

# **Fugazi Brothers Pump Turnout Project**

SAN JOAQUIN, CALIFORNIA

## **Draft Initial Study with Proposed Mitigated Negative Declaration**



**Prepared by:  
Stockton East Water District**



6767 East Main Street  
Stockton, CA 95215

## NOTICE OF INTENT

### TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE PROPOSED FUGAZI BROTHERS PUMP TURNOUT PROJECT OF MORMON SLOUGH

**Notice is Hereby Given** that an Initial Study/Mitigated Negative Declaration (IS/MND) is available for public review for the Fugazi Brothers Pump Turnout of Mormon Slough project described below pursuant to the provisions of the California Environmental Quality Act of 1970 (Public Resources Code 21100, et seq.)

#### **Project Description and Location**

John Fugazi proposes to install a new pump turnout in Mormon Slough at 5503 N. Fine Road, in Linden CA. The new turnout would supply water for 43.85 acres of almond orchard. The pump will include an 8" pipeline with a flowrate of 500 gallons per minute. A 6" concrete slab would also be poured near an existing well to allow for the installation of a two-tank sand media filter. Stockton East Water District (District) is the CEQA lead agency.

#### **Document Review and Availability**

The public comment period will extend from September 16, 2022 to October 16, 2022. Copies of the IS/MND are available for public review at the Stockton East Water District, 6767 East Main Street, Stockton, CA 95215, 8:00 AM to 5:00 PM, Monday through Friday.

This IS/MND can also be reviewed and/or downloaded from the Stockton East Water District website at the following link: [www.sewd.net](http://www.sewd.net).

During the public review period, written comments on the IS/MND may be provided to:

Darrel Evensen, District Engineer  
Stockton East Water District  
6767 East Main Street  
Stockton, CA 95215  
209.948.0537  
devensen@sewd.net

# PROPOSED MITIGATED NEGATIVE DECLARATION

Pursuant to: Division 13, Public Resources Code

**1. Project Name:** *Fugazi Brothers Turnout Project of Mormon Slough*

**Description of Project:** John Fugazi proposes to install a new pump turnout in Mormon Slough at 5503 N Fine Road, in Linden CA. The constructed facilities will provide a low water crossing consisting of precast box culverts with wing wall foundations. The crossing will be up to 20 feet wide and have a length of 30 feet long. The crossing will arrive on site as multiple precast box culvert sections, each approximately 15 feet long. The full crossing width and length will be accomplished by securing multiple sections of precast box culverts together and adjacent to each other.

**Project Location:** The Project is located on the southern bank of Mormon Slough along North Fine Road in Linden, California.

**2. Date:** Septemeber 16, 2022

**3. Lead Agency:** Stockton East Water District

**4. Name and Address of Applicant:**

John Fugazi  
PO Box 807  
Stockton, CA 95236

**5. Contact Person:** Darrel Evensen, District Engineer, 209.948.0537

**6. Declaration:**

Stockton East Water District has determined that there is no substantial evidence that the above project, as mitigated, may have a significant effect on the environment and proposes that a Mitigated Negative Declaration be adopted. The determination is based on the attached Initial Study and the following findings:

- a) *The project will not degrade environmental quality, substantially reduce habitat, cause a wildlife population to drop below self-sustaining levels, reduce the number or restrict the range of special-status species, or eliminate important examples of California history or prehistory.*
- b) *The project does not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.*

- c) *The project will not have impacts that are individually limited, but cumulatively considerable.*
- d) *The project will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.*
- e) *No substantial evidence exists that the project will have a negative or adverse effect on the environment.*
- f) *The project incorporates all applicable mitigation measures identified in the Initial Study.*
- g) *This Mitigated Negative Declaration reflects the independent judgment of the lead agency.*

Written comments on the Initial Study and proposed Mitigated Negative Declaration shall be submitted no later than 5 PM on October 16, 2022.

**Submit comments to:**

Darrel Evensen  
District Engineer  
Stockton East Water District  
6767 East Main Street  
Stockton, CA 95215

**Posting Period:**

September 16, 2022 to October 16, 2022

**Initial Study approved by:**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Justin M. Hopkins, General Manager  
Stockton East Water District

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## **INTRODUCTION**

This Initial Study and Mitigated Negative Declaration (IS/MND) evaluates the environmental effects of the proposed Fugazi Brothers Turnout Project of Mormon Slough. The proposed project is to provide surface water for almond production to a local property near Linden, California. The constructed facility will provide access to surface water.

This IS/MND was prepared to satisfy the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] 21000 et seq.) and State CEQA Guidelines (14 California Codes of Regulations [CCR] 15000 et seq.). The District ) is the lead agency for this proposed Project under CEQA.

### **1.1 Purpose of this Document**

CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects. An MND, which requires inclusion of an IS, is a public document used by the decision-making lead agency to determine whether a project may have a significant adverse impact on the environment. If the agency finds that the proposed Project may have a significant adverse impact on the environment, but that the impacts will be clearly reduced to a less-than-significant level through implementation of specific mitigation measures, an MND shall be prepared.

This IS/MND is a public information document that describes the proposed Project, existing environmental setting at the Project site, and potential environmental impacts of construction and operation of the proposed Project. It is intended to inform the public and decision-makers of the proposed Project's compliance with CEQA and State CEQA Guidelines.

### **1.2 Tiering**

CEQA allows for the preparation of environmental documents using a multilevel approach whereby a broad level EIR, termed a "program EIR," includes an analysis of general matters (e.g., the impacts of an entire plan, program, or policy), and subsequent project-level EIRs or negative declarations include analyses of the project-specific effects of projects within the program (State CEQA Guidelines Section 15168). State CEQA Guidelines Section 15168 describes the process of tiering from a program EIR, in which CEQA documents that follow a program EIR incorporate by reference and rely on the general discussions, program-wide analyses, and program-level mitigation measures from the broader EIR, and focus on the site-specific impacts of the individual projects that implement the plan, program, or policy.

### 1.3 Review Process

This IS/MND is being circulated for public and agency review as required by CEQA. Because state agencies will act as responsible or trustee agencies, the District will circulate the IS/MND to the State Clearinghouse of the Governor's Office of Planning and Research for distribution and a 30-day review period. A copy of the CEQA IS/MND is also available for review on the District's website: [www.sewd.net](http://www.sewd.net).

During the review period, written comments may be submitted to:

Darrel Evensen  
District Engineer  
Stockton East Water District  
6767 East Main Street  
Stockton, CA 95215  
devensen@sewd.net

After comments are received from the public and reviewing agencies during the public comment period, the District may (1) adopt the Mitigated Negative Declaration and approve the proposed Project; (2) undertake additional environmental studies; or (3) disapprove the Project. If the Project is approved, the District may proceed with detailed design and construction.

### 1.4 Document Organization

This IS/MND is organized as follows:

**Chapter 1: Introduction.** This chapter provides an introduction to the environmental review process, and describes the purpose and organization of this document.

**Chapter 2: Project Description.** This chapter provides a detailed description of the Project and required permits and approvals.

**Chapter 3: Environmental Checklist.** This chapter presents an analysis of a range of environmental issues identified in the CEQA Environmental Checklist and determines if Project actions would result in no impact, a less-than-significant impact, a less-than-significant impact with mitigation incorporated, or a potentially significant impact. If any impacts were determined to be potentially significant, an EIR would be required. For this Project, however, none of the impacts were determined to be significant.

### 1.5 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |                                                        |                                                             |                                                 |
|--------------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agricultural Resources             | <input type="checkbox"/> Air Quality            |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology/Soils          |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality            | <input type="checkbox"/> Land Use/Planning      |
| <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population/Housing     |
| <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service System      | <input type="checkbox"/> Mandatory Findings of Significance |                                                 |

## 1.6 Determination

On the basis of this initial evaluation:

- I find that the proposed Project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the propose Project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed Project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions of mitigation measures that are imposed upon the Project, nothing further is required.

By:

\_\_\_\_\_  
Justin M. Hopkins, General Manager  
Stockton East Water District

\_\_\_\_\_  
Date

## **PROJECT DESCRIPTION**

This chapter provides a detailed location, description of the Project, and required permits and approvals.

### **2.1 Project Location**

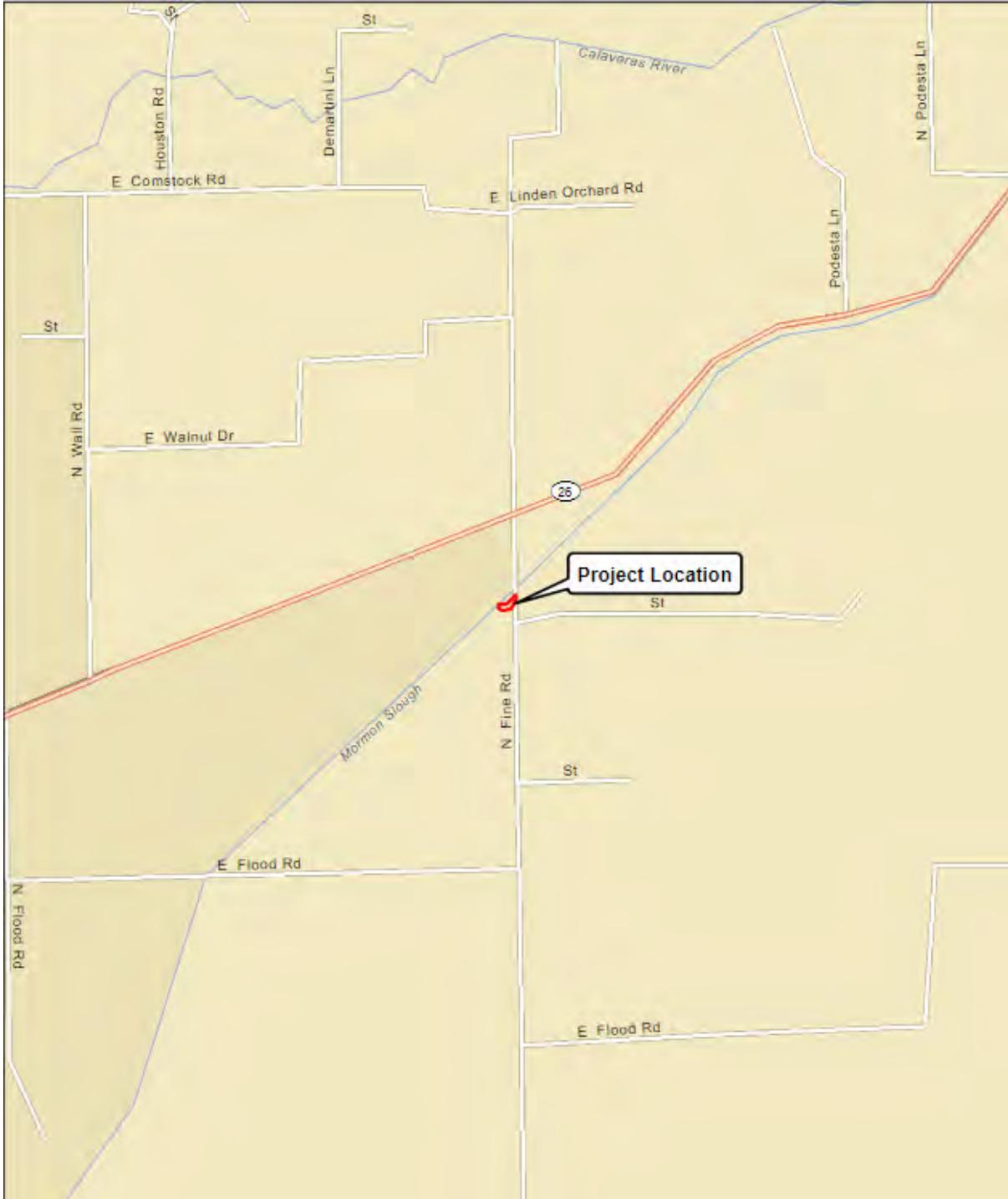
The proposed Project in the east area of San Joaquin County on the southern bank of Mormon Slough at 5503 North Fine Road in Linden, California (Figure 1. Project Vicinity; Figure 2. Project Location). The Project is situated in the southern extent of the United States Geological Survey (USGS) Linden quadrangle (3812111).

### **2.2 Project Description**

The Project will consist of a new pump turnout, concrete slab, and sand media filters. The new turnout will supply water for 43.85 acres of almond orchard. The pump will include an 8" pipeline with a flowrate of 500 gallons per minute. A 6" thick concrete slab will also be poured near an existing well to allow for the installation of a two-tank sand media filter. The only existing access to irrigation water for the 43.85 acres of almond orchards is from a well.

With the large depletion of our groundwater in California, there is a push to stop using ground water and to use more surface water. The Sustainable Groundwater Management Act has been a determining factor on the future of California's groundwater. This project will be a help to mitigate the amount of groundwater while there is surface water available.





**FIGURE 2**  
**Project Location**

Fugazi Turnout of Mormon Slough  
San Joaquin County, CA

### 2.3 Required Permits and Project Approvals

As the lead agency pursuant to CEQA, the District is responsible for considering the adequacy of the IS and determining if the project should be approved.

If approved, elements of the project would be subject to permitting and/or approval authority of other agencies included in the following table:

AGENCY	ACTIVITY	ENTITLEMENT
Federal		
U.S. Army Corps of Engineers	Required for placement of fill into waters of the United States	Section 404 – Nationwide Permit Authorization
State		
California Department of Fish and Wildlife	Work in waters of the State	Section 1600 of the California Fish and Game Code – Lake and Streambed Alteration Agreement
Central Valley Flood Protection Agency	Work in flood way	Section 408 – Encroachment Permit
Central Valley Regional Water Quality Control Board	Water quality certification required to support the Section 404 Nationwide Permit Authorization	Section 401 – Water Quality Certification

## ENVIRONMENTAL CHECKLIST

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed Project. In many cases, background studies performed in connection with projects indicate no impacts. A NO IMPACT answer in the last column reflects this determination. Where there is a need for clarifying discussion, the discussion is included either following the applicable section of the checklist or is within the body of the environmental document itself. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

I. <b>Aesthetics:</b> Would the Project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime view in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact.** There are no known scenic vistas within the vicinity of the Project.
- b) **No Impact.** The project will not require the removal of any trees. Additionally, there are no historic buildings within or adjacent to the Project area.
- c) **Less than significant impact.** The existing visual character would change after the installation of the crossing, but the new crossing would not degrade the existing visual character.
- d) **No Impact.** No additional lighting would be required as a result of the proposed Project. Construction of the crossings would only take place during daylight hours.

### Mitigation Measures

None.

<p><b>II. Agriculture and Forest Resources:</b></p> <p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact.** The Project will not result in agricultural lands be converted to non-agricultural use.
- b) **No Impact.** The Project does not conflict with existing zoning or Williamson Act contracts.
- c) **No Impact.** The Project does not conflict with zoning for forest land.
- d) **No Impact.** The Project will not result in loss or conversion of forest land.
- e) **No Impact.** No, the Project actually fosters the continued, existing agricultural use of the land.

**Mitigation Measures**

None.

<b>III. Air Quality:</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a,b) Less than Significant with Mitigation.** The proposed Project is located in the portion of San Joaquin County that is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (APCD). Fugitive dust may potentially be generated from the excavation and movement of construction equipment along the unpaved access road on the Project site. Adherence to best management practices, as recommended by the San Joaquin Valley APCD and described below would be implemented to minimize temporary impacts to air quality.

- All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water.
- All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions. 
- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.

- Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing water.
  - Traffic speeds on unpaved roads shall be limited to 10 miles per hour.
- c) **Less than Significant.** All construction impacts to air quality would be short-term and intermittent; therefore impacts are anticipated to be less than significant. The emission of pollutants during construction would not contribute significantly to a net increase of any criteria pollutant. No long-term, operational impacts are anticipated.
- d) **Less than Significant.** The project site is located within an agricultural area. The closest sensitive receptors are residences located 0.15 miles southeast of the project site; the short-term and intermittent emissions are anticipated to be less than significant at the residences. The project would not result in substantial, long-term quantities of pollutant concentrations that would affect the surrounding rural residents.
- e) **No Impact.** The Project site is located within an agricultural area and would not produce sufficient quantities of objectionable odors during construction that would affect the surrounding rural residents.

### **Mitigation Measures**

None.

<b>IV. Biological Resources:</b> Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------	--------------------------	--------------------------	-------------------------------------

a) **No Impact.** The biological technical report prepared in April 2022, by Dokken Engineering found no special-status wildlife species and no special-status plant species have the potential to occur within the biological survey area. Although no special-status species were found the below listed best management practices will further minimize and avoid potential impacts to native plant and animal species and the existing plant and animal communities within the BSA.

- Every individual working on the Project must attend a biological awareness training session delivered by a qualified biologist. This training program shall include information regarding sensitive habitats, special-status species and the importance of avoiding impacts to these species and their habitat.
- Prior to the start of construction activities, the Project limits in proximity to Mormon Slough will be marked with high visibility Environmentally Sensitive Area (ESA) fencing or staking to ensure construction will not encroach into sensitive habitat resources.

b) **No Impact.** The biological field survey conducted in April 2022, by Dokken Engineering found no riparian habitat or other sensitive natural communities within the biological survey area. Although no sensitive habitat exists, BMPs will be incorporated into Project design and Project management to minimize impacts on the environment including erosion and the release of pollutants (e.g. oils, fuels):

- Exposed soils and material stockpiles will be stabilized, through watering or other measures, to prevent the movement of dust at the Project site caused by wind and construction activities such as traffic and grading activities;
- All construction roadway areas will be properly protected to prevent excess erosion, sedimentation, and water pollution;
- All vehicle and equipment fueling/maintenance will be conducted outside of any surface waters;

- Equipment used in and around jurisdictional waters must be in good working order and free of dripping or leaking contaminants;
  - Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life shall be prevented from contaminating the soil or entering jurisdictional waters;
  - All erosion control measures and storm water control measures will be properly maintained until the site has returned to a pre-construction state;
  - All disturbed areas will be restored to pre-construction contours and revegetated, and,
  - All excess construction materials brought to the site will be hauled off-site after completion of construction.
- c) **Less than Significant Impact.** No federally protected wetland features were delineated in the near vicinity. The Project will obtain appropriate permits for this Project including Clean Water Act Section 401 Water Quality Certification and Streambed Alteration Agreement under 1602 from CDFW. The proposed Project will avoid federally protected wetlands entirely.
- d) **No Impact.** The Project limits are absent of essential fish habitat and no threatened or endangered State listed species have the potential to occur within the biological survey area. Therefore, the Project will have no impacts to native resident or migratory fish or wildlife. Although no fish habitat exists, upon completion of construction activities, any barriers to surface water flow will be removed in a manner that would allow flow to resume with the least disturbance to the substrate.
- e) **No Impact.** The Project area is not included within any tree preservation policies or ordinances.
- f) **No Impact.** The Project is not located within a Natural Community Conservation Plan. The Project does not conflict with provisions made by the Calaveras River Habitat Conservation Plan.

### **Mitigation Measures**

BIO-01: Every individual working on the Project must attend a biological awareness training session delivered by a qualified biologist. This training program shall include information regarding sensitive habitats, special-status species and the importance of avoiding impacts to these species and their habitat.

BIO-02: Prior to the start of construction activities, the Project limits in proximity to Mormon Slough will be marked with high visibility Environmentally Sensitive Area (ESA) fencing or staking to ensure construction will not encroach into sensitive habitat resources.

BIO-03: BMPs will be incorporated into Project management to minimize impacts on the environment including erosion and the release of pollutants (e. g. oils, fuels):

- Exposed soils and material stockpiles will be stabilized, through watering or other measures, to prevent the movement of dust at the Project site caused by wind and construction activities such as traffic and grading activities;
- All construction roadway areas will be properly protected to prevent excess erosion, sedimentation, and water pollution;
- All vehicle and equipment fueling/maintenance will be conducted outside of any surface waters;
- Equipment used in and around jurisdictional waters must be in good working order and free of dripping or leaking contaminants;
- Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life shall be prevented from contaminating the soil or entering jurisdictional waters;
- All erosion control measures and storm water control measures will be properly maintained until the site has returned to a pre-construction state;
- All disturbed areas will be restored to pre-construction contours and revegetated, and,
- All excess construction materials brought to the site will be hauled off-site after completion of construction.

BIO-04: Net permanent impacts to Mormon Slough will be appropriately mitigated for through purchase of credits at an approved mitigation bank, or other approved methods, to be determined during the permitting phase for the Project.

BIO-05: Plastic mono-filament netting (erosion control matting) or similar material that could trap CTS or other wildlife must not be used. Acceptable substitutes include jute, coconut coir matting or tackified hydroseeding compounds.

BIO-06: The Project Biologist, approved by USFWS, will conduct a visual encounter preconstruction survey of the Project area for CTS no more than 14 days prior to the start of groundbreaking or other general construction activities that could affect the

species. The surveys will pay particular attention to detecting burrows and other crevices and cover sites that could be used as refugia by the species. If construction stops for a period of two weeks or longer, a new preconstruction survey will be completed no more than 24 hours prior to restarting work.

BIO-07: Prior to construction, a Relocation Plan will be submitted to USFWS for approval. If a live CTS is encountered at any point during preconstruction or construction activities, the Designated Biologist(s) will exercise stop work authority in the vicinity of the individual and will not resume until the Designated Biologist(s) either has monitored the individual and allowed it to move away unharmed or has relocated it in accordance with the Relocation Plan. The Project Biologist will notify USFWS of any such encounter (live or dead) as soon as possible and provide a summary of the date(s), location(s), description of the habitat in which it was found, and any other pertinent information.

BIO-08: A 50-ft designated buffer will be established in the vicinity of the valley elderberry shrubs present within the Project's BSA. This designated area will prevent potential encroachment of the Project's construction activities on VELB habitat.

BIO-09: In-water work activities shall be restricted to June 15 through October 31, when special status fish (CCV steelhead, Chinook salmon) are unlikely to be active and there is lower potential for an individual to enter the work area. Should construction activities occur outside of the June 15 through October 31 work window, a biologist shall conduct weekly monitoring of the Project area to ensure that no impacts to special status species occur.

BIO-10: Prior to arrival at the Project site and prior to leaving the Project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds.

BIO-11: Vegetation removal will be avoided to the greatest extent practicable. Where feasible, trees and shrubs will be trimmed rather than removed.

BIO-12: All food-related trash must be disposed into closed containers and must be removed from the Project area daily. Construction personnel must not feed or otherwise attract wildlife to the Project area.

BIO-13: The contractor must not apply rodenticide or herbicide within the Project area during construction.

BIO-14: If any wildlife is encountered during the course of construction, said wildlife shall be allowed to leave the construction area unharmed.

BIO-15: Prior to vegetation removal or initial ground disturbance during the nesting bird season (February 1 – September 30) a pre-construction nesting bird survey must be conducted by a Project biologist prior to the start of work. The nesting bird survey must include the Project area plus a 300-foot buffer. Within 2 weeks of the nesting bird survey,

all areas surveyed by the biologist must be cleared by the contractor or a supplemental nesting bird survey is required.

A minimum 100 foot no-disturbance buffer will be established around any active nest of migratory birds and a minimum 300 foot no-disturbance buffer will be established around any nesting raptor species. The contractor must immediately stop work in the buffer area until the appropriate buffer is established and is prohibited from conducting work that could disturb the birds (as determined by the Project biologist and in coordination with wildlife agencies) in the buffer area until a qualified biologist determines the young have fledged. A reduced buffer can be established if determined appropriate by the Project biologist and approved by CDFW.

<b>V. Cultural Resources:</b> Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**a,b) Less than Significant Impact with Mitigation.** In summary, no prehistoric or historic cultural resources were identified during the March 30, 2022, pedestrian inspection. The area consisted of farm access roads, orchards, ruderal vegetation, and irrigation and agricultural structures. Based on historic aerial photographs and as confirmed during the pedestrian survey, the PAL and its vicinity have been continuously used for agricultural purposes resulting in ground disturbance to depths of at least 18 inches. Since the area has undergone extensive modification due to agriculture, grading of the dirt road, and the construction and installation of the existing water pump within the PAL, any buried site within 18 inches of the surface would have been disturbed, if any such site existed. Sensitivity of the PAL is therefore considered very low.

The results of the SLF search were negative for the immediate project vicinity. Further, the CCIC records search results indicated that there were no previously recorded resources within the PAL or a one-mile search radius.

While no resources were noted within the PAL and the likelihood of encountering cultural resources is very low, there is always a potential to encounter subsurface cultural resources. To minimize potential impacts to cultural or historical resources, mitigation measure CR-1 will be incorporated throughout Project construction. Mitigation measure CR-2 will be implemented prior to project construction.

**c) No Impact.** The Project site does not contain any unique paleontological resources or geologic features.

- d) **Less than Significant Impact.** Disturbance to human remains, including those interred outside of formal cemeteries, is not anticipated. In adherence to best management practices related to disturbance of human remains, the District will follow the minimization measures included within the Tribal Cultural Resource section.

### **Mitigation Measures**

CR-1: If previously unidentified cultural materials are unearthed during construction, all work within 100-feet of the discovery shall be halted until a qualified archaeologist can assess the significance of the find and develop a plan for documentation and removal of resources if necessary. Additionally, the Wilton Rancheria will be notified immediately if Native American cultural resources are involved. Additional archaeological survey will be needed if project limits are extended beyond the present survey limits. If cultural materials are prehistoric in nature, Tribes listed in the NAHC contact list shall be consulted regarding appropriate treatment protocol.

CR-2: Section 5097.94 of the PRC and Section 7050.5 of the California Health and Safety Code protect Native American burials, skeletal remains and grave goods, regardless of age and provide method and means for the appropriate handling of such remains. If human remains are encountered, all work within 100-feet of the discovery shall be halted and the county coroner should be notified immediately. At the same time, an archaeologist should be contacted to evaluate the situation. If the human remains are of Native American origin, the coroner must notify the NAHC within twenty-four hours of such identification. CEQA details steps to be taken if human burials are of Native American origin. The Most Likely Descendent (MLD) determined by the NAHC should be consulted regarding preferred human remains treatment protocol.

<b>VI. Tribal Cultural Resources:</b> Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change to a listed or eligible for listing resource in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Cause a substantial adverse change to a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**a-c) Less than Significant Impact.** The Project area was defined to encompass permanent Project features and areas of potential ground disturbance during construction.

An archaeological pedestrian ground surface inventory survey was conducted by Dokken Engineering Archaeologist Michelle Campbell on March 30<sup>th</sup>, 2022 for the purpose of identifying and recording archaeological resources. No prehistoric or cultural resources were identified during the survey.

On May 16<sup>th</sup>, 2022 initial consultation letters were mailed to the Native American tribal governments who have previously submitted a written request to the District requesting to be notified of projects within their traditionally and culturally affiliated areas. Letters were mailed to the following contacts:

- Pricilla Torres-Fuentes (Native American Heritage Commission)
- Rhonda Morningstar Pope (Chairperson of Buena Vista Rancheria of Me-Wuk Indians)
- Lloyd Mathiesen (Chairperson of Chicken Ranch Rancheria of Me-Wuk Indians)
- Sara Dutschke (Chairperson of Lone Band of Miwok Indians)
- Cosme Valdez (Chairperson of Nashville Enterprise Miwok-maidu-Nishinam Tribe)
- Katherine Perez (Chairperson of North Valley Yokuts Tribe)
- Neil Peyron (Chairperson of Tule River Indian Tribe)
- Gene Whitehouse (Chairperson of United Auburn Indian Community of the Auburn Rancheria)
- Venessa Kremer (Cultural Resource Assistant of Wilton Rancheria)

The District received no responses from Buena Vista Rancheria, Chicken Ranch Rancheria, Nashville Enterprise, North Valley Yokuts, Tule River, nor United Auburn.

The Native American Heritage Committee responded that a search of Sacred Lands File was negative.

On June 21, 2022, Wilton Rancheria, responded via e-mail that the Wilton Rancheria would like to consult and have a meeting. An email was sent to Vanesa Kremer which included two proposed late discovery measures that would be included in the IS/MND. Vanessa responded via email the same day stating that after reviewing the project, the Wilton Rancheria have no issues with the project and did not have any comments on the proposed measures.

With adherence to Standard Best Management Practices and/or Minimization Measures as described below, impacts to TCRs would be less than significant.

### **Standard Best Management Practices and/or Minimization Measures**

- Should buried, unforeseen archaeological deposits be encountered during any construction activity, work would cease within a 20-foot radius of the discovery. In accordance with 36 CFR Part 800.13, a qualified archaeologist would be notified to document the discovery, assess its significance, and recommend treatment.
- In the event that human remains or any associated funerary artifacts are discovered during construction, all work would cease within the immediate vicinity of the discovery. In accordance with CEQA and the California Health and Safety Code (Section 7050.5), the San Joaquin County coroner must be contacted immediately. If the remains are deemed to be Native American, the

coroner will notify the NAHC, which will in turn appoint and notify a most Likely Descendent (MLD) to act as a tribal representative. The MLD will work with a qualified archaeologist to determine the proper treatment of the human remains and associated funerary objects. Construction activities will not resume until either the human remains are exhumed, or the remains are avoided via project construction design change.

**Mitigation Measures**

See Cultural Resources Mitigation Measures.

<b>VII. Geology and Soils:</b> Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Uniform Building Code (1994), creating substantial risks to life or property?				
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a (i-iii)No Impact.** The site is not located near any known Alquist-Priolo faults.

**a (i-iv)No Impact.** The topography of the Project site is relatively flat and surrounded by flat agricultural parcels. Slopes within the Project area are between zero (0) and two (2) percent according to the Natural Resource Conservation Service. There are no anticipated impacts related to landslides.

**b) Less than significant Impact.** Any soil disturbed by the Project will be regraded to the existing site conditions and/or be secured against erosion through the use of rock (rip-rap), matting, or other BMP.

**c) Less than significant Impact.** Soils in the Project area are comprised of silty clay. All soils unsuitable for use as a structural base or sub-base shall be removed and replaced with suitable structural base material.

**d) Less than significant Impact.** No expansion soil is located at the Project Site. Refer to answer to question (c) above.

**e) No Impact.** The Project does not include any waste water disposal systems.

**Mitigation Measures**

None.

<b>VIII. Greenhouse Gas Emissions:</b> Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**a & b) Less Than Significant.** Construction impacts to air quality would be short-term in duration and are not anticipated to result in adverse or long-term impacts. The emission of greenhouse gases during construction and operation of the proposed Project would be negligible and therefore less than significant.

**Mitigation Measures**

None.

<b>IX. Hazards and Hazardous Materials:</b> Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **Less than significant Impact.** The Project would involve the use of heavy equipment for grading, hauling, and materials handling. Use of this equipment may require the use of fuels and other common materials that have hazardous properties (e.g., fuels are flammable). These materials would be used in accordance with all applicable laws and regulations and, if used properly, would not pose a hazard to people, animals, or plants. All refueling of construction vehicles and equipment would occur within the designated staging area for the project. The use of hazardous materials would be temporary and the Project would not include a permanent use or source of hazardous materials; therefore, impacts would be less than significant.
- b) **No Impact.** The Project is a surface water pump and would not create a significant hazard to the public or the environment.
- c) **No Impact.** There are no schools located within one-quarter mile of the proposed Project.
- d) **No Impact.** According to a search of available environmental records listed on EDR, the Project site is on no known list of hazardous materials sites (Envirostor, 2020).
- e) **No Impact.** The Project is not located within two (2) miles of a public airport. The nearest airport is the Wallom Field Airport located approximately 9 miles west.
- f) **No Impact.** The Project is not within the vicinity of a private airstrip.
- g) **No Impact.** Construction and operation of the proposed Project would not result in interference or restriction of access road. There would be no impact to adopted emergency response plans or emergency evacuation plans.
- h) **No Impact.** The proposed Project would not expose people to any risk of wildland fires.

**Mitigation Measures**

None.

<b>X. Hydrology and Water Quality:</b> Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially 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 which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) **Less than significant Impact.** BMPs will be incorporated into Project design and Project management to minimize impacts on the environment including reduction of sedimentation and release of pollutants (oil, fuel, etc.). The following measures will be implemented to ensure best management practices:

- The area of construction and disturbance would be limited to as small an area as feasible to reduce erosion and sedimentation.
- Measures would be implemented during land-disturbing activities to reduce erosion and sedimentation. These measures may include mulches, soil binders and erosion control blankets, silt fencing, fiber rolls, temporary berms, sediment de-silting basins, sediment traps, and check dams.
- Existing vegetation would be protected where feasible to reduce erosion and sedimentation. Vegetation would be preserved by installing temporary fencing, or other protection devices, around areas to be protected.
- Exposed soils would be covered by loose bulk materials or other materials to reduce erosion and runoff during rainfall events.
- Exposed soils would be stabilized, through watering or other measures, to prevent the movement of dust at the Project site caused by wind and construction activities such as traffic and grading activities.
- All construction roadway areas would be properly protected to prevent excess erosion, sedimentation, and water pollution.

- All vehicle and equipment maintenance procedures would be conducted outside of the creek.
  - All concrete curing activities would be conducted to minimize spray drift and prevent curing compounds from entering the waterway directly or indirectly.
  - All construction materials, vehicles, stockpiles, and staging areas would be situated outside of the channel. All stockpiles would be covered, as feasible.
  - Energy dissipaters and erosion control pads would be provided at the bottom of slope drains. Other flow conveyance control mechanisms may include earth dikes, swales, or ditches. Stream bank stabilization measures would also be implemented.
  - All erosion control measures and storm water control measures would be properly maintained until the site has returned to a pre-construction state.
  - All disturbed areas would be restored to pre-construction contours and revegetated, either through hydroseeding or other means, with native or approved non-invasive species.
  - All construction materials would be hauled off-site after completion of construction.
- b) **No Impact.** The project does not require the use of groundwater.
- c) **Less than significant Impact.** The drainage pattern within the Project area will be temporarily disturbed during construction activities, which will occur during the typically dry time of year. The site would be re-graded to return to pre-construction conditions and would not alter existing drainage patterns or cause impacts related to substantial erosion or siltation.
- d) **Less than significant Impact.** The pump turnout will not alter the existing course of the Mormon Slough or effect drainage.
- e) **No Impact.** The site would be re-graded to return to pre-construction conditions, thereby not increasing historical runoff. The Project does not connect to any existing storm drain system.
- f) **Less than significant Impact with Mitigation.** See answer (a) above.
- g) **No Impact.** No housing is included in this project.
- h) **No Impact.** The project is not constructing any habitable structures and the Project location is not located within a 100-year flood hazard area.
- i) **No Impact.** The construction of a dam or levee is not included in this Project.
- j) **No Impact.** The Project is not located within or adjacent to a large body of water.

## **Mitigation Measures**

None.

<b>XI. Land Use and Planning:</b> Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact.** The Project proposes to install a surface water turnout. The project will not physically divide an established community.
- b) **No Impact.** The Project would not conflict with applicable land use plans, policies, or regulations of an agency with jurisdiction over the Project.
- c) **No Impact.** The Project is not within any known habitat or community conservation plans.

**Mitigation Measures**

None.

<b>XII. Mineral Resources:</b> Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact.** There are no known valuable mineral resources available at the Project site.
- b) **No Impact.** There is no delineated mineral resources recovery site at the Project site.

**Mitigation Measures**

None.

<b>XIII. Noise:</b> Would the project result in:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the Project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a Project within the vicinity of a private airstrip, would the project expose people residing or working in the Project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **Less than Significant.** The construction activities would only occur during weekday work hours in accordance with Chapter 10.46 Noise Control of the San Joaquin County Code and would not generate noise in excess of the nearby roadway.

- b) **Less than Significant.** The temporary ground borne vibration and noise of the construction activities would be in accordance with Chapter 10.46 Noise Control of the San Joaquin County Code and would not be excessive to the nearest occupied structures.
- c) **No Impact.** There is no equipment included in this Project to permanently increase the ambient noise level.
- d) **Less than Significant.** Construction activities would only occur during weekday work hours and would not generate noise in excess of the nearby roadway.
- e) **No Impact.** The Project is not located within an airport land use plan.
- f) **No Impact.** The Project is not in the vicinity of a private airstrip.

**Mitigation Measures**

None.

<b>XIV. Population and Housing:</b> Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact.** The Project would not induce substantial population growth in the area. The proposed Project provides access to adjacent farmlands for agricultural purposes.
- b) **No Impact.** No existing housing would be displaced by this Project.
- c) **No Impact.** Displacement of people and housing would not occur as a part of this Project.

**Mitigation Measures**

None.

<b>XV. Public Services:</b>	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**a (i, ii) No Impact.** The Project site is located within agricultural fields and would not result in the need for new facilities or affect response times to the adjacent residences.

**a (iii-v) No Impact.** There are no schools, parks, or other public facilities within the Project area. No mitigation measures would be required.

**Mitigation Measures**

None.

<b>XVI. Recreation:</b>	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the Project 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact.** The proposed Project would not 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.
- b) **No Impact.** Bicycle facilities do not currently exist within the Project area. The proposed Project does not include recreational facilities, nor does it require the construction or expansion of recreational facilities.

**Mitigation Measures**

None.

<b>XVII. Transportation/Traffic:</b> Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

decrease the performance or safety of such facilities?				
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- a) **Less than Significant.** The Project would result in increased traffic along N Fine Road due to visits to the project site for construction; however the work would be temporary and therefore would not result in a significant impact.
- b) **No Impact.** The Project would not conflict with a congestion management program or standards established by San Joaquin County.
- c) **No Impact.** The nearest airport is the Wallom Field Airport, which is approximately 9 miles west of the project. The Project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; therefore, no impact would occur, and no mitigation is required.
- d) **No Impact.** The proposed Project would not result in any impacts related to increased hazards from design features or incompatible uses.
- e) **No Impact.** The proposed Project would be constructed within farm roads and would not require any road closures along residential roads.
- f) **No Impact.** No interruptions to alternative transportation would result from the proposed Project.

**Mitigation Measures**

None.

<b>XVIII. Utilities and Service Systems:</b> Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) **No Impact.** The project will not produce any wastewater.

- b) **No Impact.** No new water treatment facilities are proposed as a part of this Project.
- c) **No Impact.** Existing storm water drainage facilities are adequate to deal with the runoff from the Project site. No impacts to existing storm water drainage facilities would occur.
- d) **No Impact.** The Project does not require any water supplies.
- e) **No Impact.** There is no wastewater treatment required for this Project.
- f) **No Impact.** Construction of the proposed Project would result in minor amounts of solid waste that would be disposed of at the Calaveras County Rock Creek Landfill.
- g) **No Impact.** The Project would comply with all federal, state, and local statutes and regulations related to solid waste disposal. Construction of the proposed Project would result in minor amounts of solid waste that would be disposed of at the Calaveras County Rock Creek Landfill.

**Mitigation Measures**

None.

<b>XIX. Mandatory Findings of Significance:</b>	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the Project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact.** There are no known historic resources within the project area. The project will not significantly degrade the quality of the environment or substantially reduce the habitat or wildlife populations.
- b) **No Impact.** The Project is a water conveyance project and is not anticipated to have cumulatively significant impacts on environmental resources.
- c) **No Impact.** No substantial adverse effects on human beings, either directly or indirectly, are anticipated.

**Mitigation Measures:**

None.

## **Appendix A – BIOLOGICAL RESOURCES TECHNICAL REPORT**

## **Appendix B - RESPONSE TO PUBLIC COMMENT**