



AGENDA
REGULAR MEETING OF THE BOARD OF DIRECTORS
District Board Room, 2890 Mosquito Road, Placerville, California
April 8, 2024 — 9:00 A.M.

Board of Directors

Alan Day—Division 5
President

Pat Dwyer—Division 2
Vice President

George Osborne—Division 1
Director

Brian K. Veerkamp—Division 3
Director

Lori Anzini—Division 4
Director

Executive Staff

Jim Abercrombie
General Manager

Brian D. Poulsen
General Counsel

Jennifer Sullivan
Clerk to the Board

Jesse Saich
Communications

Brian Mueller
Engineering

Jamie Bandy
Finance

Jose Perez
Human Resources

Aaron Kennedy
Information Technology

Dan Corcoran
Operations

PUBLIC COMMENT: Anyone wishing to comment about items not on the Agenda may do so during the public comment period. Those wishing to comment about items on the Agenda may do so when that item is heard and when the Board calls for public comment. Public comments are limited to five minutes per person.

PUBLIC RECORDS DISTRIBUTED LESS THAN 72 HOURS BEFORE A MEETING: Any writing that is a public record and is distributed to all or a majority of the Board of Directors less than 72 hours before a meeting shall be available for immediate public inspection in the office of the Clerk to the Board at the address shown above. Public records distributed during the meeting shall be made available at the meeting.

AMERICANS WITH DISABILITIES ACT: In accordance with the Americans with Disabilities Act (ADA) and California law, it is the policy of El Dorado Irrigation District to offer its public programs, services, and meetings in a manner that is readily accessible to everyone, including individuals with disabilities. If you are a person with a disability and require information or materials in an appropriate alternative format, or if you require any other accommodation for this meeting, please contact the EID ADA coordinator at 530-642-4045 or email at adacoordinator@eid.org at least 72 hours prior to the meeting. Advance notification within this guideline will enable the District to make reasonable accommodations to ensure accessibility.

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PUBLIC PARTICIPATION INSTRUCTIONS

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Dial **1.669.900.6833** and enter Meeting ID **945 6360 8941** when prompted.

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CALL TO ORDER

Roll Call
Pledge of Allegiance
Moment of Silence

ADOPT AGENDA

COMMUNICATIONS

General Manager's Employee Recognition

PUBLIC COMMENT

COMMUNICATIONS

General Manager

Brief reports on District activities or items of interest to the public, including activities or developments that occur after the agenda is posted.

Clerk to the Board

Board of Directors

Brief reports on community activities, meetings, conferences and seminars attended by the Directors of interest to the District and the public.

APPROVE CONSENT CALENDAR

Action on items pulled from the Consent Calendar

CONSENT CALENDAR

1. Clerk to the Board (Sullivan)

Consider approving the minutes of the March 11, 2024, regular meeting of the Board of Directors.

Option 1: Approve as submitted.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

Recommended Action: Option 1.

2. Office of the General Counsel (Sarge)

Consider adopting a resolution quitclaiming an unused easement to the landowner of Assessor Parcel No. 126-490-002.

Option 1: Adopt a resolution quitclaiming an unused easement to the landowner of Assessor Parcel No. 126-490-002.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

Recommended Action: Option 1.

3. Operations (Heape)

Consider authorizing additional funding in the amounts of \$25,000 for capitalized labor and \$119,456 for equipment and materials for a total funding request of \$144,456 for the Canal Remote Terminal Unit Replacement Control Sites, Project No. 19021, and \$375,000 for capitalized labor and \$50,000 for equipment and materials for a total funding request of \$425,000 for the Annual Canal and Flume Improvements Program, Project No. 24022.01.

Option 1: Authorize additional funding in the amounts of \$25,000 for capitalized labor and \$119,456 for equipment and materials for a total funding request of \$144,456 for the Canal Remote Terminal Unit Replacement Control Sites, Project No. 19021, and \$375,000 for capitalized labor and \$50,000 for equipment and materials for a total funding request of \$425,000 for the Annual Canal and Flume Improvements Program, Project No. 24022.01.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

Recommended Action: Option 1.

4. Office of the General Counsel (Leeper)

Consider approving recommendations of Reeb Government Relations, LLC, as the District's official positions on proposed state legislation.

Option 1: Approve recommendations of Reeb Government Relations, LLC, as the District's official positions on proposed state legislation.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

Recommended Action: Option 1.

END OF CONSENT CALENDAR

PUBLIC HEARING

5. Engineering (Venable)

Consider adopting a resolution certifying the Environmental Impact Report, adopting the Findings of Fact, including the Mitigation Monitoring and Reporting Program, and approving the Sly Park Intertie Improvements Project pursuant to the California Environmental Quality Act, Project No. 21079.

Option 1: ○ Adopt Proposed Resolution:

- Certifying that the final EIR was presented to the Board of Directors, and the Board has reviewed and considered the information contained in the final EIR prior to acting on the Project;
- Certifying that the final EIR reflects the independent judgment and analysis of the District and the information disclosed therein is accurate, adequate, and objective;
- Certifying that the final EIR has been completed in compliance with CEQA;
- Adopting the Findings of Fact including the Mitigation Monitoring and Reporting Program;
- Approving the Project as described in the final EIR as the Sly Park Intertie Improvements Project in accordance with CEQA;
- Specifying that the documents or other materials which constitute the record of proceedings upon which this decision is based shall be in the custody of the Clerk to the Board at District Headquarters; and
- Directing staff to file a Notice of Determination with the El Dorado County Clerk and the Governor's Office of Planning and Research.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

Recommended Action: Option 1.

INFORMATION ITEMS

6. Engineering (Money)

Capital Improvement Plan project completion summary.

Recommended Action: None – Information only.

ACTION ITEMS

7. Finance (Lane)

Consider ratifying EID General Warrant Registers for the periods ending March 5, March 12, March 19 and March 26, 2024, and Board and Employee Expense Reimbursements for these periods.

Option 1: Ratify the EID General Warrant Registers and Board and Employee Expense Reimbursements as submitted.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

Recommended Action: Option 1.

8. Finance (Bandy)

Consider adopting a resolution declaring the intent to issue tax-exempt obligations in the reasonably expected maximum principal amount of \$70 million for acquiring certain public facilities and improvements.

Option 1: Adopt a resolution declaring the intent to issue tax-exempt obligations in the reasonably expected maximum principal amount of \$70 million for acquiring certain public facilities and improvements.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

Recommended Action: Option 1.

9. Office of the General Counsel (Leeper)

Consider awarding a contract change order to AECOM in the not-to-exceed amount of \$134,594 for environmental services and authorize additional funding of \$8,650 for application fees for a total funding request of \$143,244 for the Permit 21112 Change in Point of Diversion, Project No. 16003.

Option 1: Award a contract change order to AECOM in the not-to-exceed amount of \$134,594 for environmental services and authorize additional funding of \$8,650 for application fees for a total funding request of \$143,244 for the Permit 21112 Change in Point of Diversion, Project No. 16003.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

Recommended Action: Option 1.

CLOSED SESSION

A. Conference with General Counsel – Anticipated Litigation

Government Code Section 54956.9(d)(2)

(one potential case: contractor claim regarding Flume 45 Abutment Project)

B. Public Employment

Government Code Section 54957(b)(1)

Title: General Manager

C. Conference with Real Property Negotiators

Government Code Section 54956.8

Property: District water rights (including pre-1914, licensed and permitted, and contract based rights (Central Valley Project Water Service Contract No. 14-06-200-1357A-LTR1; Warren Act Contract No. 06-WC-20-3315))

District negotiators: General Manager, General Counsel, Senior Deputy General Counsel

Under negotiation: price and terms of payment for purchase

Negotiating parties: any interested party

REVIEW OF ASSIGNMENTS

ADJOURNMENT

TENTATIVELY SCHEDULED ITEMS FOR FUTURE MEETINGS

Engineering

- 2024 Conserved Water Transfer Project California Environmental Quality Act Negative Declaration, Public Hearing, May 13 (Deason)
- Flume 47A construction contract and Capital Improvement Plan funding request, Action, May 13 (Carrington)
- Diversion Facility Upgrades Capital Improvement Plan funding request, Consent, May 13 (DeLongchamp)
- Reservoir 1 Water Treatment Plant generator replacement construction contract and Capital Improvement Plan funding request, Action, May 13 (Soltero)

Operations

- Water and wastewater annual chemical supply contracts, Action, May 13 (Wilson/Crane)

EL DORADO IRRIGATION DISTRICT
April 8, 2024

General Manager Communications

Awards and Recognitions

- a) The District recently received a call from EID customer Steve Wilkinson in appreciation of Lelan Kay, Distribution Operator. In his communication, Mr. Wilkinson expressed gratitude for the assistance Lelan provided during their recent interaction while EID crews were making repairs on a line break near his home. Excellent customer service is one of our guiding principles. Thank you, Lelan, for your continued commitment to upholding this standard.

Staff Reports and Updates

None



MINUTES
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CALL TO ORDER

President Day called the meeting to order at 9:00 A.M.

Roll Call

Board

Present: Directors Osborne, Dwyer, Veerkamp, Anzini and Day

Staff

Present: General Manager Abercrombie, General Counsel Poulsen and Board Clerk Sullivan

Pledge of Allegiance and Moment of Silence

Director Day led the Pledge of Allegiance.

ADOPT AGENDA

ACTION: Agenda was adopted.

MOTION PASSED

Ayes: Directors Veerkamp, Osborne, Dwyer, Anzini and Day

COMMUNICATIONS

Awards and Recognitions

General Manager Abercrombie recognized Communications and Customer Service staff for their excellent work on service notifications.

PUBLIC COMMENT

None

COMMUNICATIONS

General Manager

None

Clerk to the Board

None

Board of Directors

Director Anzini thanked staff for the recent recycled water information provided to the Board clarifying the authorized uses of recycled water by the District.

Director Veerkamp reported on his attendance at the recent Local Agency Formation Commission strategic planning meeting.

Director Osborne reported receiving a call from a customer who expressed appreciation for the professionalism and assistance provided by the staff of the District's Customer Service and Development Services Divisions.

Director Dwyer reported that he will be attending the upcoming El Dorado Water Agency meeting.

APPROVE CONSENT CALENDAR

ACTION: Consent Calendar was approved.

MOTION PASSED

Ayes: Directors Anzini, Dwyer, Osborne, Veerkamp and Day

CONSENT CALENDAR

1. Clerk to the Board (Sullivan)

Consider approving the minutes of the February 26, 2024, regular meeting of the Board of Directors.

ACTION: Option 1: Approved as submitted.

MOTION PASSED

Ayes: Directors Anzini, Dwyer, Osborne, Veerkamp and Day

2. Human Resources (Newsom)

Consider adopting a resolution approving the 2024 Local Hazard Mitigation Plan for the El Dorado Irrigation District and authorizing the General Manager or his designee to make minor changes to the Local Hazard Mitigation Plan, if deemed necessary for final approval by state and federal agencies.

ACTION: Option 1: Adopted Resolution No. 2024-005, approving the 2024 Local Hazard Mitigation Plan for the El Dorado Irrigation District and authorizing the General Manager or his designee to make minor changes to the Local Hazard Mitigation Plan, if deemed necessary for final approval by state and federal agencies.

MOTION PASSED

Ayes: Directors Anzini, Dwyer, Osborne, Veerkamp and Day

3. Finance (Royal)

Consider approving the disposition of 26 vehicles, 9 pieces of equipment and miscellaneous additional parts and equipment that are no longer needed to support fleet and District operations.

ACTION: Option 1: Approved the disposition of 26 vehicles, 9 pieces of equipment and miscellaneous additional parts and equipment that are no longer needed to support fleet and District operations.

MOTION PASSED

Ayes: Directors Anzini, Dwyer, Osborne, Veerkamp and Day

4. Information Technology (Kennedy)

Consider awarding a contract to CDW-G in the not-to-exceed amount of \$114,174 for the purchase of Cisco equipment support and maintenance for a one-year term.

ACTION: Option 1: Awarded a contract to CDW-G in the not-to-exceed amount of \$114,174 for the purchase of Cisco equipment support and software maintenance for a one-year term.

MOTION PASSED

Ayes: Directors Anzini, Dwyer, Osborne, Veerkamp and Day

END OF CONSENT CALENDAR

INFORMATION ITEMS

5. Operations (Baxter)

Mid-winter update regarding 2024 water supplies.

ACTION: None – Information only.

ACTION ITEMS

6. Finance (Lane)

Consider ratifying EID General Warrant Registers for the periods ending February 20 and February 27, 2024, and Board and Employee Expense Reimbursements for these periods.

Director Veerkamp recused himself from the deliberations and vote on this Item.

ACTION: Option 1: Ratified the EID General Warrant Registers and Board and Employee Expense Reimbursements as submitted.

MOTION PASSED

Ayes: Directors Anzini, Dwyer, Osborne and Day

7. Office of the General Counsel (Leeper)

Consider approving recommendations of Reeb Government Relations, LLC, as the District's official positions on proposed state legislation.

ACTION: Option 1: Approved recommendations of Reeb Government Relations, LLC, as the District's official positions on proposed state legislation.

MOTION PASSED

Ayes: Directors Osborne, Veerkamp, Dwyer, Anzini and Day

8. Engineering (Kelsch)

Consider awarding a contract to Campbell Construction General Engineering, Inc. in the not-to-exceed amount of \$821,310 for construction of the Silver Lake Well and appurtenant facilities and authorize additional funding of \$91,680 for on-call construction inspection services, \$65,011 for engineering services during construction, \$45,000 for capitalized labor and \$153,450 in contingencies for a total funding request of \$1,176,451 for the Silver Lake Well Project, Project No.06082H.02.

ACTION: Option 1: Awarded a contract to Campbell Construction General Engineering, Inc. in the not-to-exceed amount of \$821,310 for construction of the Silver Lake Well and appurtenant facilities and authorized additional funding of \$91,680 for on-call construction inspection services, \$65,011 for engineering services during construction, \$45,000 for capitalized labor and \$153,450 in contingencies for a total funding request of \$1,176,451 for the Silver Lake Well Project, Project No.06082H.02.

MOTION PASSED

Ayes: Directors Anzini, Osborne, Dwyer, Veerkamp and Day

REVIEW OF ASSIGNMENTS

Director Day asked the staff to prepare a second-quarter evaluation of the District's alternative energy program, including an analysis of return on investments and a comparison between projected and actual outcomes.

Director Osborne requested that staff provide an update on the remaining Federal Energy Regulatory Commission requirements that need to be fulfilled by the District.

ADJOURNMENT

President Day adjourned the meeting at 10:27 A.M.

Alan Day
Board President
EL DORADO IRRIGATION DISTRICT

ATTEST

Jennifer Sullivan
Clerk to the Board
EL DORADO IRRIGATION DISTRICT

Approved: _____

EL DORADO IRRIGATION DISTRICT

SUBJECT: Consider adopting a resolution quitclaiming an unused easement to the landowner of Assessor Parcel No. 126-490-002.

PREVIOUS BOARD ACTION

None

BOARD POLICIES (BP), ADMINISTRATIVE REGULATIONS (AR) AND BOARD AUTHORITY

Water Code Sections 22500 and 22502

SUMMARY OF ISSUE

The landowner of Assessor Parcel Number (APN) 126-490-002 requests the District quitclaim its property interests of two unused roadway easements on their El Dorado Hills property. The District does not need the easements, so staff recommends quitting them.

BACKGROUND/DISCUSSION

The landowner has requested the District quitclaim two easements within the Malcom Dixon Road Estates development: (1) the “future easement” shown in a 2001 record of survey; and (2) a 50-foot wide roadway easement granted to the District in 2016. The easements were reserved for the District’s access to its Salmon Falls tank; however, staff can access the Salmon Falls tank through public right-of-ways on Via Veritas and Rancho Cerros Drive. District staff has researched the landowner’s request and determined that the easements, including access to existing or planned facilities, are unnecessary for District operations. As such, staff prepared a proposed easement quitclaim relinquishing the District’s interest in the roadway easements within APN 126-490-002 for the Board’s consideration. The District’s Board of Directors must review and approve easement quitclaims by resolution. After approval by the Board, easement quitclaims are then recorded at the El Dorado County Recorder’s Office.

BOARD OPTIONS

Option 1: Adopt a resolution quitclaiming an unused easement to the landowner of Assessor Parcel No. 126-490-002.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

RECOMMENDATION

Option 1

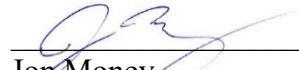
ATTACHMENTS

Attachment A: Proposed resolution

Attachment B: Easement Quitclaim



Rachel Sarge
Legal Secretary



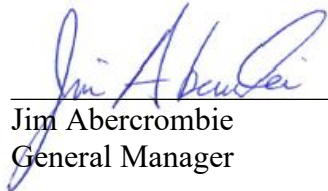
Jon Money
Engineering Manager



Dan Corcoran
Operations Director



Brian Poulsen
General Counsel



Jim Abercrombie
General Manager

**RESOLUTION OF THE BOARD OF DIRECTORS OF
EL DORADO IRRIGATION DISTRICT
APPROVING AND AUTHORIZING EXECUTION OF AN EASEMENT QUITCLAIM
ASSESSOR PARCEL NUMBER 126-490-002**

WHEREAS, the property owner of Assessor Parcel Number 126-490-002 (“Property”) requests that the El Dorado Irrigation District (“District”) quitclaim two roadway easements within the Malcolm Dixon Road Estates development in El Dorado Hills, California; and

WHEREAS, the first roadway easement is identified as “reserved for future EID road easement” shown on a Record of Survey, recorded in the County of El Dorado Recorder, Book 25 Page 30; and

WHEREAS, the second roadway easement is identified as a 50-foot right of way for ingress and egress, recorded in the County of El Dorado Recorder, Document No. 2016-0005341; and

WHEREAS, the location of the roadway has since been relocated, therefore, the easements are no longer necessary for access to District facilities; and

WHEREAS, District staff confirmed it no longer requires the subject easement rights for existing or future use; and

WHEREAS, the requested easements to be quitclaimed do not affect District operations or water supply; and

WHEREAS, the District desires to relieve itself of all administrative and legal responsibilities associated with the subject easements to be quitclaimed.

NOW THEREFORE, El Dorado Irrigation District does hereby authorize and approve execution of an easement quitclaim to any portion of the “reserved for future EID road easement” and the 50’ wide roadway easement held in the real property identified by Assessor Parcel Number 126-490-002.

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1 The foregoing Resolution was introduced at a regular meeting of the Board of Directors of the
2 EL DORADO IRRIGATION DISTRICT, held on the 8th day of April 2024, by Director who
3 moved its adoption. The motion was seconded by Director and a poll vote taken which stood as
4 follows:

5 AYES:

6 NOES:

7 ABSENT:

8 ABSTAIN:

9 The motion having a majority of votes “Aye”, the resolution was declared to have been
10 adopted, and it was so ordered.

11 _____
12 Alan Day
13 Board of Directors
14 EL DORADO IRRIGATION DISTRICT

15 ATTEST:

16 _____
17 Jennifer Sullivan
18 Clerk to the Board
19 EL DORADO IRRIGATION DISTRICT

20 (SEAL)

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I, the undersigned, Clerk to the Board of the EL DORADO IRRIGATION DISTRICT hereby certify that the foregoing resolution is a full, true and correct copy of a Resolution of the Board of Directors of the EL DORADO IRRIGATION DISTRICT entered into and adopted at a regular meeting of the Board of Directors held on the 8th day of April 2024.

Jennifer Sullivan
Clerk to the Board
EL DORADO IRRIGATION DISTRICT

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RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

El Dorado Irrigation District
c/o Rachel Sarge, Legal Secretary
2890 Mosquito Road
Placerville, CA 95667

APN: 126-490-002

Documentary Transfer Tax \$ 0
Exempt from fees: Gov. Code 27383 R&T 11922

Declarant: _____

For County Recorder's Use Only

EASEMENT QUITCLAIM & RESOLUTION

EL DORADO IRRIGATION DISTRICT does hereby REMISE, RELEASE AND FOREVER QUITCLAIM to **DIAMANTE DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY CORPORATION** owner of the real property identified by Assessor's Parcel Number 126-490-002, a 50-foot non-exclusive easement and right-of-way for ingress and egress purposes, recorded in the County of El Dorado Document No. 2016-0005341; and the Future E.I.D. Road Easement, as shown and reserved on that certain Record of Survey, filed October 30, 2001 in Book 25 of Record of Surveys, Page 30, records of El Dorado County and any subsequent unrecorded easement representing the reservation as shown thereon.

LEGAL DESCRIPTION OF 50' NON-EXCLUSIVE EASEMENT
ATTACHED AS EXHIBIT "A"

RECORD OF SURVEY BOOK 25 PAGE 30 SHOWING FUTURE EID ROAD EASEMENT
ATTACHED AS EXHIBIT "B"

By: _____

Alan Day
President of the Board of Directors
EL DORADO IRRIGATION DISTRICT

Date: _____

By: _____

Jim Abercrombie
General Manager
EL DORADO IRRIGATION DISTRICT

Date: _____

EXHIBIT "A"
50' NON-EXCLUSIVE EASEMENT
APN 126-490-002

LEGAL DESCRIPTION

A 50-FOOT WIDE STRIP OF LAND SITUATED IN THE COUNTY OF ELDORADO, STATE OF CALIFORNIA, BEING A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 10 NORTH, RANGE 8 EAST, MOUNT DIABLO BASELINE & MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF BEGINNING MORE PARTICULARLY DESCRIBED IN DOCUMENT 2008-009521-00, RECORDED IN THE COUNTY OF EL DORADO, STATE OF CALIFORNIA, ON FEBRUARY 29, 2008; THENCE ALONG THE ALIGNMENT DESCRIBED IN DOCUMENT 2008-009521-00 UNTIL REACHING THE NORTHERN BOUNDARY OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14; THENCE WEST ALONG AND IN PARALLEL WITH THE NORTHERN BOUNDARY OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14 UNTIL REACHING A **POINT OF TERMINATION** AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14.

RECORD OF SURVEY

THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, T. 10 N., R. 8 E, M.D.M.

COUNTY OF EL DORADO STATE OF CALIFORNIA
 JUNE 2000 SCALE: 1"=400'
 PATTERSON DEVELOPMENT

SHEET 1 OF 1

REFERENCES:

R.S. 16-101
 R.S. 23-90
 O.R. 3937-137

BASIS OF BEARINGS

THE MERIDIAN OF THIS SURVEY IS IDENTICAL TO THAT OF R.S. 16-101 WHICH IS CITED AS GRID NORTH.

NOTE:

- 1) THE PURPOSE OF THIS SURVEY IS TO DELINEATE THE BOUNDARY OF THAT PARTICULAR PROPERTY DESCRIBED IN O.R. 3937-137 BEING THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14, T. 10 N., R. 8 E., M.D.M.
- 2) THE SUBDIVISION OF SECTION 14 IS AS SHOWN ON R.S. 16-101 AND R.S. 23-90. FOUND MONUMENTS SHOWN ON THESE SURVEYS WERE FOUND IDENTICAL AND THE CENTER OF SECTION 14 WAS ESTABLISHED IN THE RECORD POSITION AS SHOWN ON THOSE RECORD OF SURVEYS BASED ON FOUND MONUMENTS SHOWN HEREON.

SURVEYORS STATEMENT:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE LAND SURVEYOR'S ACT AT THE REQUEST OF THE ROBERT D. CARNAHAN, TRUSTEE OF THE EDWARD B. CARNAHAN AND SHIRLEY A. CARNAHAN FAMILY TRUST AND SHIRLEY A. CARNAHAN, GENERAL PARTNER OF THE DIAMOND D LIMITED PARTNERSHIP.

Lawrence A. Patterson
 LAWRENCE A. PATTERSON
 R.C.E. 26342



LICENSE EXPIRES: 03-31-2002

COUNTY SURVEYOR'S STATEMENT:

THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8766 OF THE LAND SURVEYOR'S ACT

THIS 8th DAY OF OCT, 2001

Daniel S. Russell

DANIEL S. RUSSELL L.S. 5017 LICENSE EXPIRES 12-31-01
 COUNTY SURVEYOR
 COUNTY OF EL DORADO

Richard L. Briner

ASSOCIATE LAND SURVEYOR
 RICHARD L. BRINER L.S. 5084 LICENSE EXPIRES 06-30-03

RECORDER'S STATEMENT:

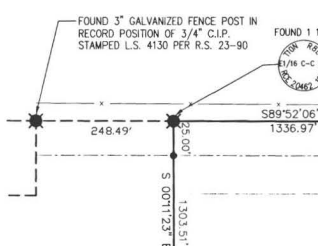
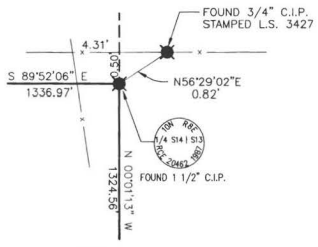
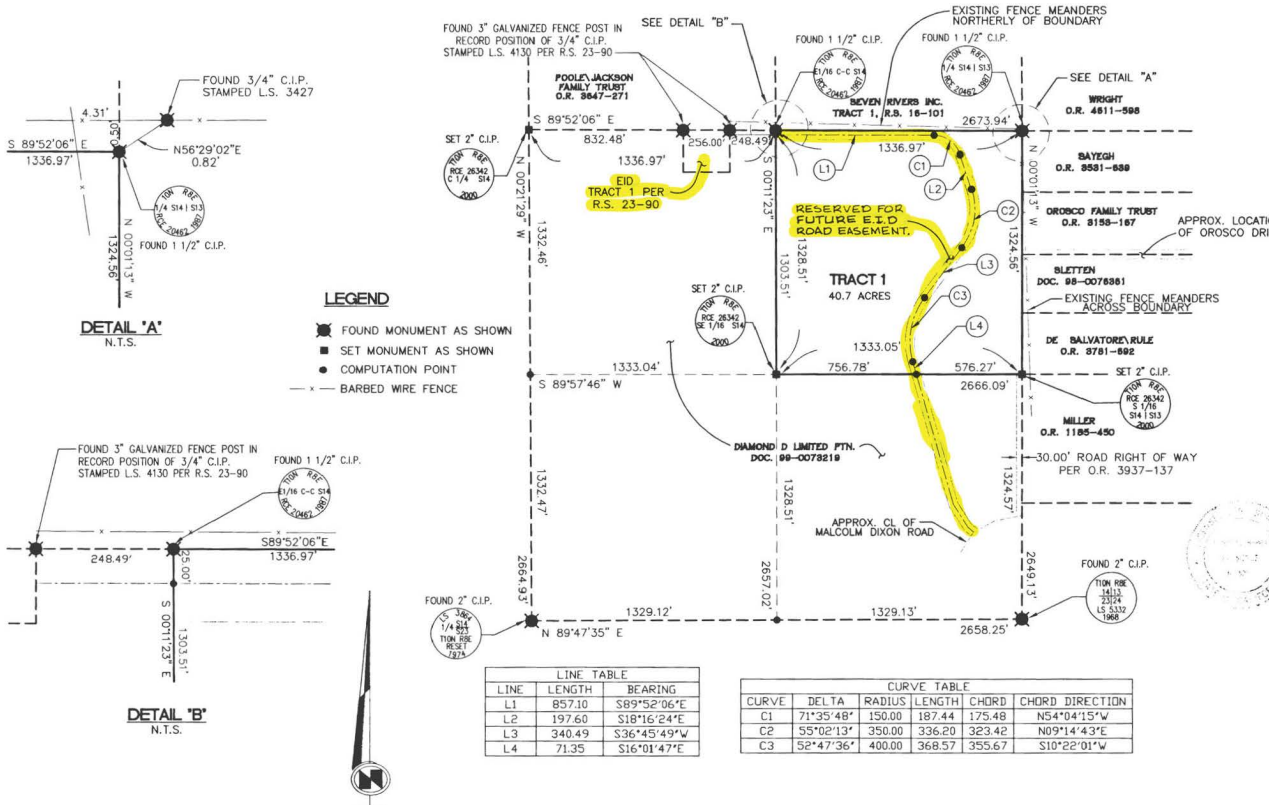
FILED THIS 30th DAY OF October, 2001, AT 11:10:00

IN BOOK 25 OF RECORD OF SURVEYS AT PAGE 30

AT THE REQUEST OF ROBERT D. CARNAHAN, TRUSTEE OF THE EDWARD B. CARNAHAN AND SHIRLEY A. CARNAHAN FAMILY TRUST AND SHIRLEY A. CARNAHAN, GENERAL PARTNER OF THE DIAMOND D LIMITED PARTNERSHIP.

DOCUMENT NO. 2001-0069182-00

William E. Schultz BY *Jennifer Bridges*
 WILLIAM E. SCHULTZ COUNTY RECORDER
 COUNTY OF EL DORADO



LEGEND

- FOUND MONUMENT AS SHOWN
- SET MONUMENT AS SHOWN
- COMPUTATION POINT
- x- BARBED WIRE FENCE

LINE	LENGTH	BEARING
L1	857.10	S89°52'06"E
L2	197.60	S18°16'24"E
L3	340.49	S36°45'49"W
L4	71.35	S16°01'47"E

CURVE	DELTA	RADIUS	LENGTH	CHORD	CHORD DIRECTION
C1	71°35'48"	150.00	187.44	175.48	N54°04'15"W
C2	55°02'13"	350.00	336.20	323.42	N09°14'43"E
C3	52°47'36"	400.00	368.57	355.67	S10°22'01"W

EXISTING ASSESSOR'S PARCEL NO. 067-051-06

06-50

06-50

25-30

EL DORADO IRRIGATION DISTRICT

SUBJECT: Consider authorizing additional funding in the amounts of \$25,000 for capitalized labor and \$119,456 for equipment and materials for a total funding request of \$144,456 for the Canal Remote Terminal Unit Replacement Control Sites, Project No. 19021, and \$375,000 for capitalized labor and \$50,000 for equipment and materials for a total funding request of \$425,000 for the Annual Canal and Flume Improvements Program, Project No. 24022.01.

PREVIOUS BOARD ACTION

Federal Energy Regulatory Commission (FERC) License Conditions

Since 2006, the Board has annually authorized funding to implement the various license conditions to comply with the terms of the FERC license and related agreements.

October 23, 2023 – Board adopted the 2024–2028 Capital Improvement Plan (CIP), subject to available funding.

BOARD POLICIES (BP), ADMINISTRATIVE REGULATIONS (AR) AND BOARD AUTHORITY

BP 3010 Budget

BP 8010 Hydroelectric System Management

AR 8013 System Operation

SUMMARY OF ISSUE

Board approval is required to authorize CIP funding prior to staff proceeding with work on the projects.

BACKGROUND/DISCUSSION

Staff requests funding for the CIP projects identified in Table 1. The expenditures to date, the amount of new funding requested, and the funding source are listed.

**Table 1
CIP Funding Request**

	Project Name and Number	2024-2028 CIP ¹	Funded to Date	Actual Costs to date ²	Amount Requested	Funding Source
1.	Canal Remote Terminal Unit Replacement Control Sites 19021	\$1,125,000 ³ (\$150,000 / Fiscal Year 2024)	\$80,000	\$74,455	\$144,456	100% Water Rates
2.	Annual Canal & Flume Improvements Program 24022.01	\$1,625,000 ⁴ (\$425,000 / Fiscal Year 2024)	\$0	\$0	\$425,000	53% Water FCCs 47% Water Rates
3.						
	TOTAL FUNDING REQUEST				\$569,456	

¹ Includes all existing costs plus any expected costs in the 5-year CIP.

² Actual costs include encumbrances.

³ Total allocated over the Five-Year Capital Improvement Plan. The Canal Remote Terminal Unit (RTU) Replacement Control Sites Project received an allocation of \$150,000 for Fiscal Year 2024 in the 2024-2028 CIP adopted by the Board.

⁴ Total allocated over the Five-Year Capital Improvement Plan. The Annual Canal and Flume Improvements Program received an allocation of \$425,000 for Fiscal Year 2024 in the 2024-2028 CIP adopted by the Board.

The following section contains a brief breakdown and description of the Project in Table 1.

CIP Funding Request

Project No.	19021	Board Date	04/08/2024
Project Name	Canal RTU Replacement Control Sites		
Project Manager	Matt Heape		

Budget Status	\$	%
Funded to date	\$ 80,000	--
Spent to date	\$ 74,455	93%
Current Remaining	\$ 5,544	7%

Funding Request Breakdown	\$
Capitalized Labor	\$ 25,000
Materials	\$ 119,456
Total	\$ 144,456

Funding Source
100% Water Rates

Description
This project will replace end-of-life cycle SCADA Hardware, specifically the Moscad L RTUs and level/flow measurement equipment, replacing alarm and spillway control sites located along the Project 184 canal. The current system has served the District well; unfortunately, it is no longer supported by a modern computer. Costs will be revised when design is completed.

CIP Funding Request

Project No.	24022.01	Board Date	04/08/2024
Parent Capital Improvement Plan	ANNUAL CANAL AND FLUME IMPROVEMENTS PROGRAM		
Project Name	Annual Canal and Flume Improvements Program (2024)		
Project Manager	Matt Heape		

Budget Status	\$	%
Funded to date	\$ 0	--
Spent to date	\$ 0	0
Current Remaining	\$ 0	0

Funding Request Breakdown	\$
Capitalized Labor	\$ 375,000
Materials	\$ 50,000
Total	\$ 425,000

Funding Source
53% Water FCCs 47% Water Rates

Description
District staff assesses Canals and flumes annually to assess and prioritize necessary improvements implemented during the annual Canal outage. These improvements are needed to extend the service life of the asset and maintain system reliability. Improvements to the degraded canal and flume sections include materials, concrete, shotcrete, helicopter support, equipment, and District crew labor. Canal rehabilitation, flume, and spillway improvements are necessary to maintain the water supply's reliability. District Hydro Operations will determine annual system improvements each spring for implementation during the scheduled canal outage. Expenditures for 2024 will include \$425,000 for canal and flume maintenance, such as re-lining and concrete repairs. Expenditures for 2025, 2026, 2027, and 2028 will include \$300,000 annually for canal and flume maintenance, such as re-lining and concrete repairs.

BOARD OPTIONS

Option 1: Authorize additional funding in the amounts of \$25,000 for capitalized labor and \$119,456 for equipment and materials for a total funding request of \$144,456 for the Canal Remote Terminal Unit Replacement Control Sites, Project No. 19021, and \$375,000 for capitalized labor and \$50,000 for equipment and materials for a total funding request of \$425,000 for the Annual Canal and Flume Improvements Program, Project No. 24022.01.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

RECOMMENDATION

Option 1

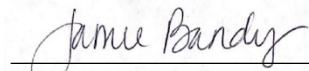
ATTACHMENTS

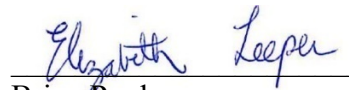
Attachment A: CIP summaries


Matt Heape
Hydro Operations and Maintenance Supervisor


Cary Mutschler
Hydroelectric Manager


Dan Corcoran
Operations Director


Jamie Bandy
Finance Director


Elizabeth Leeper for
Brian Poulsen
General Counsel


Jim Abercrombie
General Manager

2024

CAPITAL IMPROVEMENT PLAN Program:

Hydroelectric

Project Number: 19021
Project Name: Canal RTU Replacement Control Sites
Project Category: Reliability & Service Level Improvements
Priority: 2 **PM:** Leanos **Board Approval:** 10/23/23

Project Description:

This project is to replace end of life cycle SCADA Hardware, specifically the Moscad L RTUs and level/flow measurement equipment. Replacement of alarm and spillway control sites located along the Project 184 canal. The current system has served the District well, unfortunately it is no longer supported by a modern computer. Costs will be revised when design is completed.

Basis for Priority:

This equipment is at the end of its life cycle and warrants replacement to retain the reliability and operational capabilities of the system. Additionally, new replacement parts are not available due to obsolescence. This system cannot be supported on a modern computer.

Project Financial Summary:			
Funded to Date:	\$ 80,000	Expenditures through end of year:	\$ 48,214
Spent to Date:	\$ 48,214	2024 - 2028 Planned Expenditures:	\$ 1,125,000
Cash flow through end of year:		Total Project Estimate:	\$ 1,173,214
Project Balance	\$ 31,786	Additional Funding Required	\$ 1,093,214

Description of Work	Estimated Annual Expenditures					Total
	2024	2025	2026	2027	2028	
Design/Planning	\$ 125,000					\$ 125,000
Construction		\$ 300,000	\$ 300,000	\$ 300,000		\$ 900,000
Capitalized Labor	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000		\$ 100,000
TOTAL	\$ 150,000	\$ 325,000	\$ 325,000	\$ 325,000	\$ -	\$ 1,125,000

Funding Sources	Percentage	2024	Amount
Water Rates	100%		\$118,214
			\$0
Total	100%		\$118,214

Funding Comments:

Project Number:

PLANNED

Project Name:

Annual Canal and Flume Improvements Program

Project Category:

Reliability & Service Level Improvements

Priority:

2

PM:

M. Heape

Board Approval:

10/23/23

Project Description:

Canals and flumes are assessed annually by District staff to assess and prioritize necessary improvements that will be implemented during the annual Canal outage. These improvements are needed to extend the service life of the asset and maintain system reliability. Improvements to the degraded canal and flume sections include materials, concrete, shotcrete, helicopter support, equipment, and District crew labor. Canal rehabilitation, flume, and spillway improvements are necessary in order to maintain reliability of the water supply. Annual system improvements will be determined by District Hydro Operations each spring for implementation to be achieved during the scheduled Canal outage. Expenditures for 2024, 2025, 2026, 2027, 2028 will include \$75,000 for canal & flume maintenance such as re-lining and concrete repairs. Expenditures for 2024, will include \$425,000 for canal & flume maintenance such as re-lining and concrete repairs. Expenditures for 2025, 2026, 2027, and 2028 will include \$300,000 for canal & flume maintenance such as re-lining and concrete repairs.

Basis for Priority:

These are projects that provide measurable advancement towards attaining the objectives of the District, but over which the District has a moderate level of control as to when they should be performed.

Project Financial Summary:			
Funded to Date:		Expenditures through end of year:	\$ 93,340
Spent to Date:		2024 - 2028 Planned Expenditures:	\$ 1,625,000
Cash flow through end of year:	\$ 93,340	Total Project Estimate:	\$ 1,718,340
Project Balance	\$ 363,994	Additional Funding Required	\$ 1,261,006

Description of Work	Estimated Annual Expenditures					Total
	2024	2025	2026	2027	2028	
Study/Planning						\$ -
Design						\$ -
Construction	\$ 425,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 1,625,000
						\$ -
TOTAL	\$ 425,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 1,625,000

Estimated Funding Sources	Percentage	2024	Amount
Water FCCs	53%		\$32,333
Water Rates	47%		\$28,673
			\$0
Total	100%		\$61,006

Funding Comments:

EL DORADO IRRIGATION DISTRICT

SUBJECT: Consider approving recommendations of Reeb Government Relations, LLC, as the District's official positions on proposed state legislation.

PREVIOUS BOARD ACTION

March 11, 2024 – Board approved recommendations of Reeb Government Relations, LLC, as the District's official positions on proposed state legislation.

BOARD POLICIES (BP), ADMINISTRATIVE REGULATIONS (AR) AND BOARD AUTHORITY

BP 12020 Duties and Powers

SUMMARY OF ISSUE

Following the March 11, 2024, Board meeting, Reeb Government Relations, LLC identified seven additional bills that could affect the District's interests and, therefore, recommended the District take positions on the proposed state legislation.

BACKGROUND/DISCUSSION

This year is the second year of the latest two-year legislative cycle in Sacramento (2023-2024). Thousands of bills have been introduced, and legislative hearings are underway. During the March 11, 2024, Board meeting, legislative advocate Bob Reeb of Reeb Government Relations, LLC, identified 31 bills that warrant the District's participation or monitoring. Since then, seven additional bills have been identified for monitoring. One such bill was identified by Director Anzini as an item of interest. Mr. Reeb has provided the attached report summarizing the bills and recommendations for District positions on these proposed legislative bills.

Three of the bills identified in the report have reached a point where they are clearly adverse or favorable to the District's interests. On this legislation, Mr. Reeb recommends specific positions of "oppose unless amended" or "support." The other four bills have the potential to affect District interests, depending on how the bills develop during the legislative session, and therefore warrant a "watch" position. Mr. Reeb will continue to monitor these bills for substantive amendments.

A list of the seven additional bills and the recommended District position for each follows. A summary and analysis of each bill are available in Mr. Reeb's attached legislative report. Bills may be viewed by clicking on the live links in Mr. Reeb's report; hard copies are available upon request.

- AB 2404 (Lee) State and local public employees: labor relations: strikes – **Oppose Unless Amended**
- AB 2561 (McKinnor) Local public employees: vacant positions – **Watch/Amend**
- AB 2614 (Ramos) Water policy: California tribal communities – **Oppose Unless Amended**

- AB 2933 (Low) Multiunit residential structures and mixed-use residential and commercial structures: water conservation – **Watch**
- AB 3044 (Alanis) Urban retail water suppliers: urban water use objectives: report – **Watch**
- AB 3073 (Haney) Wastewater testing: illicit substances – **Watch/Amend**
- SB 945 (Alvarado-Gil) The Wildfire Smoke and Health Outcomes Data Act - **Support**

BOARD OPTIONS

Option 1 Approve recommendations of Reeb Government Relations, LLC, as the District’s official positions on proposed state legislation.

Option 2: Take other action as directed by the Board.

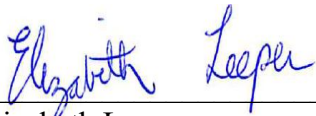
Option 3: Take no action.

RECOMMENDATION

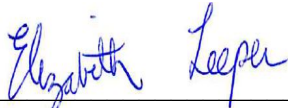
Option 1

ATTACHMENTS

Attachment A: Legislative Report from Reeb Government Relations LLC Regarding Legislative Report for Second Year, 2023-2024 Regular Session, dated March 28, 2024.



Elizabeth Leeper
Senior Deputy General Counsel



Brian Poulsen for
General Counsel



Jim Abercrombie
General Manager

**El Dorado Irrigation District
Gutted and Amended Legislation - 3/28/2024**

AB 2404 (Lee D) State and local public employees: labor relations: strikes.

Introduced: 2/12/2024

Last Amend: 3/21/2024

Is Urgency: N

Is Fiscal: Y

Summary: The Meyers-Milias-Brown Act and the Ralph C. Dills Act regulate the labor relations of employees and employers of local public agencies and the state, respectively. The acts grant specified employees of local public agencies and the state the right to form, join, and participate in the activities of employee organizations of their choosing. This bill would provide, except as specified, that it is not unlawful or a cause for discipline or other adverse action against a public employee for that public employee to refuse to enter property that is the site of a primary strike, perform work for a public employer involved in a primary strike, or go through or work behind a primary strike line. The bill would prohibit a public employer from directing a public employee to take those actions. The bill would authorize a recognized employee organization to inform employees of these rights and encourage them to exercise those rights.

Notes: The Meyers-Milias-Brown Act and the Ralph C. Dills Act regulate the labor relations of employees and employers of local public agencies and the state, respectively. The acts grant specified employees of local public agencies and the state the right to form, join, and participate in the activities of employee organizations of their choosing.

The bill would provide, except as specified, that it is not unlawful or a cause for discipline or other adverse action against a public employee for that public employee to refuse to enter property that is the site of a primary strike, perform work for a public employer involved in a primary strike, or go through or work behind a primary strike line. The bill would prohibit a public employer from directing a public employee to take those actions. The bill would authorize a recognized employee organization to inform employees of these rights and encourage them to exercise those rights. The bill would also state that a provision in a public employer policy or collective bargaining agreement that purports to limit or waive the rights set forth in this provision shall be void as against public policy, except that the bill would require the parties to negotiate over the bill's provisions if the bill is in conflict with a collective bargaining agreement entered into before January 1, 2025.

The bill would exempt certain public employees of fire departments and certain peace officers from these provisions. An amendment should be sought on this bill to ensure that employees of special districts whom the legislative body has determined to performed a function essential to the public health, safety or welfare, as defined by Government Code Section 54700.5, are also exempted from the bill provisions.

This bill is a reintroduction of last year's AB 504, by Assemblymember Reyes. Governor Newsom vetoed the measure stating it to be "overly broad in scope and impact. The bill has the potential to seriously disrupt or even halt the delivery of critical public services, particularly in places where public services are co-located. This could have significant, negative impacts on a variety of government functions including academic operations for students, provision of services in rural communities where co-location of government agencies is common, and accessibility of a variety of safety net programs for millions of Californians."

Current Position: Not Yet Considered

Recommended Position: Oppose Unless Amended

AB 2561 (McKinnor D) Local public employees: vacant positions.

Introduced: 2/14/2024

Last Amend: 3/11/2024

Is Urgency: N

Is Fiscal: Y

Summary: Would require each public agency with bargaining unit vacancy rates exceeding 10% for more than 90 days within the past 180 days to meet and confer with a representative of the recognized employee organization to produce, publish, and implement a plan consisting of specified components to fill all vacant positions within the subsequent 180 days. The bill would require the public agency to present this plan during a public hearing to the governing legislative body and to publish the plan on its internet website for public review for at least one year. By imposing new duties on local public agencies, the bill would impose a state-mandated local program. The bill would also include findings that changes proposed by this bill address a matter of statewide concern.

Notes: The AFSCME, SEIU, and the California Labor Federation are the sponsors of this legislation.

According to the bill sponsors "we need a robust public sector workforce to address the several challenges facing California (including climate, poverty, extreme weather, natural disasters), but we are seeing vacancy rates as high as 50% at the local level. The vacancy rate of county job positions in three of the most populous counties in the state is 1.4 to 2 times higher than it was prior to the COVID-19 pandemic, according to a recent report by the UC Berkley Labor Center... High vacancy rates for these positions often result in burnout for the workers who remain, lower quality services for the communities they serve, and unsustainable outsourcing of civil service job functions to private contractors."

This bill would require each public agency with bargaining unit vacancy rates exceeding 10% for more than 90 days (Approximately 3 months) within the past 180 days (approximately 6 months) to meet and confer with a representative of the recognized employee organization to produce, publish, and implement a plan to reduce their vacancy rates to 0% within the subsequent 180 days. Local agencies are to include an assessment of the following components in their plan: total number of positions and vacancies for specified job classifications, separated by the agency departments or divisions; compensation rates and relationship to employee retention; terms of employment in departments with high job vacancies; and obstacles in the hiring process.

The bill would require the public agency to present this plan during a public hearing to the governing legislative body and to publish the plan on its internet website for public review for at least one year.

The District should watch this measure and request amendments that would provide a different threshold for smaller agencies.

Current Position: Not Yet Considered

Recommended Position: Watch/Amend

AB 2614 (Ramos D) Water policy: California tribal communities.

Introduced: 2/14/2024

Last Amend: 3/21/2024

Is Urgency: N

Is Fiscal: Y

Summary: The Porter-Cologne Water Quality Control Act establishes a statewide program for the control of the quality of all the waters in the state and makes certain legislative findings and declarations. Current law defines the term "beneficial uses" for the purposes of water quality as certain waters of the state that may be protected against quality degradation, to include, among others, domestic, municipal, agricultural, and industrial supplies. This bill would add findings and declarations related to California tribal communities and the importance of protecting tribal water use, as those terms are defined. The bill would add tribal water uses as waters of the state that may be protected against quality degradation for purposes of the defined term "beneficial uses."

Notes: Section 303 of the federal Clean Water Act (33 U.S.C. section1313) defines the term water quality standards as both the uses of the surface (navigable) waters and the water quality criteria which are applied to protect those uses. A water quality standard defines the water quality goals for a water body by designating the use or uses to be made of the water body, by setting criteria to protect the uses, and by protecting water quality through antidegradation provisions.

Under the Porter-Cologne Water Quality Control Act (California Water Code, Division 7, Chapter 2 section13050), these concepts are defined separately as beneficial uses and water quality objectives. Beneficial uses and water quality objectives are required to be established for all waters of the State, both surface and ground waters.

The designation of beneficial uses must satisfy all of the applicable requirements of the California Water Code, Division 7 (also known as the "Porter-Cologne Water Quality Control Act") and the federal Clean Water Act. The designation of beneficial uses for the waters of the State by the Regional Board is mandated under California Water Code section 13240. The Clean Water Act, section 303 requires that the State adopt designated beneficial uses for surface waters.

The Porter-Cologne Act establishes a comprehensive program for the protection of beneficial uses of the waters of the state. California Water Code section 13050(f) describes the beneficial uses of surface and ground waters that may be designated by the State or Regional Board for protection as follows: "Beneficial uses of the waters of the state that may be protected against quality degradation include, but are not necessarily limited to, domestic, municipal, agricultural and industrial supply; power generation; recreation; aesthetic enjoyment; navigation; and preservation and enhancement of fish, wildlife, and other aquatic resources or preserves.

Designated beneficial uses may include potential beneficial uses if existing water quality will support the use or if the necessary level of water quality can reasonably be achieved. [Water Code section13241 (a) and (c)].

California Water Code section 13000 provides in part that: "The Legislature ...finds and declares that activities and factors which may affect the quality of the waters of the state shall be regulated to attain the highest possible water quality that is reasonable, considering all demands being made and to be made on those waters and the total values involved, beneficial and detrimental, economic and social, tangible and intangible." This policy establishes a general principal of nondegradation, with flexibility to allow some change in water quality which is in the best interests of the state. Changes in water quality are allowed only where beneficial uses are not unreasonably affected.

In 1972, the State Board adopted a uniform list and description of beneficial uses to be applied throughout all basins of the State. Beneficial use definitions are revised and some new beneficial uses added during subsequent basin plan updates.

In 2017, the State Water Board, in coordination with California Native Tribes, established the following all inclusive definitions for tribal beneficial uses:

Tribal Tradition and Culture (CUL): Uses of water that support the cultural, spiritual, ceremonial, or traditional rights or lifeways of California Native American Tribes, including, but not limited to, navigation, ceremonies, or fishing, gathering, or consumption of natural aquatic resources, including fish, shellfish, vegetation, and materials.

Tribal Subsistence Fishing (T-SUB): Uses of water involving the non-commercial catching or gathering of natural aquatic resources, including fish and shellfish, for consumption by individuals, households, or communities of California Native American Tribes to meet needs for sustenance.

Subsistence Fishing (SUB): Uses of water involving the non-commercial catching or gathering of natural aquatic resources, including fish and shellfish, for consumption by individuals, households, or communities, to meet needs for sustenance.

All ten water boards are at different stages in their processes to include tribal beneficial uses in their plans. For example, according to the 2023 Regional Water Board Progress Updates on TBUs, "the Central Valley Regional Water Board's (R5) adoption of TBU definitions into the Sacramento and San Joaquin River Basin Plan and Tulare Lake Basin Plan was approved by State Water Board on September 7, 2022. Staff are preparing the TBU Definitions Administrative Record for submission to OAL and U.S. EPA." R5 hosts semi-annual, tribal-only TBU update meetings, with the most recent one held on November 2, 2023. Project staff and management are consulting with individual tribes who submitted or planning to submit TBU designation requests.

AB 2614 would do all of the following:

- Define statewide TBUs and add them to the list of beneficial uses that must be incorporated into water quality control plans (Water Code Section 13050).
- Exempt the addition of TBUs in water quality control plans from CEQA. This exemption would only apply to TBUs; all other elements of water quality control plans would still be subject to CEQA.
- Direct the State and Regional Water Boards to consult with tribes to develop numeric water quality objectives for TBUs.
- Facilitate co-management agreements between tribes and state resource management agencies.
- Require tracking and reporting on TBU implementation progress.

The bill would broadly define "tribal water uses" to mean "any tribal practice that involves contact with a body of water or use of animals, plants, or fungi that reside in, or are adjacent to, a body of water" and provides that this definition of tribal water uses shall be used exclusively and shall replace all definitions previously adopted by a state agency, including, but not limited to, definitions of "tribal traditional cultural uses" and "tribal subsistence uses." Thus replacing those definitions adopted by the State Water Board, in coordination with California Native Tribes, in 2017. This bill's proposed definition is all encompassing potentially extending beyond traditional lands.

The bill also provides that "a California tribal community that elects not to publicly disclose its tribal water uses may confidentially disclose them to the state board or a regional board pursuant to the consultation provisions of Section 65352.4 of the Government Code. Thus preventing potential stakeholders and other water rights holders from the opportunity to provide any meaningful comment on the inclusion of these uses into a water quality control plan.

The bill would require any project or regulatory program subject to approval by the state board or a regional board, within an environmental review, and in any findings and declarations presented for state board or a regional board approval, describe, with both quantitative and qualitative information, how the project or regulatory program will impact tribal water uses. And exempt the addition of TBUs in water quality control plans from CEQA requirements. An exemption that is not provided to any other listed beneficial water use.

The bill adds findings and declarations that would establish that (a) California tribal communities have special ties to the bodies of water, and that therefore (b) allowing for tribal water uses should be a primary factor in determining the highest water quality that is reasonable in all regulatory provisions. These findings and declarations are inconsistent with Water Code Section 13241 which provides that "each regional board shall establish such water quality objectives in water quality control plans as in its judgment will ensure the reasonable protection of beneficial uses and the prevention of nuisance..." and which lists the factors to be considered by a regional board in establishing water quality objective, and which does not place any given factor as more important than the other, but rather leaves the weighing of those factors to each regional board to be made according to the needs of that region.

The bill would requires, on or before January 1, 2028, each regional board to adopt water quality standards to achieve reasonable protection of tribal water uses into water quality control plans; And would require the state board, on or before January 1, 2026, to incorporate water quality standards to achieve reasonable protection of tribal water uses into the water quality control plan for the San Francisco Bay and Sacramento-San Joaquin Delta watershed.

The bill is sponsored by the Shingle Springs Band of Miwok Indians. The tribe is located in Shingle Springs Rancheria of El Dorado County.

The District should seek amendments to limit the bill's provisions to adding tribal uses as a beneficial use of water in statute.

Current Position: Not Yet Considered

Recommended Position: Oppose Unless Amended

[AB 2933](#) (Low D) Multiunit residential structures and mixed-use residential and commercial structures: water conservation.

Introduced: 2/15/2024

Last Amend: 3/21/2024

Is Urgency: N

Is Fiscal: Y

Summary: Would enact the California Multiunit Residential Structure and Mixed-Use Residential and Commercial Structure Water Conservation Act. The bill would state findings and declarations of the Legislature relating to wasted water due to plumbing leaks. The bill would require the commission to research, develop, and propose building standards, including voluntary standards of the California Green Building Standards Code, to reduce water waste in existing and new multiunit residential structures and mixed-use residential and commercial structures, including requiring installation of point-of-use systems, as defined.

Notes: The bill would require the California Building Standards Commission to research, develop, and propose building standards to reduce water waste in existing and new multiunit residential structures and mixed-use residential and commercial structures, including requiring installation of point-of-use systems combined with real-time communication technology that can alert property managers to malfunctioning toilets and plumbing leaks and provide pinpoint location data so that maintenance teams can respond rapidly to resolve water waste events in existing and new structures.

According to the Author, "toilets account for 24% of indoor water usage. Leaks represent 13% of indoor water usage.1 Malfunctioning water devices and plumbing leaks generate significant water losses throughout California, and finding leaks in multifamily properties is difficult because of the high number of toilet devices and a nearly constant flow of water, which makes flow metering at the point-of-entry unreliable for determining the presence of malfunctions and leaks."

"A point-of-use System can be attached to a toilet valve and uses remote data gathering and real-time analytics to detect water waste and identify the point of failure... These devices, combined with real-time communication technology, can alert property managers to malfunctioning toilets and plumbing leaks and provide pinpoint location data so that maintenance teams can respond rapidly to resolve water waste events. These devices are cost-effective and frequently offer property owners a return on investment (based on water cost savings) in less than 12 months following installation. On a large scale, they will also provide significant water savings, reducing the stress on existing water delivery systems and saving California energy costs associated with moving water from sources to population centers."

The cost for property owners to install and maintain a Point-of-Use System device solution for malfunction and leak detection is approximately \$250 per sensor for 5 years of service, including an all-inclusive warranty for parts and labor. While no co-sponsors are listed for the bill, the bill is supported by Alarm.com, Alert Labs, Sensor Industries, and Wint.

The bill as amended would impose costs on developers of multi-unit residential properties. The District should "Watch" the measure to ensure amendments are not taken to shift costs to the public water

system.

Current Position: Not Yet Considered

Recommended Position: Watch

[AB 3044](#) (Alanis R) Urban retail water suppliers: urban water use objectives: report.

Introduced: 2/16/2024

Last Amend: 3/21/2024

Is Urgency: N

Is Fiscal: Y

Summary: Current law requires the Department of Water Resources, on or before January 1, 2028, and in coordination with the State Water Resources Control Board, to submit a report to the Legislature on the progress of urban retail water suppliers towards achieving their urban water use objective. This bill would instead require the report to be submitted to the Legislature on or before January 1, 2029.

Notes: The so-called "Making Water Conservation a Way of Life" laws enacted in 2018, require the Department of Water Resources, on or before January 1, 2028, and in coordination with the State Water Resources Control Board, to submit a report to the Legislature on the progress of urban retail water suppliers towards achieving their urban water use objective.

The bill seeks to extend that requirement by one year to instead require the report to be submitted to the Legislature on or before January 1, 2029. Delaying implementation of this requirement by one year does not address the many concerns the district and other water agencies have regarding the proposed regulations. EID has taken a support position on SB 1330 (Archuleta), a more comprehensive bill. The district should watch AB 3044 for additional amendments that might justify taking a different position.

Current Position: Not Yet Considered

Recommended Position: Watch

[AB 3073](#) (Haney D) Wastewater testing: illicit substances.

Introduced: 2/16/2024

Last Amend: 3/21/2024

Is Urgency: N

Is Fiscal: Y

Summary: Would require the State Department of Public Health, in consultation with participating wastewater treatment facilities, local public health agencies, and other subject matter experts, to create a pilot program to test for high-risk substances and related treatment medications in wastewater. Under the bill, the goal of the program would be to determine how wastewater data can be used by state and local public health programs to address substance abuse in California. The bill would require the department to develop a list of target substances to be analyzed during the program that may include cocaine, fentanyl, methamphetamine, xylazine, methadone, buprenorphine, and naloxone. The bill would require the department, on or before July 1, 2025, to solicit voluntary participation from local public health agencies and wastewater treatment facilities, as specified. The bill would require the department to work with the participating agencies and facilities to collect samples and to arrange for those samples to be tested by qualified laboratories. The bill would require the department, in consultation with public health agencies and subject matter experts, to analyze test results to determine possible public health interventions.

Notes: As introduced, the bill would have required the board to create a program to test for illicit substances in wastewater. The bill would have required local sanitation agencies to collect wastewater sample for testing by the board. The bill would require the board to transmit the results of its wastewater testing to the State Department of Public Health (CDPH) for the department to post on its internet website. EID took a "watch/amend" position on the measure to seek an amendment to define the term "sanitation agencies".

The bill has been gutted and amended to instead require CDPH, in consultation with participating wastewater treatment facilities, local public health agencies, and other subject matter experts, to create a pilot program to test for high-risk substances and related treatment medications in wastewater. Under the bill, the goal of the program would be to determine how wastewater data can be used by state and local public health programs to address substance abuse in California.

The bill would require the department to develop a list of target substances to be analyzed during the program that may include cocaine, fentanyl, methamphetamine, xylazine, methadone, buprenorphine, and naloxone. The bill would require the department, on or before July 1, 2025, to solicit voluntary participation from local public health agencies and wastewater treatment facilities. The bill would require the department to work with the participating agencies and facilities to collect samples and to

arrange for those samples to be tested by qualified laboratories. The bill would require the department, in consultation with public health agencies and subject matter experts, to analyze test results to determine possible public health interventions.

The bill would authorize the department to utilize external funding sources to complete the pilot program. The bill would create the Wastewater Testing for Illicit Substances Pilot Program Fund for the purpose of receiving moneys from grants or voluntary donations. The bill would require the department, on or before December 31, 2027, to report its findings and recommendations to the Legislature. The bill would repeal these provisions on January 1, 2028.

According to current surveys and overdoses data, there is a drug crisis in the USA. Wastewater-based epidemiology [WBE] is an integrated technique related to the extraction, analysis, data processing, and interpretation of targets (so-called biomarkers) excreted from feces/urine in wastewater, which provides comprehensive community health information. These biomarkers are derived from specific human excretions (such as metabolites or endogenous chemicals resulting from exposure to and/or disease), as well as associated microorganisms/pathogens, which can reflect the health and living habits of the community because they contain rich biological and chemical information.

In 2001, Daughton [Supervisory Physical Scientist, in EPA's National Exposure Research Laboratory] was the first to suggest that sewage samples from treatment plants of communities could be a useful tool to determine illicit drug use. Later, Zuccato et al. [Mario Negri Institute for Pharmacological Research] achieved the goal of WBE for the first time in 2005 by successfully quantifying cocaine in wastewater to investigate cocaine consumption in the community. Since then, research on WBE has been conducted around the world. Initially, the focus was entirely on the abuse of illicit drugs (<http://www.emcdda.europa.eu/activities/wastewater-analysis>), such as heroin, cocaine, ketamine, methamphetamine, and new psychoactive substances. WBE has been most popular in European countries, but its applications have been expanded to other parts of the world.

In 2023, Marin County began a pilot program to collect wastewater samples from its sanitation agency and test them for the presence of substances like fentanyl, methamphetamines, cocaine, and nicotine. Local authorities hope the data could be beneficial in assisting prevention and intervention efforts. For example, if there is an abundance of opioids present in the samples, they could boost the distribution of Narcan, which rapidly reverses the effects of the illegal drug, especially when given within minutes of the first signs of an overdose. Marin County, like many other places in the U.S., is grappling with a drug epidemic. Overdose deaths rose from 30 in 2018 to 65 in 2021, according to the county's department of health and human services. The County used the same method and partners to monitor for evidence of the spread of the coronavirus, so the infrastructure for the pilot program is largely in place.

Current law establishes the CDPH to implement various programs throughout the state relating to public health. The department administers the CDPH Wastewater Surveillance Network Dashboard that provides an overview of wastewater surveillance of SARS-CoV-2 in California. The dashboard includes wastewater samples collected and analyzed by the department, wastewater utilities, and academic, laboratory, and other partners across the state.

Current Position: Watch/Amend

Recommended Position: Watch

SB 945 (Alvarado-Gil D) The Wildfire Smoke and Health Outcomes Data Act.

Introduced: 1/18/2024

Last Amend: 3/21/2024

Is Urgency: N

Is Fiscal: Y

Summary: Current law establishes the State Department of Public Health and sets forth its powers and duties pertaining to, among other things, protecting, preserving, and advancing public health. Current law requires the department, in consultation with specified stakeholders, to develop a plan, addressing specified issues, with recommendations and guidelines for counties to use in the case of a significant air quality event caused by wildfires or other sources. This bill, the Wildfire Smoke and Health Outcomes Data Act, would require the State Department of Public Health, in consultation with the Department of Forestry and Fire Protection, the Wildfire and Forest Resilience Task Force, and the State Air Resources Board to create, operate, and maintain a statewide integrated wildfire smoke and health data platform no later than July 1, 2026, that, among other things, would integrate wildfire smoke and health data from multiple databases.

Notes: The bill would require the California Department of Public Health (CDPH), the Department of Forestry and Fire Protection (CDF), the Wildfire and Forest Resilience Task Force (Task Force), and the California Air Resources Board (CARB) to coordinate and integrate existing wildfire smoke and health data from local, state, and federal agencies. The bill would additionally require CDPH, in consultation with those agencies, to create, operate, and maintain a statewide integrated wildfire

smoke and health data platform no later than July 1, 2026.

The bill creates the Wildfire Smoke and Health Administration Fund, and makes all moneys in the fund available, upon appropriation, to CDPH, CDF, the Task Force, and CARB for the collection, management, and improvement of wildfire smoke and health data. The bill requires the Department of Finance to develop a standardized agreement to allow for the voluntary donation to the fund by any person, educational institution, government entity, corporation or other business entity, or organization.

Under the bill, the purposes for the data platform would include providing adequate information to understand the negative health impacts on California's population caused by wildfire smoke and evaluating the effectiveness of investments in forest health and wildfire mitigation on health outcomes in California.

According to an August 2022 CDPH report titled "Wildfire Smoke Considerations for California's Public Health Officials," the ten largest wildfires in California's recorded history have occurred since 2000 – with five of these wildfires occurring in a single year (2020). The 2020 August Complex wildfire was the first California wildfire to burn one million acres. Instead of primarily late summer and early fall, wildfires now occur throughout the year. The 2022 Big Sur wildfire started in January and the 2017 Thomas wildfire started in December. Scientists predict that climate change will result in "longer, hotter, and drier fire seasons" that increase the risk of severe wildfires and exposure to wildfire smoke. According to CDPH, this new reality creates challenges for California's public health officials on many fronts.

The California Farm Bureau, the sponsor of the bill, writes that "while the state has invested billions of dollars for the first time in developing a cohesive strategy to promote resilient forests, including the adaption of prescribed burning, there is little data available to understand how wildfire fuels mitigation investments are impacting health outcomes across the state in communities impacted by smoke events. Although there is anecdotal evidence that certain fires have direct negative consequences on respiratory illnesses, there is not any tool to look at specific connections between fires, smoke and particular health outcomes. This missing data leaves policy holders with incomplete information about the true costs of these massive fires, and the direct human health benefits and health cost controls that come from investing in wildfire fuels mitigation. This bill will empower policy makers and stakeholders with data to fully understand the value of those investments."

The district should support this measure as the data to be collected under the bill provisions will fill a current information gap that would demonstrate a stronger need for investment in wildfire mitigation efforts for the benefit of public health, consequently benefitting the health of California headwaters as well. The state's watersheds face increased sediment deposits from wildfires, increasing the costs of water management and delivery while decreasing surface storage capacity.

Current Position: Not Yet Considered

Recommended Position: Support

Total Measures: 7

Total Tracking Forms: 7

EL DORADO IRRIGATION DISTRICT

SUBJECT: Consider adopting a resolution certifying the Environmental Impact Report, adopting the Findings of Fact, including the Mitigation Monitoring and Reporting Program, and approving the Sly Park Intertie Improvements Project pursuant to the California Environmental Quality Act, Project No. 21079.

PREVIOUS BOARD ACTION

March 27, 2023 – Board awarded a contract to Stantec Consulting Services, Inc. in the not-to-exceed amount of \$175,583.27 to prepare an Environmental Impact Report and authorized additional funding of \$175,583.27 for the Sly Park Intertie Improvements Project, Project No. 21079.

BOARD POLICIES (BP), ADMINISTRATIVE REGULATIONS (AR) AND BOARD AUTHORITY

BP 0010 District Mission Statement
BP 5000 Water Supply Management

SUMMARY OF ISSUE

The California Environmental Quality Act (CEQA), the CEQA Guidelines, and the District's Procedures for Implementing CEQA require that the District consider the environmental effects of a project prior to approval. The environmental analysis for the Sly Park Intertie Improvements Project (Project) concluded that all environmental impacts associated with the Project were less than significant or could be mitigated to a less-than-significant level. Staff recommends that the Board certify the Environmental Impact Report (EIR), adopt the Project's Findings of Fact, including the Mitigation Monitoring and Reporting Program (MMRP), and approve the Project pursuant to CEQA.

BACKGROUND/DISCUSSION

The Sly Park Intertie (SPI) pipeline was originally constructed in 1978 to alleviate water shortages during drought conditions experienced in 1976 and 1977. The SPI extends approximately six miles from the Reservoir 1 Water Treatment Plant (Reservoir 1) to the Reservoir A Water Treatment Plant (Reservoir A), with turnouts to the Moose Hall Transmission pipeline and the Sly Park Hills Tank. Together, Reservoir 1 and Reservoir A provide approximately two-thirds of the District's total treated water supply for distribution to customers in Pollock Pines, Camino, Placerville, Pleasant Valley, Diamond Springs, El Dorado, Lotus, Shingle Springs, Cameron Park, and El Dorado Hills. The unlined SPI pipeline developed significant corrosion issues, resulting in leaks and breaks along the pipeline. Consequently, the District removed the SPI pipeline from service in 2013.

The Project will replace the existing SPI pipeline with a new pipeline and includes the installation of a new pump station at the District's Reservoir A facility. The Project objectives include the following:

- Improve drinking water supply reliability by replacing the existing SPI with a bi-directional pipeline capable of conveying treated drinking water between Reservoir 1, Reservoir A, and the Sly Park Hills Tank.

- Facilitate uninterrupted drinking water supply during extended shutdowns of either the Reservoir 1 or Reservoir A treatment plants, enabling the inspection and future repairs or rehabilitation of Reservoir 1, Reservoir A, and the raw water supply tunnel/pipeline from Jenkinson Lake.
- Reduce energy use by maximizing system gravity flows and utilizing new, high-efficiency pumps when pumping is required.
- Improve system water quality and reduce the scale and cost of water quality treatments.

The new pipeline will be primarily located within the existing SPI alignment, with some limited deviations. The Project will reestablish the connection between the District's two largest water supply sources, Project 184 and Jenkinson Lake, significantly increasing water supply reliability throughout the District's distribution system. Project construction would occur over a two-year period beginning in 2024 with completion in 2025.

Environmental Review

The CEQA review process for the Project involved preparation of an Environmental Impact Report (EIR). The EIR process includes preparing multiple documents intended to analyze and disclose the potentially significant environmental effects associated with a project's implementation, identify feasible mitigation measures that would avoid or minimize those significant impacts, and describe reasonable alternatives to a project. The EIR process also provides multiple opportunities for members of the public and public agencies to provide input on the scope and findings of the environmental analysis. The documents prepared, and public outreach efforts conducted during the EIR process for the Project are described in the following sections.

Public Notice and Scoping

In accordance with the CEQA Guidelines, the District distributed a Notice of Preparation (NOP) of the Project's draft EIR on February 3, 2023, and allowed the public to provide comments on the scope of the analysis that should be included in the draft EIR. A public scoping meeting was held at the Pollock Pines-Camino Community Center on February 15, 2023, and the public scoping comment period closed on March 6, 2023. The scope of the draft EIR included the potential environmental impacts identified in the NOP and considered comments received during the scoping process. The NOP and comments received during the public scoping period are included as an appendix in the draft EIR (Attachment A).

Draft Environmental Impact Report

The Notice of Availability (NOA) and draft EIR were distributed for public review on January 16, 2024. Copies were provided to local and state responsible and trustee agencies. The NOA was mailed to property owners within 300 feet of the Project area and local Native American Tribes. Copies of the NOA and the draft EIR were available for public review electronically on the District's website. Hard copies were available at the District's customer service building and the public libraries in Placerville and Pollock Pines. The District received five comment letters during the 45-day public review and comment period that ended on February 29, 2024. The NOA and draft EIR are included via hyperlink in Attachment A.

The draft EIR provides a detailed analysis of all the potentially significant environmental impacts of the Project, lists feasible mitigation measures that could be implemented to reduce or avoid the Project's significant impacts, and states whether these mitigation measures would reduce these impacts to less-than-significant levels under CEQA. The draft EIR evaluated the following environmental factors listed in the CEQA Guidelines:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gases
- Hazards and Hazardous Material
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

Focused technical studies were prepared to evaluate the potential environmental impacts associated with implementing the Project. The draft EIR includes technical studies evaluating air quality, greenhouse gas emissions, wetlands, and botanical, wildlife, and cultural resources. Based on the results of these studies and other information provided in the draft EIR, mitigation measures were identified that would lessen the significance of environmental impacts to a less-than-significant level under CEQA.

The draft EIR evaluated two alternatives, including the replacement of the SPI within the existing alignment and the "no project" alternative. The analysis concluded that the proposed Project was preferred because it is the environmentally superior alternative that meets all of the Project's objectives.

The District received five comment letters in response to the draft EIR. These comments and the District's responses to those comments are provided in the final EIR. No changes to the draft EIR findings and conclusions were necessary as a result of the comments received.

Consideration and Certification of the Final EIR

CEQA Guidelines require that a lead agency prepare a final EIR before approving a project. The Project's final EIR includes the draft EIR, comments received on the draft EIR, the District's responses to those comments, and the MMRP for the implementation of the Project. The final EIR also includes revisions, errata, and new information added to the draft EIR. These revisions and new information were added to the EIR for clarification and did not include any new significant impacts or substantial increases in the severity of the impacts analyzed in the draft EIR. Additionally, the revisions and new information do not require recirculation of the draft EIR because they do not constitute significant new information as defined in Section 15088.5 of the CEQA Guidelines. The final EIR is included in Attachment B.

The Board action to be considered includes adopting a resolution certifying the EIR, adopting the Findings of Fact, including the MMRP, and approval of the Project in accordance with CEQA. The proposed Board Resolution is included in Attachment C.

The certification of the EIR is required prior to approval of the Project. The CEQA Guidelines state that before approving a project the lead agency shall certify that:

- The final EIR has been completed in compliance with CEQA;
- The final EIR was presented to the District Board of Directors, and the Board reviewed and considered the information contained in the final EIR prior to approving the project; and
- The final EIR reflects the District's independent judgment and analysis.

If the Project is approved, the District Board is required to adopt the Project's Findings of Fact, describing how each of the significant impacts identified in the EIR will be mitigated. The findings for the Project, as defined by CEQA Guidelines, are the changes or alterations incorporated into the Project that avoid or substantially lessen the significant environmental effects identified in the EIR. The MMRP provides the framework for implementing the measures adopted and incorporated into the Project to mitigate or avoid significant effects. Therefore, by adopting its Findings of Fact, the Board would also adopt the MMRP. The Findings of Fact also describe the District's findings with respect to the Project alternatives that were analyzed in the EIR. The Findings of Fact and MMRP are included as an exhibit to the Board Resolution (Attachment C).

Approval of the Project under CEQA

If the District Board of Directors certifies the EIR, it is within the discretion of the Board to decide whether or how to approve or carry out the Project. The draft EIR describes and evaluates two project alternatives and the proposed Project and concludes that the proposed Project is the preferred project because it is the environmentally superior alternative that meets all of the Project's objectives. District staff recommends that the Board of Directors approve the proposed Project as the designated SPI Improvements Project in accordance with CEQA.

Staff anticipates scheduling Board consideration of award of the construction contract at the May 13, 2024 regular Board meeting.

BOARD OPTIONS

Option 1:

- Adopt Proposed Resolution:
 - Certifying that the final EIR was presented to the Board of Directors, and the Board has reviewed and considered the information contained in the final EIR prior to acting on the Project;
 - Certifying that the final EIR reflects the independent judgment and analysis of the District and the information disclosed therein is accurate, adequate, and objective;
 - Certifying that the final EIR has been completed in compliance with CEQA;
 - Adopting the Findings of Fact including the Mitigation Monitoring and Reporting Program;
 - Approving the Project as described in the final EIR as the Sly Park Intertie Improvements Project in accordance with CEQA;
 - Specifying that the documents or other materials which constitute the record of proceedings upon which this decision is based shall be in the custody of the Clerk to the Board at District Headquarters; and
 - Directing staff to file a Notice of Determination with the El Dorado County Clerk and the Governor's Office of Planning and Research.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

RECOMMENDATION

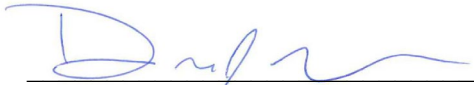
Option 1

ATTACHMENTS

Attachment A: Draft Environmental Impact Report

Attachment B: Final Environmental Impact Report

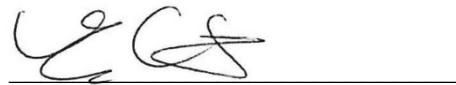
Attachment C: Board Resolution Certifying Environmental Impact Report and Approving Project under California Environmental Quality Act (with attached Findings of Fact and Mitigation Monitoring and Reporting Program)



Doug Venable
Environmental Review Analyst



Brian Deason
Environmental Resources Supervisor



Liz Carrington
Senior Civil Engineer

 for

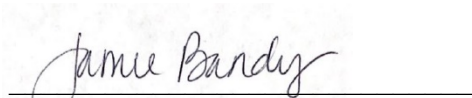
Jon Money
Engineering Manager




Brian Mueller
Engineering Director

 for

Dan Corcoran
Operations Director



Jamie Bandy
Finance Director

 for

Brian Poulsen
General Counsel



Jim Abercrombie
General Manager

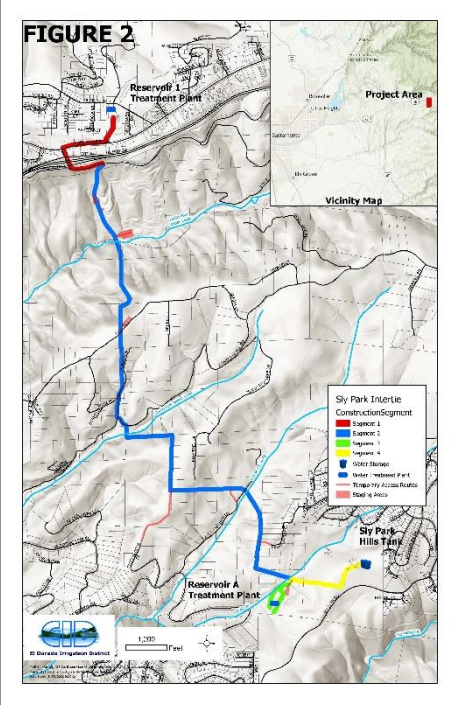
El Dorado Irrigation District Sly Park Intertie Improvements Project

The Notice of Availability and Draft EIR are available electronically online at the following hyperlinks:

Notice of Availability: <https://www.eid.org/home/showpublisheddocument/16745>

Draft EIR: <https://www.eid.org/home/showpublisheddocument/16743>





El Dorado Irrigation District Sly Park Intertie Improvements Project

Final Environmental Impact Report
March 2024



SLY PARK INTERTIE IMPROVEMENTS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

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Appendix A: Mitigation, Monitoring and Reporting Program

SLY PARK INTERTIE IMPROVEMENTS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Abbreviations

Abbreviations

AB	Assembly Bill
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CNDDDB	California Natural Diversity Database
DEIR	Draft Environmental Impact Report
EIR	Environmental Impact Report
FEIR	Final Environmental Impact Report
FGC	Fish and Game Code
ITP	Incidental Take Permit
NOA	Notice of Availability
NOP	Notice of Preparation
LSAA	Lake and Streambed Alteration Agreement
MBTA	Migratory Bird Treaty Act
MMRP	Mitigation, Monitoring and Reporting Program
PRC	Public Resources Code
Project	Sly Park Intertie Improvements Project
SWPPP	Stormwater Pollution Prevention Plan
State	State of California
UAIC	United Auburn Indian Community
USFWS	United States Fish and Wildlife Service

SLY PARK INTERTIE IMPROVEMENTS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Introduction

1.0 INTRODUCTION

1.1 PURPOSE

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

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

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

As the lead agency for the Sly Park Intertie Improvements Project (Project), the El Dorado Irrigation District (District or EID) has prepared this FEIR in accordance with the CEQA Guidelines. This FEIR provides documentation of the comments received on the DEIR (State Clearinghouse # 2023020081), a response to these comments, necessary text revisions to the DEIR, clarifying information, and the Mitigation Monitoring and Reporting Program (MMRP). The publicly circulated DEIR described the environmental consequences associated with the implementation of the Project and identified mitigation measures to reduce potentially significant impacts.

1.2 ENVIRONMENTAL REVIEW PROCESS

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

SLY PARK INTERTIE IMPROVEMENTS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Introduction

1.2.1 Notice of Preparation Process

On February 3, 2023, the District circulated a Notice of Preparation (NOP) to help identify the types of impacts and potential areas of controversy that could result from the Project as well as solicit input on possible Project alternatives. The NOP included a list of potential environmental impacts that could result from the Project and solicited public input on possible alternatives that could be considered according to the CEQA Guidelines to reduce one or more of those impacts.

The NOP was provided to public agencies and made available to the public for a 30-day review period consistent with CEQA Guideline requirements. A public notice was published on the District's website, was made available at the El Dorado County Clerk's office, and was published in the Mountain Democrat. A scoping meeting was held on February 15, 2023, to provide a forum for public comments on the scope and focus of the Environmental Impact Report (EIR), including feasible alternatives. The comment period for the NOP ended on March 6, 2023. Comments received on the NOP, including those received at the scoping meeting, were considered during the preparation of the DEIR and are contained in Appendix A of the DEIR.

1.2.2 Draft Environmental Impact Report Process

The DEIR was made available for public review on January 16, 2024, and was distributed to local and State of California (State) responsible and trustee agencies. The CEQA-mandated 45-day review and comment period for the public and agencies ended on February 29, 2024.

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

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

In accordance with Section 15087 of the CEQA Guidelines, the District published the NOA in the Mountain Democrat, the newspaper of largest circulation in El Dorado County, on January 17, 2024.

Copies of the NOA and the DEIR were available for public review electronically on the District's website starting January 16, 2024. The DEIR was also made available as a hard copy at the following locations:

- Placerville Main Public Library, 345 Fair Lane, Placerville

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- Pollock Pines Public Library, 6210 Pony Express Trail, Pollock Pines
- Pollock Pines-Camino Community Center, 2675 Sanders Drive, Pollock Pines
- District Customer Service Building, 2890 Mosquito Road, Placerville

During the comment period the District received a total of five comment letters. Copies of all written comments received are included in Chapter 2.0 of this document.

1.2.3 Final Environmental Impact Report

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

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

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

1.3 DOCUMENT ORGANIZATION

This FEIR document consists of the following chapters:

- **Chapter 1.0: Introduction.** This chapter discusses the purpose and organization of this FEIR and summarizes the environmental review process for the Project.
- **Chapter 2.0: List of Comments and Responses.** This chapter contains lists of agencies, organizations, and individuals who submitted written comments during the public review period; reproductions of all comment letters received on the DEIR; and a written response for each CEQA-related comment received during the public review period.
- **Chapter 3.0: DEIR Text Revisions.** Revisions to the DEIR that are necessary in light of the comments received and responses provided, or necessary to amplify or clarify material in the DEIR, are contained in this chapter. Double underline text represents language that has been added to the DEIR; text with ~~strikeout~~ has been deleted from the DEIR.

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- **Chapter 4.0: FEIR Document Preparers.** This chapter lists FEIR document contributions, qualifications, and quality control procedures.
- **Chapter 5.0: References.** This chapter includes new references used for preparation of the FEIR.

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2.0 COMMENTS AND RESPONSES

This chapter includes the written comments received during the DEIR comment period and the District's responses to significant environmental information raised by those comments (CEQA Guidelines, 14 CCR section 15132). Written comments are organized and grouped by affiliation of the commenter: State agency and individuals (Table 2.11). The written comments received were annotated in the margin according to the following organization and grouped with the corresponding response as follows:

- State, regional, and local agencies comment letters and responses: #A-1
- Individuals' comment letters and responses: #I-1 through I-4

2.1 LIST OF COMMENTS

Table 2.1-1. List of Comments

#	Date	Commenter	Page
Agency			
A-1	February 27, 2024	California Department of Fish and Wildlife (CDFW) Kilgour, Morgan Regional Manager	6
Individual			
I-1	February 26, 2024	Braun, Wendy	23
I-2	February 29, 2024	Bross, Martin	29
I-3	February 1, 2024	Odom, Beverly	31
I-4	February 20, 2024	Schultz, Julie	33

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Comment A-1, February 27, 2027, Kilgour, Morgan, CDFW

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670-4599
916-358-2900
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



Letter A-1

February 27, 2024

Doug Venable
Environmental Review Analyst
El Dorado Irrigation District
2890 Mosquito Flat Road
Placerville, CA 95667
dvenable@eid.org

Subject: Sly Park Intertie Improvements Project
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
SCH No. 2023020081

Dear Doug Venable:

The California Department of Fish and Wildlife (CDFW) received and reviewed the Notice of Availability of a DEIR from El Dorado Irrigation District for the Sly Park Intertie Improvements Project (Project) pursuant the California Environmental Quality Act (CEQA) statute and guidelines.¹

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

CDFW ROLE

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

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW may also act as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

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(Cont.)

PROJECT DESCRIPTION SUMMARY

The Project site is located 1.5 southwest of Pollock Pines and 10 miles east of the city of Placerville, California. The project proponent is El Dorado Irrigation District (Proponent). The Project consists of the replacement of 4.5 miles of an existing 22 to 24-inch diameter steel pipeline with a concrete mortar steel pipeline ranging from 12 to 36-inches in diameter. The pipeline would primarily be located within the existing pipeline alignment, but there would be several deviations. This pipeline would convey water from El Dorado Irrigation District's Reservoir 1 to Reservoir A. A treatment plant and pump station would be constructed at Reservoir A. Construction activities would involve excavation and streamflow diversion at four creek crossings (North Fork Weber Creek, South Fork Weber Creek, North Fork Clear Creek, and Clear Creek) and one drainage crossing near a culvert on Starks Grade Road. Project activities at each crossing involve vegetation clearing and trenching for pipeline removal and placement.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the Proponent in adequately identifying and, where appropriate, mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, CDFW concludes that an Environmental Impact Report is appropriate for the Project.

2

COMMENT 1: Impacts to Foothill Yellow-legged Frog *Section 3.8 Biological Resources, page 3.8.7.5*

Issue: Construction activities will occur at four creek crossings and one drainage crossing within the project area. The DEIR indicates that the project area is within the range of the East/Southern Sierra clade (South Sierra Distinct Population Segment) of foothill yellow-legged frog (*Rana boylei*; FYLF); this clade is state and federally endangered. A season of operation that completely avoids FYLF presence does not

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exist; therefore, FYLF may be encountered in various life stages year-round. The DEIR describes that a Qualified Biologist will conduct visual encounter surveys for FYLF prior to construction but does not provide sufficient detail on survey methods or timing.

Per our recommendations below, a Qualified Biologist is defined as a person who is knowledgeable and experienced in the biology, life stages, natural history and identification of local fish and wildlife resources present at the project site.

Recommendation 1.1: CDFW recommends the Proponent provide additional detail on FYLF bioassessment survey methods and timing. The Proponent should review CDFW's Considerations for Conserving the Foothill Yellow-Legged Frog available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=157562&inline>.

To increase the likelihood of detection, surveys should include at least one visual encounter survey (VES) during the breeding and/or oviposition period (generally April–June), a tadpole survey four to eight weeks after the breeding survey(s), and a subadult survey in late summer/early fall (generally late August–early October). VES conducted during the late summer are often the easiest method for determining presence (generally late August to early October);² subadults and occasionally adults are often observed along river margins, and subadult and adult frogs will likely also be observed in tributary streams (Crump and Scott 1994).

If any survey fails to detect FYLFs within suitable habitat, a follow-up survey should be conducted two to four weeks after the initial survey.

Recommendation 1.2: CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, including FYLF, pursuant to CESA. Regardless of whether FYLF are detected during the bioassessment surveys (described above in Recommendation 2.1), CDFW recommends the Proponent prepare a Pre-Construction Survey Plan (Plan) for FYLF and submit it to CDFW for review at least 30 calendar days prior to commencing ground-disturbing or in-water work activities.

A Qualified Biologist should develop the Plan for FYLF. Prior to preparing the Plan, CDFW recommends the Proponent review CDFW's Considerations for Conserving the Foothill Yellow-Legged Frog available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=157562&inline>. CDFW recommends the following survey and species considerations be incorporated into the Plan and final EIR:

² Frogs are ectothermic, so ambient temperature affects the likelihood of detection. Whether the life form is larval or subadult, both stages will shelter in place under substrate and emerge and become active with warmth (i.e., detection probability increases with temperature).

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- a. The Plan should include what life-stage(s) shall be surveyed for, survey method(s), and timing of survey(s).
- b. The Plan should provide justification for timing and methodology of survey design (e.g., watershed characteristics, regional snowpack, timing and rate of spring runoff, day length, average ambient air and water temperatures, local and seasonal conditions).
- c. If the project site has suitable frog breeding habitat, the Plan should include performing egg mass/larval surveys.

2
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Within 3 to 5 calendar days prior to ground-disturbing and in-water activities at the project site, the Qualified Biologist should perform a pre-construction survey, as specified in the Plan, within the boundaries of the project site, plus a minimum 500-foot buffer zone upstream and downstream of the project site. The survey should include a description of any standing or flowing water. The Proponent should provide Pre-Construction Survey results, notes, and observations to CDFW prior to commencing ground disturbing and in-water activities. Conducting surveys prior to maintenance work may allow avoidance of incidental take.³ If the Proponent encounters any life stages of FYLF during pre-construction surveys, ground-disturbing or in-water activities, work should be suspended at the project site, and CDFW should be notified within 24 hours. Work may not re-initiate in the project site until the Proponent demonstrates compliance with CESA.

Recommendation 1.3: CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to the CESA. Pending results of the surveys described above, CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in "take" (Fish & G. Code § 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of State-listed CESA species, including FYLF, either through construction or over the life of the Project. No relocation shall be done for special status species or CESA listed species without the proper handling permits and/or CESA take coverage (e.g., an ITP).

Please note that mitigation measures that are adequate to reduce impacts to a less-than significant level to meet CEQA requirements may not be enough for the issuance of an ITP. To issue an ITP, CDFW must demonstrate that the impacts of the authorized take will be minimized and fully mitigated (Fish & G. Code § 2081 (b)). To facilitate the issuance of an ITP, if applicable, CDFW recommends the EIR include measures to minimize and fully mitigate the impacts to any State-listed species the Project has potential to take. CDFW encourages early consultation with staff to determine appropriate measures to facilitate future permitting processes and to engage with the

³ As defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.).

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2 (Cont.) ↑ U.S. Fish and Wildlife Service to coordinate specific measures if both state and federally listed species may be present within the Project vicinity.

COMMENT 2: Impacts to California Red-legged Frog
Section 3.8 Biological Resources, page 3.8.7.4

Issue: Mitigation Measure BIO-04 describes actions that the Proponent will take to minimize impacts to California red-legged frog (*Rana draytonii*; CRLF) and suitable habitat. CRLF are federally threatened and a California Species of Special Concern. The DEIR states that a Qualified Biologist will conduct surveys for CRLF prior to construction but does not specify when these surveys will occur. Additionally, the DEIR describes actions the Proponent will take to prevent CRLF entrapment but does not explicitly mention exclusionary fencing.

Recommendation 2.1: CDFW recommends the Proponent consult United States Fish and Wildlife Service (USFWS) CRLF survey protocol when developing CRLF surveys, available at <https://www.fws.gov/media/revised-guidance-site-assessments-and-field-surveys-california-red-legged-frog>.

Recommendation 2.2: CDFW recommends the following language be added to BIO-04 to minimize impacts to CRLF:

3

Prior to construction, the project site should be surveyed for special-status amphibians (i.e., CRLF) by a Qualified Biologist.

In addition to the USFWS survey protocol recommended above, within 3 to 5 calendar days prior to ground-disturbing and in-water activities at the project site, the Qualified Biologist should perform a pre-construction survey within the boundaries of the project site, plus a minimum 500-foot buffer zone upstream and downstream of the project site. If the result of the surveys above are negative, work may begin as scheduled, however if special-status amphibians are found during any survey, work may not begin until consultation occurs with the Qualified Biologist in determining appropriate avoidance and minimization measures.

If CRLF are found in the project area, CDFW recommends adding an avoidance and minimization measure to include the installation of exclusionary fencing. After installation of exclusionary fencing, the Qualified Biologist should inspect the project area and fencing daily, prior to the commencement of activities. If the Qualified Biologist determines that CRLF and other special status species have been successfully excluded from the work area, then equipment or materials may be moved onto the work site under the observation of the Qualified Biologist.

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COMMENT 3: Impacts to Northwestern Pond Turtle,
Section 3.8 Biological Resources, page 3.8.7.5

Issue: The DEIR states that a Qualified Biologist will conduct visual encounter surveys for northwestern pond turtle (*Actinemys marmorata*) prior to construction but does not provide detail on survey methods or timing.

Recommendation: CDFW recommends the following language be added to Mitigation Measure BIO-05 to clarify survey details and minimize impacts to northwestern pond turtle:

Prior to ground-disturbing and in-water activities, a Qualified Biologist should survey the project site where suitable habitat (including nest sites) occurs for northwestern pond turtle. Surveys shall be performed within 30 days prior to starting project activities and should be performed within 500 feet upstream and downstream of the project activity where accessible. If detected during surveys, a site-specific avoidance, minimization, and/or relocation plan should be prepared and implemented by a Qualified Biologist. The plan should include daily construction monitoring. The plan should be submitted to CDFW.

5

COMMENT 4: Impacts of Tree Removal on Nesting Birds
Section 3.8.7 Biological Resources Mitigation, page 3.8.7.7

Issue: The Project would result in the removal of approximately 615 Sierra mixed conifer and hardwood trees. Removal of these trees could result in significant habitat loss for a variety of bird species such as white-headed woodpecker (*Leuconotopicus albolaryvatus*), redbreasted nuthatch (*Sitta canadensis*), black-headed grosbeak (*Pheucticus melanocephalus*), song sparrow (*Melospiza melodia*), red-tailed hawk (*Buteo jamaicensis*), Cooper's hawk (*Accipiter cooperii*), great horned owl (*Bubo virginianus*), spotted owl (*Strix occidentalis occidentalis*), Northern goshawk (*Accipiter gentilis*), and other nesting raptors and migratory birds. The significance of the impact of habitat clearing is not reduced by virtue of the abundance of similar or equivalent habitat adjacent to the project site. The Project would reduce available habitat for wildlife, potentially including special-status species.

Migratory non-game native bird species are protected under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 et seq.). In addition, §§ 3503, 3503.5, and 3513 of the Fish & G. Code also afford protective measures as follows:

- § 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish & G. Code or any regulation made pursuant thereto.
- § 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or

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- destroy the nest or eggs of any such bird except as otherwise provided by Fish & G. Code or any regulation adopted pursuant thereto.
- § 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.
- Recommendation:** CDFW recommends that the DEIR fully evaluate the impacts of tree removal on wildlife. CDFW also recommends the Proponent propose mitigation for the impact of tree removal during project activities to ensure no net loss of habitat or fish and wildlife resource value occurs because of the Project. Mitigation would serve to offset the impacts of the tree removal and/or habitat loss. Mitigation may include restoring, enhancing, or preserving similar habitat types proposed for removal at higher ratios than those that were removed to compensate for tree removal and/or habitat loss. CDFW recommends that all mitigation measures be actionable and have established performance measures.
- 6
- ↓
- COMMENT 5: Nesting Bird Surveys and Buffers**
Section 3.8.7 Biological Resources Mitigation, page 3.8.7.7
- Issue:** Mitigation Measure BIO-07 describes measures related to no-disturbance buffers around active nest sites. Additional detail is needed related to buffer determination. It is the Proponent's responsibility to comply with Fish and Game Code §§ 3503, 3503.5, and 3513 (listed above in Comment 4), regardless of the time of year.
- Recommendation:** CDFW recommends that the spatial extent of these buffers be determined by a Qualified Biologist. The appropriate spatial extent of buffers will depend on the species present, the level of noise or construction disturbance, levels of ambient (i.e., existing background) noise and other disturbances, line of sight between the nest and the disturbance, and other topographic or artificial barriers.
- 7
- ↓
- COMMENT 6: Lake and Streambed Alteration Notification**
Section 2.5 Project Description, page 2.5.2
- Issue:** The DEIR describes construction occurring at four creek crossings and one drainage crossing, with activities involving excavation and streamflow diversion. CDFW believes these activities may trigger a Notification for a Streambed Alteration Agreement. § 1602 of the Fish and Game Code requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following:

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- a. Substantially divert or obstruct the natural flow of any river, stream, or lake;
- b. Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or
- c. Deposit debris, waste or other materials where it may pass into any river, stream or lake.

Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

If upon review of an entity's notification, CDFW determines that the project activities may substantially adversely affect an existing fish or wildlife resource, a Lake and Streambed Alteration (LSA) Agreement will be issued which will include reasonable measures necessary to protect the resource. CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if one is necessary, the environmental document should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the project may avoid or reduce impacts to fish and wildlife resources. LSA Notifications must be submitted online through CDFW's Environmental Permit Information Management System (EPIMS). For more information about EPIMS, please visit <https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS>. More information about LSA Notifications, paper forms and fees may be found at <https://www.wildlife.ca.gov/Conservation/Environmental-Review/LSA>.

Recommendation: CDFW recommends that the Proponent notify pursuant to Section 1602 of the Fish and Game Code as early as possible to determine if an LSA is needed.

COMMENT 7: Sensitive Plant Communities

Section 3.8.7 Biological Resources Mitigation, page 3.8.7.1

Issue: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. The DEIR document identified sensitive plant communities near the project area but does not provide adequate details regarding the protection of sensitive plant communities. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the California Natural Diversity Database at <https://wildlife.ca.gov/Data/CNDDB>.

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The Native Plant Protection Act (NPPA) (Fish & G. Code § 1900 et seq.) prohibits the take or possession of State-listed rare and endangered plants, including any part or product thereof, unless authorized by CDFW or in certain limited circumstances. Take of state-listed rare and/or endangered plants due to Project activities may only be permitted through an Incidental Take Permit (ITP) or other authorization issued by CDFW pursuant to California Code of Regulations, Title 14, § 786.9 subdivision (b). Plant species not listed as rare, threatened, endangered, or candidates for listing under CESA or NPPA may nevertheless meet the definition of rare or endangered provided in CEQA (Cal. Code Regs., tit. 14, § 15380, subd. (b).).

Recommendation: The Final EIR should include species-specific measures to fully avoid and otherwise protect sensitive plant communities and/or any state-listed plant species from Project-related direct and indirect impacts.

COMMENT 8: Biological Resources Awareness Training
Section 3.8.7 Biological Resources Mitigation, page 3.8.7.2

Issue: Mitigation Measure BIO-02 states that Project personnel will be trained at Project kickoff and will be provided with printed handouts for future reference. BIO-02 also states that “personnel that are trained during the Project kickoff shall be responsible for making sure that other workers on the Project receive the training before initiating on-site work”. CDFW finds this measure insufficient.

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Recommendation: CDFW recommends that a Qualified Biologist be responsible for providing all biological resource training. Any additional training occurring after Project kickoff should not be deferred to other Project personnel. All individuals employed or otherwise working on the project site should be trained by the Qualified Biologist prior to performing any work on-site. Training should consist of an in-person presentation from the Qualified Biologist that includes a discussion of the biology of the habitats and species identified in the DEIR and present at the site. The Qualified Biologist should also include as part of the education program information about the distribution and habitat needs of any special status species that may be present, legal protections for those species, penalties for violations and project-specific protective measures. Interpretation should be provided for non-English speaking personnel (if present).

COMMENT 9: Mitigation Measures

10

Issue 9.1 CEQA Guidelines § 15126.4 (a)(1)(B) states that formulation of mitigation measures should not be deferred until some future time. The DEIR lists a number of mitigation measures for biological resources that rely on future approvals or agreements as a means to bring identified significant environmental effects to below a level of significance. Because there is no guarantee that these approvals or cooperation with all of the involved entities will ultimately occur, the mitigation measures are unenforceable and do not reduce the impacts to biological resources to a less-than-significant level.

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10 (Cont.)	<p>Recommendation 9.1: Mitigation measures should describe when the mitigation measure will be implemented and indicate the measure's feasibility. Mitigation measures should not rely on uncertain, future approvals or agreements. CDFW recommends that the EIR include measures that are enforceable and do not defer the details of the mitigation to the future.</p> <p>Issue 9.2: Mitigation measures presented in the EIR do not include performance standards; this makes enforcement and evaluation of mitigation impossible.</p> <p>Recommendation 9.2: Mitigation measures should establish performance standards to evaluate the success of the proposed mitigation and must commit the lead agency to successful completion of the mitigation.</p> <p>Issue 9.3: The use of relocation, salvage, and/or transplantation as the sole mitigation measure for impacts to rare, threatened, or endangered species is generally experimental in nature and largely unsuccessful.</p> <p>Recommendation 9.3: Due to the experimental nature of relocation, salvage, and transplantation, the EIR should consider a range of options to avoid, minimize, and mitigate impacts to rare, threatened, and endangered species. Additional options for mitigation include habitat restoration, conservation, and/or preservation.</p>
11	<p>EDITORIAL COMMENTS</p> <p>Page 137 contains a numbered list of mitigation measures. However, one of the numbered items does not contain any text.</p>
12	<p>ENVIRONMENTAL DATA</p> <p>CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data. The completed form can be submitted online or mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov.</p>
13	<p>FILING FEES</p> <p>The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be</p>

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Sly Park Intertie Improvements Project
February 27, 2024
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13 (Cont.) ↑ operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

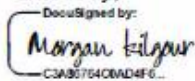
CONCLUSION

14

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

CDFW appreciates the opportunity to comment on the DEIR for the Sly Park Intertie Improvements Project to assist El Dorado Irrigation District in identifying and mitigating Project impacts on biological resources. CDFW personnel are available for consultation regarding biological resources and strategies to minimize and/or mitigate impacts. Questions regarding this letter or further coordination should be directed to Alyssa Obester, Senior Environmental Scientist Specialist, at alyssa.obester@wildlife.ca.gov.

Sincerely,

DocuSigned by:

C3A9754C6AD4F6...

Morgan Kilgour
Regional Manager

ec: Ian MacLeod, Senior Environmental Scientist (Supervisory)
Alyssa Obester, or Senior Environmental Scientist (Specialist)
Department of Fish and Wildlife

References

Crump, M. L. and N. J. Scott, Jr. 1994. Visual encounter surveys. 84-92 in Heyer, W.R., Donnelly, M.A., McDiarmid, R.W., Hayek, L.-A.C., & M.S. Foster, (eds.): Measuring and monitoring biological diversity. Standard methods for amphibians. Washington & London, Smithsonian Institution Press, 364 p.

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Response A-1, February 27, 2027, Kilgour, Morgan, CDFW

1	<p>The introductory text regarding CDFW's role as a Trustee Agency and potential Responsible Agency as well as the project description summary is acknowledged.</p>
2	<p>The comment and associated recommendations regarding potential impacts to foothill yellow-legged frog (FYL, <i>Rana boylei</i>) are acknowledged. The commenter requests clarification regarding the foothill yellow-legged frog biological field assessment methods, describes the life stage focused visual encounter survey methodology emphasizing the value of late summer surveys for assessing presence or absence, and recommends a follow up survey 4 weeks after a negative finding. Additionally, the commenter recommends a pre-construction survey plan be prepared. Pending the results of surveys, the commenter recommends the District seek a CDFW Incidental Take Permit (ITP).</p> <p>The commenter is first referred to Table 3.4-1 on page 3.59 of the DEIR which discusses, based on a habitat assessment, the limited potentially suitable habitat crossed by the Project, including the low potential for foothill yellow-legged to occur within the Project area. The habitat assessment and visual encounter survey for foothill yellow-legged frog was completed by qualified biologist with knowledge in the biology, life history, and life stages of the species. More specifically, the biologist's qualifications include over a decade foothill yellow-legged frog survey experience in the Sierra Nevada foothills, including visual encounter surveys and the CDFW-permitted annual relocation of 100s of egg masses, juveniles, and adults over the past four years. The habitat assessment and visual encounter surveys were completed on May 27, 2022, at the two perennial and two intermittent stream crossings within the Project area. Surveys were implemented beginning 300 feet (91 meters) downstream of the proposed stream crossings moving upstream a similar distance, where safely accessible. The habitat characteristics [shading/no direct sunlight, lack of cobble substrate for oviposition, presence of predators (i.e. American bull frogs, <i>Rana catesbiana</i>) and limited flow/ponded water in areas] plus the absence of foothill yellow-legged frog during the breeding and/or oviposition period informed the results of the biological resource impact assessment and mitigation (described on page 3.69 of the DEIR) and concluded there was a low potential for the foothill yellow-legged frog to occur in the Project area. Given the low potential for foothill yellow-legged frog to occur, potential impacts and avoidance and protection measures for foothill yellow-legged frog were discussed on page 3.74 of the DEIR. The impact assessment identified Mitigation Measures BIO-2 (DEIR page 3.86) which requires training for construction personnel to identify and avoid foothill yellow-legged frog and Mitigation Measure BIO-5 (DEIR page 3.90) which avoids the potential for unauthorized incidental take if the species was present. The impact assessment also considered that implementation of Mitigation Measure BIO-4 (DEIR page 3.87) would happen simultaneously for California red-legged frog, which given the focus on aquatic habitat, would also provide an additional check for presence of foothill yellow-legged frog and a protection against unauthorized incidental take. The intent of Mitigation Measure BIO-5 was to follow applicable protocols for the visual encounter survey and if present to avoid or obtain a California Fish and Game Code (FGC) Section 2801 incidental take permit prior to construction. The commenters' expertise on the subject is acknowledged and Mitigation Measure BIO-5 has been revised (as shown in Section 3.1 below) to enumerate specific steps required for visual encounter surveys and procedures for what to do with the results of the surveys. The Project would only result in take if the species occurs in the Project area. Based on the results of the habitat assessment, visual encounter surveys, as well as the plan for preconstruction clearances, and take avoidance (which have been clarified in Mitigation Measure BIO-4), the District anticipates the project will not result in incidental take of foothill yellow-legged frog. This approach aligns with the Draft Lake and Streambed Alteration Agreement (LSAA) conditions (see below) and the United States Fish and Wildlife Service's (USFWS) anticipated concurrence that the Project is not likely to adversely affect foothill yellow-legged frog and thus no federal incidental take permits are required. With the clarification added to mitigation measure BIO-04, the impact remains less than significant with mitigation incorporated.</p> <p>In Mitigation Measure BIO-8, the District also commits to compliance with the LSAA, which at a minimum, based on the Draft LSAA, will include the development of a Pre-Construction Survey Plan for foothill yellow-legged frog. The LSAA will also require Pre-Construction Surveys. Per the Project's Draft LSAA, the survey plan shall include the life-stage being surveyed for, survey methodology, as well as timing of survey(s). The survey plan shall also provide justification for timing and methodology of survey design (e.g., watershed characteristics, regional snowpack, timing and rate of spring runoff, day length, average ambient air and water temperatures, local and seasonal conditions). Additionally, the Project's designated biologist shall perform pre-construction surveys, as specified in the Pre-Construction Survey Plan within</p>

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	<p>the boundaries of the Project area plus a 500-foot buffer zone upstream and downstream of the construction area, where safely accessible.</p> <p>Therefore, to address this comment the District has provided clarifications of the survey results and mitigation measure alignment with the LSAA requirements. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
3	<p>The comment and associated recommendations regarding potential impacts to California red-legged frog (<i>Rana draytonii</i>) are acknowledged. The commenter recommends consultation and application of USFWS survey protocols, and measures such as pre-construction clearances, exclusion fencing and monitoring be added to mitigation measures. A habitat assessment was conducted for California red-legged frog per the USFWS's 2005 <i>Revised Guidance on Site Assessments and Field Surveys for the California Red-Legged Frog</i> by a qualified biologist on May 27, 2022, at the four wetted stream crossings within the Project area both up and downstream for up to 300 feet (91 meters), where safely accessible. Results of the habitat assessment were documented in the DEIR biological report and submitted to USFWS, as well as discussed in the Project's Biological Assessment that was prepared in accordance with Section 7 of the Endangered Species Act consultation process (District 2024). Potential impacts and proposed Mitigation Measures BIO-2 and BIO-4 have been reviewed by the USFWS.</p> <p>Pursuant to the Project's draft LSAA, the District will prepare a Pre-Construction Survey Plan for California red-legged frog, similar to the foothill yellow-legged frog's Survey-Plan described in Response A-1.2 above, which will further detail survey timing and methodology. Specifically, the survey plan shall include the life-stage being surveyed for, survey methodology, as well as timing of survey(s). Additionally, the Project's designated biologist shall perform pre-construction surveys, as specified in the Pre-Construction Survey Plan within the boundaries of the Project area plus a 500-foot buffer zone upstream and downstream of the construction area. Therefore, this comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
4	<p>The comment and associated recommendations regarding potential impacts to northwestern pond turtle survey timing are acknowledged. In addition to the pre-construction survey to be conducted prior to construction per Mitigation Measure BIO-5 (also required by the Project's Draft LSAA), the District will develop and implement a pre-construction survey plan for northwestern pond turtle in coordination with CDFW in the final LSAA, which at a minimum will include site-specific avoidance and minimization measures if turtles are observed, including the preparation and implementation of a site-specific avoidance, minimization, and/or relocation plan. This plan would be prepared by a qualified biologist and submitted to CDFW. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
5	<p>The comment and associated recommendation regarding potential impacts to nesting birds from Project tree removal is acknowledged. Approximately 615 trees within 6 miles ranging in size from 6 to 24 inches in diameter breast height. Suitable nesting habitat throughout the Project area will be surveyed for active bird nests during nesting season (March 1 to August 31) to avoid take per Mitigation Measure BIO-7 of the Project's DEIR (pages 3.92 through 3.94). However, regarding the loss of potential nesting bird habitat, this impact was not considered significant triggering mitigation for the following reasons (DEIR Impact BIO-1 page 3.77). The Project is located along an existing utility corridor that was previously cleared during initial installation of the pipeline and routine maintenance as required for operation. The corridor is narrow relative to nearby forested areas and its maintenance helps protect forested areas from fire. As such, for fire prevention and access reasons, the corridor is to be routinely maintained. The corridor when maintained, provides a shrub and grass habitat good for grounding nesting and foraging for nearby tree nesting. Therefore, this comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
6	<p>The comment and associated recommendation regarding nesting bird surveys and buffers is acknowledged. As discussed in the DEIR Mitigation Measures BIO-8 and BIO-9, the District will comply with the LSAA. This comment is resolved with the incorporation of the requirements defined within the Project's Draft LSAA Avoidance and Minimization Measure 2.9, by reference. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
7	<p>CDFW's recommendation regarding obtaining a FGC section 1602 LSAA is recognized. All Project-related activities that have the potential to change a bed, bank, or channel of streams or lakes would be required to comply with applicable regulations and obtain a permit. The commenter is referred to Section 1.2, Permits Required, for the Project which states that a LSAA under California FGC Section 1602, would be required for the Project. The Draft LSAA was provided to the District for review on February 27, 2024. This</p>

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	comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.
8	<p>The comment regarding the potential impacts to sensitive plant communities and CDFW's recommendation for species-specific measures are acknowledged. Three special-status species were identified as having a moderate potential to occur or are present in the Project area (Pleasant Valley Mariposa lily, Sierra clarkia, and yellow bur Navarretia). The commenter is referred to Mitigation Measure BIO-1: Pre-Construction Botanical Surveys, on page 3.84 and 3.84 of the DEIR, which includes conducting pre-construction surveys, establishment of exclusion buffers if species are present, and consultation with CDFW if species cannot be avoided during construction activities. Surveys shall follow protocols designated by CDFW (CDFW 2018) and CNPS (CNPS 2001) and shall occur during the appropriate floristic bloom periods. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
9	<p>The comment and associated recommendation regarding biological resources training is acknowledged. The recommendation specifically suggests that a qualified biologist be responsible for providing all biological resources training, even to those that may arrive to the Project site after the initial biological resources training. Mitigation Measure BIO-2 of the DEIR requires that the training materials for the biological resources awareness training be prepared by a qualified biologist. The biological training for the Project will be provided by a qualified biologist at the initial Project kickoff and handouts shall be provided and distributed for future reference, as discussed in Section 3.8.7.2, Mitigation Measure BIO-2, on pages 3.85 and 3.86 of the DEIR. Therefore, the existing mitigation measure ensures that all Project personnel receive the written training materials prepared by a qualified biologist. This ensures that all Project personnel receive the training information. Mitigation Measure BIO-2 also requires that a roster of trained Project personnel be maintained in the Project construction office and made available for review by regulatory agencies, if needed. Similar projects throughout the sierras have used similar methodology for completing biological resources training to adequately train contractor staff, while also being cognizant of the public funds that would be required to retain a qualified biologist onsite throughout Project construction. Mitigation Measure BIO-2 specifies that the training materials prepared by a qualified biologist will provide information on the topics recommended in the comment.</p> <p>Additionally, the following DEIR text revision has been included in Mitigation Measure BIO-2 (page 3.86) of the DEIR and the MMRP to further address the comment:</p> <p style="padding-left: 40px;"><u>“The training shall initially be presented to key Project personnel by a qualified biologist at the Project kickoff and recorded to be used for additional contractor staff that may arrive on the Project site after the Project kickoff.”</u></p> <p>Further, if requested, the training materials provided for the biological resource training would also be provided in additional non-English languages. The recorded training and the training materials provided would sufficiently train any new construction contractor staff that may arrive onsite after the initial Project kickoff. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
10	<p>Comment #10 Introduction</p> <p>The comment and associated recommendations regarding the biological mitigation measures in the document are acknowledged. Specifically, the commenter identifies three suggested issues and recommendations related to mitigation measures which include the following:</p> <p style="padding-left: 40px;">Issue/Recommendation 9.1: Mitigation measures should not be deferred until a future time and rely on future agreements</p> <p style="padding-left: 40px;">Issue/Recommendation 9.2: Mitigation measures should establish performance standards</p> <p style="padding-left: 40px;">Issue/Recommendation 9.3: Additional options for mitigation should be considered, in addition to the use of relocation, salvage, and/or transplantation. Use of relocation, salvage, and/or transplantation as the sole mitigation measure for biological impacts is considered experimental and largely unsuccessful.</p> <p>Issue/Recommendation 9.1: Deferred Mitigation and Reliance on Future Agreements</p> <p>The commenter suggests in Issue 9.1 of the letter that mitigation should not be deferred and suggests that the DEIR's measures for biological resources inappropriately rely on future approvals or agreements as the means to reduce significant impacts.</p> <p>A lead agency may properly defer the specific details of mitigations “when it is impracticable or infeasible” to include those details during CEQA review, but only if the agency “(1) commits itself to the mitigation, (2)</p>

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<p>adopts specific performance standards the mitigation will achieve, and (3) identifies the type(s) of potential action(s) that can feasibly achieve that performance standard and that will be considered, analyzed, and potentially incorporated in the mitigation measure.” (CEQA Guidelines Section 15126.4[b])</p> <p>Regarding specifically the comment that the DEIR includes mitigation measures that rely on future approvals or agreements, the commenter does not provide reference to which mitigation measures they consider to be deficient. Mitigation Measures BIO-1 through BIO-10 (DEIR pages 3.84 through 3.96, and included within the MMRP) include a combination of requirements for pre-construction surveys, biological awareness training, and reduction and avoidance measures, which collectively reduce potential biological impacts to a less than significant level. The DEIR Mitigation Measures BIO-4, BIO-8, BIO-9, and GEO-1 require at a minimum compliance with existing regulations (CWA Section 404 and 402, FGC 1602, 86, and 1900, Migratory Bird Treaty Act, Endangered Species Act) governed by ‘expert’ regulatory agencies who’s issuance of approval is required for the project to proceed with the impact the measure is mitigating (Citizens Opposing A Dangerous Environment v. County of Kern, 228 Cal.App.4th 360, 5th Dist. July 25, 2014). These mitigation measures also include minimum commitments by the District to reduce impacts to less than significant (DEIR page 3.88, 3.95, 3.129).</p> <p>Issue/Recommendation 9.2: Performance Standards</p> <p>The commenter further identified that the mitigation measures in the biological resources section of the DEIR do not include performance standards. Each of the biological resources mitigation measures (BIO-1 through BIO-10) includes a plan for mitigation implementation. This plan describes the responsible party, timing of implementation, how the measure will be monitored and reported, and the standard for successful implementation of the measure, effectively meeting the requirements of CEQA (CEQA Guidelines Section 15126.4[b]).</p> <p>Mitigation measures included in Section 3.8.7 and the MMRP of the DEIR provide sufficient scientific performance standards to reduce identified potentially significant impacts based on the thresholds of significance identified in Section 3.8.6.1. Performance standards are described for each mitigation measure under the heading “Mitigation Measure BIO-# Implementation” with the subheading “Standards for Success.” These Standards for Success describe the performance standards that provide sufficient information to conduct impact assessment and mitigated potentially significant impacts related to biological resources to a less than significant level.</p> <p>In section 3.8.7 and within the MMRP, the District committed to ten biological mitigation measures and one mitigation measure contained within the geology and soils section (MM GEO-1). The standards for success (i.e., performance standards) for each of these measures are included below:</p> <p><u>Mitigation Measure BIO-1: Pre-Construction Botanical Surveys</u></p> <ul style="list-style-type: none">- Standard for Success: The Mitigation Measure has been updated to include the following “The District will work with a qualified botanist to either protect in place with exclusion fencing and verify no impact via spot check monitoring or the District would pay an in leu fee payment to a local land trust for preservation of an equivalent acreage”. <p><u>Mitigation Measure BIO-2: Biological Resource Awareness Training</u></p> <ul style="list-style-type: none">- Standards for Success: Construction personnel are trained in the key characteristics for identifying and avoiding impacts to special-status species and sensitive habitats. <p><u>Mitigation Measure BIO-3: Reduce the Spread and Introduction of Invasive Noxious Weeds</u></p> <ul style="list-style-type: none">- Standards for Success: Minimize the potential for introduction of new invasive weed species into the Project area through visual inspection of equipment and/or signed affidavits from the contractor of weed free certification. <p><u>Mitigation Measure BIO-4: Avoid and Minimize Impacts to California Red-legged Frog and Suitable Habitat</u></p> <ul style="list-style-type: none">- Standards for Success: California red-legged frog shall not be disturbed without qualified biologist permitted under the project specific Biological Opinion before, during, or after Project construction activities. <p><i>Note: an editorial change was made to this standard for success. See Section 3.1 of this FEIR for additional detail.</i></p> <p><u>Mitigation Measure BIO-5: Avoid or Minimize Impacts to Foothill Yellow-Legged Frog and Northwestern Pond Turtle</u></p> <ul style="list-style-type: none">- Standards for Success: Foothill yellow-legged frog shall not be disturbed without Project-specific permission from CDFW.

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	<p><i>Note: an editorial change was made to this standard for success. See Section 3.1 of this FEIR for additional detail.</i></p> <p><u>Mitigation Measure BIO-6: Native Aquatic Species Rescue and Relocation</u></p> <ul style="list-style-type: none"> - Standards for Success: Native aquatic species will not be disturbed before, during, or after Project construction activities. <p><u>Mitigation Measure BIO-7: Avoid or Minimize Impacts to Special-Status Bird Species, Nesting Raptors, and Other Migratory Birds Protected under the Migratory Bird Treaty Act (MBTA) and Fish and Game Code (FGC)</u></p> <ul style="list-style-type: none"> - Standards for Success: Special-status species, nesting raptors and other migratory birds covered under the MBTA and FGC will not be disturbed during the Project construction activities; exclusion buffers will be installed and monitored. <p><u>Mitigation Measure BIO-8: Avoid and Minimize Impacts to Riparian Habitat</u></p> <ul style="list-style-type: none"> - Standards for Success: Appropriate permit compliance and compensation in coordination with CDFW. <p><u>Mitigation Measure BIO-9: Avoid and Minimize Impacts on Waters of the United States (WOTUS) and Waters of the State (WOTS)</u></p> <ul style="list-style-type: none"> - Standards for Success: Appropriate State and federal permit compliance and compensation, including no net loss of WOTUS or WOTS from the Project. <p><u>Mitigation Measure BIO-10: Avoid and Minimize Impacts to Oak Trees and Oak Woodlands</u></p> <ul style="list-style-type: none"> - Standards for Success: Impacts to oak trees within the Project area will be minimized to the greatest extent feasible. <p><u>Mitigation Measure GEO-1: Prepare and Implement a Stormwater Pollution Prevention Plan (SWPPP)</u></p> <ul style="list-style-type: none"> - Standards for Success: Adherence to all applicable conditions and no substantial erosion or topsoil loss during or post-construction. <p>Issue/Recommendation 9.3: Use of Relocation, Salvage, and/or Transplantation</p> <p>Finally, the commenter states that relocation, salvage, and/or transplantation should not be used as the sole mitigation to reduce biological impact. Although the commenter does not specify which biological resources and/or mitigation measure they are referencing, it appears to be in reference to potential impacts to plant species Mitigation Measure BIO-1: Pre-Construction Botanical Surveys includes salvage of special-status plant species if Project activities would disturb more than 25 percent of the population. The Mitigation Measure shall be updated to include the following “The District will work with a qualified botanist to either protect in place with exclusion fencing and verify no impact via spot check monitoring or the District would pay an in leu fee payment to a local land trust for preservation of an equivalent acreage”. These requirements help ensure the success of the relocation. Collectively these mitigation measures would effectively reduce impacts to a less than significant level.</p> <p>Comment #10 Conclusion</p> <p>The DEIR included mitigation measures that are sufficient to mitigate any potential significant impacts that could arise and the analysis and conclusions of the DEIR are therefore valid and no additional edits to the biological mitigation measures are required beyond what was described in the response above. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
11	<p>The editorial comment regarding one of the numbered items on page 3.90 (i.e. page 137 of the pdf) not containing any text is acknowledged. The item number “1” on this page was made in error and the list in the mitigation measure ends with item “13”. A DEIR text revision has been added to Section 3.1 of this FEIR with the removal of the “1”. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
12	<p>CDFW’s request for reporting of any special-status species and natural communities detected during surveys is recognized. Any detections made would be reported per the District’s discretion and/or per a Project-specific permit requirement (i.e., CDFW LSAA). This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
13	<p>CDFW’s requirements for fees is acknowledged. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>

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14	CDFW's request for written notification on proposed actions and decisions regarding the Project as well as contact information for CDFW is acknowledged. All noticing for the FEIR would comply with CEQA Guideline requirements and State regulations. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.
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Comment I-1, February 26, 2024, Braun, Wendy

Letter I-1

February 26, 2024

El Dorado Irrigation District
2890 Mosquito Rd
Placerville, CA. 95667
Attn: Doug Venable – Sly Park Intertie Comment

Re: CEQA for Sly Park Intertie Project

To Whom It May Concern,

1 After reviewing the CEQA, I have questions and concerns about the multiple impacts your project will have on the environment, residents, wildlife and cultural resources within the southern end of the project in Segment 2, (2.7). Would you please provide clarity on the items listed below.

2 A temporary access road for the Staging Area as shown on the most recent updated project map (Figure 1.1-1 dated 10/24/23 is on a privately maintained portion of Dolly Varden Lane. This is a single, steep, windy and narrow gravel road that requires only 4 WD/AWD vehicles to access it without becoming stuck and blocking residents or emergency vehicles from a safe and swift passage in the event of an emergency or evacuation. Only 4WD Tow trucks have been successful in towing vehicles, including other tow trucks, off the road. Construction traffic would seriously damage the existing dirt/gravel road and steep grade. This road was built to access a few properties that were built since the original pipeline was installed along these properties and was not built to handle the large construction equipment, multiple oversized vehicles and heavier usage as described in the CEQA fuel usage report than it is currently accommodating without significant damage. EID Construction traffic along with the PGE underground cable project taking place at the same time this spring would seriously restrict safe access during an emergency or fire evacuation for us.

1. Who surveyed this area as a suitable access route?
2. Can you consider an alternative route that would not jeopardize the safety of the residents in this area.
3. If there is no alternative, who would be responsible for maintaining the roadway during usage including repairs when the project is completed?
4. Are you aware that PGE is commencing an underground utility project throughout Sly Park Hills this spring and will also be trenching along this route?

3 The temporary access road looks to be crossing through a 6 acre parcel APN: 077-101-054, adjacent to 077-101-052 and the WTP which is a lava cap meadow filled with the 2 protected flower species as seen in the photographs submitted by the biologist in her Biological report but not on the Map legend for Section 13. I have lived on this land for 31 years and have avoided walking in that meadow and also the meadows of 077-101-028 and 077-101-026 during the early months of spring when they are in full bloom. The staging and access road are on these two parcels and also being lava cap meadows they have the same flowers on them.

5. The biologist's report states that she did not survey these two meadows "at the southern end of the project near Res. A" and also none of the project area during the early bloom period. Why not? Spring 2023 and 2024 are significantly wetter years and will produce a more robust bloom. These protected flowers will be plentiful. The biologist will see they exist here and can then include them on the map where the staging area and the access roadway will be.
6. Would the presence of these two protected flowers on these 3 parcels be inconvenient to the use of them for staging and pipeline access?
7. Can the biologist contact me for a tour of my adjoining property? It has Sierra Clarkia on it as well. When weed eating the property we avoid them because of their vibrant color against the back drop of dry grass and star thistle.

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According to the information in the CEQA from CAL FIRE, this project is situated in an area considered to be a VERY HIGH fire danger area. This is a major concern for us with the amount of traffic by non-residents into our neighborhood and properties. The FAQ page dated 2/7/24 states that the updated construction time will now begin in Summer 2024. The middle of the hottest season and high risk for forest fire in our communities. In the CEQA Page 3.220 Fire Protection states that

"During the fire hazard season, these regulations include:

- 1) Restricting the use of equipment that may produce a spark, flame or fire.

We are always on high alert for fire danger in our neighborhood because there is only this one small roadway to exit up and out into the sub-division and only one exit out of the neighborhood to Sly Park Road. Year round there are prevailing winds that come directly up the canyon from the south and west and into our neighborhood where the pipeline is.

No one here drives on these grassy areas during the dry season because we are acutely aware that friction from spinning tires can be just as dangerous as sparks.

- 4 During the summer the electricity has been shut down frequently due to these winds and the extremely high fire danger. On these days residents are extremely cautious and concerned, especially since the Caldor Fire. Running heavy construction equipment and vehicles over the dry grass in these lava cap (rock) meadows during these dry months is an accident waiting to happen.

The bare hill above Canchalagua Dr. where a staging area is shown on the Updated Project Vicinity Location Map dated 10-24-23 is an example of what happened in the month of May when a fire started by a downed power line in the prevailing dry winds. It is a massive burn scar. We were all evacuated. Had the winds not shifted, this neighborhood would look like that once densely forested and now bare mountain which we can still see from here 15 years later.

8. What water sources will be here on the project site?
9. Will there be Certified Fire Personnel on site to deal with a fire start immediately?
10. There is little to no reliable cell service in these areas. What reliable communication will the personnel have to communicate an emergency to the 911 system?
11. How quickly would the residents be notified? Timing is everything for our survival in a wildfire here in this community.
12. Who will be overseeing the Mitigation WILD-1 Prepare and Implement a Fire Safety Plan
13. Where can we see a copy of the plan?

I have spoken to Jon Money and Liz Carrington about the Native American Cultural Resources that are in the planned staging areas and I do not see them referenced anywhere within the CEQA.

- 5 14. It appears in the Helix report that their agency was directed by the district not to contact the local tribes. Why?
15. I did not see a reference to the Timber Harvest Plan for the property with the CR's on them among the ones listed in the CEQA. For your information, the protected area I'm referring to can be found in a Timber Harvest Plan, THP 4-06-16/ELD-7 from 2006. I did point out to the surveyor where this area was while he was here in 2023 and also shared it with Jon Money in 2022. Why are you still staging in an area where there are Native American Cultural Resources?

- 6 16. How loud are the new pumps going to be?
17. How often will they be running?
18. This is a quiet, peaceful valley except for the industrial noise coming from Res. A. Will there be more noise generating from the WTP after it is completed?

- 7 19. How will this project impact our ground water, well and water storage tank that sits ~25' from the pipeline?

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8 | This project will indeed have a major impact on wildlife. This section of the project area is filled with game trails and are hunting grounds for a multitude of wildlife. Protected migratory birds fill this brush in the spring and summer nesting. I also have recent photographs taken here in the last 6 months of 2 Bears, 3 Mountain Lions, a Bobcat, Pileated Wood Peckers, recordings of Great Horned Owls, and a Sierra Red Fox if you need to see the plethora of wildlife that live in and around this project area. They live, hunt, migrate all through here. With 4 creeks North Fork Weber Creek, South Fork Weber Creek, Clear Creek, North Fork Clear, black oak acorns, manzanita berries, conifer cones, there is plenty to sustain them. They will all be displaced during this construction period and will have lost their cover, habitat, food sources. This project has a HUGE impact on the environment.

9 | 20. Can I request a notification of mastication date? There may be a need to rescue injured and orphaned song birds that will be nesting along with the many dusky footed woodrats that have been living in the dozens of very 30+ year old middens within the buck brush that has grown over the pipeline on my property. Also, the nocturnal wildlife that will be displaced during the daylight hours. Dusky Footed Woodrats, Northern Flying Squirrels, Bats, Owls, Bobcat, Bear, Mt Lion, Deer, raccoon, skunk, opossum, field mice.

10 | 21. Why was there no alternative project considered to travel along Sly Park Road to Pony Express Trail? Less destructive, and easier to maintain. Taxpayers have contributed for years through property taxes but see very little repairs to our local roads. This would benefit the community without any more destruction to our aesthetically beautiful communities by a Utility Company.

11 | 22. In the CEQA, it states that there are no known Eagle Nests within 5 miles of the project area. I'm sure EID is aware of the one located at Sly Park Lake that is EID owned now. Why aren't these included in the CEQA?

12 | In Table ES1 "Executive Summary of Impacts and Mitigation Measure", AES-3 states that in non-urbanized areas, potential to substantially degrade the existing visual character or quality of public views of the site and its surroundings. No mitigation is required and for this project as it is considered to be LTS Less than significant.

Our home is situated higher up on the property overlooking the project area and with a westerly view as far as the coastal mountain ranges on a clear day. The destruction of the natural shrubs and construction of a gravel road is degrading to our existing visual character and the quality of our view. This pipeline runs along our property line.

23. Can this section of the pipeline be covered with native soil instead of gravel? If not, what type of material will be used?

13 | Also, because the homes in this area are located adjacent to and at a higher elevation than the EID Water Treatment Plant, we can hear people talking, traffic, equipment, the emergency generators, see more brighter lights at night, and smell chemicals and organic odors more than we ever have in the 30 years we've been here when there was a just a small building, no fencing, one security light and the sounds of a fountain spraying water into the air with Canada geese flying and out freely.

24. What plans do you have to mitigate the impact that the ongoing noise, odors and light pollution from the Water Treatment Plant are having on the residents adjacent to the water treatment plant?

Sincerely,

Wendy Braun
4073 Casselberry Court
Pollock Pines, CA 95726
APN: 077-101-052 and 077-101-050

SLY PARK INTERTIE IMPROVEMENTS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Comments and Responses

Response I-1, February 26, 2024, Braun, Wendy

1	<p>The introductory text is acknowledged. The specific concerns related to the remainder of the comment are addressed as they occur below.</p>
2	<p>The comments regarding access and staging areas near Dolly Varden Lane are acknowledged. Access and staging areas have been identified for the Project by a professional design engineer and selected as potential access and staging areas for the Project. Actual access and staging during construction may vary depending final Project design and will be chosen based on the contractors discretion, however, will be within surveyed areas identified in the DEIR.</p> <p>Additionally, the District has recently been in contact with PG&E and is aware of the undergrounding work that will be occurring in the area. All undergrounding utility projects in the area would be coordinated with PG&E to avoid potentially cumulative impacts related to construction traffic and emergency access or evacuation. As discussed in Section 3.21.5, Transportation Mitigation, Mitigation Measure TRA-1, Prepare an Implement a Traffic Control Plan, would be required and would include approval of this plan by the County Department of Transportation, Caltrans, the California Highway Patrol, and the local fire district. This mitigation measure would ensure that traffic flow remains at acceptable levels and emergency access remains reasonably possible at all times throughout the Project area. Therefore, any potential construction traffic or emergency access or evacuation routes would not be substantially impacted by construction of the Project. Therefore, this comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
3	<p>The comments regarding the protected wildflower species are acknowledged. The biologist completed a full survey of the Project area. If areas are considered for impact, including staging areas, they have been surveyed for special-status species. The commenter's concerns regarding the importance of the wildflowers is acknowledged. As discussed in the DEIR, Mitigation Measure BIO-1 includes a pre-construction botanical survey, which includes that if special-status plants are present, Project activities shall be reduced and minimized to avoid impacts. The commenter's concern regarding the adjacent property having Sierra clarkia is acknowledged. A full floristic survey was completed during the initial surveys and the biologist observed Sierra clarkia adjacent to the Project area. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
4	<p>The commenters' concern regarding potential construction-related wildfire hazards is acknowledged. As discussed in Section 3.24, Mitigation Measure WILD-1 in the DEIR, a Fire Safety Plan will be prepared for the Project, prior to construction activities. A copy of this plan will be made available upon request when completed. Development of this Fire Safety Plan will be a requirement of the chosen contractor and will be approved by the District's Safety and Security Officer prior to implementation. This Fire Safety Plan will include procedures for evaluating weather and other conditions during which fire risk is elevated (conditions under which specified activities would cease due to elevated fire conditions); equipment used to prevent fire and respond to a fire immediately; personnel responsibilities and assignments to implement the Fire Safety Plan; and other measures to reduce fire risk during construction. Additionally, this Fire Safety Plan will identify reliable methods of communication in the event of a wildfire. Therefore, this comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
5	<p>The comment regarding the cultural report included in the DEIR and contact with the local tribes is acknowledged. The District sent Assembly Bill (AB) 52 consultation letters to 8 local culturally affiliated tribes and individuals on February 3, 2023. A representative from the United Auburn Indian Community (UAIC) responded to the AB 52 letter and requested to consult on the Project. The District provided the UAIC with current and prior cultural resource reports, site records, and maps associated with the Project area. The UAIC provided the District with tribal cultural resource (TCR) mitigation measures and discussion recommendations for the Project's TCR analysis. The District utilized the UAIC recommendations to develop the Project's TCR discussion and mitigation measures. Additionally, the commenter is referred to Section 3.22.2.4, Native American Outreach, of the DEIR which discusses the letters that were sent out to the local tribes (August 14, 2023). None of the Native American Tribes or individuals contact responded to the request for information. However, a representative from Shingle Springs Band of Miwok Indians responded outside the 30-day consultation request window. The District provided the Tribal representative with the Project's cultural reports as requested and did not receive additional communications.</p> <p>The comment regarding the Timber Harvest Plan (THP) is also acknowledged. The commenter further suggests that the THP identified a Native American cultural resource and Project construction could impact this resource.</p>

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	<p>The commenter is referred to Section 3.9.4.2, Known Cultural Resources, as well as Section 3.22.2.4, which discusses cultural and tribal cultural resources that were analyzed. The results of the Sacred Lands File search completed for the Project did not identify any known tribal cultural resources within the Project area. Additionally, the commenter is referred to page 8 of the Cultural Resources Assessment (Appendix D of the DEIR), which lists the THP 4-06-16 in a study that was previously conducted within 0.25-miles of the Project. As identified within this study, the two shallow stoned-lined depressions are located more than 0.25-mile from the Project and therefore would not be impacted by Project construction or operation. Therefore, this comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
6	<p>The questions regarding the potential for noise from the pump station are acknowledged. The commenter is referred to Impact NOS-1 on page 3.183 of the DEIR which discusses operational noise impacts associated with the new pump station. As discussed in the DEIR, the new pump station and backup generator would run periodically and would be enclosed within sound attenuating housings. The approximate sound level at 450 feet from this new structure would be 60 dBA, which would be consistent with the existing noise levels in the area. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
7	<p>The comment regarding potential impacts to a well and water storage tank that is potentially adjacent to Project pipeline is acknowledged. The commenter is referred to Section 3.14.4.1, Impact HYD-1 on page 3.164 of the DEIR which analyzes potential impacts to groundwater quality from Project construction and operation. Potential construction impacts related to both surface and groundwater quality would be reduced to a less than significant level with Mitigation Measure HAZ-1: Prepare and Implement a Hazardous Materials Release and Prevention Plan, Mitigation Measure GEO-1: Prepare and Implement a Stormwater Pollution Prevention Plan (SWPPP), Mitigation Measure BIO-8: Avoid and Minimize Impacts to Riparian Habitat, and Mitigation Measure BIO-9: Avoid and Minimize Impacts of Waters of the United States and Waters of the State. The Project will also comply with Clean Water Act Sections 404 and 401 and Fish and Game Code 1602 agreement stipulations. Once operational, the pipeline would be located underground, similar to existing conditions, and would have no impacts to local groundwater wells or storage. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
8	<p>The comment regarding the potential impacts of the Project on wildlife is acknowledged. However, the species provided by the commenter do not introduce new information not considered within Table 3.4.1 of the DEIR, which addresses the potential for special-status species to occur in the Project area. The commenter is referred to the following sections of the DEIR which describe potential impacts to migratory birds, terrestrial wildlife, and special-status plant species:</p> <ul style="list-style-type: none"> Impact BIO-1, page 3.72 – potential impacts to special-status plant species Impact BIO-1, page 3.77 – potential impacts to special-status bird species, nesting raptors and other migratory birds Impact BIO-4, page 3.80 – potential impacts to movement of terrestrial wildlife species <p>Potential impacts to wildlife species in the DEIR were analyzed in accordance with the CEQA Guidelines and thresholds. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
9	<p>The comment requesting the notification of the mastication date is acknowledged. Construction of the Project is estimated to begin in Summer of 2024 and be completed in 2025, over approximately 18 months. More detailed and specific Project construction dates will be posted to the Project website and will be regularly updated over time. Additionally, the commenter identified multiple wildlife species that they suggest may need to be rescued from the area during Project construction. The DEIR includes several mitigation measures to protect special-status species under the thresholds of CEQA including:</p> <ul style="list-style-type: none"> Mitigation Measure BIO-4: Avoid and Minimize Impacts to California Red-legged Frog and Suitable Habitat (page 3.87 of DEIR and within MMRP) Mitigation Measure BIO-5: Avoid or Minimize Impacts to Foothill Yellow-Legged Frog and Northwestern Pond Turtle (page 3.90 of DEIR and within MMRP) Mitigation Measure BIO-6: Native Aquatic Species Rescue and Relocation (page 3.91 of DEIR and within MMRP) Mitigation Measure BIO-7: Avoid or Minimize Impacts to Special-Status Bird Species, Nesting Raptors, and Other Migratory Birds Protected under the MBTA and FGC (page 3.92 of DEIR and within MMRP) <p>These measures effectively reduce potential impacts to special-status species to a less than significant level. Additionally, common wildlife species (i.e. not listed as special-status) would also have the potential to be</p>

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	protected through pre-construction surveys and protocols, although not required under the thresholds of CEQA. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.
10	The comment regarding the analysis of an alternative along Sly Park Road to Pony Express Trail is acknowledged. The commenter is referred to Section 4.1.1.1, Infeasible Alternative 1 – Alternative Within Existing Roadway right-of-way (ROW) on page 4.2 of the DEIR which evaluates a potential alternative Project alignment along Sly Park Road. The reasons for infeasibility of this alternative are stated within the DEIR. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.
11	<p>The comment regarding the presence of an eagle at Sly Park Lake is acknowledged. As described in Section 3.8, Biological Resources of the DEIR, the State maintains a list of species recommended for consideration as special-status or species of special concern under CEQA (i.e. California Natural Diversity Database [CNDDDB]). This list was reviewed to identify special-status species that have been known to or have the potential to occur within the Project area. Special-status species either known to occur within the Project area or with potential habitat in the Project area were then evaluated to assess potential impacts that may occur from implementation of the Project. At the time of review of this database, the occurrence identified by the commenter was not included on the CNDDDB list. Further, as stated in Table 3.4-1 on page 3.59 of the DEIR, bald eagles have limited to no suitable habitat and no known occurrences within 5 miles of the Project area based on biological databases, and as such were not further analyzed. However, the District appreciates the comment and will submit the occurrence information to CDFW to update the CNDDDB to include the known eagle nest located in the Sly Park Recreation area.</p> <p>Additionally, when work is proposed within the vicinity of an active eagle nest, disturbance buffers should be established to mitigate disturbance to the nest and its occupants. Specifically, the nest located at Jenkinson Lake is approximately 3.5 miles from the Project area (Reservoir A). According to the <i>National Bald Eagle Management Guidelines</i> (USFWS 2007), the size and shape of disturbance buffers can vary depending on the topography and other ecological characteristics surrounding the nest site. However, the nest at Jenkinson Lake is well over the maximum buffer size distance (0.5 mile) recommended within the USFWS's 2007 guidelines.</p> <p>Additionally, Mitigation Measure BIO-7: Avoid or Minimize Impacts to Special-Status Bird Species, Nesting Raptors, and Other Migratory Birds Protected under the MBTA and FGC includes measures that would protect bald eagles, even though they were determined to have a low potential to occur in the Project area. As such, this comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
12	The commenters concern regarding the visual character of the Project pipeline adjacent to their property is acknowledged. Further, the commenter requested that this segment of pipeline be covered with native soil instead of gravel. The commenter is referred to Section 2.6.1.5, Start Up, Testing, and Site Restoration on page 2.14 of the DEIR which states that in-road segments associated with the replaced pipeline would be repaved, and any overland segments would be graded to match the existing topography and re-seeded with the appropriate native herbaceous seed mixes for local upland and riparian habitats. Further, this residential property is located adjacent to Segment 3 of the Project, which is not anticipated to result in tree removal, thus further limiting visual impacts. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.
13	<p>The comment regarding mitigating potential impacts from noise, odors, and light pollution at the Water Treatment Plant are acknowledged. Operations lighting impacts, air quality impacts, and noise impacts are discussed in the following sections of the DEIR:</p> <ul style="list-style-type: none"> Section 3.5, Aesthetics and Visual Resources, Impact AES-4, page 3.11 Section 3.7, Air Quality, Impact AIR-4, page 3.36 Section 3.17, Noise and Vibration, Impact NOS-1, page 3.183 <p>As analyzed in these sections of the DEIR, operation of the Project would be consistent with existing operations at the Water Treatment Plant and would comply with state, federal, and local regulations governing visual, air quality, and noise impacts. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>

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Comments and Responses

Comment I-2, February 29, 2024, Bross Martin

Letter I-2

From: [Martin Bross](#)
To: [# SlyParkIntertieEIR@EID.org](#)
Subject: Sly Park Intertie Comment
Date: Thursday, February 29, 2024 2:00:26 PM

1

I sent an email with the North Fork of Clear Creek pipeline crossing in the subject line, missed the note so I am sending this one. I wrote to address the small fish population downstream of the pipeline crossing in one of the pools, did not have a chance to see the report and if this was addressed in it.

Thank you,
Martin Bross
In God we trust

SLY PARK INTERTIE IMPROVEMENTS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Comments and Responses

Response I-2, February 29, 2024, Bross Martin

1	<p>The comment regarding the small fish population downstream of the pipeline is acknowledged. The commenter is referred to Impact BIO-4 on page 3.81 of the DEIR which discusses potential impacts to the movement of aquatic wildlife species. The Project includes four stream crossings which would include open-trench installation and installation during periods of no or low flows to reduce potential water quality and aquatic wildlife species impacts. Additionally, as discussed in the DEIR, Mitigation Measure BIO-6: Native Aquatic Species Rescue and Relocation (pages 3.91 and 3.92 of the DEIR) would be implemented and would include development of an aquatic species rescue plan prior to any in-water work that would be approved by CDFW. As such, any potential impacts to aquatic species would be less than significant with mitigation incorporated, as analyzed in the DEIR. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
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SLY PARK INTERTIE IMPROVEMENTS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Comments and Responses

Comment I-3, February 1, 2024, Odom, Beverly

Letter I-3

From: [Beverly Odom](#)
To: [# Sly Park Intertie](#)
Cc: [Keith Odom](#)
Subject: Sly Park Intertie Comment
Date: Thursday, February 1, 2024 10:43:44 AM

1

Hello, we live next to Reservoir A in Sierra Springs off the Foxglove easement. Thanks for the information about the project and the opportunity to provide comments. Our main hope is that the construction of additional pumping stations results in low noise and then no noise after the project is complete. We are situated west of the plant in the canyon, so any noise from the treatment plant travels to our home. For example, sometimes we hear the low humming of an engine when the water is being pumped(?). Is it possible to use quiet pumps or a sound wall? I do not know the specifics, however sometimes we hear noise and given the possibility of an expansion of pumps/infrastructure, it would be nice if it was possible to use the quietest technology and/or sound wall available. We appreciate any consideration of our comments.

Beverly Odom
5173 Sierra Springs Dr.
Pollock Pines, CA 95726

SLY PARK INTERTIE IMPROVEMENTS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Comments and Responses

Response I-3, February 1, 2024, Odom, Beverly

1	<p>The comment regarding the potential for noise from the pump station and proximity to the residence is acknowledged. The commenter is referred to Impact NOS-1 on page 3.183 of the DEIR which discusses operational noise impacts associated with the new pump station. As discussed in the DEIR, the new pump station and backup generator would run periodically and would be enclosed within sound attenuating housings. The approximate sound level at 450 feet from this new structure would be 60 dBA, which would be consistent with the existing noise levels in the area. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
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SLY PARK INTERTIE IMPROVEMENTS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

Comments and Responses

Comment I-4, February 20, 2024, Schultz, Julie

Letter I-4

From: [Julie Schultz](#)
To: [# SlyParkIntertieEIR@EID.org](#)
Subject: Sly Park Intertie Improvements DEIR Comments
Date: Tuesday, February 20, 2024 11:45:15 AM

- 1 I am requesting my comment to be documented regarding Sly Park Intertie project. I am a home owner at 5955 Dolly Varden Lane, Pollock Pines and my name is Julie Schultz. We are located off Casselbarry Court which is a single lane road with limited to no shoulder. This road is the only way in and out of our property, there is no alternative access road. I have great concern about blocked access and damage to the road due to construction vehicles using the road for access to the project. This is a huge safety concern due to potential fire or medical emergency situations. We need full access to our road, construction vehicles blocking the road is dangerous for the residents living on Casselbarry Court & the tail of Dolly Varden Lane. How will this be addressed for keeping the road cleared of construction vehicles and will our road be resurfaced after construction is completed?
- 2 With the EID project operating through the summer months I additionally have concern about fire safety. Our meadows become very dry potentially creating an opportunity for fire due to a spark from equipment in use. Without fire hydrants available within a mile radius of Casselbarry what is the safety plan to protect the residents and our property?
- 3 Additionally we provide a youth camp on Saturdays & Sundays from May through October. The children are interacting with horses at our camp. This could be a potential dangerous situation since horses can be triggered and severely impacted by unfamiliar noise. Our kids camps have been offered for 4 years here at our ranch on Dolly Varden. We have the privilege due to our properties location of never having distractions of vehicles or disruptive noise. I have concern that the disruptive construction equipment and noise from this project while in our neighborhood could trigger an unsafe and potentially dangerous situation for the kids and the horses.
Julie Schultz

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Comments and Responses

Response I-4, February 20, 2024, Schultz, Julie

1	<p>The comment regarding access to residences on Casselbarry Court and Dolly Varden Lane during Project construction, as well as restoration of roads post-construction, is acknowledged. The commenter is referred to Impact TRA-3 and Impact TRA-4 on pages 3.204 and 3.205 of the DEIR which discuss construction traffic and emergency access impacts resulting from the Project. As analyzed in the DEIR, construction of the Project would result in temporary impacts to traffic, and as such, Mitigation Measure TRA-1, Prepare and Implement a Traffic Control Plan would be required to minimize any potential hazards and ensure adequate ingress and egress for residences as well as emergency response vehicles. Once Project construction is complete, all disturbed roadways would be repaved back to existing conditions or better, as stated on page 3.205 of the DEIR. Therefore, residences on Casselbarry Court and Dolly Varden Lane would have access to their properties throughout construction activities. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
2	<p>The comment regarding concerns with fire safety during Project construction is acknowledged. The commenter is referred to Impact WILD-1 through WILD-4, as well as Mitigation Measure WILD-1, on pages 3.223 through 3.227. As analyzed in the DEIR, Project construction has the potential to include use of equipment that could cause the unintentional release of sparks or heat into nearby flammable material, such as brush or grasses. As such, Mitigation Measure WILD-1 would be implemented and would include preparation and implementation of a Fire Safety Plan which would reduce potential construction impacts related to wildfires to a less than significant level. In addition, Project construction activities would be required to comply with all applicable local, State, and federal requirements, including the California Fire Code, which limits the potential for construction equipment to spark a wildland fire by requiring the implementation of fire protection systems, means of adequate ingress and egress of construction equipment and personnel, and use of fire-resistive construction equipment. This comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>
3	<p>The commenters concern regarding potential impacts to their horse youth camp as a result of Project noise is acknowledged. The commenter indicated that the youth camp occurs on Saturday's and Sunday's from May through October on their property which is adjacent to the Reservoir A Water Treatment Plant. The commenter is referred to Section 3.17, Impact NOS-1 of the DEIR which discusses construction related noise impacts associated with the Project. As discussed on pages 3.182 and 3.183 of the DEIR, construction activities would be consistent with the El Dorado County Municipal Code Chapter 130.70 - Noise Standards Project. Construction dates, schedule, and contact information will be posted to the Project website and regularly updated throughout construction activities. In addition, as stated in the DEIR (page 3.182), the maximum construction sound level from the typical construction equipment would vary from approximately 82 A-weighted decibels (dBA) to 89.7 dBA at a distance of 25 feet. The commenter's property appears to be approximately 400 feet from where construction activities would be occurring at the Reservoir A Water Treatment Plant, which would result in significantly less than 89.7 dbA at 25 feet. Further, this construction noise would be temporary. Therefore, this comment does not introduce significant new information, and no substantial changes to the DEIR text are necessary.</p>

3.0 DEIR TEXT REVISIONS

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

3.1 DEIR REVISIONS

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

DEIR Appendix E and Section 3.8.7 Page 3.91: Mitigation Measure BIO-5

In Appendix E and page 3.91 of the DEIR – Mitigation Measure BIO-5: Avoid or Minimize Impacts to Foothill Yellow-Legged Frog and Northwestern Pond Turtle, the following edit has been made:

~~“Foothill yellow legged frog shall not be disturbed without Project-specific permission from CDFW without a Section 10(a)(1)(A) recovery permitted biologist before, during, or after Project construction activities.”~~

The “Section 10(a)(1)(A)” reference is inaccurate because the federal Biological Opinion authorizes Project-specific handling and therefore a 10(a)(1)(A) is not necessary.

Additionally, the following text has been added to Mitigation Measure BIO-5:

1. Provide training specific to the foothill yellow-legged frog and northwestern pond turtle.
2. Per the Project’s LSAA, a qualified biologist shall develop a Pre-Construction Survey Plan for each species. The foothill yellow-legged frog survey plan shall include the life-stage being surveyed for, survey methodology, as well as timing of survey(s). The survey plan shall also provide justification for timing and methodology of survey design (e.g., watershed characteristics, regional snowpack, timing and rate of spring runoff, day length, average ambient air and water temperatures, local and seasonal conditions). Additionally, the Project’s designated biologist shall perform pre-construction surveys, as specified in the Pre-Construction Survey Plan within the boundaries of the Project area plus a 500-foot buffer zone upstream and downstream of the construction area.
 - a. If no foothill yellow-legged frogs are found during the pre-construction surveys, then construction of the Project will continue. If foothill yellow legged frog are present during pre-construction surveys, then construction will not occur in the area and the District will coordinate with CDFW to obtain necessary permits to ensure protection of foothill yellow legged frog including an Incidental Take Permit (ITP).

SLY PARK INTERTIE IMPROVEMENTS PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT

DEIR Text Revisions

~~A qualified biologist shall conduct pre-construction visual surveys for foothill yellow-legged frog prior to any work (e.g., excavation, pipe installation, cofferdam installation and removal) within the stream zone.~~

3. Prior to pre-construction surveys, the District will prepare a western pond turtle survey plan including site-specific avoidance, minimization, and/or relocation measures to be submitted for approval by CDFW. A qualified biologist shall conduct the pre-construction northwestern pond turtle surveys prior to any work (e.g., excavation, pipe installation, cofferdam installation and removal) within the stream zones.
 - a. If no northwestern pond turtles are found during the pre-construction surveys, then construction of the Project will continue. If northwestern pond turtles are present during pre-construction surveys, then construction will not occur in the area and the District will follow the CDFW-approved survey plan for the northwestern pond turtle including coordination with CDFW.

DEIR Appendix E and Section 3.8.7 Page 3.90: Mitigation Measure BIO-4

In Appendix E and Section 3.8.7, page 3.90, Mitigation Measure BIO-4, Avoid and Minimize Impacts to California Red-legged Frog and Suitable Habitat, the following edits have been made:

~~“4. “~~

~~“All monitoring shall be conducted by a qualified biologist or trained inspector and records of monitoring shall be developed and kept on file with the District. Relocation, if necessary, shall only be performed by a Section 10(a)(1)(A) recovery permitted qualified biologist permitted under the project-specific Biological Opinion. Additionally, all observed and relocated frogs shall be reported to the USFWS as soon as practicable and no longer than 48 hours from the time of observation.”~~

~~“California red-legged frog shall not be disturbed without a Section 10(a)(1)(A) recovery permitted qualified biologist permitted under the project specific Biological Opinion before, during, or after Project construction activities.”~~

DEIR Appendix E and Section 3.8.7 Page 3.85: Mitigation Measure BIO-1

In Mitigation Measure BIO-1, Pre-Construction Botanical Surveys, the following addition has been made:

~~“The presence or absence of special-status plant species are documented and, if observed, are handled and mitigated according to the performance standards outlined above and developed with the appropriate regulatory agencies.~~

The District will work with a qualified botanist to either protect in place with exclusion fencing and verify no impact via spot check monitoring or the District would pay an in leu fee payment to a local land trust for preservation of an equivalent acreage.”

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DEIR Text Revisions

DEIR Appendix E and Section 3.8.7 Page 3.86: Mitigation Measure BIO-2

In Mitigation Measure BIO-2, Biological Resources Awareness Training, the following addition has been made:

“The training shall initially be presented to key Project personnel by a qualified biologist at the Project kickoff and recorded to be used for additional contractor staff that may arrive on the Project site after the Project kickoff.”

3.2 ERRATA

In addition to the DEIR text revisions above an additional global revision has been made to make minor corrections to the DEIR. The information provided herein does not represent significant new information that would affect the analysis or conclusions presented in the DEIR for the Project. Section 15088.5 of the CEQA Guidelines specifically states: “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.” Further, according to the CEQA Guidelines Section 15088.5, “significant new information” that would require recirculation includes the following:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance.
- 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.
- The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

The clarifying information does not contain significant new information 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 that the District has declined to adopt. Additionally, information provided in this revision does not present a feasible Project alternative or mitigation measure considerably different from others previously analyzed in the EIR. All of the information added to the DEIR pursuant to this revision merely clarifies information in the DEIR.

Clarifying Information for the Project Description

In Sections 2.5 and 2.5.1 through 2.5.4 of the DEIR include descriptions of the proposed lengths for the four segments of the pipeline alignment. The lengths provided in the DEIR were based off of best available data and review of historic and aerial imagery of the area. Based on recent surveys and further

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DEIR Text Revisions

review of topographic imagery, these lengths have been updated. Although these lengths have been updated, all segments of the pipeline, acreage of impacts, and surveyed areas are consistent with what was described and analyzed in the DEIR. These updated lengths simply accommodate the varying topography of the area. All figures and analysis in the DEIR are accurate based on current design of the pipeline.

These updated lengths are provided below:

- Segment 1: Approximately 0.6 miles along paved roadways from Pony Express Trail to Ridgeway Drive
- Segment 2: Approximately 4.9 miles cross-country traversing four drainages from Ridgeway Drive to Reservoir A
- Segment 3: Approximately 0.2 miles of pipeline within the Reservoir A facility including a new pump station
- Segment 4: Approximately 0.4 miles cross-country from Reservoir A to the Sly Park Environmental Education Center

The total approximate length of the replaced pipeline is 6.1 miles.

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Report Preparers

4.0 REPORT PREPARERS

As required by the CEQA, this chapter identifies the preparers of this FEIR.

Table 4.1-1. FEIR Preparers and Reviewers

El Dorado Irrigation District Staff	
Doug Venable	Environmental Review Analyst B.S. Chemistry
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Jon Money	Engineering Manager B.S. Civil Engineering M.S. Civil & Environmental Engineering PE- 63966
Consultant Staff	
Bernadette Bezy	Senior Principal Regulatory Specialist MS, Biology BS, Environmental Science BS, Aquatic Biology and Environmental Science
Kim Clyma	Senior Environmental Planner Woodard and Curran JD, Law BA, Environmental Studies GIS Certificate
Zoryana Pope	Environmental Planner BS, Environmental Protection and Management
Meghan Oats	Biologist B.S., Environmental Science and Management
Emily Eppinger	Wildlife Biologist BS, Wildlife Management; GIS Certificate
Amy Lehman	Administrative Assistant

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References

5.0 REFERENCES

California Department of Fish and Wildlife (CDFW). 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. State of California, California Natural Resources Agency, Department of Fish and Wildlife. Available online: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959>. Accessed June 2023.

California Native Plant Society (CNPS). 2001. Botanical Survey Guidelines. Pages 38-40 in CNPS inventory of rare and endangered vascular plants of California. Pages 38-40 in California Native Plant Society's inventory of rare and endangered vascular plants of California (D.P. Tibor, editor). Sixth edition. Special Publication No. 1, California Native Plant Society, Sacramento, 387 pp. Available online: https://cnps.org/wp-content/uploads/2018/03/cnps_survey_guidelines.pdf. Accessed June 2023.

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APPENDIX A

Mitigation, Monitoring, and Reporting Program

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Appendix A Mitigation Monitoring and Reporting Program

APPENDIX A MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) was prepared pursuant to the California Environmental Quality Act (CEQA) Guidelines (Section 21081.6[a][1]), which require a public agency to adopt a monitoring and/or reporting program to ensure compliance with mitigation measures during Project implementation. This MMRP identifies the measures from the Draft Environmental Impact Report (DEIR) that apply to the Project as evaluated and documented in the DEIR and editorial updated as part of the Final EIR (FEIR). This MMRP identifies the required mitigation and environmental compliance steps to be completed in accordance with CEQA regulations and the parties responsible for implementation and monitoring.

A.1 Project Description

A.1.1 Project Location

The Project is located approximately 1.5 miles southwest of the Pollock Pines community and 10 miles east of the city of Placerville, California, within the Pollock Pines and Sly Park, California U.S. Geological Survey (USGS) 7.5-minute topographic quadrangles. The northern segment of the Project area starts adjacent to Reservoir 1 on Pony Express Trail and is located on the north side of U.S. Highway 50 (HWY 50). The Project area continues approximately 6.1 miles south-southeast before terminating at the Sly Park Hills Tank, located off Mackinaw Street, approximately 0.5 miles from Reservoir A. The Project area elevations range between approximately 3,000 and 3,730 feet (914 and 1,140 meters) above mean sea level (amsl). The Project traverses lands owned by the District, lands administered by the Eldorado National Forest, and various private property.

A.1.2 Project Summary

The El Dorado Irrigation District (District) is proposing to implement the Sly Park Intertie (SPI) Improvements Project (Project) to replace the connection between the District's two largest drinking water treatment plant facilities that, together, provide two-thirds of the District's drinking water supply. The Project would enable the District to efficiently convey drinking water sourced from its existing water supplies at Jenkinson Lake and the South Fork American River watershed to areas throughout the District's service area (See Figure 1.1-1 of Draft EIR). The SPI is an existing 22- to 24-inch diameter steel pipeline, approximately 6 miles in length, which extends between the District's Reservoir 1 Water Treatment Plant (Reservoir 1) and Reservoir A Water Treatment Plant (Reservoir A), and continues to the Sly Park Hills Tank. Construction is planned to begin in 2024 and to be completed in 2025, over a period of approximately 18 months.

A.1.3 Procedures for Monitoring and Reporting

The District will be responsible for mitigation measure implementation oversight and compliance documentation. The District, at its discretion, may delegate implementation responsibility or portions thereof to a licensed contractor or other designated agent as long as District maintains final responsibility for ensuring that the actions are taken.

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

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

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

A.2 CEQA Mitigation Measures

Table 1 below describes the mitigation measures included in the Project. For each mitigation measure the required action, responsible party, implementation timing, and reporting requirements are described.

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Appendix A Mitigation Monitoring and Reporting Program

Table 1. Summary of the Project Mitigation Measures

Mitigation Measure	Responsible Party	Monitoring Timing	Monitoring and Reporting Program	Standards for Success
Aesthetics and Visual Resources				
<p>Mitigation Measure AES-1: Use of Best Management Practices to Minimize Lighting Impacts from Construction The following best management practices (BMPs) shall apply to Project construction activities and staging areas to ensure minimal adverse impacts to nighttime views for adjacent sensitive receptors. These BMPs shall be implemented by the contractor during construction. BMPs shall include, but are not limited to:</p> <ul style="list-style-type: none"> Identify when/where lighting is needed and confine/minimize lighting to the extent necessary to meet safety purposes. Select warm color temperature bulbs (less than 5000K). Limit the height of fixtures to minimize the amount of light crossing property lines and overall light levels. Utilize temporary lighting shields during construction where construction lighting impacts to residences and other habitable structures cannot be avoided. 	<p>The District and contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>During construction of the Project</p>	<p>The District shall verify that the chosen contractor is implementing construction light reduction measures and that the design plans meet the operational light reduction measures in accordance with this mitigation measure.</p>	<p>Lighting impacts are reduced to a less than significant level for all residences and habitable structures adjacent to the Project during construction.</p>
Air Quality				
<p>Mitigation Measure AIR-1: Dust and Emissions Control Plan The District shall require that the selected contractor prepare and implement a Project Dust and Emissions Control Plan that is approved by the El Dorado Air Quality Management District (AQMD) prior to construction. The following measures shall be conducted throughout the construction period to limit and control dust and air emissions:</p> <ul style="list-style-type: none"> All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent fugitive dust from leaving the property boundaries and/or causing a public nuisance. All areas with vehicle traffic shall be watered or have a dust palliative applied as necessary to minimize dust emissions. All on-site vehicle traffic shall be limited to a speed of 15 mph on unpaved roads. All land clearing, grading, earth moving, or excavation activities on the Project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 mph. All inactive portions of the construction site shall be covered, seeded, or watered or otherwise stabilized until a suitable cover is established. All material transported off-site shall be either sufficiently watered or securely covered to prevent it from being entrained in the air and there must be a minimum of six (6) inches of freeboard in the bed of the transport vehicle. Paved streets adjacent to the Project shall be reasonably clean through methods such as sweeping or washing at the end of each day, or more frequently if necessary, to remove excessive accumulations or visibly raised areas of soil which may have resulted from activities at the Project area. Prior to the end of construction, the applicant shall re-establish ground cover on the site through seeding. The Project contractor shall ensure that all construction equipment is properly maintained. <p>The Project is not located in an area mapped as having, or otherwise known to have, ultramafic rock, serpentine, or naturally occurring asbestos (El Dorado County 2015). However, if naturally occurring asbestos is discovered during Project construction, the following shall occur:</p> <ul style="list-style-type: none"> If naturally occurring asbestos, serpentine, or ultramafic rock is discovered in the area to be disturbed after the start of any construction or construction-related activity, a Professional Geologist or the Air Pollution Control Officer must report the discovery to the El Dorado AQMD no later than the next business day; and The Project shall comply with applicable provisions of Rule 223-2 and the California Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (CCR Title 17, Section 93105). 	<p>The District shall require that the contractor prepare and implement a Construction Emissions and Dust Control Plan. The District shall be responsible for ensuring that all adequate dust control measures are implemented in a timely manner during all phases of Project development and construction by the contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>An Emissions and Dust Control Plan shall be prepared and approved by the El Dorado AQMD prior to construction and implemented during all phases of grading and activities that generate dust.</p>	<p>During construction, regular inspections shall be performed by a District representative and reports shall be kept on file by the District for inspection by the El Dorado AQMD or other interested parties as specified in the Emissions and Dust Control Plan.</p>	<p>Visible emissions and dust are kept to the lowest practicable level during construction periods. The goal is to minimize dust and emissions during construction, including asbestos particulate matter as a result of any construction activities, and to the extent feasible, avoid activities that would generate air quality complaints from the public.</p>
Biological Resources				
<p>Mitigation Measure GEO-1: Prepare and Implement a SWPPP See Geology and Soils section below</p>	<p>See Geology and Soils Section below</p>	<p>See Geology and Soils Section below</p>	<p>See Geology and Soils Section below</p>	<p>See Geology and Soils Section below</p>
<p>Mitigation Measure BIO-1: Pre-Construction Botanical Surveys A qualified botanist shall conduct special-status plant surveys prior to construction activities in areas with suitable habitat for the three special-status species identified as having a moderate potential to occur or are present in the Project area (Pleasant Valley Mariposa lily, Sierra clarkia, and yellow bur Navarretia). Surveys shall follow protocols designated by California Department of Fish and Wildlife (CDFW) (CDFW 2018) and California Native Plant Society (CNPS) (CNPS 2001) and shall occur during the appropriate floristic bloom periods. The mid-bloom period overlaps for the three species identified occurring May through July, and would be appropriate for the three species with the potential to occur in the Project area.</p>	<p>The District. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Pre-construction rare plant surveys shall be conducted by a qualified botanist or biologist between May and July, or as otherwise deemed appropriate by a qualified botanist.</p>	<p>The survey shall be conducted by a qualified botanist and a Rare Plant Survey Report shall be developed and kept on file with the District. If special-status species are encountered, the Rare Plant Survey Report shall be submitted</p>	<p>The District will work with a qualified botanist to either protect in place with exclusion fencing and verify no impact via spot check monitoring or the District would pay an</p>

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Mitigation Measure	Responsible Party	Monitoring Timing	Monitoring and Reporting Program	Standards for Success
<p>Previous rare plant surveys detected two special-status plant species within the Project area: Sierra clarkia and yellow bur navarretia (Stantec 2023a). To avoid or minimize and compensate for potential impacts on special-status plant species, the following measures are recommended:</p> <ol style="list-style-type: none"> 1. Where special-status plants have been determined to be absent in the Project area, then no further measures are required. 2. Where special-status plants have been determined present within the Project area (e.g., Sierra clarkia and yellow bur navarretia), Project activities shall be reduced and minimized to avoid impacts with the following: <ol style="list-style-type: none"> a. A qualified botanist shall map the population, place flagging to identify the population location, and install environmentally sensitive exclusion fencing and appropriate signage at an appropriate buffer distance (e.g., ~25 feet), starting from the edge of the special-status plant and/or plant population. Signage shall indicate that the area is environmentally sensitive and not to be disturbed. b. Adjust the location of Project activities away from special-status plants to the extent practicable. 3. If Project activities cannot avoid a special-status plant population and would directly disturb more than 25 percent of the population by either number of plants or extent of occupied habitat, a conservation plan shall be implemented in coordination with a qualified botanist and consultation with CDFW. The conservation plan may consist of but is not limited to: plant salvage and relocation; collection and subsequent planting of seed, or incorporating seed from native nursery into seed mix used for revegetation efforts; stockpiling, storing, and replacing topsoil containing the local seed bank; or other measures determined practicable based on the species and site conditions. <p>For some species and site conditions, conservation efforts may not have a reasonable probability of success; or could result in detrimental effects on existing special-status plant populations. In these cases, as determined by a qualified botanist, no conservation measures shall be required.</p>		<p>Avoidance or buffer zones shall be marked before construction begins.</p>	<p>to the appropriate regulatory agencies (i.e., CDFW, USFS, and/or USFWS).</p>	<p>in leu fee payment to a local land trust for preservation of an equivalent acreage.</p>
<p>Mitigation Measure BIO-2: Biological Resources Awareness Training</p> <p>The District shall provide biological resources awareness training for workers prior to beginning Project construction activities. The District shall have a qualified biologist prepare training materials (i.e., printed handouts) that provide information on the following topics:</p> <ul style="list-style-type: none"> How to recognize special-status plant species, wildlife species, and sensitive habitats that could occur in the Project area (i.e., special-status amphibian identification and habitat, special-status avian identification and habitat, wetland habitats, and riparian habitats); What to do if special-status species are encountered in the Project area; Information on practicing good housekeeping (e.g., removing litter, trash, and other debris on a daily basis to avoid attracting animals to the Project site) and implementing BMPs; Information on other mitigation measures relevant to biological resources; Information on regulations and applicable civil and criminal penalties for violations. <p>The training shall initially be presented to key Project personnel by a qualified biologist at the Project kickoff and recorded to be used for additional contractor staff that may arrive on the Project site after the Project kickoff. Printed handouts shall be distributed and used for future reference by Project personnel. Project personnel that are trained during the Project kickoff shall be responsible for making sure that other workers on the Project receive the training before initiating on-site work. A roster of trained Project personnel shall be maintained in the Project construction office and made available for review by regulatory agencies, if needed. This training may be conducted in coordination with the tribal cultural resource awareness training (MM TRIB-2), cultural resources awareness training (MM CUL-2), and paleontological resources awareness training (MM GEO-2).</p>	<p>The District and the contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Training shall be conducted before work begins, and new personnel shall be trained before initiating on-site work.</p>	<p>The training shall be conducted by trained personnel and documented (by sign-in sheet or other method) by the District's contractor for the dates the training occurred, and the staff trained. Retention of the training reference pamphlets shall also be kept on the construction site and within District files.</p>	<p>Construction personnel are trained in the key characteristics for identifying and avoiding impacts to special-status species and sensitive habitats.</p>
<p>Mitigation Measure BIO-3: Reduce the Spread and Introduction of Invasive Noxious Weeds</p> <p>Invasive and noxious weeds have the potential to directly and indirectly impact plant communities at or near the Project area. To reduce the spread and introduction of weeds, the following measures shall be implemented:</p> <ul style="list-style-type: none"> All Project-related equipment and vehicles shall be decontaminated of weeds and soils prior to initiation of work on the Project; and Any imported topsoil, mulch, and seed used in Project-related activities (e.g., restoration, reseeding, erosion control, and soil stabilization) shall be certified weed-free. 	<p>The District and the contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Prior to the initiation of construction and with each new piece of equipment and/or materials</p>	<p>The District shall verify that all equipment and other materials brought on site are certified weed-free through visual inspection and/or a signed affidavit from the contractor.</p>	<p>Minimize the potential for introduction of new weed species into the Project area through visual inspection of equipment and/or signed affidavits from the contractor of weed free certification.</p>
<p>Mitigation Measure BIO-4: Avoid and Minimize Impacts to California Red-legged Frog and Suitable Habitat</p> <p>The northern portion of the Project area is located within DCH Unit ELD-1 for California red-legged frog, a federally listed species and a California SSC. California red-legged frog are known to occur at Spivey Pond located approximately 0.75 mile upstream from the Project's North Fork Weber Creek crossing (CDFW 2023g).</p>	<p>The District and the contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Measures shall be conducted prior to and during construction activities.</p>	<p>All monitoring shall be conducted by a qualified biologist or trained inspector and records of monitoring shall be developed and kept on file with the</p>	<p>California red-legged frog shall not be disturbed without qualified biologist permitted under the</p>

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Appendix A Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Monitoring Timing	Monitoring and Reporting Program	Standards for Success
<p>Although no observations of California red-legged frog were made within the Project area during the field surveys performed in May 2022 and June 2023, the Project area, specifically along North Fork Weber Creek, was determined to provide potential aquatic non-breeding, dispersal, and upland habitats.</p> <p>The following measures shall be implemented to avoid or minimize the potential for adverse impacts on California red-legged frog:</p> <ol style="list-style-type: none"> 1. EID shall retain a biological monitor (or qualified biologist) for the Project that possess the necessary qualifications and experience to identify all life stages of CRLF, conduct surveys, and identify suitable aquatic and upland habitat. 2. A qualified biologist shall train other personnel to monitor for California red-legged frog to facilitate compliance with the conservation measures described herein and minimize potential adverse effects to this species associated with implementation of the Proposed Action. Construction personnel will include a trained inspector responsible for monitoring the implementation of RPMs for California red-legged frog on a daily basis. The inspector will contact a qualified biologist as needed during construction. 3. A qualified biologist will conduct focused daytime and nighttime surveys for California red-legged frog within one week of initial ground disturbance or vegetation removal. The surveys will focus on stream and riparian habitats and adjacent upland areas. "Spot check" monitoring will be performed at least once per week by a qualified biologist during construction. 4. EID will ensure the contractor stops work at the request of the qualified biologist, the Service, or the California Department of Fish and Wildlife, if activities are identified that may result in take of a California red-legged frog. The contractor will temporarily suspend activities in the immediate area that could result in take of the animal until it leaves the site of its own volition or is removed by the qualified biologist, the Service, or the California Department of Fish and Wildlife to an appropriate release site using Service-approved techniques. <p>Each California red-legged frog encountered within the Action Area will be treated on a case-by-case basis by the qualified biologist in coordination with the Service (note: in cases of dispute, the Service will have final authority), but the general protocol is as follows: (1) leave the non-injured frog alone if it is not in danger or (2) move the frog to a nearby secure location if it is in danger. These two options are as follows.</p> <ol style="list-style-type: none"> a. When a California red-legged frog is encountered in the Action Area, the first priority will be to temporarily stop activities in the immediate surrounding area that are likely to result in harm, harassment, injury, or death of the individual as determined by the qualified biologist. The qualified biologist will then assess the situation to select a course of action that will minimize adverse effects to the animal. The qualified biologist will determine if the appropriate course of action is to avoid contact with the California red-legged frog and allow it to move out of the hazardous situation on its own volition to a safe location. The animal will not be picked up and moved because it is not moving fast enough or it is inconvenient for the project schedule. This protocol only applies to situations where a California red-legged frog is encountered on the move to a location that contains habitat that will not be damaged or destroyed by the Proposed Action. b. If the qualified biologist determines the appropriate course of action to prevent the immediate injury or death of a California red-legged frog is to move it, it will be captured and moved to a location with suitable habitat that is not proposed for construction, tree or vegetation removal, timber harvest, borrow excavation, or other activities. The qualified biologist will monitor the animal for an appropriate period of time to ensure it does not re-enter a work area. If secure suitable habitat is located immediately adjacent to, or close to, where the animal was captured, the preferred action is relocation to that location. A general guidance is the animal should not be moved outside of the area it would have traveled on its own. Under no circumstances will a California red-legged frog be relocated to a property without the landowner's written permission. It is EID's responsibility to arrange for that permission. The qualified biologist should be the individual to capture and handle California red-legged frogs. Nets or bare hands may be used to capture the animals. Soaps, oils, creams, lotions, repellents, or solvents of any sort will not be used on hands within 2 hours before and during periods when the qualified biologist is capturing and relocating a California red-legged frog. To avoid transferring disease or pathogens between sites when handling the animals, the qualified biologist will follow the appropriate recommendations in the Declining Amphibian Population Task Force Fieldwork Code of Practice (https://www.fws.gov/ventura/docs/species/protocols/DAFTA.pdf). c. After the California red-legged frog is determined to be secure at the original location or it has been moved to a new location by the qualified biologist, and the Service has not been involved, EID will report 			<p>District. Relocation, if necessary, shall only be performed by a qualified biologist permitted under the project-specific Biological Opinion. Additionally, all observed and relocated frogs shall be reported to the USFWS as soon as practicable and no longer than 48 hours from the time of observation.</p>	<p>project specific Biological Opinion before, during, or after Project construction activities.</p>

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Mitigation Measure	Responsible Party	Monitoring Timing	Monitoring and Reporting Program	Standards for Success
<p>all observed and relocated California red-legged frogs to the USFWS, as soon as practicable and no longer than 48 hours from the time of observation.</p> <p>5. If requested verbally by the Service or the California Department of Fish and Wildlife (CDFW), the District shall provide immediate access, when safe to do so, to the Action Area to personnel from one or both of these agencies to inspect potential project-related effects to the California red-legged frog and its habitat.</p> <p>6. The District shall require all contractors and subcontractors to comply with the biological opinion for the California red-legged frog during the performance of their contract and ensure that all project personnel do their utmost to prevent disturbance to California red-legged frogs. The contracts will include specific language that requires contractors to work within the specific boundaries of the Action Area, including construction, staging areas, and access routes identified in the project description of the biological assessment for the Proposed Action.</p> <p>7. The District shall provide biological resources awareness training for workers prior to beginning Proposed Action construction activities. The District shall have a qualified biologist prepare training materials (i.e., printed handouts) that provide information on the following topics:</p> <ul style="list-style-type: none"> a. How to recognize special-status plant species, wildlife species, and sensitive habitats that could occur in the Action Area (i.e., special-status amphibian identification and habitat, special-status avian identification and habitat, wetland habitats, and riparian habitats); b. What to do if special-status species are encountered in the Action Area; c. Information on practicing good housekeeping (e.g., removing litter, trash, and other debris on a daily basis to avoid attracting animals to the Action Area) and implementing BMPs; d. Information on other mitigation measures relevant to biological resources; e. Information on regulations and applicable civil and criminal penalties for violations. <p>The training shall initially be presented to key project personnel at the Proposed Action kickoff meeting. Printed handouts shall be distributed and used for future reference by project personnel. Project personnel that are trained during the kickoff meeting shall be responsible for making sure that other workers on the Proposed Action receive the training before initiating on-site work. A roster of trained Proposed Action personnel shall be maintained in the on-site construction office and made available for review by regulatory agencies, if needed.</p> <p>8. BMPs (e.g., weed free straw bales, straw mulch, non-monofilament fiber rolls, silt fence) will be implemented to prevent erosion and provide stormwater runoff protection. Plastic mono-filament netting or similar non-biodegradable material will not be used for erosion control or other purposes. Additionally, erosion and sediment control measures including the implementation of a SWPPP will be in place throughout construction activities.</p> <p>9. All food-related trash items, such as wrappers, cans, bottles, and food scraps will be disposed of in a closed container and removed daily from the construction area.</p> <p>10. EID shall implement a hazardous materials prevention plan and a spill prevention and contingency plan to prevent hazardous substances and construction by-products (e.g., gas, oil, other petroleum products, chemicals, fresh cement, asphalt) from contaminating the soil or entering aquatic habitat. Spill kits with a sufficient quantity of absorbent and barrier materials to adequately contain and recover potential spills of fuels or oils will be maintained on-site. Refueling will be limited to designated locations outside riparian habitat.</p> <p>11. EID shall implement a stream diversion plan that complies with applicable permit conditions.</p> <p>12. EID shall implement a site restoration and revegetation plan.</p> <p>13. To prevent the potential entrapment of California red-legged frog within the Action Area, all steep-walled holes, trenches, pits or any other excavated area more than one foot deep will be filled, covered, or constructed with an escape ramp at the close of each working day. Covers will be provided with plywood or similar material and escape ramps will be constructed of earthen fill or wooden planks. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals. If at any time a trapped California red-legged frog is discovered, escape ramps or other appropriate structures will be placed to allow the animal to escape, and a qualified biologist will be contacted to assist as needed. Any observations of a California red-legged frog will be reported to the USFWS, as soon as practicable and no longer than 48 hours from the time of observation.</p>				
<p>Mitigation Measure BIO-5: Avoid or Minimize Impacts to Foothill Yellow-Legged Frog and Northwestern Pond Turtle</p> <p>The Project area is within the range of the East/Southern Sierra clade (South Sierra DPS) of foothill yellow-legged frog, which is listed as endangered under CESA and endangered under the ESA and northwestern pond turtle, which is listed as proposed threatened under the ESA. Foothill yellow-legged frog are not known to occur in the Project area or within the watersheds of the Project area and there is one occurrence of northwestern pond turtle nearby the Project area. However, limited potential suitable habitat for both species was identified within North Fork Weber Creek where the Project area bisects the stream (CDFW 2023g). As such, in addition to the measures described above for the California red-legged frog,</p>	<p>The District and the contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Biological resources awareness training as specified in BIO-2 will be provided for all Project personnel before work begins, and new personnel shall be trained before</p>	<p>All surveys shall be conducted by a qualified biologist and a brief survey report shall be developed and kept on file with the District.</p>	<p>Foothill yellow-legged frog shall not be disturbed without Project-specific permission from CDFW.</p>

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<p>the following measures are recommended to avoid or minimize the potential for adverse impacts on foothill yellow-legged frog and northwestern pond turtle:</p> <ol style="list-style-type: none"> 1. Provide training specific to the foothill yellow-legged frog and northwestern pond turtle. 2. Per the Project's LSAA, a qualified biologist shall develop a Pre-Construction Survey Plan for each species. The foothill yellow-legged frog survey plan shall include the life-stage being surveyed for, survey methodology, as well as timing of survey(s). The survey plan shall also provide justification for timing and methodology of survey design (e.g., watershed characteristics, regional snowpack, timing and rate of spring runoff, day length, average ambient air and water temperatures, local and seasonal conditions). Additionally, the Project's designated biologist shall perform pre-construction surveys, as specified in the Pre-Construction Survey Plan within the boundaries of the Project area plus a 500-foot buffer zone upstream and downstream of the construction area. <ol style="list-style-type: none"> a. If no foothill yellow-legged frog are found during the pre-construction surveys, then construction of the Project will continue. If foothill yellow legged frog are present during pre-construction surveys, then construction will not occur in the area and the District will coordinate with CDFW to obtain necessary permits to ensure protection of foothill yellow legged frog including an Incidental Take Permit (ITP). 3. Prior to pre-construction surveys, the District will prepare a western pond turtle survey plan including site-specific avoidance, minimization, and/or relocation measures to be submitted for approval by CDFW. A qualified biologist shall conduct the pre-construction northwestern pond turtle surveys prior to any work (e.g., excavation, pipe installation, cofferdam installation and removal) within the stream zones. <ol style="list-style-type: none"> a. If no northwestern pond turtles are found during the pre-construction surveys, then construction of the Project will continue. If northwestern pond turtles are present during pre-construction surveys, then construction will not occur in the area and the District will follow the CDFW-approved survey plan for the northwestern pond turtle including coordination with CDFW. 		<p>initiating on-site work. A qualified biologist shall conduct pre-construction visual encounter surveys for foothill yellow-legged frog and pre-construction surveys for northwestern pond turtle prior to any in-water work.</p>		
<p>Mitigation Measure BIO-6: Native Aquatic Species Rescue and Relocation</p> <p>To avoid and/or minimize potential impacts on native aquatic species during the four stream crossings within the Project area, an aquatic species rescue plan shall be prepared to determine how native fish and other aquatic species will be rescued and relocated. This plan shall be submitted to the CDFW and shall include the methodology and procedures required to rescue and relocate native aquatic species stranded during the dewatering process including, but not limited to, the following:</p> <ol style="list-style-type: none"> 1. A CDFW-approved biologist (or crew of biologists) shall be on-site immediately prior to and during the dewatering process to conduct any necessary native aquatic species rescue activities in the immediate work area (e.g., fish, frogs). 2. If a special-status species (e.g., California red-legged frog) is present and in harm's way, this species shall be relocated by a qualified biologist according to the aquatic species rescue plan or species-specific measures per USFWS and CDFW guidance. 3. A qualified biologist shall relocate all stranded native aquatic species individuals to appropriate suitable habitat outside of the work areas. 	<p>The District. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Aquatic species rescue shall be conducted as needed prior to any in water work or water diversion is scheduled to take place.</p>	<p>Aquatic species rescue shall be conducted by qualified biologists and a brief aquatic species rescue report shall be developed and kept on file with the District.</p>	<p>Native aquatic species will not be disturbed before, during, or after Project construction activities.</p>

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<p>Mitigation Measure BIO-7: Avoid or Minimize Impacts to Special-Status Bird Species, Nesting Raptors, and Other Migratory Birds Protected under the Migratory Bird Treaty Act (MBTA) and Fish and Game Code (FGC) Suitable nesting habitat for birds occurs throughout the Project area. Therefore, the District will implement one of the following measures, depending on the specific construction timeframe, to avoid disturbance to ground, tree, and other nesting birds:</p> <ol style="list-style-type: none"> 1. If construction activities are scheduled to occur during the nesting season (nesting season is approximately March 1 to August 31), a pre-construction nesting survey shall be conducted by a qualified biologist. <ol style="list-style-type: none"> a. The survey shall be conducted within the Project area and within approximately 100 feet of the Project area for migratory birds and 500 feet for raptors (as accessible). b. The survey shall be conducted within one week before initiation of construction activities. If no active nests are detected, then no additional measures are required. c. If active nests are present in any areas that would be directly or indirectly affected by construction activities, a no-disturbance buffer shall be established around the nest site until after the nesting season or after a qualified biologist determines that the young have fledged (typically late June to mid-July). The extent of the buffer shall be determined by a qualified biologist based on consideration of the species, the expected extent of noise or construction disturbance, ambient levels of noise and other disturbances, and line of sight between the nest and the disturbance (e.g., topographic or other visual barriers). d. For California Spotted Owl, surveys shall be conducted following the latest Service-approved protocols for either callback survey or acoustically-assisted survey. Surveys will be conducted implementing the one-year six-survey guidelines as presented within the Protocol for Surveying Spotted Owls in Proposed Management Activity Areas and Habitat Conservation Areas (USFS 1993). <ol style="list-style-type: none"> i. If surveys detect nesting or roosting California spotted owl, a limited operating period (LOP) will be implemented within 0.25 mile of the active nest or roost site (if known) or within an Activity Center (if active nest/roost site is not known), or in and within 0.25 mile of nesting/roosting habitat (if surveys were not conducted in habitat). For habitat-manipulating activities (e.g., removal of large trees 20-inch dbh and greater), implement an LOP from March 1 through August 31. For noise-generating activities that do not reduce habitat quantity or quality (e.g., vegetation removal and construction within the utility corridor), implement an LOP from March 1 through July 9. The specified buffer sizes and/or LOPs may be modified on a case-by-case basis if compelling information demonstrates a smaller buffer distance or shortened LOPs will still avoid potential effects. Requests to reduce the specified buffer sizes or LOPs will be submitted to the Service for review and approval. LOPs may be discontinued in a year if protocol-level surveys for determining reproductive status confirm owls are not nesting or fledglings have dispersed in that calendar year. 2. If construction activities are initiated outside the nesting season (approximately September 1 to February 28), then no pre-construction nesting survey shall be required. 3. If construction activities have been continuous (i.e., no lapse in construction activities of 10 days or longer in a specific area) once the nesting season begins, any birds nests that become established in or near the Project area shall be considered to be habituated to the construction activities (assuming there won't be a significant increase in construction disturbance or noise). If there has been a lapse in construction activities of 10 days or longer in a specific area during the nesting season or there will be a significant increase in construction disturbance or noise, a pre-construction nesting survey shall be conducted by a qualified biologist and no-disturbance buffers established (if needed) as described above. 	<p>The District. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>One nesting survey shall be conducted by a qualified biologist within one week prior to construction, should the proposed Project be initiated between March 1 and August 31. Additionally, if the proposed Project is initiated during that time frame, protocol surveys should be conducted for California Spotted Owl using the Protocol for Surveying Spotted Owls in Proposed Management Activity Areas and Habitat Conservation Areas (USFS 1993).</p>	<p>The survey(s) shall be conducted by a qualified biologist and a brief survey report shall be documented and kept on file with the District.</p>	<p>Special-status species, nesting raptors and other migratory birds covered under the MBTA and FGC will not be disturbed during the Project construction activities; exclusion buffers will be installed and monitored.</p>
<p>Mitigation Measure BIO-8: Avoid and Minimize Impacts to Riparian Habitat Riparian habitat is present at the four stream crossings within the Project area: North Fork Weber Creek, South Fork Weber Creek, North Fork Clear Creek, and Clear Creek. The Project would result in temporary impacts to riparian habitat along the four stream crossings within the Project area, which is considered a sensitive natural community. Therefore, per FGC Section 1602, if Project activities would obstruct the flow of, or alter the bed, channel, or bank of, any stream, a Notification of Lake and Streambed Alteration Agreement (LSAA) shall be submitted to CDFW. If required, an LSAA shall be obtained from CDFW and all conditions of the LSAA shall be implemented. Additionally, the implementation of Mitigation Measure BIO-4: Avoid and Minimize Impacts to California Red-legged Frog and Mitigation Measure BIO-9: Avoid and Minimize Impacts on Waters of the United States (WOTUS)/Waters of the State (WOTS) will further aid in the avoidance or minimization of the potential for adverse impacts on riparian habitat.</p>	<p>The District and the contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>If required, an LSAA shall be obtained from CDFW prior to construction.</p>	<p>The District shall ensure that, if required, an LSAA shall be obtained from CDFW prior to construction and the appropriate fees paid to comply with the FGC Section 1602.</p>	<p>Appropriate agreement compliance and compensation in coordination with CDFW.</p>
<p>Mitigation Measure BIO-9: Avoid and Minimize Impacts on Waters of the United States and Waters of the State</p>	<p>The District and the contractor. This mitigation measure shall be referenced</p>	<p>Prior to construction, the District shall obtain a NWP</p>	<p>The District shall ensure that environmental permits/agreement shall</p>	<p>Appropriate State and federal permit/agreement</p>

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<p>The Project, including access and staging areas, has been designed to avoid waters and wetland features to the extent practicable. However, the Project would involve vegetation removal, trenching, and potential dewatering or diversion at the four stream crossings. These streams are WOTUS and WOTS (Stantec 2023b). In addition to Mitigation Measure Bio-4: Avoid and Minimize Impacts to California Red-legged Frog and Mitigation Measure BIO-8: Avoid and Minimize Impacts to Riparian Habitat, the following measures are recommended to avoid or minimize the potential for adverse impacts on WOTUS and WOTS:</p> <ol style="list-style-type: none"> 1. Before any discharge of dredge or fill material into WOTUS/WOTS, the required permits/authorizations shall be obtained from United States Army Corps of Engineers (USACE) and the Regional Water Quality Control Board (RWQCB). All terms and conditions of the required permits/authorizations shall be implemented. 2. Before any activities that would obstruct the flow of, or alter the bed, channel, or bank of any stream, a Notification of Streambed Alteration shall be submitted to CDFW. An LSAA shall be obtained from CDFW and all conditions of the LSAA shall be implemented. 3. All WOTUS/WOTS that are temporarily affected by Project construction shall be restored as close as practicable to their original contours within 10 days of the completion of construction activities. 4. Riparian vegetation removal shall be minimized to the greatest extent practicable. Where practicable, vegetation shall be cut with hand tools at ground level to enable regrowth from roots when construction is complete. 	<p>in the contract documents for the Project.</p>	<p>#58 for Utility Line Activities for Water and Other Substances from USACE to comply with CWA Section 404, and a CWA Section 401 WQC from the RWQCB.</p>	<p>be obtained prior to construction and the appropriate fees paid to comply with the regulatory agency compensatory mitigation schedule for temporary and permanent impacts to WOTUS or WOTS and riparian areas.</p>	<p>compliance and compensation, including no net loss of WOTUS or WOTS from the Project.</p>
<p>Mitigation Measure BIO-10: Avoid and Minimize Impacts to Oak Trees and Oak Woodlands Construction of the Project may require oak tree removal within the densely treed portions of the Project area. Also, trenching and other ground disturbance could encroach within the dripline of oak trees. The following measures will be implemented to avoid or minimize the potential for adverse impacts on oak trees and oak woodlands.</p> <ol style="list-style-type: none"> 1. Final design of the Project shall avoid oak tree removal and encroachment into the driplines of oak trees to the maximum extent practicable. 2. Protection zones for oak trees and oak woodlands that can be avoided shall be marked in the field (e.g., by installing and maintaining tree exclusion/protection fencing around oak tree driplines). No encroachment into the fenced areas shall be allowed and fencing shall remain in place until all construction activities in the vicinity have been completed. 3. Excessive soil compaction shall be prevented by carefully selecting storage areas and construction traffic routes. Stockpiled soil, construction materials, and excessive foot traffic shall be prohibited within the driplines of oak trees to the maximum extent practicable. 4. Oak tree roots to be severed shall be the maximum practicable distance from the trunk. To the extent practicable, roots that are damaged as a result of construction activities (e.g., jagged roots resulting from excavation with heavy equipment) shall be traced back and cleanly cut behind any split, cracked, or damaged area. Removed soil shall be backfilled as soon as practicable to minimize the drying of the roots. 5. Removal of soil, leaves, and vegetation within dripline of oaks shall be minimized to the extent practicable. 	<p>The District and the contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Prior to construction protection zones for oak trees and oak woodlands that can be avoided shall be marked in the field by installing and maintaining tree exclusion/protection fencing at least 1 foot outside of the oak tree driplines.</p>	<p>Any oak tree removal shall be documented by the contractor and a brief survey report shall be developed and kept on file with the District.</p>	<p>Impacts to oak trees within the Project area will be minimized to the greatest extent feasible.</p>
<p>Cultural Resources</p>				
<p>Mitigation Measure CUL-1: Proper Handling of Inadvertent Discovery of Cultural Resources If cultural resources are encountered during construction, compliance with federal and State regulations and guidelines regarding the treatment of cultural resources and/or human remains shall be required.</p> <ol style="list-style-type: none"> 1. If potential prehistoric or historic-period archaeological resources are encountered during Project implementation, all construction activities within 100-feet shall halt and the District shall be notified. 2. A qualified archaeologist, defined as one meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology, shall inspect the findings as soon as practicable following discovery and report the results of the inspection to the District. 3. If the identified archaeological resource is determined to be prehistoric, the District and qualified archaeologist shall coordinate with and solicit input from a culturally affiliated Native American Tribal Representative regarding significance and treatment of the resource as a potential Tribal Cultural Resource. Any Tribal Cultural Resources discovered during Project work shall be treated in consultation with the tribe, with the goal of preserving in place with proper treatment. See MM TRIB-1, TRIB-2, and TRIB-3 for more discussion of tribes and culturally sensitive areas. 4. If the District determines that the resource qualifies as a historical resource or a unique archaeological resource (as defined pursuant to the CEQA Guidelines) and that the Project has potential to damage or destroy the resource, mitigation shall be implemented in accordance with PRC Section 21083.2 and CEQA Guidelines Section 15126.4. Consistent with CEQA Guidelines Section 15126.4(b)(3), mitigation shall be accomplished through either preservation in place or, if preservation in place is not feasible, data recovery through excavation. 	<p>The District and contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Prior to and during implementation of Project activities.</p>	<p>If subsurface cultural resources are uncovered during Project ground disturbing activities, the District's contractor shall complete the above steps.</p>	<p>Protection of archaeological resources.</p>

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<p>5. If preservation in place is feasible, this may be accomplished through one of the following means: (1) modifying the construction plan to avoid the resource; (2) incorporating the resource within open space; (3) capping and covering the resource before building appropriate facilities on the resource site; or (4) deeding the resource site into a permanent conservation easement.</p> <p>6. If avoidance or preservation in place is not feasible, a qualified archaeologist shall prepare and implement a detailed treatment plan to recover the scientifically consequential information from and about the resource, which shall be reviewed and approved by the District prior to any excavation at the resource site.</p> <p>7. Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2, including creation of a treatment plan. Treatment for most resources shall consist of (but shall not be limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim of targeting the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the Project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and State repositories, libraries, and interested professionals.</p>				
<p>Mitigation Measure CUL-2: Cultural Resource Awareness Training The District shall provide cultural resources awareness training for workers prior to beginning Project construction activities. The District shall have a qualified archaeologist prepare training materials (i.e., printed handouts) that provide information on the following topics:</p> <ul style="list-style-type: none"> How to recognize cultural resources, including prehistoric and historic artifacts What to do if artifacts are encountered in the Project area Information on other measures relevant to cultural resources Information on regulations and applicable civil and criminal penalties for violations. <p>The training shall initially be presented to key Project personnel at the Project kickoff. Printed handouts shall be distributed and used for future reference by Project personnel. Project personnel that are trained during the Project kickoff shall be responsible for making sure that other workers on the Project receive the training before initiating on-site work. A roster of trained Project personnel shall be maintained in the Project construction office and made available for review by regulatory agencies, if needed. This training may be conducted in coordination with the tribal cultural resource awareness training (MM TRIB-2), biological resources awareness training (MM BIO-2), and paleontological resources awareness training (MM GEO-2).</p>	<p>The District and contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Training shall be conducted before work begins, and new personnel shall be trained before initiating on-site work.</p>	<p>The training shall be conducted by trained personnel and documented (by sign-in sheet or other method) by the District's contractor for the dates the training occurred, and the names of the staff trained. Retention of the reference pamphlets shall also be kept on the construction site and within District files.</p>	<p>Construction personnel are trained in the key characteristics for identifying and avoiding impacts to cultural resources.</p>
<p>Mitigation Measure CUL-3: Proper Handling of Inadvertent Discovery of Human Remains If human remains are encountered, work shall halt in the vicinity and the El Dorado County Coroner shall be notified immediately pursuant to Public Resources Code (PRC) Section 7050.5. At the same time, an archaeologist shall be contacted to evaluate the situation. If human remains are of Native American origin, the coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC shall identify the person or persons it believes to be the most likely decedent (MLD) from the deceased Native American. The MLD shall have an opportunity to make a recommendation to the landowner or the person responsible for the excavation work for means of treating, with appropriate dignity, the human remains, and any associated grave goods as provided in PRC Section 5097.98.</p>	<p>The District and contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Prior to and during implementation of Project activities.</p>	<p>If human remains are encountered (or are suspected) during any project related activity, the District's contractor shall complete the activities in this mitigation measure.</p>	<p>Protection of archaeological, tribal cultural resources, and human remains.</p>

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Geology and Soils				
<p>Mitigation Measure GEO-1: Prepare and Implement a Stormwater Pollution Prevention Plan (SWPPP)</p> <p>The selected construction contractor shall be required to comply with a site-specific SWPPP to reduce the risk of substantial soil erosion or loss of topsoil in accordance with requirements of the latest amendment of the National Pollution Discharge Elimination System (NPDES) General Construction Permit. The Construction General Permit requires the development of a SWPPP by a certified Qualified SWPPP Developer (QSD). The SWPPP is required to identify appropriate BMPs to prevent erosion or soil loss from the Project site. These measures would include the implementation of construction staging in a manner that minimizes the amount of area disturbed at any one time; secondary containment for storage of fuel and oil; and the management of stockpiles and disturbed areas by means of earth berms, diversion ditches, straw wattles, straw bales, silt fences, gravel filters, mulching, revegetation, and temporary covers as appropriate. The SWPPP shall also meet post-construction performance standards to ensure the post construction site is stabilized appropriately.</p>	<p>The District shall ensure the SWPPP is prepared by a certified QSD and implemented consistent with all applicable requirements. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>The SWPPP shall be prepared prior to construction and implemented during the duration of construction, and the site should be stabilized post-construction.</p>	<p>The District shall monitor implementation of the mitigation measure and a copy of the SWPPP shall be present at the Project site during construction as well as at District offices.</p>	<p>Adherence to all applicable conditions and no substantial erosion or topsoil loss during or post-construction.</p>
<p>Mitigation Measure GEO-2: Paleontological Resources Awareness Training</p> <p>The District shall provide paleontological awareness training for workers prior to beginning Project construction activities. The District shall have a qualified paleontologist prepare training materials (i.e., printed handouts) that provide information on the following topics:</p> <ul style="list-style-type: none"> How to recognize paleontological resources What to do if paleontological resources are suspected or encountered in the Project area Information on avoidance and other measures relevant to paleontological resources Confidentiality and appropriate treatment of paleontological resources (MM GEO-3) Information on regulations and applicable civil and criminal penalties for violations <p>The training shall initially be presented to key Project personnel at the Project kickoff. Printed handouts shall be distributed and used for future reference by Project personnel. Project personnel that are trained during the Project kickoff shall be responsible for making sure that other workers on the Project receive the training before initiating on-site work. A roster of trained Project personnel shall be maintained in the Project construction office and made available for review by regulatory agencies, if needed. This training may be conducted in coordination with the tribal cultural resource awareness training (MM TRIB-2), cultural resources awareness training (MM CUL-2), and biological resources awareness training (MM BIO-2).</p>	<p>The District and contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Training shall be conducted before work begins, and new personnel shall be trained before initiating on-site work.</p>	<p>The training shall be conducted by trained personnel and documented (by sign-in sheet or other method) by the District's contractor for the dates the training occurred, and the staff trained. Retention of the training reference pamphlets shall also be kept on the construction site and within District files.</p>	<p>Construction personnel are trained in the key characteristics for identifying and avoiding impacts to paleontological resources.</p>
<p>Mitigation Measure GEO-3: Proper Handling of the Unanticipated Discovery of Paleontological Resources or Unique Geologic Features</p> <p>If paleontological resources (i.e., fossils) and/or unique geologic features are encountered during construction, compliance with federal regulations (16 United States Code [USC] Chapter 1C, Sections 470aa through 470aaa-11) and guidelines (Society of Vertebrate Paleontology [SVP] guidelines) regarding the treatment of such resources shall be required. If paleontological resources or unique geologic features are encountered during ground disturbing activities, work within 100 feet of the discovery shall be halted until the District notifies a qualified geologist or paleontologist to evaluate the significance of the find. If the find is determined to be significant, the District shall determine the appropriate avoidance measures or other appropriate mitigation in consultation with a qualified geologist or paleontologist and landowner, such as site salvage. Significant paleontological resources recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified paleontologist according to current professional standards. The SVP provides guidelines on assessment and mitigation of adverse impacts to paleontological resources.</p>	<p>The District and contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>During all ground-disturbing activities.</p>	<p>If any find is determined to be significant, representatives of the District shall document consultation with a qualified geologist or paleontologist and document the determination of recommended protection and avoidance measures or other appropriate mitigation. The District shall prepare a brief memorandum incorporating notes and records from the contractor and qualified geologist or paleontologist to document steps taken to comply with the avoidance measures or other appropriate mitigation. The memorandum shall be kept on file at the District's offices.</p>	<p>The evaluation and recording of any newly identified paleontological resources and unique geologic features, and treatment by avoidance, protection, or documentation of any discovered resource that qualify as significant.</p>
Hazards and Hazardous Resources				
<p>Mitigation Measure GEO-1: Prepare and Implement a SWPPP <i>See Geology and Soils section above</i></p>	<p><i>See Geology and Soils Section above</i></p>	<p><i>See Geology and Soils Section above</i></p>	<p><i>See Geology and Soils Section above</i></p>	<p><i>See Geology and Soils Section above</i></p>
<p>Mitigation Measure TRA-1: Prepare and Implement a Traffic Control Plan <i>See Transportation section below</i></p>	<p><i>See Transportation section below</i></p>	<p><i>See Transportation section below</i></p>	<p><i>See Transportation section below</i></p>	<p><i>See Transportation section below</i></p>
<p>Mitigation Measure WILD-1: Prepare and Implement a Fire Safety Plan <i>See Wildfires Section below</i></p>	<p><i>See Wildfires Section below</i></p>	<p><i>See Wildfires Section below</i></p>	<p><i>See Wildfires Section below</i></p>	<p><i>See Wildfires Section below</i></p>
<p>Mitigation Measure HAZ-1: Prepare and Implement a Hazardous Materials Release Prevention Plan</p> <p>The District shall create and implement a Hazardous Materials Release Prevention Plan to reduce the risk of exposure to hazards due to the handling of hazardous materials during construction. The plan shall identify control measures to prevent</p>	<p>The District shall be responsible for verifying and documenting that the Hazardous Materials Release</p>	<p>Plan preparation shall be required prior to construction. Plan</p>	<p>The Hazardous Materials Release Prevention Plan shall be developed by the construction contractor and shall be</p>	<p>Hazardous materials release prevention and adherence to plan</p>

SLY PARK INTERTIE IMPROVEMENTS PROJECT ENVIRONMENTAL IMPACT REPORT

Appendix A Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Monitoring Timing	Monitoring and Reporting Program	Standards for Success
<p>the release of hazardous materials, as well as a detailed action plan to respond to an incidental spill in compliance with all local, State, and federal regulations relating to the handling and disposal of hazardous materials.</p> <p>The plan shall include, but would not be limited to, the following:</p> <ul style="list-style-type: none"> Containment and cleanup equipment (e.g., absorbent pads, mats, socks, granules, drip pans, shovels, and lined clean drums) shall be at the staging areas and construction sites for use, as needed. Staging areas where refueling, storage, and maintenance of equipment occur shall not be located within 100 feet of drainages to reduce the potential for contamination by spills. Construction equipment shall be maintained and kept in good operating condition to reduce the likelihood of line breaks or leakage. No refueling or servicing shall be done within 25 feet of a waterway and without absorbent material (e.g., absorbent pads, mats, socks, pillows, and granules) or drip pans underneath to contain spilled material. If these activities result in an accumulation of materials on the soil, the soil shall be removed and properly disposed of as hazardous waste. If a spill is detected, construction activities shall immediately cease in the area, and the procedures described in the plan shall be immediately enacted to safely contain and remove spilled materials. Hazardous waste shall not be stored or accumulated within the Project area. All contaminated materials shall be classified as hazardous waste and disposed of in accordance with all local, State, and federal regulations. Spill areas shall be restored to pre-spill conditions, as practicable. Spills shall be documented and reported to the District and appropriate resource agency personnel. 	<p>Prevention Plan meets all applicable requirements. The selected construction contractor shall be responsible for following the plan and implementing the action plan in event of a spill. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>implementation shall be required throughout construction.</p>	<p>required to be kept on-site during Project activities. Additionally, the contractor shall provide the District with copies of the plan; one shall remain on file at the Project site and the other shall remain at District offices. The contractor shall ensure all construction workers involved in the operation and movement of construction equipment are familiar with the plan and that the plan is appropriately followed throughout construction.</p>	<p>conditions and release prevention practices.</p>
Hydrology and Water Quality				
<p>Mitigation Measure GEO-1: Prepare and Implement a SWPPP See <i>Geology and Soils</i> section above</p>	<p>See <i>Geology and Soils</i> Section above</p>	<p>See <i>Geology and Soils</i> Section above</p>	<p>See <i>Geology and Soils</i> Section above</p>	<p>See <i>Geology and Soils</i> Section above</p>
<p>Mitigation Measure HAZ-1: Prepare and Implement a Hazardous Materials Release Prevention Plan See <i>Hazards and Hazardous Materials</i> section above</p>	<p>See <i>Hazards and Hazardous Materials</i> section above</p>	<p>See <i>Hazards and Hazardous Materials</i> section above</p>	<p>See <i>Hazards and Hazardous Materials</i> section above</p>	<p>See <i>Hazards and Hazardous Materials</i> section above</p>
<p>Mitigation Measure BIO-8: Avoid and Minimize Impacts to Riparian Habitat See <i>Biological Resources</i> section above</p>	<p>See <i>Biological Resources</i> section above</p>	<p>See <i>Biological Resources</i> section above</p>	<p>See <i>Biological Resources</i> section above</p>	<p>See <i>Biological Resources</i> section above</p>
<p>Mitigation Measure BIO-9: Avoid and Minimize Impacts to Waters of the United States and Waters of the State See <i>Biological Resources</i> section above</p>	<p>See <i>Biological Resources</i> section above</p>	<p>See <i>Biological Resources</i> section above</p>	<p>See <i>Biological Resources</i> section above</p>	<p>See <i>Biological Resources</i> section above</p>
Public Services				
<p>Mitigation Measure TRA-1: Prepare and Implement a Traffic Control Plan See <i>Transportation</i> section below</p>	<p>See <i>Transportation</i> section below</p>	<p>See <i>Transportation</i> section below</p>	<p>See <i>Transportation</i> section below</p>	<p>See <i>Transportation</i> section below</p>
Transportation				
<p>Mitigation Measure TRA-1: Prepare and Implement a Traffic Control Plan The construction contractor and/or the District shall prepare and implement a traffic control plan. The traffic control plan shall contain detailed measures approved by the County in order to ensure acceptable levels of traffic flow, emergency response notification and response times, and public and school bus transit coordination and detours. The plan shall include at a minimum: discussion of expected construction schedule and locations, traffic control measures, residential access procedures, and coordination with and notification of residents, emergency response agencies, and school districts affected by lane and road closures to ensure delays are minimized, detours are noticed, and that emergency access remains possible at all times.</p>	<p>The District shall ensure the selected contractor appropriately prepares and implements the traffic control plan in accordance with all applicable guidelines and the requirements of this mitigation measure through approval by County Department of Transportation. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Prior to and during construction.</p>	<p>The District shall monitor and coordinate with the contractor during weekly construction meetings to ensure that the traffic control plan is implemented successfully as documented in inspection logs, and the traffic control plan shall remain on file at the District.</p>	<p>Traffic flow remains at acceptable levels, emergency access remains reasonably possible at all times, school bus routes in the area and residents are appropriately apprised of road closures, delays, and lane restrictions, and the Project area remains in compliance with all applicable transportation goals, policies, and requirements.</p>

SLY PARK INTERTIE IMPROVEMENTS PROJECT ENVIRONMENTAL IMPACT REPORT

Appendix A Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Monitoring Timing	Monitoring and Reporting Program	Standards for Success
Tribal Cultural Resources				
<p>Mitigation Measure TRIB-1: Implement Best Management Practices to Reduce or Avoid Impacts on Tribal Cultural Resources</p> <p>The District shall implement the following measure to reduce or avoid impacts on tribal cultural resources (TCRs). If interested Native American tribe(s) provide information demonstrating the significance of the Project site and specific evidence supporting the determination that the site is sensitive for TCRs, the District will conduct a site visit with tribal representatives to evaluate the potential for TCRs at the Project site. If tribal representatives and the District determine the site is sensitive for TCRs and that the proposed Project may have a significant impact on TCRs, the District, in consultation with tribal representatives, will develop and implement best management practices (BMPs) to reduce or avoid impacts on TCRs. BMPs may include but are not limited to: 1) modify the proposed Project to preserve the TCRs in place, 2) establish exclusion zones and/or minimize work activities in proximity to TCRs, or (3) implement other recommendations developed in consultation with tribal representatives to minimize potential impacts to TCRs.</p>	<p>The District and contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Prior to and during implementation of ground disturbing Project activities.</p>	<p>If subsurface TCRs resources are uncovered during Project ground disturbing activities, the District's contractor shall complete the above activities.</p>	<p>Protection of TCRs.</p>
<p>Mitigation Measure TRIB-2: Tribal Cultural Resource Awareness Training</p> <p>The District shall provide TCR awareness training for workers prior to beginning Project construction activities. The District shall utilize information provided by culturally affiliated tribal representatives to develop the training materials (i.e., printed handouts) that provide information on the following topics:</p> <p>How to recognize TCRs</p> <ul style="list-style-type: none"> What to do if TCRs are suspected or encountered in the Project area Information on avoidance and other measures relevant to TCRs Confidentiality and culturally appropriate treatment of TCRs Information on regulations and applicable civil and criminal penalties for violations <p>The training materials will be shared with tribal representatives and tribal representatives will be invited to participate in the training. The training shall be presented to Project personnel at the Project kickoff. Printed handouts shall be distributed and used for future reference by Project personnel. A roster of trained Project personnel shall be maintained in the Project construction office and made available for review by regulatory agencies and culturally affiliated tribal representatives if needed. This training may be conducted in coordination with the cultural resources awareness training (MM CUL-2), paleontological resources training (MM GEO-2), and biological resources awareness training (MM BIO-2).</p>	<p>The District and contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Training shall be conducted before work begins, and new personnel shall be trained before initiating on-site work.</p>	<p>The training shall be conducted by trained personnel and documented (by sign-in sheet or other method) by the District's contractor for the dates the training occurred, and the staff trained. Retention of the training reference pamphlets shall also be kept on the construction site and within District files.</p>	<p>Construction personnel are trained in the key characteristics for identifying and avoiding impacts to TCRs.</p>
<p>Mitigation Measure TRIB-3: Proper Handling of Inadvertent Discovery of Tribal Cultural Resources</p> <p>The District shall implement the following measure to reduce or avoid impacts and address the evaluation and treatment of inadvertent discoveries of potential TCRs during Project activities. If any suspected TCRs are discovered during Project construction activities, all work shall cease within 100-feet of the discovery. The District shall invite a tribal representative from culturally affiliated tribes to visit the site and examine the discovery to determine whether or not the discovery represents a TCR (PRC §21074). Tribal representatives shall have 48 hours to respond to the District's notification and schedule a site visit. If the discovery represents a TCR, the District will work with tribal representatives to develop recommendations for culturally appropriate treatment. Recommendations may include but are not limited to: (1) modifying the Project to preserve the TCR in place, (2) establishing exclusion zones and/or minimizing work activities in proximity to the TCR, or (3) implementing other recommendations developed in consultation with tribal representatives to minimize potential impacts to the TCR. Work at the discovery location will not resume until the agreed upon treatment has been implemented to the satisfaction of the District. See MM CUL-1 for an inadvertent discovery that qualifies as a historical or a unique archaeological resource.</p>	<p>The District; the contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Prior to and during implementation of ground disturbing Project activities.</p>	<p>If TCRs are encountered during Project ground disturbing activities, the District's contractor shall complete the above activities.</p>	<p>Protection of TCRs.</p>
Wildfires				
<p>Mitigation Measure WILD-1: Prepare and Implement a Fire Safety Plan</p> <p>The District shall require the Project contractor to prepare a Fire Safety Plan prior to construction activities and to implement the Fire Safety Plan during all vegetation removal and construction activities. The plan shall describe preventative measures for fire protection; procedures for evaluating weather conditions during which fire risk is elevated (conditions under which activities would cease due to elevated fire conditions); equipment used to prevent fire and respond to a fire immediately; personnel responsibilities and assignments to implement the Fire Safety Plan; and other measures to reduce fire risk during construction.</p>	<p>Responsible Party: The District shall ensure the selected contractor appropriately prepares and implements the Fire Safety Plan in accordance with all applicable guidelines and the requirements of this mitigation measure. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Timing: Prior to and during construction.</p>	<p>The District shall monitor and coordinate with the contractor during weekly construction meetings to ensure that the Fire Safety Plan is implemented successfully as documented in inspection logs, and the Fire Safety Plan shall remain on file at the District.</p>	<p>Fire prevention through adherence to plan conditions and fire prevention practices.</p>

**RESOLUTION OF THE BOARD OF DIRECTORS OF
EL DORADO IRRIGATION DISTRICT
CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT,
ADOPTING THE FINDINGS OF FACT, AND APPROVING THE
SLY PARK INTERTIE IMPROVEMENTS PROJECT**

WHEREAS, the El Dorado Irrigation District (“EID” or “District”) is proposing to implement the Sly Park Intertie Improvements Project (Project) to replace the connection between the District’s two largest drinking water treatment plant facilities that, together, provide two-thirds of the District’s water supply; and

WHEREAS, the Project would enable the District to efficiently convey drinking water sourced from its existing water supplies at Jenkinson Lake and the South Fork American River watershed to areas throughout the District’s service area; and

WHEREAS, the Project would replace approximately 6 miles of 22- to 24-inch-diameter pipeline (the existing Sly Park Intertie) with an upgraded 12- to 36-inch cement, mortar-lined pipeline that would be installed with standard interior and exterior protective coatings and a cathodic protection system; and

WHEREAS, replacing the Sly Park Intertie would involve open-cut trenching to access and remove the existing pipeline and install the new pipeline within the existing alignment, to the extent feasible. The construction corridor width would be approximately 50 feet (25 feet on either side of the current alignment), except at drainage and creek crossings, where the construction corridor would be narrowed to approximately 30 feet (15 feet on either side of the current alignment); and

WHEREAS, a new pump station, electrical service, and backup power supply generator would be constructed at the Reservoir A Water Treatment Plant to facilitate conveyance of drinking water from Reservoir A Water Treatment Plant to the Reservoir 1 Water Treatment Plant; and

WHEREAS, the District, acting as the Lead Agency, must comply with California Environmental Quality Act (CEQA) requirements for the Project; and

WHEREAS, on February 3, 2023, the District released a Notice of Preparation for the Project (State Clearinghouse #2023020081) for a 30-day public review period and held a public scoping meeting on February 15, 2023, to provide an opportunity for the public and public agencies to comment on the scope of the environmental review for the Project; and

WHEREAS, the District prepared a draft Environmental Impact Report (EIR) in accordance with the requirements of CEQA to analyze the potentially significant impacts of the Project, which

1 was released on January 16, 2024, for a 45-day public review period and the District held a public
2 meeting regarding the draft EIR on February 7, 2024; and

3 WHEREAS, the final EIR for the Project was prepared in accordance with the requirements
4 of the CEQA; and

5 WHEREAS, on March 27, 2024, the District distributed a Notice of Public Hearing
6 notifying the public, interested parties, and agencies of the availability of the final EIR and the
7 scheduled Public Hearing for the Board to consider certifying the EIR; and

8 WHEREAS, on March 27, 2024, the District provided government agencies that submitted
9 comments on the draft EIR with the Notice of Public Hearing and the final EIR, which included
10 written responses to their comments, at least 10 days prior to the public hearing pursuant to Section
11 15088(b) of the CEQA Guidelines; and

12 WHEREAS, the final EIR is composed of the draft EIR, the comments on the draft EIR
13 received by the District, written responses to these comments, and the changes and revisions to the
14 draft EIR text; and

15 WHEREAS, the Project will have potential significant effects on the environment and the
16 final EIR sets forth the mitigation measures that will reduce all of the Project's potential significant
17 effects on the environment below a level of significance; and

18 WHEREAS, the final EIR describes and evaluates the Project and two feasible Project
19 alternatives: 1) No Project Alternative; and 2) Alternative 1 – Replacement within Existing Sly Park
20 Intertie Alignment; and

21 WHEREAS, based on the public comments received regarding the Project, District staff has
22 recommended that the Board of Directors approve the Project as the selected Sly Park Intertie
23 Improvements Project in accordance with CEQA; and

24 WHEREAS, the Board of Directors held a public hearing on April 8, 2024, to receive public
25 testimony and consider certification of the final EIR and approval of the Project.

26 NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District as
27 follows:

1. The final EIR was presented to the Board of Directors, and the Board has reviewed and considered the information contained in the final EIR prior to acting on the Project.
2. The final EIR reflects the independent judgment and analysis of the District and the information disclosed therein is accurate, adequate, and objective.

- 1 3. The Board of Directors certifies that the final EIR has been completed in compliance
- 2 with CEQA.
- 3 4. The Board of Directors adopts the Findings of Fact, which includes the Mitigation
- 4 Monitoring and Reporting Program, attached hereto as Exhibit 1.
- 5 5. The Board of Directors approves the Project as described in the final EIR as the Sly
- 6 Park Intertie Improvements Project in accordance with CEQA.
- 7 6. The documents or other material which constitute the record of proceedings upon
- 8 which this decision is based shall be in the custody of the Clerk to the Board at
- 9 District Headquarters.
- 10 7. District staff is directed to file a Notice of Determination with the El Dorado County
- 11 Clerk and the Governor’s Office of Planning and Research.

11 The foregoing Resolution was introduced at a regular meeting of the Board of Directors of the
 12 EL DORADO IRRIGATION DISTRICT, held on the 8th day of April 2024, by Director who
 13 moved its adoption. The motion was seconded by Director and a poll vote taken which stood as
 14 follows:

- 14 AYES:
- 15 NOES:
- 16 ABSENT:
- 17 ABSTAIN:

18 The motion having a majority of votes “Aye”, the resolution was declared to have been
 19 adopted, and it was so ordered.

20 _____
 21 Alan Day, President
 22 Board of Directors
 23 EL DORADO IRRIGATION DISTRICT

24 ATTEST:
 25 _____
 26 Jennifer Sullivan
 27 Clerk to the Board
 EL DORADO IRRIGATION DISTRICT

(SEAL)

I, the undersigned, Clerk to the Board of EL DORADO IRRIGATION DISTRICT hereby certify that the foregoing resolution is a full, true and correct copy of a Resolution of the Board of Directors of EL DORADO IRRIGATION DISTRICT entered into and adopted at a regular meeting of the Board of Directors held on the 8th day of April 2024.

Jennifer Sullivan
Clerk to the Board
EL DORADO IRRIGATION DISTRICT

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EXHIBIT 1

**Findings of Fact
of the
El Dorado Irrigation District
Sly Park Intertie Improvements Project
Environmental Impact Report**

Findings of Fact of the El Dorado Irrigation District Sly Park Intertie Improvements Project Environmental Impact Report

1.0 INTRODUCTION

The El Dorado Irrigation District (“EID” or “District”), as lead agency in accordance with the California Environmental Quality Act (CEQA), has completed the final environmental impact report (EIR) for the Sly Park Intertie (SPI) Improvements Project (Project) (State Clearinghouse No. 2023020081). The Project would enable the District to efficiently convey drinking water sourced from its existing water supplies at Jenkinson Lake and the South Fork American River watershed to areas throughout the District’s service area. The SPI is an existing 22- to 24-inch diameter steel pipeline, approximately 6 miles in length, which extends between the District’s Reservoir 1 Water Treatment Plant (Reservoir 1) and Reservoir A (Reservoir A) Water Treatment Plant and continues to the Sly Park Hills Tank. The existing SPI is inoperable due to extensive deterioration. The Project would replace the SPI with a new pipeline and include the installation of a new pump station and associated appurtenances at Reservoir A. The new pipeline would be primarily located within the existing SPI alignment, with some limited deviations. Because the EIR identified potential significant effects that would occur as a result of the Project and in accordance with the provisions of CEQA, the District hereby adopts these findings as part of its approval of the Project.

The District makes these findings after considering the entire record, which includes, but is not limited to, the EIR for the Project (consisting of the draft EIR, Responses to Comments on the draft EIR, any changes since the publication of the draft EIR, any corrections and revisions to the draft EIR), the final EIR, the Mitigation Monitoring and Reporting Program (MMRP), the public record for the Project, including all notices, correspondence, public meetings and hearings for the Project, and all written and verbal material presented or received at the public meetings

Various documents and other materials constitute the record on which the District Board of Directors bases these findings and the approvals contained herein. The location and custodian of these documents and materials is Clerk to the Board, El Dorado Irrigation District at 2890 Mosquito Road, Placerville, CA 95667, (530) 622-4055.

2.0 FINDINGS OF FACT

Having received, reviewed, and considered the EIR and the whole administrative record of proceedings, the District Board of Directors hereby adopts the following findings of fact in compliance with CEQA, the State CEQA Guidelines, and EID Procedures to Implement CEQA:

- Part A: Findings regarding the environmental review process and the contents of the EIR
- Part B: Findings regarding alternatives and the reasons that such alternatives are rejected or accepted
- Part C: Findings regarding the environmental impacts of implementing the Project and the mitigation measures for those impacts identified in the EIR and adopted as conditions of approval

- Part D: Findings regarding cumulative impacts

The District Board of Directors certifies that these findings are based on full appraisal of all viewpoints, including comments received up to and including the date of adoption of these findings, concerning the environmental issues identified and discussed in the EIR. The District Board of Directors adopts the findings of fact in Parts A through D for the Project approval.

PART A: ENVIRONMENTAL REVIEW PROCESS

DESCRIPTION OF THE SLY PARK INTERTIE IMPROVEMENTS PROJECT

The District is proposing to reestablish the connection between its two largest drinking water treatment plant facilities which, together, provide two-thirds of the District's drinking water supply. The Project would replace approximately 6 miles of 22- to 24-inch-diameter pipeline (the existing SPI) with an upgraded 12- to 36-inch cement, mortar-lined pipeline that would be installed with standard interior and exterior protective coatings and a cathodic protection system. Replacing the SPI would involve open-cut trenching to access and remove the existing pipeline and install the new pipeline within the existing alignment, to the extent feasible. The construction corridor width would be approximately 50 feet (25 feet on either side of the current alignment), except at drainage and creek crossings, where the construction corridor would be narrowed to approximately 30 feet (15 feet on either side of the current alignment). A new pump station, electrical service, and backup power supply generator would be constructed at Reservoir A to facilitate conveyance of drinking water from Reservoir A to Reservoir 1.

The Project includes eight proposed staging areas (totaling approximately 8.5 acres) for equipment and supplies, and approximately 13 access points along existing roads for vehicles to access remote sections of the pipeline. The proposed staging areas and access points may be modified as the Project design develops and in coordination with adjacent property owners. Additional staging and access areas may be identified as the Project design is finalized. The total footprint for the Project would occupy approximately 33 acres.

The Project objectives include the following:

- Improve drinking water supply reliability by replacing the existing SPI with a bi-directional pipeline capable of conveying treated drinking water between Reservoir 1, Reservoir A, and the Sly Park Hills Tank.
- Facilitate uninterrupted drinking water supply during extended shutdowns of either the Reservoir 1 or Reservoir A treatment plants, enabling the inspection and future repairs or rehabilitation of Reservoir 1, Reservoir A, and the raw water supply tunnel/pipeline from Jenkinson Lake.
- Reduce energy use by maximizing system gravity flows and utilizing new, high-efficiency pumps when pumping is required.
- Improve system water quality and reduce the scale and cost of water quality treatments.

PREPARATION OF THE EIR

On February 3, 2023, the District issued an Initial Study (IS) and Notice of Preparation (NOP) for a 30-day public review and comment period. The IS is a preliminary evaluation of the potential environmental effects associated with implementation of a project, and the NOP is notification that an environmental impact report will be prepared

for a project. During the public review and comment period, the District held a scoping meeting on February 15, 2023 to provide a forum for public comments on the scope and focus of the environmental impact report, including feasible alternatives. The IS/NOP and comments received during the public review period are included as an appendix in the draft EIR.

In addition to the public scoping meeting described above, the District conducted several early planning outreach activities to help facilitate public involvement in the CEQA process, such as maintaining a website with Project information and updates and featuring the Project in The Waterfront, the District's bimonthly newsletter.

On January 16, 2024, the District issued the draft EIR for the public review and comment period. The draft EIR is a detailed analysis of the potential significant effects associated with implementation of a project. The CEQA-mandated 45-day public review and comment period for the draft EIR ended on February 29, 2024. During the public review period, the District held a public meeting on February 7, 2024, to provide an overview of the Project and to receive public comments on the Project and draft EIR. The District received five comment letters/emails regarding the draft EIR during the public review period. The draft EIR and comments received during the public review period are included in the final EIR.

On March 27, 2024, the District issued a Notice of Public Hearing for the final EIR. The final EIR provides documentation of the comments received on the draft EIR, the District's responses to comments, any necessary text revisions to the draft EIR, additional information, and the MMRP. The District Board of Directors finds and determines that no comments received on the EIR identify new potentially significant impacts.

ABSENCE OF SIGNIFICANT NEW INFORMATION

State CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an environmental impact report for further review and comment when significant new information is added to the report after the public receives notice of the availability of the draft report but before certification of the final report. New information added to an environmental impact report is not "significant" unless the report is changed in a way that deprives the public of a meaningful opportunity to comment on a substantial adverse environmental impact of the project or a feasible way to mitigate or avoid such an impact (including a feasible project alternative) that the project proponent declines to implement. Recirculation is not required where new information added to the environmental impact report merely clarifies or amplifies or makes insignificant modifications in an adequate environmental impact report. In accordance with State CEQA Guideline Section 15088.5, recirculation is required if there is "significant new information" 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 environmental impact report was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

The District Board of Directors recognize that the final EIR includes the comments received on the draft EIR, the District's responses to comments, the MMRP, any necessary text revisions to the draft EIR, and additional information that clarifies or amplifies information contained in the draft EIR. The District Board of Directors finds

that information added after publication of the draft EIR does not trigger any requirement for recirculation of the draft EIR.

Specifically, the District Board of Directors finds that the additional information included in the final EIR, including the changes described above, does not meet the thresholds identified in Section 15088.5 of the State CEQA Guidelines for recirculating an environmental impact report.

PART B: BASIS FOR DECISION TO APPROVE THE PROJECT

ALTERNATIVES DISCUSSED IN THE EIR

CEQA Guidelines require an environmental impact report to describe and evaluate a range of reasonable alternatives to a project, which would feasibly attain most of the basic objectives of a project but would avoid or substantially lessen the significant environmental effects. The alternatives analysis must also include a “no project” alternative to allow decision makers to compare impacts of approving the proposed project with the impacts of not approving the Project. The two project alternatives evaluated in the EIR include:

- No Project Alternative - The No Project Alternative assumes that the SPI Improvements Project would not be implemented and the drinking water system would remain operating under existing conditions
- Alternative 1: Replacement Within Existing SPI Alignment - This alternative would utilize the existing SPI pipeline alignment and would not deviate from the existing alignment.

The EIR compares the environmental effects of each alternative and the ability of each alternative to fulfill the Project objectives and goals. The EIR provides the following description of the project objectives:

- Improve drinking water supply reliability by replacing the existing SPI with a bi-directional pipeline capable of conveying treated drinking water between Reservoir 1, Reservoir A, and the Sly Park Hills Tank.
- Facilitate uninterrupted drinking water supply during extended shutdowns of either the Reservoir 1 or Reservoir A treatment plants, enabling the inspection and future repairs or rehabilitation of Reservoir 1, Reservoir A, and the raw water supply tunnel/pipeline from Jenkinson Lake.
- Reduce energy use by maximizing system gravity flows and utilizing new, high-efficiency pumps when pumping is required.
- Improve system water quality and reduce the scale and cost of water quality treatments.

FINDINGS REGARDING PROJECT ALTERNATIVES

In making these findings, the District Board of Directors certifies that it has independently reviewed and considered the information on alternatives provided in the EIR. The EIR’s discussion and analysis of these alternatives are not repeated in these findings. Instead, they are incorporated in their entirety by reference.

CEQA Guidelines also require that an environmentally superior alternative be identified (Section 15126.6[e][2]). If the No Project Alternative is environmentally superior, CEQA requires that an environmentally superior alternative other than the No Project Alternative be identified from among the alternatives evaluated. Based on a comparison of the Project alternatives, environmental impacts associated with most resource categories would be fewer under the No Project Alternative, and thus would be the environmentally superior alternative. However, if the No Project

Alternative is the environmentally superior alternative, the EIR must also identify an environmentally superior alternative from among the other alternatives.

As analyzed in Section 4.0 of the draft EIR, when comparing the impacts associated with the Project to Alternative 1, the overall impacts would be similar. Alternative 1 was reviewed to evaluate whether staying in the original, disturbed SPI alignment with no deviations would reduce some impacts; however, when assessed in detail, Alternative 1 is not the environmentally superior alternative. This is because, while there may be a slight potential reduction in the possibility of inadvertent finds of cultural resources under Alternative 1, the preferred proposed Project in areas where it deviates from Alternative 1 has extremely low potential of such finds already, and that low potential is even further reduced with mitigation measures. In contrast, Alternative 1 would result in greater impacts to U.S. Highway 50, and thus Aesthetics, Land Use and Planning, and Transportation resources. Therefore, the preferred proposed Project is the environmentally superior alternative when compared to Alternative 1.

FINDINGS REGARDING THE ALTERNATIVES EVALUATED

No Project Alternative

The No Project Alternative assumes that the SPI Improvements Project would not be implemented, and the District's drinking water system would remain operating under existing conditions. It also assumes that the existing SPI pipeline would remain inoperable and thus there would be no connection between the District's two largest drinking water treatment plant facilities, which precludes extended shut down periods for maintenance purposes and limits the ability to provide water under emergency outage conditions or during drought. Although none of the Project's environmental impacts identified in Chapter 3.0 of the draft EIR would occur under the No Project Alternative, conveyance of drinking water between Jenkinson Lake and the South Fork American River watershed to areas throughout the District's service area would continue to be limited, inflexible during emergencies including drought, and incapable of offline maintenance. Furthermore, implementation of the No Project Alternative would not meet any of the Project objectives.

Finding

Implementing the No Project Alternative would: 1) leave the SPI inoperable, 2) not meet any of the Project objectives, and 3) result in ongoing adverse impacts associated with limited ability to provide water under emergency outage conditions. For these reasons, the District Board of Directors rejects the No Project Alternative as infeasible within the meaning of CEQA.

ALTERNATIVE 1 – REPLACEMENT WITHIN EXISTING SPI ALIGNMENT

This alternative would utilize the existing SPI pipeline alignment and would not deviate from the existing alignment. This includes routing the pipeline under a portion of HWY 50 that would require excavation and boring into the hillside, whereas the preferred proposed Project routes the pipeline under HWY 50 within an existing underpass from Pony Express Trail to Ridgeway Drive. This alternative would require no new areas of disturbance, since it would follow the alignment and right-of-way of an existing District pipeline, and thus potentially reduce impacts related to new excavation, such as unearthing previously unknown utilities or inadvertent discoveries of cultural resources or impacts to biological resources. Similar to the preferred proposed Project, this alternative would include installation of a new pump station and associated appurtenances; therefore, impacts to these areas would likely remain the same as the preferred proposed Project.

Finding

Implementing Alternative 1 would: 1) replace the existing SPI with a new pipeline, 2) would meet all of the project objectives, and 3) would result in similar overall impacts associated with the implementing the preferred proposed Project. While there may be a slight potential reduction in the possibility of inadvertent finds of cultural resources under Alternative 1, the preferred proposed Project in areas where it deviates from Alternative 1 has extremely low potential of such finds already, and that low potential is even further reduced with mitigation measures. In contrast, Alternative 1 would result in greater impacts to U.S. Highway 50, and thus Aesthetics, Land Use and Planning, and Transportation resources. Accordingly, the District Board of Directors rejects Alternative 1 as infeasible within the meaning of CEQA.

Findings Regarding Adequacy of Range of Alternatives

The District Board of Directors finds that the range of alternatives evaluated in the EIR allows a reasonable consideration of various alternatives that would be capable of reducing the Project's environmental impacts while accomplishing some but not all of the Project objectives. The District Board of Directors finds that the alternatives analysis is sufficient to inform the District Board of Directors and the public regarding the degree to which alternatives to the preferred proposed Project could reduce environmental impacts and achieve the Project objectives.

Based on the foregoing reasons, and the entire record before it, the District Board of Directors has determined to approve the preferred proposed Project.

PART C: IMPACTS AND MITIGATION MEASURES

These findings provide the written analysis and conclusions of the District Board of Directors regarding the environmental impacts of implementing the Project and the mitigation measures described in the EIR and adopted by the District Board of Directors as conditions of approval for the Project.

The significance thresholds used in the EIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project. The District Board of Directors finds that the determination of significance thresholds is a judgment decision within the discretion of the District Board of Directors. The District Board of Directors also finds that the significance thresholds used in the EIR are supported by substantial evidence in the record, including the expert opinion of the EIR preparers and District staff.

A full explanation of the environmental findings and conclusions can be found in the EIR. These findings hereby incorporate by reference the discussion and analysis in the EIR supporting the EIR's determinations regarding the Project impacts and mitigation measures designed to address those impacts. In making these findings, the District Board of Directors adopts and incorporates the analysis and explanation in the EIR. The District Board of Directors also adopts and incorporates in these findings the determinations and conclusions of the EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

FINDINGS REGARDING SIGNIFICANT IMPACTS

State CEQA Guidelines Section 15091(a) requires that the lead agency make a finding for each significant or potentially significant impact.

POTENTIALLY SIGNIFICANT IMPACTS FOR WHICH MITIGATION HAS BEEN INCORPORATED TO LESSEN THE SIGNIFICANCE TO LESS-THAN-SIGNIFICANT LEVELS

The EIR and record provides substantial evidence and analysis demonstrating that the following potentially significant impacts of the Project are mitigated (reduced to a less-than-significant level) by the implementation of the mitigation measures set forth below and included in the MMRP adopted for the Project. The full text for each of the mitigation measures is included in the MMRP (Exhibit A).

Impact AES-4: The Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area

- Mitigation Measure AES-1: Use of Best Management Practices to Minimize Lighting Impacts from Construction

Impact AIR-1: The Project would not conflict with or obstruct implementation of the applicable air quality plan.

- Mitigation Measure AIR-1: Dust and Emissions Control Plan

Impact AIR-2: The Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard.

- Mitigation Measure AIR-1: Dust and Emissions Control Plan

Impact AIR-3: The Project would not expose sensitive receptors to substantial pollutant concentrations.

- Mitigation Measure AIR-1: Dust and Emissions Control Plan

Impact BIO-1: The Project would not 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 CDFW or USFWS.

- Mitigation Measure BIO 1: Pre-Construction Botanical Surveys
- Mitigation Measure BIO-2: Biological Resources Awareness Training
- Mitigation Measure BIO-3: Reduce the Spread and Introduction of Invasive Noxious Weeds
- Mitigation Measure BIO-4: Avoid and Minimize Impacts to California Red-Legged Frog and Suitable Habitat
- Mitigation Measure BIO-5: Avoid or Minimize Impacts to Foothill Yellow-Legged Frog and Northwestern Pond Turtle
- Mitigation Measure BIO-6: Native Aquatic Species Rescue and Relocation
- Mitigation Measure BIO-7: Avoid or Minimize Impacts to Special-Status Bird Species, Nesting Raptors, and Other Migratory Birds Protected Under the MBTA and FGC

Impact BIO-2: The Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS.

- Mitigation Measure BIO-4: Avoid and Minimize Impacts to California Red-Legged Frog and Suitable Habitat
- Mitigation Measure BIO-8: Avoid and Minimize Impacts to Riparian Habitat
- Mitigation Measure GEO-1: Prepare and Implement a SWPPP

Impact BIO-3: The Project would not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

- Mitigation Measure BIO-9: Avoid and Minimize Impacts on Waters of the United States and Waters of the State
- Mitigation Measure GEO-1: Prepare and Implement a SWPPP

Impact BIO-4: The Project would not 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.

- Mitigation Measure BIO-6: Native Aquatic Species Rescue and Relocation
- Mitigation Measure GEO-1: Prepare and Implement a SWPPP

Impact BIO-5: The Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

- Mitigation Measure BIO-10: Avoid and Minimize Impacts to Oak Trees and Oak Woodlands

Impact CUL-1: The Project would not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.

- Mitigation Measure CUL-1: Proper Handling of Inadvertent Discovery of Cultural Resources
- Mitigation Measure CUL-2: Cultural Resource Awareness Training

Impact CUL-2: The Project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

- Mitigation Measure CUL-1: Proper Handling of Inadvertent Discovery of Cultural Resources
- Mitigation Measure CUL-2: Cultural Resource Awareness Training

Impact CUL-3: The Project would not disturb human remains, including those interred outside of formal cemeteries.

- Mitigation Measure CUL-3: Proper Handling of Inadvertent Discovery of Human Remains

Impact GEO-2: The Project would not result in substantial soil erosion or the loss of topsoil.

- Mitigation Measure GEO-1: Prepare and Implement a SWPPP

Impact GEO-6: The Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

- Mitigation Measure GEO-2: Paleontological Resources Awareness Training
- Mitigation Measure GEO-3: Proper Handling of the Unanticipated Discovery of Paleontological Resources or Unique Geologic Features

Impact HAZ-1: The Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

- Mitigation Measure HAZ-1: Prepare and Implement a Hazardous Materials Release Prevention Plan
- Mitigation Measure GEO-1: Prepare and Implement a SWPPP

Impact HAZ-2: The Project would not 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.

- Mitigation Measure HAZ-1: Prepare and Implement a Hazardous Materials Release Prevention Plan
- Mitigation Measure GEO-1: Prepare and Implement a SWPPP

Impact HAZ-7: The Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

- Mitigation Measure TRA-1: Prepare and Implement a Traffic Control Plan

Impact HAZ-8: The Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

- Mitigation Measure WILD-1: Prepare and Implement a Fire Safety Plan

Impact HYD-1: The Project would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

- Mitigation Measure HAZ-1: Prepare and Implement a Hazardous Materials Release Prevention Plan
- Mitigation Measure GEO-1: Prepare and Implement a SWPPP
- Mitigation Measure BIO-8: Avoid and Minimize Impacts to Riparian Habitat
- Mitigation Measure BIO-9: Avoid and Minimize Impacts on Waters of the United States and Waters of the State

Impact HYD-3: The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces in a manner which would:

- Result in substantial erosion or siltation on- or off-site;
- Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site;
- 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; or

- **Impede or redirect flood flows.**

- Mitigation Measure GEO-1: Prepare and Implement a SWPPP
- Mitigation Measure BIO-8: Avoid and Minimize Impacts to Riparian Habitat
- Mitigation Measure BIO-9: Avoid and Minimize Impacts on Waters of the United States and Waters of the State

Impact HYD-5: The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

- Mitigation Measure GEO-1: Prepare and Implement a SWPPP
- Mitigation Measure BIO-8: Avoid and Minimize Impacts to Riparian Habitat
- Mitigation Measure BIO-9: Avoid and Minimize Impacts on Waters of the United States and Waters of the State

Impact PUB-1: The Project would not 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 following public services:

- **Fire protection;**
- **Police protection;**
- **Schools;**
- **Parks; or**
- **Other public facilities.**

- Mitigation Measure TRA-1: Prepare and Implement a Traffic Control Plan

Impact TRA-3: The Project would not substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersection(s) or incompatible uses [e.g. farm equipment]).

- Mitigation Measure TRA-1: Prepare and Implement a Traffic Control Plan

Impact TRA-4: The Project would not result in inadequate emergency access.

- Mitigation Measure TRA-1: Prepare and Implement a Traffic Control Plan

Impact TRIB-1: The Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of size, or object with cultural value to a California Native American tribe, and that is (1) listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k); or (2) 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 PRC Section 5024.1.

- Mitigation Measure TRIB-1: Implement Best Management Practices to Reduce or Avoid Impacts to Tribal Cultural Resources
- Mitigation Measure TRIB-2: Tribal Cultural Resource Awareness Training
- Mitigation Measure TRIB-3: Proper Handling of Inadvertent Discovery of Tribal Cultural Resources

Impact WILD-1: The Project would not impair an adopted emergency response plan or emergency evacuation plan.

- Mitigation Measure WILD-1: Prepare and Implement a Fire Safety Plan

Impact WILD-2: The Project would not exacerbate wildfire risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

- Mitigation Measure WILD-1: Prepare and Implement a Fire Safety Plan

Impact WILD-3: The Project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

- Mitigation Measure WILD-1: Prepare and Implement a Fire Safety Plan

Impact WILD 4: The Project would not expose people or structures to significant risks, including downslope downstream flooding or landslides, as a result of, runoff, post-fire slope stability, or drainage change.

- Mitigation Measure WILD-1: Prepare and Implement a Fire Safety Plan

DISTRICT FINDING OF LESS-THAN-SIGNIFICANT

For each of the impacts previously identified in this section, mitigation has been identified that that would lessen the significance of the impact to a less-than-significant level. The District Board of Directors finds that changes have been required in, or incorporated into, the Project engineering design and construction plan, as described in the EIR, that would avoid or substantially lessen each potentially significant environmental impact to a less-than-significant level.

Adoption of Mitigation Measures

The District Board of Directors adopts and incorporates as conditions of approval of the Project the mitigation measures set forth in the mitigation monitoring and reporting program (MMRP) attached to these findings (Exhibit A) to reduce or avoid the significant impacts of the Project. In adopting these mitigation measures, the District Board of Directors intends to adopt each of the mitigation measures recommended for approval by the EIR.

Accordingly, if a mitigation measure recommended in the EIR has inadvertently been omitted from Exhibit A, such mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, if the language describing a mitigation measure set forth in Exhibit A fails to accurately reflect the mitigation measures in the EIR because of a clerical error, the language of the mitigation measure as set forth in the EIR shall control, unless the language of the mitigation measure has been specifically and expressly modified by these findings.

In accordance with CEQA and the State CEQA Guidelines, the District Board of Directors must adopt a mitigation monitoring and reporting program to ensure that the mitigation measures adopted herein are implemented. The District Board of Directors hereby adopts the mitigation monitoring and reporting program for the Project attached to these findings as Exhibit A.

PART D: FINDINGS REGARDING CUMULATIVE IMPACTS

An environmental impact report must discuss the cumulative impacts of a project when the project's incremental effect is "cumulatively considerable," meaning that the project's incremental effects are considerable when viewed in connection with the effects of past, current, and probable future projects (CEQA Guidelines Section 15130[a]).

A list of past, current, and reasonably foreseeable future projects was compiled in the draft EIR. The past, present and reasonably foreseeable future projects proposed by these agencies within or directly adjacent to the Project area or in the vicinity of the community of Pollock Pines. All agencies and development projects that could result in a cumulative impact were searched; however, transportation and water are the only two resource areas that are relevant to the cumulative impacts discussion. For the purposes of this discussion, projects that may have a cumulative effect on the resources of the Project area include: multiple Capital Improvement Plan Projects, the Pony Express Trail Class II Bicycle Route and Pedestrian Improvements, and the Pony Express Trail Recessed Edge-Lines Project.

The analysis in the EIR examines the cumulative impacts of the Project for the relevant topics that are analyzed in the EIR. These topics include aesthetic and visual resources, agriculture and forestry resources, air quality, biological resources, cultural resources, energy resources, geology and soils, greenhouse gases, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, public services, recreation, transportation, tribal cultural resources, utilities and services systems, and wildfires.

Based on the analysis contained in the EIR, the District Board of Directors finds that implementing the Project would not contribute in a considerable manner to a significant cumulative impact when combined with other past, present, or reasonably foreseeable future projects.

Exhibit A

Mitigation Monitoring and Reporting Program

SLY PARK INTERTIE IMPROVEMENTS PROJECT ENVIRONMENTAL IMPACT REPORT

Mitigation Monitoring and Reporting Program

A. MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) was prepared pursuant to the California Environmental Quality Act (CEQA) Guidelines (Section 21081.6[a][1]), which require a public agency to adopt a monitoring and/or reporting program to ensure compliance with mitigation measures during Project implementation. This MMRP identifies the measures from the Draft Environmental Impact Report (DEIR) that apply to the Project as evaluated and documented in the DEIR and editorial updated as part of the Final EIR (FEIR). This MMRP identifies the required mitigation and environmental compliance steps to be completed in accordance with CEQA regulations and the parties responsible for implementation and monitoring.

A.1 Project Description

A.1.1 Project Location

The Project is located approximately 1.5 miles southwest of the Pollock Pines community and 10 miles east of the city of Placerville, California, within the Pollock Pines and Sly Park, California U.S. Geological Survey (USGS) 7.5-minute topographic quadrangles. The northern segment of the Project area starts adjacent to Reservoir 1 on Pony Express Trail and is located on the north side of U.S. Highway 50 (HWY 50). The Project area continues approximately 6.1 miles south-southeast before terminating at the Sly Park Hills Tank, located off Mackinaw Street, approximately 0.5 miles from Reservoir A. The Project area elevations range between approximately 3,000 and 3,730 feet (914 and 1,140 meters) above mean sea level (amsl). The Project traverses lands owned by the District, lands administered by the Eldorado National Forest, and various private property.

A.1.2 Project Summary

The El Dorado Irrigation District (District) is proposing to implement the Sly Park Intertie (SPI) Improvements Project (Project) to replace the connection between the District's two largest drinking water treatment plant facilities that, together, provide two-thirds of the District's drinking water supply. The Project would enable the District to efficiently convey drinking water sourced from its existing water supplies at Jenkinson Lake and the South Fork American River watershed to areas throughout the District's service area (See Figure 1.1-1 of Draft EIR). The SPI is an existing 22- to 24-inch diameter steel pipeline, approximately 6 miles in length, which extends between the District's Reservoir 1 Water Treatment Plant (Reservoir 1) and Reservoir A Water Treatment Plant (Reservoir A), and continues to the Sly Park Hills Tank. Construction is planned to begin in 2024 and to be completed in 2025, over a period of approximately 18 months.

A.1.3 Procedures for Monitoring and Reporting

The District will be responsible for mitigation measure implementation oversight and compliance documentation. The District, at its discretion, may delegate implementation responsibility or portions thereof to a licensed contractor or other designated agent as long as District maintains final responsibility for ensuring that the actions are taken.

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

SLY PARK INTERTIE IMPROVEMENTS PROJECT ENVIRONMENTAL IMPACT REPORT

Mitigation Monitoring and Reporting Program

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

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

A.2 CEQA Mitigation Measures

Table 1 below describes the mitigation measures included in the Project. For each mitigation measure the required action, responsible party, implementation timing, and reporting requirements are described.

SLY PARK INTERTIE IMPROVEMENTS PROJECT ENVIRONMENTAL IMPACT REPORT

Mitigation Monitoring and Reporting Program

Table 1. Summary of the Project Mitigation Measures

Mitigation Measure	Responsible Party	Monitoring Timing	Monitoring and Reporting Program	Standards for Success
Aesthetics and Visual Resources				
<p>Mitigation Measure AES-1: Use of Best Management Practices to Minimize Lighting Impacts from Construction</p> <p>The following best management practices (BMPs) shall apply to Project construction activities and staging areas to ensure minimal adverse impacts to nighttime views for adjacent sensitive receptors. These BMPs shall be implemented by the contractor during construction.</p> <p>BMPs shall include, but are not limited to:</p> <ul style="list-style-type: none"> Identify when/where lighting is needed and confine/minimize lighting to the extent necessary to meet safety purposes. Select warm color temperature bulbs (less than 5000K). Limit the height of fixtures to minimize the amount of light crossing property lines and overall light levels. Utilize temporary lighting shields during construction where construction lighting impacts to residences and other habitable structures cannot be avoided. 	<p>The District and contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>During construction of the Project</p>	<p>The District shall verify that the chosen contractor is implementing construction light reduction measures and that the design plans meet the operational light reduction measures in accordance with this mitigation measure.</p>	<p>Lighting impacts are reduced to a less than significant level for all residences and habitable structures adjacent to the Project during construction.</p>
Air Quality				
<p>Mitigation Measure AIR-1: Dust and Emissions Control Plan</p> <p>The District shall require that the selected contractor prepare and implement a Project Dust and Emissions Control Plan that is approved by the El Dorado Air Quality Management District (AQMD) prior to construction. The following measures shall be conducted throughout the construction period to limit and control dust and air emissions:</p> <ul style="list-style-type: none"> All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent fugitive dust from leaving the property boundaries and/or causing a public nuisance. All areas with vehicle traffic shall be watered or have a dust palliative applied as necessary to minimize dust emissions. All on-site vehicle traffic shall be limited to a speed of 15 mph on unpaved roads. All land clearing, grading, earth moving, or excavation activities on the Project shall be suspended as necessary to prevent excessive windblown dust when winds are expected to exceed 20 mph. All inactive portions of the construction site shall be covered, seeded, or watered or otherwise stabilized until a suitable cover is established. All material transported off-site shall be either sufficiently watered or securely covered to prevent it from being entrained in the air and there must be a minimum of six (6) inches of freeboard in the bed of the transport vehicle. Paved streets adjacent to the Project shall be reasonably clean through methods such as sweeping or washing at the end of each day, or more frequently if necessary, to remove excessive accumulations or visibly raised areas of soil which may have resulted from activities at the Project area. Prior to the end of construction, the applicant shall re-establish ground cover on the site through seeding. The Project contractor shall ensure that all construction equipment is properly maintained. <p>The Project is not located in an area mapped as having, or otherwise known to have, ultramafic rock, serpentine, or naturally occurring asbestos (El Dorado County 2015). However, if naturally occurring asbestos is discovered during Project construction, the following shall occur:</p> <ul style="list-style-type: none"> If naturally occurring asbestos, serpentine, or ultramafic rock is discovered in the area to be disturbed after the start of any construction or construction-related activity, a Professional Geologist or the Air Pollution Control Officer must report the discovery to the El Dorado AQMD no later than the next business day; and The Project shall comply with applicable provisions of Rule 223-2 and the California Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (CCR Title 17, Section 93105). 	<p>The District shall require that the contractor prepare and implement a Construction Emissions and Dust Control Plan. The District shall be responsible for ensuring that all adequate dust control measures are implemented in a timely manner during all phases of Project development and construction by the contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>An Emissions and Dust Control Plan shall be prepared and approved by the El Dorado AQMD prior to construction and implemented during all phases of grading and activities that generate dust.</p>	<p>During construction, regular inspections shall be performed by a District representative and reports shall be kept on file by the District for inspection by the El Dorado AQMD or other interested parties as specified in the Emissions and Dust Control Plan.</p>	<p>Visible emissions and dust are kept to the lowest practicable level during construction periods. The goal is to minimize dust and emissions during construction, including asbestos particulate matter as a result of any construction activities, and to the extent feasible, avoid activities that would generate air quality complaints from the public.</p>
Biological Resources				
<p>Mitigation Measure GEO-1: Prepare and Implement a SWPPP</p> <p>See Geology and Soils section below</p>	<p>See Geology and Soils Section below</p>	<p>See Geology and Soils Section below</p>	<p>See Geology and Soils Section below</p>	<p>See Geology and Soils Section below</p>
<p>Mitigation Measure BIO-1: Pre-Construction Botanical Surveys</p> <p>A qualified botanist shall conduct special-status plant surveys prior to construction activities in areas with suitable habitat for the three special-status species identified as having a moderate potential to occur or are present in the Project area (Pleasant Valley Mariposa lily, Sierra clarkia, and yellow bur Navarretia). Surveys shall follow protocols designated by California Department of Fish and Wildlife (CDFW) (CDFW 2018) and California Native Plant Society (CNPS) (CNPS 2001) and shall occur during the appropriate floristic bloom periods. The mid-bloom period overlaps for the three species identified occurring May through July, and would be appropriate for the three species with the potential to occur in the Project area.</p> <p>Previous rare plant surveys detected two special-status plant species within the Project area: Sierra clarkia and yellow bur navarretia (Stantec 2023a). To avoid or minimize and compensate for potential impacts on special-status plant species, the following measures are recommended:</p>	<p>The District. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Pre-construction rare plant surveys shall be conducted by a qualified botanist or biologist between May and July, or as otherwise deemed appropriate by a qualified botanist. Avoidance or buffer zones shall be marked before construction begins.</p>	<p>The survey shall be conducted by a qualified botanist and a Rare Plant Survey Report shall be developed and kept on file with the District. If special-status species are encountered, the Rare Plant Survey Report shall be submitted to the appropriate regulatory agencies (i.e., CDFW, USFS, and/or USFWS).</p>	<p>The District will work with a qualified botanist to either protect in place with exclusion fencing and verify no impact via spot check monitoring or the District would pay an in leu fee payment to a local land trust for preservation of an equivalent acreage.</p>

SLY PARK INTERTIE IMPROVEMENTS PROJECT ENVIRONMENTAL IMPACT REPORT

Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Monitoring Timing	Monitoring and Reporting Program	Standards for Success
<p>1. Where special-status plants have been determined to be absent in the Project area, then no further measures are required.</p> <p>2. Where special-status plants have been determined present within the Project area (e.g., Sierra clarkia and yellow bur navarretia), Project activities shall be reduced and minimized to avoid impacts with the following:</p> <ol style="list-style-type: none"> A qualified botanist shall map the population, place flagging to identify the population location, and install environmentally sensitive exclusion fencing and appropriate signage at an appropriate buffer distance (e.g., ~25 feet), starting from the edge of the special-status plant and/or plant population. Signage shall indicate that the area is environmentally sensitive and not to be disturbed. Adjust the location of Project activities away from special-status plants to the extent practicable. <p>3. If Project activities cannot avoid a special-status plant population and would directly disturb more than 25 percent of the population by either number of plants or extent of occupied habitat, a conservation plan shall be implemented in coordination with a qualified botanist and consultation with CDFW. The conservation plan may consist of but is not limited to: plant salvage and relocation; collection and subsequent planting of seed, or incorporating seed from native nursery into seed mix used for revegetation efforts; stockpiling, storing, and replacing topsoil containing the local seed bank; or other measures determined practicable based on the species and site conditions.</p> <p>For some species and site conditions, conservation efforts may not have a reasonable probability of success; or could result in detrimental effects on existing special-status plant populations. In these cases, as determined by a qualified botanist, no conservation measures shall be required.</p>				
<p>Mitigation Measure BIO-2: Biological Resources Awareness Training</p> <p>The District shall provide biological resources awareness training for workers prior to beginning Project construction activities. The District shall have a qualified biologist prepare training materials (i.e., printed handouts) that provide information on the following topics:</p> <ul style="list-style-type: none"> How to recognize special-status plant species, wildlife species, and sensitive habitats that could occur in the Project area (i.e., special-status amphibian identification and habitat, special-status avian identification and habitat, wetland habitats, and riparian habitats); What to do if special-status species are encountered in the Project area; Information on practicing good housekeeping (e.g., removing litter, trash, and other debris on a daily basis to avoid attracting animals to the Project site) and implementing BMPs; Information on other mitigation measures relevant to biological resources; Information on regulations and applicable civil and criminal penalties for violations. <p>The training shall initially be presented to key Project personnel by a qualified biologist at the Project kickoff and recorded to be used for additional contractor staff that may arrive on the Project site after the Project kickoff. Printed handouts shall be distributed and used for future reference by Project personnel. Project personnel that are trained during the Project kickoff shall be responsible for making sure that other workers on the Project receive the training before initiating on-site work. A roster of trained Project personnel shall be maintained in the Project construction office and made available for review by regulatory agencies, if needed. This training may be conducted in coordination with the tribal cultural resource awareness training (MM TRIB-2), cultural resources awareness training (MM CUL-2), and paleontological resources awareness training (MM GEO-2).</p>	<p>The District and the contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Training shall be conducted before work begins, and new personnel shall be trained before initiating on-site work.</p>	<p>The training shall be conducted by trained personnel and documented (by sign-in sheet or other method) by the District's contractor for the dates the training occurred, and the staff trained. Retention of the training reference pamphlets shall also be kept on the construction site and within District files.</p>	<p>Construction personnel are trained in the key characteristics for identifying and avoiding impacts to special-status species and sensitive habitats.</p>
<p>Mitigation Measure BIO-3: Reduce the Spread and Introduction of Invasive Noxious Weeds</p> <p>Invasive and noxious weeds have the potential to directly and indirectly impact plant communities at or near the Project area. To reduce the spread and introduction of weeds, the following measures shall be implemented:</p> <ul style="list-style-type: none"> All Project-related equipment and vehicles shall be decontaminated of weeds and soils prior to initiation of work on the Project; and Any imported topsoil, mulch, and seed used in Project-related activities (e.g., restoration, reseeding, erosion control, and soil stabilization) shall be certified weed-free. 	<p>The District and the contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Prior to the initiation of construction and with each new piece of equipment and/or materials</p>	<p>The District shall verify that all equipment and other materials brought on site are certified weed-free through visual inspection and/or a signed affidavit from the contractor.</p>	<p>Minimize the potential for introduction of new weed species into the Project area through visual inspection of equipment and/or signed affidavits from the contractor of weed free certification.</p>
<p>Mitigation Measure BIO-4: Avoid and Minimize Impacts to California Red-legged Frog and Suitable Habitat</p> <p>The northern portion of the Project area is located within DCH Unit ELD-1 for California red-legged frog, a federally listed species and a California SSC. California red-legged frog are known to occur at Spivey Pond located approximately 0.75 mile upstream from the Project's North Fork Weber Creek crossing (CDFW 2023g).</p> <p>Although no observations of California red-legged frog were made within the Project area during the field surveys performed in May 2022 and June 2023, the Project area, specifically along North Fork Weber Creek, was determined to provide potential aquatic non-breeding, dispersal, and upland habitats.</p> <p>The following measures shall be implemented to avoid or minimize the potential for adverse impacts on California red-legged frog:</p>	<p>The District and the contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Measures shall be conducted prior to and during construction activities.</p>	<p>All monitoring shall be conducted by a qualified biologist or trained inspector and records of monitoring shall be developed and kept on file with the District. Relocation, if necessary, shall only be performed by a qualified biologist permitted under the project-specific Biological Opinion. Additionally, all observed and relocated frogs shall be reported to the USFWS as soon as</p>	<p>California red-legged frog shall not be disturbed without qualified biologist permitted under the project specific Biological Opinion before, during, or after Project construction activities.</p>

SLY PARK INTERTIE IMPROVEMENTS PROJECT ENVIRONMENTAL IMPACT REPORT

Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Monitoring Timing	Monitoring and Reporting Program	Standards for Success
<p>1. EID shall retain a biological monitor (or qualified biologist) for the Project that possess the necessary qualifications and experience to identify all life stages of CRLF, conduct surveys, and identify suitable aquatic and upland habitat.</p> <p>2. A qualified biologist shall train other personnel to monitor for California red-legged frog to facilitate compliance with the conservation measures described herein and minimize potential adverse effects to this species associated with implementation of the Proposed Action. Construction personnel will include a trained inspector responsible for monitoring the implementation of RPMs for California red-legged frog on a daily basis. The inspector will contact a qualified biologist as needed during construction.</p> <p>3. A qualified biologist will conduct focused daytime and nighttime surveys for California red-legged frog within one week of initial ground disturbance or vegetation removal. The surveys will focus on stream and riparian habitats and adjacent upland areas. "Spot check" monitoring will be performed at least once per week by a qualified biologist during construction.</p> <p>4. EID will ensure the contractor stops work at the request of the qualified biologist, the Service, or the California Department of Fish and Wildlife, if activities are identified that may result in take of a California red-legged frog. The contractor will temporarily suspend activities in the immediate area that could result in take of the animal until it leaves the site of its own volition or is removed by the qualified biologist, the Service, or the California Department of Fish and Wildlife to an appropriate release site using Service-approved techniques.</p> <p>Each California red-legged frog encountered within the Action Area will be treated on a case-by-case basis by the qualified biologist in coordination with the Service (note: in cases of dispute, the Service will have final authority), but the general protocol is as follows: (1) leave the non-injured frog alone if it is not in danger or (2) move the frog to a nearby secure location if it is in danger. These two options are as follows.</p> <p>a. When a California red-legged frog is encountered in the Action Area, the first priority will be to temporarily stop activities in the immediate surrounding area that are likely to result in harm, harassment, injury, or death of the individual as determined by the qualified biologist. The qualified biologist will then assess the situation to select a course of action that will minimize adverse effects to the animal.</p> <p>The qualified biologist will determine if the appropriate course of action is to avoid contact with the California red-legged frog and allow it to move out of the hazardous situation on its own volition to a safe location. The animal will not be picked up and moved because it is not moving fast enough or it is inconvenient for the project schedule. This protocol only applies to situations where a California red-legged frog is encountered on the move to a location that contains habitat that will not be damaged or destroyed by the Proposed Action.</p> <p>b. If the qualified biologist determines the appropriate course of action to prevent the immediate injury or death of a California red-legged frog is to move it, it will be captured and moved to a location with suitable habitat that is not proposed for construction, tree or vegetation removal, timber harvest, borrow excavation, or other activities. The qualified biologist will monitor the animal for an appropriate period of time to ensure it does not re-enter a work area. If secure suitable habitat is located immediately adjacent to, or close to, where the animal was captured, the preferred action is relocation to that location. A general guidance is the animal should not be moved outside of the area it would have traveled on its own. Under no circumstances will a California red-legged frog be relocated to a property without the landowner's written permission. It is EID's responsibility to arrange for that permission.</p> <p>The qualified biologist should be the individual to capture and handle California red-legged frogs. Nets or bare hands may be used to capture the animals. Soaps, oils, creams, lotions, repellents, or solvents of any sort will not be used on hands within 2 hours before and during periods when the qualified biologist is capturing and relocating a California red-legged frog. To avoid transferring disease or pathogens between sites when handling the animals, the qualified biologist will follow the appropriate recommendations in the Declining Amphibian Population Task Force Fieldwork Code of Practice (https://www.fws.gov/ventura/docs/species/protocols/DAFTA.pdf).</p> <p>c. After the California red-legged frog is determined to be secure at the original location or it has been moved to a new location by the qualified biologist, and the Service has not been involved, EID will report all observed and relocated California red-legged frogs to the USFWS, as soon as practicable and no longer than 48 hours from the time of observation.</p> <p>5. If requested verbally by the Service or the California Department of Fish and Wildlife (CDFW), the District shall provide immediate access, when safe to do so, to the Action Area to personnel from one or both of these agencies to inspect potential project-related effects to the California red-legged frog and its habitat.</p> <p>6. The District shall require all contractors and subcontractors to comply with the biological opinion for the California red-legged frog during the performance of their contract and ensure that all project personnel do their utmost to prevent disturbance to California red-legged frogs. The contracts will include specific language that requires contractors to work within the specific boundaries of the Action Area, including construction, staging areas, and access routes identified in the project description of the biological assessment for the Proposed Action.</p>			<p>practicable and no longer than 48 hours from the time of observation.</p>	

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Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Monitoring Timing	Monitoring and Reporting Program	Standards for Success
<p>7. The District shall provide biological resources awareness training for workers prior to beginning Proposed Action construction activities. The District shall have a qualified biologist prepare training materials (i.e., printed handouts) that provide information on the following topics:</p> <ol style="list-style-type: none"> How to recognize special-status plant species, wildlife species, and sensitive habitats that could occur in the Action Area (i.e., special-status amphibian identification and habitat, special-status avian identification and habitat, wetland habitats, and riparian habitats); What to do if special-status species are encountered in the Action Area; Information on practicing good housekeeping (e.g., removing litter, trash, and other debris on a daily basis to avoid attracting animals to the Action Area) and implementing BMPs; Information on other mitigation measures relevant to biological resources; Information on regulations and applicable civil and criminal penalties for violations. <p>The training shall initially be presented to key project personnel at the Proposed Action kickoff meeting. Printed handouts shall be distributed and used for future reference by project personnel. Project personnel that are trained during the kickoff meeting shall be responsible for making sure that other workers on the Proposed Action receive the training before initiating on-site work. A roster of trained Proposed Action personnel shall be maintained in the on-site construction office and made available for review by regulatory agencies, if needed.</p> <p>8. BMPs (e.g., weed free straw bales, straw mulch, non-monofilament fiber rolls, silt fence) will be implemented to prevent erosion and provide stormwater runoff protection. Plastic mono-filament netting or similar non-biodegradable material will not be used for erosion control or other purposes. Additionally, erosion and sediment control measures including the implementation of a SWPPP will be in place throughout construction activities.</p> <p>9. All food-related trash items, such as wrappers, cans, bottles, and food scraps will be disposed of in a closed container and removed daily from the construction area.</p> <p>10. EID shall implement a hazardous materials prevention plan and a spill prevention and contingency plan to prevent hazardous substances and construction by-products (e.g., gas, oil, other petroleum products, chemicals, fresh cement, asphalt) from contaminating the soil or entering aquatic habitat. Spill kits with a sufficient quantity of absorbent and barrier materials to adequately contain and recover potential spills of fuels or oils will be maintained on-site. Refueling will be limited to designated locations outside riparian habitat.</p> <p>11. EID shall implement a stream diversion plan that complies with applicable permit conditions.</p> <p>12. EID shall implement a site restoration and revegetation plan.</p> <p>13. To prevent the potential entrapment of California red-legged frog within the Action Area, all steep-walled holes, trenches, pits or any other excavated area more than one foot deep will be filled, covered, or constructed with an escape ramp at the close of each working day. Covers will be provided with plywood or similar material and escape ramps will be constructed of earthen fill or wooden planks. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals. If at any time a trapped California red-legged frog is discovered, escape ramps or other appropriate structures will be placed to allow the animal to escape, and a qualified biologist will be contacted to assist as needed. Any observations of a California red-legged frog will be reported to the USFWS, as soon as practicable and no longer than 48 hours from the time of observation.</p>				
<p>Mitigation Measure BIO-5: Avoid or Minimize Impacts to Foothill Yellow-Legged Frog and Northwestern Pond Turtle</p> <p>The Project area is within the range of the East/Southern Sierra clade (South Sierra DPS) of foothill yellow-legged frog, which is listed as endangered under CESA and endangered under the ESA and northwestern pond turtle, which is listed as proposed threatened under the ESA. Foothill yellow-legged frog are not known to occur in the Project area or within the watersheds of the Project area and there is one occurrence of northwestern pond turtle nearby the Project area. However, limited potential suitable habitat for both species was identified within North Fork Weber Creek where the Project area bisects the stream (CDFW 2023g). As such, in addition to the measures described above for the California red-legged frog, the following measures are recommended to avoid or minimize the potential for adverse impacts on foothill yellow-legged frog and northwestern pond turtle:</p> <ol style="list-style-type: none"> Provide training specific to the foothill yellow-legged frog and northwestern pond turtle. Per the Project's LSAA, a qualified biologist shall develop a Pre-Construction Survey Plan for each species. The foothill yellow-legged frog survey plan shall include the life-stage being surveyed for, survey methodology, as well as timing of survey(s). The survey plan shall also provide justification for timing and methodology of survey design (e.g., watershed characteristics, regional snowpack, timing and rate of spring runoff, day length, average ambient air and water temperatures, local and seasonal conditions). Additionally, the Project's designated biologist shall perform pre-construction surveys, as specified in the Pre-Construction Survey Plan within the boundaries of the Project area plus a 500-foot buffer zone upstream and downstream of the construction area. <ol style="list-style-type: none"> If no foothill yellow-legged frog are found during the pre-construction surveys, then construction of the Project will continue. If foothill yellow-legged frog are present during pre-construction surveys, then 	<p>The District and the contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Biological resources awareness training as specified in BIO-2 will be provided for all Project personnel before work begins, and new personnel shall be trained before initiating on-site work. A qualified biologist shall conduct pre-construction visual encounter surveys for foothill yellow-legged frog and pre-construction surveys for northwestern pond turtle prior to any in-water work.</p>	<p>All surveys shall be conducted by a qualified biologist and a brief survey report shall be developed and kept on file with the District.</p>	<p>Foothill yellow-legged frog shall not be disturbed without Project-specific permission from CDFW.</p>

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Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Monitoring Timing	Monitoring and Reporting Program	Standards for Success
<p>construction will not occur in the area and the District will coordinate with CDFW to obtain necessary permits to ensure protection of foothill yellow legged frog including an Incidental Take Permit (ITP).</p> <p>3. Prior to pre-construction surveys, the District will prepare a western pond turtle survey plan including site-specific avoidance, minimization, and/or relocation measures to be submitted for approval by CDFW. A qualified biologist shall conduct the pre-construction northwestern pond turtle surveys prior to any work (e.g., excavation, pipe installation, cofferdam installation and removal) within the stream zones.</p> <p>a. If no northwestern pond turtles are found during the pre-construction surveys, then construction of the Project will continue. If northwestern pond turtles are present during pre-construction surveys, then construction will not occur in the area and the District will follow the CDFW-approved survey plan for the northwestern pond turtle including coordination with CDFW.</p>				
<p>Mitigation Measure BIO-6: Native Aquatic Species Rescue and Relocation</p> <p>To avoid and/or minimize potential impacts on native aquatic species during the four stream crossings within the Project area, an aquatic species rescue plan shall be prepared to determine how native fish and other aquatic species will be rescued and relocated. This plan shall be submitted to the CDFW and shall include the methodology and procedures required to rescue and relocate native aquatic species stranded during the dewatering process including, but not limited to, the following:</p> <p>1. A CDFW-approved biologist (or crew of biologists) shall be on-site immediately prior to and during the dewatering process to conduct any necessary native aquatic species rescue activities in the immediate work area (e.g., fish, frogs).</p> <p>2. If a special-status species (e.g., California red-legged frog) is present and in harm's way, this species shall be relocated by a qualified biologist according to the aquatic species rescue plan or species-specific measures per USFWS and CDFW guidance.</p> <p>3. A qualified biologist shall relocate all stranded native aquatic species individuals to appropriate suitable habitat outside of the work areas.</p>	<p>The District. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Aquatic species rescue shall be conducted as needed prior to any in water work or water diversion is scheduled to take place.</p>	<p>Aquatic species rescue shall be conducted by qualified biologists and a brief aquatic species rescue report shall be developed and kept on file with the District.</p>	<p>Native aquatic species will not be disturbed before, during, or after Project construction activities.</p>

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Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Monitoring Timing	Monitoring and Reporting Program	Standards for Success
<p>Mitigation Measure BIO-7: Avoid or Minimize Impacts to Special-Status Bird Species, Nesting Raptors, and Other Migratory Birds Protected under the Migratory Bird Treaty Act (MBTA) and Fish and Game Code (FGC)</p> <p>Suitable nesting habitat for birds occurs throughout the Project area. Therefore, the District will implement one of the following measures, depending on the specific construction timeframe, to avoid disturbance to ground, tree, and other nesting birds:</p> <ol style="list-style-type: none"> 1. If construction activities are scheduled to occur during the nesting season (nesting season is approximately March 1 to August 31), a pre-construction nesting survey shall be conducted by a qualified biologist. <ol style="list-style-type: none"> a. The survey shall be conducted within the Project area and within approximately 100 feet of the Project area for migratory birds and 500 feet for raptors (as accessible). b. The survey shall be conducted within one week before initiation of construction activities. If no active nests are detected, then no additional measures are required. c. If active nests are present in any areas that would be directly or indirectly affected by construction activities, a no-disturbance buffer shall be established around the nest site until after the nesting season or after a qualified biologist determines that the young have fledged (typically late June to mid-July). The extent of the buffer shall be determined by a qualified biologist based on consideration of the species, the expected extent of noise or construction disturbance, ambient levels of noise and other disturbances, and line of sight between the nest and the disturbance (e.g., topographic or other visual barriers). d. For California Spotted Owl, surveys shall be conducted following the latest Service-approved protocols for either callback survey or acoustically-assisted survey. Surveys will be conducted implementing the one-year six-survey guidelines as presented within the Protocol for Surveying Spotted Owls in Proposed Management Activity Areas and Habitat Conservation Areas (USFS 1993). <ol style="list-style-type: none"> i. If surveys detect nesting or roosting California spotted owl, a limited operating period (LOP) will be implemented within 0.25 mile of the active nest or roost site (if known) or within an Activity Center (if active nest/roost site is not known), or in and within 0.25 mile of nesting/roosting habitat (if surveys were not conducted in habitat). For habitat-manipulating activities (e.g., removal of large trees 20-inch dbh and greater), implement an LOP from March 1 through August 31. For noise-generating activities that do not reduce habitat quantity or quality (e.g., vegetation removal and construction within the utility corridor), implement an LOP from March 1 through July 9. The specified buffer sizes and/or LOPs may be modified on a case-by-case basis if compelling information demonstrates a smaller buffer distance or shortened LOPs will still avoid potential effects. Requests to reduce the specified buffer sizes or LOPs will be submitted to the Service for review and approval. LOPs may be discontinued in a year if protocol-level surveys for determining reproductive status confirm owls are not nesting or fledglings have dispersed in that calendar year. 2. If construction activities are initiated outside the nesting season (approximately September 1 to February 28), then no pre-construction nesting survey shall be required. 3. If construction activities have been continuous (i.e., no lapse in construction activities of 10 days or longer in a specific area) once the nesting season begins, any birds nests that become established in or near the Project area shall be considered to be habituated to the construction activities (assuming there won't be a significant increase in construction disturbance or noise). If there has been a lapse in construction activities of 10 days or longer in a specific area during the nesting season or there will be a significant increase in construction disturbance or noise, a pre-construction nesting survey shall be conducted by a qualified biologist and no-disturbance buffers established (if needed) as described above. 	<p>The District. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>One nesting survey shall be conducted by a qualified biologist within one week prior to construction, should the proposed Project be initiated between March 1 and August 31. Additionally, if the proposed Project is initiated during that time frame, protocol surveys should be conducted for California Spotted Owl using the Protocol for Surveying Spotted Owls in Proposed Management Activity Areas and Habitat Conservation Areas (USFS 1993).</p>	<p>The survey(s) shall be conducted by a qualified biologist and a brief survey report shall be documented and kept on file with the District.</p>	<p>Special-status species, nesting raptors and other migratory birds covered under the MBTA and FGC will not be disturbed during the Project construction activities; exclusion buffers will be installed and monitored.</p>
<p>Mitigation Measure BIO-8: Avoid and Minimize Impacts to Riparian Habitat</p> <p>Riparian habitat is present at the four stream crossings within the Project area: North Fork Weber Creek, South Fork Weber Creek, North Fork Clear Creek, and Clear Creek. The Project would result in temporary impacts to riparian habitat along the four stream crossings within the Project area, which is considered a sensitive natural community. Therefore, per FGC Section 1602, if Project activities would obstruct the flow of, or alter the bed, channel, or bank of, any stream, a Notification of Lake and Streambed Alteration Agreement (LSAA) shall be submitted to CDFW. If required, an LSAA shall be obtained from CDFW and all conditions of the LSAA shall be implemented. Additionally, the implementation of Mitigation Measure BIO-4: Avoid and Minimize Impacts to California Red-legged Frog and Mitigation Measure BIO-9: Avoid and Minimize Impacts on Waters of the United States (WOTUS)/Waters of the State (WOTS) will further aid in the avoidance or minimization of the potential for adverse impacts on riparian habitat.</p>	<p>The District and the contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>If required, an LSAA shall be obtained from CDFW prior to construction.</p>	<p>The District shall ensure that, if required, an LSAA shall be obtained from CDFW prior to construction and the appropriate fees paid to comply with the FGC Section 1602.</p>	<p>Appropriate agreement compliance and compensation in coordination with CDFW.</p>
<p>Mitigation Measure BIO-9: Avoid and Minimize Impacts on Waters of the United States and Waters of the State</p> <p>The Project, including access and staging areas, has been designed to avoid waters and wetland features to the extent practicable. However, the Project would involve vegetation removal, trenching, and potential dewatering or diversion at the four stream crossings. These streams are WOTUS and WOTS (Stantec 2023b). In addition to Mitigation Measure Bio-4: Avoid and Minimize Impacts to California Red-legged Frog and Mitigation Measure BIO-8: Avoid and Minimize Impacts to Riparian Habitat, the following measures are recommended to avoid or minimize the potential for adverse impacts on WOTUS and WOTS:</p>	<p>The District and the contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Prior to construction, the District shall obtain a NWP #58 for Utility Line Activities for Water and Other Substances from USACE to comply with CWA Section 404, and a CWA Section</p>	<p>The District shall ensure that environmental permits/agreement shall be obtained prior to construction and the appropriate fees paid to comply with the regulatory agency compensatory mitigation schedule for temporary and</p>	<p>Appropriate State and federal permit/agreement compliance and compensation, including no net loss of WOTUS or WOTS from the Project.</p>

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Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Monitoring Timing	Monitoring and Reporting Program	Standards for Success
<ol style="list-style-type: none"> 1. Before any discharge of dredge or fill material into WOTUS/WOTS, the required permits/authorizations shall be obtained from United States Army Corps of Engineers (USACE) and the Regional Water Quality Control Borad (RWQCB). All terms and conditions of the required permits/authorizations shall be implemented. 2. Before any activities that would obstruct the flow of, or alter the bed, channel, or bank of any stream, a Notification of Streambed Alteration shall be submitted to CDFW. An LSAA shall be obtained from CDFW and all conditions of the LSAA shall be implemented. 3. All WOTUS/WOTS that are temporarily affected by Project construction shall be restored as close as practicable to their original contours within 10 days of the completion of construction activities. 4. Riparian vegetation removal shall be minimized to the greatest extent practicable. Where practicable, vegetation shall be cut with hand tools at ground level to enable regrowth from roots when construction is complete. 		401 WQC from the RWQCB.	permanent impacts to WOTUS or WOTS and riparian areas.	
<p>Mitigation Measure BIO-10: Avoid and Minimize Impacts to Oak Trees and Oak Woodlands</p> <p>Construction of the Project may require oak tree removal within the densely treed portions of the Project area. Also, trenching and other ground disturbance could encroach within the dripline of oak trees. The following measures will be implemented to avoid or minimize the potential for adverse impacts on oak trees and oak woodlands.</p> <ol style="list-style-type: none"> 1. Final design of the Project shall avoid oak tree removal and encroachment into the driplines of oak trees to the maximum extent practicable. 2. Protection zones for oak trees and oak woodlands that can be avoided shall be marked in the field (e.g., by installing and maintaining tree exclusion/protection fencing around oak tree driplines). No encroachment into the fenced areas shall be allowed and fencing shall remain in place until all construction activities in the vicinity have been completed. 3. Excessive soil compaction shall be prevented by carefully selecting storage areas and construction traffic routes. Stockpiled soil, construction materials, and excessive foot traffic shall be prohibited within the driplines of oak trees to the maximum extent practicable. 4. Oak tree roots to be severed shall be the maximum practicable distance from the trunk. To the extent practicable, roots that are damaged as a result of construction activities (e.g., jagged roots resulting from excavation with heavy equipment) shall be traced back and cleanly cut behind any split, cracked, or damaged area. Removed soil shall be backfilled as soon as practicable to minimize the drying of the roots. 5. Removal of soil, leaves, and vegetation within dripline of oaks shall be minimized to the extent practicable. 	The District and the contractor. This mitigation measure shall be referenced in the contract documents for the Project.	Prior to construction protection zones for oak trees and oak woodlands that can be avoided shall be marked in the field by installing and maintaining tree exclusion/protection fencing at least 1 foot outside of the oak tree driplines.	Any oak tree removal shall be documented by the contractor and a brief survey report shall be developed and kept on file with the District.	Impacts to oak trees within the Project area will be minimized to the greatest extent feasible.
Cultural Resources				
<p>Mitigation Measure CUL-1: Proper Handling of Inadvertent Discovery of Cultural Resources</p> <p>If cultural resources are encountered during construction, compliance with federal and State regulations and guidelines regarding the treatment of cultural resources and/or human remains shall be required.</p> <ol style="list-style-type: none"> 1. If potential prehistoric or historic-period archaeological resources are encountered during Project implementation, all construction activities within 100-feet shall halt and the District shall be notified. 2. A qualified archaeologist, defined as one meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology, shall inspect the findings as soon as practicable following discovery and report the results of the inspection to the District. 3. If the identified archaeological resource is determined to be prehistoric, the District and qualified archaeologist shall coordinate with and solicit input from a culturally affiliated Native American Tribal Representative regarding significance and treatment of the resource as a potential Tribal Cultural Resource. Any Tribal Cultural Resources discovered during Project work shall be treated in consultation with the tribe, with the goal of preserving in place with proper treatment. See MM TRIB-1, TRIB-2, and TRIB-3 for more discussion of tribes and culturally sensitive areas. 4. If the District determines that the resource qualifies as a historical resource or a unique archaeological resource (as defined pursuant to the CEQA Guidelines) and that the Project has potential to damage or destroy the resource, mitigation shall be implemented in accordance with PRC Section 21083.2 and CEQA Guidelines Section 15126.4. Consistent with CEQA Guidelines Section 15126.4(b)(3), mitigation shall be accomplished through either preservation in place or, if preservation in place is not feasible, data recovery through excavation. 5. If preservation in place is feasible, this may be accomplished through one of the following means: (1) modifying the construction plan to avoid the resource; (2) incorporating the resource within open space; (3) capping and covering the resource before building appropriate facilities on the resource site; or (4) deeding the resource site into a permanent conservation easement. 6. If avoidance or preservation in place is not feasible, a qualified archaeologist shall prepare and implement a detailed treatment plan to recover the scientifically consequential information from and about the resource, which shall be reviewed and approved by the District prior to any excavation at the resource site. 7. Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2, including creation of a treatment plan. Treatment for most resources shall consist of (but shall not be limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim of targeting the recovery of important scientific 	The District and contractor. This mitigation measure shall be referenced in the contract documents for the Project.	Prior to and during implementation of Project activities.	If subsurface cultural resources are uncovered during Project ground disturbing activities, the District's contractor shall complete the above steps.	Protection of archaeological resources.

SLY PARK INTERTIE IMPROVEMENTS PROJECT ENVIRONMENTAL IMPACT REPORT

Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Monitoring Timing	Monitoring and Reporting Program	Standards for Success
<p>data contained in the portion(s) of the significant resource to be impacted by the Project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and State repositories, libraries, and interested professionals.</p>				
<p>Mitigation Measure CUL-2: Cultural Resource Awareness Training The District shall provide cultural resources awareness training for workers prior to beginning Project construction activities. The District shall have a qualified archaeologist prepare training materials (i.e., printed handouts) that provide information on the following topics: How to recognize cultural resources, including prehistoric and historic artifacts What to do if artifacts are encountered in the Project area Information on other measures relevant to cultural resources Information on regulations and applicable civil and criminal penalties for violations. The training shall initially be presented to key Project personnel at the Project kickoff. Printed handouts shall be distributed and used for future reference by Project personnel. Project personnel that are trained during the Project kickoff shall be responsible for making sure that other workers on the Project receive the training before initiating on-site work. A roster of trained Project personnel shall be maintained in the Project construction office and made available for review by regulatory agencies, if needed. This training may be conducted in coordination with the tribal cultural resource awareness training (MM TRIB-2), biological resources awareness training (MM BIO-2), and paleontological resources awareness training (MM GEO-2).</p>	<p>The District and contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Training shall be conducted before work begins, and new personnel shall be trained before initiating on-site work.</p>	<p>The training shall be conducted by trained personnel and documented (by sign-in sheet or other method) by the District's contractor for the dates the training occurred, and the names of the staff trained. Retention of the reference pamphlets shall also be kept on the construction site and within District files.</p>	<p>Construction personnel are trained in the key characteristics for identifying and avoiding impacts to cultural resources.</p>
<p>Mitigation Measure CUL-3: Proper Handling of Inadvertent Discovery of Human Remains If human remains are encountered, work shall halt in the vicinity and the El Dorado County Coroner shall be notified immediately pursuant to Public Resources Code (PRC) Section 7050.5. At the same time, an archaeologist shall be contacted to evaluate the situation. If human remains are of Native American origin, the coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC shall identify the person or persons it believes to be the most likely decedent (MLD) from the deceased Native American. The MLD shall have an opportunity to make a recommendation to the landowner or the person responsible for the excavation work for means of treating, with appropriate dignity, the human remains, and any associated grave goods as provided in PRC Section 5097.98.</p>	<p>The District and contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Prior to and during implementation of Project activities.</p>	<p>If human remains are encountered (or are suspected) during any project related activity, the District's contractor shall complete the activities in this mitigation measure.</p>	<p>Protection of archaeological, tribal cultural resources, and human remains.</p>

SLY PARK INTERTIE IMPROVEMENTS PROJECT ENVIRONMENTAL IMPACT REPORT

Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Monitoring Timing	Monitoring and Reporting Program	Standards for Success
Geology and Soils				
<p>Mitigation Measure GEO-1: Prepare and Implement a Stormwater Pollution Prevention Plan (SWPPP) The selected construction contractor shall be required to comply with a site-specific SWPPP to reduce the risk of substantial soil erosion or loss of topsoil in accordance with requirements of the latest amendment of the National Pollution Discharge Elimination System (NPDES) General Construction Permit. The Construction General Permit requires the development of a SWPPP by a certified Qualified SWPPP Developer (QSD). The SWPPP is required to identify appropriate BMPs to prevent erosion or soil loss from the Project site. These measures would include the implementation of construction staging in a manner that minimizes the amount of area disturbed at any one time; secondary containment for storage of fuel and oil; and the management of stockpiles and disturbed areas by means of earth berms, diversion ditches, straw wattles, straw bales, silt fences, gravel filters, mulching, revegetation, and temporary covers as appropriate. The SWPPP shall also meet post-construction performance standards to ensure the post construction site is stabilized appropriately.</p>	<p>The District shall ensure the SWPPP is prepared by a certified QSD and implemented consistent with all applicable requirements. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>The SWPPP shall be prepared prior to construction and implemented during the duration of construction, and the site should be stabilized post-construction.</p>	<p>The District shall monitor implementation of the mitigation measure and a copy of the SWPPP shall be present at the Project site during construction as well as at District offices.</p>	<p>Adherence to all applicable conditions and no substantial erosion or topsoil loss during or post-construction.</p>
<p>Mitigation Measure GEO-2: Paleontological Resources Awareness Training The District shall provide paleontological awareness training for workers prior to beginning Project construction activities. The District shall have a qualified paleontologist prepare training materials (i.e., printed handouts) that provide information on the following topics: How to recognize paleontological resources What to do if paleontological resources are suspected or encountered in the Project area Information on avoidance and other measures relevant to paleontological resources Confidentiality and appropriate treatment of paleontological resources (MM GEO-3) Information on regulations and applicable civil and criminal penalties for violations The training shall initially be presented to key Project personnel at the Project kickoff. Printed handouts shall be distributed and used for future reference by Project personnel. Project personnel that are trained during the Project kickoff shall be responsible for making sure that other workers on the Project receive the training before initiating on-site work. A roster of trained Project personnel shall be maintained in the Project construction office and made available for review by regulatory agencies, if needed. This training may be conducted in coordination with the tribal cultural resource awareness training (MM TRIB-2), cultural resources awareness training (MM CUL-2), and biological resources awareness training (MM BIO-2).</p>	<p>The District and contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Training shall be conducted before work begins, and new personnel shall be trained before initiating on-site work.</p>	<p>The training shall be conducted by trained personnel and documented (by sign-in sheet or other method) by the District's contractor for the dates the training occurred, and the staff trained. Retention of the training reference pamphlets shall also be kept on the construction site and within District files.</p>	<p>Construction personnel are trained in the key characteristics for identifying and avoiding impacts to paleontological resources.</p>
<p>Mitigation Measure GEO-3: Proper Handling of the Unanticipated Discovery of Paleontological Resources or Unique Geologic Features If paleontological resources (i.e., fossils) and/or unique geologic features are encountered during construction, compliance with federal regulations (16 United States Code [USC] Chapter 1C, Sections 470aa through 470aaa-11) and guidelines (Society of Vertebrate Paleontology [SVP] guidelines) regarding the treatment of such resources shall be required. If paleontological resources or unique geologic features are encountered during ground disturbing activities, work within 100 feet of the discovery shall be halted until the District notifies a qualified geologist or paleontologist to evaluate the significance of the find. If the find is determined to be significant, the District shall determine the appropriate avoidance measures or other appropriate mitigation in consultation with a qualified geologist or paleontologist and landowner, such as site salvage. Significant paleontological resources recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified paleontologist according to current professional standards. The SVP provides guidelines on assessment and mitigation of adverse impacts to paleontological resources.</p>	<p>The District and contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>During all ground-disturbing activities.</p>	<p>If any find is determined to be significant, representatives of the District shall document consultation with a qualified geologist or paleontologist and document the determination of recommended protection and avoidance measures or other appropriate mitigation. The District shall prepare a brief memorandum incorporating notes and records from the contractor and qualified geologist or paleontologist to document steps taken to comply with the avoidance measures or other appropriate mitigation. The memorandum shall be kept on file at the District's offices.</p>	<p>The evaluation and recording of any newly identified paleontological resources and unique geologic features, and treatment by avoidance, protection, or documentation of any discovered resource that qualify as significant.</p>
Hazards and Hazardous Resources				
<p>Mitigation Measure GEO-1: Prepare and Implement a SWPPP See Geology and Soils section above</p>	<p>See Geology and Soils Section above</p>	<p>See Geology and Soils Section above</p>	<p>See Geology and Soils Section above</p>	<p>See Geology and Soils Section above</p>
<p>Mitigation Measure TRA-1: Prepare and Implement a Traffic Control Plan See Transportation section below</p>	<p>See Transportation section below</p>	<p>See Transportation section below</p>	<p>See Transportation section below</p>	<p>See Transportation section below</p>
<p>Mitigation Measure WILD-1: Prepare and Implement a Fire Safety Plan See Wildfires Section below</p>	<p>See Wildfires Section below</p>	<p>See Wildfires Section below</p>	<p>See Wildfires Section below</p>	<p>See Wildfires Section below</p>
<p>Mitigation Measure HAZ-1: Prepare and Implement a Hazardous Materials Release Prevention Plan The District shall create and implement a Hazardous Materials Release Prevention Plan to reduce the risk of exposure to hazards due to the handling of hazardous materials during construction. The plan shall identify control measures to prevent the release of hazardous materials, as well as a detailed action plan to respond to an incidental spill in compliance with all local, State, and federal regulations relating to the handling and disposal of hazardous materials. The plan shall include, but would not be limited to, the following:</p>	<p>The District shall be responsible for verifying and documenting that the Hazardous Materials Release Prevention Plan meets all applicable requirements. The selected construction contractor shall be</p>	<p>Plan preparation shall be required prior to construction. Plan implementation shall be required throughout construction.</p>	<p>The Hazardous Materials Release Prevention Plan shall be developed by the construction contractor and shall be required to be kept on-site during Project activities. Additionally, the contractor shall provide the District with copies of the</p>	<p>Hazardous materials release prevention and adherence to plan conditions and release prevention practices.</p>

SLY PARK INTERTIE IMPROVEMENTS PROJECT ENVIRONMENTAL IMPACT REPORT

Mitigation Monitoring and Reporting Program

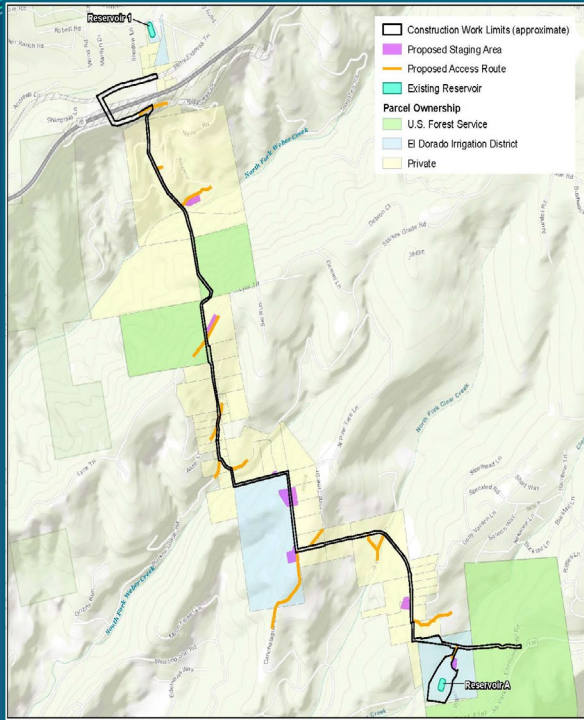
Mitigation Measure	Responsible Party	Monitoring Timing	Monitoring and Reporting Program	Standards for Success
<p>Containment and cleanup equipment (e.g., absorbent pads, mats, socks, granules, drip pans, shovels, and lined clean drums) shall be at the staging areas and construction sites for use, as needed.</p> <p>Staging areas where refueling, storage, and maintenance of equipment occur shall not be located within 100 feet of drainages to reduce the potential for contamination by spills.</p> <p>Construction equipment shall be maintained and kept in good operating condition to reduce the likelihood of line breaks or leakage.</p> <p>No refueling or servicing shall be done within 25 feet of a waterway and without absorbent material (e.g., absorbent pads, mats, socks, pillows, and granules) or drip pans underneath to contain spilled material. If these activities result in an accumulation of materials on the soil, the soil shall be removed and properly disposed of as hazardous waste.</p> <p>If a spill is detected, construction activities shall immediately cease in the area, and the procedures described in the plan shall be immediately enacted to safely contain and remove spilled materials.</p> <p>Hazardous waste shall not be stored or accumulated within the Project area. All contaminated materials shall be classified as hazardous waste and disposed of in accordance with all local, State, and federal regulations.</p> <p>Spill areas shall be restored to pre-spill conditions, as practicable.</p> <p>Spills shall be documented and reported to the District and appropriate resource agency personnel.</p>	<p>responsible for following the plan and implementing the action plan in event of a spill. This mitigation measure shall be referenced in the contract documents for the Project.</p>		<p>plan; one shall remain on file at the Project site and the other shall remain at District offices. The contractor shall ensure all construction workers involved in the operation and movement of construction equipment are familiar with the plan and that the plan is appropriately followed throughout construction.</p>	
Hydrology and Water Quality				
<p>Mitigation Measure GEO-1: Prepare and Implement a SWPPP See <i>Geology and Soils</i> section above</p>	<p>See <i>Geology and Soils</i> Section above</p>	<p>See <i>Geology and Soils</i> Section above</p>	<p>See <i>Geology and Soils</i> Section above</p>	<p>See <i>Geology and Soils</i> Section above</p>
<p>Mitigation Measure HAZ-1: Prepare and Implement a Hazardous Materials Release Prevention Plan See <i>Hazards and Hazardous Materials</i> section above</p>	<p>See <i>Hazards and Hazardous Materials</i> section above</p>	<p>See <i>Hazards and Hazardous Materials</i> section above</p>	<p>See <i>Hazards and Hazardous Materials</i> section above</p>	<p>See <i>Hazards and Hazardous Materials</i> section above</p>
<p>Mitigation Measure BIO-8: Avoid and Minimize Impacts to Riparian Habitat See <i>Biological Resources</i> section above</p>	<p>See <i>Biological Resources</i> section above</p>	<p>See <i>Biological Resources</i> section above</p>	<p>See <i>Biological Resources</i> section above</p>	<p>See <i>Biological Resources</i> section above</p>
<p>Mitigation Measure BIO-9: Avoid and Minimize Impacts to Waters of the United States and Waters of the State See <i>Biological Resources</i> section above</p>	<p>See <i>Biological Resources</i> section above</p>	<p>See <i>Biological Resources</i> section above</p>	<p>See <i>Biological Resources</i> section above</p>	<p>See <i>Biological Resources</i> section above</p>
Public Services				
<p>Mitigation Measure TRA-1: Prepare and Implement a Traffic Control Plan See <i>Transportation</i> section below</p>	<p>See <i>Transportation</i> section below</p>	<p>See <i>Transportation</i> section below</p>	<p>See <i>Transportation</i> section below</p>	<p>See <i>Transportation</i> section below</p>
Transportation				
<p>Mitigation Measure TRA-1: Prepare and Implement a Traffic Control Plan The construction contractor and/or the District shall prepare and implement a traffic control plan. The traffic control plan shall contain detailed measures approved by the County in order to ensure acceptable levels of traffic flow, emergency response notification and response times, and public and school bus transit coordination and detours. The plan shall include at a minimum: discussion of expected construction schedule and locations, traffic control measures, residential access procedures, and coordination with and notification of residents, emergency response agencies, and school districts affected by lane and road closures to ensure delays are minimized, detours are noticed, and that emergency access remains possible at all times.</p>	<p>The District shall ensure the selected contractor appropriately prepares and implements the traffic control plan in accordance with all applicable guidelines and the requirements of this mitigation measure through approval by County Department of Transportation. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Prior to and during construction.</p>	<p>The District shall monitor and coordinate with the contractor during weekly construction meetings to ensure that the traffic control plan is implemented successfully as documented in inspection logs, and the traffic control plan shall remain on file at the District.</p>	<p>Traffic flow remains at acceptable levels, emergency access remains reasonably possible at all times, school bus routes in the area and residents are appropriately apprised of road closures, delays, and lane restrictions, and the Project area remains in compliance with all applicable transportation goals, policies, and requirements.</p>

SLY PARK INTERTIE IMPROVEMENTS PROJECT ENVIRONMENTAL IMPACT REPORT

Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Monitoring Timing	Monitoring and Reporting Program	Standards for Success
Tribal Cultural Resources				
<p>Mitigation Measure TRIB-1: Implement Best Management Practices to Reduce or Avoid Impacts on Tribal Cultural Resources</p> <p>The District shall implement the following measure to reduce or avoid impacts on tribal cultural resources (TCRs). If interested Native American tribe(s) provide information demonstrating the significance of the Project site and specific evidence supporting the determination that the site is sensitive for TCRs, the District will conduct a site visit with tribal representatives to evaluate the potential for TCRs at the Project site. If tribal representatives and the District determine the site is sensitive for TCRs and that the proposed Project may have a significant impact on TCRs, the District, in consultation with tribal representatives, will develop and implement best management practices (BMPs) to reduce or avoid impacts on TCRs. BMPs may include but are not limited to: 1) modify the proposed Project to preserve the TCRs in place, 2) establish exclusion zones and/or minimize work activities in proximity to TCRs, or (3) implement other recommendations developed in consultation with tribal representatives to minimize potential impacts to TCRs.</p>	<p>The District and contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Prior to and during implementation of ground disturbing Project activities.</p>	<p>If subsurface TCRs resources are uncovered during Project ground disturbing activities, the District's contractor shall complete the above activities.</p>	<p>Protection of TCRs.</p>
<p>Mitigation Measure TRIB-2: Tribal Cultural Resource Awareness Training</p> <p>The District shall provide TCR awareness training for workers prior to beginning Project construction activities. The District shall utilize information provided by culturally affiliated tribal representatives to develop the training materials (i.e., printed handouts) that provide information on the following topics:</p> <p>How to recognize TCRs</p> <ul style="list-style-type: none"> What to do if TCRs are suspected or encountered in the Project area Information on avoidance and other measures relevant to TCRs Confidentiality and culturally appropriate treatment of TCRs Information on regulations and applicable civil and criminal penalties for violations <p>The training materials will be shared with tribal representatives and tribal representatives will be invited to participate in the training. The training shall be presented to Project personnel at the Project kickoff. Printed handouts shall be distributed and used for future reference by Project personnel. A roster of trained Project personnel shall be maintained in the Project construction office and made available for review by regulatory agencies and culturally affiliated tribal representatives if needed. This training may be conducted in coordination with the cultural resources awareness training (MM CUL-2), paleontological resources training (MM GEO-2), and biological resources awareness training (MM BIO-2).</p>	<p>The District and contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Training shall be conducted before work begins, and new personnel shall be trained before initiating on-site work.</p>	<p>The training shall be conducted by trained personnel and documented (by sign-in sheet or other method) by the District's contractor for the dates the training occurred, and the staff trained. Retention of the training reference pamphlets shall also be kept on the construction site and within District files.</p>	<p>Construction personnel are trained in the key characteristics for identifying and avoiding impacts to TCRs.</p>
<p>Mitigation Measure TRIB-3: Proper Handling of Inadvertent Discovery of Tribal Cultural Resources</p> <p>The District shall implement the following measure to reduce or avoid impacts and address the evaluation and treatment of inadvertent discoveries of potential TCRs during Project activities. If any suspected TCRs are discovered during Project construction activities, all work shall cease within 100-feet of the discovery. The District shall invite a tribal representative from culturally affiliated tribes to visit the site and examine the discovery to determine whether or not the discovery represents a TCR (PRC §21074). Tribal representatives shall have 48 hours to respond to the District's notification and schedule a site visit. If the discovery represents a TCR, the District will work with tribal representatives to develop recommendations for culturally appropriate treatment. Recommendations may include but are not limited to: (1) modifying the Project to preserve the TCR in place, (2) establishing exclusion zones and/or minimizing work activities in proximity to the TCR, or (3) implementing other recommendations developed in consultation with tribal representatives to minimize potential impacts to the TCR. Work at the discovery location will not resume until the agreed upon treatment has been implemented to the satisfaction of the District. See MM CUL-1 for an inadvertent discovery that qualifies as a historical or a unique archaeological resource.</p>	<p>The District; the contractor. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Prior to and during implementation of ground disturbing Project activities.</p>	<p>If TCRs are encountered during Project ground disturbing activities, the District's contractor shall complete the above activities.</p>	<p>Protection of TCRs.</p>
Wildfires				
<p>Mitigation Measure WILD-1: Prepare and Implement a Fire Safety Plan</p> <p>The District shall require the Project contractor to prepare a Fire Safety Plan prior to construction activities and to implement the Fire Safety Plan during all vegetation removal and construction activities. The plan shall describe preventative measures for fire protection; procedures for evaluating weather conditions during which fire risk is elevated (conditions under which activities would cease due to elevated fire conditions); equipment used to prevent fire and respond to a fire immediately; personnel responsibilities and assignments to implement the Fire Safety Plan; and other measures to reduce fire risk during construction.</p>	<p>Responsible Party: The District shall ensure the selected contractor appropriately prepares and implements the Fire Safety Plan in accordance with all applicable guidelines and the requirements of this mitigation measure. This mitigation measure shall be referenced in the contract documents for the Project.</p>	<p>Timing: Prior to and during construction.</p>	<p>The District shall monitor and coordinate with the contractor during weekly construction meetings to ensure that the Fire Safety Plan is implemented successfully as documented in inspection logs, and the Fire Safety Plan shall remain on file at the District.</p>	<p>Fire prevention through adherence to plan conditions and fire prevention practices.</p>

Sly Park Intertie Improvements Project



Environmental Impact Report
Public Hearing
April 8, 2024



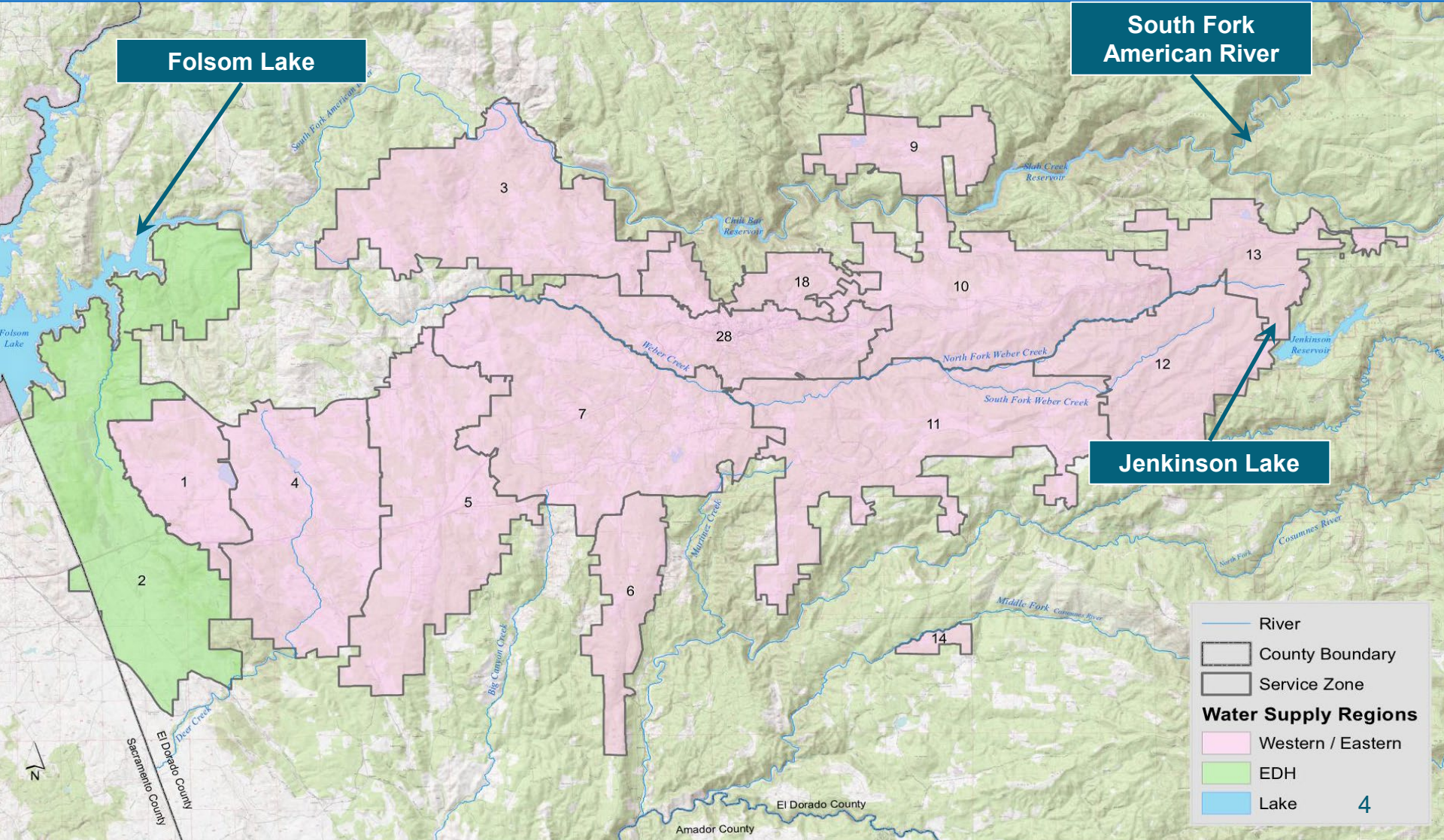
Public Hearing Outline

- Project background and overview
- Environmental review process
- Consideration and certification of the Environmental Impact Report
- Project approval consistent with California Environmental Quality Act

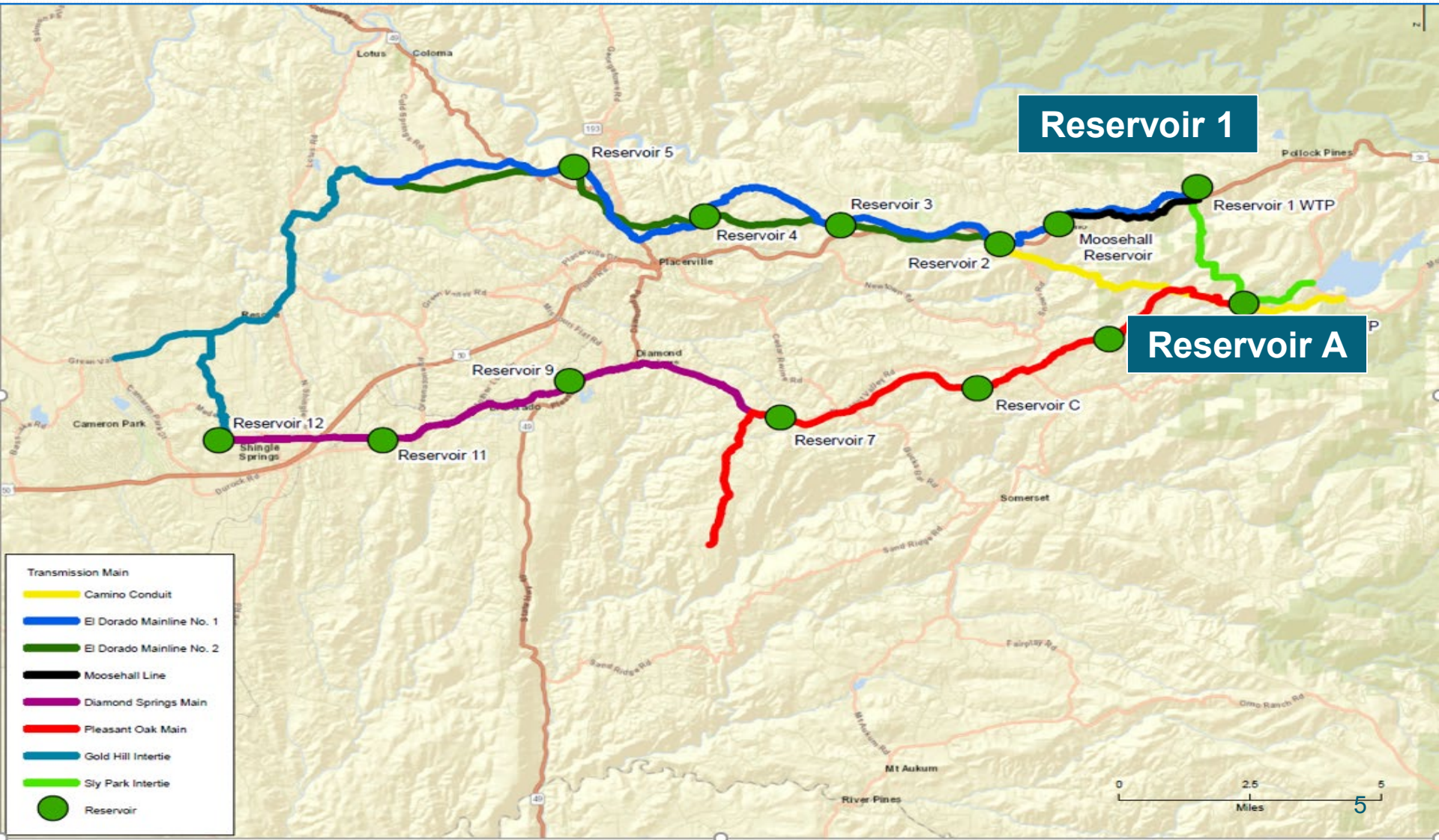
Project Background

- Sly Park Intertie (SPI) originally built in 1978
- Conveyed untreated water from Reservoir 1 to Jenkinson Lake
- Reservoir A pump station built in 1993
- Conveyed untreated water from Jenkinson Lake to Reservoir 1
- SPI taken out of service in 2013

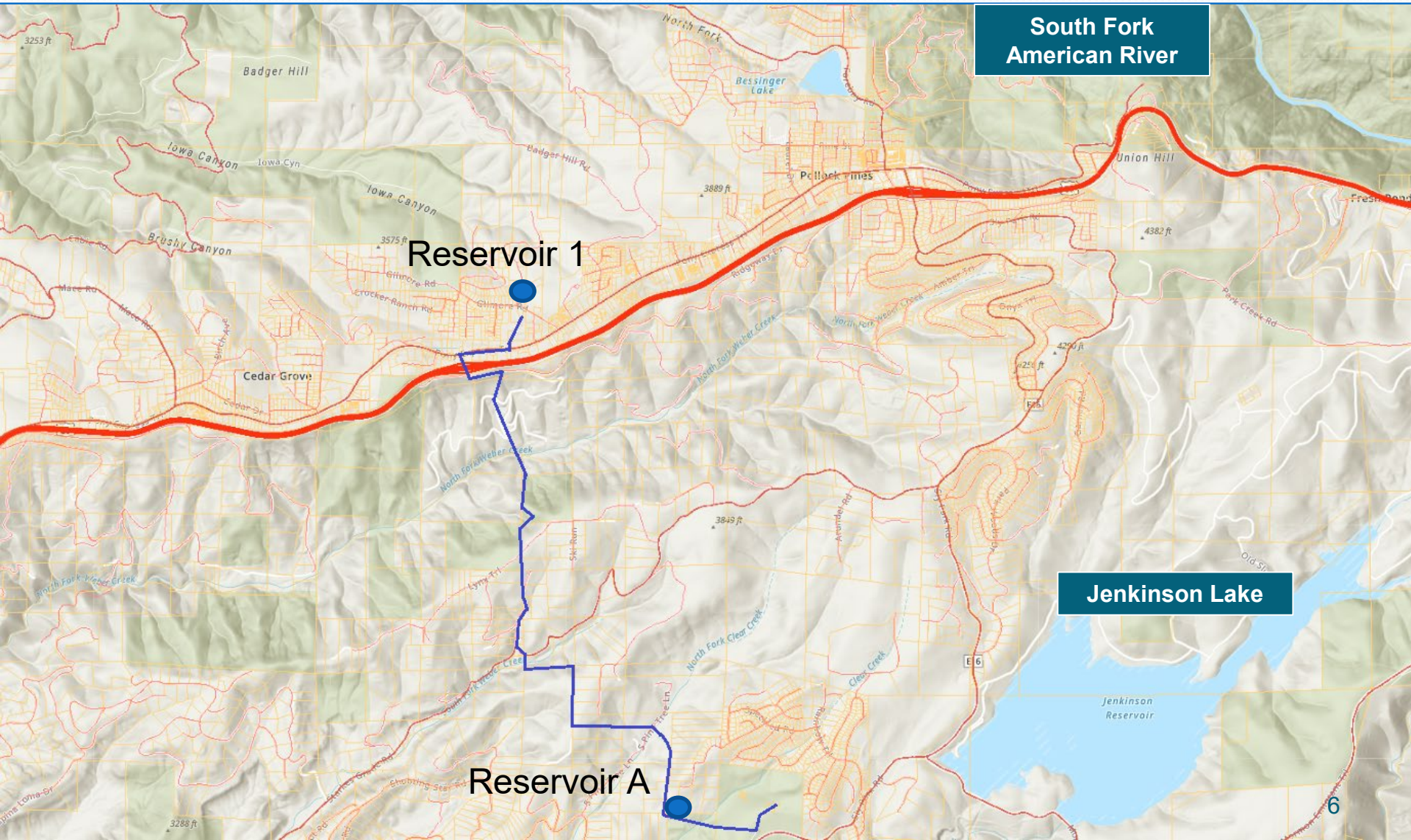
District Water Supplies



Water Transmission System



Project Location

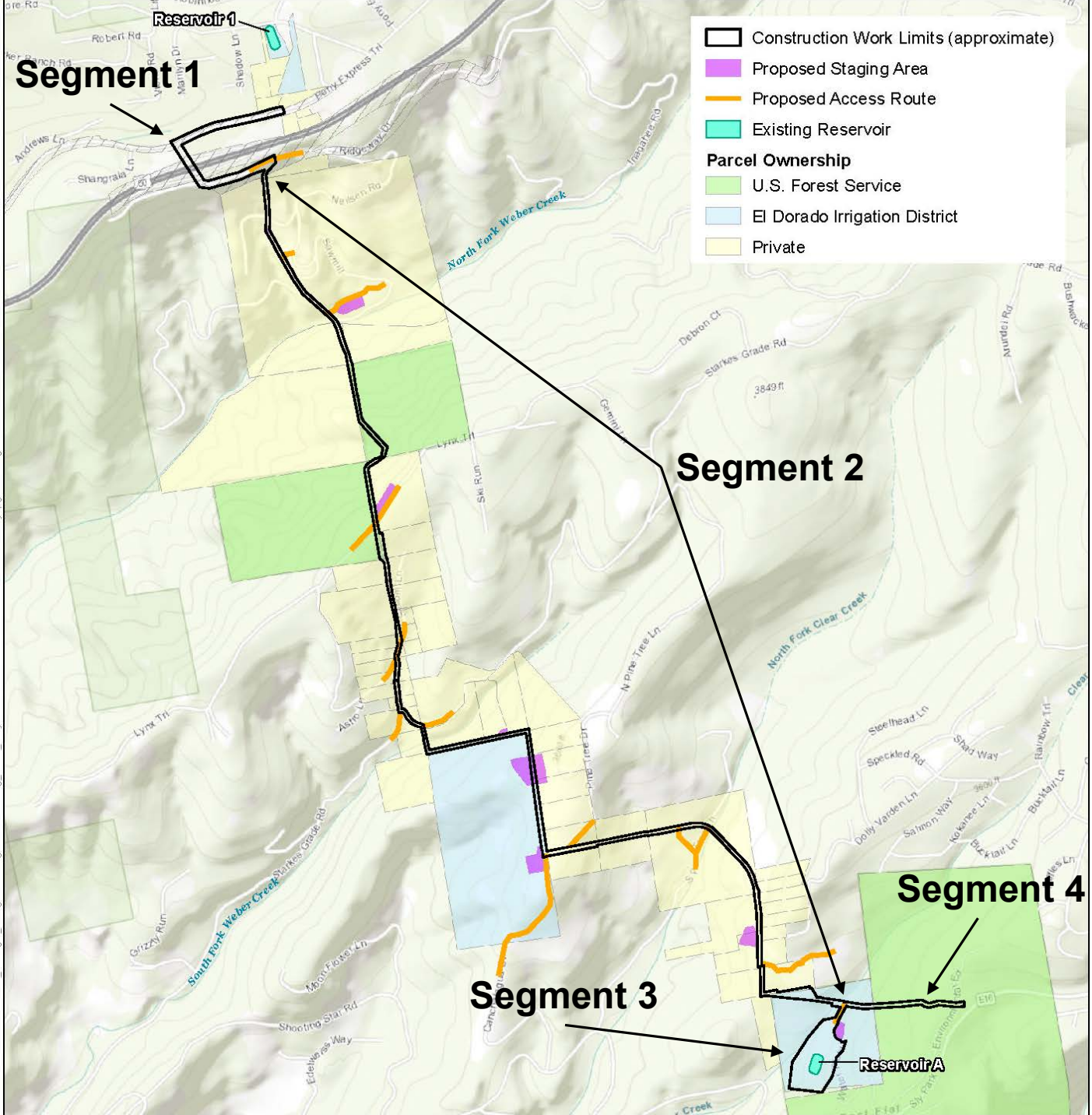


Project Objectives

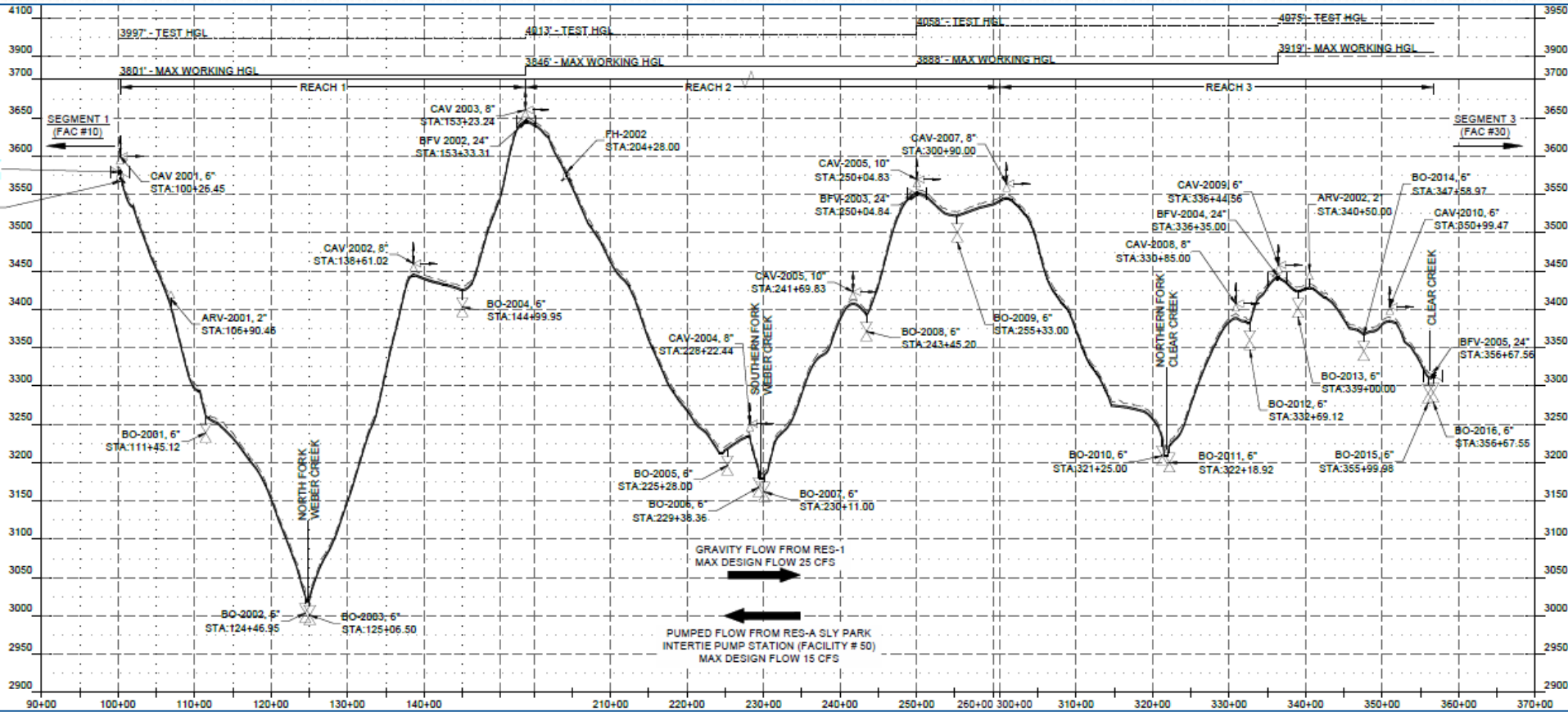
- Improve drinking water supply reliability with a bi-directional pipeline
- Provide uninterrupted drinking water supply during an emergency or scheduled plant shutdown
- Reduce energy use by maximizing system gravity flows and utilizing new high efficiency pumps
- Improve water quality and reduce the scale and cost of water quality treatments

Proposed Project

- Replace approximately 6 miles of existing pipeline and construct a new pump station
 - Primarily installed along existing alignment
 - 8 staging areas and 13 access points
 - 50-foot construction corridor, reduced to 30 feet at creek crossings



Proposed Project



Pipeline Installation

- Typical Construction Activities
 - Remove vegetation
 - Excavate and remove existing pipeline
 - Placement of new pipeline
 - Backfill and compaction
 - Restore disturbed area



Reservoir A Pump Station



Construction Schedule

- Anticipated start summer of 2024
- Pipeline construction estimated at a rate of 120 to 160 feet per day
- Construction anticipated to be substantially complete by the end of 2025
- Pipeline testing and placed into service in 2026

California Environmental Quality Act (CEQA)

- Describe potential environmental effects
- Identify ways to prevent, avoid, or reduce significant environmental impacts
- Foster public participation
- Promote interagency coordination

CEQA Timeline

- Notice of Preparation
 - Public review February 3 – March 9, 2023
 - Public scoping meeting February 15, 2023
- Draft Environmental Impact Report
 - Public review January 16 – February 29, 2024
 - Public scoping meeting February 7, 2024
- Final Environmental Impact Report
 - Notice of Completion March 27, 2024

Ongoing Public Outreach

- Notifications to local residents
- Site visits with property owners adjacent to the project
- Public meetings
- Project website with regular project updates
- Email notifications with project updates

Environmental Impact Report (EIR)

- Describe the existing environmental conditions
- Describe and analyze the environmental effects of the project
- Consider reasonable alternatives
- Discuss ways to avoid or substantially lessen significant environmental effects
- Agency and public input on scope and analysis

Draft EIR

- Analyzed all 20 environmental factors listed in the CEQA Guidelines
- Conducted resource-specific studies and modeling
- Analyzed project alternatives
- Incorporated mitigation measures for various resources
- Draft mitigation, monitoring, and reporting program (MMRP)

Mitigation Measures

- Aesthetics and Visual Resources
- Air Quality
- Biological resources
- Cultural resources
- Geology and Soils
- Hazards and Hazardous Resources
- Hydrology and Water Quality
- Transportation
- Tribal Cultural Resources
- Wildfires

Draft EIR concluded project impacts were less-than-significant with mitigation measures incorporated

Comments Received on Draft EIR

- Received 5 comments on the draft EIR
 - CA Department of Fish and Wildlife
 - Biological survey plans and impacts
 - Construction personnel training
 - Mitigation measures
 - 4 adjacent property owners
 - Construction noise, access, traffic, and duration
 - Biological impacts
 - Fire protection

Final EIR

- Response to comments
 - No significant new information was received from the comments and no substantial changes needed to the draft EIR
- Minor revisions and clarifications
- Final MMRP
- No change to the draft EIR findings and conclusions

Completing CEQA

- Adopt Board resolution
 - Certifying the EIR
 - Adopting the Findings of Fact and MMRP
 - Approve the project in accordance with CEQA

Certifying Final EIR

- Final EIR has been completed in compliance with CEQA
- Final EIR was presented to the District Board of Directors
- Board reviewed and considered information contained in final EIR prior to approving the project
- Final EIR reflects the District's independent judgment and analysis

Adopt Findings of Fact and MMRP

- Describes how each of the significant impacts identified in the EIR are mitigated
- Describes measures incorporated into the project to avoid or lessen significant effect
- Discusses project alternatives
- Incorporates the MMRP into the project

Project Approval per CEQA

- The project will not have a significant effect on the environment
- The District has substantially lessened all potentially significant effects on the environment
- Approval of the project pursuant to CEQA does not commit the District to proceed with the project

Board Options

- Option 1
- Adopt Proposed Resolution:
 - Certifying that the final EIR was presented to the Board of Directors, and the Board has reviewed and considered the information contained in the final EIR prior to acting on the Project;
 - Certifying that the final EIR reflects the independent judgment and analysis of the District and the information disclosed therein is accurate, adequate, and objective;
 - Certifying that the final EIR has been completed in compliance with CEQA;

Board Options

- Option 1 (continued)
 - Adopting the Findings of Fact including the Mitigation Monitoring and Reporting Program;
 - Approving the Project as described in the final EIR as the Sly Park Intertie Improvements Project in accordance with CEQA;
 - Specifying that the documents or other materials which constitute the record of proceedings upon which this decision is based shall be in the custody of the Clerk to the Board at District Headquarters; and
 - Directing staff to file a Notice of Determination with the El Dorado County Clerk and the Governor's Office of Planning and Research.

Board Options

- Option 2: Take other action as directed by the Board
- Option 3: Take no action

Recommendation

- Option 1

EL DORADO IRRIGATION DISTRICT

SUBJECT: Capital Improvement Plan project completion summary.

PREVIOUS BOARD ACTION

June 12, 2023 – Staff provided a Capital Improvement Plan (CIP) project completion summary.

October 23, 2023 – Board adopted the 2024–2028 Capital Improvement Plan, subject to available funding.

BOARD POLICIES (BP), ADMINISTRATIVE REGULATIONS (AR) AND BOARD AUTHORITY

BP 3010 Budget Development

SUMMARY OF ISSUE

This item will review CIP construction projects completed since the last update provided to the Board on June 12, 2023, and provide information on total construction expenditures and project balances.

BACKGROUND/DISCUSSION

Staff provides regular updates on completed construction projects, expenditures, and project balances. The following table identifies projects recently completed or substantially completed. The table also indicates CIP planned expenditures, total funding authorized for construction, remaining project balance, initial construction contract amount, final construction contract amount, and change order percentage. During the meeting, staff will also provide an update on other projects currently in construction, Federal Emergency Management Agency (FEMA) recovery efforts, and grant applications.

Project Number	Project Name	CIP Planned Expenditures	Total Authorized for Construction	Remaining Balance ¹	Construction Contract Award Amount	Estimated Final Construction Contract Amount	Percent Change
18035	EDHWWTP WAS DAFT Rehabilitation	\$1,878,067	\$2,412,661	\$298,585	\$1,579,693	\$1,592,641	0.8%
19033	Reservoir A WTP PLC Upgrades	\$930,000	\$1,415,990	\$74,414	\$844,000	\$807,395	-4.3%
21037	Sly Park Day-Use Area Stabilization	\$400,000	\$522,079	\$81,462	\$286,990	\$285,430	-0.5%
21064	EDHWWTP Backwash Tank Cathodic Protection	N/A	\$70,000	\$42,333	\$19,279	\$19,279	0%
21077	EDHWWTP Secondary Effluent Pump Station Modifications	\$110,000	\$680,532	\$53,889	\$374,300	\$458,650	22.5%
22039	EDHWWTP Filter 5 and 6 Rehabilitation	\$2,220,000	\$2,104,793	\$112,680	\$819,200	\$839,654	2.5%
22047	Pinecone Campground Paving	N/A	\$90,464	\$7,557	\$74,509	\$73,768	-1.0%
22052	Project 184 Animal Fencing Replacement	N/A	\$614,523	\$153,038	\$416,517	\$440,885	5.8%
23032	Marina Village Lift Station Culvert Replacement	N/A	\$355,000	\$93,514	\$215,000	\$215,000	0%
	Totals	\$5,538,067	\$8,266,042	\$917,472	\$4,629,488	\$4,732,702	2.2%

EDHWWTP – El Dorado Hills Wastewater Treatment Plant

PLC – Programmable Logic Controller

WAS DAFT – Waste Activated Sludge Dissolved Air Flotation Thickener

WTP – Water Treatment Plant

¹ Projects may incur incidental capitalized labor charges to close out the project. Remaining funds are returned to the original funding source (rates or facility capacity charges).

BOARD OPTIONS

None – Information only.

RECOMMENDATION


None – Information only.

ATTACHMENTS

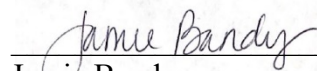
None



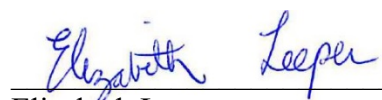
Jon Money
Engineering Manager



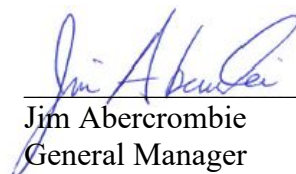
Brian Mueller
Engineering Director



Jamie Bandy
Finance Director



Elizabeth Leeper
Senior Deputy General Counsel



Jim Abercrombie
General Manager



Capital Improvement Plan Project Completion Summary

April 8, 2024

Purpose

- Review recently completed capital improvement projects
- Provide information on construction expenditures and project balances
- Provide overview of projects in construction, FEMA recovery efforts, and grant applications



Recently Completed Projects

Project Number	Project Name	CIP Planned Expenditures	Total Authorized for Construction	Remaining Balance ¹	Construction Contract Award Amount	Estimated Final Construction Contract Amount	Percent Change
18035	EDHWWTP Waste Activated Sludge Dissolved Air Floatation Rehabilitation	\$1,878,067	\$2,412,661	\$298,585	\$1,579,693	\$1,592,641	0.80%
19033	Reservoir A WTP PLC Upgrades	\$930,000	\$1,415,990	\$74,414	\$844,000	\$807,395	-4.30%
21037	Sly Park Day-Use Area Stabilization	\$400,000	\$522,079	\$81,462	\$286,990	\$285,430	-0.50%
21064	EDHWWTP Backwash Tank Cathodic Protection	N/A	\$70,000	\$42,333	\$19,279	\$19,279	0%
21077	EDHWWTP Secondary Effluent Pump Station Modifications	\$110,000	\$680,532	\$53,889	\$374,300	\$458,650	22.50%
22039	EDHWWTP Filter 5 and 6 Rehabilitation	\$2,220,000	\$2,104,793	\$112,680	\$819,200	\$839,654	2.50%
22047	Pinecone Campground Paving	N/A	\$90,464	\$7,557	\$74,509	\$73,768	-1.00%
22052	Project 184 Animal Fencing Replacement	N/A	\$614,523	\$153,038	\$416,517	\$440,885	5.80%
23032	Marina Village Lift Station Culvert Replacement	N/A	\$355,000	\$93,514	\$215,000	\$215,000	0%
	Totals	\$5,538,067	\$8,266,042	\$917,472	\$4,629,488	\$4,732,702	2.20%



EDHWWTP WAS DAFT Rehabilitation



EDHWWTP WAS DAFT Rehabilitation

Item	Cost
CIP Planned Expenditures	\$1,878,067
Total Authorized for Construction	\$2,412,661
Remaining Balance	\$298,585
Construction Contract Award Amount	\$1,579,693
Estimated Final Construction Contract Amount	\$1,592,641

- 0.8% change in construction contract amount



Sly Park Day-Use Area Stabilization



Sly Park Day-Use Area Stabilization

Item	Cost
CIP Planned Expenditures	\$400,000
Total Authorized for Construction	\$522,079
Remaining Balance	\$81,462
Construction Contract Award Amount	\$286,990
Estimated Final Construction Contract Amount	\$285,430

- -0.5% change in construction contract amount



EDHWWTP Backwash Tank Cathodic Protection



EDHWWTP Backwash Tank Cathodic Protection

Item	Cost
CIP Planned Expenditures	N/A
Total Authorized for Construction	\$70,000
Remaining Balance	\$42,333
Construction Contract Award Amount	\$19,279
Estimated Final Construction Contract Amount	\$19,279

- No change in construction contract amount



EDHWWTP Secondary Effluent Pump Station Modifications



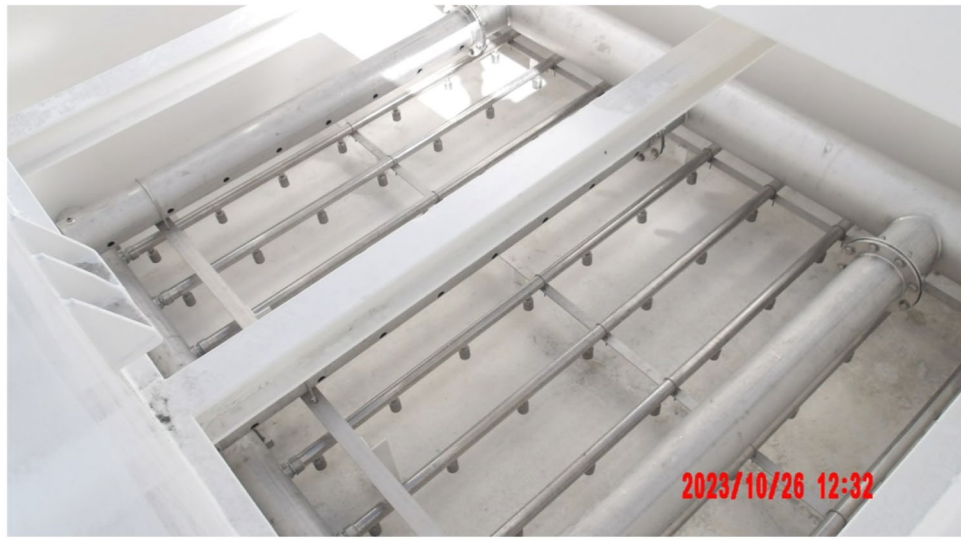
EDHWWTP Secondary Effluent Pump Station Modifications

Item	Cost
CIP Planned Expenditures	\$110,000
Total Authorized for Construction	\$680,532
Remaining Balance	\$53,889
Construction Contract Award Amount	\$374,300
Estimated Final Construction Contract Amount	\$458,650

- 22.5% change in construction contract amount



EDHWWTP Filter 5 and 6 Rehabilitation



EDHWTP Filter 5 and 6 Rehabilitation

Item	Cost
CIP Planned Expenditures	\$2,220,000
Total Authorized for Construction	\$2,104,793
Remaining Balance	\$112,680
Construction Contract Award Amount	\$819,200
Estimated Final Construction Contract Amount	\$839,654

- 2.5% change in construction contract amount



Pinecone Campground Paving



Pinecone Campground Paving

Item	Cost
CIP Planned Expenditures	N/A
Total Authorized for Construction	\$90,464
Remaining Balance	\$7,557
Construction Contract Award Amount	\$74,509
Estimated Final Construction Contract Amount	\$73,768

- -1.0% change in construction contract amount



Project 184 Animal Fencing Replacement



Project 184 Animal Fencing Replacement

Item	Cost
CIP Planned Expenditures	N/A
Total Authorized for Construction	\$ 634,523
Remaining Balance	\$153,038
Construction Contract Award Amount	\$416,517
Estimated Final Construction Contract Amount	\$440,885

- 5.5% change in construction contract amount



Marina Village Lift Station Culvert Replacement



Marina Village Lift Station Culvert Replacement

Item	Cost
CIP Planned Expenditures	N/A
Total Authorized for Construction	\$355,000
Remaining Balance	\$93,514
Construction Contract Award Amount	\$215,000
Estimated Final Construction Contract Amount	\$215,000

- No change in construction contract amount

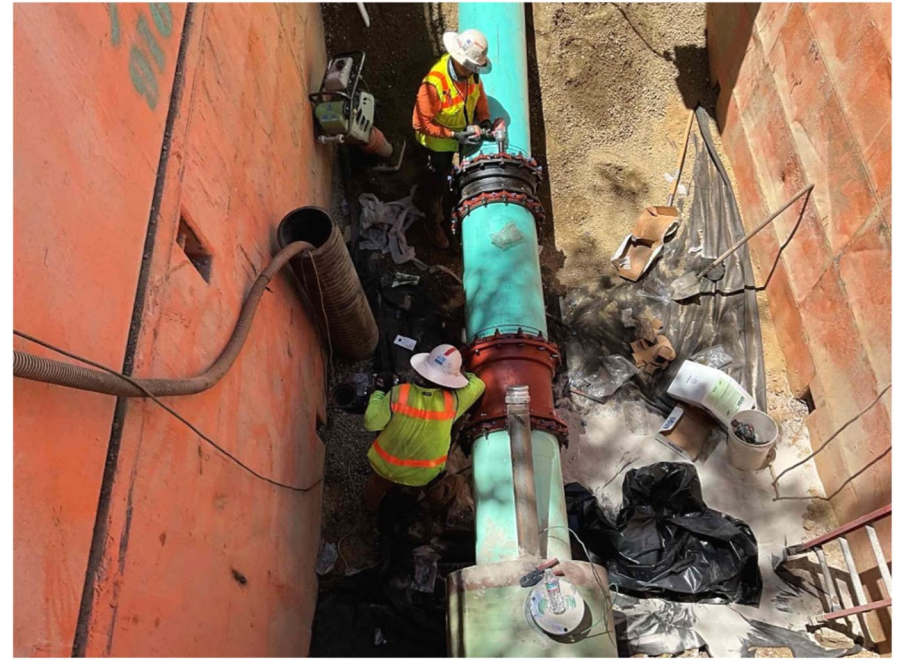


Active CIP Projects

- Staff is managing approximately 90 CIP projects
 - \$70M in total authorized funding
 - Studies, basis of design, design, construction, construction closeout, or equipment procurement
- Seven projects in construction
 - \$30.5M in total construction funding
- Additional projects awarded pending start dates

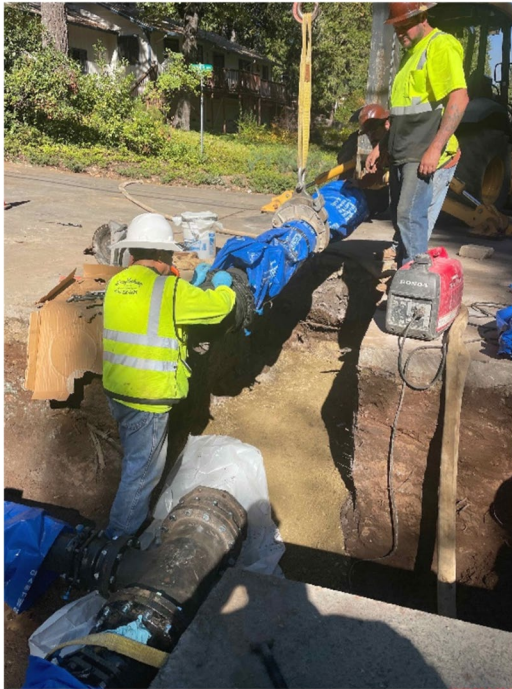


Motherlode Force Main Phase 3



- Total authorized for construction \$15,109,826
- Anticipated completion August 2024

Forebay / Drop Off Road Waterline Replacements



- Total authorized for construction \$5,020,407
- Anticipated completion August 2024

Bass Lake Tanks



- Total authorized for construction \$4,055,304
- Anticipated completion June 2024



Reservoir A Filter Valve Replacement



- Total authorized for construction \$2,619,992
- Anticipated completion Winter 2024/25

Echo Conduit Emergency Replacement



- Total authorized for construction \$2,619,992
- Anticipated completion July 2024

2022 Collections System Rehabilitation



- Total authorized for construction \$1,278,645
- Anticipated completion June 2024



Diversion Facility Upgrades



- Total authorized for construction \$805,730
- Anticipated completion May 2024

Projects in Construction

Project	Total Authorized for Construction
Motherlode Force Main Phase 3	\$15,109,826
Forebay/Drop Off Waterline Replacement	\$5,020,407
Bass Lake Tanks	\$4,055,304
Res A Filter Valve Replacement	\$2,619,992
Echo Conduit Emergency Rehabilitation	\$1,635,000
2022 Collection System Rehabilitation	\$1,278,645
Diversion Facility Upgrades	\$805,730
Total	\$30,524,904



FEMA Recovery Efforts and Grants

- FEMA Public Assistance (PA)
 - Caldor Fire
 - 2022/2023 Storms
- FEMA Building Resilient Infrastructure and Communities (BRIC) and Hazard Mitigation Grant Program (HMGP)
 - Backup Generators - \$3.5M
 - Flume 45 Section 3 - \$7M
 - Flume 46 Advanced Assistance - \$2.8M
 - Flume 48 - \$7.2M
 - Reservoir 1 and Pollock Pines floating cover reservoir replacement - \$14.5M

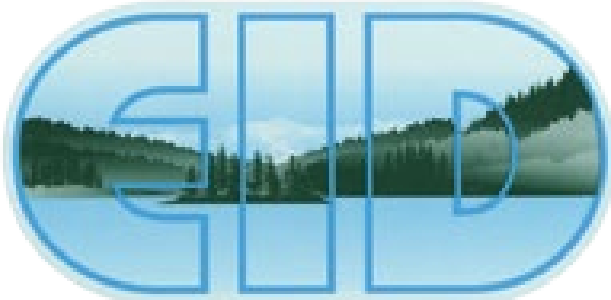


Grant and Loan Pursuits

- CA Department of Fish & Wildlife – Boating Access Grant Program - \$240,000
- USBR WaterSMART small-scale water efficiency projects - \$100,000
- Drinking Water and Clean Water State Revolving Fund



Questions/Comments



EL DORADO IRRIGATION DISTRICT

SUBJECT: Consider ratifying EID General Warrant Registers for the periods ending March 5, March 12, March 19 and March 26, 2024, and Board and Employee Expense Reimbursements for these periods.

PREVIOUS BOARD ACTION

The Board ratifies the District’s General Warrant Registers at each regular meeting of the Board.

BOARD POLICIES (BP), ADMINISTRATIVE REGULATIONS (AR) AND BOARD AUTHORITY

Section 24600 of the Water Code provides that no claim shall be paid unless allowed by the Board.

SUMMARY OF ISSUE

District staff notifies the Board of proposed payments via email and requests ratification of the warrant registers at the subsequent regular meeting of the Board. Copies of the Warrant Registers are sent to the Board on the Friday preceding the Warrant Register’s date. If no comment or request to withhold payment is received from any Director prior to the following Tuesday morning, the warrants are mailed out and formal ratification of said warrants is agendized on the next regular Board agenda.

BACKGROUND/DISCUSSION

Current Warrant Register Information

Warrants are prepared by Accounts Payable and reviewed and approved by the Finance and Accounting Manager, the Director of Finance, and the General Manager or their designee.

Register Date	Check Numbers	Amount
March 5, 2024	708851 – 709021	\$1, 256,748.64
March 12, 2024	709022 – 709127	\$1,757,754.36
March 19, 2024	709128 – 709217	\$1,418,209.93
March 26, 2024	709218 – 709322	\$1,105,166.04

Current Employee Expense Reimbursements

Employee Expenses and Reimbursements have been reviewed and approved by the Finance & Accounting Manager and General Manager prior to the warrants being released. These expenses and reimbursements are for activities performed in the interest of the District in accordance with Board Policy 12065 and Resolution No. 2007-059.

Additional information regarding Board and Employee expense reimbursements is available for copying or public inspection at District headquarters in compliance with Government Code Section 53065.5.

BOARD OPTIONS

Option 1: Ratify the EID General Warrant Registers and Board and Employee Expense Reimbursements as submitted.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

RECOMMENDATION

Option 1

ATTACHMENTS

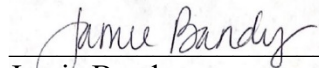
Attachment A: Executive Summaries

Attachment B: Employee Expense Reimbursements totaling \$100 or more

Attachment C: Board Expense Reimbursements



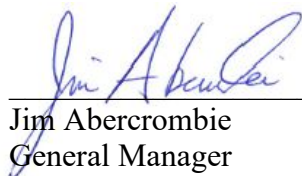
Rebecca Lane
Finance and Accounting Manager



Jamie Bandy
Finance Director



Jennifer Sullivan
Clerk to the Board



Jim Abercrombie
General Manager

March 1, 2024

To: Jim Abercrombie, General Manager
From: Rebecca Lane, Finance and Accounting Manager
Via: Jamie Bandy, Director of Finance
RE: Warrant Register Executive Summary Approval

Attached is the summary for March 5, 2024 for your review and approval.

Executive Summary for March 5, 2024 -- \$1,256,748.64:

This summary highlights significant disbursements made by major business activity:

Development Services (Fund 105) – none to report

General District Operations (Fund 110)

- \$83,439—Aqua Metric Sales Company for water meters and transceivers
- \$5,423—AT&T for phone, internet and wide area network service
- \$9,210—C & H Motor Parts, Inc. for miscellaneous vehicle maintenance supplies
- \$3,594—DG Granade, Inc. for a credit balance refund on customer account
- \$18,876—Ferguson Enterprises, LLC for warehouse inventory
- \$10,808—Hunt & Sons, Inc. for fuel deliveries at various locations
- \$24,082—Info-Tech Research Group, Inc. for March 2024-2025 membership
- \$10,576—Intech Mechanical Company, LLC for HVAC service calls and inspection services
- \$7,754— JustFOIA, Inc. for supplemental support subscription
- \$5,222—Kronos Saashr, Inc. for timekeeping software
- \$4,790—Mission Critical Specialists, Inc. for the replacement of batteries supporting uninterruptible power supply at EDHWWTP
- \$5,406—Pace Supply Corporation for warehouse inventory
- \$9,500—Reeb Government Relations, LLC for March 2024 retainer
- \$4,781—Sierra Nevada Tire and Wheel for tires and service calls
- \$3,990—UC Davis for Emerging Leader course enrollment for two employees
- \$3,294—Verizon Wireless for cell phone service and equipment

Engineering Operations (Fund 210)

- \$4,950—First Impressions Design & Landscape for landscaping services

Water Operations (Fund 310)

- \$3,480—Area West Engineers, Inc. for topographic survey services
- \$3,959—Clean Harbors Environmental Services, Inc. for diesel spill cleanup services at Reservoir 2
- \$3,900—E Source Companies, LLC for water audit services
- \$5,631—Harrington Industrial Plastics, LLC for pressure gauge guards and filter housing
- \$3,826—Home Depot Credit Services for wrenches, a ratchet, an anchor sleeve and other miscellaneous tools and operating supplies
- \$3,586—McMaster-Carr Supply Company for connectors, fittings and duct hose
- \$3,437—North Star Electric for repair of overhead crane power source
- \$59,121—PG&E for electric service
- \$13,619—Pioneer Americas, LLC for sodium hypochlorite at Reservoir A
- \$12,292—U.S. Postal Service for postage to mail EPA mandated notification to all EID customers
- \$4,197—Sacramento Battery Co, Inc. for batteries and contact cards
- \$4,012—Verizon Wireless for cell phone service and equipment

Wastewater Operations (Fund 410)

- \$3,325—California Custom Tee’s for custom shirts and sweatshirts
- \$4,092—CLS Labs for regulatory lab testing
- \$13,648—Flo-Line Technology, Inc. for a submersible pump for Pioneer Place Lift Station
- \$3,915—Grainger for pumps, respirator filters and other miscellaneous operating supplies
- \$8,991—Hastie’s Capitol Sand and Gravel Co. for rock deliveries
- \$4,381—Industrial Electrical Co. for a soft start and two service calls to inspect and program lift station relay boards
- \$5,365—North Star Electric for emergency lighting replacement
- \$3,000—Pipelogix, Inc. for software support renewal
- \$42,873—Polydyne, Inc. for polymer and defoamer at EDHWWTP and DCWWTP
- \$8,027—R.F. MacDonald Company for annual boiler inspection services
- \$23,146—Univar Solutions USA, Inc. for sodium hydroxide at DCWWTP and EDHWWTP
- \$33,909—USALCO Modesto Plant, LLC for poly aluminum chloride at EDHWWTP
- \$8,379—Vega Americas, Inc. for sensors, valves and connection cables
- \$22,597—Veolia Water Technologies and Treatment Solutions USA, Inc. for ultraviolet products at EDHWWTP
- \$7,220—Watson-Marlow, Inc. for pump element
- \$16,189—Xylem Water Solutions USA, Inc. for aeration mixer repair parts at DCWWTP

Recycled Water Operations (Fund 510) – none to report

Hydroelectric Operations (Fund 610)

- \$20,565—Wilbur-Ellis Company, LLC for herbicide

Recreation Operations (Fund 710) – none to report

Capital Improvement Projects (Construction Funds 140, 340, 440, 540, 640 and 740)

- \$26,234—Aecom Technical Services, Inc. for environmental impact reporting – Permit 21112 Change in Point of Diversion (Project #16003.01)
- \$3,345—Applied Landscape Materials, Inc. for landscaping service – Wastewater Collection Facility Relocation (Project #17034.01)
- \$14,709—Gannett Fleming, Inc. for design services – Flume 48 Replacement (Project #17028.01)
- \$119,429—Intech Mechanical Company, LLC for HVAC control system replacement and filtration system installation – HVAC Improvements-Headquarters (Project #23030.01)
- \$6,305—Kleinfelder, Inc. for hydroelectric compliance monitoring services: – FERC: C46 thru C49 Recreation Resource Management (Project #06098H.01)
- \$8,163—Sierra Rock, LLC for rock deliveries – Forebay Revegetation (Project #22036.01)
- \$349,179—Syblon Reid for construction services (\$367,557) – Echo Conduit Emergency Repairs (Project #23026.01). Retention held \$18,378
- \$18,760—Water Works Engineers, LLC for construction engineering services – Reservoir A Filter Valve Replacements (Project #22038.01)
- \$15,129—Zanjero for strategic support and technical assistance – Permit 21112 Change in Point of Diversion (Project #16003.01)

March 8, 2024

To: Jim Abercrombie, General Manager
From: Rebecca Lane, Finance and Accounting Manager
Via: Jamie Bandy, Director of Finance
RE: Warrant Register Executive Summary Approval

Attached is the summary for March 12, 2024 for your review and approval.

Executive Summary for March 12, 2024 -- \$1,757,754.36:

This summary highlights significant disbursements made by major business activity:

Development Services (Fund 105) – none to report

General District Operations (Fund 110)

- \$5,498—ABM Janitorial Services for janitorial services at headquarters
- \$56,507—Aqua Metric Sales Company for 300 transceivers
- \$3,580—C & H Motor Parts, Inc. for miscellaneous vehicle maintenance supplies
- \$35,743—Ceres Imaging, Inc. for aerial imaging services in support of the District’s Irrigation Management System Program
- \$7,231—Ferguson Enterprises, LLC for warehouse inventory
- \$19,613—Hunt & Sons, Inc. for card lock fuel
- \$9,308—NBS for cost of service study/analysis
- \$62,792—Quantum Resolve, Inc. for consulting services related to Hansen 7 Software Replacement
- \$3,376—Sierra Nevada Tire and Wheel for tires and service calls
- \$7,606—U.S. Bank for conference registration charges, airfare, recruitment advertising, employee driver training and districtwide Zoom account charges

Engineering Operations (Fund 210)

- \$40,005—Procore Technologies, Inc. for annual construction management software renewal
- \$5,408—Water Reuse Association for annual membership

Water Operations (Fund 310)

- \$16,156—Aqua-Tech Company for Reservoir 12A cleaning and inspection services
- \$4,340—Grainger for printer ribbon, wire coil, retracting lifeline and other miscellaneous safety and operating supplies
- \$712,733—MPK Solutions to replace filter media for filters 5 through 8 at Reservoir A
- \$91,126—Pape Group, Inc. for a skid steer for general maintenance and drying bed sludge removal at Reservoir A
- \$4,474—USA Bluebook for a centrifugal pump
- \$5,500—Water Education Foundation for annual membership

Wastewater Operations (Fund 410)

- \$6,869—Frank A. Olsen Company for a 12” butterfly valve for tertiary filter #1 at DCWWTP
- \$4,337—Mallory Safety and Supply, LLC for two multi-gas detectors and safety gloves
- \$11,823—Solenis, LLC for polymer and flocculant at EDHWWTP

Recycled Water Operations (Fund 510) – none to report

Hydroelectric Operations (Fund 610)

- \$3,477—Hach Company for bubble sensors, valves and circuit board assemblies
- \$3,154—Landmark Environmental, Inc. for forester support services in assistance with bidding process

Recreation Operations (Fund 710) – none to report

Capital Improvement Projects (Construction Funds 140, 340, 440, 540, 640 and 740)

- \$31,192—4RF USA, Inc. for radio equipment – Water Distribution Radio Path-Forebay (Project #23041.02)
- \$52,750—GEI Consultants, Inc. for engineering services – Silver Lake Dam Replacement (Project #19031.01)
- \$15,530—GHD, Inc. for engineering design services:
 - >Project #21008.01 – Diversion-Facility Upgrades (\$9,617)
 - >Project #21013.01 – Flumes 45A, 46A, 47A, and 47B Replacement (\$1,028)
 - >Project #22014.01 – Flume 45 Section 3 Replacement (\$4,885)
- \$16,211—Herwit Engineering for engineering services:
 - >Project #23010.01 – Reservoir 1 Water Treatment Plant Generator Replacement (\$13,883)
 - >Project #23051.01 – Sly Park Outlet Control Improvements (\$2,328)
- \$33,030—Peterson Brustad, Inc. for engineering design services:
 - >Project #23039.01 – Reservoir 4 Tank Recoating (\$1,982)
 - >Project #23040.01 – Reservoir 7 Tank Recoating (\$15,194)
 - >Project #24009.01 – Bridlewood Tank Rehabilitation (\$15,854)
- \$97,906—Quantum Resolve, Inc. for consulting services – Hansen 7 Software Replacement (Project #18055.01)
- \$271,862—Riverview International Trucks, LLC for two International dump trucks – 2022 Vehicle Replacement Program (Project #22003.01)
- \$40,850—Teichert Construction for construction services (\$43,000) – Motherlode Force Main Replacement Program (Project #19004.01). Retention held \$2,150

March 14, 2024

To: Jim Abercrombie, General Manager
From: Rebecca Lane, Finance and Accounting Manager
Via: Jamie Bandy, Director of Finance
RE: Warrant Register Executive Summary Approval

Attached is the summary for March 19, 2024 for your review and approval.

Executive Summary for March 19, 2024 -- \$1,418,209.93

This summary highlights significant disbursements made by major business activity:

Development Services (Fund 105) – none to report

General District Operations (Fund 110)

- \$5,498—ABM Janitorial Services for janitorial services at headquarters
- \$6,469—AT&T for phone service
- \$6,310—C & H Motor Parts, Inc. for miscellaneous vehicle maintenance supplies
- \$25,829—CDW Government for software subscription services and computer hardware
- \$4,013—Commerce Printing Service for Waterfront newsletter printing services
- \$19,227—Dataprose, LLC for February 2024 billing services
- \$25,734—Hunt & Sons, LLC for card lock fuel and fuel deliveries at various locations
- \$4,043—Network Design Associates, Inc. for consulting services
- \$15,419—PG&E for electric service
- \$3,114—Talmo & Associates, Inc. for temporary labor services

Engineering Operations (Fund 210) – none to report

Water Operations (Fund 310)

- \$10,958—Aqua-Tech Company for cleaning and inspection services at Oakridge Tank 1
- \$3,537—BSK Associates for regulatory lab testing
- \$6,834—El Dorado County Transportation Department for utility encroachment fees
- \$6,303—Grating Pacific, Inc. for aluminum grating
- \$4,999—ICM Group, Inc. for construction inspection services
- \$29,860—Joe Vicini, Inc. for asphalt patch paving services (replacement check that was lost in the mail, initially reported on 2/27/24 Executive Summary)
- \$194,041—PG&E for electric service
- \$27,191—U.S. Bureau of Reclamation for Folsom water deliveries and restoration fund payments

Wastewater Operations (Fund 410)

- \$3,435—All Electric Motors, Inc. for labor and parts to service aerators
- \$14,895—CLS Labs for regulatory lab testing
- \$10,659—Graymont Western US, Inc. for quicklime at DCWWTP
- \$3,232—Joe Vicini, Inc. for asphalt patch paving services (replacement check that was lost in the mail, initially reported on 2/27/24 Executive Summary)
- \$230,068—PG&E for electric service
- \$9,817—Veolia Water Technologies Treatment Solutions USA, Inc. for ultraviolet products at DCWWTP

Recycled Water Operations (Fund 510)

- \$10,729—PG&E for electric service

Hydroelectric Operations (Fund 610)

- \$13,967—PG&E for electric service

Recreation Operations (Fund 710) – none to report

Capital Improvement Projects (Construction Funds 140, 340, 440, 540, 640 and 740)

- \$24,930—A T.E.E.M. Electrical Engineering for engineering services – Powerhouse Automation Replacement (Project #21028.01)
- \$386,959—Corning Ford for five 2024 Ford F-350 trucks – 2024 Vehicle Replacement Program (Project #24003.01)
- \$4,051—El Dorado County Recorder’s Office for environmental document filing fees – Sly Park Intertie Improvements (Project #21079.01)
- \$8,066—ICM Group, Inc. for construction inspection services – Reservoir A Filter Valve Replacements (Project #22038.01)
- \$72,272—Joe Vicini, Inc. for asphalt patch paving services – Service Line Replacement Program (Project #23002.01) (\$23,357 of this is for a replacement check that was lost in the mail, initially reported on 2/27/24 Executive Summary)
- \$5,020—Rexel USA, Inc. for a PowerMonitor and drive startup assistance:
 - >Project #23014.01 – EDHWWTP Pump VFD (\$2,700)
 - >Project #19032.01 – Collection System PLC Upgrade (\$2,320)
- \$137,748—TNT Industrial Contractors, Inc. for construction services (\$144,998) – Diversion-Facility Upgrades (Project #21008.01). Retention held \$7,250

March 21, 2024

To: Jim Abercrombie, General Manager
From: Rebecca Lane, Finance and Accounting Manager
Via: Jamie Bandy, Director of Finance
RE: Warrant Register Executive Summary Approval

Attached is the summary for March 26, 2024 for your review and approval.

Executive Summary for March 26, 2024 -- \$1,105,166.04:

This summary highlights significant disbursements made by major business activity:

Development Services (Fund 105) – none to report

General District Operations (Fund 110)

- \$22,460—Aqua Metric Sales Company for water meters and transceivers
- \$7,180—AT&T for internet service
- \$8,195—Brady Worldwide, Inc. for software licenses
- \$3,082—C & H Motor Parts, Inc. for miscellaneous vehicle maintenance supplies
- \$14,430—CDW Government for software license renewals
- \$4,701—Fastenal Company for gloves, shirts, glasses and saw blades
- \$4,730—Hunt & Sons, Inc. for fuel deliveries at various locations
- \$3,306—PG&E for electric service
- \$9,500—Reeb Government Relations, LLC for April 2024 retainer
- \$100,000—Shimmick Construction Company, Inc. for release of retention held on project 17013.01 Forebay Dam Modifications
- \$19,037—William Wamosh for a claim payout for property remediation

Engineering Operations (Fund 210)

- \$7,614—Stantec Consulting Services, Inc. for environmental/biological study services

Water Operations (Fund 310)

- \$10,174—Aqua-Tech Company for cleaning and inspection services at Oakridge Tank
- \$5,563—EAN Services, LLC for long-term vehicle rentals
- \$4,624—Hach Company for a turbidimeter and output module
- \$4,178—Lindsei Ann Crowder for janitorial services at Reservoir A, Reservoir 1 and EDHWTP
- \$167,051—PG&E for electric service

Wastewater Operations (Fund 410)

- \$12,946—Charter Machine Company for cylinder mounting kits
- \$4,400—Diamond Crane Company, Inc. for a crane rental
- \$17,225—Hastie’s Capitol Sand and Gravel Co. for rock deliveries
- \$6,722—Holt of California for a generator rental
- \$139,003—PG&E for electric service
- \$5,516—Platt Electric Supply for conduit, connectors, copper wire and other miscellaneous electrical supplies

Recycled Water Operations (Fund 510)

- \$3,972—PG&E for electric service

Hydroelectric Operations (Fund 610)

- \$15,098—Alpine County for 2023-2024 property taxes, second installment
- \$23,352—Amador County for 2023-2024 property taxes, second installment
- \$11,530—Aveva Select California for software support
- \$6,218—PG&E for electric service

Recreation Operations (Fund 710)

- \$4,173—Suburban Propane, LP for propane delivery

Capital Improvement Projects (Construction Funds 140, 340, 440, 540, 640 and 740)

- 35,502—Aecom Technical Services, Inc. for environmental impact reporting – Permit 21112 Change in Point of Diversion (Project #16003.01)
- \$24,469—Carollo Engineers, Inc. for engineering services:
 - >Project #STUDY03.01 – Condition Assessments, Phase 2-Reservoir 1 (\$1,009)
 - >Project #STUDY03.02 – Condition Assessments, Phase 2-Reservoir A (\$1,008)
 - >Project #STUDY03.03 – Condition Assessments, Phase 2-EDHWTP (\$1,008)
 - >Project #STUDY03.04 – Condition Assessments, Phase 2-Strawberry WTP (\$1,008)
 - >Project #23009.01 – Reservoir 1 Storage Replacement (\$2,485)
 - >Project #STUDY10.01 – Integrated Water Master Plan (\$17,951)
- \$5,073—Gannett Fleming, Inc. for design services – Flume 48 Replacement (Project #17028.01)
- \$9,770— Platt Electric Supply for conduit, connectors, copper wire and other miscellaneous electrical supplies – SCADA Wastewater Hardware Replacement Program (Project #24014.01)
- \$23,000—Raftelis for business and technology consulting services – Hansen 7 Software Replacement (Project #18055.01)
- \$271,862—Riverview International Trucks, LLC for two International dump trucks – 2022 Vehicle Replacement Program (Project #22003.01)
- \$16,682—Stantec Consulting Services, Inc. for hydroelectric compliance services:
 - >Project #21079.01 – Sly Park Intertie Improvements (\$12,319)
 - >Project #06076H.01 – FERC: C38.4b Caples Spillway Channel Stabilization (\$4,363)
- \$7,195—Zanjero for strategic support and technical assistance – Permit 21112 Change in Point of Diversion (Project #16003.01)

Employee Expense Reimbursements
Warrant Registers dated March 5, March 12, March 19, and March 26, 2024

EMPLOYEE	DESCRIPTION	AMOUNT
James Proctor	Mileage Reimbursement	\$101.97
Jason Piparo	Continuing Education, Exam, and QAC Certificate	\$335.00
John Garrity	Renew Wastewater Grade 2 Certificate	\$150.00
Ray Pledger	Travel Expenses (UTC Conference)	\$119.43
Raymond Salerno	Grade 5 Wastewater Test and Certificate	\$620.00
Dennis Andrews	Backflow Tester Recertification Exam / CrossConnection Specialist Certificate	\$385.00
Jenny Downey	Refreshments for CIS End User Training	\$103.63
Robert Burwell	D3 Certification Renewal	\$120.00
		\$1,935.03

Board Expense Reimbursements
Warrant Registers dated March 5, March 12, March 19 and March 26, 2024

DESCRIPTION	Lori Anzini	Alan Day	Pat Dwyer	Brian Veerkamp	George Osborne	Total
Personal Vehicle Expense						\$0.00
Hotel						\$0.00
Meals or Incidentals Allowance						\$0.00
Airfare, Car Rental, Misc Travel					\$33.92	\$33.92
Fax, Cell or Internet Service						\$0.00
Meeting or Conference Registration						\$0.00
Meals with Others						\$0.00
Membership Fees/Dues						\$0.00
Office Supplies						\$0.00
Reimburse prepaid expenses						\$0.00
Miscellaneous Reimbursements						\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00	\$33.92	\$33.92

EL DORADO IRRIGATION DISTRICT

SUBJECT: Consider adopting a resolution declaring the intent to issue tax-exempt obligations in the reasonably expected maximum principal amount of \$70 million for acquiring certain public facilities and improvements.

PREVIOUS BOARD ACTION

September 8, 2014 – Board adopted Resolution No. 2014-021 regarding its intent to issue tax-exempt obligations in the reasonably expected maximum principal amount of \$41.6 million for water system improvements generally described in the resolution.

October 23, 2023 – Board adopted the 2024–2028 Capital Improvement Plan, subject to available funding.

December 11, 2023 – Board adopted the 2023-2024 Mid-Cycle Operating Budget and 2024-2028 Financial Plan.

BOARD POLICIES (BP), ADMINISTRATIVE REGULATIONS (AR) AND BOARD AUTHORITY

BP 3010 Budget

BP 12000 By-Laws of the Board

SUMMARY OF ISSUE

The District's financial plans anticipate issuing new tax-exempt debt in the form of bonds later this year to finance long-lived capital assets that will benefit current and future ratepayers. Federal tax law allows the District to use the issuance proceeds to reimburse project funds expended before the issuance. However, before proceeding, the District must initially adopt a resolution declaring its intent to issue the debt. This resolution should generally outline the projects to be financed and provide an estimated principal amount for the issuance before allocating the project funds.

BACKGROUND/DISCUSSION

The Board adopted the 2024-2028 Capital Improvement Plan (CIP) on October 23, 2023. The CIP, if fully implemented, would represent a capital outlay of \$321 million over the five-year period. Under the District's financial plan, a portion of the CIP's costs can be supported by current revenues on a "pay as you go" basis. However, the financial plan also recognizes that external financing is necessary and appropriate to construct significant capital improvements with long asset lives. For those projects, the District's financial plan includes proceeds from and the debt servicing for a projected future borrowing.

A resolution of the Board is required to create the means to reimburse the District for project funds expended before the financing issue is completed in late 2024. The expected issuance date of the new obligations must be within 18 months from the later of the expenditure date(s) and the date the project is placed in service. However, reimbursement may not be made more than three years after the original expenditure is paid.

The ability to be reimbursed for expenditures made before the actual date of financing and to place those reimbursed funds back into the Board-designated reserves is an important part of the proposed financing plan. The District will be reimbursed for its expenditures from the actual financing proceeds, with the balance of the funds placed in the construction funds to finance the remaining construction of the specified projects. In order to proceed, the Board must pass a resolution indicating its intention to issue tax-exempt debt. The resolution must also generally describe the projects to be financed and estimate the principal amount of the issuance.

Prior to the bond issue scheduled for fall 2024, engineering staff will further refine their estimates for the projects listed in this item. They will also gather the actual costs expended on these projects before the bond issue to accurately determine the size of the issuance.

The project titles and estimated costs of the major long-lived capital improvement projects included in the 2024-2028 CIP and anticipated to be funded by the 2024 bond issuance are listed below. All projects are water-related and payable from water rates, except for the El Dorado Hills Water Treatment Plant improvements, which include an expansion component in addition to upgrades of existing infrastructure. Debt payments for this future issuance will be from a combination of water rates and water Facility Capacity Charges. Project costs have been revised where available to reflect current estimates and are proposed to be funded by the subject long-term financing obligation.

(estimated costs in millions)	
Water Projects	
Sly Park Intertie Improvements	\$35.0
El Dorado Hills Water Treatment Plant Improvements (initial expenditures)	\$25.0
Reservoir 1 Storage Replacement	\$10.0

In the event one or more of the above project timelines or expenditures do not occur as planned, staff has identified additional projects within the 5-year CIP and draft master plan that may be substituted as follows:

(estimated costs in millions)	
Flume 47A Replacement	\$ 3.2
Flume 45 Section 3 Replacement	\$12.0
14 Mile Tunnel Improvements	\$ 2.0
Tank 6 Replacement	\$ 5.1
Reservoir 1 Water Treatment Plant Improvements	\$15.0

At the end of 2023, the District's total debt for long-term bonds was about \$391 million. Through scheduled principal payments in 2024, existing debt will be reduced by \$14 million to about \$377 million. With a potential bond issuance of approximately \$70 million in 2024, the total outstanding bond balance at the 2024 year-end would be near \$437 million. Based upon estimates of asset additions and depreciation expense for 2024-2025, the ratio of total debt to total net capital assets would be about 52%, which remains within the moderate range for water and sewer utilities, according to Standard & Poor's Global Credit Portal Ratings system.

BOARD OPTIONS

Option 1: Adopt a resolution declaring the intent to issue tax-exempt obligations in the reasonably expected maximum principal amount of \$70 million for acquiring certain public facilities and improvements.

Option 2: Take other action as directed by the Board.

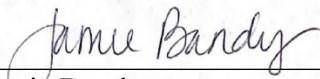
Option 3: Take no action.

RECOMMENDATION

Option 1

ATTACHMENTS

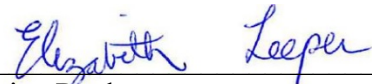
Attachment A: Proposed resolution



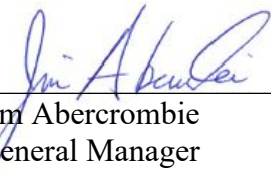
Jamie Bandy
Finance Director



Brian Mueller
Engineering Director



Brian Poulsen
General Counsel



Jim Abercrombie
General Manager

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF DIRECTORS OF THE EL DORADO IRRIGATION DISTRICT REGARDING ITS INTENTION TO ISSUE TAX-EXEMPT OBLIGATIONS

WHEREAS, the Board of Directors of the El Dorado Irrigation District (the “Issuer”) desires to finance the costs of acquiring certain public facilities and improvements, as provided in Exhibit A attached hereto and incorporated herein (the “Project”);

WHEREAS, the Issuer intends to finance the acquisition of the Project or portions of the Project with the proceeds of the sale of obligations the interest upon which is excluded from gross income for federal income tax purposes (the “Obligations”); and

WHEREAS, prior to the issuance of the Obligations the Issuer desires to incur certain expenditures with respect to the Project from available monies of the Issuer which expenditures are desired to be reimbursed by the Issuer from a portion of the proceeds of the sale of the Obligations;

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EL DORADO IRRIGATION DISTRICT HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Issuer hereby states its intention and reasonably expects to reimburse Project costs incurred prior to the issuance of the Obligations with proceeds of the Obligations. Exhibit A describes either the general character, type, purpose, and function of the Project, or the fund or account from which Project costs are to be paid and the general functional purpose of the fund or account.

SECTION 2. The reasonably expected maximum principal amount of the Obligations is \$70,000,000.

SECTION 3. This resolution is being adopted not later than 60 days after the date (the “Expenditures Date or Dates”) that the Issuer will expend monies for the portion of the Project costs to be reimbursed from proceeds of the Obligations.

SECTION 4. Except as described below, the expected date of issue of the Obligations will be within eighteen months of the later of the Expenditure Date or Dates and the date the Project is placed in service; provided, the reimbursement may not be made more than three years after the original expenditure is paid. For Obligations subject to the small issuer exception of Section 148(f)(4)(D) of the Internal Revenue Code, the “eighteen-month limit” of the previous sentence is changed to “three years” and the limitation of the previous sentence beginning with “; provided,” is not applicable.

SECTION 5. Proceeds of the Obligations to be used to reimburse for Project costs are not expected to be used, within one year of reimbursement, directly or indirectly to pay debt service with respect to any obligation (other than to pay current debt service coming due within the next succeeding one year period on any tax-exempt obligation of the Issuer (other than the Obligations)) or to be held as a reasonably required reserve or replacement fund with respect to an obligation of the Issuer or any entity related in any manner to the Issuer, or to reimburse any expenditure that was

originally paid with the proceeds of any obligation, or to replace funds that are or will be used in such manner.

SECTION 6. This resolution is consistent with the budgetary and financial circumstances of the Issuer, as of the date hereof. No monies from sources other than the Obligation issue are, or are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside by the Issuer (or any related party) pursuant to their budget or financial policies with respect to the Project costs. To the best of our knowledge, this Board of Directors is not aware of the previous adoption of official intents by the Issuer that have been made as a matter of course for the purpose of reimbursing expenditures and for which tax-exempt obligations have not been issued.

SECTION 7. The limitations described in Section 3 and Section 4 do not apply to (a) costs of issuance of the Obligations, (b) an amount not in excess of the lesser of \$100,000 or five percent (5%) of the proceeds of the Obligations, or (c) any preliminary expenditures, such as architectural, engineering, surveying, soil testing, and similar costs other than land acquisition, site preparation, and similar costs incident to commencement of construction, not in excess of twenty percent (20%) of the aggregate issue price of the Obligations that finances the Project for which the preliminary expenditures were incurred.

SECTION 8. This resolution is adopted as official action of the Issuer in order to comply with Treasury Regulation § 1.150-2 and any other regulations of the Internal Revenue Service relating to the qualification for reimbursement of Issuer expenditures incurred prior to the date of issue of the Obligations, is part of the Issuer's official proceedings, and will be available for inspection by the general public at the main administrative office of the Issuer.

SECTION 9. All the recitals in this Resolution are true and correct and this Board of Directors so finds, determines and represents.

SECTION 10. This resolution shall take effect immediately.

The foregoing Resolution was introduced at a meeting of the Board of Directors of the EL DORADO IRRIGATION DISTRICT, held on the __th day of _____, 2024, by Director _____, who moved its adoption. The motion was seconded by Director _____, and a poll vote taken, which stood as follows:

AYES:

NOES:

ABSENT:

ABSTAIN:

The motion having a majority of votes “Aye,” the resolution was declared to have been adopted, and it was so ordered.

Alan Day
President, Board of Directors of
EL DORADO IRRIGATION DISTRICT

ATTEST:

[Jennifer Sullivan]
Clerk to the Board

(SEAL)

EXHIBIT A

DESCRIPTION OF PROJECT

El Dorado Hills Water Treatment Plant Improvements
Sly Park Intertie Improvements
Reservoir 1 Storage Replacement
Flume 47A Replacement
Flume 45 Section 3 Replacement
14 Mile Tunnel Improvements
Tank 6 Replacement
Reservoir 1 Water Treatment Plant Improvements

Resolution declaring the intent to issue tax-exempt obligations in the reasonably expected maximum principal amount of \$70 million for acquiring certain public facilities and improvements

El Dorado Irrigation District
April 8, 2024

Previous Board Action

- September 8, 2014 – Board adopted Resolution No. 2014-021 regarding its intent to issue tax-exempt obligations in the reasonably expected maximum principal amount of \$41.6 million for water system improvements generally described in the resolution.
- October 23, 2023 – Board adopted the 2024–2028 Capital Improvement Plan (CIP), subject to available funding.
- December 11, 2023 – Board adopted the 2023-2024 Mid-Cycle Operating Budget and 2024-2028 Financial Plan.

Summary of Issue

- 2024-2028 financial plans included issuing new tax-exempt debt in the form of bonds to finance long-lived capital assets
- District must adopt a resolution declaring its intent to issue debt
 - Creates the means to reimburse the District for project funds expended before the financing issue
- Federal tax law allows the District to use the issuance proceeds to reimburse project funds expended before the issuance

Background

- Board adopted the 2024-2028 Capital Improvement Plan
 - \$321 million capital outlay
- 2024-2028 financial plans included issuing new tax-exempt debt to finance major projects and a portion of the CIP's costs can be supported by current revenues on a "pay-as-you-go"

Discussion

- External financing is necessary and appropriate to construct significant capital improvements issuance
 - Debt payments for this future issuance will be from a combination of water rates and Facility Capacity Charges over a 30-year period
- Prior to the bond issue scheduled for fall 2024, staff will further refine their estimates for projects

Planned Projects

(estimated costs in millions)

- Sly Park Intertie Improvements \$35.0
- El Dorado Hills Water Treatment Plant Improvements (initial expenditures) \$25.0
- Reservoir 1 Storage Replacement \$10.0

Projects

- In the event one or more of proposed project timelines or expenditures do not occur as planned, staff has identified additional projects within the 5-year CIP and draft master plan

Additional Projects

(estimated costs in millions)

- Flume 47A Replacement \$ 3.2
- Flume 45 Section 3 Replacement \$12.0
- 14-Mile Tunnel Improvements \$ 2.0
- Tank 6 Replacement \$ 5.1
- Reservoir 1 Water Treatment Plant Improvements \$15.0

Total Bond and State Revolving Fund Debt

(approximate dollars in millions)

• 12/31/2024 Total Bond and SRF debt outstanding	\$391.0
• Scheduled 2024 Debt Payments	(\$14.0)
• 2024 Bond Issuance	\$70.0
Total	\$437.0

The ratio of total debt to total net capital assets would be about 52%, which remains within the moderate range for water and sewer utilities, according to Standard & Poor's Global Credit Portal Ratings system

Board Options

- Option 1: Adopt a resolution declaring the intent to issue tax-exempt obligations in the reasonably expected maximum principal amount of \$70 million for acquiring certain public facilities and improvements.
- Option 2: Take other action as directed by the Board.
- Option 3: Take no action.

Recommendation

- Option 1

Questions?

EL DORADO IRRIGATION DISTRICT

SUBJECT: Consider awarding a contract change order to AECOM in the not-to-exceed amount of \$134,594 for environmental services and authorize additional funding of \$8,650 for application fees for a total funding request of \$143,244 for the Permit 21112 Change in Point of Diversion, Project No. 16003.

PREVIOUS BOARD ACTION

August 10, 2020 – Board awarded a contract to Zanjero in the not-to-exceed amount of \$395,890 to perform hydrologic modeling and authorized additional funding of \$50,000 for capitalized labor and \$25,000 for additional special water rights counsel services for a total funding request of \$470,890 for Permit 21112 Change in Point of Diversion, Project No. 16003.

October 26, 2020 – Board awarded a contract to AECOM in the not-to-exceed amount of \$364,275 to prepare an Environmental Impact Report and authorized additional funding of \$75,000 for capitalized labor for a total funding request of \$439,275 for Permit 21112 Change in Point of Diversion, Project No. 16003.

February 28, 2022 – Board awarded a contract change order to Zanjero, Inc. in the not-to-exceed amount of \$124,840 for hydrologic modeling services and authorized additional funding of \$7,925 for on-call engineering services and \$20,000 for capitalized labor for a total funding request of \$152,765 for the Permit 21112 Change in Point of Diversion, Project No. 16003.

November 14, 2022 – Board adopted the 2023-2027 Capital Improvement Plan (CIP), subject to available funding.

August 28, 2023 – Board authorized additional funding in the amount of \$16,000 for a hydrologic modeling services contract amendment and \$30,000 for capitalized labor for a total funding request of \$46,000 for the Permit 21112 Change in Point of Diversion Project, Project No. 16003.

October 23, 2023 – Board awarded contract change orders to Zanjero, Inc. in the not-to-exceed amount of \$76,044 for hydrologic modeling services and AECOM in the not-to-exceed amount of \$93,265 for environmental services and authorized additional funding of \$25,000 for capitalized labor for a total funding request of \$194,309 for the Permit 21112 Change in Point of Diversion, Project No. 16003.

BOARD POLICIES (BP), ADMINISTRATIVE REGULATIONS (AR) AND BOARD AUTHORITY

BP 5010 Water Supply Management BP 3060 Contracts and Procurement

SUMMARY OF ISSUE

The District is pursuing a change petition with the State Water Resources Control Board (SWRCB) to add a point of diversion and place of storage to Water Right Permit 21112 to meet the District's long-term water supply needs. The continued advancement of this project necessitates a contract change order to AECOM for additional environmental review services.

BACKGROUND/DISCUSSION

This water rights project seeks to add a new point of diversion to the District's existing Water Right Permit 21112 (Permit 21112), which provides the right to consumptively use up to 17,000 acre-feet annually from the supplies originating in the District's Project 184 reservoirs (i.e., Caples, Silver, and Aloha Lakes) and direct diversions from the South Fork American River. Although these District supplies originate in the uppermost portions of the South Fork American River watershed, Permit 21112 currently only allows the District to directly divert or re-divert these water supplies for consumptive use at Folsom Reservoir.

The proposed additional point of diversion is the District's existing El Dorado Diversion Dam near Kyburz, where the District's pre-1914 consumptive rights and hydroelectric rights are currently exercised. The Kyburz diversion would utilize existing conveyance facilities, and Permit 21112 water could immediately be diverted at this location for consumptive use upon approval of the change petition. In addition, the District proposes to add a point of re-diversion and an authorized place of storage at Jenkinson Lake to allow for storage of Permit 21112 water that was initially diverted at Kyburz and then conveyed through the Hazel Creek Tunnel and then into Jenkinson Lake. By taking Permit 21112 water supply at Kyburz, water can be treated and distributed largely via gravity flow to meet demands throughout the District's service area. In addition, amending the permit to allow storage of Permit 21112 in Jenkinson Lake would help address the imbalance of low water availability and high water demand in the summer months. Also, adding a new point of diversion under Permit 21112 would increase water supply reliability and drought resilience by maximizing the flexibility to meet demands in various locations throughout the District with multiple points of diversion.

Project Status and Update

Staff has continued to make progress on this project since the last status update to the Board in October 2023. Efforts have focused on developing the temperature modeling for the project, completing the extensive hydrologic modeling, and advancing the environmental review. The level of effort necessary to complete the environmental review has exceeded prior forecasts due to the large volume of modeling data that must be reviewed, evaluated, and integrated into the draft Environmental Impact Report (draft EIR).

Hydrologic Modeling

Hydrologic modeling is an essential tool for this type of water rights project and is needed to support the SWRCB change petition and California Environmental Quality Act (CEQA) environmental review processes. Zanjero, Inc. has developed a HEC Res-Sim hydrologic modeling tool to conduct the analysis of potential project effects upstream of Folsom Reservoir. This extensive effort involved developing an operational model of the District's Project No. 184 system that could be joined with an existing model of SMUD's Upper American River Project (UARP) to create a hydrologic model of the entire South Fork American River watershed. The District uses this hydrologic model for the current project and plans to use it to analyze future projects and operations.

Zanjero, Inc. also performed separate hydrologic modeling to evaluate potential project impacts on Folsom Reservoir and resources downstream of the reservoir, including flow management on the Lower American and Sacramento Rivers. This modeling effort required using a separate modeling tool, CalSim, to evaluate potential impacts. In addition, Zanjero's sub-consultant, Kleinschmidt (formerly with Stantec), has evaluated potential temperature impacts on the Folsom Reservoir cold water pool and water temperature management.

In March, the project reached the milestone of completing all hydrologic modeling and temperature modeling, including modeling for the proposed project, the baseline, future baseline, and all project alternatives. This modeling involves comparing the operation of the proposed project and the four project alternatives against both baseline conditions (current water demands) and future baseline conditions (future water demands), utilizing more than 45 years of historical hydrology (1975-2021). The large volume of modeling data must then be post-processed into a variety of formats to inform the environmental analysis of potential project impacts. Thus, this project is heavily dependent on modeling and data.

Stakeholder Outreach

Staff has conducted extensive outreach with stakeholders to share information on the proposed change petition and involve interested stakeholders in developing the project's hydrologic modeling. With the recent completion of the project's temperature modeling, staff plans to continue outreach with stakeholders who are particularly interested in Folsom Reservoir and the Lower American River, including the California Department of Fish and Wildlife, the U.S. Bureau of Reclamation, and representatives from the Sacramento Water Forum.

California Environmental Quality Act (CEQA)

In October 2020, the District awarded a contract to AECOM to prepare an environmental impact report (EIR) for the project to comply with the requirements of CEQA. The environmental review process has advanced in conjunction with the hydrologic modeling. Preparation of the EIR is highly dependent on output from the hydrologic modeling because the modeling provides the data that directly informs the analysis of potential effects in the EIR for several resource categories (hydrology, biology, recreation, energy/hydropower, etc.).

Staff forecast the Draft EIR release for public review in June 2024. Staff plans to file the change petition with the SWRCB at the same time as the release of the Draft EIR. Ongoing stakeholder outreach efforts, coordination with regulatory and responsible agencies, and development of alternatives and/or mitigation measures could affect the release date of the Draft EIR.

Environmental Review Contract Change Order

The project has required additional effort during the development of the draft EIR. Development of the draft EIR has necessitated more resources and time by AECOM than previously forecasted. The proposed change order is driven by a variety of factors, including 1) double the level of effort to compare the project and project alternatives to both a current baseline (current water demands) and a future baseline (future water demands); 2) additional effort describing and analyzing the existing infrastructure operational phase of the project; and 3) significant hours dedicated to the review, evaluation, and integration of voluminous modeling data to inform the environmental analyses. In addition, AECOM's original scope of work anticipated that two project alternatives would be evaluated in the draft EIR. However, the draft EIR now includes four project alternatives to ensure a reasonable range of alternatives.

In summary, the time and resources necessary to develop the draft EIR have expanded in response to the increased modeling data associated with the two baseline conditions and additional alternatives. A change order is needed to continue developing the draft EIR and preserve the intended funding for development of the final EIR. Therefore, staff requests approval of a contract change order to AECOM in the amount of \$134,594 to continue advancing the environmental review for the project.

FUNDING

The table below summarizes the current funding request for the project. The funding source for the project is 100% water facility capacity charges.

Current Funding Request	
AECOM contract change order	\$134,594
Water Rights Application Fee	\$8,650
Total Funding Request	\$143,244

BOARD OPTIONS

Option 1: Award a contract change order to AECOM in the not-to-exceed amount of \$134,594 for environmental services and authorize additional funding of \$8,650 for application fees for a total funding request of \$143,244 for the Permit 21112 Change in Point of Diversion, Project No. 16003.

Option 2: Take other action as directed by the Board.

Option 3: Take no action.

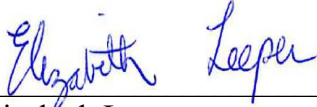
RECOMMENDATION

Option 1

ATTACHMENTS

Attachment A: AECOM Contract Change Order

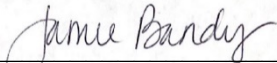
Attachment B: CIP summary



Elizabeth Leeper
Senior Deputy General Counsel




Brian Deason
Environmental Resources Supervisor



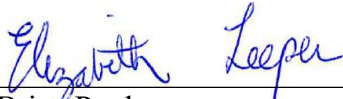
Jamie Bandy
Finance Director



for
Dan Corcoran
Operations Director



Brian Mueller
Engineering Director



for
Brian Poulsen
General Counsel



Jim Abercrombie
General Manager

March 25, 2024

Brian Deason
El Dorado Irrigation District
2890 Mosquito Road
Placerville, CA 95667
Via email to ContractManagement@eid.org

Subject: Amendment 3 for RFQ/RFP20-08 – Permit 21112 EIR

Dear Brian and Elizabeth:

As requested in recent meetings, we have prepared this Amendment 3 to our contract scope of work and budget for this EIR. This Amendment adds additional funding to Task 2.1.2 Administrative Draft EIR for those sections heavily depending on modelling results (hydrology and water quality, recreation, energy and biology) and to other sections to account for additional revisions to sections as a result of project changes. It also extends the timeline of the project to December 30, 2024.

Please, do not hesitate to contact me if you have any questions regarding any aspect of our revised scope of work and cost.

Sincerely,



Petra Unger
Principal/Authorized Signatory
Petra.Unger@aecom.com
(916) 712-3740

Section 1. Revised Scope of Work

2.1.2 Administrative Draft EIR

During the preparation of the Administrative Draft EIR, AECOM is assessing the proposed project impacts, providing a comparative analysis of project alternatives, and identifying potentially feasible mitigation measures. The analysis of hydrology and associated secondary effects (e.g., aquatic resources, recreation, energy) is based in large part upon the hydrologic modeling results. Based on our current work on the review of modelling results (both ResSim for the South Fork and preliminary CalSim for Folsom Lake and system reservoirs) provided by Zanjero, and preliminary temperature modelling discussions and preview of temperature modelling results, several iterations of modelling have been necessary to fine tune the models and interpret results to ensure all potential impacts of the project and alternatives are adequately analyzed. Thus, we are requesting additional funding and time for those resource specialist involved in preparing the model dependent EIR section and to incorporate additional changes into other sections that are updated based on project refinements and agency review. In addition, we are requesting additional funding to preserve all funding allocated to preparation of the FEIR

- Zanjero modeling results provide sufficient information to accurately analyze the energy, hydrology, recreation and biology impacts resulting from project implementation.
- Temperature modelling available in March 2024 will be sufficient to support the missing analysis in the various sections and alternative analysis.
- Final EIR will be certified and project approved by December 2024.

Assumptions

The following assumptions apply to our proposed scope of work, budget, schedule for this Amendment:

- Total duration of contract is extended to December 30, 2024, with DEIR publication expected in June 2024.
- Additional funding from this request will be allocated to ongoing detailed analysis of model dependent topics, and project coordination, as outlined above; and used to backfill funding to preserve the FEIR.
- All meetings will continue to be conducted via conference call or video call.
- No field work is required; EIR analysis will continue to be based on desktop review of model results provided by Zanjero and others.

Modification of Water Right Permit 21112 EIR Project No. 16003.01 - Amendment 3

AECOM COST ESTIMATE

3/25/2023

Task No.	TASKS	Project Director Unger \$285	Rec Planner \$162	Sr Fisheries \$220	Sr Bio \$160	Project Biologist \$110	Sr Archaeol \$149	Archaeol \$105	Arch Historian \$135	Water Eng Hyd/WQ \$180	Env Planner AQ/GHG \$145	Env Planner \$135	Env Analyst \$98	Sr GIS \$140	Word Proc \$115	Project Controls Admin \$140	Total Hours	Total Dollars
2	Preparation of EIR																	
2.1	Draft EIR																	
2.1.1	Technical Studies and Reports	25	20	20	40	30	8	8	8	30	10	6	40	8	10	6	269	\$42,267
2.1.2	Admin Draft EIR	65	40	40	40	0	8	8	8	170	30	6	80	8	30	6	539	\$92,327
2.1.3	Print-check Draft EIR																0	\$0
2.1.4	Public Review Draft EIR																0	\$0
2.1.5	Public Review Meeting																0	\$0
	Subtotal for Task 2.1	90	60	60	80	30	16	16	16	200	40	12	120	16	40	12	808	\$134,594
	Total Labor Hours	90	60	60	80	30	16	16	16	200	40	12	120	16	40	12	808	
	Total Direct Labor Dollars	\$25,650	\$9,720	\$13,200	\$12,800	\$3,300	\$2,384	\$1,680	\$2,160	\$36,000	\$5,800	\$1,620	\$11,760	\$2,240	\$4,600	\$1,680		\$134,594

2024

CAPITAL IMPROVEMENT PLAN Program:

Water

Project Number: 16003
Project Name: Permit 21112 Change in Point of Diversion
Project Category: Reliability & Service Level Improvements

Priority: 2 **PM:** Leeper **Board Approval:** 10/23/23

Project Description:

The District's existing Water Right Permit 21112 allows for water diversion at Folsom Reservoir for consumptives uses. Long-term water supply planning forecasts indicate that a portion of the Permit 21112 water supply will be necessary to serve areas of the District that are east of El Dorado Hills and at a higher elevation. The District seeks to modify Permit 21112 to add an authorized point of diversion and re-diversion to more effectively and efficiently meet the future water demands. The District seeks to add a point of diversion that allows both direct diversion from the South Fork of the American River, as well as re-diversion of this water to storage in Jenkinson Lake. The additional point of diversion is proposed at the District's existing El Dorado Diversion Dam near Kyburz. In addition, the District's seeks to add Jenkinson Lake as an authorized point of re-diversion and an authorized place of storage for Permit 21112 water. Water diverted at the El Dorado Diversion Dam can be conveyed to Jenkinson Lake via the Hazel Creek Tunnel. To take all or any portion of Permit 21112 water upstream of Folsom Reservoir at a new diversion location, EID must successfully petition the State Water Resources Control Board (SWRCB) for water right permit changes to add points of diversion and rediversion and a new place of storage. This project requires extensive hydrologic modeling to support the petition process and environmental review. The SWRCB Change Petition process encompasses preparation of the Petition (including preliminary engineering, hydrologic, and biological analyses, mapping, legal review, and preliminary meetings with SWRCB staff, California Department of Fish & Wildlife staff, and other stakeholders); California Environmental Quality Act (CEQA) compliance through preparation of an environmental impact report; processing of the Petition and any protests by the SWRCB; and potentially evidentiary hearings before the SWRCB if protests are filed against the Petition and cannot be resolved through stakeholder negotiations. The planned annual expenditures reflect a timeline for CEQA compliance and Petition processing in 2024-2026. The estimated expenditures related to the Petition processing and potential SWRCB hearing proceedings are estimates only, and actual expenditures will be highly dependent on the technical and legal support necessary to advance the Petition. Any post-SWRCB hearing proceedings, including potential administrative appeals and/or litigation would require additional funding.

Basis for Priority:

This project provides measurable progress toward achieving the District's goals, including helping to meet future water demand as identified in long-term water supply planning efforts, reducing the cost of water conveyance and delivery through gravity flow, increasing flexibility and reliability in water delivery systems to benefit the District's entire service area, improving drought resiliency, maintaining compliance with regulatory and legal obligations regarding water operations, and optimizing existing water rights.

Project Financial Summary:			
Funded to Date:	\$ 1,534,439	Expenditures through end of year:	\$ 1,410,231
Spent to Date:	\$ 1,140,231	2024 - 2028 Planned Expenditures:	\$ 575,000
Cash flow through end of year:	\$270,000	Total Project Estimate:	\$ 1,985,231
Project Balance	\$ 124,208	Additional Funding Required	\$ 450,792

Description of Work	Estimated Annual Expenditures					Total
	2024	2025	2026	2027	2028	
Modeling	\$ 50,000					\$ 50,000
CEQA/Environmental	\$ 125,000					\$ 125,000
Petition Processing	\$ 100,000	\$ 100,000				\$ 200,000
SWRCB Hearing		\$ 100,000	\$ 100,000			\$ 200,000
TOTAL	\$ 275,000	\$ 200,000	\$ 100,000	\$ -	\$ -	\$ 575,000

Estimated Funding Sources	Percentage	2024	Amount
Water FCCs	100%		\$150,792
Total	100%		\$150,792

Funding Comments:

El Dorado Irrigation District

Additional Point of Diversion for Water Right Permit 21112

Contract change order for environmental services

April 8, 2024

PREVIOUS BOARD ACTION

- October 26, 2020 – Board awarded a contract to AECOM in the amount of \$364,275 to prepare an Environmental Impact Report
- October 23, 2023 – Board awarded a contract change order to AECOM in the not-to-exceed amount of \$93,265 for environmental services

SUMMARY OF ISSUE

- District is pursuing a change petition to add a point of diversion and a place of storage to Water Right Permit 21112
- Expanded scope of environmental analysis and voluminous modeling data necessitate change order for additional environmental services
- Staff requests Board approval of:
 - Contract change order of \$134,594 for additional environmental services; and
 - Additional funding for the change order and change petition application fees

OUTLINE

- Project overview
- Project status update
 - Hydrologic and Temperature Modeling
 - Environmental Review
- Contract Change Order
- Funding request

PROJECT OVERVIEW

- Water Right Permit 21112 authorizes consumptive diversion of 17,000 acre-feet per year
- Direct diversion, diversion to storage and releases from Project 184 reservoirs
- Authorized point of diversion for consumptive use at Folsom Reservoir
- Total cumulative storage of 32,931 acre-feet per year (Caples, Aloha, Silver Lakes)

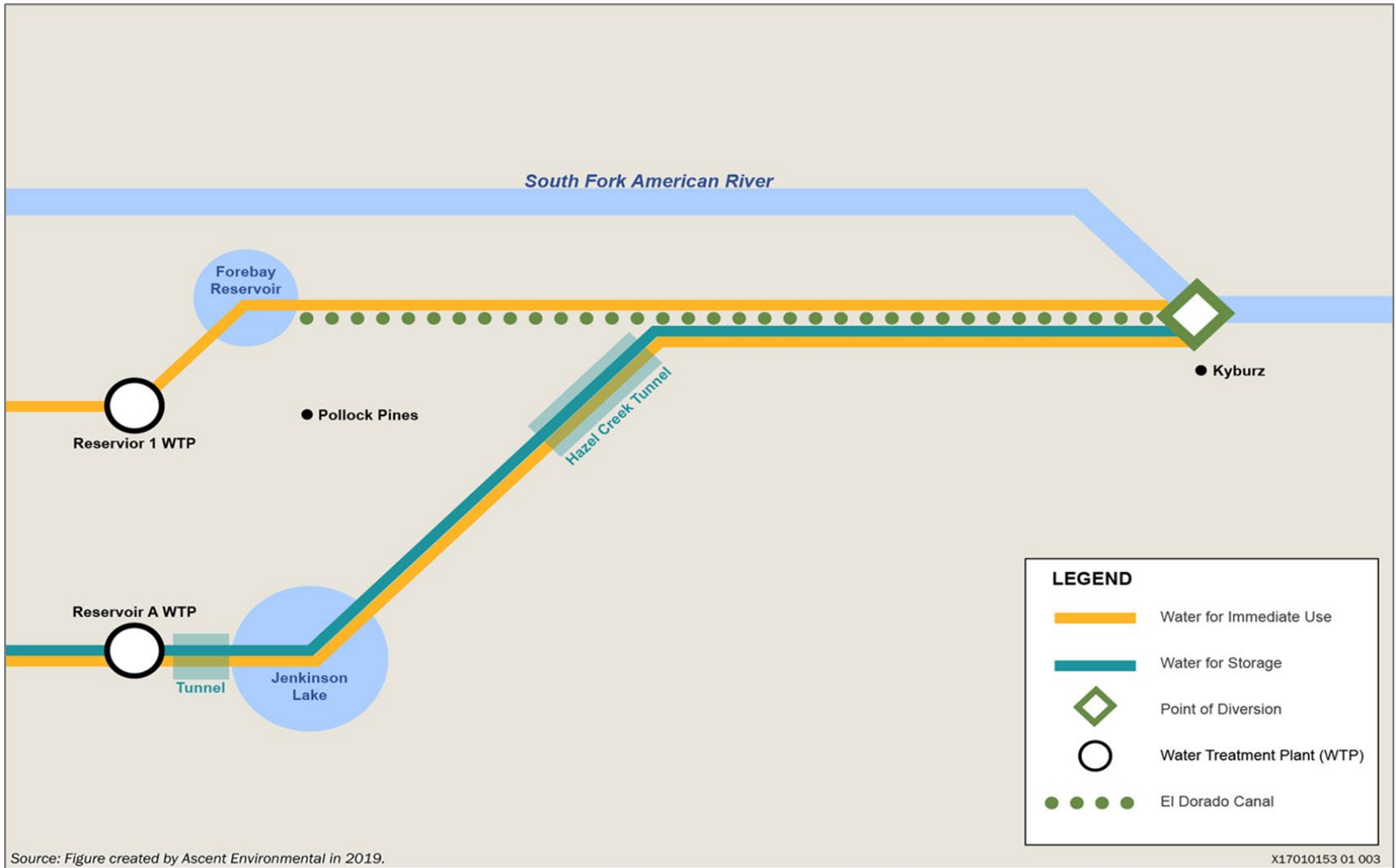
PROPOSED PROJECT

- Modification of Water Right Permit 21112
 - Diversion at El Dorado Diversion Dam
 - Re-diversion to storage at Jenkinson Lake
 - Storage at Jenkinson Lake
- Maintain existing diversion at Folsom
- No change to maximum of 17,000 acre-feet per year for consumptive use
- No change to total cumulative storage of 32,931 acre-feet per year


Diversion at El Dorado Diversion Dam

- Utilizes existing infrastructure
- Water currently diverted for non-consumptive power generation would instead be used for consumptive use
- Less water would be returned to the South Fork below El Dorado Powerhouse due to change from power to consumptive uses
- Diverted water could be re-diverted to storage at Jenkinson Lake

Operations - Permit 21112



OUTLINE

- Project overview
- Project status update 
 - Hydrologic and Temperature Modeling
 - Environmental Review
- Contract Change Order
- Funding request

Hydrologic and Temperature Modeling

- Hydrologic and temperature modeling are essential tools needed to support the water rights change petition and CEQA environmental review processes
 - HEC-ResSim model to evaluate potential impacts to South Fork American River
 - CalSim III model to evaluate potential impacts to Central Valley Project / State Water Project operations
 - CE-QUAL-W2 to evaluate Folsom Reservoir coldwater pool and water temperature management on the lower American River



Modeling Complexity

- Utilizes > 45 years of actual historical hydrologic data (1975-2021)
- Compares the proposed project and 4 project alternatives to two baseline conditions
 - Current Baseline: current water demands
 - Future Baseline: future water demands (2045)
- Utilizes two operational phases for proposed project and some alternatives
 - Existing Infrastructure: diversion rates with existing conveyance constraints
 - Post-Construction: diversion rates after conveyance improvements/construction



Modeling Status

- ResSim, CalSim and temperature modeling is now complete for the proposed project and 4 alternatives
- Additional modeling may be necessary based on further stakeholder outreach and/or comments received on the Draft Environmental Impact Report
- EID will be conducting stakeholder outreach on temperature modeling results and potential impacts:
 - Folsom Reservoir coldwater pool
 - Water temperature and flow management on the Lower American River and the Sacramento River

Environmental Review

- Contract to AECOM to prepare an environmental impact report (EIR)
- The environmental review process has advanced in conjunction with the hydrologic modeling
- Preparation of the EIR is highly dependent on hydrologic modeling
 - Model provides data that directly informs the analysis of potential effects (hydrology, biology, recreation, and energy/hydropower, etc.)
- Release of Draft EIR forecasted for June 2024

OUTLINE

- Project overview
- Project status update
 - Hydrologic and Temperature Modeling
 - Environmental Review
- Contract Change Order 
- Funding request 

CONTRACT CHANGE ORDER - AECOM

- EIR development is data dependent and requires time-intensive review and integration of modeling output by numerous authors
- Several efforts exceed the original scope of environmental services/EIR (AECOM contract):
 - Extensive review of additional modeling output
 - Addition of “future baseline”
 - Addition of “existing infrastructure” operations
 - Addition of project alternatives
- Requested change order in the amount of \$134,594 for these additional environmental review services

FUNDING

AECOM contract change order	\$134,594
Change petition application fees	\$8,650
Total	\$143,244

- Funding source for the project is 100% water facility capacity charges
- Original AECOM contract amount was \$364,275; prior contract change order was \$93,265; this contract change order brings the total contract amount to \$592,134

BOARD OPTIONS

- **Option 1:** Award a contract change order to AECOM in the not-to-exceed amount of \$134,594 for environmental services and authorize additional funding of \$8,650 for application fees for a total funding request of \$143,244 for the Permit 21112 Change in Point of Diversion, Project No. 16003.
- **Option 2:** Take other action as directed by the Board.
- **Option 3:** Take no action.

RECOMMENDATION

- **Option 1**