternatives 2a and 4a) would result in the greatest number of acres of farmland conversion while alternatives with fewer intakes (Alternatives 1, 2b, 2c, 3, 4b, and 4c) or that would not involve construction of a new Southern Complex (Project) would have fewer acres of farmland conversion. Similarly, alternatives with three intakes (Alternatives 2a and 4a) would cause the greatest amount of conversion of Williamson Act contracted land compared to alternatives with one intake (Alternatives 2b and 4b), which would result in the least amount of conversion of Williamson Act contracted land. Alternative 4b would have relatively fewer terrestrial biological impacts, and for some other biological resources, would have the fewest quantified impacts of all alternatives (e.g., valley/foothill riparian, greater and lesser sandhill cranes) primarily due to having only one intake and the associated smaller reusable tunnel material impacts. Because the Project does not require construction of a new Southern Forebay and a new South Delta Pumping Plant, it would affect substantially fewer acres of wetlands compared to all other alternatives. The Project would also have substantially fewer impacts on state and federally regulated aquatic resources compared to the other project alternatives.

For some environmental resources analyzed, the project alignment and features drive the overall impacts in addition to the number of intakes. For cultural resources, alternatives on the central alignment (Alternatives 1, 2a, 2b, and 2c) affect a greater number of built-environment historical resources than alternatives on the eastern or Bethany Reservoir alignments (Alternatives 3, 4a, 4b, 4c, and 5). The central alignment alternatives (Alternatives 1, 2a, 2b, and 2c) would generally result in greater impacts on terrestrial biological resources relative to the eastern alignment alternatives (Alternatives 3, 4a, 4b, and 4c) and the Bethany Reservoir alignment alternative (Project), which is largely due to the improvements on Bouldin Island and road improvements throughout the central alignment. Among all alternatives, the Project would result in the least amount of converted farmland because it does not require construction of a new Southern Complex and Southern Forebay.

The construction of the Southern Complex for Alternatives 1, 2a, 2b, 2c, 3, 4a, 4b, and 4c is another important variable that contributes to localized impacts. Alternative 2a would result in the greatest impacts on terrestrial biological resources, which would be primarily due to the construction activities on Bouldin Island and the Southern Complex, whereas the Project, which does not require the construction of a forebay, would have the fewest impacts on terrestrial biological resources, wetlands, and waters of the United States. For cultural resources, the Project's Bethany Reservoir alignment would affect the fewest eligible built-environmental historical resources and fewest archaeological sites compared to all other project alternatives because it would not require construction of a new forebay. The Project would result in the fewest acres with land use incompatibilities compared to all other alternatives that require construction of the Southern Forebay at the Southern Complex.

There could also be some environmental benefits that would occur under all project alternatives because of the operational flexibility that would be possible with the north Delta intakes. The addition of north Delta intakes to the existing diversion facilities in the south would provide system operators the flexibility to divert water from the north or south depending on which is better for sensitive fish species at different times of year and under different hydrological conditions. Dual conveyance also allows flexibility in water diversions when regulatory restrictions limit the ability to divert water from either the north or south, thus enabling the goal of increasing water supply reliability.

All of the project alternatives would create temporary and permanent changes to the Delta environment from construction that in most cases would be mitigated to less-than-significant levels, although several impacts are considered significant and unavoidable. All of the project alternatives would also improve Delta roadways and bridges, and improve water supply infrastructure that is of statewide importance.

As described above, there are different sets of environmental tradeoffs among the project alternatives. Among the project alternatives evaluated in the Final EIR, the Project, on the Bethany Reservoir alignment, overall lessens impacts in relation to temporary and permanent effects on the Delta environment, including minimizing impacts on wetlands and other waters of the United States, agriculture (Impact AG-1), aesthetic (Impacts AES-1 and 3), and cultural and historical resources (Impact CUL-3). Therefore, of the project alternatives, the Project is considered the environmentally superior alternative.

7.5 Infeasibility of Alternatives Other than the Project

CEQA vests the final decision-making authority over a project with the designated lead agency decision-making body or official, who must act consistently with his or her agency's statutory function and powers. As the California Supreme Court stated in acknowledging the limits of its own review function, "[t]he wisdom of approving ... any ... project" is "a delicate task which requires a balancing of interests," and "is necessarily left to the sound discretion of the [public] officials and their constituents who are responsible for such decisions." (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 576.)

As explained earlier, a decision maker's assessment of the "actual feasibility" of EIR alternatives can involve the "reasonable balancing of the relevant economic, environmental, social, and technological factors" associated with a proposed project. (*City of Del Mar, supra,* 133 Cal.App.3d at p. 417.) Based on such a balancing process, a decision maker may conclude that an alternative, being "undesirable" from a policy standpoint, is infeasible within the meaning of CEQA. (*CNPS, supra,* 177 Cal.App.4th at pp. 981, 999, 1001; *City of Del Mar, supra,* 133 Cal.App.3d at p. 417; *San Diego Citizenry Group, supra,* 219 Cal.App.4th at pp. 17-18; *Sustainability, Parks, Recycling & Wildlife Legal Def. Fund v. San Francisco Bay Conservation & Dev. Com.* (2014) 226 Cal.App.4th 905, 917-918.) In making such determinations, the decision maker may also consider the extent to which an alternative meets project objectives. (*CNPS, supra,* 177 Cal.App.4th at p. 1001 *["*[A]n alternative 'may be found infeasible on the ground it is inconsistent with the project objectives as long as the finding is supported by substantial evidence in the record.'"]; see also *Save Panoche Valley, supra,* 217 Cal.App.4th at pp. 521-523; and *Citizens for Open Government, supra,* 205 Cal.App.4th at pp. 314-

315.) Under these principles, a decision maker may reject an alternative as infeasible even if the alternative would avoid or substantially lessen one or more of the unavoidable significant environmental effects of a proposed project as mitigated.

"CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, *including region-wide or statewide environmental benefits*, of a proposed project against its unavoidable environmental risks when determining whether to approve the project." (CEQA Guidelines, § 15093, subd. (a), italics added.) Thus, decision makers often find themselves balancing competing environmental considerations as well as competing economic and social considerations.

The Project and its alternatives indeed present all of these categories of competing considerations. DWR, through its Director, has therefore undertaken a deliberative process to balance such competing considerations against each other in light of project objectives and state and federal law. In addition to finding that the Project is the environmentally superior alternative (as discussed above in Section 7.4, *Environmentally Superior Alternative*), DWR rejects the other alternatives set forth in the EIR, and discussed further below, because the Director finds that there is substantial evidence, including evidence of economic, legal, social, technological, and other considerations described in this section and elsewhere in the record on these proceedings under CEQA Guidelines section 15091, subdivision (a)(3), that make the alternatives infeasible. Set forth below are the Director's conclusions with respect to each of the alternatives considered in the Final EIR.

As discussed above, the Project is considered the environmentally superior alternative.

Therefore, the discussion below mainly focuses on infeasibility related to the fundamental purpose and objectives and other feasibility or policy considerations.

7.5.1 Rejection of Alternative 1: 6,000 cfs Central Alignment with Intakes B and C

7.5.1.1 Fundamental Purpose and Objectives

The extent to which this alternative can achieve the project purpose and objectives is comparable to the Project because it has the same water conveyance capacity as the Project.

7.5.1.2 Other Feasibility/Policy Considerations

The Central Alignment's proximity to existing access road infrastructure is less ideal than the Eastern and Bethany alignments, which are accessible to Interstate 5. This could make access for construction more difficult and construction more laborious than on the Eastern or Bethany alignments.

This alternative includes the construction of a Southern Forebay, which inherently requires more construction and results in greater impacts than the Project, which does not require the construction of a Southern Forebay. More construction would result in a greater environmental footprint and potentially greater local community impacts.

Through its Director, DWR rejects Alternative 1 on each of the above grounds. The Director finds that each of the above reasons is a sufficient independent ground for rejecting Alternative 1 as infeasible.

7.5.2 Rejection of Alternative 2a: 7,500 cfs Central Alignment with Intakes A-C

7.5.2.1 Fundamental Purpose and Objectives

This alternative would have similar potential to achieve SWP water supply reliability as the Project. However, it would have additional benefits for the CVP because it has an additional intake that would provide capacity for CVP water deliveries.

7.5.2.2 Other Feasibility/Policy Considerations

Unlike the Project, Alternative 2a would have an additional significant and unavoidable impact: Impact AQ-6, *Result in Exposure of Sensitive Receptors to Substantial Toxic Air Contaminant Emissions.*

The Central Alignment's proximity to existing access road infrastructure is less ideal than the Eastern and Bethany alignments, which are accessible to Interstate 5. This could make access for construction more difficult and construction more laborious than on the Eastern or Bethany alignments.

Because this alternative involves the construction of an additional intake, it would result in greater impacts. These impacts include a greater environmental footprint and potentially greater local community impacts.

This alternative also includes the construction of a Southern Forebay, which inherently requires more construction and results in greater impacts than the Project, which does not require the construction of a Southern Forebay. More construction would result in a greater environmental footprint and potentially greater local community impacts.

Through its Director, DWR rejects Alternative 2a on each of the above grounds. The Director finds that each of the above reasons is a sufficient independent ground for rejecting Alternative 2a as infeasible.

7.5.3 Rejection of Alternative 2b: 3,000 cfs Central Alignment with Intake C

7.5.3.1 Fundamental Purpose and Objectives

This alternative would not achieve the Project's purpose of water supply reliability as effectively as the Project because it has one less intake and 3,000 cfs less capacity of water conveyance compared to the Project.

Alternative 2b would be less capable of meeting the Project's objective of addressing anticipated rising sea levels and other reasonably foreseeable consequences of climate change and extreme weather events. If salinity intrusion were to prevent the use of the existing south Delta pumps, Alternative 2b would have less conveyance capacity to be able to provide water supply reliability to the SWP when compared to the Project. Additionally, Alternative 2b would be less capable of protecting the SWP from future climatic change and mitigating system losses due to changing precipitation patterns and seasonal runoff due to climate change, compared to the Project, due to its lower maximum capacity. Alternative 2b would have less overall capacity to capture excess flows in

the system and divert periodic and significant excess flows when southern Delta pumping is currently restricted. Therefore, Alternative 2b would also be less capable of protecting the ability of the SWP to deliver water when hydrologic conditions result in the availability of sufficient amounts of water, compared to the Project.

In the event of catastrophic levee failures from seismic activities (which could temporarily disrupt water supply by ceasing diversions from the SWP's current point of diversion in the south Delta), Alternative 2b would be less capable of minimizing the potential for public health and safety impacts from reduced quantity and quality of SWP water deliveries south of the Delta, compared to the Project, due to its lower maximum capacity.

Because Alternative 2b has only one intake and a lower maximum capacity, it would also provide less operational flexibility to improve aquatic conditions in the Delta for sensitive fish species and less operational flexibility to better manage risks of further regulatory constraints on project operations.

7.5.3.2 Other Feasibility/Policy Considerations

The Central Alignment's proximity to existing access road infrastructure is less ideal than the Eastern and Bethany alignments, which are accessible to Interstate 5. This could make access for construction more difficult and construction more laborious than on the Eastern or Bethany alignments.

This alternative includes the construction of a Southern Forebay, which inherently requires more construction and results in greater impacts than the Project, which does not require the construction of a Southern Forebay. More construction would result in a greater environmental footprint and potentially greater local community impacts.

Through its Director, DWR rejects Alternative 2b on each of the above grounds. The Director finds that each of the above reasons is a sufficient independent ground for rejecting Alternative 2b as infeasible.

7.5.4 Rejection of Alternative 2c: 4,500 cfs Central Alignment with Intakes B and C

7.5.4.1 Fundamental Purpose and Objectives

This alternative would not achieve the project's purpose of water supply reliability as effectively as the Project because it has 1,500 cfs less capacity of water conveyance.

Alternative 2c would be less capable of meeting the Project's objective of addressing anticipated rising sea levels and other reasonably foreseeable consequences of climate change and extreme weather events. If salinity intrusion were to prevent the use of the existing south Delta pumps, Alternative 2c would have less conveyance capacity to be able to provide water supply reliability to the SWP when compared to the Project. Additionally, Alternative 2c would be less capable of protecting the SWP from future climatic change and mitigating system losses due to changing precipitation patterns and seasonal runoff due to climate change, compared to the Project, due to its lower maximum capacity. Alternative 2c would have less overall capacity to capture excess flows in the system and divert periodic and significant excess flows when southern Delta pumping is currently restricted. Therefore, Alternative 2c would also be less capable of protecting the ability of

the SWP to deliver water when hydrologic conditions result in the availability of sufficient amounts of water, compared to the Project.

In the event of catastrophic levee failures from seismic activities (which could temporarily disrupt water supply by ceasing diversions from the SWP's current point of diversion in the south Delta), Alternative 2c would be less capable of minimizing the potential for public health and safety impacts from reduced quantity and quality of SWP water deliveries south of the Delta, compared to the Project, due to its lower maximum capacity.

Because Alternative 2c has a lower maximum capacity, it would also provide less operational flexibility to improve aquatic conditions in the Delta and less operational flexibility to better manage risks of further regulatory constraints on project operations.

7.5.4.2 Other Feasibility/Policy Considerations

The Central Alignment's proximity to existing access road infrastructure is less ideal than the Eastern and Bethany alignments, which are accessible to Interstate 5. This could make access for construction more difficult and construction more laborious than on the Eastern or Bethany alignments.

This alternative includes the construction of a Southern Forebay, which inherently requires more construction and results in greater impacts than the Project, which does not require the construction of a Southern Forebay. More construction would result in a greater environmental footprint and potentially greater local community impacts.

Through its Director, DWR rejects Alternative 2c on each of the above grounds. The Director finds that each of the above reasons is a sufficient independent ground for rejecting Alternative 2c as infeasible.

7.5.5 Rejection of Alternative 3: 6,000 cfs Eastern Alignment with Intakes B and C

7.5.5.1 Fundamental Purpose and Objectives

The extent to which this alternative can achieve the project purpose and objectives is comparable to the Project because it has the same water conveyance capacity as the Project.

7.5.5.2 Other Feasibility/Policy Considerations

This alternative includes the construction of a Southern Forebay, which inherently requires more construction and results in greater impacts than the Project, which does not require the construction of a Southern Forebay. More construction would result in a greater environmental footprint and potentially greater local community impacts.

Through its Director, DWR rejects Alternative 3 on each of the above grounds. The Director finds that each of the above reasons is a sufficient independent ground for rejecting Alternative 3 as infeasible.

7.5.6 Rejection of Alternative 4a: 7,500 cfs Eastern Alignment with Intakes A-C

7.5.6.1 Fundamental Purpose and Objectives

This alternative would have similar potential to achieve SWP water supply reliability as the Project. However, it would have additional benefits for the CVP because it has an additional intake that would provide capacity for CVP water deliveries.

7.5.6.2 Other Feasibility/Policy Considerations

Unlike the proposed project, Alternative 4a would have an additional significant and unavoidable impact: Impact AQ-6, Result in Exposure of Sensitive Receptors to Substantial Toxic Air Contaminant Emissions.

Because this alternative involves the construction of an additional intake, it would result in greater impacts. These impacts include a greater environmental footprint and potentially greater local community impacts.

This alternative includes the construction of a Southern Forebay, which inherently requires more construction and results in greater impacts than the Project, which does not require the construction of a Southern Forebay. More construction would result in a greater environmental footprint and potentially greater local community impacts.

Through its Director, DWR rejects Alternative 4a on each of the above grounds. The Director finds that each of the above reasons is a sufficient independent ground for rejecting Alternative 4a as infeasible.

7.5.7 Rejection of Alternative 4b: 3,000 cfs Eastern Alignment with Intake C

7.5.7.1 Fundamental Purpose and Objectives

This alternative would not achieve the Project's purpose of water supply reliability as effectively as the Project because it has one less intake and 3,000 cfs less capacity of water conveyance compared to the Project.

Alternative 4b would be less capable of meeting the Project's objective of addressing anticipated rising sea levels and other reasonably foreseeable consequences of climate change and extreme weather events. If salinity intrusion were to prevent the use of the existing south Delta pumps, Alternative 4b would have less conveyance capacity to be able to provide water supply reliability to the SWP when compared to the Project. Additionally, Alternative 4b would be less capable of protecting the SWP from future climatic change and mitigating system losses due to changing precipitation patterns and seasonal runoff due to climate change, compared to the Project, due to its lower maximum capacity. Alternative 4b would have less overall capacity to capture excess flows in the system and divert periodic and significant excess flows when southern Delta pumping is currently restricted. Therefore, Alternative 4b would also be less capable of protecting the ability of the SWP to deliver water when hydrologic conditions result in the availability of sufficient amounts of water, compared to the Project.

In the event of catastrophic levee failures from seismic activities (which could temporarily disrupt water supply by ceasing diversions from the SWP's current point of diversion in the south Delta), Alternative 4b would be less capable of minimizing the potential for public health and safety impacts from reduced quantity and quality of SWP water deliveries south of the Delta, compared to the Project, due to its lower maximum capacity.

Because Alternative 4b has only one intake and a lower maximum capacity, it would also provide less operational flexibility to improve aquatic conditions in the Delta and less operational flexibility to better manage risks of further regulatory constraints on project operations.

7.5.7.2 Other Feasibility/Policy Considerations

This alternative includes the construction of a Southern Forebay, which inherently requires more construction and results in greater impacts than the Project, which does not require the construction of a Southern Forebay. More construction would result in a greater environmental footprint and potentially greater local community impacts.

Through its Director, DWR rejects Alternative 4b on each of the above grounds. The Director finds that each of the above reasons is a sufficient independent ground for rejecting Alternative 4b as infeasible.

7.5.8 Rejection of Alternative 4c: 4,500 cfs Eastern Alignment with Intakes B and C

7.5.8.1 Fundamental Purpose and Objectives

This alternative would not achieve the project's purpose of water supply reliability as effectively as the Project because it has 1,500 cfs less capacity of water conveyance.

Alternative 4c would be less capable of meeting the Project's objective of addressing anticipated rising sea levels and other reasonably foreseeable consequences of climate change and extreme weather events. If salinity intrusion were to prevent the use of the existing south Delta pumps, Alternative 4c would have less conveyance capacity to be able to provide water supply reliability to the SWP when compared to the Project. Additionally, Alternative 4c would be less capable of protecting the SWP from future climatic change and mitigating system losses due to changing precipitation patterns and seasonal runoff due to climate change, compared to the Project, due to its lower maximum capacity. Alternative 4c would have less overall capacity to capture excess flows in the system and divert periodic and significant excess flows when southern Delta pumping is currently restricted. Therefore, Alternative 4c would also be less capable of protecting the ability of the SWP to deliver water when hydrologic conditions result in the availability of sufficient amounts of water, compared to the Project.

In the event of catastrophic levee failures from seismic activities (which could temporarily disrupt water supply by ceasing diversions from the SWP's current point of diversion in the south Delta), Alternative 4c would be less capable of minimizing the potential for public health and safety impacts from reduced quantity and quality of SWP water deliveries south of the Delta, compared to the Project, due to its lower maximum capacity.

Because Alternative 4c has a lower maximum capacity, it would also provide less operational flexibility to improve aquatic conditions in the Delta and less operational flexibility to better manage risks of further regulatory constraints on project operations.

7.5.8.2 Other Feasibility/Policy Considerations

This alternative includes the construction of a Southern Forebay, which inherently requires more construction and results in greater impacts than the Project, which does not require the construction of a Southern Forebay. More construction would result in a greater environmental footprint and potentially greater local community impacts.

Through its Director, DWR rejects Alternative 4c on each of the above grounds. The Director finds that each of the above reasons is a sufficient independent ground for rejecting Alternative 4c as infeasible.

7.5.9 Rejection of No Project Alternative

7.5.9.1 Fundamental Purpose and Objectives

As described in Final EIR, Volume 1, Chapter 4, *Framework for the Environmental Analysis*, the No Project Alternative analyses evaluate a scenario that includes climate change and sea level rise, as well as projects that may occur within the SWP service area if the Delta Conveyance Project does not move forward.

The No Project Alternative fails to meet DWR's fundamental purpose of "restor[ing] and protect[ing] the reliability of SWP water deliveries and, potentially, CVP water deliveries south of the Delta consistent with the State's Water Resilience Portfolio (California Natural Resources Agency et al. 2020) by addressing the seismic risks, sea level rise, and other reasonably foreseeable consequences of climate change and extreme weather events in a cost effective manner." This alternative also fails to meet any of the four specific project objectives described in Chapter 2, *Purpose and Project Objectives*, of "help[ing] address anticipated rising sea levels and other reasonably foreseeable consequences of climate change and extreme weather events; and "minimiz[ing] the potential for public health and safety impacts from reduced quantity and quality of SWP water deliveries, and potentially CVP water deliveries, south of the Delta as a result of a major earthquake that could cause breaching of Delta levees and the inundation of brackish water into the areas where existing SWP and CVP pumping plants operate in the southern Delta"; and "protect[ing] the ability of the SWP, and potentially the CVP, to deliver water when hydrologic conditions result in the availability of sufficient amounts of water, consistent with the requirements of the state and federal law, including the ESA, CESA and Delta Reform Act, as well as the terms and conditions of water delivery contracts and other existing applicable agreements"; and "provid[ing] operational flexibility to improve aquatic conditions in the Delta and better manage risks of further regulatory constraints on project operations."

7.5.9.2 Other Feasibility/Policy Considerations

The No Project Alternative would leave the SWP system subject to potentially catastrophic consequences in the event of a major earthquake leading to levee breaks, inundation of Delta islands, and prolonged disruptions of exports that could require environmentally damaging emergency measures south of the Delta to provide water (California Department of Water Resources

2008b). Even in the absence of an event that catastrophically alters the hydrology of the Delta, climate change and anticipated sea level rise could be expected to gradually limit the operation of the SWP water pumps in the south Delta (California Department of Water Resources 2018). Consequently, additional releases from upstream reservoirs are expected to be necessary to provide the fresh water needed to meet current salinity standards (California Department of Water Resources 2018). While water users have previously relied on groundwater to supplement surface water supplies when operation of the SWP is limited by regulations to improve aquatic conditions, groundwater pumping is now managed under the Sustainable Groundwater Management Act requirements, which would have implications for meeting water supply demands depending on the designation of a groundwater basin Chapter 8, *Groundwater*, Section 8.3.2.1, *No Project Alternative*). As described in in the No Project Alternative discussions in Final EIR, Volume 1, Chapters 7 through 32, water managers in urban export areas could respond to diminished deliveries by taking other actions, such as the construction of recycled water facilities and desalination plants, that would create their own negative environmental effects, including consumption of large amounts of greenhouse gas-generating fossil fuels, brine discharge, and for desalinization plants, potential entrainment of aquatic species.

Through its Director, DWR rejects the No Project Alternative on each of the above grounds. The Director finds that each of the above reasons is a sufficient independent ground for rejecting the No Project Alternative as infeasible.

7.5.10 Alternatives Considered but Rejected from Further Consideration

7.5.10.1 Fundamental Purpose and Objectives

As discussed above in Section 5.3.1, *Alternatives Development and Screening Process*, DWR identified and screened a range of alternatives based on the project purpose and objectives, as defined in the NOP. The screening criteria were developed consistent with the legal requirements of CEQA and the project objectives included in the NOP published on January 15, 2020. The following alternatives did not pass the first of two screening filters and were rejected, as they do not meet most of the project's objectives:

- Dual Conveyance Tunnel with New Intakes at Fremont Weir and Decker Island
- Dual Conveyance with New Intakes at Decker Island
- Isolated Conveyance New Intakes at Fremont Weir and Decker Island
- Isolated Conveyance with San Joaquin River intake
- Western Delta Intake Concept
- SolAgra Water Solution
- Portfolio-Based Proposed including Water Conveyance Facilities
- Through-Delta Conveyance No New Diversion Facility (with Barriers)
- Through-Delta Conveyance with No New Diversion Facility—New Fish Handling Facilities at Clifton Court Forebay
- Portfolio Approach without Water Conveyance Facilities

- Integration of Water Conveyance with Other Projects

7.5.10.2 Other Feasibility/Policy Considerations

The following alternatives passed the first filter but did not pass the second filter, as they do not avoid or substantially lessen impacts compared to the alternatives evaluated in the EIR:

- Dual Conveyance East Canal
- Dual Conveyance West Canal
- Dual Conveyance with New Intakes at Sacramento Weir
- Isolated Conveyance Tunnel with Sacramento River Intakes
    - Isolated Conveyance West Canal with Sacramento River Intakes
    - Isolated Conveyance East Canal with Sacramento River Intakes
    - Isolated Conveyance East Canal with Feather River Intakes
- A Water Plan for All of California
- Alternative locations for diversion facilities along the Sacramento River in the north Delta

For the foregoing reasons, DWR rejects all the alternatives to the Project considered in the EIR, including the alternatives considered but rejected from further consideration in the EIR, as infeasible. As explained above, these alternatives would have greater environmental impacts compared to the Project and/or would not meet the project goals or objectives, or would not achieve them to the same degree as the Project, and/or are found to be infeasible on the basis of additional grounds discussed above. DWR further finds that, out of all of the alternatives considered, the Project strikes the optimal balance between attainment of project goals and objectives, competing environmental and economic impacts and benefits, and best achieves the coequal goals set forth in the Delta Reform Act of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem.

Chapter 10
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Exhibit A

CEQA Findings of Fact for the Project's Significant and Unavoidable Impacts, Impacts that are Less Than Significant after Mitigation and Impacts that are Less Than Significant/No Impact

Table 1: CEQA Findings of Fact for Significant and Unavoidable Project Impacts

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Adopted Mitigation Measures	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Agricultural Resources				
Impact AG-1: Convert a Substantial Amount of Prime Farmland, Unique Farmland, Farmland of Local Importance, or Farmland of Statewide Importance as a Result of Construction of Water Conveyance Facilities	Significant	MM AG-1: Preserve Agricultural Land	Significant and Unavoidable	Mitigation Measure AG-1: Preserve Agricultural Land would reduce the extent of the remaining impacts that could not be avoided through careful project planning. However, these impacts would remain significant and unavoidable after implementation of the mitigation measures because conservation of agricultural farmland through acquisition of agricultural conservation easements, even at a ratio of 1:1 or greater, would not avoid a net loss of Important Farmland in the study area. Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.
Impact AG-2: Convert a Substantial Amount of Land Subject to Williamson Act Contract or under Contract in Farmland Security Zones to a Nonagricultural Use as a Result of Construction of Water Conveyance Facilities	Significant	MM AG-1: Preserve Agricultural Land	Significant and Unavoidable	Project facilities would result in permanent conversion of around 1,100 acres of land under Williamson Act contract. There is projected to be temporary or permanent conversion of approximately 39 acres of agricultural land within a Farmland Security Zone under the Project. The permanent impacts on land under contract with Farmland Security Zone would be associated with the shaft sites and new overhead power transmission lines, while the temporary impacts would result from work associated with geotechnical exploration sites and underground installation of utility lines. DWR would comply with all applicable provisions of California Government Code Sections 51290–51295 as they pertain to acquiring lands subject to Williamson Act contract. Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.
Aesthetics and Visual Resources				
Impact AES-1: Substantially Degrade the Existing Visual Character or Quality of Public Views (from Publicly Accessible Vantage Points) of the Construction Sites and Visible Permanent Facilities and Their Surroundings in Nonurbanized Areas	Significant	MM AES-1a: Install Visual Barriers between Construction Work Areas and Sensitive Receptors MM AES-1b: Apply Aesthetic Design Treatments to Project Structures MM AES-1c: Implement Best Management Practices in Project Landscaping Plan	Significant and Unavoidable	Construction of the Project would substantially affect the existing visual quality and character present in the study area from public roads, residences, and areas of visual effect in the vicinity of project sites. Contributing to this impact would include the long-term nature of facility construction at all of the major project sites and visibility of heavy construction equipment in the proximity to sensitive vantage points; removal of residences and agricultural buildings; removal of riparian vegetation and other mature vegetation or landscape plantings; earthmoving and grading that result in changes to topography in areas that are predominantly flat, as well as dust generation; addition of large-scale industrial-looking structures (e.g., intakes, pumping plants, discharge structures and related facilities); remaining presence of large-scale reusable tunnel material (RTM) area landscape effects; and introduction of tall lattice steel transmission towers. Because of the combined effect of multiple and concurrent

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Adopted Mitigation Measures	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				construction sites on localized views, the length of time construction would occur, and the changes permanent facilities would have on multiple short- and long-range views in the study area and high viewer sensitivity, this impact is considered to be significant at several sites, as shown in Table 18- 14. This conclusion also takes into consideration the Project's visual effects in a large Delta landscape. Although in a regional context the Project would affect a relatively small portion of the Delta limited to the distinct and discrete project sites, construction and permanent facility changes in visual quality and character would be substantially reduced in a number of locations in the study area. Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.
Impact AES-2: Substantially Damage Scenic Resources Including, but Not Limited to, Trees, Rock Outcroppings, and Historic Buildings Visible from a State Scenic Highway	Significant	MM AES-1b: Apply Aesthetic Design Treatments to Project Structures MM AES-1c: Implement Best Management Practices in Project Landscaping Plan	Significant and Unavoidable	Because visual elements associated with the Project would conflict with the existing forms, patterns, colors, and textures along State Route (SR) 160; would dominate riverfront views available from SR 160; and would alter broad views and the general nature of the visual experience presently available from SR 160 (thereby permanently damaging the scenic resources along a state scenic highway), these impacts are considered significant. Mitigation Measures AES-1b: Apply Aesthetic Design Treatments to Project Structures and AES-1c: Implement Best Management Practices in Project Landscaping Plan would help reduce these impacts through the application of aesthetic design treatments to all structures, to the extent feasible. However, impacts on visual resources resulting from damage to scenic resources that may be viewed from a state scenic highway would not be reduced to a less-than-significant level because even with Mitigation Measures AES-1b and AES-1c 17 the overall view from SR 160 to the location of intakes would change from open agricultural land to a large industrial-type facility. There would be noticeable to very noticeable changes to the visual character of a state scenic highway viewshed that do not blend or are not in keeping with the existing visual environment based upon the viewer's location in the landscape relative to the visible change. Thus, overall, this impact would be significant and unavoidable. Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.
Impact AES-3: Have Substantial Significant Impacts on Scenic Vistas	Significant	MM AES-1a: Install Visual Barriers between Construction Work Areas and Sensitive Receptors MM AES-1b: Apply Aesthetic Design Treatments to Project Structures MM AES-1c: Implement Best Management Practices in Project Landscaping Plan	Significant and Unavoidable	The Project would include some facilities or components that would result in significant and unavoidable impacts on existing visual quality and character within the study area including scenic vistas. Mitigation Measures AES-1a: Install Visual Barriers between Construction Work Areas and Sensitive Receptors, AES-1b: Apply Aesthetic Design Treatments to Project Structures, and AES-1c: Implement Best Management Practices in Project Landscaping Plan would reduce scenic vista impacts in the same way described for effects on visual quality and character. Overall, not all impacts would be reduced to a less-than-significant level because, although environmental commitments and mitigation measures would reduce some aspects of the impact on scenic vistas, these measures would only partially reduce effects for the same reasons described for Impact AES-1. Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Adopted Mitigation Measures	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Cultural Resources				
Impact CUL-1: Impacts on Built-Environment Historical Resources Resulting from Construction and Operation of the Project	Significant	MM CUL-1a: Avoid Impacts on Built-Environment Historical Resources through Project Design MM CUL-1b: Prepare and Implement a Built-Environment Treatment Plan in Consultation with Interested Parties	Significant and Unavoidable	Construction of project features may require physical alteration of 7 built-environment historical resources. Construction may also result in changes to the setting of 7 built-environment historical resources. Both material alterations to the integrity of materials, design, or workmanship, as well as material alterations to the integrity of setting, feeling, or association would impact the historical resource by removing character-defining features of the resource or altering the resource's character, resulting in an impairment of the resource's ability to convey its significance. For these reasons this would be a significant impact. Mitigation Measure CUL-1a: Avoid Impacts on Built-Environment Historical Resources through Project Design and Mitigation Measure CUL-1b: Prepare and Implement a Built Environment Treatment Plan in Consultation with Interested Parties may mitigate these effects but cannot guarantee they would be entirely avoided. The scale of the Project and the constraints imposed by other environmental resources would make avoidance of all significant impacts unlikely. For these reasons, even with MM CUL-1a and MM CUL-1b, this impact would be significant and unavoidable. All mitigation will be completed under the oversight of individuals who meet the Secretary of the Interior Professional Qualifications Standards and have demonstrable experience conducting the recommended measures (MM CUL-1a and MM CUL-1b). Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.
Impact CUL-2: Impacts on Unidentified and Unevaluated Built-Environment Historical Resources Resulting from Construction and Operation of the Project	Significant	MM CUL-2: Conduct a Survey of Inaccessible Properties to Assess Eligibility and Determine Whether These Properties Will Be Adversely Affected by the Project	Significant and Unavoidable	Construction of project facilities may require the alteration of built-environment historical resources. Construction may also result in material alterations to the integrity of feeling, setting, or association. Changes to the setting would be material alterations because they would either remove the resource or alter the resource's character, resulting in a diminishment of the resource's ability to convey its significance. For these reasons this would be a significant impact. Mitigation Measure CUL-2: Conduct a Survey of Inaccessible Properties to Assess Eligibility and Determine Whether These Properties Will Be Adversely Affected by the Project may mitigate these impacts, but cannot guarantee they would be entirely avoided. The scale of the Project and the constraints imposed by other environmental resources make avoidance of all significant impacts unlikely. For these reasons, even with MM CUL-2, this impact would be significant and unavoidable. Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.
Impact CUL-3: Impacts on Identified Archaeological Resources Resulting from the Project	Significant	MM CUL-3a: Prepare and Implement an Archaeological Resources Management Plan MM CUL-3b: Conduct Cultural Resources Sensitivity Training MM CUL-3c: Implement Archaeological Protocols for Field Investigations	Significant and Unavoidable	Field investigations and construction of conveyance facilities would affect identified archaeological resources that occur in the footprint of the Project. This impact would be significant because construction would materially alter or destroy the spatial associations between these resources and their archaeological data, which has the potential to yield information useful in archaeological research and is the basis for the significance of these resources. Identified but currently inaccessible resources may also be significant under other California Register of Historical Resources (CRHR) criteria. Mitigation Measure CUL-3a: Prepare and Implement an Archaeological Resources Management Plan, Mitigation Measure CUL-3b: Conduct Cultural Resources Sensitivity Training, and Mitigation Measure CUL-3c: Implement Archaeological Protocols for Field Investigations would mitigate this impact by training personnel and recovering scientifically important material prior to construction through the sensitive area, but would not guarantee that all of the scientifically consequential

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Adopted Mitigation Measures	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				Information would be retrieved because feasible archaeological excavation typically only retrieves a sample of the deposit, and portions of the site with consequential information may remain after treatment. Construction could damage these remaining portions of the deposit. Therefore, even with mitigation, this impact would be significant and unavoidable. Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.
Impact CUL-4: Impacts on Unidentified Archaeological Resources That May Be Encountered in the Course of the Project	Significant	MM CUL-3a: Prepare and Implement an Archaeological Resources Management Plan MM CUL-3b: Conduct Cultural Resources Sensitivity Training MM CUL-3c: Implement Archaeological Protocols for Field Investigations	Significant and Unavoidable	Construction has the potential to disturb previously unidentified archaeological resources qualifying as historical resources or unique archaeological resources. Because direct excavation, compaction, or other disturbance may disrupt the spatial associations that contain scientifically useful information, these activities would alter the potential basis for eligibility, thus materially altering the resource and resulting in a significant impact. Because these resources would not be identified prior to construction, they cannot be recorded, and impacts cannot be managed through construction treatment. Mitigation Measures CUL-3a: Prepare and Implement an Archaeological Resources Management Plan, CUL-3b: Conduct Cultural Resources Sensitivity Training, and CUL-3c: Implement Archaeological Protocols for Field Investigations would reduce the potential for this impact by implementing monitoring and discovery protocols and providing training to all personnel involved in ground-disturbing activities. However, because archaeological resources may not be identified through these measures prior to disturbance, the effect cannot be entirely avoided. Therefore, this impact would remain significant and unavoidable because resource locations and extents are unknown. Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.
Impact CUL-5: Impacts on Buried Human Remains	Significant	MM CUL-3a: Prepare and Implement an Archaeological Resources Management Plan MM CUL-3b: Conduct Cultural Resources Sensitivity Training MM CUL-3c: Implement Archaeological Protocols for Field Investigations MM CUL-5: Follow State and Federal Law Governing Human Remains If Such Resources Are Discovered during Construction	Significant and Unavoidable	The study area is sensitive for buried human remains. Construction would require ground-disturbing work that may damage previously unidentified human remains, resulting in direct effects on these resources. Disturbance of human remains, including remains interred outside of cemeteries, is considered a significant impact in the CEQA Appendix G checklist; therefore, any disturbance of such remains would be a significant impact. Mitigation Measures CUL-3a: Prepare and Implement an Archaeological Resources Management Plan, CUL-3b: Conduct Cultural Resources Sensitivity Training, and CUL-3c: Implement Archaeological Protocols for Field Investigations would reduce the potential for this impact and its severity by implementing monitoring and discovery protocols and providing training to all personnel involved in ground-disturbing activities, but not to a less-than-significant level because they would not guarantee that buried human remains could be discovered and treated in advance of construction; the scale of construction makes it technically and economically infeasible to perform the level of sampling necessary to identify all such buried human remains prior to construction. Therefore, this impact, even with mitigation, would be significant and unavoidable. Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Adopted Mitigation Measures	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Transportation				
Impact TRANS-1: Increased Average VMT Per Construction Employee versus Regional Average	Significant	MM TRANS-1: Implement Site-Specific Construction Transportation Demand Management Plan and Transportation Management Plan	Significant and Unavoidable	Construction of the Project would result in additional vehicle miles traveled (VMT) to the regional transportation system and increase the total amount of driving and distances traveled for home-based work trips when compared to the regional average of 22.5 miles per day. This increase would be a temporary but long-term and a substantial VMT impact because conveyance facility construction employee VMT would exceed the regional VMT average over the course of the construction time period for Project facilities. This level of carpool participation is a goal that may not be achieved because construction workers will be drawn from the region in a manner that may not be conducive to large-scale carpooling or vanpooling. Because of the logistics of requiring construction workers to carpool/vanpool near their place of residence to project construction sites, and the uncertainty that this goal would be achieved, Impact TRANS-1 is considered significant and unavoidable with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.
Air Quality and Greenhouse Gases				
Impact AQ-5: Result in Exposure of Sensitive Receptors to Substantial Localized Criteria Pollutant Emissions	Significant	MM AQ-5: Avoid Public Exposure to Localized Particulate Matter and Nitrogen Dioxide Concentrations	Significant and Unavoidable	The impact would be significant under CEQA for the Project because construction could contribute to existing violations or create new violations of the particulate matter (PM) that is 2.5 microns in diameter and smaller (PM2.5) and particulate matter that is 10 microns in diameter and smaller (PM10) standards. Construction of the Project would generate maximum 1-hour nitrogen dioxide (NO_2) concentrations above the National Ambient Air Quality Standards (NAAQS). No other violations of the ambient air quality standards would result during project construction. Likewise, off-site construction traffic would not contribute to a localized violation of the California ambient air quality standards (CAAQS) or national ambient air quality standards (NAAQS) at intersections throughout the transportation network. Emissions from long-term Operation & Maintenance activities would not cause or contribute to violations of the CAAQS and NAAQS. Environmental Commitments EC-7: Off-Road Heavy-Duty Engines through EC-13: DWR Best Management Practices to Reduce Greenhouse Gas (GHG) Emissions would minimize construction emissions through implementation of the on-site controls. However, exceedances of the significant impact levels (SILs) and ambient air quality standards would still occur, and the project would contribute a significant level of localized air pollution within the local air quality study area. Mitigation Measure AQ-5: Avoid Public Exposure to Localized Particulate Matter and Nitrogen Dioxide Concentrations is required to reduce potential public exposure to elevated ambient concentrations of PM and NO2 during construction. As discussed above, the predicted results presented in Tables 23-55 through 23-58 are conservative because they combine worst-case meteorological conditions with the highest daily and annual construction emissions estimates. Mitigation Measure AQ-5 requires additional PM and NO2 modeling to provide a more refined estimate of hourly and annual concentrations that are expected to occur during the construction period. If the refined modeling predicts an exceedance of the SIL or violation of the NO2 NAAQS, the measure requires DWR to conduct ambient air quality monitoring during

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Adopted Mitigation Measures	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				construction. Results of the monitoring would be used to inform decision-making on further actions to reduce pollutant concentrations. While these actions would lower exposure to project-generated air pollution, it may not be feasible to completely eliminate all localized exceedances of the SILs and ambient air quality standards. Accordingly, this impact is determined to be significant and unavoidable. Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.
Noise and Vibration				
Impact NOI-1: Generate a Substantial Temporary or Permanent Increase in Ambient Noise Levels in the Vicinity of the Project in Excess of Standards Established in the Local General Plan or Noise Ordinance, or Applicable Standards of Other Agencies	Significant	MM NOI-1: Develop and Implement a Noise Control Plan	Significant and Unavoidable	Construction-related noise would exceed daytime and nighttime noise level criteria at intakes, shaft sites, the Bethany Complex, and associated infrastructure under the Project. Depending on facility location relative to noise-sensitive receptors, the duration of daytime criteria exceedance would vary from 1 week to up to 14 years on a nonconsecutive basis. The duration of nighttime criteria exceedance would vary from 1 week to 5 months on a nonconsecutive basis. The exceedance of daytime and nighttime noise level criteria for these durations would result in a significant impact. Mitigation Measure NOI-1: Develop and Implement a Noise Control Plan would reduce noise levels through pre-construction actions, sound-level monitoring, best noise control practices, and installation of noise barriers. Mitigation Measure NOI-1 would reduce the severity of this impact to less-than-significant levels if property owners elect to participate in the sound insulation program to reduce noise impacts. DWR cannot ensure that property owners will voluntarily participate in the program and accept sound insulation improvements. If a property owner does not elect to participate in the sound insulation program, the impact would remain significant and unavoidable. Conservatively, the impact due to construction noise is determined to be significant and unavoidable after mitigation. However, if improvements required to avoid significant impacts are accepted by all eligible property owners, impacts would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that substantially lessen, but do not avoid, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.
Paleontological Resources				
Impact PALEO-2: Cause Destruction of a Unique Paleontological Resource as a Result of Tunnel Construction and Ground Improvement	Significant	No feasible mitigation is available to address this impact.	Significant and Unavoidable	Construction of water conveyance facilities could cause the destruction of unique paleontological resources because tunneling would occur in geologic units with high sensitivity for paleontological resources: the Modesto and Riverbank Formations. The Project could destroy unique paleontological resources, with varying degrees of magnitude (Table 28-11). Excavation using the tunnel boring machine (TBM) for the tunnels could destroy unique paleontological resources because tunneling would involve large-scale ground disturbance that would not be accessible to monitors and would occur in geologic units sensitive for paleontological resources. This tunneling would occur at depths greater than 100 feet and therefore the geologic units affected would not be accessible to paleontologists and any fossils would not be available for scientific study. It cannot, however, be known whether paleontological resources would be present because paleontological resources are not distributed evenly throughout a geologic unit. Nevertheless, given the volume of material excavated by tunneling (Table 28-4) that would occur in the Modesto and Riverbank Formations, which are both sensitive for paleontological resources, and the consistency of the

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Adopted Mitigation Measures	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				reusable tunnel material (RTM) generated by the TBM (i.e., too fine to contain macrofossils), tunneling could result in a significant impact. No mitigation is available to address this impact. The impacts of tunneling would therefore be significant and unavoidable. Ground improvement would consist of in-situ mixing of amendments, such as cement grout, into the subsurface to improve stability. If this improvement occurs in the Modesto or Riverbank Formations and paleontological resources are present, ground improvement would damage or destroy these resources because the activity cannot be viewed or stopped by a paleontological monitor. No mitigation is available to address this impact. The impacts of ground improvement would therefore be significant and unavoidable. Findings: Impacts are significant and unavoidable and no feasible mitigation measures have been identified.
Tribal Cultural Resources				
Impact TCR-1: Impacts on the Delta Tribal Cultural Landscape Tribal Cultural Resource Resulting from Construction, Operations, and Maintenance of the Project Alternatives	Significant	MM TCR-1a: Avoidance of Impacts on Tribal Cultural Resources MM TCR-1b: Plans for the Management of Tribal Cultural Resources MM TCR-1c: Implement Measures to Restore and Enhance the Physical, Spiritual, and Ceremonial Qualities of Affected Tribal Cultural Resources MM TCR-1d: Incorporate Tribal Knowledge into Compensatory Mitigation Planning (Restoration)	Significant and Unavoidable	Project construction and operational activities would impair character-defining features that qualify the Delta Tribal Cultural Landscape (TCL) for listing in the CRHR. The Project would materially impair affiliated Tribes' ability to physically, spiritually, or ceremonially experience these character-defining features: the Delta as a holistic place that is a Tribal homeland and place of origin, terrestrial and aquatic plant and animal species habitats that are part of the Delta's ecosystem and the heritage of Tribes, ethnohistorical locations that are sacred places and historically important, archaeological sites, and views and vistas of and from the Delta that are sacred and important to the heritage of Tribes. While other chapters have identified mitigation measures to address project effects on several of the natural resources that also qualify as character-defining features for the Tribal cultural resource (such as the Compensatory Mitigation Plan) these are aimed at satisfying certain regulatory requirements for ecological conservation and may not mitigate for the impacts to Tribal cultural resources. DWR will coordinate with Tribes to incorporate Tribal values into compensatory mitigation; however, these measures may not reduce the impacts to a less-than-significant level. Because the project would materially impair character-defining features of the Delta TCL, and project commitments and mitigation measures would not fully avoid or reduce such impacts, the impact on the Delta TCL would be significant. DWR has identified four measures for mitigating this impact: Mitigation Measures TCR-1a: Avoidance of Impacts on Tribal Cultural Resources, TCR-1b: Plans for the Management of Tribal Cultural Resources, TCR-1c: Implement Measures to Restore and Enhance the Physical, Spiritual, and Ceremonial Qualities of Affected Tribal Cultural Resources, and TCR-1d: Incorporate Tribal Knowledge into Compensatory Mitigation Planning (Restoration). Application of these mitigation measures has the potential to reduce the impact on character-defining features of the Delta TCL because they could restore affiliated Tribes' ability to physically, spiritually, and ceremonially experience the materially impaired qualities of the features. However, there may be instances where even with the mitigation measures described above, the impacts would not be mitigated to a less-than-significant level. There may also be instances where the project components would permanently damage a character-defining feature of the Delta TCL, such as where ground disturbance and construction of a project feature would occur in an ethnohistoric location, disturb an archaeological site, or a facility would block an important view. Project impacts would remain significant and unavoidable after implementation of Mitigation Measures TCR-1a, TCR-1b, TCR-1c, and TCR-1d because complete avoidance or protection is unlikely and operations and maintenance of the intakes and tunnels may still materially impair the Tribal experience of the spiritual qualities of the Delta TCL even with the efforts to repair or restore the Tribal experience. DWR will continue to consult with affiliated Tribes throughout implementation of Mitigation

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Adopted Mitigation Measures	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				Measures TCR-1a, TCR-1b, and TCR-1c, and TCR-1d to minimize and mitigate the project's significant impacts on the Delta TCL. Findings: Changes or alterations have been required in, or incorporated into, the project that mitigate, but *not* to a less than significant level, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.
Impact TCR-2: Impacts on Individual Tribal Cultural Resources Resulting from Construction, Operations, and Maintenance of the Project Alternatives	Significant	MM TCR-1a: Avoidance of Impacts on Tribal Cultural Resources MMTCR-1b: Plans for the Management of Tribal Cultural Resources MM TCR-1c: Implement Measures to Restore and Enhance the Physical, Spiritual, and Ceremonial Qualities of Affected Tribal Cultural Resources MM TCR-1d: Incorporate Tribal Knowledge into Compensatory Mitigation Planning (Restoration) MM TCR-2: Perform an Assessment of Significance, Known Attributes, and Integrity for Individual CRHR Eligibility	Significant and Unavoidable	The precise nature of the impact on an individual Tribal cultural resource is not currently known because DWR has not identified any individual Tribal cultural resources at this time; therefore, the features that make an individual resource eligible for California Register of Historical Resources (CRHR) listing, its significance, attributes and location, and integrity have not been established. In general, DWR anticipates that if an individual resource is identified, the project has the potential to materially impair an affiliated Tribes' ability to physically, ceremonially, or spiritually experience the resource. If the conclusion of implementing Mitigation Measure TCR-2: Perform an Assessment of Significance, Known Attributes, and Integrity for Individual CRHR Eligibility is that DWR finds a character-defining feature or other resource that is individually eligible, application of Mitigation Measures TCR-1a, TCR-1b, and TCR-1c, and TCR-1d could reduce the impact on any individually eligible Tribal cultural resources, because they could restore affiliated Tribes' ability to physically, spiritually, and ceremonially experience the materially impaired qualities of the features. However, there may be instances where even with the mitigation measures described above, the impacts would not be mitigated to a less-than-significant level. There may also be instances where the project components would permanently damage an individual Tribal cultural resource, such as where ground disturbance and construction of a project feature would disturb an individually eligible ethnohistoric location or a facility would block an important view that is a character-defining feature of an individual Tribal cultural resource. Project impacts on individual Tribal cultural resources would remain significant and unavoidable after implementation of Mitigation Measures TCR-1a, TCR-1b, TCR-1c, TCR-1d, and TCR-2, because complete avoidance or protection is unlikely. DWR will continue to consult with affiliated Tribes throughout implementation of mitigation measures to minimize and mitigate the project's significant impacts on the Delta Tribal Cultural Landscape, as well as refine DWR's understanding of the character-defining features, or other features, that may be individual Tribal cultural resources. Findings: Changes or alterations have been required in, or incorporated into, the project, that mitigate, but *not* to a less than significant level, the significant environmental effect as identified in the Final EIR. Impacts are therefore significant and unavoidable despite the adoption of feasible mitigation measures.

Table 2: CEQA Findings of Fact for the Project's Less-than-Significant Impacts after Mitigation

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Water Quality				
Impact WQ-6: Effects on Mercury Resulting from Facility Operations and Maintenance	Less Than Significant for the Project; Potentially Significant for Implementation of the CMP	MM WQ-6: Develop and Implement a Mercury Management and Monitoring Plan	Less Than Significant	The Project would not cause additional exceedance of applicable water quality criteria or objectives by frequency, magnitude, and geographic extent that would cause significant impacts on any beneficial uses of waters in the study area. Because mercury concentrations are not expected to increase substantially, no long-term water quality degradation that would result in substantially increased risk for significant impacts on beneficial uses would occur. Furthermore, changes in long-term methylmercury concentrations that may occur in study area waterbodies would not make existing CWA Section 303(d) impairments measurably worse, or increase levels of mercury by frequency, magnitude, and geographic extent to cause measurably higher body burdens of mercury in aquatic organisms, thereby substantially increasing the health risks to wildlife (including fish) or humans consuming those organisms. Thus, the impact of the Project on mercury concentrations would be less than significant. While the Project would not result in significant water quality effects associated with mercury, there could be significant impacts with the implementation of the CMP. Those impacts could be reduced to a less-than-significant level with Mitigation Measure WQ-6. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Soils				
Impact SOILS-5: Have Soils Incapable of Adequately Supporting the Use of Septic Tanks or Alternative Wastewater Disposal Systems Where Sewers Are Not Available for the Disposal of Wastewater	Significant	MM SOILS-5: Conduct Site-Specific Soil Analysis and Construct Alternative Wastewater Disposal System as Required	Less Than Significant	Potential impacts of the use of septic tanks or alternative wastewater disposal systems would occur during construction and operations and maintenance. If a conventional disposal system were to be constructed on soils with a rating of very limited for septic tank absorption fields, use of the system could contaminate surface water and groundwater and create objectionable odors during operations and maintenance. The water contamination could raise the risk of disease transmission and human exposure to pathogens. The impact would be significant. However, county planning and building departments typically require on-site soil percolation tests and other analyses to determine site suitability and type of system appropriate to the site. Along with compliance with county requirements, implementation of Mitigation Measure SOILS-5: Conduct Site-Specific Soil Analysis and Construct Alternative Wastewater Disposal System as Required, would reduce the impact to a less-than-significant level. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Fish and Aquatic Resources				
Impact AQUA-1: Effects of Construction of Water Conveyance Facilities on Fish and Aquatic Species	Significant	MM AQUA-1a: Develop and Implement an Underwater Sound Control and Abatement Plan MM AQUA-1b: Develop and Implement a Barge Operations Plan MM AQUA-1c: Develop and Implement a Fish Rescue and Salvage Plan MM WQ-6: Develop and Implement a Mercury Management and Monitoring Plan CMP-23: Tidal Perennial Habitat Restoration for Construction Impacts on Habitat for Fish and Aquatic Resources	Less Than Significant	Construction impacts on fish and aquatic species potentially would be significant because there would be the potential for spatial and temporal overlap with appreciable proportions of some of the species of management concern's populations (e.g., adult steelhead; Table 12A-9 in Appendix 12A) as well as loss of aquatic habitat. To address these impacts, the project will include Mitigation Measures AQUA-1a: Develop and Implement an Underwater Sound Control and Abatement Plan, AQUA-1b: Develop and Implement a Barge Operations Plan, AQUA-1c: Develop and Implement a Fish Rescue and Salvage Plan, and Mitigation Measure CMP: Compensatory Mitigation Plan, specifically CMP-23: Tidal Perennial Habitat Restoration for Construction Impacts on Habitat for Fish and Aquatic Resources and CMP-24: Channel Margin Habitat Restoration for Construction Impacts on Habitat for Fish and Aquatic Resources (Attachment 3F.1, Compensatory Mitigation Design Guidelines, Table 3F.1-3). Mitigation

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		CMP-24: Channel Margin Habitat Restoration for Construction Impacts on Habitat for Fish and Aquatic Resources		Measure AQUA-1a: Develop and Implement an Underwater Sound Control and Abatement Plan includes limiting pile-driving timing consistent with EC-14 and controlling or abating underwater noise generated during impact pile driving, for example, by starting impact pile driving at lower levels of intensity to allow fish to leave the area before the intensity is increased. Construction impacts on fish and aquatic species would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact AQUA-2: Effects of Operations and Maintenance of Water Conveyance Facilities on Sacramento River Winter-Run Chinook Salmon	Significant	CMP-25: Tidal Habitat Restoration to Mitigate North Delta Hydrodynamic Effects on Chinook Salmon Juveniles CMP-26: Channel Margin Habitat Restoration for Operations Impacts on Chinook Salmon Juveniles	Less Than Significant	The available information generally indicates that diversion at the North Delta Diversion (NDD) would negatively affect winter-run Chinook salmon through flow-survival and habitat impacts. The Sacramento River is the main migration pathway through the Delta for juvenile winter-run and therefore a large proportion of the population would potentially be exposed to negative impacts. To address the significance of the impacts, Mitigation Measure CMP: Compensatory Mitigation Plan would be implemented, specifically CMP-25: Tidal Habitat Restoration to Mitigate North Delta Hydrodynamic Effects on Chinook Salmon Juveniles and CMP-26: Channel Margin Habitat Restoration or Operations Impacts on Chinook Salmon Juveniles (Attachment 3F.1, Table 3F.1-3). This mitigation would reduce negative hydrodynamic effects such as flow reversals in the Sacramento River at Georgiana Slough (CMP-25) and reduced effects from reduced inundation of riparian/wetland benches as a result of NDD operations (CMP-26). The mitigation thereby would reduce potential for negative effects on winter-run Chinook salmon through-Delta survival as a result of factors such as flow-related changes in migration speed and probability of entering the low-survival interior Delta migration pathway and restoring new bench habitat at elevations that would be inundated under reduced flows downstream of the north Delta intakes. The impact of operations and maintenance of the Project would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact AQUA-3: Effects of Operations and Maintenance of Water Conveyance Facilities on Central Valley Spring-Run Chinook Salmon	Significant	CMP-25: Tidal Habitat Restoration to Mitigate North Delta Hydrodynamic Effects on Chinook Salmon Juveniles CMP-26: Channel Margin Habitat Restoration for Operations Impacts on Chinook Salmon Juveniles	Less Than Significant	Recent research for two spring-run Chinook salmon populations in the Central Valley indicates that the majority of returning adults emigrated as yearlings (Cordoleani et al. 2021), which migrate beginning in fall and therefore have the potential to overlap periods of greater north Delta diversions with greater potential effects on through-Delta survival as shown by the Perry et al. (2018) modeling results. As a result, and although there is uncertainty in biological impacts because of the variability in flow-survival statistical relationships (see discussion for winter-run Chinook salmon), population abundance is low relative to historical values (Appendix 12A) and it is concluded that the operations and maintenance impact of the Project would be significant for spring-run Chinook salmon. Compensatory mitigation to be implemented for the winter-run Chinook salmon significant impact discussed above in Impact AQUA-2 (i.e., Mitigation Measure CMP: Compensatory Mitigation Plan, specifically CMP-25: Tidal Habitat Restoration to Mitigate North Delta Hydrodynamic Effects on Chinook Salmon Juveniles and CMP-26: Channel Margin Habitat Restoration for Operations Impacts on Chinook Salmon Juveniles [Attachment 3F.1, Table 3F.1-3]) would also be applied to spring-run Chinook salmon to mitigate hydrodynamic effects such as flow reversals in the Sacramento River at Georgiana Slough (CMP-25) and effects from reduced inundation of riparian/wetland benches

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				as a result of North Delta Diversion operations (CMP-26). The impact would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact AQUA-5: Effects of Operations and Maintenance of Water Conveyance Facilities on Central Valley Steelhead	Significant	MM CMP: Compensatory Mitigation Plan	Less Than Significant	As discussed by National Marine Fisheries Service (2016:19), Central Valley steelhead is in danger of extinction, with very low levels of natural production. Available data and studies for steelhead are limited relative to Chinook salmon and so there is some uncertainty in potential effects. As previously noted for winter-run Chinook salmon, there is uncertainty in the biological impacts because of the variability in flow-survival statistical relationships. However, per the significance criteria (Section 12.3.2, Thresholds of Significance), the potential for negative effects of the north Delta intakes (e.g., up to 4% less through-Delta migration survival per the Perry et al. model implemented for juvenile Chinook salmon) and the population status (Appendix 12A) leads to the conclusion that the impact would be significant. Compensatory mitigation (tidal perennial habitat restoration and channel margin restoration) described in Appendix 3F, and as previously discussed for winter-run Chinook salmon would be implemented to reduce the impact to less than significant. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact AQUA-6: Effects of Operations and Maintenance of Water Conveyance Facilities on Delta Smelt	Significant	MM CMP: Compensatory Mitigation Plan CMP-27: Tidal Habitat Restoration for Operations Impacts on Delta Smelt	Less Than Significant	There is generally somewhat less Delta outflow under the Project than existing conditions during spring–fall as a result of less outflow being needed for meeting Delta salinity requirements. There is considerable uncertainty in the potential for negative effects to delta smelt food availability, predation, and recruitment as a result of these changes in Delta outflow, which are within the existing parameters of current regulations (e.g., D-1641; federal and state water project permits). Given the existing all-time low abundance indices of delta smelt (Appendix 12A), the impacts are concluded to be significant. Tidal habitat restoration of approximately 1,100 to 1,400 acres under Mitigation Measure CMP: Compensatory Mitigation Plan, specifically CMP-27 (Attachment 3F-1, Table 3F.1-3), would mitigate these impacts. Restoration would increase the extent of suitable delta smelt habitat (e.g., intertidal and subtidal habitat; California Department of Fish and Game 2011) with appropriate parameters (e.g., turbidity) providing habitat for occupancy (e.g., Sommer and Mejia 2013) or higher food availability in the vicinity (e.g., Hammock et al. 2019b). The impact would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact AQUA-7: Effects of Operations and Maintenance of Water Conveyance Facilities on Longfin Smelt	Significant	MM CMP: Compensatory Mitigation Plan CMP-28: Tidal Habitat Restoration for Operations Impacts on Longfin Smelt	Less Than Significant	In general, the analyses of the operations and maintenance impacts of the Project suggested minor impacts on longfin smelt, relative to existing conditions, including near-field effects of the north Delta intakes, south Delta entrainment, and very little potential for negative effects on food availability as a result of differences in spring Delta outflow. Any such impacts would not be significant because they are minor and would affect only a very small proportion of the longfin smelt population. The analyses of flow-related effects (differences in Delta outflow) on longfin smelt abundance suggested more potential for negative effects under the Project (i.e., mean difference of 2%–10% less depending on water year type) and a potentially significant impact given that they represent a population-level impact. There is uncertainty in the impact, however, given the appreciably greater variability of longfin smelt abundance index estimates

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				for a given alternative relative to the difference from existing conditions. Operations of the Project would be consistent with all applicable regulations to limit the potential for negative effects on fish and aquatic resources, including the existing spring outflow measures required by the California Department of Fish and Wildlife Incidental Take Permit (ITP). Nevertheless, the uncertain negative outflow-related effect is considered significant in light of the species' California Endangered Species Act-listed status and low population abundance indices (Appendix 12A). As such, the Project would implement approximately 135.2acres of compensatory mitigation (Mitigation Measure CMP: Compensatory Mitigation Plan, specifically CMP-2B: Tidal Habitat Restoration for Operations Impacts on Longfin Smelt [Attachment 3F.1, Table 3F.1-3]). Tidal habitat would expand the diversity, quantity, and quality of longfin smelt rearing and refuge habitat consistent with recent tidal habitat mitigation required for outflow impacts to the species and would therefore reduce the potential effects caused by reduced outflow. As shown by multiple recent tidal habitat restoration projects in the Delta, there are potential feasible opportunities for tidal habitat restoration directly applicable to longfin smelt, with demonstrated presence of longfin smelt. This tidal habitat restoration mitigation would reduce the impact to a less-than-significant level; therefore, the impact would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Terrestrial Biological Resources				
Impact BIO-1: Impacts of the Project on the Tidal Perennial Aquatic Natural Community	Significant	MM CMP: Compensatory Mitigation Plan	Less Than Significant	The Project would cause the removal, conversion, and temporary disturbance of tidal perennial aquatic natural community due to project construction and maintenance. The temporary disturbances of tidal perennial aquatic habitat would be reduced by Environmental Commitments EC-1: Conduct Worker Awareness Training; EC-2: Develop and Implement Hazardous Materials Management Plans; EC-3: Develop and Implement Spill Prevention, Containment, and Countermeasure Plans; and EC-14: Construction Best Management Practices for Biological Resources (Appendix 3B). Even with these environmental commitments, however, the loss of tidal perennial aquatic community from construction and potential impacts from maintenance activities would be significant. Mitigation Measure CMP: Compensatory Mitigation Plan would offset permanent and temporary loss of tidal perennial aquatic habitat. Therefore, the impacts on the tidal perennial aquatic community from the Project would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-2: Impacts of the Project on Tidal Freshwater Emergent Wetlands	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement	Less Than Significant	The Project would cause the removal, conversion, and temporary disturbance of tidal freshwater emergent wetlands due to project construction and maintenance. Temporary disturbances and indirect impacts on tidal freshwater emergent wetlands would be reduced by Environmental Commitments EC-1: Conduct Worker Awareness Training; EC-2: Develop and Implement Hazardous Materials Management Plans; EC-3: Develop and Implement Spill Prevention, Containment, and Countermeasure Plans; and EC-14: Construction Best Management Practices for Biological Resources. Even with these environmental commitments, however, the loss of tidal freshwater emergent wetlands from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would reduce impacts on tidal freshwater emergent wetlands during project construction. Mitigation Measure BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities would reduce impacts on tidal freshwater emergent wetland during

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				project maintenance. Mitigation Measure BIO-2c: Electrical Power Line Support Placement would minimize impacts on tidal freshwater emergent wetlands from electric power line installation. Mitigation Measure CMP: Compensatory Mitigation Plan would offset permanent and temporary loss of tidal freshwater emergent wetland. Therefore, the impacts on tidal freshwater emergent wetland from the Project would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-3: Impacts of the Project on Valley/Foothill Riparian Habitat	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants	Less Than Significant	Constructing the Project would cause the removal, conversion, and temporary disturbance of valley/foothill riparian habitat. Maintenance activities could result in periodic temporary disturbances to valley/foothill riparian habitat. Temporary disturbances and indirect impacts on valley/foothill riparian habitat would be reduced by Environmental Commitments EC-1: Conduct Worker Awareness Training and EC-14: Construction Best Management Practices for Biological Resources. Even with these environmental commitments, however, the loss of valley/foothill riparian habitat from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would reduce impacts on valley/foothill riparian habitat during project construction. Mitigation Measure BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities would reduce impacts on valley/foothill riparian habitat during project maintenance. Mitigation Measure BIO-2c: Electrical Power Line Support Placement would minimize impacts on valley/foothill riparian habitat from electric power line installation. Mitigation Measure CMP: Compensatory Mitigation Plan would offset permanent and temporary loss of valley/foothill riparian habitat. Therefore, the impacts on valley/foothill riparian habitat from the Project would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-4: Impacts of the Project on the Nontidal Perennial Aquatic Natural Community	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants	Less Than Significant	Constructing the Project would cause the removal, conversion, and temporary disturbance of nontidal aquatic perennial habitat. Maintenance activities could result in periodic temporary disturbances to nontidal perennial aquatic habitat. Temporary disturbances and indirect impacts on nontidal perennial aquatic habitat would be reduced by Environmental Commitments EC-1: Conduct Worker Awareness Training; EC-2: Develop and Implement Hazardous Materials Management Plans; EC-3: Develop and Implement Spill Prevention, Containment, and Countermeasure Plans; and EC-14: Construction Best Management Practices for Biological Resources. Even with these environmental commitments, however, the loss of nontidal perennial aquatic habitat from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would mitigate impacts on nontidal perennial aquatic habitat by identifying locations where special-status natural communities and special-status plants would be avoided. Under Mitigation Measure CMP: Compensatory Mitigation Plan, nontidal perennial aquatic habitat would be created or acquired and permanently protected to compensate for project impacts from project construction to ensure no significant loss of nontidal perennial aquatic habitat functions and values. Therefore, the impacts on nontidal perennial aquatic habitat from the Project would be less than significant with mitigation.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-5: Impacts of the Project on Nontidal Freshwater Perennial Emergent Wetland	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants	Less Than Significant	Constructing the Project would cause the removal, conversion, and temporary disturbance of nontidal freshwater perennial emergent wetlands. Maintenance activities could result in periodic temporary disturbances to this community. Temporary disturbances and indirect impacts on nontidal freshwater perennial emergent wetland would be reduced by Environmental Commitments EC-1: Conduct Worker Awareness Training; EC-2: Develop and Implement Hazardous Materials Management Plans; EC-3: Develop and Implement Spill Prevention, Containment, and Countermeasure Plans; and Environmental Commitment EC-14: Construction Best Management Practices for Biological Resources. Even with these environmental commitments, however, the loss of nontidal freshwater perennial emergent wetland from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would mitigate impacts on nontidal freshwater emergent wetlands by identifying locations where special-status natural communities and special-status plants would be avoided or where measures to minimize impact would be implemented. Under Mitigation Measure CMP: Compensatory Mitigation Plan, nontidal perennial emergent wetlands would be created or acquired and permanently protected to compensate for project impacts from project construction and ensure no significant loss of nontidal perennial aquatic habitat functions and values. Therefore, the impacts on nontidal freshwater perennial emergent wetland from the Project would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-7: Impacts of the Project on Alkaline Seasonal Wetland Complex	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement	Less Than Significant	Project construction and maintenance would remove, convert, or temporarily disturb alkaline seasonal wetland complex. Temporary disturbances and indirect impacts on alkaline seasonal wetland complex would be reduced by Environmental Commitments EC-1: Conduct Worker Awareness Training; EC-2: Develop and Implement Hazardous Materials Management Plans; EC-3: Develop and Implement Spill Prevention, Containment, and Countermeasure Plans; and EC-14: Construction Best Management Practices for Biological Resources. Even with these environmental commitments, however, the loss of alkaline seasonal wetland complex from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would reduce impacts on alkaline seasonal wetlands during project construction. Mitigation Measure BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities would reduce impacts on alkaline seasonal wetlands during project maintenance. Mitigation Measure BIO-2c: Electrical Power Line Support Placement would minimize impacts on alkaline seasonal wetland from electric power line installation. Under Mitigation Measure CMP: Compensatory Mitigation Plan, alkaline seasonal wetland complex would be created or acquired and permanently protected to compensate for project impacts from project construction and ensure no significant loss of nontidal perennial aquatic habitat functions and values. The total acreage to be conserved would be based on the criteria presented in the CMP. Therefore, the impacts on alkaline seasonal wetland complex from the Project would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Impact BIO-8: Impacts of the Project on Vernal Pool Complex	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities	Less Than Significant	Constructing the Project would cause the removal, conversion, and temporary disturbance of vernal pool complex. Maintenance activities could result in periodic temporary disturbances to this community. Temporary disturbances and indirect impacts on vernal pool complex would be reduced by Environmental Commitments EC-1: Conduct Worker Awareness Training; EC-2: Develop and Implement Hazardous Materials Management Plans; EC-3: Develop and Implement Spill Prevention, Containment, and Countermeasure Plans; and EC-14: Construction Best Management Practices for Biological Resources. Even with these environmental commitments, however, the loss of vernal pool complex from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would reduce impacts on vernal pool complex during project construction. Mitigation Measure BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities would reduce impacts on vernal pool complex during project maintenance. As described in Appendix 3F and Attachment 3F.1, under Mitigation Measure CMP: Compensatory Mitigation Plan, vernal pool complex would be created or acquired and permanently protected to compensate for project impacts from project construction and ensure no significant loss of vernal pool complex functions and values. The total acreage to be conserved would be based on the criteria presented in the CMP. Therefore, the impacts on vernal pool complex from the Project would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-9: Impacts of the Project on Special-Status Vernal Pool Plants	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities	Less Than Significant	Temporary disturbances and indirect impacts on special-status vernal pool plants would be reduced by Environmental Commitment EC-14: Construction Best Management Practices for Biological Resources. Even with this environmental commitment, however, the effects on vernal pool plants from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would reduce impacts on special-status vernal pool plants during project construction. Mitigation Measure BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities would reduce impacts on special-status vernal pool plants during project maintenance. Under Mitigation Measure CMP: Compensatory Mitigation Plan, habitat for special-status vernal pool plants would be created and permanently protected or mitigation credits would be acquired to compensate for project impacts and ensure no significant loss of habitat, as described in Appendix 3F and Attachment 3F.1. Therefore, the Project's impacts on special-status vernal pool plants would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-10: Impacts of the Project on Special-Status Alkaline Seasonal Wetland Complex Plants	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities	Less Than Significant	Temporary disturbances and indirect impacts special-status alkaline seasonal wetland complex plants would be reduced by Environmental Commitment EC-14: Construction Best Management Practices for Biological Resources. Even with this environmental commitment, however, the loss of alkaline wetland plants from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants, would reduce impacts on special-status alkaline seasonal wetland complex plants during project construction. Mitigation Measure BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities would reduce impacts on special-status alkaline seasonal wetland complex plants during project maintenance. Under Mitigation Measure CMP:

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				Compensatory Mitigation Plan, habitat for special-status alkaline seasonal wetland plants would be created and permanently protected or mitigation credits would be acquired to compensate for project impacts and ensure no significant loss of habitat, as described in Appendix 3F and Attachment 3F.1. Therefore, the project's impacts on special-status alkaline seasonal wetland plants would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-11: Impacts of the Project on Special-Status Grassland Plants	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities	Less Than Significant	Temporary disturbances and indirect impacts on special-status grassland plants would be reduced by Environmental Commitment EC-14: Construction Best Management Practices for Biological Resources. Even with this environmental commitment, however, the loss of grassland plants from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would reduce impacts on special-status grassland plants during project construction. Mitigation Measure BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities would reduce impacts on special-status grassland plants during project maintenance. Under Mitigation Measure CMP: Compensatory Mitigation Plan, habitat for special-status grassland plants would be created and permanently protected or mitigation credits would be acquired to compensate for project impacts and to ensure no significant loss of habitat. Therefore, the Project's impacts on special-status grassland plants would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-12: Impacts of the Project on Tidal Freshwater Emergent Wetland Plants	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities	Less Than Significant	Temporary disturbances and indirect impacts on special-status tidal freshwater emergent wetland plants would be reduced by Environmental Commitment EC-14: Construction Best Management Practices for Biological. Even with this environmental commitment, however, the loss of tidal freshwater emergent plants from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would reduce impacts on special-status tidal freshwater emergent wetland species during project construction. Mitigation Measure BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities would reduce impacts on tidal freshwater emergent wetland during project maintenance. Under Mitigation Measure CMP: Compensatory Mitigation Plan (Appendix 3F, Section 3F.3.2.5; Attachment 3F.1, Table 3F.1-2, CMP-2: Tidal Freshwater Emergent Wetland, and Table 3F.1-3, CMP-9: Special-Status Plants), habitat for special-status tidal freshwater emergent wetland plants would be created or acquired and permanently protected to compensate for project impacts and ensure no significant loss of special-status tidal perennial aquatic wetland habitat functions and values. Therefore, project impacts on special-status tidal freshwater emergent wetland plants would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-13: Impacts of the Project on Special-Status Nontidal Perennial Aquatic Plants	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants	Less Than Significant	Temporary disturbances and indirect impacts of nontidal perennial aquatic habitat would be reduced by Environmental Commitment EC-14: Construction Best Management Practices for Biological Resources. Even with this environmental commitment, however, the loss nontidal

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities		perennial aquatic plants from construction and potential impacts from maintenance activities would be significant. Mitigation Measure BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants would reduce impacts on special-status nontidal perennial aquatic plants during project construction. Mitigation Measure BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities would reduce impacts on special-status nontidal perennial aquatic plants during project maintenance. Under Mitigation Measure CMP: Compensatory Mitigation Plan, habitat for special-status nontidal perennial aquatic plants would be created or acquired and permanently protected to compensate for project impacts and ensure no significant loss of special-status nontidal perennial aquatic plants or their habitat functions and values. The project impacts on these special-status nontidal perennial aquatic plants would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-14: Impacts of the Project on Vernal Pool Aquatic Invertebrates	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-14: Avoid and Minimize Impacts on Vernal Pool Aquatic Invertebrates and Critical Habitat for Vernal Pool Fairy Shrimp	Less Than Significant	The impacts on vernal pool aquatic invertebrates from the Project would be less than significant with mitigation because the measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by avoiding and minimizing activities during construction and maintenance that could adversely affect habitat, which include establishing non-disturbance buffers around pools with construction fencing, by surveying suitable habitat for vernal pool fairy shrimp and vernal pool tadpole shrimp, and by avoiding adverse modification of critical habitat and indirect effects on vernal pool aquatic invertebrate habitat through work area redesigns, to the extent practicable. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-16: Impacts of the Project on Vernal Pool Terrestrial Invertebrates	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-14: Avoid and Minimize Impacts on Vernal Pool Aquatic Invertebrates and Critical Habitat for Vernal Pool Fairy Shrimp	Less Than Significant	The impacts on vernal pool terrestrial invertebrates from the Project would be less than significant with mitigation because mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by avoiding and minimizing activities during construction and maintenance that could adversely affect habitat, which include establishing non-disturbance buffers around habitat with construction fencing, and by avoiding indirect effects on vernal pool habitat to the extent practicable. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-18: Impacts of the Project on Valley Elderberry Longhorn Beetle	Significant	MM CMP: Compensatory Mitigation Plan CMP-18a: Sandhill Crane Roosting Habitat CMP-18b: Sandhill Crane Foraging Habitat CMP-19a: Swainson's Hawk Nesting Habitat CMP-19b: Swainson's Hawk Foraging Habitat CMP-22a: Tricolored Blackbird Nesting Habitat CMP-22b: Tricolored Blackbird Breeding Foraging Habitat MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities	Less Than Significant	The impacts on valley elderberry longhorn beetle from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by avoiding and minimizing activities that could injure or kill valley elderberry longhorn beetle, which includes establishing non-disturbance buffers around shrubs with construction fencing, limiting trimming of shrubs to stems less likely to contain larvae (<1 inch in diameter) and during periods when trimming is less likely to affect the vigor of shrubs, and avoiding work to the extent possible during the species active season when they are in flight around shrubs and dispersing. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		MM BIO-18: Avoid and Minimize Impacts on Valley Elderberry Longhorn Beetle		
Impact BIO-20: Impacts of the Project on Curved-Foot Hygrotus Diving Beetle	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-14: Avoid and Minimize Impacts on Vernal Pool Aquatic Invertebrates and Critical Habitat for Vernal Pool Fairy Shrimp	Less Than Significant	The impacts on curved-foot hygrotus beetle from the Project would be less than significant with mitigation because these mitigation measures would reduce direct effects on the species, including habitat disturbance, by avoiding and minimizing activities during construction and maintenance that could adversely affect habitat, establishing non-disturbance buffers around aquatic habitat with construction fencing and by implementing protective measures during maintenance activities. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-21: Impacts of the Project on Crotch Bumble Bee	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-21: Avoid and Minimize Impacts on Crotch Bumble Bee	Less Than Significant	The impacts on Crotch bumble bee from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by identifying and avoiding potential habitat to the extent possible during maintenance and construction activities through establishing avoidance buffers, by temporarily delaying work where colonies are identified, and replanting areas of disturbed habitat with suitable foraging plants. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-22: Impacts of the Project on California Tiger Salamander	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22a: Avoid and Minimize Impacts on California Tiger Salamander MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife	Less Than Significant	The impacts on California tiger salamander from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by designing lighting that avoids spillover into habitats and thus avoiding disrupting dispersal movements; by avoiding construction and maintenance activities in and adjacent to habitat to the extent possible; timing construction activities, installing exclusion fencing, conducting preconstruction surveys, and other protective measures to avoid and minimize the potential for injury and mortality; and by putting in place traffic control measures at DWR facilities during operations to minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-23: Impacts of the Project on Western Spadefoot Toad	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-23: Avoid and Minimize Impacts on Western Spadefoot Toad	Less Than Significant	The impacts on western spadefoot toad from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by designing lighting that avoids spillover into habitats, thus avoiding disrupting dispersal movements; by avoiding construction and maintenance activities in and adjacent to habitat to the extent possible; timing construction activities, installing exclusion fencing, conducting preconstruction surveys, and other protective measures to avoid and minimize the potential for injury and mortality; and by putting in place traffic control measures at DWR facilities during operations to minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Impact BIO-24: Impacts of the Project on California Red-Legged Frog	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-24a: Avoid and Minimize Impacts on California Red-Legged Frog and Critical Habitat MM BIO-24b: Compensate for Impacts on California Red-Legged Frog Habitat Connectivity	Less Than Significant	The impacts on California red-legged frog from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by designing lighting that avoids spillover into habitats and thus avoiding potential increases in predation and disrupting normal behaviors; by avoiding construction and maintenance activities in and adjacent to habitat to the extent possible; timing construction activities, installing exclusion fencing, conducting preconstruction surveys, and other protective measures to avoid and minimize the potential for injury and mortality; and by putting in place traffic control measures at DWR facilities during operations to minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-25: Impacts of the Project on Western Pond Turtle	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-25: Avoid and Minimize Impacts on Western Pond Turtle MM WQ-6 Develop and Implement a Mercury Management and Monitoring Plan	Less Than Significant	The impacts on western pond turtle from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by avoiding construction and maintenance activities in and adjacent to habitat to the extent possible; timing construction activities, installing exclusion fencing, conducting preconstruction surveys, and other protective measures to avoid and minimize the potential for injury and mortality; and by putting in place traffic control measures at DWR facilities during operations to minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-26: Impacts of the Project on Coast Horned Lizard	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-26: Avoid and Minimize Impacts on Special-Status Reptiles	Less Than Significant	The impacts on coast horned lizard from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by avoiding construction and maintenance activities in and adjacent to habitat to the extent possible; timing construction activities, conducting preconstruction surveys, and other protective measures to avoid and minimize the potential for injury and mortality; and by putting in place traffic control measures at DWR facilities during operations to minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-27: Impacts of the Project on Northern California Legless Lizard	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-26: Avoid and Minimize Impacts on Special-Status Reptiles	Less Than Significant	The impacts on Northern California legless lizard from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by avoiding construction and maintenance activities in and adjacent to habitat to the extent possible; timing construction activities, installing exclusion fencing, conducting preconstruction surveys, and other protective measures to avoid and minimize the potential for injury and mortality; and by putting in place traffic control measures at DWR facilities during operations to minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-28: Impacts of the Project on California Glossy Snake	Significant	MM CMP: Compensatory Mitigation Plan	Less Than Significant	The impacts on California glossy snake from the Project would be less than significant with mitigation because these mitigation measures would reduce direct effects on the species,

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-26: Avoid and Minimize Impacts on Special-Status Reptiles		including habitat disturbance, by avoiding construction and maintenance activities in and adjacent to habitat to the extent possible; timing construction activities, conducting preconstruction surveys, and other protective measures to avoid and minimize the potential for injury and mortality; and by putting in place traffic control measures at DWR facilities during operations to minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-29: Impacts of the Project on San Joaquin Coachwhip	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-26: Avoid and Minimize Impacts on Special-Status Reptiles	Less Than Significant	The impacts on San Joaquin coachwhip from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat with habitat potentially suitable and reduce direct effects on the species, including habitat disturbance, by avoiding construction and maintenance activities in and adjacent to habitat to the extent possible; timing construction activities, installing exclusion fencing, conducting preconstruction surveys, and other protective measures to avoid and minimize the potential for injury and mortality; and by putting in place traffic control measures at DWR facilities during operations to minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-30: Impacts of the Project on Giant Garter Snake	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-30: Avoid and Minimize Impacts on Giant Garter Snake MM WQ-6 Develop and Implement a Mercury Management and Monitoring Plan	Less Than Significant	The impacts on giant garter snake from the Project would be less than significant with mitigation because these mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by avoiding construction and maintenance activities in and adjacent to habitat to the extent possible; timing construction activities, installing exclusion fencing, conducting preconstruction surveys, and other protective measures to avoid and minimize the potential for injury and mortality; and by putting in place traffic control measures at DWR facilities during operations to minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-31: Impacts of the Project on Western Yellow-Billed Cuckoo	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-31: Avoid and Minimize Impacts on Western Yellow-Billed Cuckoo	Less Than Significant	The impacts on western yellow-billed cuckoo from the Project would be less than significant with mitigation because the mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and species-specific avoidance measures during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-32: Impacts of the Project on California Black Rail	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction	Less Than Significant	The impacts on California black rail from the Project would be less than significant with mitigation because the mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan		awareness training to construction personnel, by implementing protective measures during maintenance activities, and species-specific avoidance measures during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-33: Impacts of the Project on Greater Sandhill Crane and Lesser Sandhill Crane	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-33: Avoid and Minimize Disturbance of Sandhill Cranes	Less Than Significant	Construction, operations, and maintenance of the water conveyance facilities for the Project could result in impacts on greater sandhill crane and lesser sandhill crane through the permanent and temporary loss of known roost sites and modeled foraging habitat and the potential disruption of normal behaviors. The temporary loss of habitat and potential impacts of the disruption of normal behaviors from project construction would be reduced by Environmental Commitments EC-1: Conduct Worker Awareness Training; EC-2: Develop and Implement Hazardous Materials Management Plans; EC-3: Develop and Implement Spill Prevention, Containment, and Countermeasure Plans; EC-11: Fugitive Dust Control; and EC-14: Construction Best Management Practices for Biological Resources (Appendix 3B); however, even with these commitments, the loss of habitat from the construction of the Project, and the potential for the disruption of normal behaviors from construction, operations, and maintenance activities on greater sandhill crane and lesser sandhill crane would be significant. The CMP would be required to offset the loss of roosting and foraging habitat by creating roosting and foraging habitat and protecting agricultural foraging habitat for sandhill cranes (Appendix 3F, Attachment 3F.1, Table 3F.1-3, CMP-18a: Sandhill Crane Roosting Habitat, and CMP-18b: Sandhill Crane Foraging Habitat), which would reduce the impact associated with habitat loss to less than significant. Because the greater sandhill crane is listed as "fully protected" under the California Fish and Game Code Section 3511, activities that would result in "take" as defined by Section 86 of the Fish and Game Code (i.e., "to hunt, pursue, catch, capture, or kill, or attempt to" undertake these activities) are prohibited. The Project has been designed to avoid any activities that would result in actions considered "take" of greater sandhill crane. The Project would use existing power lines or underground conduit to the extent possible for the purpose of avoiding potential injury or direct mortality of the greater sandhill crane and all new aboveground lines would be located outside of the roost sites or foraging habitat for greater sandhill crane. Mitigation Measure BIO-2c: Electrical Power Line Support Placement, which requires that project lines installed on existing poles or towers be placed in the same vertical prism as existing lines where feasible, as determined by project engineers in coordination with utility providers, and that all project lines within 3 miles of greater sandhill crane roost sites be fitted with bird flight diverters that are visible under all conditions and based on APLIC or more current guidance (Avian Power Line Interaction Committee 2006, 2012), would minimize any additional potential collisions of greater or lesser sandhill cranes from the Project. Mitigation Measures NOI-1: Develop and Implement a Noise Control Plan (Chapter 24); BIO-2b: Avoid and Minimize Impacts on Biological Resources from Maintenance Activities; AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction; AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences (Chapter 18); and BIO-33: Avoid and Minimize Disturbance of Sandhill Cranes would mitigate the impacts on greater sandhill crane and lesser sandhill crane to a less-than-significant level. Therefore, the project impacts on greater sandhill crane and lesser sandhill crane would be less than significant with mitigation because these measures would reduce direct impacts on these species and compensate for lost habitat. Mitigation measures would reduce direct impacts in the following ways: (1) implementing protective measures during maintenance activities, which would include assessing work areas for habitat and conducting surveys where appropriate and delaying maintenance activities (either by season or time of day); (2) designing lighting that avoids spillover into habitat; (3) reducing noise impacts through time-of-day restrictions on construction and noise-attenuating measures where feasible, as determined by the contractor;

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				and (4) avoiding and minimizing disturbance of roosting and foraging cranes by conducting surveys and work outside of the winter crane season (September 15 through March 15). Mitigation measures would also establish roosting and foraging habitat to compensate for disturbance and displacement of sandhill cranes during construction. The feasibility of mitigation measures will be determined by the contractor in coordination with a qualified wildlife biologist. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-34: Impacts of the Project on California Least Tern	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-34: Avoid California Least Tern Nesting Colonies and Minimize Indirect Effects on Colonies	Less Than Significant	The impacts on California least tern from the Project would be less than significant with mitigation because the mitigation measures would reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and species-specific avoidance measures for the species during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-35: Impacts of the Project on Cormorants, Herons, and Egrets	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-35: Avoid and Minimize Impacts on Cormorant, Heron, and Egret Rookeries	Less Than Significant	The impacts on cormorants, herons, and egrets from the Project would be less than significant with mitigation because the mitigation measures would replace lost habitat, reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and avoidance measures for cormorant, heron, or egret rookeries during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-36: Impacts of the Project on Osprey, White-Tailed Kite, Cooper's Hawk, and Other Nesting Raptors	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-36a: Conduct Nesting Surveys for Special-Status and Non-Special-Status Birds and Raptors and	Less Than Significant	The impacts on special-status and non-special-status raptors from the Project would be less than significant with mitigation because the mitigation measures would replace lost habitat, reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and avoidance measures for raptors during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		Implement Protective Measures to Avoid Disturbance of Nesting Birds and Raptors MM BIO-36b: Conduct Preconstruction Surveys and Implement Protective Measures to Avoid Disturbance of White-Tailed Kite		
Impact BIO-37: Impacts of the Project on Golden Eagle and Ferruginous Hawk	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-37: Conduct Surveys for Golden Eagle and Avoid Disturbance of Occupied Nests	Less Than Significant	The impacts on ferruginous hawk and golden eagle from the Project would be less than significant with mitigation because the mitigation measures would replace lost habitat, reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and avoidance measures to avoid take of golden eagles, as defined by Section 86 of the California Fish and Game Code during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-38: Impacts of the Project on Ground-Nesting Grassland Birds	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-36a: Conduct Nesting Surveys for Special-Status and Non-Special-Status Birds and Raptors and Implement Protective Measures to Avoid Disturbance of Nesting Birds and Raptors	Less Than Significant	The impacts on northern harrier, short-eared owl, California horned lark, and grasshopper sparrow from the Project would be less than significant with mitigation because the mitigation measures would reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and avoidance measures for nesting birds during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-39: Impacts of the Project on Swainson's Hawk	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-39: Conduct Preconstruction Surveys and Implement Protective Measures to Minimize Disturbance of Swainson's Hawk	Less Than Significant	The impacts on Swainson's hawk from the Project would be less than significant with mitigation because the mitigation measure would replace lost habitat, reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and avoidance measures for nesting Swainson's hawk during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Impact BIO-40: Impacts of the Project on Burrowing Owl	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-40: Conduct Surveys and Minimize Impacts on Burrowing Owl	Less Than Significant	The impacts on burrowing owl from the Project would be less than significant with mitigation because the mitigation measures would reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and avoidance measures for burrowing owl during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-41: Impacts of the Project on Other Nesting Special-Status and Non-Special-Status Birds	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-36a: Conduct Nesting Surveys for Special-Status and Non-Special-Status Birds and Raptors and Implement Protective Measures to Avoid Disturbance of Nesting Birds and Raptors	Less Than Significant	The impacts on special-status and non-special-status bird species from the Project would be less than significant with mitigation because the mitigation measures would replace lost habitat, reduce direct effects on these species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and avoidance measures for nesting birds during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-42: Impacts of the Project on Least Bell's Vireo	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-42: Conduct Surveys and Minimize Impacts on Least Bell's Vireo	Less Than Significant	The impacts on least Bell's vireo from the Project would be less than significant with mitigation because the mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and avoidance measures for least Bell's vireo during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-44: Impacts of the Project on Tricolored Blackbird	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction	Less Than Significant	The impacts on tricolored blackbird from the Project would be less than significant with mitigation because the mitigation measures would replace lost habitat, reduce direct effects on the species, including habitat, noise, and visual disturbances, by providing environmental awareness training to construction personnel, by implementing protective measures during maintenance activities, and avoidance measures for tricolored blackbird during construction.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM NOI-1: Develop and Implement a Noise Control Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-2c: Electrical Power Line Support Placement MM BIO-44: Conduct Preconstruction Surveys and Implement Protective Measures to Avoid Disturbance of Tricolored Blackbird		Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-45: Impacts of the Project on Bats	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-45a: Compensate for the Loss of Bat Roosting Habitat on Bridges and Overpasses MM BIO-45b: Avoid and Minimize Impacts on Roosting Bats	Less Than Significant	The impacts on bats from the Project would be less than significant with mitigation because these measures would replace lost habitat and reduce direct effects on the species (including habitat modification) by (1) implementing protective measures during maintenance activities, which would include assessing work areas for habitat and conducting surveys for bats where appropriate and delaying maintenance activities where possible; (2) designing lighting that avoids spillover into habitats and choosing light sources less disruptive to wildlife and thus avoiding disrupting roost sites and foraging activity; and (3) prior to and during construction, identifying occupied roosts and implementing construction activities such that the avoid disrupting roosts, in particular maternal roosts, and establishing protective buffers around roosts. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-46: Impacts of the Project on San Joaquin Kit Fox	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-46: Conduct Preconstruction Survey for San Joaquin Kit Fox and Implement Avoidance and Minimization Measures	Less Than Significant	The impacts on San Joaquin kit fox from the Project would be less than significant with mitigation because the mitigation measures would reduce direct effects on the species by (1) implementing protective measures during maintenance activities, which would include conducting den surveys where appropriate and avoiding certain activities where possible, and (2) implementing traffic controls on facility access roads during operations, which would minimize the potential for vehicle strikes if San Joaquin kit fox is present in these areas. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-47: Impacts of the Project on American Badger	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-47: Conduct Preconstruction Survey for American Badger and Implement Avoidance and Minimization Measures	Less Than Significant	The impacts on American badger from the Project would be less than significant with mitigation because the mitigation measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by (1) implementing protective measures during maintenance activities, which would include assessing work areas for habitat and conducting dens surveys where appropriate and avoiding certain activities where possible, (2) implementing traffic controls on facility access roads during operations, which would minimize the potential for vehicle strikes, and (3) implementing avoidance measures for active dens during construction. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-48: Impacts of the Project on San Joaquin Pocket Mouse	Significant	MM CMP: Compensatory Mitigation Plan	Less Than Significant	The impacts on San Joaquin pocket mouse from the Project would be less than significant with mitigation because these measures would replace lost habitat and reduce direct effects on the species, including habitat disturbance, by implementing protective measures during

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife		maintenance activities, which would include assessing work areas for potential habitat, and by implementing traffic controls on facility access roads during operations, which would minimize the potential for vehicle strikes. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-51: Substantial Adverse Effect on State- or Federally Protected Wetlands and Other Waters through Direct Removal, Filling, Hydrological Interruption, or Other Means	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities	Less Than Significant	The impact of discharge of fill into aquatic resources would be reduced to less than significant because the mitigation measures would avoid a net loss in aquatic resources and avoid and minimize periodic, temporary discharges of fill material into aquatic resources by assessing maintenance work areas for aquatic resources, establishing non-disturbance buffers around aquatic resources, training maintenance staff on the need to avoid the discharge of fill material into aquatic resources, and having a biological monitor present, where applicable. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-53: Interfere Substantially with the Movement of Any Native Resident or Migratory Fish or Wildlife Species or with Established Native Resident or Migratory Wildlife Corridors, or Impede the Use of Native Wildlife Nursery Sites	Significant	MM CMP: Compensatory Mitigation Plan MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-22b: Avoid and Minimize Operational Traffic Impacts on Wildlife MM BIO-53: Avoid and Minimize Impacts on Terrestrial Wildlife Connectivity and Movement	Less Than Significant	The impacts on wildlife connectivity resources, habitat connectivity, and wildlife movement from the Project would be less than significant with mitigation because the mitigation measures would compensate for impacts on wildlife habitat and avoid and minimize habitat and species impacts that potentially could disrupt species movement and habitat selection, habitat access, and wildlife behavior, resulting in impacts on wildlife connectivity. These measures would avoid and minimize habitat and species impacts that could cause potential for injury, mortality, disruption of normal behaviors and disturbances to habitat that potentially may disrupt species movement, habitat selection, habitat access, and wildlife behavior, resulting in impacts on wildlife connectivity, by training construction staff on protecting habitat and species, reporting requirements, and the ramifications for not following these measures; implementing spill prevention and containment plans that would avoid material spills that could affect habitat and wildlife; preventing erosion and sedimentation of habitats and stormwater pollution, which may affect habitat and wildlife; preventing dust emissions that may impact habitat and wildlife; implementing construction BMPs and having a biological monitor present to ensure that non disturbance buffers and associated construction fencing are intact and all other protective measures are being implemented where applicable to protect habitat and wildlife; reducing fugitive light and lighting impacts that may disrupt nocturnal wildlife behavior and habitat selection; implementing environmental review and avoidance of habitat and wildlife impacts during maintenance activities; limiting vehicle speeds and implementing traffic control measures on DWR roads during operations to reduce species movement disruptions and vehicle-related mortality; and ensuring that the project prevents impacts on and facilitates habitat connectivity and safe wildlife movement. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-54: Conflict with the Provisions of an Adopted Habitat Conservation Plan, Natural Community Conservation Plan, or Other Approved Local, Regional, or State Habitat Conservation Plan	Significant	MM CMP: Compensatory Mitigation Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants MM BIO-14: Avoid and Minimize Impacts on Vernal Pool Aquatic Invertebrates and Critical Habitat for Vernal Pool Fairy Shrimp MM BIO-18: Avoid and	Less Than Significant	Because the Project would only remove a small proportion of available lands for conservation, and thus not obstruct the plans' conservation goals, and with the mitigation measures to avoid and minimize impacts on covered species and habitats, the impact on an adopted HCP, NCCP, or other approved local, regional, or state habitat conservation plan would be less than significant with mitigation.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		Minimize Impacts on Valley Elderberry Longhorn Beetle MM BIO-22a: Avoid and Minimize Impacts on California Tiger Salamander MM BIO-24a: Avoid and Minimize Impacts on California Red-Legged Frog and Critical Habitat MM BIO-25: Avoid and Minimize Impacts on Western Pond Turtle MM BIO-26: Avoid and Minimize Impacts on Special-Status Reptiles MM BIO-30: Avoid and Minimize Impacts on Giant Garter Snake MM BIO-31: Avoid and Minimize Impacts on Western Yellow-Billed Cuckoo MM BIO-32: Conduct Preconstruction Surveys and Implement Protective Measures to Avoid Disturbance of California Black Rail MM BIO-33: Minimize Disturbance of Sandhill Cranes MM BIO-35: Avoid and Minimize Impacts on Cormorant, Heron, and Egret Rookeries MM BIO-36a: Conduct Nesting Surveys for Special-Status and Non-Special-Status Birds and Implement Protective Measures to Avoid Disturbance of Nesting Birds and Raptors MM BIO-36b: Conduct Preconstruction Surveys and Implement Protective Measures to Avoid Disturbance of White-Tailed Kite MM BIO-39: Conduct Preconstruction Surveys and Implement Protective Measures to Minimize Disturbance of Swainson's Hawk MM BIO-40: Conduct Surveys and Minimize Impacts on Burrowing Owl MM BIO-44: Conduct Preconstruction Surveys and Implement Protective Measures to Avoid Disturbance of Tricolored Blackbird MM BIO-47: Conduct Preconstruction Survey for American Badger and Implement Avoidance and Minimization Measures MM AG-1: Preserve Agricultural Land		Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-55: Conflict with Any Local Policies or Ordinances Protecting Biological Resources, Such as a Tree Preservation Policy or Ordinance	Significant	MM CMP: Compensatory Mitigation Plan	Less Than Significant	The temporary loss of habitats from project construction would be reduced by Environmental Commitments EC-1: Conduct Worker Awareness Training; EC-2: Develop and Implement Hazardous Materials Management Plans; EC-3: Develop and Implement Spill Prevention, Containment, and Countermeasure Plans; and EC-14: Construction Best Management Practices for Biological Resources (Appendix 3B). Even with these commitments, however, the permanent loss of habitat from the construction of the alternatives would be significant. The CMP would be required to offset the loss of wetlands, riparian, and habitat for special-status species (Appendix 3F), which would reduce impacts on these resources and thus the conflicts with local policies and ordinances to less than significant. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact BIO-56: Substantial Adverse Effects on Fish and Wildlife Resources	Significant	MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities	Less Than Significant	The impacts on rivers, streams, and lakes, and associated communities, subject to the notification requirements of California Fish and Game Code 1600 et seq. would be less than

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Regulated under California Fish and Game Code Section 1600 et seq		MM AQUA-1a: Develop and Implement an Underwater Sound Control and Abatement Plan MM AQUA-1b: Develop and Implement a Barge Operations Plan MM AQUA-1c: Develop and Implement a Fish Rescue and Salvage Plan MM BIO-2a: Avoid or Minimize Impacts on Special-Status Natural Communities and Special-Status Plants MM BIO-2b: Avoid and Minimize Impacts on Terrestrial Biological Resources from Maintenance Activities MM BIO-18: Avoid and Minimize Impacts on Valley Elderberry Longhorn Beetle MM BIO-22a: Avoid and Minimize Impacts on California Tiger Salamander MM BIO-24a: Avoid and Minimize Impacts on California Red-Legged Frog and Critical Habitat MM BIO-25: Avoid and Minimize Impacts on Western Pond Turtle MM BIO-26: Avoid and Minimize Impacts on Special-Status Reptiles MM BIO-30: Avoid and Minimize Impacts on Giant Garter Snake MM BIO-31: Avoid and Minimize Impacts on Western Yellow-Billed Cuckoo MM BIO-32: Conduct Preconstruction Surveys and Implement Protective Measures to Avoid Disturbance of California Black Rail MM BIO-33: Minimize Disturbance of Sandhill Cranes MM BIO-35: Avoid and Minimize Impacts on Cormorant, Heron, and Egret Rookeries MM BIO-36a: Conduct Nesting Surveys for Special-Status and Non-Special-Status Birds and Implement Protective Measures to Avoid Disturbance of Nesting Birds and Raptors MM BIO-36b: Conduct Preconstruction Surveys and Implement Protective Measures to Avoid Disturbance of White-Tailed Kite MM BIO-39: Conduct Preconstruction Surveys and Implement Protective Measures to Minimize Disturbance of Swainson's Hawk MM BIO-40: Conduct Surveys and Minimize Impacts on Burrowing Owl MM BIO-44: Conduct Preconstruction Surveys and Implement Protective Measures to Avoid Disturbance of Tricolored Blackbird MM BIO-45b: Avoid and Minimize Impacts on Roosting Bats MM BIO-46: Conduct Preconstruction Survey for San Joaquin Kit Fox and Implement Avoidance and Minimization Measures MM BIO-47: Conduct Preconstruction Survey for American Badger and Implement Avoidance and Minimization Measures		significant because the mitigation measures would provide for compensatory mitigation to offset impacts on habitat that support fish and wildlife species, including rare plants, and would require steps to avoid and minimize effects on these species by establishing work windows to minimize the level of construction activities during sensitive time periods (e.g., migration, nesting), by establishing non-disturbance buffers to protect sensitive resources, by conducting preconstruction surveys to avoid occupied areas to the extent practicable, and by having biological monitors present to ensure measures are implemented and that direct effects on species are avoided and minimized. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Agricultural Resources				

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Impact AG-3: Other Impacts on Agriculture as a Result of Constructing and Operating the Water Conveyance Facilities Prompting Conversion of Prime Farmland, Unique Farmland, Farmland of Local Importance, or Farmland of Statewide Importance	Significant	MM AG-3: Replacement or Relocation of Affected Infrastructure Supporting Agricultural Properties MM GW-1: Maintain Groundwater Supplies in Affected Areas	Less than Significant	Construction and operation of the Project's water conveyance facilities could indirectly affect agriculture within the study area through changes in groundwater elevation in localized areas affecting crop yields, disruption of agricultural infrastructure such as irrigation and drainage facilities, and operation-related changes in salinity affecting the water quality of irrigation water applied to crops. The potential for impacts resulting from changes in groundwater elevations during construction and operation would be minimized by design elements such placement of seepage cutoff wall placements around the north Delta intakes where such issues are most likely to arise. Implementation of these design elements to prevent changes in groundwater elevations that may affect neighboring properties, including farmland, would be tracked through groundwater monitoring programs. Furthermore, with Mitigation Measure GW-1: Maintain Groundwater Supplies in Affected Areas, identified in Chapter 8, the effects of temporary dewatering associated with the project are not anticipated to adversely disrupt agricultural operations in the vicinity of the intake sites that would result in conversion of Important Farmland to nonagricultural use. DWR considered how construction work for the project could affect local infrastructure supporting agricultural properties, including drainage and irrigation facilities. Such disruptions could result in the areas serviced by this infrastructure being fallowed. During project planning, known infrastructure used to serve agricultural properties were avoided to the greatest extent possible; however, the presence of additional infrastructure (e.g., buried pipelines that are not visible on aerial imagery and not identified in publicly available maps) may be revealed during future site level investigations. Although these disruptions may last only for the duration of project construction activity at a particular work area, such disruptions may persist for 7 to 15 years, depending on the facility being constructed. The effect would be permanent if the disruption to the infrastructure remains after construction is complete. This impact would be potentially significant. Mitigation Measure AG-3: Replacement or Relocation of Affected Infrastructure Supporting Agricultural Properties would require that any agricultural infrastructure that is disrupted by construction activities would be relocated or replaced to support continued agricultural activities; otherwise, the affected landowner would be fully compensated for any financial losses resulting from the disruption. Furthermore, as required under Mitigation Measure BIO-2c: Electrical Power Line Support Placement, the installation of power transition and distribution lines and necessary appurtenances within agricultural areas would require that DWR incorporate BMPs, where feasible, to minimize crop damage, reduce agricultural land impacts, and reduce the potential for interference with farm machinery. The impact would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Aesthetics and Visual Resources				
Impact AES-4: Create New Sources of Substantial Light or Glare That Would Adversely Affect Daytime or Nighttime Views of the Construction Areas or Permanent Facilities	Significant	MM AES-1b: Apply Aesthetic Design Treatments to Project Structures MM AES-1c: Implement Best Management Practices in Project Landscaping Plan MM AES-4a: Limit Construction Outside of Daylight Hours within 0.25 Mile of Residents at the Intakes MM AES-4b: Minimize Fugitive Light from Portable Sources Used for Construction	Less Than Significant	Once construction is completed and the project is in operation, the Project facilities would use limited nighttime lighting. Sources of glare would be blocked by levees, reduced by distance, or fleeting to motorists. Any building materials that would have potential to reflect glare would have a matte or nonreflective finish that would reduce or inhibit glare. Therefore, permanent, postconstruction impacts of light and glare attributable to the project would be less than significant.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
		MM AES-4c: Install Visual Barriers along Access Routes, Where Necessary, to Prevent Light Spill from Truck Headlights toward Residences		Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Transportation				
Impact TRANS-3: Substantially Increase Hazards from a Geometric Design Feature (e.g., Sharp Curves or Dangerous Intersections) or Incompatible Uses (e.g., Farm Equipment)[1]	Significant	MM TRANS-1: Implement Site-Specific Construction Transportation Demand Management Plan and Transportation Management Plan	Less Than Significant	Construction of the Project would increase the amount of traffic generated by construction employees using the road system in the study area. This increase in traffic from construction workers and other construction materials delivery traffic could create the potential for traffic safety hazards related to increasing the number of trucks and construction equipment operating with commuters, farming operations, and recreational users in areas adjacent to construction sites. Even with the circulation system improvements and park-and-ride lots, the amount of additional construction-related traffic on Delta roadways and the duration of construction activities at conveyance facility sites would increase the potential for traffic safety hazards as a result of conflicts between construction and vehicle traffic. This impact is considered significant because of the potential for construction traffic hazards at multiple construction sites, road improvement locations, and bridges. The traffic management plan (TMP) actions in Mitigation Measure TRANS-1: Implement Site-Specific Construction Transportation Demand Management Plan and Transportation Management Plan combined with the circulation system improvements provided as part of the Project would reduce this impact to a less-than-significant level by providing specific actions and coordination with local agencies to reduce potential safety conditions at identified locations. (Final EIR, pp. 20-59 (line 37) to 20-60 (line 10).) Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation. (Final EIR, p. 20-60 (lines 5-10).)
Impact TRANS-4: Result in Inadequate Emergency Access	Significant	MM TRANS-1: Implement Site-Specific Construction Transportation Demand Management Plan and Transportation Management Plan	Less Than Significant	Construction of the Project would increase the potential for emergency access conflicts in the vicinity of construction sites at multiple locations and would increase the potential for emergency vehicle delays on roadways used to access construction sites or in the vicinity of proposed roadway improvements. Even with the roadway and access road improvements incorporated into the Project, this potential is considered to be a significant impact because (1) a substantial increase in the volume of additional construction-related vehicle trips would occur on the regional transportation system and on Delta roadways during the construction period, and (2) up to 18 access points have the potential to experience emergency vehicle access delay due to ingress and egress of construction vehicles and roadway and bridge construction for the Project. The traffic management plan (TMP) actions in Mitigation Measure TRANS-1: Implement Site-Specific Construction Transportation Demand Management Plan and Transportation Management Plan would reduce this impact to a less-than-significant level by providing specific actions and coordination with emergency responders at construction sites to maintain adequate emergency access in the vicinity of construction sites. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Air Quality and Greenhouse Gases				
Impact AQ-1: Result in Impacts on Regional Air Quality within the	Significant	MM AQ-1: Offset Construction-Generated Criteria Pollutants in the Sacramento Valley Air Basin	Less Than Significant	Impacts associated with fugitive dust emissions would be minimized through a dust control plan (Environmental Commitment EC-11: Fugitive Dust Control) and BMPs at new concrete batch plants (Environmental Commitment EC-12: On-Site Concrete Batching Plants). Exhaust-

[1] The corrections identified above summarize and restate the determinations and conclusions as articulated in the Final EIR, and as incorporated by reference into the DCP CEQA Findings adopted by DWR on December 21, 2023, for Impact Trans-3 and Rec-2. This has been updated on March 21, 2024, per the Errata to the CEQA Findings of Fact for the Delta Conveyance Project.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Sacramento Metropolitan Air Quality Management District				related pollutants would be reduced through use of zero-emissions equipment and vehicles (where feasible), renewable diesel, Tier 4 diesel engines, newer on-road and marine engines, and other BMPs, as required by Environmental Commitments EC-7: Off-Road Heavy-Duty Engines through EC-10: Marine Vessels and EC-13: DWR Best Management Practices to Reduce GHG Emissions. These environmental commitments would minimize air quality impacts through application of on-site controls to reduce construction emissions; however, even with these commitments, exceedances of SMAQMD's thresholds would occur, and the project would contribute a significant level of regional NOX and particulate matter pollution within the SVAB. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact AQ-2: Result in Impacts on Regional Air Quality within the San Joaquin Valley Air Pollution Control District	Significant	MM AQ-2: Offset Construction-Generated Criteria Pollutants in the San Joaquin Valley Air Basin	Less Than Significant	Based on the performance of current incentive programs and reasonably foreseeable future growth, SJVAPCD has confirmed that enough emissions reduction credits would be available to offset emissions generated by the project for all years in excess of SJVAPCD's thresholds (McLaughlin pers. comm.). Because SJVAPCD's thresholds were established to prevent emissions from new projects in the SJVAB from contributing to CAAQS or NAAQS violations, mitigating emissions below the threshold levels would avoid potential conflicts with the ambient air quality plans and ensure that project construction would not contribute a significant level of air pollution such that regional air quality within the SJVAB would be degraded. Accordingly, the impact would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact AQ-3: Result in Impacts on Regional Air Quality within the Bay Area Air Quality Management District	Significant	MM AQ-3: Offset Construction-Generated Criteria Pollutants in the San Francisco Bay Area Air Basin	Less Than Significant	Based on the performance of current incentive programs and reasonably foreseeable future growth, BAAQMD has confirmed that Mitigation Measure AQ-3: Offset Construction-Generated Criteria Pollutants in the San Francisco Bay Area Air Basin is technically feasible (Kirk pers. comm.). Because BAAQMD's thresholds were established to prevent emissions from new projects in the SFBAAB from contributing to CAAQS or NAAQS violations, mitigating emissions below the threshold levels would avoid potential conflicts with the ambient air quality plans and ensure that project construction would not contribute a significant level of air pollution such that regional air quality within the SFBAAB would be degraded. Accordingly, the impact would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact AQ-9: Result in Impacts on Global Climate Change from Construction and O&M	Significant	MM AQ-9: Develop and Implement a GHG Reduction Plan to Reduce GHG Emissions from Construction and Net CVP Operational Pumping to Net Zero	Less Than Significant	The CEQA Guidelines generally offer two paths to evaluating GHG emissions impacts in CEQA documents: • Projects can tier off a plan or similar document for the reduction of GHG emissions (as defined in CEQA Guidelines § 15183.5(b)) where the plan addresses GHG emissions for a range of project types within a geographic area. • Projects can evaluate and determine significance by calculating GHG emissions and assessing their significance using a performance standard (CEQA Guidelines § 15064.4). As discussed in Section 23.3.2, Thresholds of Significance, this analysis uses both evaluation pathways to appropriately consider the planning and regulatory frameworks most applicable to the project's emissions sources.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				O&M and SWP pumping activities are covered by DWR's Update 2020, which was prepared by DWR to provide a departmental strategy for meeting the State's 2030 and 2045 emissions reduction goals articulated in SB 32 and EO B-55-18 (and subsequently, AB 1279), respectively. Update 2020 is a plan for the reduction of GHG emissions and as such, GHG emissions from project O&M and SWP pumping activities are eligible to tier from the environmental document (California Department of Water Resources 2020b) for Update 2020 to evaluate project-level significance. Construction of the Project is not covered by DWR's Update 2020 and, therefore, is not eligible for tiering to evaluate whether project-level GHG emissions would result in a significant impact under CEQA. Accordingly, this analysis evaluates the significance of GHG emissions resulting from construction and displaced purchases of CVP electricity against a net zero threshold. As discussed in Section 23.3.2, Thresholds of Significance, a net zero threshold was selected by DWR given the project's long-term implementation timeframe and in recognition of scientific evidence that concludes carbon neutrality must be achieved by mid-century to avoid the most severe climate change impacts. While by different mechanisms, both pathways assess the Project against the larger threshold of carbon neutrality by 2045 (or earlier), as discussed below, which is consistent with the State's long-term climate change goal and emissions reduction trajectory (AB 1279 and EO B-55-18). The Project would not affect DWR's established emissions reduction goals or baseline (1990) emissions and therefore would not result in a change in total DWR emissions that would be considered significant. The Project would not conflict with any of DWR's specific action GHG emissions reduction measures and implements all applicable project-level GHG emissions reduction measures as set forth in Update 2020. The Project is, therefore, consistent with the analysis performed in Update 2020. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact AQ-10: Result in Impacts on Global Climate Change from Land Use Change	Significant	MM CMP: Compensatory Mitigation Plan	Less Than Significant	The impact would be less than significant under CEQA for the Project because cumulative emissions from land use change are projected to decrease relative to baseline by 2070. Initial construction activities would result in GHG increases early in project implementation. The Project would achieve a yearly net negative emissions rate approximately 4 to 6 years after groundbreaking, and a cumulative net negative GHG impact 15 to 28 years later. As shown in Table 23-76, cumulative net reductions projected through 2070 are estimated to range from 16,235 to 30,150 metric tons CO_2e for the Project. Because cumulative GHG emissions from land use change would not exceed net zero, the project would not result in a significant impact on GHG emissions or impede DWR's or the state's ability to achieve their GHG reduction goals. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Hazards, Hazardous Materials, and Wildfire				
Impact HAZ-2: Create a Significant Hazard to the Public or the Environment through Reasonably Foreseeable Upset and Accident Conditions Involving the	Significant	MM HAZ-2: Perform a Phase I Environmental Site Assessment Prior to Construction Activities and Remediate	Less Than Significant	Overall, considering the potential for release of hazardous materials during construction, operations and maintenance of the Project, the potential exists for accidental spills and exposure to hazardous materials to occur. The environmental commitments could partially reduce impacts related to hazardous materials but not to a less-than-significant level because of

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
Release of Hazardous Materials into the Environment				the uncertainty that exists about the locations and nature of potential hazardous materials sites and the potential for construction worker and public exposure to hazardous materials. Implementing Mitigation Measure HAZ-2: Perform a Phase I Environmental Site Assessment Prior to Construction Activities and Remediate would include a Phase I environmental site assessment before construction, the identification and evaluation of potential sites of concern within the construction footprint, and the development of a remediation plan before construction and operations commence. This would reduce all impacts related to accidental release of hazardous materials into the environment to a less-than-significant level with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact HAZ-4: Be Located on a Site That Is Included on a List of Hazardous Materials Sites Compiled Pursuant to Government Code Section 65962.5 and, as a Result, Create a Substantial Hazard to the Public or the Environment	Significant	MM HAZ-2: Perform a Phase I Environmental Site Assessment Prior to Construction Activities and Remediate	Less Than Significant	The Project would construct facilities on or near known Cortese List sites. Ground-disturbing activities and dewatering at or near sites that have not been fully remediated could expose workers and the public to contaminated soil and/or groundwater resulting in adverse health effects. The potential for exposure during construction would be a significant impact because of the proximity of these sites to Project and the potential for hazardous materials exposure during site excavation and grading. Operations and maintenance activities of the Project would not result in employee exposure because a plan (e.g., Environmental Site Assessment) for remediating hazardous sites would be implemented prior to project operations. Mitigation Measure HAZ-2: Perform a Phase I Environmental Site Assessment Prior to Construction Activities and Remediate would reduce the potential for significant impacts to a less-than-significant level by requiring preconstruction investigations and remediation to reduce the potential for encountering contaminants and other hazardous materials at construction sites. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact HAZ-5: Result in a Safety Hazard Associated with an Airport or Private Airstrip	Significant	MM HAZ-5: Wildlife Hazards Management Plan and Wildlife Deterrents	Less Than Significant	Airspace safety hazards occur when project components, such as buildings or construction equipment, encroach on the airspace of an airport runway. The locations of airports within 2 miles of the Project are shown on Figure 25-5. Eleven airports are within 2 miles of the construction footprint. No aspect of the Project would include equipment or structures that would be taller than 200 feet. Also pursuant to the State Aeronautics Act, DWR would adhere to FAA and Caltrans recommendations and comply with the recommendations of the OE/AAA. In areas where the project intersects with the Byron Airport influence area, construction of structures more than 100 feet above ground level could cause an obstruction or hazard to air navigation. However, construction would not introduce equipment or temporary structures in locations that could obstruct an airport or conflict with airport land uses. In addition, consultation with the Contra Costa Airport Land Use Commission would ensure that potential impacts of airspace interference would be reduced. As such, impacts on airports within 2 miles of the construction footprint due to construction of the Project would be less than significant. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Impact HAZ-6: Impair Implementation of or Physically Interfere with an Adopted Emergency Response Plan or Emergency Evacuation Plan	Significant	MM TRANS-1: Implement Site-Specific Construction Transportation Demand Management Plan and Transportation Management Plan	Less Than Significant	With Mitigation Measure TRANS-1, additional evaluations and discussions with local agencies would be required during the design phase to determine the most appropriate method to coordinate between project-provided emergency response services at the construction sites and integration with local agencies. Because project construction would not take place without

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA	Proposed Mitigation	Impact Conclusion After Mitigation- CEQA	Findings of Fact
				a Transportation Demand Management Plan and good-faith coordination with local agencies on appropriate emergency response services, impacts from construction or operations and maintenance of any of the alternatives would be reduced to less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Public Health				
Impact PH-1: Increase in Vector-Borne Diseases	Significant	MM PH-1a: Avoid Creating Areas of Standing Water During Preconstruction Future Field Investigations and Project Construction MM PH-1b: Develop and Implement a Mosquito Management Plan for Compensatory Mitigation Sites on Bouldin Island and at I-5 Ponds	Less Than Significant	Operation and maintenance of the water conveyance facilities would not be expected to result in the creation of potentially suitable mosquito breeding habitat and thus would not likely increase the public's exposure to vector-borne diseases in the study area relative to existing conditions. Mitigation Measure PH-1a: Avoid Creating Areas of Standing Water During Preconstruction, Field Investigations, and Project Construction would minimize the potential for any impact on public health related to increasing suitable vector habitat within the study area during construction and reduce this impact to a less-than-significant level by reducing suitable mosquito habitat at Project facilities. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.
Paleontological Resources				
Impact PALEO-1: Cause Destruction of a Unique Paleontological Resource as a Result of Surface Ground Disturbance	Significant	MM PALEO-1a: Prepare and Implement a Monitoring and Mitigation Plan for Paleontological Resources MM PALEO-1b: Educate Construction Personnel in Recognizing Fossil Material	Less Than Significant	The potential for destruction of unique paleontological resources, as defined in Section 28.3.2, Thresholds of Significance, in those portions of the study area affected by project construction would constitute a significant impact under CEQA because excavation for project facilities would occur in locations known to be sensitive for paleontological resources and localized project excavation would be considerable. Mitigation Measures PALEO-1a: Prepare and Implement a Monitoring and Mitigation Plan for Paleontological Resources, and PALEO-1b: Educate Construction Personnel in Recognizing Fossil Material would reduce the impacts to a less-than-significant level by ensuring that a qualified professional paleontologist would develop a monitoring and mitigation plan and determine which activities would occur in units sensitive for paleontological resources; educating construction personnel in recognizing paleontological resources; and having qualified monitors in place to monitor for paleontological resources and temporarily stop construction (per the PRMMP) should paleontological resources be discovered. For excavation at the tunnel shafts where in situ monitoring cannot occur, the shaft spoils would be monitored. The level of impact for all alignment alternatives would be similar but would vary in magnitude based on the amount of excavation that would occur (Table 28-4). In summary, the impacts of surface-related ground disturbance would be less than significant with mitigation. Findings: Changes or alterations have been required in, or incorporated into, the project that avoid the significant environmental effect as identified in the Final EIR. Impacts will be less than significant with mitigation.

Table 3: Project Impacts that are Less-than-Significant/No Impact Before Mitigation

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA
Flood Protection	
Impact FP-1: Cause a Substantial Increase in Water Surface Elevations of the Sacramento River between the American River Confluence and Sutter Slough	Less than Significant
Impact FP-2: Alter the Existing Drainage Pattern of the Site or Area, including through the Alteration of the Course of a Stream or River, or Substantially Increase the Rate or Amount of Surface Runoff in a Manner That Would Result in Flooding On- or Off-Site or Impede or Redirect Flood Flows	Less than Significant
Groundwater	
Impact GW-1: Changes in Stream Gains or Losses in Various Interconnected Stream Reaches	Less than Significant
Impact GW-2: Changes in Groundwater Elevations	Less than Significant
Impact GW-3: Reduction in Groundwater Levels Affecting Supply Wells	Less than Significant
Impact GW-4: Changes to Long-Term Change in Groundwater Storage	Less than Significant
Impact GW-5: Increases in Groundwater Elevations near Project Intake Facilities Affecting Agricultural Drainage	Less than Significant
Impact GW-6: Damage to Major Conveyance Facilities Resulting from Land Subsidence	Less than Significant
Impact GW-7: Degradation of Groundwater Quality	Less than Significant
Water Quality	
Impact WQ-1: Impacts on Water Quality Resulting from Construction of the Water Conveyance Facilities	Less than Significant
Impact WQ-2: Effects on Boron Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-3: Effects on Bromide Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-4: Effects on Chloride Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-5: Effects on Electrical Conductivity Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-7: Effects on Nutrients Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-8: Effects on Organic Carbon Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-9: Effects on Dissolved Oxygen Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-10: Effects on Selenium Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-11: Effects on Pesticides Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-12: Effects on Trace Metals Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-13: Effects on Turbidity/Total Suspended Solids Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-14: Effects on Cyanobacteria Harmful Algal Blooms Resulting from Facility Operations and Maintenance	Less than Significant
Impact WQ-15: Risk of Release of Pollutants from Inundation of Project Facilities	Less than Significant
Impact WQ-16: Effects on Drainage Patterns as a Result of Project Facilities	Less than Significant
Impact WQ-17: Consistency with Water Quality Control Plans	No Impact
Geology and Seismicity	
Impact GEO-1: Loss of Property, Personal Injury, or Death from Structural Failure Resulting from Rupture of a Known Earthquake Fault or Based on Other Substantial Evidence of a Known Fault	Less than Significant
Impact GEO-2: Loss of Property, Personal Injury, or Death from Strong Earthquake-Induced Ground Shaking	Less than Significant
Impact GEO-3: Loss of Property, Personal Injury, or Death from Earthquake-Induced Ground Failure, including Liquefaction and Related Ground Effects	Less than Significant
Impact GEO-4: Loss of Property, Personal Injury, or Death from Ground Settlement, Slope Instability, or Other Ground Failure	Less than Significant

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA
Impact GEO-5: Loss of Property, Personal Injury, or Death from Structural Failure Resulting from Project-Related Ground Motions	Less than Significant
Impact GEO-6: Loss of Property, Personal Injury, or Death from Seiche or Tsunami	Less than Significant
Soils	
Impact SOILS-1: Accelerated Soil Erosion Caused by Vegetation Removal and Other Disturbances as a Result of Constructing the Proposed Water Conveyance Facilities	Less than Significant
Impact SOILS-2: Loss of Topsoil from Excavation, Overcovering, and Inundation as a Result of Constructing the Proposed Water Conveyance Facilities	Less than Significant
Impact SOILS-3: Property Loss, Personal Injury, or Death from Instability, Failure, and Damage as a Result of Constructing the Proposed Water Conveyance Facilities on or in Soils Subject to Subsidence	Less than Significant
Impact SOILS-4: Risk to Life and Property as a Result of Constructing the Proposed Water Conveyance Facilities in Areas of Expansive or Corrosive Soils	Less than Significant
Fish and Aquatic Resources	
Impact AQUA-4: Effects of Operations and Maintenance of Water Conveyance Facilities on Central Valley Fall-Run/Late Fall-Run Chinook Salmon	Less than Significant
Impact AQUA-8: Effects of Operations and Maintenance of Water Conveyance Facilities on Southern DPS Green Sturgeon	Less than Significant
Impact AQUA-9: Effects of Operations and Maintenance of Water Conveyance Facilities on White Sturgeon	Less than Significant
Impact AQUA-10: Effects of Operations and Maintenance of Water Conveyance Facilities on Pacific Lamprey and River Lamprey	Less than Significant
Impact AQUA-11: Effects of Operations and Maintenance of Water Conveyance Facilities on Native Minnows (Sacramento Hitch, Sacramento Splittail, Hardhead, and Central California Roach)	Less than Significant
Impact AQUA-12: Effects of Operations and Maintenance of Water Conveyance Facilities on Starry Flounder	Less than Significant
Impact AQUA-13: Effects of Operations and Maintenance of Water Conveyance Facilities on Northern Anchovy	Less than Significant
Impact AQUA-14: Effects of Operations and Maintenance of Water Conveyance Facilities on Striped Bass	Less than Significant
Impact AQUA-15: Effects of Operations and Maintenance of Water Conveyance Facilities on American Shad	Less than Significant
Impact AQUA-16: Effects of Operations and Maintenance of Water Conveyance Facilities on Threadfin Shad	Less than Significant
Impact AQUA-17: Effects of Operations and Maintenance of Water Conveyance Facilities on Black Bass	Less than Significant
Impact AQUA-18: Effects of Operations and Maintenance of Water Conveyance Facilities on California Bay Shrimp	Less than Significant
Impact AQUA-19: Effects of Operations and Maintenance of Water Conveyance Facilities on Southern Resident Killer Whale	Less than Significant
Impact AQUA-20: Effects of Construction of Water Conveyance Facilities on California Sea Lion	Less than Significant
Terrestrial Biological Resources	
Impact BIO-6: Impacts of the Project on Nontidal Brackish Emergent Wetland	No Impact
Impact BIO-15: Impacts of the Project on Conservancy Fairy Shrimp	No Impact
Impact BIO-17: Impacts of the Project on Sacramento and Antioch Dunes Anthicid Beetles	No Impact
Impact BIO-19: Impacts of the Project on Delta Green Ground Beetle	No Impact
Impact BIO-43: Impacts of the Project on Suisun Song Sparrow and Saltmarsh Common Yellowthroat	No Impact
Impact BIO-49: Impacts of the Project on Salt Marsh Harvest Mouse	No Impact
Impact BIO-50: Impacts of the Project on Riparian Brush Rabbit	No Impact
Impact BIO-52: Impacts of Invasive Species Resulting from Project Construction and Operations on Established Vegetation	Less than Significant
Impact BIO-57: Impacts of the Project on Monarch Butterfly	Less than Significant
Land Use	
Impact LU-1: Displacement of Existing Structures and Residences and Effects on Population and Housing	Less than Significant
Impact LU-2: Incompatibility with Applicable Land Use Designations, Goals, and Policies, Adopted for the Purpose of Avoiding or Mitigating an Environmental Effect as a Result of the Project	Less than Significant

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA
Impact LU-3: Create Physical Structures Adjacent to and through a Portion of an Existing Community that Would Physically Divide the Community as a Result of the Project	No Impact
Recreation	
Impact REC-1: Increase the Use of Existing Neighborhood and Regional Parks or Other Recreational Facilities Such That Substantial Physical Deterioration of the Facility Would Occur or Be Accelerated	Less than Significant
Impact REC-2: Include Recreational Facilities or Require the Construction or Expansion of Recreational Facilities That Might Have an Adverse Physical Effect on the Environment[2]	Less than Significant (Final EIR, p. 16-29 (lines 1-3).)
Transportation	
Impact TRANS-2: Conflict with a Program, Plan, Ordinance, or Policy Addressing the Circulation System	Less than Significant
Impact TRANS-5: Potential Effects on Marine Navigation Caused by Construction, Operation, and Maintenance of Intakes	Less than Significant
Public Services and Utilities	
Impact UT-1: Result in Substantial Physical Impacts Associated with the Provision of, or the Need for, New or Physically Altered Governmental Facilities, the Construction of Which Could Cause Significant Environmental Impacts on Public Services Including Police Protection, Fire Protection, Public Schools, and Other Public Facilities (e.g., Libraries, Hospitals)	Less than Significant
Impact UT-2: Require or Result in the Relocation or Construction of New or Expanded Service System Infrastructure, the Construction or Relocation of Which Could Cause Significant Environmental Impacts for Any Service Systems Such as Water, Wastewater Treatment, Stormwater Drainage, Electric Power Facilities, Natural Gas Facilities, and Telecommunications Facilities	Less than Significant
Impact UT-3: Exceed the Capacity of the Wastewater Treatment Provider(s) that Would Serve the Alternative's Anticipated Demand in Addition to the Provider's Existing Commitments	Less than Significant
Impact UT-4: Generate Solid Waste in Excess of Federal, State or Local Standards, or Be in Excess of the Capacity of Local Infrastructure, or Otherwise Impair the Attainment of Solid Waste Reduction Goals	Less than Significant
Energy	
Impact ENG-1: Result in Substantial Significant Environmental Impacts Due to Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources during Project Construction or Operation	Less than Significant
Impact ENG-2: Conflict with or Obstruct Any State/Local Plan, Goal, Objective, or Policy for Renewable Energy or Energy Efficiency	No Impact
Air Quality and Greenhouse Gases	
Impact AQ-4: Result in Impacts on Air Quality within the Yolo-Solano Air Quality Management District	Less than Significant
Impact AQ-6: Result in Exposure of Sensitive Receptors to Substantial Toxic Air Contaminant Emissions	Less than Significant
Impact AQ-7: Result in Exposure of Sensitive Receptors to Asbestos, Lead-Based Paint, or Fungal Spores That Cause Valley Fever	Less than Significant
Impact AQ-8: Result in Exposure of Sensitive Receptors to Substantial Odor Emissions	Less than Significant
Impact AQ-10: Result in Impacts on Global Climate Change from Land Use Change	Less than Significant
Noise and Vibration	
Impact NOI-2: Generate Excessive Groundborne Vibration or Groundborne Noise Levels	Less than Significant
Impact NOI-3: Place Project-Related Activities in the Vicinity of a Private Airstrip or an Airport Land Use Plan, or, Where Such a Plan Has Not Been Adopted, within 2 Miles of a Public Airport or Public Use Airport, Resulting in Exposure of People Residing or Working in the Project Area to Excessive Noise Levels	No Impact
Hazards, Hazardous Materials, and Wildfire	
Impact HAZ-1: Create a Substantial Hazard to the Public or the Environment through the Routine Transport, Use, or Disposal of Hazardous Materials	Less than Significant

[2] The corrections identified above summarize and restate the determinations and conclusions as articulated in the Final EIR, and as incorporated by reference into the DCP CEQA Findings adopted by DWR on December 21, 2023, for Impact Trans-3 and Rec-2. This has been updated on March 21, 2024, per the Errata to the CEQA Findings of Fact for the Delta Conveyance Project.

Potential Project Impact	Impact Conclusions Before Mitigation- CEQA
Impact HAZ-3: Expose Sensitive Receptors at an Existing or Proposed School Located within 0.25 Mile of Project Facilities to Hazardous Materials, Substances, or Waste	No Impact
Impact HAZ-5: Result in a Safety Hazard Associated with an Airport or Private Airstrip	Less than Significant
Impact HAZ-7: Expose People or Structures, Either Directly or Indirectly, to a Substantial Risk of Loss, Injury, or Death Involving Wildland Fires	Less than Significant
Public Health	
Impact PH-2: Exceedance(s) of Water Quality Criteria for Constituents of Concern Such That Drinking Water Quality May Be Affected	Less than Significant
Impact PH-3: Substantial Mobilization of or Increase in Constituents Known to Bioaccumulate	Less than Significant
Impact PH-4: Adversely Affect Public Health Due to Exposing Sensitive Receptors to New Sources of EMF	Less than Significant
Impact PH-5: Impact Public Health Due to an Increase in Microcystis Bloom Formation	Less than Significant
Mineral Resources	
Impact MIN-1: Loss of Availability of Locally Important Natural Gas Wells as a Result of the Project	No Impact
Impact MIN-2: Loss of Availability of Extraction Potential from Natural Gas Fields as a Result of the Project	No Impact
Impact MIN-3: Loss of Availability of Locally Important Aggregate Resources (Mines and MRZs) as a Result of the Project	No Impact
Impact MIN-4: Loss of Availability of Locally Important Aggregate Resources as a Result of the Project	No Impact

Exhibit C
Final EIR Modifications

DWR made minor edits throughout Volume 1 of the Final EIR, such as modifications to punctuation and correction of misspellings and typos. In addition, DWR made minor formatting changes throughout Volume 1 of the Final EIR, such as modification to headings, corrections to page numbers, and corrections of formatting issues found in graphs, charts, and tables. Minor edits or formatting changes to the Draft EIR reflected in Volume 1 of the Final EIR do not result in any new significant environmental impacts or a substantial increase in the severity of an environmental impact that was previously analyzed in the Draft EIR.

In addition to grammar and formatting changes, new information was added to the Final EIR to clarify, amplify (i.e., expands in stating or describing, as by details or illustrations; clarifies by expanding), or makes insignificant modifications to discussion and analysis in the Draft EIR. Key modifications included in the Volume 1 of the Final EIR are identified in the table below with a summary regarding why the modifications do not result in the disclosure of a new significant impact, result in an increase in the severity or magnitude of an impact, or do not result in the need for additional required mitigation to which DWR is unwilling to commit. The Final EIR provides further information regarding modifications that occurred between the Draft EIR and the Final EIR. This information can be found in Final EIR, Volume 2, Common Response 1, CEQA Process, General Approach to Analysis, and Other Environmental Review Issues, which explains CEQA recirculation requirements and why the information and modifications contained in the Final EIR do not meet recirculation requirements either individually or collectively; Final EIR, Volume 2, Common Response 3, Alternatives Development and Description, which also describes some of the substantive project description refinements included in the table below and why they do not trigger the need for recirculating the Draft EIR; Final EIR, Volume 2, Common Response 11, Terrestrial Biological Resources and Compensatory Mitigation Plan, which describes refinements to the Compensatory Mitigation Plan; and Final EIR, Volume 2, Common Response 15, Air Quality and Greenhouse Gases, which describes refinements to air quality modeling and assumptions. Individual responses to comments in Volume 2, Chapter 4, Response to Comments Tables, also address refinements made to the Draft EIR in response to those individual comments where applicable. The summary table below cites relevant sections of Volume 1 of the Final EIR where appropriate.

Modification	Modification Consideration
Clarifications to Table 1-1, Summary of Potential Agencies and Review, Approval, or Other Responsibilities, in Addition to Those under CEQA in Final EIR, Volume 1, Chapter 1, *Introduction.*	The clarifying text added to Table 1-1 is about different agencies and their potential roles and responsibilities. The table was not used in the impact analysis. Therefore, the added information merely amplifies discussion in the Draft EIR and does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Clarifications to use of sedimentation basins and drying lagoons for all alternatives during operations in Final EIR, Volume 1, Chapter 3, *Description of the Proposed Project and Alternatives*, Section 3.4.1.2, *Sedimentation Basins and Drying Lagoons.*	The inclusion of the information regarding the sedimentation basins and drying lagoons further clarifies how the sedimentation basins and drying lagoons would operate and the duration in which operation would occur. These clarifications complement and amplify the information previously included in Draft EIR Chapter 3, *Description of the Proposed Project and Alternatives*, and evaluated throughout the EIR and do not materially change the description of the sedimentation basins and drying lagoons. The added information does not result in a new or more severe impact requiring additional analysis, change impact conclusions presented in the Draft EIR, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the new information does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Inclusion of undergrounding of 1.9 miles of SCADA lines between Freeport and north of Intake A across from Clarksburg consistent with description in Final EIR, Volume 1, Chapter 3, *Description of the Proposed Project and Alternatives*, Section 3.4.11, *SCADA Facilities*, clarifying that some of the SCADA lines would be undergrounded along existing roads and project access routes (as shown in Figure 3-14).	The Draft EIR stated that wherever possible, underground SCADA routes would be located along existing roads and project access routes. The Draft EIR evaluated the type and magnitude of impacts associated with installing SCADA lines underground, as well overhead. As described in Final EIR, Volume 2, Common Response 3, *Alternatives Development and Description*, the alignment between Freeport and north of Intake A across from Clarksburg was included in the study areas in the Draft EIR and undergrounding the alignment would result in highly localized, temporary, and minor soil disturbances and would require the use of similar construction equipment and construction trips as already included in the EIR evaluation for all resources. The inclusion of this information in the Final EIR complements the description in the Draft EIR that SCADA lines would be undergrounded where appropriate . The new information does not represent new or more severe impacts requiring additional analysis, change impact conclusions presented in the Draft EIR, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the new information does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Clarification of the use of non-specular material for aboveground power lines in Final EIR, Volume 1, Chapter 3, *Description of the Proposed Project and Alternatives*, Section 3.4.10, *Electrical Facilities.*	The inclusion of the information regarding non-specular material further clarifies the type of materials used for above power lines. Non-specular material is material that reflects light diffusely and evenly or scatters light. The inclusion of the use of this material complements the information previously included in Draft EIR Chapter 3, *Description of the Proposed Project and Alternatives*, and evaluated throughout the EIR and do not materially change the description of the aboveground power lines. The added information does not

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	represent new or more severe impacts requiring additional analysis, change impact conclusions presented in the Draft EIR, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the information does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Refinements to location and acreage of temporary uses within the overall footprint at the Southern Complex where the Southern Complex is discussed in Final EIR, Volume 1, Chapter 3, *Description of the Proposed Project and Alternatives*, for alternatives (except Alternative 5).	Chapter 3, *Description of the Proposed Project and Alternatives,* was updated to more accurately reflect the types of activities that would occur within the construction area. As an example, the area required for reusable tunnel material (RTM) storage decreased between the Draft and Final EIR based on new estimates provided by the project engineers. However, these changes would not affect the land area required to construct and operate the project or the resulting environmental impacts that may result from land conversion. In addition, small refinements to the project's footprint would result in minor differences in total acreages reported in the Draft and Final EIR. These small refinements would not affect the magnitude or significance of environmental impacts reported in the Draft EIR. The added information does not result in a new or more severe impact requiring additional analysis, change impact conclusions presented in the Draft EIR, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the information does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Reconfiguring of Bethany Reservoir Pumping Plant and Surge Basin facilities primarily within the Bethany Complex footprint for Alternative 5 to allow approximately 35 acres to remain undisturbed within the footprint of these facilities, as described in Final EIR, Volume 1, Chapter 3, *Description of the Proposed Project and Alternatives*, Section 3.14.1, *Bethany Complex*, and Final EIR, Volume 2, Common Response 3, *Alternatives Development and Description.*	As identified in Chapter 3, *Description of the Proposed Project and Alternatives,* and further described in Common Response 3, *Alternatives Development and Description,* the reconfiguration of the Bethany Complex in the Final EIR would not create new surface impacts relative to the Draft EIR, require additional mitigation measures, or result in a change to any of the evaluations or impact conclusions contained in the Draft EIR related to any resource analyzed in the EIR. Furthermore, the operation of the facilities under the reconfigured Bethany Complex in the Final EIR would be the same as described in the Draft EIR and there would be no changes to any operation-related impacts. Specifically, the two driveways located outside the original footprint evaluated in the Draft EIR of the Bethany Complex would not result in impacts greater or of a different type than disclosed in the Draft EIR, given the minimal area disturbed by the two driveways, and the change in disturbance type at the Bethany Complex, from temporary surface impacts in the Draft EIR to permanent surface impacts in the Final EIR, would not change the severity or magnitude of the impacts already disclosed in the resource chapters of the EIR (i.e., Chapters 7 through 32). Therefore, the reconfiguration does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.

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Inclusion of broader discussion and clarifications of access road and rehabilitation in Final EIR, Volume 1, Chapter 3, *Description of the Proposed Project and Alternatives*, Section 3.4.7, *Access Roads.*	The inclusion of the access road information further clarifies the location and timing of road rehabilitation. These clarifications complement the descriptions of road rehabilitation previously included in Draft EIR Chapter 3, *Description of the Proposed Project and Alternatives*, and evaluated throughout the EIR and do not materially change the description of the road rehabilitation or the analyses. The added information does not represent new or more severe impacts requiring additional analysis, change impact conclusions presented in the Draft EIR, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the information does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Inclusion of left-turn merge lane along 1 mile of Twin Cities Road 44 feet wide with three 12-foot-wide paved lanes in Final EIR, Volume 1, Appendix 3D, *Intakes, Roads, and Shafts Summary Tables*	The addition of the left-turn merge lane would not cause additional or more severe traffic impacts because it would improve, rather than worsen, traffic flow on Twin Cities Road. It would allow through traffic to pass without waiting for vehicles turning left to clear and not affect vehicle miles traveled (VMT) or conflict with a program, plan, ordinance, or policy addressing the circulation system because it is a roadway improvement that would not increase VMT beyond that already analyzed in the Draft EIR for construction and operation. Pursuant to required Mitigation Measure TRANS-1, first responders would pass through the area during construction, and, after construction, first responders would be able to use the left-turn merge lane. Other environmental resources would not be affected by the construction of the left-turn merge lane beyond the type and severity of impacts evaluated and disclosed in the Draft EIR because the left-turn merge lane would primarily be located within the boundaries of the Twin Cities Road road-widening improvements proposed under the project alternatives along existing road section(s). A highly limited and minimal additional area of disturbance (i.e., 1.5 acres) in a disturbed area located primarily within the existing road right-of-way would occur. Any known or unknown environmental resources that could occur in this strip of disturbed land have been considered in Chapters 7 through 32 of the EIR because this area is within the study area included for environmental resources. Mitigation measures identified in the EIR related to permanent disturbances would be implemented and the permanent disturbance of this additional limited area of 1.5 acres would not substantially increase the severity of impacts analyzed in the Draft EIR. Therefore, this highly limited and minimal additional area of disturbance would not constitute a substantial increase in severity of impacts disclosed in the Draft EIR. The construction of the left-turn merge lane would take place concurrently with other construction activities associated with the project alternatives at Twin Cities Road and would not result in an increase in air quality emissions beyond what was already analyzed

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	in the Draft EIR because the same type and duration of equipment use would occur. The added information regarding the left-turn merge lane does not result in a new or more severe impact requiring additional analysis, change impact conclusions presented in the Draft EIR, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the addition of the left-turn merge lane does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Some refinements were made to the project description in Final EIR, Volume 1, Chapter 3, *Description of the Proposed Project and Alternatives*, to clarify operations in Section 3.16.3, *Integration of North Delta Intakes with South Delta Facilities.*	The operations description was revised to further clarify that DWR would divert excess flows in winter and spring and is not proposing to change upstream reservoir operations. Final EIR, Volume 2, Common Response 1, *CEQA Process, General Approach to Analysis, and Other Environmental Review Issues*, describes the scope of the analysis contained in the Final EIR, including areas upstream of the north Delta intakes. Final EIR, Volume 2, Common Response 3, *Alternatives Development and Description*, also explicitly responds to the concerns about upstream operations. Final EIR, Volume 2, Common Response 3 also responds to comments requesting analysis under Temporary Urgency Change Orders. The operation of the project gives the state the opportunity to capture high flows during periods of excess flows, up to what is permitted under the existing DWR water rights. Diversions at the proposed north Delta intakes would mostly occur in the winter and spring, when the conditions described above are most likely to occur. Because the project would operate this way (i.e., capture high flows on top of what can be diverted in the south Delta), DWR does not anticipate use of the proposed north Delta diversion during dry conditions where the south Delta would not be operating at capacity, such as times when a Temporary Urgency Change Order is in place. These clarifications in Final EIR, Volume 1, Chapter 3, *Description of the Proposed Project and Alternatives*, and further described in Final EIR, Volume 2, Common Response 3 complement the descriptions of operations previously included in Draft EIR Chapter 3; operations modeled using CalSim 3; and operations evaluated throughout the EIR. The added information regarding operations does not result in a new or more severe impact requiring additional analysis, change impact conclusions presented in the Draft EIR, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the information does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Inclusion of figures based on DSM2 modeling results in Final EIR, Volume 1, Chapter 5, *Surface Water*, regarding reverse flows in the Sacramento River near Freeport.	The inclusion of these graphs is to graphically depict DSM2 model results provided in Final EIR, Volume 1, Appendix 5A, Modeling Technical Appendix, Section C, *One Dimensional Delta Hydrodynamics and Water Quality Modeling Results*, Attachment 1, *DSM2 Model Results for Existing Conditions and Alternatives at 2020*. This supports the information that was previously included in the Draft EIR regarding reverse flows in the Sacramento River

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	near Freeport and complements the modeled data included in Draft EIR and Final EIR. Therefore, the new figures merely clarify/amplify the discussion in the Draft EIR and does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Refinements to Final EIR, Volume 1, Chapter 8, *Groundwater*, Impact GW-4 regarding the discussion of operation groundwater modeling results related to groundwater storage to clarify the meaning of the modeling results; inclusion of electrical conductivity in Mitigation Measure GW-1.	Refinements were made to Mitigation Measure GW-1, which now includes a provision to also monitor for changes in electrical conductivity (EC) at the same wells that would be used to monitor for changes in groundwater elevations. The EC monitoring would occur over the same period as for monitoring groundwater elevations. The addition of EC monitoring to Mitigation Measure GW-1 was not made because of a new groundwater significance finding between the Draft and Final EIR, as explained in Final EIR, Volume 2, Common Response 10, *Surface Water Quality and Groundwater Resources*, but rather to support the less-than-significant impact determination regarding groundwater quality. Changes to mitigation measures that do not increase the severity of the environmental impacts disclosed in the draft EIR do not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (*Yerba Buena Neighborhood Consortium, LLC v. Regents of Univ. of California* (2023) 95 Cal. App. 5th 779, 808.)
Clarifications to Impact GW-1, Impact GW-2, and Impact GW-3 in Final EIR, Volume 1, Chapter 8, *Groundwater*, regarding use of Mitigation Measure GW-1.	The wording of Impacts GW-1, GW-2, and GW-3 in EIR Chapter 8, *Groundwater*, was revised to make it clearer that the impacts on groundwater resources described in the Draft EIR are less than significant before the implementation of the monitoring and response measures described in Mitigation Measure GW-1. Therefore, the new information merely clarifies/amplifies the discussion in the Draft EIR and does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Clarification of methodology in Final EIR, Volume 1, Chapter 9, *Water Quality.*	Clarifying information was included in Section 9.3.1, *Methods for Analysis*, of Chapter 9, *Water Quality*, to clarify the source, organization, aggregation of water quality data used in the impact analyses. The methodology for determining impacts was not modified and impact analyses and determinations were not modified as a result of the clarification. As described in Final EIR, Volume 2, Common Response 10, *Surface Water Quality and Groundwater Resources*, the historical, reconstructed water year types on the California Data Exchange Center website were used to aggregate the modeling results because these are publicly available and widely referenced in research and analysis related to the Delta. The presentation of average constituent levels by water year type is informational and the impact conclusions are based on all modeled changes, particularly those represented in the exceedance plots containing modeling output for the entire 93-year simulation period, as well as modeled changes in frequency of exceedance of water quality objectives. Therefore,

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	the new information merely clarifies/amplifies the discussion in the Draft EIR and does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Inclusion of Mitigation Measure WQ-4 in Final EIR, Volume 1, Chapter 9, *Water Quality*, and Appendix 9M, *Contra Costa Water District Interconnection Facility Mitigation Measure*, regarding the Contra Costa Water District Interconnection Facility, to further reduce the less-than-significant impacts on chloride discussed in Impact WQ-4.	Mitigation Measure WQ-4: *Contra Costa Water District Interconnection Facility* has been included in the Final EIR to further reduce less-than-significant impacts on chloride previously disclosed under Impact WQ-4: *Effects on Chloride Resulting from Facility Operations and Maintenance* in Chapter 9, *Water Quality*. Changes to, or addition of, mitigation measures that do not increase the severity of the environmental impacts disclosed in the Draft EIR do not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (*Yerba Buena Neighborhood Consortium, LLC v. Regents of Univ. of California* (2023) 95 Cal. App. 5th 779, 808.) Appendix 9M, *Contract Costa Water District Interconnection Facility Mitigation Measure*, was included in the Final EIR to provide an evaluation of the environmental impacts of constructing and operating the interconnection facility. All environmental resources are analyzed in Appendix 9M. Impacts on most resources are determined to be less than significant or less than significant with mitigation incorporated. However, project impacts identified as significant and unavoidable in the Draft EIR (e.g., agricultural resources, traffic, cultural resources, Tribal Cultural Resources) would remain significant and unavoidable with implementation of Mitigation Measure WQ-4 as disclosed in Appendix 9M. Although significant and unavoidable impacts would occur, there would not be a substantial increase in the severity of significance given the location of Mitigation Measure WQ-4, the limited duration of construction, and the relatively small area of disturbance during construction. The evaluation of the new mitigation measure concluded that implementing the measure would not result in any new significant impacts or substantially increase the severity of impacts not already disclosed in the Draft EIR, nor would it require additional mitigation measures that DWR is unwilling to implement. Therefore, the new mitigation measure does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Additional clarifications regarding construction methods and geotechnical investigations in Final EIR, Volume 1, Chapter 10, *Geology and Seismicity*, Section 10.3.1.1, *Process and Methods of Review for Geology and Seismicity*, to provide details on Delta Conveyance Design and Construction Authority	Information was added to Final EIR, Volume 1, Chapter 10, *Geology and Seismicity*, Section 10.3.1.1, *Process and Methods of Review for Geology and Seismicity*, to clarify the types of information used in the analysis, how that information was used, and how new and future data would be used in the design process. As described in the section, available geological and geotechnical information was reviewed and considered in the EPR screening analyses to understand subsurface geology and groundwater conditions related to preliminary

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(DCA) activities and design criteria.	design criteria and the need for specific construction methods. Additional information gained during geotechnical investigations that occurred during preparation of the DCA Engineering Project Reports (EPRs) and EIR further validated the geotechnical assumptions and construction methods that were used for the conceptual designs of each facility in the EPRs. Additional geological and geotechnical investigations would be conducted during the design phase to further develop design criteria and provide geotechnical design parameters for proposed facilities. These clarifications regarding how DCA will conduct geotechnical investigations and use information gained to inform activities and design criteria as well as construction methods complement the descriptions of the construction methods provided in Final EIR, Volume 1, Chapter 3, *Description of the Proposed Project and Alternatives*, and evaluated throughout the EIR and do not materially change the description of the construction methods or the analyses based on the construction methods. Furthermore, this information is not used in the impact analysis in Final EIR, Volume 1, Chapter 10 or elsewhere. Therefore, the new information merely clarifies/amplifies the discussion in the Draft EIR and does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Inclusion of juvenile Chinook salmon screen passage time analysis at 19°C in Final EIR, Volume 1, Chapter 12, *Fish and Aquatic Resources*, Impact AQUA-2, which further supports the impact determination of less than significant with mitigation incorporated.	The inclusion of this new information in the discussion of Impact AQUA-2 augments the original analysis in the Draft EIR, which was focused on screen passage at 12°C. The new information complements the analysis previously performed on screen passage and further supports the previous impact determination of less than significant with mitigation incorporated. CMP-25: *Tidal Habitat Restoration to Mitigate North Delta Hydrodynamic Effects on Chinook Salmon Juveniles* and CMP-26: *Channel Margin Habitat Restoration for Operations Impacts on Chinook Salmon Juveniles*, as described in Attachment 3F.1, *Compensatory Mitigation Design Parameters,* are still required and no changes to the mitigation were made because of this new information. The new information merely confirms previous conclusions, and thus does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (See *San Francisco Baykeeper v. California State Lands Commission* (2015) 242 Cal.App.4th 202, 224-225 [new modeling confirming earlier conclusion about effects of mining on Bay environment did not trigger recirculation]; *Beverly Hills Unified School Dist. v. Los Angeles County Metropolitan Transportation Commission* (2015) 241 Cal.App.4th 627, 660-666 [Final EIR containing substantial amounts of new information, including numerous new seismic studies did not trigger recirculation].)

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Clarifications and additions of factors explaining patterns in north Delta exports and south Delta exports; clarification of footnotes in summary tables of results; and clarification of 5% significance threshold value used for impact analyses in Final EIR, Volume 1, Chapter 12, Fish and Aquatic Resources.	These clarifications further explain or add to the information regarding patterns in north Delta exports, tables of results, or the use of 5% significance threshold value. They complement the information that was previously provided in the Draft EIR and do not modify the methodology(ies) used for determining impacts or modify impact determinations. Therefore, the new information merely clarifies/amplifies the discussion in the Draft EIR and does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Inclusion of Impact AQUA-20 in Final EIR, Volume 1, Chapter 12, *Fish and Aquatic Resources*, regarding California sea lions, which discloses a less-than-significant impact.	The purpose of the analysis contained in the EIR is to disclose and evaluate potentially significant impacts. DWR did not address California sea lions in the Draft EIR because the study area is not within the traditional breeding or nonbreeding range of the population and therefore DWR had not previously identified potential effects on California sea lions as a potentially significant impact. DWR included an analysis of potential impacts on California sea lions in Chapter 12, *Fish and Aquatic Resources,* of the Final EIR, Volume 1, because of public comment. As disclosed in Chapter 12 of the Final EIR, Volume 1, the project would not result in a population-level effect on the species because the project would not permanently impede potential movement or foraging by individuals through the study area, and the study area is not within the traditional breeding or nonbreeding range for the population. Because few, if any, individuals would be affected during construction or operation of the project, the impact under CEQA is less than significant. Recirculation is required where the Final EIR discloses a new significant environmental impact of a project that was not analyzed in the Draft EIR. New information included in a Final EIR explaining why an impact alleged by a commenter is less than significant does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Refinements to Final EIR, Volume 1, Chapter 13, *Terrestrial Biological Resources*, including: adding specificity to Mitigation Measure BIO-53 to address design specifications, monitoring, and adaptive management; clarifying that if California Department of Fish and Wildlife (CDFW) develops guidance for sandhill crane surveys and work windows DWR will use the guidance; clarifying tricolored blackbird analysis in Impact BIO-44.	As described below, the added information for habitat connectivity, sandhill cranes, and tricolored blackbird, does not represent new or more severe impacts requiring additional analysis, change impact conclusions presented in the Draft EIR, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the information does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. Mitigation Measure BIO-53 was revised to further clarify the wildlife crossing and connectivity specialist credentials, how the specialist will contribute to the project design phase to ensure adequate wildlife crossing and connectivity element design and outcomes, more detailed wildlife connectivity enhancement measures, and operational monitoring

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	and adaptive management for connectivity and crossings. These modifications provide additional detail to Mitigation Measure BIO-53 but, as described in Final EIR, Volume 2, Common Response 11, *Terrestrial Biological Resources and Compensatory Mitigation Plan*, do not result in a change to an impact determination. The change to the mitigation measure does not trigger recirculation because it does not introduce new mitigation to which DWR is unwilling to commit. Changes to, or addition of, mitigation measures that do not increase the severity of the environmental impacts disclosed in the draft EIR do not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (*Yerba Buena Neighborhood Consortium, LLC v. Regents of Univ. of California* (2023) 95 Cal. App. 5th 779, 808.) Clarification was added to Impact BIO-33 regarding the potential for sandhill cranes to arrive earlier than September 15 and stay later than March 15 because the construction of the project will occur for many years. DWR added text explaining that if CDFW develops guidance regarding sandhill crane surveys and work windows, DWR will adjust survey dates and dates included in mitigation measures to minimize potential impacts on sandhill cranes. Changes to, or addition of, mitigation measures that do not increase the severity of the environmental impacts disclosed in the draft EIR do not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (*Yerba Buena Neighborhood Consortium, LLC v. Regents of Univ. of California* (2023) 95 Cal. App. 5th 779, 808.). Impact BIO-44, Appendix 3F, *Compensatory Mitigation Plan for Special-Status Species and Aquatic Resources*, and Attachment 3F.1, *Compensatory Mitigation Design Parameters*, have been modified to recognize breeding foraging habitat loss as a potential impact on tricolored blackbird and propose mitigation to compensate for this impact. Because many non-breeding foraging and roosting habitat types also serve as breeding foraging types, this change will also protect those habitat types. The revision to Attachment 3F.1 does not result in a change in impact determination for tricolored blackbird identified in Final EIR, Volume 1, Chapter 13, *Terrestrial Biological Resources*, but adds additional mitigation to further reduce potential adverse effects on tricolored blackbird that were previously disclosed in the Draft EIR. Mitigation Measure BIO-44 has been revised to include surveys during the nonbreeding season (August 1–March 14) 1 year prior to the start of construction and then the year of construction to establish use of roosting habitat. Mitigation Measure BIO-44 includes the commitment that three surveys will be conducted within 15 days prior to nighttime construction, with one of the surveys within 5 days prior

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	to the start of nighttime construction and the establishment of a 300-foot nondisturbance buffer around occupied roost sites. This revision does not result in a change in impact determination for tricolored blackbird identified in Final EIR, Volume 1, Chapter 13. Although Impact BIO-44 was updated, the additional information merely confirms previous conclusions, and thus does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (See *San Francisco Baykeeper v. California State Lands Commission* (2015) 242 Cal.App.4th 202, 224-225 [new modeling confirming earlier conclusion about effects of mining on Bay environment did not trigger recirculation]; *Beverly Hills Unified School Dist. v. Los Angeles County Metropolitan Transportation Commission* (2015) 241 Cal.App.4th 627, 660-666 [Final EIR containing substantial amounts of new information, including numerous new seismic studies did not trigger recirculation].) Furthermore, changes to, or addition of, mitigation measures that do not increase the severity of the environmental impacts disclosed in the draft EIR do not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (*Yerba Buena Neighborhood Consortium, LLC v. Regents of Univ. of California* (2023) 95 Cal. App. 5th 779, 808.)
Inclusion of monarch butterfly in Final EIR, Volume 1, Chapter 13, *Terrestrial Biological Resources*, because it is a U.S. Fish and Wildlife candidate species being considered for listing, which discloses a less-than-significant impact, and removal of western bumble bee from Chapter 13 and associated appendices because a recent California Department of Fish and Wildlife publication shows the species' known range is outside of the study area.	The purpose of the analysis contained in the EIR is to disclose and evaluate potentially significant impacts. DWR had not previously identified potential effects on monarch butterflies as a potentially significant impact because overwintering habitat, which is limited for the species, would not be affected by the project and there are no known overwintering populations within 10 miles of the study area. The Final EIR includes Impact BIO-57, which evaluates the monarch butterfly because it is a U.S. Fish and Wildlife candidate species being considered for listing and may be listed in the near future. The analysis determines impacts on monarch butterfly to be less than significant. Recirculation is required where the Final EIR discloses a new significant environmental impact of a project that was not analyzed in the draft EIR. New information included in a Final EIR explaining why an impact is less than significant does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. The Final EIR removed western bumble bee from Impact BIO-21 because recent California Department of Fish and Wildlife publication shows the species' known range is outside of the study area. Similarly, CMP-29 was refined to restrict compensatory mitigation to mitigate for habitat for Crotch bumble bee. This revision does not trigger the need for recirculation because it does not introduce a new significant impact, cause a substantial increase in the severity of an environmental impact, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the information does not

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	constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Clarifications in Final EIR, Volume 1, Chapter 16, *Recreation*, regarding location of I-5 ponds in existing conditions and clarifying details regarding I-5 ponds in Impact REC-1 and Impact REC-2.	Information was previously included regarding the I-5 ponds in Chapter 16, *Recreation*. Clarifying and additional text regarding these areas as they relate to recreation and implementation of the Compensatory Management Plan was included in Final EIR, Volume 1, Chapter 16 in the impact analysis. This revision does not trigger the need for recirculation because it does not introduce a new significant impact, cause a substantial increase in the severity of an environmental impact, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the information does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Clarifications in Final EIR, Volume 1, Chapter 14, *Land Use*, regarding locations of existing easements.	Clarification was added to Final EIR, Volume 1, Chapter 14, *Land Use*, explaining that although the land use study area overlaps with conservation easements, this overlap is not an impact on land use and therefore is not addressed in the land use chapter. The impacts on the natural communities and species habitats within the study area, including within conservation easements, are quantified and analyzed in Final EIR, Volume 1, Chapter 13, *Terrestrial Biological Resources*. Therefore, the new information merely clarifies/amplifies the discussion in the Draft EIR and does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Refinements to air quality and greenhouse gas (GHG) modeling based on engineering clarifications (e.g., off-road equipment type and horsepower, duration of marine vessel use); to use newer versions of analysis models (e.g., CalEEMod version 2022.1.1.3, eGRID2021); and to more accurately capture project description components (e.g., barges), including clarifications regarding modeling results and analysis in Final EIR, Volume 1, Chapter 23, *Air Quality and Greenhouse Gases*, and accompanying appendices.	Refinements to air quality modeling and the resulting updates are provided in Final EIR, Volume 1, Chapter 23, *Air Quality and Greenhouse Gases*, and accompanying appendices. Where appropriate, specific modeling assumptions were updated to account for the most recent engineering data and ensure alignment of the air quality analysis with the project description contained in Final EIR, Volume 1, Chapter 3, *Description of the Proposed Project and Alternatives*. Analysis modeling was also updated to use newer versions of California Emissions Estimator Model (CalEEMod) and eGRID. While both of these models were updated after the close of the public comment period for the Draft EIR, DWR elected to revise the analysis in the Final EIR to confirm that use of the newer model versions would not change any of the impact conclusions reached in the Draft EIR. Additional targeted refinements were also made to the analysis in response to specific public comments, including corrected association of equipment emission factors by horsepower, accounting of transmission and distribution losses during construction, and expansion of DWR's commitment of engine electrification. The level of transparency and documentation provided by the Draft EIR and the Final EIR is equivalent to, and in some cases exceeds, what is often provided for CEQA documents where models such as

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	CalEEMod are exclusively used to quantify emissions. As demonstrated throughout Chapter 23 and the supporting appendices of the Final EIR, and further detailed in Final EIR, Volume 2, Common Response 15, *Air Quality and Greenhouse Gases*, the refinements to air quality and greenhouse gas (GHG) modeling confirm previous conclusions and impact determinations presented in the Draft EIR, and thus does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (See *San Francisco Baykeeper v. California State Lands Commission* (2015) 242 Cal.App.4th 202, 224-225 [new modeling confirming earlier conclusion about effects of mining on Bay environment did not trigger recirculation]; *Beverly Hills Unified School Dist. v. Los Angeles County Metropolitan Transportation Commission* (2015) 241 Cal.App.4th 627, 660-666 [Final EIR containing substantial amounts of new information, including numerous new seismic studies did not trigger recirculation].)
Inclusion of clarifying information regarding pumping energy usage in Final EIR, Volume 1, Chapter 22, *Energy*.	Revisions have been made to some of the energy use data reported in Final EIR, Volume 1, Chapter 22, *Energy*, including energy required to construct and operate the Delta Conveyance Project. The revisions reflect the most recent estimates of equipment needed to construct the Delta Conveyance Project and resulting energy consumption and updates to the energy needed to operate the project. The revised information would not result in a change to the CEQA impact conclusions reported in Chapter 22. Therefore, the new information merely clarifies/amplifies the discussion in the Draft EIR and does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.
Clarifications in mitigation measures and environmental commitments/best management practices throughout the EIR, including Final EIR, Volume 1, Appendix 3B, *Environmental Commitments and Best Management Practices*, to provide more clarity regarding the activities, location, timing, roles, or responsibilities, based on technical review.	As described in Final EIR, Volume 2, Common Response 1, *CEQA Process, General Approach to Analysis, and Other Environmental Review Issues*, DWR has refined some mitigation measures to clarify the mechanisms for and timing of implementation of environmental protections, including refinements in Appendix 3F, *Compensatory Mitigation plan for Special-Status Species and Aquatic Resources*. These refinements to mitigation measures would not cause any new significant environmental impact or substantially increase the severity of a previously disclosed environmental impact. All refinements to mitigation have been included to further enhance or improve environmental protections. Refinements made to environmental commitments were for permit consistency or to address public comments. These refinements included adding refueling specification (Environmental Commitments EC-2 and EC-3); requiring that the tops and bottoms of spoils disposal areas be rounded and slope faces contoured (Environmental Commitment EC-4a); further specifying erosion control materials (Environmental Commitment EC-4a); reinforcing state priorities for zero-emission equipment, providing further detail on diesel equipment, and limiting the age of marine vessels used for intake construction (Environmental

Modification	Modification Consideration
	Commitments EC-7, EC-8, and EC-10); removing reference to studying on-site concrete batching since this analysis was already performed and the project has been designed to maximize use of on-site batch plants (Environmental Commitment EC-13); and adding further specificity to construction BMPs for biological resources (Environmental Commitment EC-14). As with mitigation measures, all refinements have been included to further enhance or improve environmental protections and would not cause new significant environmental impacts or substantially increase the severity of a previously disclosed environmental impact. Changes to, or addition of, mitigation measures that do not increase the severity of the environmental impacts disclosed in the draft EIR do not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (*Yerba Buena Neighborhood Consortium, LLC v. Regents of Univ. of California* (2023) 95 Cal. App. 5th 779, 808.)
Compensatory mitigation refinements in Final EIR, Volume 1, Appendix 3F, *Compensatory Mitigation Plan for Special-Status Species and Aquatic Resources*, and throughout the EIR as appropriate; Refinements to design commitments and guidelines for special-status plants California tiger salamander, tricolored blackbird, Swainson's hawk, and the addition of design commitments for Crotch bumble bee. Additional refinements to the CMP include the inclusion of mitigation measure ratios, the 10% stay-ahead commitment to mitigation; clarifications that mitigation sites will be designed, managed, and maintained to provide habitat requirements for a diversity of targeted wildlife species; removal of tidal habitat restoration on Bouldin Island; and clarification regarding potential locations of grassland mitigation, in addition to the initial mitigation sites and other site protection instruments.	Final EIR, Volume 2, Common Response 11, *Terrestrial Biological Resources and Compensatory Mitigation Plan*, describes the revisions that have been made to the CMP and associated resource-related modifications. As discussed in Final EIR, Volume 2, Common Response 11, in the section titled *Revisions to the Compensatory Mitigation Plan*, these revisions do not result in a change to any impact conclusions or require additional mitigation measures to which DWR is unwilling to commit. For terrestrial biological resources, no changes to an CEQA impact determination or mitigation measure are necessary because the CMP revisions either add specificity to an existing measure, provide additional mitigation for a species beyond what is required to reach a determination of a less-than-significant impact, or are located within areas that have already been identified as compensatory mitigation locations, as described in the *Biological Resources* section of Final EIR, Volume 2, Common Response 11. For other resources, CMP revisions cause minimal change to a resource, do not affect a resource, or lessen the impact on a resource, as described in the *Other Resources* section of Final EIR, Volume 2, Common Response 11. The following changes to the CMP do not trigger recirculation because changes to, or addition of, mitigation measures that do not increase the severity of the environmental impacts disclosed in the draft EIR do not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5. (*Yerba Buena Neighborhood Consortium, LLC v. Regents of Univ. of California* (2023) 95 Cal. App. 5th 779, 808.) **Refinements to Design Commitments and Guidelines** Final EIR, Volume 2, Common Response 11 describes the following refinements that were

Modification	Modification Consideration
	made to the design commitments and guidelines in the CMP, Attachment 3F.1, and why they would not result in a change to any impact conclusions or require additional mitigation measures: CMP-0: *General Design Guidelines* was updated to provide more detail about DWR's commitment to compensate for habitat impacts that could occur as a result of the CMP; Additional detail was added to CMP-9 to better define suitable habitat and to clarify conditions of propagation of seed as mitigation for special-status plants; for California tiger salamander, CMP-13 was modified to require that mitigation habitat will be located adjacent or connected to occupied upland or aquatic habitat; for tricolored blackbird, CMP-22a was revised to define high and very high-quality breeding season foraging habitat and CMP-22b was modified to add compensation for impacts on breeding season foraging habitat at a ratio of 1:1, which would consist of the creation or enhancement of grassland, vernal pool complex, alkaline seasonal wetland, or suitable cultivated lands or the implementation of a site protection instrument; for Swainson's hawk, CMP-19 was modified to revise the land cover and crop types included in the very high, high, and moderate categories of foraging habitat value types. Furthermore, CMP-29 was added; it describes compensation design guidelines specific to Crotch bumble bee to further clarify how grassland mitigation will support Crotch bumble bee to compensate for potential impacts on the species and its habitat. **Additional Revisions to the CMP** As described in Final EIR, Volume 2, Common Response 11, the CMP was also updated to include the following revisions: The addition of mitigation ratios developed in consultation with CDFW and USFWS through the project permitting process; additional language to describe in more detail the sequence and timing of mitigation implementation including the 10% stay-ahead commitment for mitigation; further detail to clarify the commitment by DWR that compensation lands will be managed to provide habitat for multiple species and to clarify the conversions of existing land cover to created, enhanced, or unchanged habitat in comparison with existing land cover; the removal of tidal habitat restoration on Bouldin Island; and the potential for additional grassland mitigation to occur in construction areas identified as permanent (affected for greater than 1 year) impacts.

Modification	Modification Consideration
Clarifications regarding water transfers in Appendix 3H, *Non-Project Water Transfer Analysis for Delta Conveyance*, and additions to Final EIR, Volume 1, Chapter 9, *Water Quality*, and Chapter 12, Fish and Aquatic Resources, methods sections.	Appendix 3H, *Non-Project Water Transfer Analysis for Delta Conveyance*, was revised by adding clarifying text regarding how water transfers were considered in the EIR, which supports the statements in the EIR and responses to comments on the EIR. The additional text clarifies that the Delta Conveyance Project would not facilitate additional exports because the available capacity of the current SWP facilities to be used for transfers is not fully utilized. The explanation of carriage water in Appendix 3H was expanded to better clarify how carriage water requirements are determined as part of a water transfer. Both Final EIR, Volume 1, Chapter 9, *Water Quality*, and Final EIR, Volume 1, Chapter 12, *Fish and Aquatic Resources*, were updated to better explain how transfers through the Delta Conveyance Project facilities would not adversely affect water quality or aquatic resources or change the impact findings made for each resource topic. The added information does not result in a new or more severe impact requiring additional analysis, change impact conclusions presented in the Draft EIR, or require additional mitigation measures to which DWR is unwilling to commit. Therefore, the information does not constitute significant new information requiring recirculation under CEQA Guidelines Section 15088.5.

1

Attachment "B"

Statement of Overriding Considerations

California Public Resources Code section 21081, subdivision (b), and State CEQA Guidelines section 15093 provide that, when a public agency decision-maker approves a project that may have potentially significant, unavoidable environmental impacts identified in an environmental impact report, the decision-making body must state in writing the reasons to support its action based on the completed EIR and/or other information in the administrative record.

Here, the San Gabriel Valley Municipal Water District (the "District") is considering approval of a letter that commits the District to contribute additional funds for data collection and field work investigations, including ground-disturbing geotechnical work, water quality and hydrogeologic investigations, agronomic testing, the installation of monitoring equipment, construction test projects, pre-construction design work, and engineering work (collectively, "**Pre-Construction Work**") that will guide the ultimate design, appropriate construction methods, and monitoring programs for the Department of Water Resources' ("**DWR**") Delta Conveyance Project ("**DCP**"). The DCP entails the development of new diversion and conveyance facilities in the Sacramento-San Joaquin Delta ("**Delta**") to safeguard the State Water Project ("**SWP**"), which provides water supplies to the District. The District is not considering approval of the DCP at this time, nor is the District committing to a future approval of the DCP by approving the Pre-Construction Work.

DWR prepared and certified an Environmental Impact Report ("**EIR**") (State Clearinghouse Number 2020010227) that analyzed the potential environmental impacts of the DCP, inclusive of potential impacts associated with the Pre-Construction Work. The EIR concluded that the DCP, inclusive of the Pre-Construction Work, may have significant and unavoidable impacts on the environment, and these impacts are listed below and prefaced by their identification number from the EIR:

- Impact AG-1: Convert a Substantial Amount of Prime Farmland, Unique Farmland, Farmland of Local Importance, or Farmland of Statewide Importance as a Result of Construction of Water Conveyance Facilities
- Impact AG-2: Convert a Substantial Amount of Land Subject to Williamson Act Contract or under Contract in Farmland Security Zones to a Nonagricultural Use as a Result of Construction of Water Conveyance Facilities
- Impact AES-1: Substantially Degrade the Existing Visual Character or Quality of Public Views (from Publicly Accessible Vantage Points) of the Construction Sites and Visible Permanent Facilities and Their Surroundings in Nonurbanized Areas
- Impact AES-2: Substantially Damage Scenic Resources including, but Not Limited to, Trees, Rock Outcroppings, and Historic Buildings Visible from a State Scenic Highway
- Impact AES-3: Have Substantial Significant Impacts on Scenic Vistas
- Impact CUL-1: Impacts on Built-Environment Historical Resources Resulting

from Construction and Operation of the Project

- Impact CUL-2: Impacts on Unidentified and Unevaluated Built-Environment Historical Resources Resulting from Construction and Operation of the Project
- Impact CUL-3: Impacts on Identified Archaeological Resources Resulting from the Project
- Impact CUL-4: Impacts on Unidentified Archaeological Resources That May Be Encountered in the Course of the Project
- Impact CUL-5: Impacts on Buried Human Remains
- Impact TRANS-1: Increased Average VMT Per Construction Employee versus Regional Average
- Impact AQ-5: Result in Exposure of Sensitive Receptors to Substantial Localized Criteria Pollutant Emissions
- Impact NOI-1: Generate a Substantial Temporary or Permanent Increase in Ambient Noise Levels in the Vicinity of the Project in Excess of Standards Established in the Local General Plan or Noise Ordinance, or Applicable Standards of Other Agencies
- Impact PALEO-2: Cause Destruction of a Unique Paleontological Resource as a Result of Tunnel Construction and Ground Improvement
- Impact TCR-1: Impacts on the Delta Tribal Cultural Landscape Tribal Cultural Resource Resulting from Construction, Operations, and Maintenance of the Project Alternatives
- Impact TCR-2: Impacts on Individual Tribal Cultural Resources Resulting from Construction, Operations, and Maintenance of the Project Alternatives

In the judgment of the District's Board of Directors, each benefit of the Pre-Construction Work, as set forth below, outweighs – both individually and collectively – each of these potentially significant and unavoidable impacts for the reasons set forth below.

1. **The Pre-Construction Work is necessary for the safe and efficient design of the DCP**. The information collected from and generated by the Pre-Construction Work would be used to develop the DCP safely, efficiently, and in manner that minimizes impacts to the environment. For example, the information collected would be used to develop, among other things, detailed design of the DCP's structure and bridge foundations, new or modified levee cross sections, and ground improvement methodology. Moreover, information from the Pre-Construction Work would determine selection of tunnel boring machine methods, dewatering methods and quantities, below-grade construction methods (such as at the shafts and the pumping plant), need for impact pile driving, and methods to reduce ground settlement risk at all construction sites and along the tunnel alignment. The information would also be used to determine the specific depths and widths of groundwater cutoff walls to be installed at select construction sites. Additionally, soil samples obtained during soil borings would be analyzed to determine the structural capabilities of the soil to construct tunnel shaft pads and levee improvements, among other things. Soil and water quality tests would also be conducted to determine the potential for the presence of high concentrations of metals, organic materials, or hazardous materials that would require specific

treatment and/or disposal methods. Thus, the Pre-Construction Work would generate information necessary to guide any construction of the DCP in a manner that would minimize its potential environmental impacts and most efficiently achieve the DCP's objectives.

2. **The DCP, which cannot be developed without the Pre-Construction Work, would restore and protect the reliability of SWP Water Deliveries South of the Delta**. The primary purpose of the SWP is to convey water to local and regional water suppliers, including the District, across California that, in turn, supply end users engaged in the beneficial uses of that water. Protection of the SWP is thus important to the District. The Pre-Construction Work will help ensure that the DCP, if constructed, will help protect SWP water deliveries to the District by addressing seismic risks. Notably, the current SWP system relies heavily on natural channels within the Delta to convey water and is extremely vulnerable to seismic events because most land in the central Delta has subsided well below sea level. If levees fail because of a seismic event, seawater intrusion from the western Delta could create salinity conditions that could require ceasing diversions from the SWP's current point of diversion in the south Delta. The capability of the DCP to continue operations would improve the ability of SWP Delta facilities to function after a seismic event by operating diversion facilities north of existing SWP facilities. The operations of the DCP would allow continued water supply diversions should south Delta export facilities become inoperable.

   The DCP cannot proceed without the Pre-Construction Work, and the DCP would allow continued water deliveries to the District and operational flexibility in the event of a catastrophic levee failure from seismic activity that could temporarily disrupt water supply or affect water quality.

3. **The DCP, which cannot be developed without the Pre-Construction Work, would restore and protect the reliability of SWP Water Deliveries South of the Delta by addressing reasonably foreseeable consequences of climate change and extreme weather events**. The DCP is part of the State of California's strategy to adapt the SWP water supply to climate change. As described in the Final EIR certified for the DCP, Volume 1, Chapter 30, *Climate Change*, projected future conditions under climate change, such as higher average temperature and more extreme variability in annual precipitation patterns, is anticipated to further diminish overall water supply and reliability of water delivery to the District. Climate change is already taking a toll on California's water supplies in the form of more frequent and more severe droughts. A warmer atmosphere would modify precipitation and runoff patterns and affect extreme hydrologic events like floods and droughts. It is anticipated that droughts would increase in severity and duration, resulting in periods of critical dryness, further reducing Delta inflows during these dry periods. At the same time, associated increases in the frequency and severity of flashy storms in the cool season could increase high-flow events and flood risk in the Delta. These trends point to the need for alternate methods of water diversion and conveyance to effectively respond to changing water flow regimes under future climate change. In this context, the District considers capture and conveyance in the Delta as important potential adaptations in protecting the SWP from future climatic change and mitigating system losses due to changing precipitation patterns and seasonal runoff. Having alternative points of diversion in the north Delta would increase resiliency in managing combined effects of sea level rise, including potential impacts on Delta morphology, and changes to timing and quantity of seasonal runoff. As water demand and supply challenges continue to increase, the DCP is designed to enhance resilience to climate change impacts and ensure that safe and reliable water deliveries to the District continue far into the future (California Department of Water Resources 2023b).

4. **The DCP, which cannot be developed without the Pre-Construction Work, would restore and protect the reliability of State Water Project Water Deliveries South of the Delta by addressing sea level rise**. The DCP would protect the District SWP water supplies by facilitating adaption to sea level rise and potential changes in hydrologic conditions associated with climate change. As described in Final EIR, Volume 1, Appendix 6A, *Water Supply 2040 Analysis*, the DCP would improve SWP water supply reliability under current and future conditions, including extreme high sea level rise. As the District relies on SWP water supply, the Pre-Construction Work, and the DCP that it would enable, would provide significant benefits to the District.

5. **The Pre-Construction Work is necessary to obtain a more accurate cost estimate in relation to prudent financial planning and decision making of the District.** The ultimate financial costs of the DCP are continuing to be refined as feasibility, planning, and design evolve. Until more information is known regarding the precise construction techniques, unique localized conditions that may increase construction costs, and potential schedule for any future construction, the financial cost of the DCP will continue to evolve. The District wishes to better confirm the ultimately anticipated DCP costs, in order to allow for better disclosure to its member cities and in considering future financial planning efforts. The Pre-Construction Work is necessary to achieve those ends.

Through this Statement of Overriding Considerations, and based on the substantial evidence in the administrative record, the District's Board of Directors has weighed the Pre-Construction Work's benefits against its environmental impacts and finds that the Pre-Construction Work's potentially significant and unavoidable environmental impacts are "acceptable" in light of the environmental, economic, legal, social, technological, and/or other considerations set forth herein, and that each benefit of the Pre-Construction Work outweighs, both individually and collectively, the potentially significant and unavoidable environmental impacts.

State of California
California Natural Resources Agency
DEPARTMENT OF WATER RESOURCES

AGREEMENT FOR THE ADVANCE OR CONTRIBUTION OF MONEY TO THE DEPARTMENT OF WATER RESOURCES BY THE SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT

FOR PRELIMINARY PLANNING AND DESIGN COSTS RELATED TO A POTENTIAL DELTA CONVEYANCE PROJECT

THIS AGREEMENT is made, pursuant to the provisions of all applicable laws of the State of California, between the State of California, acting by and through its Department of Water Resources ("Department" or "DWR"), and the San Gabriel Valley Municipal Water District ("Contractor"), each herein referred to individually as a "Party" and collectively as the "Parties".

Recitals

WHEREAS, DWR and the Contractor listed on the signature page hereto have entered into and subsequently amended a long-term water supply contract, herein referred to as a "Water Supply Contract," providing that DWR will supply certain quantities of water to the Contractor, providing that Contractor shall make certain payments to DWR, and setting forth the terms and conditions of such supply and such payments; and

WHEREAS, the Bay Delta Conservation Plan ("BDCP") process was initiated in 2005-2006 and the Delta Habitat Conservation and Conveyance Program ("DHCCP") was initiated in 2008; and

WHEREAS,. the Bay Delta Conservation Plan ("BDCP") and ("DHCCP") resulted in development of a project known as the California WaterFix ("WaterFix"); and

WHEREAS, on July 21, 2017, DWR approved the California WaterFix project; and

WHEREAS, certain Contractors have entered into that certain Joint Powers Agreement dated May 14, 2018 forming the Delta Conveyance Design and Construction Authority ("DCA"); and

WHEREAS, DWR and DCA have entered into that certain Joint Powers Agreement ("JEPA"), dated May 22, 2018, as amended and restated, and as the same has or may be further amended, wherein the DCA will provide preliminary design, planning and other preconstruction activities

to assist the environmental planning process for a potential Delta conveyance project under the supervision of DWR (the "Work" as defined in the JEPA); and

WHEREAS, a copy of the resolution of the Board of Directors of Contractor authorizing its General Manager to execute this Agreement is attached hereto as Exhibit A; and

WHEREAS, a State Agency may advance or contribute funds to DWR for SWP purposes pursuant to Water Code section 11135 and (ii) DWR may accept such advanced or contributed funds and thereafter use such funds in accordance with the terms of this Agreement pursuant to Water Code section 11141; and

WHEREAS, DWR and Contractor desire to enter into this funding Agreement to provide for the contribution or advance of funds to DWR and authorize the use of the contributed funds for purposes related to environmental review, planning and design of a Delta conveyance project as described below.

AGREEMENT

NOW, THEREFORE, it is mutually agreed by the Parties as follows:

1. When used in this Agreement, terms defined in the Water Supply Contract (as defined herein) shall be defined by reference to the Water Supply Contractor. In addition, the following definitions shall apply:

    a. "**Calendar Year**" means the period January 1 through December 31.

    b. "**Contributed Funds**" means money contributed or advanced to DWR by Contractor pursuant to this Agreement. The total initial amount Contractor agrees to provide is $2,678,173.00, and is comprised of the following annual amounts to be paid to DWR in the manner described in Section 5 of this Agreement: $496,856.00 for 2021; $484,737.000 for 2022; $807,895.00 for 2023; and $888,685.00 for 2024.

    c. "**Contribution Payment(s)**" means the payments of Contributed Funds that Contractor agrees to provide to DWR pursuant this Agreement

    d. "**Contractor**" means a State Agency that is a party to a Water Supply Contract with DWR.

    e. "**Department**" or "**DWR**" means the California Department of Water Resources.

    f. "**Effective Date**" has the meaning ascribed to it in section 11 hereof.

g. "**JEPA**" means the Joint Exercise of Powers Agreement between DWR and the DCA dated May 22, 2018, as amended and restated and as may be further amended from time to time.

h. "**Pay-Go Charge**" means the charge included on Contractor's Statements of Charges for the purpose of collecting Contributed Funds that Contractor agrees to advance or contribute to DWR pursuant to this Agreement.

i. "**Party**" or "**Parties**" means DWR, the undersigned Contractor, or all signatories to this Agreement.

j. "**State Agency**" has the meaning ascribed to it by Water Code section 11102.

k. "**SWP**" or "**State Water Project**" means the State Water Project operated by DWR. The SWP generally includes the State Water Facilities, as defined in California Water Code section 12934(d), and certain facilities authorized by the Central Valley Project Act at section 11100 *et. seq*.

l. "**Water Supply Contract**" means the long-term water supply contract, as amended and as may be amended in the future, between Contractor and DWR.

m. "**Work**" has the meaning ascribed to it in the Recitals to this Agreement.

2. Effect of Agreement. DWR and Contractor agree that nothing in this Agreement supersedes previous funding agreements or the obligations under those funding agreements unless specifically addressed in this Agreement.

3. Purposes of Agreement. This Agreement documents Contractor's agreement to provide Contributed Funds to DWR for the purposes set forth in Section 4, the manner of providing those funds as set forth in Section 5, and the means by which future contributions may be made.

4. Use of Funds. DWR shall use the Contributed Funds and any future Contributed Funds collected from Contractor pursuant to section 5 hereof, for the payment of DCA invoices submitted to DWR on or after October 1, 2020 for the Work done or costs incurred by DCA, or for Delta conveyance project planning work done by DWR through the Delta Conveyance Office ("DCO") and any other purpose consistent with the JEPA, as the same has been, and may be, amended from time to time. DWR will not use funds provided under this Agreement for the activities described in the Mitigated Negative Declaration for Soil Investigations for Data Collection in the Delta adopted by DWR on July 9, 2020.

5. Charge Procedure. Contractor shall pay its Pay-Go Charge on the date(s) and in the amount(s) set forth on the revised Statement of Charges for 2021, and subsequent Statements of Charges issued to Contractor by DWR. The annual amounts will be paid in twelve monthly installments. Contractor may agree, without amending this Agreement, to advance additional funds after the Effective Date, which shall be considered Contributed

Funds, by delivery to DWR of a letter in substantially the form attached hereto as Exhibit B, which letter shall specify the amount to be advanced or contributed, whether the payments will be in the form of one or more lump sums or in 12 equal installments, and together with such other information the Parties deem necessary or desirable to effectuate the advance or contribution. A copy of the resolution, or other Board authorization, of Contractor's Board of Directors approving the subject contribution shall be enclosed with the letter. Upon receipt of a contribution letter DWR shall indicate its agreement by returning a counter signed copy of the letter to Contractor. The agreed upon advance or contribution shall thereafter be included in Contractor's Statement of Charges or a revised Statement of Charges, as appropriate. The charge shall be designated by reference to the year in which the charge is to begin, followed, if there be more than one such subsequent advance or contribution in a year by a dash and an integer followed by the words Pay-Go Charge.

6. Limitation. With respect to the Work and the DCA, nothing in this Agreement imposes any duty or obligation either expressly or by implication on DWR other than the duty to use Contributed Funds to pay the undisputed portion of DCA invoices submitted to DWR during the term of this Agreement in accordance with the terms of this Agreement and the JEPA if, as and when Contributed Funds have been received by DWR under this Agreement and other similar agreements or arrangements with other Contractors for purposes substantially the same as those described herein and is available for the payment thereof.

7. Reporting. DWR, through its DCO and in coordination with its State Water Project Analysis Office (SWPAO), shall annually prepare a report summarizing the advances or contributions received, and expenditures made pursuant to, this Agreement. The first such report shall be completed not later than March 31, 2021 and thereafter not later than March 31 of each subsequent year. Contractor may request in writing a summary of the advances, contributions, and expenditures at any time during the term of this Agreement and DWR shall provide such within thirty (30) days of such written request.

8. Status of Project. Contractor recognizes that the funds contributed pursuant to this Agreement are for the planning activities in support of DWR's environmental review and permitting process, including but not limited to the Work, for a potential Delta Conveyance project. The advance or contribution of Contributed Funds is not contingent on, or in exchange for, DWR's agreement to exercise its discretion in future to approve a Delta conveyance project.

9. Unspent Funds. Upon termination of this Agreement, it is the intent of the Parties that any unspent Contributed Funds remaining after payment of all costs for which the funds were contributed will be returned to Contractor as a credit on Contractor's Statement of Charges in proportion to its percentage share of advances or contributions made by all Contractors that entered into Agreements similar to this Agreement.

10. Reimbursement of Contributed Funds. If a Delta conveyance project is approved by DWR and is implemented it is the intent of the Parties hereto that the Contributed Funds

spent in accordance with this Agreement be reimbursed or credited to Contractor according to the relative amount each such Contractor paid pursuant to this Agreement, upon the issuance and sale of revenue bonds by either the Department or a Joint Powers Authority established , whichever occurs earlier, for the purpose of, among other things, funding a future Delta conveyance facility. The Department shall be under no obligation to issue and sell bonds for the purpose(s) described in the foregoing sentence or to undertake any reimbursement or credit as so described, unless a determination is first made by DWR in its sole discretion that such issuance and sale of revenue bonds, such reimbursement, or such credit as applicable is consistent with applicable law, applicable judicial rulings, and applicable contractual obligations of DWR, and the Parties have negotiated and executed such further agreements as may be necessary to accomplish such credit or reimbursement on terms acceptable to DWR.

11. Effective Date and Term. This Agreement shall become effective on the date the last Party hereto signs the Agreement as set forth on the signature page(s) hereto ("Effective Date") and shall continue in effect until terminated in writing by the Parties. The Parties obligations under Section 10 shall survive termination of this Agreement.

12. Invoices, Notices or Other Communications. All invoices, notices, or other communications required under this Agreement will be in writing, and will be deemed to have been duly given upon the date of service, if: (i) served personally on the Party to whom notice is to be given; (ii) sent by electronic mail, and the Party to whom notice is to be given confirms receipt; or (iii) on the third day after mailing, if mailed to the Party to whom invoice, notice or other communication is directed, by first-class mail, postage prepaid, and properly addressed to the designated representative(s) of the Party set forth below.

DWR:

Pedro Villalobos
Chief, State Water Project Analysis Office
Department of Water Resources
1416 Ninth Street, Room 1620
Post Office Box 94236
Sacramento, California 94236-0001

Copy to
Anthony Meyers
Executive Director, Delta Conveyance Office
Department of Water Resources
901 P Street, Room 413
Sacramento, California 94236-0001

Copy to
Christopher Martin
Office of the Chief Counsel
Department of Water Resources
1416 Ninth Street, Room 1620

Post Office Box 94236
Sacramento, California 94236-0001

Contractor:

Copy to:
Darin Kasamoto
General Manager
San Gabriel Valley Municipal Water District
1402 East Vosburg Drive
Azusa, CA 91702

13. No Delegation of Authority. Nothing in this Agreement constitutes a delegation by any Party of its existing authority to make any decision it is mandated to make. Nothing in this Agreement shall limit DWR's final decision-making authority at the time of consideration of future Delta conveyance facility related approvals. All provisions of this Agreement are intended to be, and shall to the extent reasonable be interpreted to be, consistent with all applicable provisions of State and federal law. The undersigned recognize that the Parties are public agencies and have specific statutory responsibilities, and that actions of these public agencies must be consistent with applicable procedural and substantive requirements of State and federal law. Nothing in this Agreement is intended to, nor will have the effect of, constraining or limiting any public agency in carrying out its statutory responsibilities or requiring an agency to take any action inconsistent with applicable law. Nothing in this Agreement constitutes an admission by any Party as to the proper interpretation of any provision of law, nor will it have the effect of, waiving or limiting any public entity's rights and remedies under applicable law except as expressly provided elsewhere in this Agreement. Execution of this Agreement does not constitute pre-approval of any project or preferred project alternative, or waive or otherwise abridge responsible trustee duties required, or discretion authorized or granted by, State and federal law.

14. Amendment. Except as otherwise set forth above, this Agreement may only be amended or modified by a subsequent written agreement approved and executed by both Parties.

15. Applicable Law. This Agreement will be construed under and will be deemed to be governed by the laws of the United States and the State of California.

16. Integration. This Agreement constitutes the sole, final, complete, exclusive and integrated expression and statement of the terms of this Agreement among the Parties concerning the subject matter, and supersedes all prior negotiations, representations or agreement, either oral or written, that may be related to the subject matter of this Agreement.

17. Counterparts. This Agreement may be executed in counterparts, each of which shall constitute an original, but all of which shall constitute one and the same agreement. Each signing Party shall have received a copy of the signature page signed by every other Party.

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IN WITNESS WHEREOF, the Parties hereto, by their authorized representatives, have executed this Agreement on the date(s) set forth below.

Approved as to Legal Form
and Sufficiency

Spencer kenner
Spencer Kenner, Chief Counsel

1/6/2021
Date

State of California
Department of Water Resources

Jed Craddock
Karla A. Nemeth,
Director

1/6/2021
Date

Approved as to Legal Form
and Sufficiency

Signature
JAMES D. CIAMPA
Printed Name

12/1/2020
Date

San Gabriel Valley Municipal Water District

Signature
DARIN J. KASAMOTO
Printed Name

GENERAL MANAGER
Title

12/9/2020
Date

Exhibit A

Resolution of the Board of Directors of Contractor

SAN GABRIEL VALLEY
MUNICIPAL
WATER DISTRICT
AZUSA | SIERRA MADRE | MONTEREY PARK | ALHAMBRA

Board Members:
Mike Eng
Bruce H. Knoles
Mark R. Paulson
Steven T. Placido, DDS
Miles L. Prince

Darin J. Kasamoto
General Manager

Steve Kiggins
Assistant General Manager

October 14, 2024

Delta Conveyance Office
Department of Water Resources
901 P. St. Room 413
Sacramento, CA 94236-0001

Re: Contribution or Advance of Money for Delta Conveyance Planning Activities

Dear Ms. Lin:

This letter is sent pursuant to section 5 of the Agreement for the Advance of Contribution of Money to the Department of Water Resources for Preliminary Planning and Design Costs Related to a Potential Delta Conveyance Project dated 1/6/2021 between Department of Water Resources and the San Gabriel Valley Municipal Water District ("Funding Agreement").

On October 14, 2024, the Board of Directors of San Gabriel Valley Municipal Water District approved the contribution or advance of $2,370,000.00 to the Department for use in accordance with the terms of the Funding Agreement. A copy of the Board's resolution is enclosed with this letter. The contribution or advance will be collected from San Gabriel Valley Municipal Water District in equal monthly installments by inclusion of a charge on its Statement of Charges for 2026. The charge shall be referred to as the 2026 Pay-go Charge. As provided by section 5 of the Agreement the contribution or advance described herein will be subject to the terms and conditions of the Agreement.

Please confirm your agreement to the foregoing by countersigning in the space provided below and returning an original copy of this letter agreement to San Gabriel Valley Municipal Water District at P.O. Box 1299, Azusa, CA 91702.

Sincerely,

Darin J. Kasamoto
General Manager

Enclosure(s)
cc: Anthony Meyers, Anthony.meyers@water.ca.gov
Joe Byrne, joseph.byrne@bbklaw.com,
Theresa Lightle, tlightle@swc.org,

AGENDA ACTION ITEM NO. 2

RESOLUTION NO. 10-2024-840 APPOINTING WATERMASTER REPRESENTATIVE

RECOMMENDED ACTION: None

BACKGROUND: We appoint our representative to serve on the Watermaster Board on an annual basis. Currently Director Placido is our representative.

BUDGET IMPACT: N/A

PRIOR BOARD ACTION: N/A

RESOLUTION NO. 10-2024-840

A RESOLUTION OF THE BOARD OF DIRECTORS OF SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT APPOINTING WATERMASTER REPRESENTATIVE

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT that _____, is appointed to Represent the District as a member of the Main San Gabriel Basin Watermaster for the 2025 calendar year.

BE IT FURTHER RESOLVED that the Secretary shall transmit a certified copy of this resolution to the Secretary at the Main San Gabriel Basin Watermaster with a request that _____ appointment be confirmed.

PASSED, APPROVED AND ADOPTED on October 14, 2024.

_____
President

ATTEST:

_____
Secretary

AGENDA ACTION ITEM NO. 3

RESOLUTION NO. 10-2024-841 APPOINTING REPRESENTATIVE AND ALTERNATE TO WATER QUALITY AUTHORITY (WQA)

RECOMMENDED ACTION: None

BACKGROUND: This is a four-year appointment; the current Representative is Director Paulson, and the Alternate is Director Placido, DDS.

RESOLUTION NO. 10-2024-841

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT APPOINTING A REPRESENTATIVE AND ALTERNATE TO SERVE ON THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY

WHEREAS, on September 22, 1992, Senate Bill 1679 was signed into law by Governor Pete Wilson authorizing the creation of the San Gabriel Basin Water Quality Authority (WQA); and

WHEREAS, the Board of the San Gabriel Basin Water Quality Authority is composed of seven members with three appointed members from each of the three municipal water districts, one elected city council person from cities in the San Gabriel Basin with prescriptive pumping rights, one elected city council person from cities in the San Gabriel Basin without prescriptive pumping rights, and two appointed members representing water producers in the San Gabriel Basin; and

WHEREAS, the San Gabriel Valley Municipal Water District is one of the municipal water districts in the San Gabriel Basin; and

WHEREAS, it is now time to appoint the municipal water district's representatives and alternates for the four-year term commencing on January 1, 2025; and

WHEREAS, said appointments shall be made by Resolution adopted by the majority of the Board.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT AS FOLLOWS:

Section 1. _____ is hereby appointed as the representative to the governing Board of WQA.

Section 2. _____ is hereby appointed as the alternate representative to the governing Board of the WQA.

PASSED, APPROVED AND ADOPTED this 14th day of October, 2024.

_____
President

ATTEST:

_____
Secretary

(SEAL)

AGENDA ACTION ITEM NO. 4

FREMONT ELEMENTARY SCHOOL (FES) MULTIBENEFIT CAMPUS GREENING PROJECT

RECOMMENDED ACTION: Approve Asian Pacific Islander Forward Movement (APIFM) – Freemont Elementary School (FES) Multibenefit Campus Greening Project Proposal for $50,000.

BACKGROUND: APIFM is partnering with the Alhambra Unified School District (AUSD) and the Council for Watershed Health (CWH) to implement a greening and stormwater capture initiative at Fremont Elementary School (FES). The project aims to improve the school environment by addressing health issues caused by its proximity to the busy Interstate-10 freeway, including poor air quality, extreme heat, and pedestrian safety. Funding from the District will facilitate community engagement to educate residents about health impacts from extreme heat and help design the stormwater capture project. This engagement will also support future funding applications for professional landscape design services.

BUDGET IMPACT: N/A

PRIOR BOARD ACTION: N/A

Project Overview

Project Title
Fremont Elementary School (FES) Multibenefit Campus Greening Project

Project Summary
APIFM's Water is Life project will collaborate with the Alhambra Unified School District (AUSD) and the Council for Watershed Health (CWH) to develop a multi-benefit stormwater capture project that will green the campus of Fremont Elementary School (FES) while ameliorating the poor health impacts related to the school's location next to the busy Interstate-10 freeway, including poor air quality, extreme heat exposure, and pedestrian safety. After months of community outreach and engagement in the City of Alhambra, the area around FES was identified as a potential site for a multi-benefit project. APIFM is in the process of developing and strengthening relationships with project stakeholders including the AUSD Superintendent, FES Principal, FES Parent Teacher Association, and the school community. This proposal will fund community engagement to develop a design for the multi-benefit project.

Project Goal
Funding from the San Gabriel Valley Municipal Water District will support the collaboration with the AUSD, FES and the CWH to educate community members on the health and environmental impacts of extreme heat and engage the school community in order to inform a conceptual design for a multi-benefit stormwater capture project. Community engagement will allow APIFM and the school district to apply for funding to hire a landscape design company to develop formal CAD drawings with site details to include engineering elements, construction notes and cost estimates for project implementation.

Focus Community
The project will be implemented at Fremont Elementary School (FES) in Alhambra, California and involve active engagement on campus. FES is a K-8, Title I elementary school which is operated by the Alhambra Unified School District. Enrollment data from 2020 show that 59% of FES students are socioeconomically disadvantaged with 26% of the students listed as English language learners. Additionally, of the District's 15,000 students, 54% qualify for free or reduced meals; 47% identify as Asian, 43% identify as Hispanic or Latino.

FES is located next to the Interstate 10-freeway. The front entrance of FES is located on Elm Street which connects to the freeway off-ramp while the kindergarten school yard is next to Hellman Avenue which leads to the freeway on-ramp. According to the Centers for Disease Control and Prevention's Environmental Justice Index (EJI) Explorer mapping tool, the school and its adjacent neighborhood are located in Census Tracts 4819.01 and 4819.02, with a total resident population of approximately 10,000 people. Both tracts experience elevated levels of air pollution with high exposure to ozone and particulate matter (PM) 2.5, which have been shown to cause asthma (or other

respiratory issues), behavioral problems, and obesity, especially in young children even if school children spend only one-third of their waking hours in school. Additionally, both census tracts are burdened with a high daily volume of vehicles and polluted surface water with Environmental Justice Indicator (EJI) rankings of 0.77 for high volume roads, and 0.85 and 0.91 respectively for impaired surface water - meaning that 85% and 91% of tracts in the nation are likely to experience less severe cumulative impacts in the category.

Expanding access to green spaces conveys myriad benefits that promote physical and mental wellness, and enhance students' ability to learn. These are important for the district's students, especially students of color and those who are lower income who might otherwise not have regular access to these amenities. Furthermore, this initiative not only aligns with the State's and County's goal of building resilience against extreme heat and expanding opportunities for water capture, but also fosters a sense of ownership among key stakeholders, while serving as a replicable model for similar initiatives across the region. This collaboration promises to cultivate a healthier environment that can protect students and the broader school community, thereby making it an example for future urban school greening efforts.

Partnerships

APIFM's primary partner will be the Council for Watershed Health (CWH). The CWH was founded in 1996 to "advance the health and sustainability of our region's watersheds, rivers, streams, and habitats - both in natural areas and urban neighborhoods." In 2021, after learning about APIFM's environmental justice work in underserved API communities, the CWH reached out to invite APIFM to be a mentee in the ReDesign LA cohort. As a mentee, APIFM received mentorship to learn about water capture and conservation, and learn from projects that other cohort members are working on. Through ReDesign LA, APIFM was able to visit with different nonprofits and schools to learn about their engagement, design, fund development and project implementation. With its own funding grant from the Accelerate Resilience LA (ARLA) the CWH has provided technical assistance and mini-grants as APIFM continues to develop a relationship with the AUSD to plan for campus greening at Fremont Elementary School (FES). For this proposal, the CWH will inform the development of community engagement tools to ensure that data collected from the campus community will be able to inform the technical requirements of the landscape design.

Another partner will be the AUSD. For the last year, APIFM has been meeting with Superintendent Denise Jaramillo, who has expressed her interest and support of campus greening to promote the health and safety of the school community. Superintendent Jaramillo has agreed to permit the community engagement efforts at FES and has invited several of her key staff members to join meetings the district has with APIFM including Juanita Orta, Interim Assistant Superintendent - Business Services and Keith Matsuo, Director of Construction.

APIFM will also collaborate with parents of FES students through the Parent Teacher Association (PTA) and the AUSD School Board. A small group of FES parents have

voiced their concerns about the air quality, pedestrian safety and lack of shade/green spaces to the AUSD, and many have joined the SSGV Coalition to participate in the community survey and community walk (described in the Community Involvement section). APIFM will remain in close engagement with the FES PTA and reach out to other parents to actively involve them in the design of the school greening project.

Funding Opportunities

Task	$100,000 Tier	$75,000 Tier	$50,000 Tier
Task 1: Project Preparation	● Secure clearances ● Develop partnership agreements ● Develop regular meetings	● Secure clearances ● Develop partnership agreements ● Develop regular meetings	● Secure clearances ● Develop partnership agreements ● Develop regular meetings
Task 2: Community Engagement Tool Development	● Direct surveyor site assessment ● Develop community engagement tools ● Develop data collection tools ● Provide translations and interpretation	● Develop community engagement tools ● Develop data collection tools ● Provide translations and interpretation	● Develop community engagement tools ● Provide translations and interpretation
Task 3: Comprehensive Design Process	● Develop Community Engagement Plan ● Launch engagement ● Coordinate engagement with stakeholders ● Conduct 2 extreme heat education workshops	● Develop Community Engagement Plan ● Launch engagement ● Coordinate engagement with stakeholders ● Conduct 2 extreme heat education workshops	● Develop Community Engagement Plan ● Launch engagement ● Develop and distribute extreme heat education flyers

$100,000 Funding Tier

Task 1: Project Preparation
This task focuses on preparing all parties for implementation of the grant. This includes securing clearances for SSG/APIFM and CWH staff to obtain necessary security and health clearances to access the school campus, while crafting a detailed partnership agreement with AUSD & CWH. Key to this phase is the establishment of consistent communication channels to monitor adherence to the project timeline and budget.

Task 2: Community Engagement Tool Development
This task shifts focus to developing community engagement tools. This includes a detailed site assessment to understand opportunities, challenges, and constraints for changes on campus by a surveyor. The task culminates in the creation of educational tools and materials which include design packets for classroom use and multilingual surveys for parent input regarding campus amenities. SSG/APIFM will work with partners to develop data collection and design tools to further collect data for community engagement. The deliverables aim to increase understanding of key stakeholder attitudes related to gathering data, a process essential for informed decision-making in the design of the schoolyard.

Task 3: Comprehensive Design Process
This task will include a formal launch in partnership with FES. A series of engagement activities will be scheduled and implemented with the FES community, including design workshops with extreme heat education components. Input will be gathered from teachers, students, and parents to address the needs of FES effectively.

$75,000 Funding Tier

Task 1: Project Preparation
This task focuses on preparing all parties for implementation of the grant. This includes securing clearances for SSG/APIFM and CWH staff to obtain necessary security and health clearances to access the school campus, while crafting a detailed partnership agreement with AUSD & CWH. Key to this phase is the establishment of consistent communication channels to monitor adherence to the project timeline and budget.

Task 2: Community Engagement Tool Development
This task shifts focus to developing community engagement tools. The task culminates in the creation of educational tools and materials which includes design packets for classroom use and multilingual surveys for parent input regarding campus amenities. SSG/APIFM will work with partners to develop data collection and design tools to further collect data for community engagement. The deliverables aim to increase an understanding of key stakeholder attitudes related to gathering data, a process essential for informed decision-making in the design of the schoolyard.

Task 3: Comprehensive Design Process

This task involves scheduling and implementing a series of engagement activities with the FES community, including design workshops with extreme heat education components. Input will be gathered from teachers, students, and parents to address the needs of FES effectively. This task will include a formal launch in partnership with FES.

Exclusions: This tier excludes the thorough site analysis of the campus by a subcontracted surveyor.

<u>$50,000 Funding Tier</u>

Task 1: Project Preparation
This task focuses on preparing all parties for implementation of the grant. This includes securing clearances for SSG/APIFM and CWH staff to obtain necessary security and health clearances to access the school campus, while crafting a detailed partnership agreement with AUSD & CWH. Key to this phase is the establishment of consistent communication channels to monitor adherence to the project timeline and budget.

Task 2: Community Engagement Tool Development
This task shifts focus to developing community engagement tools. The task culminates in the creation of educational tools and materials which include design packets for classroom use and multilingual surveys for parent input regarding campus amenities. The deliverables aim to increase an understanding of key stakeholder attitudes related to gathering data, a process essential for informed decision-making in the design of the schoolyard.

Task 3: Comprehensive Design Process
This task involves scheduling and implementing a series of engagement activities with the FES community. SSG/APIFM will develop and distribute extreme heat educational flyers to further educate on the impacts of extreme heat for students. This task will include a formal launch in partnership with FES.

Exclusions: This tier excludes the development of data collection and design tools, comprehensive community engagement with parents, teachers, and FES staff. Instead of hosting workshops for design and extreme heat education, SSG/APIFM will develop and distribute extreme heat educational flyers. The number of meetings will also be reduced compared to the higher funding tiers. This tier will also exclude the thorough site analysis of the campus by a subcontracted surveyor.

Staff
This project will be led by APFIM's Water is Life team members, Je-Show Yang and Jean Park, who helped to develop the pilot water conservation and capture outreach and education project funded by the U.S Environmental Protection Agency (EPA). Mr. Yang and Ms. Park have spent the last three years working with the Council for Watershed Health to understand the intersections between air quality, water capture and conservation, and public health while engaging with residents, city leaders, and city staff on these intersecting environmental justice issues. With technical consultation from

our partners at the CWH, Mr. Yang and Ms. Park will engage with the school district and FES school community to develop the preliminary multi-benefit project design. Staff qualifications are described below.

Je-Show Yang, SSG/APIFM's Program Manager, joined APIFM in 2020 to work on the Clean Air SGV project. In 2021, Mr. Yang shifted to mobilizing communities in Alhambra and Monterey Park around the city's planned investments for Measure R funding. He regularly met with key City Council members to discuss viable policies to reduce air pollution and successfully advocated for Monterey Park to consider alternative projects that focus on multimodal transit for their allocated Measure R funds. Recently, Je-Show worked with residents to push for sustainable transportation projects in the City of Alhambra by highlighting its impact on the community including around Fremont Elementary School. Je-Show brings over 5 years of experience in public affairs and policy. He holds a bachelor's degree in Political Science and Economics with a minor in Chinese from the University of Florida.

Jean Park, SSG/APIFM's Program Coordinator, has been working on APIFM's Clean Air SGV and Protect the San Gabriel Mountains Programs since March 2020. In 2021, Jean broadened her focus to include water capture and conservation. Jean leads APIFM's relationships with community members by communicating with the SSGV Coalition members, a group of over 100 residents who inform our work. Jean brings over 5 years of experience in community education, leadership development, outreach, and graphic design. She holds a bachelor's degree in Sociology from the University of Maryland, College Park.

Kyle Tsukahira, SSG/APIFM's Co-Director, has over 10 years of experience in leading community-based grassroots programs focused on health equity, food access, and environmental justice for API communities in Los Angeles. Kyle has been at the forefront of APIFM's air pollution work since 2013 and helped co-lead the Asian American Environmental Leadership Academy for local San Gabriel Valley youth. Kyle's leadership and expertise around environmental education, outreach, and advocacy will be vital to the success of this project, including overseeing other involved staff members. He holds a bachelor's degree in Asian and Asian American Studies and a Master's degree in Public Administration from California State University, Los Angeles.

Heng Lam Foong, SSG/APIFM's Co-Director, has over 25 years of experience in nonprofit management, community engagement, and policy advocacy. During her nonprofit tenure with organizations including Advancing Justice, Healthy Eating Active Communities South LA, and the Trust for Public Land, Heng Lam collaborated with multiracial and multiethnic coalitions on intersecting public health issues including food, water, park access, health coverage and language rights. Prior to her time at APIFM, Heng Lam spent 8-years at Occidental College, where she collaborated with students, faculty, and staff to develop the College's Public Health minor. She holds a B.A. in Communication Arts and an M.S. in Healthcare Administration.

Work Plan	
Proposal Name:	Fremont Elementary School (FES) Multibenefit Campus Greening Project
Lead Applicant:	Special Service for Groups/Asian Pacific Islander Forward Movement (SSG/APIFM)
Project Description:	SSG/APIFM has been working on environmental justice issues in Alhambra for over a decade, partnering with local residents on air quality, water, pedestrian safety and climate resilient issues. In collaboration with the AUSD, FES Parent Teacher Association (PTA) and the Council for Watershed Health (CWH), we will engage the school community to develop a community driven extreme heat mitigation plan by designing a multi-benefit project to green the schoolyard increasing shade and green space for this diverse community.

Task 1: Coordinate with AUSD for clearance to enter/engage the Fremont Elementary School community & ongoing project meetings with the District

Subtask	Description *Include detail of activities or deliverables*	Deliverables / Milestones *Major outcomes and/or metrics used to demonstrate success*	Timeline *Indicate month of project that activity will take place*	Task Lead *Which project partner is responsible for this task?*	Partners Involved *If the partners are not identified include future plans to engage*
Subtask A: Background check and clearance for APIFM & CWH	Complete all security & health clearances before accessing the FES campus.	Completed volunteer applications and clearances will be kept at AUSD	Months 1-2	APIFM	CWH
Subtask B: Prepare partnership agreements	Develop a clear partnership agreement outlining respective roles & responsibilities will be developed with AUSD & CWH. Meet with AUSD team for a clear understanding of existing AUSD standards, guidelines, and processes that may apply to school greening.	A completed MOU signed by AUSD & APIFM	Months 1-2	APIFM	AUSD & CWH
Subtask C: Schedule meetings for ongoing information sharing with partners	To ensure ongoing communication & relationship building, meetings will be scheduled with AUSD (biannually) and CWH (quarterly). APIFM staff will attend one FES PTA meeting during the school year.	Meeting invitations will be calendered and shared	Months 1-2	APIFM	AUSD, CWH, & FES PTA
Subtask D: Conduct ongoing assessment of project timeline & budget, grant deliverables and prepare required reports for funder	APIFM staff will conduct ongoing review of the work plan & budget to ensure project success. Required documentation will be prepared and submitted.	Narrative and financial reports, as well as APIFM team meeting minutes, will be kept on file	Ongoing	APIFM	N/A

Task 2: Research and develop community engagement tools and activities with partners

Subtask	Description *Include detail of activities or deliverables*	Deliverables / Milestones *Major outcomes and/or metrics used to demonstrate success*	Timeline *Indicate month of project that activity will take place*	Task Lead *Which project partner is responsible for this task?*	Partners Involved *If the partners are not identified include future plans to engage*
Subtask A: Research and develop engagement tools to inform & educate	Work with CWH to learn more about appropriate tools and questions that can help gather relevant data for a climate resilient multi-benefit project. Pay special attention to research findings on the benefits of school greening to student mental and physical health, as well as the impact of heat on learning and peer engagement.	Increased knowledge, case studies and templates from other schoolyard greening design projects	Month 4-5	APIFM	CWH
Subtask B: Translate community engagement materials	Develop age appropriate educational materials that focus on issues of extreme heat to be translated in Chinese, Spanish, and Vietnamese	Educational materials in English, Chinese (Simplified), Spanish, and Vietnamese	Months 5-6	APIFM	N/A

Task 3: Launch project and hold community engagement activities to design the schoolyard

Subtask	Description *Include detail of activities or deliverables*	Deliverables / Milestones *Major outcomes and/or metrics used to demonstrate success*	Timeline *Indicate month of project that activity will take place*	Task Lead *Which project partner is responsible for this task?*	Partners Involved *If the partners are not identified include future plans to engage*
Subtask A: Work with FES Principal to develop community engagement plan & timeline	Engage with FES Principal Chavez to understand the school schedule and identify optimal times to outreach on campus and hold meetings with students and parents.	AUSD 2024-2025 academic calendar, and FES specific calendar including staff & teacher work day schedules, grade specific class schedules, and FES PTA meeting schedule	Month 6	APIFM	AUSD & FES leadership

Subtask B: Launch project during school assembly	Invite Principal Chavez to announce the project and introduce APIFM during a school assembly.	FES community members understanding of the school greening project and opportunities to learn and inform the project	Month 7-9	APIFM	AUSD & FES leadership
Subtask C: Distribute at least fifty (50) educational flyers on extreme heat	Coordinate with FES leadership and FES PTA to distribute at least fifty (50) extreme heat educational materials to FES PTA members and school community, including students, teachers, and staff	Increased knowledge amongst FES community members, including students, parents, teahers and staff on the community and environmental health impacts of extreme heat and ways to mitigate extreme heat impacts through nature based solutions	Months 10-11	APIFM	FES leadership & FES PTA

Memorandum

To: San Gabriel Valley Municipal Water District Board of Directors

Cc: Darin Kasamoto, General Manager

From: Evelyn Reyes, External Affairs Manager

Date: October 1, 2024

Subject: External Affairs Report

Rebates:

	Rain Barrel	Washing Machines	High-Efficiency Toilets	Waterless Urinals	Smart Controllers	Sprinkler Nozzles	Soil Sensor	Flow Meter Monitor
	$35	$85	$40	$150	Up to $80	$2 – Min. 30	Up to $80	Up to $100
Monthly Total	0	4	3	0	1	0	0	0
FY 24/25 Total	16	5	4	0	1	0	0	1

Irrigation Direct Install Program:

Assessed Properties	10
Waiting Install	10
Total Installed	6

External Affairs meetings/events attended:

- WaterSmart Innovations Conference
- PWAG CET Committee Meeting
- Alhambra Chamber of Commerce Government Affairs Committee

Upcoming outreach events:

- October 5: Sierra Madre Health and Wellness Fair + Community Bike Ride – 9 am to 12 pm
- October 12: Sierra Madre Fire Prevention Fair – 9 am to 12 pm
- October 29: **Alhambra** Police Dept. Trunk or Treat – 5 pm to 7 pm

A REGULAR MEETING OF
THE MAIN SAN GABRIEL BASIN WATERMASTER
725 NORTH AZUSA AVENUE, AZUSA, CALIFORNIA
OCTOBER 2, 2024 AT 2:30 O'CLOCK P.M.

Agenda	**Action/Notes**

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL OF WATERMASTER MEMBERS

4. ADOPTION OF AGENDA [1]

5. TIME RESERVED FOR PUBLIC COMMENT

6. ITEMS REMOVED FROM CONSENT CALENDAR [1]

7. CONSENT CALENDAR [1]
   All items on Consent Calendar may be approved with single action.

   a) Minutes of a Public Hearing and Regular Meeting of Watermaster held September 4, 2024

   b) Lists of Demands

   c) Financial Statements, September 2024

8. A RESOLUTION OF THE MAIN SAN GABRIEL BASIN WATERMASTER EXPRESSING APPRECIATION, COMMEMORATING AND INVITING PUBLIC ATTENTION TO THE OUTSTANDING SERVICES RENDERED BY LUPE ARTIS UPON THE OCCASION OF HER RETIREMENT (Resolution No. 10-24-329) [1]

9. RECEIVE AND FILE THREE-YEAR PURCHASED WATER PLAN FOR FY 2024-25 TO 2026-27 [1]

10. REPORT FROM FINANCE COMMITTEE [1]

    a) Receive and File Audit Report for FY 2023-24

    b) Reaffirm Cash Investment Policy

11. AUTHORIZATION TO EXECUTE EXTENSION AGREEMENT FOR SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT FOR PRODUCER CYCLIC STORAGE ACCOUNT [1]

12. REQUEST FROM CITY OF ARCADIA TO PURCHASE 3,322.16 ACRE-FEET OF WATER FROM UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT FOR PRODUCER CYCLIC STORAGE [1]

13. ATTORNEY'S REPORT [2]

14. ENGINEER'S REPORT [2]

15. EXECUTIVE OFFICER'S REPORT [2]

16. REPORT FROM RESPONSIBLE AGENCIES [2]

17. REPORT FROM LOS ANGELES COUNTY [2]

18. OUTSIDE COMMITTEE LIAISON REPORTS [2]

19. INFORMATION ITEMS [2]

    a) Change of Designee for Moon Valley Nursery of California, Inc. to Robert Bowcock

    b) Transmittal of San Gabriel Valley Municipal Water District Monthly Report for August 2024

20. COMMENTS FROM WATERMASTER MEMBERS [2]

21. FUTURE AGENDA ITEMS [1]

22. CLOSED SESSION [1]
    A closed session may be called to discuss pending or potential litigation.

23. ADJOURNMENT

LEGEND

[1] INDICATES ACTION ANTICIPATED BY WATERMASTER ON THIS ITEM
[2] INDICATES INFORMATION ITEM - NO ACTION ANTICIPATED

Chair Lynda Noriega Presiding

A REGULAR MEETING
OF THE
SAN GABRIEL BASIN WATER QUALITY AUTHORITY
AT
1720 W. CAMERON AVENUE, SUITE 100
WEST COVINA, CALIFORNIA

WEDNESDAY, SEPTEMBER 18, 2024 AT 12:00 P.M.

Zoom Link:
https://us06web.zoom.us/meeting/register/tZwuc-uhpj0jG9FrMAFIhNpwmccVYD_7zuGX

AGENDA

I. CALL TO ORDER — **PAULSON**

II. PLEDGE OF ALLEGIANCE

III. REMOTE PARTICIPATION DECLARATION - AB 2449 — **MORENO**
[Government Code Section 54953(f)]

(a) Notification of Just Cause Remote Participation

(b) Notification and Vote to Approve Emergency Circumstance Request For Remote Participation

IV. ROLL CALL OF BOARD MEMBERS — **MORENO**

Mark Paulson, Chairman	____	_____(alt)
Lynda Noriega, Vice-Chairwoman	____	_____(alt)
Valerie Munoz, Secretary	____	_____(alt)
Robert Gonzales, Treasurer	____	_____(alt)
Bob Kuhn	____	_____(alt)
Ed Chavez	____	_____(alt)
Robert DiPrimio	____	_____(alt)

V. PUBLIC COMMENTS (Agendized Matters Only): — **PAULSON**
As provided under Government Code Section 54954.3, this time has been set aside for persons in the audience to provide comment or make inquiries on matters appearing on this Special Meeting agenda only. Please complete the appropriate request card and submit it to the Secretary, prior to the item being heard. A five-minute time limit on remarks is requested.

VI. ITEMS TOO LATE TO BE AGENDIZED - Recommended Action: — **PAULSON**
Approve motion determining need to take action on item(s) which arose subsequent to posting of the Agenda (ROLL CALL VOTE: Adoption of this recommendation requires a two-thirds vote of the Board or, if less than two-thirds of Board members are present, a unanimous vote)

VII. CONSENT CALENDAR — PAULSON

(Consent items may all be approved by single motion) [enc]

(a) Minutes for 8/21/24 Regular Board Meeting
(b) Minutes for 9/10/24 Legislative/Public Information Committee Meeting
(c) Minutes for 9/10/24 Administrative/Finance Committee Meeting
(d) Demands on Administrative Fund September 18, 2024
(e) Demands on Project Fund for September 18, 2024

VIII. COMMITTEE REPORTS

(These items may require action)

(a) Legislative/Public Information Committee Report [enc]

(b) Administrative/Finance Committee Report [enc]

1. Discussion Regarding Weaver Consulting Group Assignment, Assumption, And Consent Agreement [enc]

2. Discussion Regarding Accounting Services for Proposition 68 Grant – Task Order Modification 2 [enc]

3. Update of WQA's Federal Funding Program Administration [enc]

IX. OTHER ACTION/INFORMATION ITEMS — PAULSON

(These items may require action)

(a) Adopt Resolution No. 24-004, A Resolution of the San Gabriel Basin Water Quality Authority Expressing Appreciation and Commemorating The Outstanding Services Rendered By Anthony C. Zampiello Upon the Occasion of His Retirement [enc]

(b) Adopt Resolution No. 24-008, A Resolution of the San Gabriel Basin Water Quality Authority Expressing Appreciation, Commemorating and Inviting Public Attention to the Outstanding Services of Grace F. Napolitano Upon the Occasion of Her Retirement from the United States Congress [enc]

X. PROJECT REPORTS — COLBY

(a) Treatment Plants:

		Status
1.	Baldwin Park Operable Unit	
	• Arrow/Lante Well (Subarea 1)	Operational
	• Monrovia Wells	Operational
	• SGVWC B6 Plant	Operational
	• SGVWC B5 Plant	Operational
	• CDWC Well No. 14	Operational
	• La Puente Valley County Water District	Operational
	• VCWD Nixon	Operational
	• VCWD Maine	Operational
2.	El Monte Operable Unit	
	• Eastern Shallow Zone	Operational
	• Eastern Deep Zone	Operational

•	GSWC Encinita Plant	Operational
•	Western Shallow Zone	Operational
3.	South El Monte Operable Unit	
•	Whitmore Street. Ground Water Remediation Treatment Facility	Operational
•	City of M.P. Well No. 5 VOC Treatment Facility	Operational
•	City of M.P. Well No. 12 VOC Treatment Facility	Operational
•	City of M.P. Well No. 15	Operational
•	City of M.P. Well Nos. 1, 3, 10 VOC Treatment Facility	Operational
•	GSWC Wells SG-1 & SG-2	Operational
•	GSWC Garvey	Operational
•	SGVWC Plant No. 8	Operational
•	SGVWC Plant G4	Operational
4.	Puente Valley Operable Unit	
•	Intermediate Zone	Construction
•	SGVWC Plant B11	Operational
5.	Area 3 Operable Unit	
•	City of Alhambra Phase 1	Operational
•	City of Alhambra Phase 2	Operational
•	City of South Pasadena Wilson	Operational
6.	Non-Operable Unit	
•	City of Arcadia Longden	Operational
•	City of Arcadia Live Oak	Operational
•	City of Monrovia Tower 1&2	Operational
•	City of Monrovia Tower 3&4	Operational
•	SGVWC Plant 11	Operational

XI. ATTORNEY'S REPORT **PADILLA**

XII. LEGISLATIVE REPORT **MONARES**

XIII. EXECUTIVE DIRECTOR'S REPORT **SCHOELLERMAN**

XIV. FUTURE AGENDA ITEMS **PAULSON**

XV. INFORMATION ITEMS [enc] **PAULSON**

(a) San Gabriel Basin Water Calendar

XVI. FUTURE BOARD/COMMITTEE MEETINGS **PAULSON**

(a) The next Legislative/Public Information Committee meeting was scheduled for Tuesday, October 8, 2024 at 9:00 a.m.

(b) The next Administrative/Finance Committee Meeting was scheduled for Tuesday, October 8, 2024 at 10:00 a.m.

(c) The next WQA Board meeting was scheduled for Wednesday, October 16, 2024 at 12:00pm

XVII. CLOSED SESSION — PAULSON

(a) Closed Session Pursuant to 54956.9(d)(4) – Conference with Legal Counsel re: Initiation of Litigation (Settlement Opportunities with potential defendants) – Two (2) Matters

XVIII. RECONVENE OPEN SESSION — PAULSON

XIX. BOARD MEMBERS' COMMENTS/REPORTS — PAULSON

XX. ADJOURNMENT — PAULSON

Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection in the lobby of the Authority's business office located at 1720 W. Cameron Ave., Suite 100, West Covina, CA 91790, during regular business hours. When practical, these public records will also be made available on the Authority's internet web site, accessible at www.wqa.com.

Memorandum

To: San Gabriel Valley Municipal Water District Board of Directors

From: Darin Kasamoto General Manager

Date October 8, 2024
Subject: General Manager's Report

1. SWP UPDATE

The Delta Conveyance Project (DCP) Public Draft EIR Comment period has ended. The EIR was certified by DWR on December 18, 2023. There are now ten law suits that have been filed.

DWR will be looking for funding commitments from contractors to keep the DCP planning process going beyond 2025. The district will be asked to consider this once more information is available most likely at October meeting.

The State Water Project allocation for 2024 was increased to 40%. Given the 40% allocation SGVMWD will satisfy 100% of its obligations through 2024. We anticipate delivering all of our 2023 and 2024 SWP allocation by the end of this calendar year.

2. MAIN SAN GABRIEL BASIN UPDATE

As of Sept 27, the Key Well is at 243.4 feet which is 1.3 foot higher than the reading on Aug 20, 2024 due to imported water deliveries. The historic low is 169.4 feet.

3. GRANT PROGRAM UPDATES

The District, through Steve Bucknam and Hazen and Sawyer is continuously monitoring grant programs which could help fund District and city projects.

The USBR has approved the Districts feasibility study for Monterey Park/Central Basin recycled water connection. This makes the project eligible for potential USBR grant funding, we are currently on hold with this project due to management issues at Central Basin.

4. MANAGEMENT ISSUES

The Letter of Intent for the Regional Recycled Water Project has been approved by all parties. I have had a follow-up with MWD on next steps, and they want to look into use of SGVMWD existing infrastructure to add flexibility to the project. We have sent all of information requested by MWD for them to begin this analysis. The preliminary analysis performed by MWD indicates that it is physically possible to use our pipeline to get water to the treatment plant in La Verne. Stetson Engineers has prepared a white paper on pros and cons of allowing use of district facilities. MWD provided an update on the project at the August Board Meeting and indicates they will not be ready to discuss use of District pipeline and potential District capital funding until late 2025.

At the August Board meeting a discussion took place about District tax rates being lower for residents in areas annexed from MWD. The reason for this is because after the annexation MWD maintained its property tax rate on these residents so the District decided to discount the amount it

charges these residents by the amount that MWD charges. This was done to assure that all District residents pay the same tax rate. These annexations were done in the 1990's so this has been occurring for 25+ years. Staff and legal counsel were asked to look into this. Based upon the most recent assessed valuation, this discount in property tax rates amounts to a $41,812 reduction in tax revenue. This will be discussed at the October board meeting.

February 2024

Strategic Planning Workshop Results - Chronological

SAN GABRIEL VALLEY
MUNICIPAL
WATER DISTRICT
AZUSA | SIERRA MADRE | MONTEREY PARK | ALHAMBRA

Strategic Planning Objectives

- Develop Action Plans
  - Short-term (2024); Long-term (2025+)
- Develop Solutions if Possible
- Identify “Process” or “Steps” toward Solutions
- Review and Update Action Plans Regularly

Action Plan (2024 - Q1/Q2)

OPERATIONS AND INFRASTRUCTURE

- Schedule tours of District and County facilities for Board Members as background for Pipeline Rehabilitation program and consideration of *Pure Water Southern California* program (Board/Staff). Completed tour with legislative members, 2 District directors attended tour, and a third joined for luncheon. Future tours will be added.
- Complete Schedule 1 "Pilot" and assess results. Xylem is finalizing report estimated completion 10/24
- Develop preliminary timeline for Schedules 2-6 of Pipeline Rehabilitation Project. Just hired corrosion engineer, had introductory meeting with Corpro staff on 9/26. Corporo is reviewing existing data and will develop a priority list and proposal.
- Identify "Corrosion Engineer" to review/input into Schedules 1-6 Cost Estimates and to protect the Pipeline in the future. Completed
    - Identify financial consultant to assist with Replacement Cost Analysis. Not started

Action Plan (2024 - Q1/Q2)

CURRENT AND FUTURE REVENUE

- Consensus was achieved to maintain the current property rate of $.03 per $100 assessed value for the short-term. Completed
- Consensus was achieved to adopt a $240 per AF water rate for member cities in April 2024 as that level keeps the District "in the black" and was the forecasted rate provided to member cities a year ago. Completed
- The General Manager was requested to provide a forecasted water rate for 2025 in April 2024 (utilizing average rate increases over 10 years), and to also provide a longer-term, three-year forecast (qualifying those forecasts by noting sensitivity to energy costs, etc.). There is unanimous concern among Board members that cost increases are becoming so common/certain that water rate increases should reflect and anticipate those increases short/long-term. Completed
- The General Manager will provide the Board with information about sources of emergency funds, such as *Federal Emergency Management Agency* (FEMA) and the *Ibank*, that would supplement the use of reserves in the event of a catastrophic event. Completed
- The General Manager and Assistant General Manager will research and share with the Board what SGVMWD insurance covers if there is a catastrophic event or pipeline failure. Completed
- Consensus was achieved that consulting costs, and potentially employee costs, related to financial, engineering, operations, and legal matters will increase in conjunction with Pipeline Rehabilitation and review/analysis of the *Pure Water Southern California Project* (PWSC). The District must budget for such costs. Completed
- The General Manager was requested to get an update from MWD about the *Pure Water Southern California* Project as it has been nearly a year since MWD signaled its potential interest in utilizing SGVMWD facilities. Completed

Action Plan (2024 - Q1/Q2)

CURRENT AND FUTURE REVENUE

- Consensus exists that the long-term nature of several looming projects and potential cost increases may impact needed staffing levels and staffing expertise (due to both volume and nature of the work, and potential staff retirements). A suggestion to consider a "Chief Financial Officer" was discussed but not acted upon and may be revisited at an undisclosed future date.
- The District will offer a "Cost Workshop" (in-person or virtual) annually to member cities to further explain rate and cost factors. Not started, will have as part of a future board meeting

Action Plan (2024 - Q1/Q2)

MEMBER CITY RELATIONS

- Efforts should increase to meet regularly with the Mayor, City Council members, City Manager and Public Works/Water Utility staff in each member city. External Affairs staff will assist Board members in preparing and offering a brief, annual "State of the District" presentation to each of the District's member cities during May/Water Awareness Month, with that presentation also available to school boards, chambers of commerce, and other community/non-profit organizations. Ongoing
- The District will continue to attend and present updates at City Council meetings (e.g. "State of the City" meetings), support important community events, and provide information about water issues and conservation. Ongoing
- The District will offer tours of important District and San Gabriel Basin water facilities to both City Council members and key City staff to foster greater understanding of the District's water supply role. Ongoing, met with Monterey Park City Manager and staff in May, the District made presentation at City of Azusa Utilities Board Meeting in July
- The District will increase its messaging related to water costs and infrastructure to complement its strong messaging about conservation. Ongoing
- Consensus was achieved to develop a written policy that articulates how the District may provide financial support in the form of grants and loans to Member Cities. The External Affairs Manager and District Counsel will draft a "policy" to share with Member Cities to help clarify and guide the process of District financial support. completed
- The Board will address Monterey Park's request of a $10 million loan for new meter reading equipment. completed

Action Plan (2024 - Q1/Q2)

WATER SUPPLY SOLUTIONS - IMPORTED

- Consensus was achieved that the District, along with other State Water Contractors, supports the *Delta Conveyance Project*. In line with that support, the District awaits decisions by key players such as Metropolitan Water District, which is conducting its own cost/benefit analysis of the Project, and the Department of Water Resources, which is expected to request "bridge/gap funding" for the Project between March and June of this year. At that time, the Board will convene and discuss the District's future role and support of the Project. A presentation by State Water Project Inc. outreach consultants was made at the July board meeting. Following this presentation the District will consider continuation of funding for planning and engineering funding beginning in January 2026. This action should occur at the October meeting.
- While banking water is very expensive, the Board expressed interest in following and possibly participating in potential new "water banking" opportunities in both northern California and the Main San Gabriel Basin. The Dudley Ridge banking agreement is in place, but the District has yet to bank water in that manner. The Board also wants to track spreading grounds opportunities in the Main San Gabriel Basin being pursued by Watermaster such as the use of local pits and quarries to help get water in the ground. Spreading ground capacity may reach its limit if *Pure Water Southern California* proceeds and produces 65,000 AF/year. Ongoing
- Continually explore strategies to improve ability to get both imported and local water sources "into the ground" by reducing over-capacity and congestion/bottlenecks within the delivery system; participate with DWR on SWP bottleneck improvements. Ongoing

Action Plan (2024 - Q1/Q2)

WATER SUPPLY SOLUTIONS – LOCAL

- The General Manager should follow-up regularly with MWD about its interest in involving SGVMWD infrastructure in the *Pure Water Southern California (PWSC)* Project and update the Board. MWD provided update at the August Board Meeting, MWD indicates they are still looking at all options and are not ready to begin discussions with the District
- The District should request a presentation from MWD to the Board about PWSC at an upcoming Board meeting. Completed
- Arrange a presentation from Stetson to the Board about its analysis of the PWSC Project for SGVMWD. Completed
- Arrange tours of PWSC for SGVMWD Board and Staff. Ongoing, some Directors and staff have attended recent tours
- Decide which consulting resources would be needed and when to evaluate the MWD proposal for SGVMWD in the PWSC Project – financial consultant, engineering consultant, negotiating consultant, etc. MWD update indicates that they are more than a year away from msking any type of proposal
- While banking water is very expensive, the Board expressed interest in following and possibly participating in potential new "water banking" opportunities in both northern California and the Main San Gabriel Basin. The Dudley Ridge banking agreement is in place, but the District has yet to bank water in that manner. The Board also wants to track spreading grounds opportunities in the Main San Gabriel Basin being pursued by Watermaster such as the use of local pits and quarries to help get water in the ground. Spreading ground capacity may reach its limit if *Pure Water Southern California* proceeds and produces 65,000 AF/year. Met with Watermaster, Upper District, Three Valleys in May to discuss potential opportunities with abandoned gravel pits, also possible use of Santa Fe Dam to increase recharge efforts. Will continue to monitor and participate in these activities.

Action Plan (2024 - Q1/Q2)

WATER SUPPLY SOLUTIONS – LOCAL

- The General Manager should follow-up with Sean Igoe and Frank Heldman in Monterey Park regarding the status of interest in and funding for the recycled water project that would potentially serve Monterey Park and Alhambra. Not started due to current uncertainty of Central Basin staff
- The General Manager should follow-up with Central Basin to see if the opportunity for a recycled water project is still feasible. Not started due to staff issues at Central Basin
- The District should pursue future grant funding opportunities through Federal and State grant programs. Applied for Bureau of Reclamation grant for turf rebate program, grant was not awarded. Will look for future opportunities.
- Continually explore strategies to improve ability to get both imported and local water sources "into the ground" by reducing over-capacity and congestion/bottlenecks within the delivery system; participate with DWR on SWP bottleneck improvements. Ongoing, participate in East Branch enlargement work groups, also participate in subsidence remedies work groups

Action Plan (2024 - Q1/Q2)

EXTERNAL AFFAIRS

- Increase and blend in messaging about costs, water scarcity and infrastructure to all audiences. Ongoing
- Research potential new rebate items for inclusion in the rebate program. Completed research, nothing to recommend at this time. Will continue to monitor
- Pursue grant from Bureau of Reclamation for 50% matching grant for turf replacement conservation programs. Applied, not awarded.
- Obtain update from California Advocates and Dennis Albiani about potential November 2024 Water Bond and communicate to Board. If on the ballot, develop communications plan to provide information, not advocacy, about the Bond. Completed
- The District should determine its future role within the Water Forum Partner group and consider leading efforts to determine go/no go on smaller, targeted Water Forum events throughout the year. Will discuss at next partners meeting
- Funds contributed by 2020 Water Forum sponsors remain in District accounts. The use or return of the funds should be determined as soon as possible. Will discuss at next partners meeting
- Staff should finalize, distribute and regularly update a 12-month outreach calendar for the Board. Distributed at June Board meeting, will be updated as needed
- The District should participate in a February 2024 tour for legislators in conjunction with the Assembly Water, Parks and Wildlife Committee. Completed
- The District should plan and conduct tours periodically during the year for local elected officials and community leaders. Ongoing, District participated in tour with Upper District and local legislators in March, future events will be planned
- Staff should draft budget and external affairs/outreach plan for 2024-2025 fiscal year and present to Board. Completed

Action Plan (2024 – Q3/Q4)

MEMBER CITY RELATIONS

- The District will continue to attend and present updates at City Council meetings (e.g. "State of the City" meetings), support important community events, and provide information about water issues and conservation. Ongoing
- The District will offer tours of important District and San Gabriel Basin water facilities to both City Council members and key City staff to foster greater understanding of the District's water supply role. Ongoing, had several council members at Asian Media briefing in July
- The District will increase its messaging related to water costs and infrastructure to complement its strong messaging about conservation. Ongoing, messaging will be included in Annual Report

Action Plan (2024 – Q3/Q4)

WATER SUPPLY SOLUTIONS - IMPORTED

- Consensus was achieved that the District, along with other State Water Contractors, supports the *Delta Conveyance Project*. In line with that support, the District awaits decisions by key players such as Metropolitan Water District, which is conducting its own cost/benefit analysis of the Project, and the Department of Water Resources, which is expected to request "bridge/gap funding" for the Project between March and June of this year. At that time, the Board will convene and discuss the District's future role and support of the Project. Will be discussed at October board meeting
- While banking water is very expensive, the Board expressed interest in following and possibly participating in potential new "water banking" opportunities in both northern California and the Main San Gabriel Basin. The Dudley Ridge banking agreement is in place, but the District has yet to bank water in that manner. The Board also wants to track spreading grounds opportunities in the Main San Gabriel Basin being pursued by Watermaster such as the use of local pits and quarries to help get water in the ground. Spreading ground capacity may reach its limit if *Pure Water Southern California* proceeds and produces 65,000 AF/year. Met with Watermaster, Upper District, and Three valleys to explore potential expansion of recharge opportunities in the basin, will update on any progress
- Continually explore strategies to improve ability to get both imported and local water sources "into the ground" by reducing over-capacity and congestion/bottlenecks within the delivery system; participate with DWR on SWP bottleneck improvements. East Branch Enlargement and subsidence issues are biggest items. Will continue to participate in these workgroups

Action Plan (2024 – Q3/Q4)

WATER SUPPLY SOLUTIONS – LOCAL

- The General Manager should follow-up regularly with MWD about its interest in involving SGVMWD infrastructure in the *Pure Water Southern California (PWSC)* Project and update the Board. MWD provided update at August meeting
- Develop a firmer timeline about which consulting resources would be needed and when to evaluate the MWD proposal for SGVMWD in the PWSC Project – financial consultant, engineering consultant, negotiating consultant, etc. MWD indicates that this will not occur until late 2025
- If the *Pure Water Southern California* project remains viable, and once relevant studies are completed, the Board needs to reach consensus on the District's role in the Project and develop a comprehensive communications plan to inform member cities and other key stakeholders about the District's potential involvement in the Project. Not started
- While banking water is very expensive, the Board expressed interest in following and possibly participating in potential new "water banking" opportunities in both northern California and the Main San Gabriel Basin. The Dudley Ridge banking agreement is in place, but the District has yet to bank water in that manner. The Board also wants to track spreading grounds opportunities in the Main San Gabriel Basin being pursued by Watermaster such as the use of local pits and quarries to help get water in the ground. Spreading ground capacity may reach its limit if *Pure Water Southern California* proceeds and produces 65,000 AF/year. ongoing
- Continually explore strategies to improve ability to get both imported and local water sources "into the ground" by reducing over-capacity and congestion/bottlenecks within the delivery system; participate with DWR on SWP bottleneck improvements. ongoing
- The District should pursue future grant funding opportunities through Federal and State grant programs. Will continue to monitor for grant opportunities

Action Plan (2024 – Q3/Q4)

EXTERNAL AFFAIRS

- Increase and blend in messaging about costs, water scarcity and infrastructure to all audiences. ongoing
- Research potential new rebate items for inclusion in the rebate program. Completed research nothing to recommend at this time
- If funded, implement grant from Bureau of Reclamation for 50% matching grant for turf replacement conservation programs. Grant was not awarded, will look at future opportunities
- If Water Bond is on November 2024 ballot, develop communications plan to provide information, not advocacy, about the Bond. Completed
- The District should determine its future role within the Water Forum Partner group and lead efforts to determine go/no go on smaller, targeted events throughout the year. Will discuss at future partners meeting
- Staff should regularly update a 12-month outreach calendar for the Board. Ongoing
- The District should plan and conduct tours periodically during the year for local elected officials and community leaders. onging

Memorandum

To: San Gabriel Valley Municipal Water District Board of Directors

From: Steve Kiggins, Assistant General Manager

Cc: Darin Kasamoto, General Manager

Date: October 9, 2024

Subject: Assistant General Manager's Report

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1. September 2024 deliveries: 2,558 AF to SGVMWD cyclic storage, including 358 AF to Covina Irrigating Company on behalf of Three Valleys Municipal Water District. Table A Allocation CY 2024: 40% / 11,520 AF. Table A balance as of October 1, 2024: 5,815 AF.

2. Total deliveries to cyclic storage CY 2024: 20,105 AF. Cyclic storage balance as of August 31, 2024: 7,514.44 AF. The amount of water banked on behalf of Dudley Ridge Water District is 14,209 AF.

3. Water delivery forecast: Scheduled DWR maintenance on the East Branch of the State Water Project and LA County spreading ground capacity constraints have reduced deliveries. The District may deliver the balance of 2024's allocation by the end of the year, but deliveries will likely extend into January.

4. Assistant General Manager meetings and activities:

    A. Attended WQA Board meeting (Zoom)

    B. Met with Civiltec regarding the Standby Generator Replacement Project

    C. Met with Watermaster, USGVMWD & TVMWD to discuss imported water delivery coordination and local constraints

    D. Met with Corrpro staff for an introductory meeting to discuss next steps - Submitted supplemental documents for Schedule I - Cathodic Protection Alternatives Evaluations

    E. On-site for parking lot seal coat and striping

    F. Attended PWAG AWIA Cybersecurity Assessment Proposal Presentation

    G. Met with Lee Patton for the annual JPIA Risk Assessment Visit

    H. Attended The Main San Gabriel Basin Watermaster meeting

    I. Attended Basin Water Management Committee meeting

    J. Weekly DWR / SWC Operations Update & DCPP Outage meetings (Teams)