State of California **California Natural Resources Agency**

Memorandum

Date: September 28, 2021

To: 1) Ann Carroll, Acting General Counsel
Office of General Counsel

2) Ted Craddock, Deputy Director
State Water Project

3) Cindy Messer, Lead Deputy Director
Department of Water Resources

4) Karla A. Nemeth, Director
Department of Water Resources

From: David Duval, Manager
Division of Operations and Maintenance
Department of Water Resources

Subject: B.F. Sisk Dam Safety of Dams Modification Project Final Supplemental Environmental Impact Report - California State Clearinghouse Number 2009091004

The purpose of this memorandum is to certify the B.F. Sisk Dam Safety of Dams Modification Project Final Supplemental Environmental Impact Report (SEIR). The modifications to the Project evaluated by the 2019 EIS/EIR, which are the subject of the SEIR, include developing a new permanent public campground, modifying an existing public day use area, establishing a new borrow area, and minor expansion of the contractor work areas.

The United States Department of the Interior, Bureau of Reclamation (Reclamation) and DWR have conducted several geologic investigations at B.F. Sisk Dam due to its location near active earthquake faults. A 2006 risk analysis by Reclamation concluded that significant- to high-seismic activity could affect the stability of the dam, and B.F. Sisk Dam did not meet the standards of Reclamation's Public Protection Guidelines. Subsequently in 2006, Reclamation initiated a Corrective Action Study (CAS) that resulted in the evaluation of multiple potential structural modifications and operational changes at B.F. Sisk Dam. Additional investigations determined that, during a seismic event, sections of the dam could slump below the water line or allow cracking to develop through the embankment. The B.F. Sisk Dam Safety of Dams Modification Project was developed to analyze proposed changes to address the stability concerns at the dam.

The B.F. Sisk Dam Safety of Dams Modification Project included analysis of two alternatives in addition to the "No Project" alternative: (1) Reservoir Restriction, and (2) Crest Raise. The Reservoir Restriction Alternative would limit storage in San Luis Reservoir by restricting the maximum water height. The Crest Raise Alternative would reduce the likelihood of overtopping and slumping by raising the

dam height and would reduce the likelihood of failure due to cracking by adding stability berms and crack filters. The "No Project" Alternative, Reservoir Restriction Alternative, and Crest Raise Alternative were each analyzed by the 2019 EIS/EIR. The Crest Raise Alternative was the chosen alternative.

DWR filed a Notice of Preparation (State Clearinghouse No. 2009091004) on September 2, 2009. DWR filed a Draft EIS/EIR for the B.F. Sisk Dam Safety of Dams Modification Project with the State Clearinghouse and circulated it for public review from April 12, 2019 through May 28, 2019. During this period, DWR and Reclamation held two public meetings to provide interested parties an opportunity to comment on the Draft EIS/EIR and the project. The Public Meetings were held at the Federal Building on Cottage Way, in Sacramento on May 7, 2019; and at the Miller and Lux Building in Los Banos on May 8, 2019. DWR and Reclamation received comment letters from a total of five agencies, organizations, businesses, and individuals during the public review period for the Draft EIS/EIR. No oral comments were received during the public meetings. The most significant comments related to water supply reductions, including support for the crest raise alternative, and requests for coordination with water contractors on operations and water supply impacts. The 2019 Final EIS/EIR was certified in October of the same year.

Subsequent to certification of the Final EIS/EIR in 2019, several modifications to the Project were identified by the joint DWR and Reclamation design team. These changes include constructing a new permanent public campground and improvements to an existing public day use area to mitigate for the closure of Basalt Campground and day use area for the duration of Project construction, establishing a new borrow area, and minor expansion of the contractor work areas. The SEIR was released for public and agency review from June 15, 2021 through July 29, 2021. Two comment letters were received during the public circulation period, one from the California Department of Transportation and a letter from the California Department of Fish and Wildlife. DWR has provided responses to comments provided in both letters.

The SEIR was prepared by DWR and its contractor, Dudek. It describes and analyzes potential environmental impacts that could result from the Modified Project and addresses concerns expressed in comments received on the 2009 NOP and during the public review period for the 2019 Draft EIS/EIR. A copy of the Final SEIR and Draft SEIR are attached as Exhibit A. Chapter 2 of the Final SEIR contains responses to all comments received on the SEIR.

After reviewing and considering the attached Final SEIR, please review the attached document, "Decisions Relating to the Department of Water Resources B.F. Sisk Dam Safety of Dams Modification Project" (Decision Document), which describes each portion of the CEQA approval process and provides a block for your signature. If have questions, please contact Jerry Snow at Gerald.Snow@water.ca.gov, (916) 653-7213.

APPROVAL RECOMMENDED:

Ann K. B. Carroll

Ann Carroll
Acting General Counsel
Office of General Counsel

Date: 9/28/2021

APPROVAL RECOMMENDED:

Ted Craddock

Ted Craddock
Deputy Director
State Water Project

Date: 9/30/2021

APPROVAL RECOMMENDED:

Cindy Messer
Lead Deputy Director
Department of Water Resources

Date: 10/3/2021

Attachments:

Decision Document, Exhibits A–C

A – Final SEIR and Draft SEIR

B – Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program

C – Notice of Determination

Decisions Relating to the Department of Water Resources
B.F. Sisk Dam Safety Of Dams Modification Project
California State Clearinghouse Number 2009091004

Department of Water Resources Certification of the B.F. Sisk Dam Safety of Dams Modification Project Final Supplemental Environmental Impact Report

Section 15090(a) of the CEQA Guidelines states: "Prior to approving a project the lead agency shall certify that: (1) The final EIR has been completed in compliance with CEQA; 2) The final EIR was presented to the decision-making body of the lead agency and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and (3) The final EIR reflects the lead agency's independent judgment and analysis.

If, after review and consideration of the SEIR, you decide that DWR should certify the SEIR, you should indicate your decision by signing the following statement in accordance with Section 15090(a) of the CEQA Guidelines:

I certify:

1. DWR completed the SEIR, attached as Exhibit A, in compliance with CEQA.

2. The SEIR was presented to me in my capacity as the DWR's decision making body and I reviewed and considered the information contained in the Final SEIR prior to approving the project.

3. DWR is the lead agency for the SEIR and the SEIR reflects DWR's independent judgment and analysis.

Karla A. Nemeth, Director
Department of Water Resources

Department of Water Resources Decisions Regarding the B.F. Sisk Dam Safety of Dams Modification Project

If, after certifying the final SEIR, you decide that DWR should approve the B.F. Sisk Dam Safety of Dams Modification Project as described in the SEIR (Modified Project), you should indicate your decision by making the following determinations in the manner prescribed by Sections 15091 - 15094 of the CEQA Guidelines:

1. *Section 15091(a) of the CEQA Guidelines states: "No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding."*

I will adopt the Findings of Fact set forth in Section 1 of Exhibit B, which meet the requirements of CEQA Guidelines Section 15091. To the extent that these findings conclude that various mitigation measures are feasible and within DWR's responsibility and jurisdiction, I direct DWR to implement these measures, thereby incorporating them as part of the proposed project.

Karla A. Nemeth, Director
Department of Water Resources

2. *Section 15093(b) of the CEQA Guidelines states: "When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record."*

I adopt the Statement of Overriding Considerations, attached as Section 2 of Exhibit B, which meets the requirements of CEQA Guidelines Section 15093.

Karla A. Nemeth, Director
Department of Water Resources

3. *Section 15091(d) of the CEQA Guidelines requires the agency to "also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects."*

I adopt the Mitigation, Monitoring and Reporting Program, included as Section 3 of Exhibit B, which meets the requirements of CEQA Guidelines Section 15091(d).

Karla A. Nemeth, Director
Department of Water Resources

4. *CEQA Guidelines Sections 15092(a) and (b) describe the approval decision stating that the lead agency, after "considering the final EIR and in conjunction with making findings under Section 15091, the lead agency may decide whether or how to approve or carry out the project." Section 15092 further states that a public agency shall not decide to approve a project for which an EIR is prepared unless the project will not have a significant effect on the environment or the agency has eliminated or substantially lessened significant effects where feasible, and determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.*

After considering the Final SEIR and in conjunction with making findings under CEQA *Guidelines* Section 15091, I approve the Modified Project as described in the SEIR. My approval meets the requirements of CEQA *Guidelines* Sections 15092(a) and (b).

I have determined that:

DWR has eliminated or substantially lessened all significant effects on the environment where feasible as shown in the findings under CEQA *Guidelines* Section 15091, and any remaining significant effects on the environment found to be unavoidable under CEQA *Guidelines* Section 15091 are acceptable due to overriding concerns in accordance with CEQA *Guidelines* Section 15093.

10/3/2021
Date

Karla A. Nemeth, Director
Department of Water Resources

5. *CEQA Guidelines Section 15094 states that "the lead agency shall file a notice of determination within five working days after deciding to carry out or approve the project."*

I will sign the Notice of Determination (NOD), attached as Exhibit C, which meets the requirements of Section 15094 and direct DWR staff to file the NOD with the Office of Planning and Research within five working days and keep a copy of the NOD with the Project administrative record.

Karla A. Nemeth, Director
Department of Water Resources

Exhibit A

Final SEIR (Final SEIR and Draft SEIR)

Exhibit B

Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program

Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program
B.F. Sisk Dam Safety of Dams Modification Project
Supplemental Environmental Impact Report
SCH No. 2009091004

California Department of Water Resources
1416 Ninth Street
Sacramento, California 95814

SEPTEMBER 2021

Table of Contents

1 Findings of Fact Regarding Environmental Impacts

1.1 Introduction

The California Department of Water Resources (DWR), acting as a lead agency, makes the following findings in response to the potentially significant effects on the environment identified and analyzed in the Final Supplemental Environmental Impact Report (Final SEIR) for the B.F. Sisk Dam Safety of Dams Modification Project (Project).

Section 1 of this document includes the Findings of Fact (Findings) regarding environmental impacts associated with the Project. Findings for impacts that cannot be reduced to a less-than-significant level are discussed in Section 1.2 of this document, and significant impacts that will be reduced to less than significant with mitigation are discussed in Section 1.3. Table 1-1 of this document lists impacts and indicates where they are discussed in the Final SEIR. Less-than-significant impacts not requiring mitigation are not included in Table 1-1 or discussed within these Findings. Findings regarding other alternatives considered are contained in Section 1.4 of this document.

A Statement of Overriding Considerations for significant and unavoidable impacts is contained in Section 2 of this document. The specific mitigation measures that are within the responsibility and jurisdiction of DWR are included in the Mitigation Monitoring and Reporting Program found in Section 3 of this document.

The Final SEIR includes a list of persons, organizations, and public agencies that commented on the Draft SEIR, comments received on the Draft SEIR, and responses to significant environmental issues raised in the comments received.

The custodian and location of the related documents and other materials that constitute the record of the proceeding is as follows:

California Department of Water Resources
Sara Paiva-Lowry
1416 Ninth Street, Room 604
Sacramento, California 95814

Table 1-1. Potential Impacts Summary

Potential Impact	Impact Determination	Draft SEIR Page Number
Section 3.2, Air Quality		
The Project would conflict with or obstruct implementation of the applicable air quality plan.	Less than Significant with Mitigation	3.2-25–27
The Project would violate an ambient air quality standard or contribute substantially to an existing or projected violation of any ambient air quality standard.	Less than Significant with Mitigation	3.2-27–34

Table 1-1. Potential Impacts Summary

Potential Impact	Impact Determination	Draft SEIR Page Number
The Project would result in a cumulatively considerable net increase of any criteria pollutant for which the area of analysis is nonattainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone [O3] precursors).	Significant and unavoidable (cumulative)	3.2-34-35
The Project would expose sensitive receptors to substantial pollutant concentrations.	Less than Significant with Mitigation	3.2-35–41
Section 3.3, Greenhouse Gas Emissions		
The Project would generate GHG emissions, either directly or indirectly, that could cause a significant impact on the environment.	Less than Significant with Mitigation	3.3-25–28
The Project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.	Less than Significant with Mitigation	3.3-28–31
Section 3.5, Visual Resources		
The Project would create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.	Less than Significant with Mitigation	3.5-18–21
Section 3.6, Noise and Vibration		
The Project would result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	Significant and Unavoidable (cumulative)	3.6-9–14
The Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.	Significant and Unavoidable (cumulative)	3.6-14–15
The Project would result in substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the Project.	Significant and Unavoidable (cumulative)	3.6-16–17
Section 3.7, Traffic and Transportation		
The Project would substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	Less than Significant with Mitigation	3.7-23–24
The Project would result in inadequate emergency access.	Less than Significant with Mitigation	3.7-24–25
Section 3.8, Hazards and Hazardous Materials		
The Project would 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.	Less than Significant with Mitigation	3.8-17-19

Table 1-1. Potential Impacts Summary

Potential Impact	Impact Determination	Draft SEIR Page Number
The Project would be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.	Less than Significant with Mitigation	3.8-19-22
The Project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	Less than Significant with Mitigation	3.8-25–27
The Project would expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.	Less than Significant with Mitigation	3.8-27–29
Section 3.9, Biological Resources		
The Project would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as an endangered, threatened, candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW, NMFS, or USFWS.	Less than Significant with Mitigation	3.9-47–67
The Project would have a substantial adverse effect on any riparian habitat or other sensitive (or special-status) natural community identified in local or regional plans, policies, regulations, or by the CDFW, NMFS, or USFWS.	Less than Significant with Mitigation	3.9-68–70
The Project would have a substantial adverse effect on Federally protected wetlands as defined by Section 404 of the CWA (including, but not limited to, marsh, vernal pool, coast, etc.) through direct removal, filling, hydrological interruption, or other means.	Less than Significant with Mitigation	3.9-70–73
The Project would 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.	Less than Significant with Mitigation	3.9-74–77
Section 3.11, Recreation		
The Project construction activities would substantially reduce access to or close recreation areas.	Less than Significant with Mitigation	3.11-9–11
Section 3.12, Cultural Resources		
The Project would result in adverse effects to a cultural resource included in or eligible for inclusion in the NRHP and/or the CRHR.	Less than Significant with Mitigation	3.12-18–20

Table 1-1. Potential Impacts Summary

Potential Impact	Impact Determination	Draft SEIR Page Number
Section 3.14, Tribal Cultural Resources		
The Project would cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	Less than Significant with Mitigation	3.14-6–9

Note: SEIR = supplemental environmental impact report.

1.2 Significant and Unavoidable Impacts

The Final SEIR indicates that significant and unavoidable impacts attributable to the Project include impacts to air quality and those associated with noise. As described below in the findings for these impacts, there are either no feasible mitigation measures or the feasible mitigation measure(s) would only partially mitigate the significant impact and the residual effect would remain significant. It is hereby determined that these impacts are acceptable for the reasons specified in the Statement of Overriding Considerations, presented in Section 2 of this document.

1.2.1 Section 3.2, Air Quality

1.2.1.1 Air Quality Threshold 3

Description of Potential Impact

The Project would result in a cumulatively considerable net increase of any criteria pollutant for which the area of analysis is nonattainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone [O_3] precursors).

Findings

Construction and operation of the Project would result in a minimal increase in criteria air pollutant emissions and would not exceed the applicable San Joaquin Valley Air Pollution Control District's (SJVAPCD's) annual thresholds after implementation of Mitigation Measures AQ-1, AQ-2, and AQ-3. These mitigation measures reduce construction emissions by requiring lower emitting construction equipment (AQ-1), newer on-road trucks (AQ-2), and implementation of a fugitive dust control plan with associated measures, such as stabilizing disturbed areas of dust and limiting trackout (AQ-3).

However, other cumulative projects in the San Joaquin Valley Air Basin would also result in emissions concurrently with the Project. Of particular note, because the B.F. Sisk Dam Raise and Reservoir Expansion Project (reservoir expansion project) would be constructed as a further modification to B.F. Sisk Dam and within an overlapping time period as the Project, and because construction of the reservoir expansion project would result in emissions of oxides of nitrogen (NO_x) and coarse particulate matter that exceed the SJVAPCD thresholds of significance after mitigation, as concluded by the joint EIR and Supplemental Environmental Impact Statement (EIS) prepared by the Bureau of Reclamation (Reclamation) and the San Luis & Delta–Mendota Water Authority for the reservoir expansion project, the construction and operational emissions generated by the Project would contribute to a cumulatively significant impact. As such, this impact would be significant and unavoidable.

Mitigation Measures AQ-1, AQ-2, and AQ-3 are described in Section 3.2.5 of the Final SEIR.

1.2.2 Section 3.6, Noise and Vibration

1.2.2.1 Noise and Vibration Threshold 1

Description of Potential Impact

The Project would result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies (cumulative).

Findings

Construction activities could exceed the Merced County 5-decibel (dB) relative increase threshold during nighttime hours. Mitigation Measures NOISE-1, NOISE-2, and NOISE-3 require implementation of a noise control plan, a blasting plan, and a noise monitoring program that include limitations on construction activities that could generate substantial noise during evening and nighttime hours, use of noise-shielding measures, equipment maintenance requirements and noise planning, among other measures, that would ensure that noise generated from during construction of the Project would not increase noise levels over 5 dB above the existing nighttime ambient noise level and would thus comply with Merced County Code and remain below the thresholds of significance.

Implementation of Mitigation Measures NOISE-1, NOISE-2, and NOISE-3 would reduce noise impacts associated with construction of the Project. However, these mitigation measures would not provide a noise level reduction necessary to avoid a significant impact in conjunction with the construction of the California High-Speed Rail Project, the San Luis Transmission Project, and the San Luis Solar Project. Therefore, cumulative noise impacts remain significant and unavoidable.

Mitigation Measures NOISE-1, NOISE-2, and NOISE-3 are described in Section 3.6.5 of the Final SEIR.

1.2.2.2 Noise and Vibration Threshold 2

Description of Potential Impact

The Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels (cumulative).

Findings

The Project would contribute to a cumulatively considerable impact associated with groundborne noise or vibration during construction. Implementation of Mitigation Measures NOISE-1, NOISE-2, and NOISE-3 would reduce noise impacts associated with construction of the Project. However, these mitigation measures would not provide a groundborne vibration or groundborne noise level reduction necessary to avoid a significant impact in conjunction with the construction of the California High-Speed Rail Project, the San Luis Transmission Project, and the San Luis Solar Project. Therefore, cumulative noise impacts remain significant and unavoidable.

Mitigation Measures NOISE-1, NOISE-2, and NOISE-3 are described in Section 3.6.5 of the Final SEIR.

1.2.2.3 Noise and Vibration Threshold 3

Description of Potential Impact

The Project would result in substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project (cumulative).

Findings

Construction activities could exceed the Merced County 5 dB relative increase threshold during nighttime hours. Mitigation Measures NOISE-1, NOISE-2, and NOISE-3 require implementation of a noise control plan, a blasting plan, and a noise monitoring program that include limitations on construction activities that could generate substantial noise during evening and nighttime hours, use of noise-shielding measures, equipment maintenance requirements and noise planning, among other measures, that would ensure that noise generated from the additional contractor work areas would not increase noise levels over 5 dB above the existing nighttime ambient noise level and would thus comply with Merced County Code and remain below the thresholds of significance.

Implementation of Mitigation Measures NOISE-1, NOISE-2, and NOISE-3 would reduce noise impacts associated with construction of the Project. However, these mitigation measures would not provide a noise level reduction necessary to avoid a significant impact in conjunction with the construction of the California High-Speed Rail Project, the San Luis Transmission Project, and the San Luis Solar Project. Therefore, cumulative noise impacts remain significant and unavoidable.

Mitigation Measures NOISE-1, NOISE-2, and NOISE-3 are described in Section 3.6.5 of the Final SEIR.

1.3 Significant and Potentially Significant Impacts Reduced to Less-than-Significant Level by Mitigation Measures Incorporated into the Project

The following summarizes the significant and potentially significant impacts of the Project identified in the Final SEIR that would be less than significant with implementation of mitigation measures.

1.3.1 Section 3.2, Air Quality

1.3.1.1 Air Quality Threshold 1

Description of Potential Impact

The Project would conflict with or obstruct implementation of the applicable air quality plan.

Findings

The SJVAPCD has prepared plans to attain federal and state ozone (O_3) and particulate matter ambient air quality standards as required under the federal and California Clean Air Acts. The SJVAPCD has established thresholds of significance for criteria pollutant emissions. Projects with emissions below the annual thresholds of significance for criteria pollutants would be determined to "not conflict or obstruct implementation of the District's air quality plan."

NO_x emissions during construction would exceed the SJVAPCD's significance threshold. Air quality impacts would be reduced through implementation of Mitigation Measure AQ-1, which requires lower emitting construction equipment; Mitigation Measure AQ-2, which requires newer on-road trucks; and Mitigation Measure AQ-3, which requires implementation of a fugitive dust control plan with associated measures, such as stabilizing disturbed areas of dust and limiting trackout.

Implementation of Mitigation Measures AQ-1, AQ-2, and AQ-3 would reduce air quality impacts to less than significant. Mitigation Measures AQ-1, AQ-2, and AQ-3 are described in Section 3.2.5 of the Final SEIR.

1.3.1.2 Air Quality Threshold 2

Description of Potential Impact

The Project would violate an ambient air quality standard or contribute substantially to an existing or projected violation of an ambient air quality standard; and could expose sensitive receptors to substantial pollutant concentrations.

Findings

NO_x emissions during construction would exceed the SJVAPCD's significance threshold. Air quality impacts would be reduced through implementation of Mitigation Measure AQ-1, which requires lower emitting construction

equipment; Mitigation Measure AQ-2, which requires newer on-road trucks; and Mitigation Measure AQ-3, which requires implementation of a fugitive dust control plan with associated measures, such as stabilizing disturbed areas of dust and limiting trackout.

Implementation of Mitigation Measures AQ-1, AQ-2, and AQ-3 would reduce air quality impacts to less than significant. Mitigation Measures AQ-1, AQ-2, and AQ-3 are described in Section 3.2.5 of the Final SEIR.

1.3.1.3 Air Quality Threshold 3

Description of Potential Impact

The Project would expose sensitive receptors to substantial pollutant concentrations.

Findings

NO_x emissions during construction would exceed the SJVAPCD's significance threshold. Air quality impacts would be reduced through implementation of Mitigation Measure AQ-1, which requires lower emitting construction equipment; Mitigation Measure AQ-2, which requires newer on-road trucks that would generate lower emissions; and Mitigation Measure AQ-3, which requires implementation of a fugitive dust control plan with associated measures, such as stabilizing disturbed areas of dust and limiting trackout.

Implementation of Mitigation Measures AQ-1, AQ-2, and AQ-3 would reduce air quality impacts to less than significant. Mitigation Measures AQ-1, AQ-2, and AQ-3 are described in Section 3.2.5 of the Final SEIR.

1.3.2 Section 3.3, Greenhouse Gas Emissions

1.3.2.1 Greenhouse Gas Emissions Threshold 1

Description of Potential Impact

The Project would generate greenhouse gas (GHG) emissions, either directly or indirectly, that could cause a significant impact on the environment.

Findings

As shown in Table 3.3-3, Unmitigated Annual Construction GHG Emissions, of the Final SEIR, maximum Project and annual GHG emissions would exceed the significance thresholds for Extraordinary Construction Projects as established by DWR's Greenhouse Gas Emissions Reduction Plan. With implementation of Mitigation Measures SEIR-GHG-1 and SEIR-GHG-2, GHG emissions generated by Project construction would be reduced by the use of electric/alternatively fueled equipment where feasible and appropriate, through the facilitation of rideshares for workers, and by retiring carbon offsets to below the applied threshold.

Implementation of Mitigation Measures SEIR-GHG-1 and SEIR-GHG-2 would reduce GHG impacts to less than significant. Mitigation Measures SEIR-GHG-1 and SEIR-GHG-2 are described in Section 3.3.5 of the Final SEIR.

1.3.2.2 Greenhouse Gas Emissions Threshold 2

Description of Potential Impact

The Project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

Findings

Because emissions during construction of the Project would exceed GHG emissions thresholds for an Extraordinary Construction Project, it would result in a potentially significant impact because it could impact DWR's ability to attain long-term GHG reduction goals identified by DWR's Greenhouse Gas Emissions Reduction Plan Update 2020. With implementation of Mitigation Measures SEIR-GHG-1 and SEIR-GHG-2, GHG emissions generated by Project construction would be reduced by the use of electric/alternatively fueled equipment where feasible and appropriate, through the facilitation of rideshares for workers, and be retiring carbon offsets below the applied threshold.

Implementation of Mitigation Measures SEIR-GHG-1 and SEIR-GHG-2 would reduce GHG impacts to less than significant. Mitigation Measures SEIR-GHG-1 and SEIR-GHG-2 are described in Section 3.3.5 of the Final SEIR.

1.3.3 Section 3.5, Visual Resources

1.3.3.1 Visual Resources Threshold 4

Description of Potential Impact

The Project would create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

Findings

Lights in the construction area would have a temporary negative impact on nighttime views in the Project area. Mitigation Measure VIS-1 requires contractors to implement measures to reduce light and glare while meeting minimum safety and security standards.

Implementation of Mitigation Measure VIS-1 would reduce impacts from nighttime construction actions on nighttime light to less than significant. Mitigation Measure VIS-1 is described in Section 3.5.5 of the Final SEIR.

1.3.4 Section 3.7, Traffic and Transportation

1.3.4.1 Traffic and Transportation Threshold 6

Description of Potential Impact

The Project would substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Findings

The construction of all components of the Project would result in an increase in construction equipment, construction personnel vehicles, and construction trucks, along with a potential temporary increase in the vehicle speed limit along Basalt Road, which would increase hazards along every study area roadway and intersection evaluated. The construction of the proposed campground would result in new asphalt and resurfacing of the access road leading to the campground, as well as the internal parking lot of the campground, which could increase hazards between construction equipment and visitors accessing the northwest portion of O'Neill Forebay.

Mitigation Measure TR-1 would require the development of a Traffic Control Plan and implementation of the plan during construction. Implementation of Mitigation Measure TR-1 would reduce traffic safety impacts to less than significant. Mitigation Measure TR-1 is described in Section 3.7.5 of the Final SEIR.

1.3.4.2 Traffic and Transportation Threshold 7

Description of Potential Impact

The Project would result in inadequate emergency access.

Findings

Construction traffic, including personnel vehicles and trucks, could hinder or slow down emergency vehicles and their ability to access the reservoir and dam. Construction of the proposed campground would result in new asphalt and resurfacing of the access road leading to the campground, as well as the internal parking lot of the campground, which could result in temporary delays for emergency vehicles accessing the northwest portion of O'Neill Forebay during construction.

Mitigation Measure TR-1 would require the development of a Traffic Control Plan. Implementation of Mitigation Measure TR-1 would reduce traffic safety impacts to less than significant. Mitigation Measure TR-1 is described in Section 3.7.5 of the Final SEIR.

1.3.5 Section 3.8, Hazards and Hazardous Materials

1.3.5.1 Hazards and Hazardous Materials Threshold 2

Description of Potential Impact

The Project would 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.

Findings

Changes to the Project evaluated in the SEIR would result in no new impacts not evaluated in the 2019 EIS/EIR. As disclosed in the 2019 EIS/EIR, the Project would be constructed near an active remediation site, which would create a hazard to the public or the environment if contaminated soil and/or groundwater is encountered during construction and released to the environment.

Mitigation Measure HAZ-1 would require coordinating with regulating agencies to review existing monitoring data for the remediation site and prepare an appropriate Contaminated Soil / Groundwater Remediation Plan as warranted or in the event that contamination is encountered during construction. Mitigation Measure HAZ-1 would ensure that impacts from any potential release of hazardous materials would be less than significant. Mitigation Measures HAZ-1 is described in Section 3.8.5 of the Final SEIR.

1.3.5.2 Hazards and Hazardous Materials Threshold 3

Description of Potential Impact

The Project would be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.

Findings

Changes to the Project evaluated in the SEIR would result in no new impacts not evaluated in the 2019 EIS/EIR. As disclosed in the 2019 EIS/EIR, the Project activities could be conducted within 830 feet from an active groundwater contamination remediation site. The remediation site could represent a hazard to the public or the environment if contaminated soil and/or groundwater is encountered during Project construction and released to the environment.

Mitigation Measure HAZ-1 would require coordinating with regulating agencies to review existing monitoring data for the remediation site and prepare an appropriate Contaminated Soil / Groundwater Remediation Plan as warranted or if contamination is encountered during construction. Mitigation Measure HAZ-1 would ensure that impacts from any potential release of hazardous materials would be less than significant. Mitigation Measures HAZ-1 is described in Section 3.8.5 of the Final SEIR.

1.3.5.3 Hazards and Hazardous Materials Threshold 6

Description of Potential Impact

The Project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Findings

The roads within San Luis Reservoir State Recreation Area, State Route 152, and Basalt Road would be the main access roads for trucks, equipment, and construction worker access to the Project site during grading and construction. These roads would similarly be the main evacuation route in case of an emergency and excessive construction traffic on these roads could temporarily interfere with an emergency response plan or emergency evacuation plan for the State Responsibility Area.

Mitigation Measure TR-1 would require the development of a Traffic Control Plan. Implementation of Mitigation Measure TR-1 would reduce traffic safety impacts associated with interference with emergency response or evacuation to less than significant. Mitigation Measure TR-1 is described in Section 3.7.5 of the Final SEIR.

1.3.5.4 Hazards and Hazardous Materials Threshold 7

Description of Potential Impact

The Project would expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Findings

Construction and operation of the Project's proposed campground would have the potential to increase fire risk. Heat or sparks from equipment and vehicles, as well as the use of flammable materials, have the potential to ignite adjacent vegetation and start a fire, especially during weather events that include low humidity and high wind speeds. The potential risk of wildfire ignition and spread associated with construction activities for the proposed campground and improvements at the San Luis Creek Day Use Area can be managed and pre-planned to reduce the potential for vegetation ignition.

Mitigation Measures HAZ-1 and HAZ-4 would require preparation of a Fire Prevention Plan by the construction contractor, education of construction personnel regarding wildfire prevention, the use of spark arrestors, and restrictions on smoking and campfires. Mitigation measures SEIR-HAZ-1 and SEIR-HAZ-2 would require firesafe maintenance practices and modifications to campground operations during periods of high fire hazard. Implementation of Mitigation Measures HAZ-1, HAZ-4, SEIR-HAZ-1, and SEIR-HAZ-2 would reduce impacts to less than significant. Mitigation Measures HAZ-1, HAZ-4, SEIR-HAZ-1, and SEIR-HAZ-2 are described in Section 3.8.5 of the Final SEIR.

1.3.6 Section 3.9, Biological Resources

1.3.6.1 Biological Resources Threshold 1

Description of Potential Impact

The Project would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as an endangered, threatened, candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW [California Department of Fish and Wildlife], NMFS [National Marine Fisheries Service], or USFWS [U.S. Fish and Wildlife Service].

Findings

The Project would impact vegetation communities or land cover types that provide habitat for special-status plant and wildlife species and could also result in injury or mortality of species individuals. Indirect impacts on special-status species could also occur. Mitigation Measure TERR-1 requires preconstruction surveys and compensatory mitigation for special-status plants and natural communities; Mitigation Measure TERR-6 requires preconstruction nesting bird surveys; Mitigation Measure TERR-7 would avoid impacts to Swainson's hawk (preconstruction surveys and avoidance); Mitigation Measure TERR-8 would avoid impacts to tricolored blackbird (preconstruction surveys and avoidance); Mitigation Measure TERR-11 would avoid impacts to special-status bats (preconstruction surveys and avoidance); Mitigation Measure TERR-13 would avoid impacts to American badger (preconstruction surveys

and avoidance/work limitations); Mitigation Measure TERR-15 would require worker awareness training and site protection measures; Mitigation Measure SEIR-BIO-1 would avoid impacts to special-status amphibians (preconstruction surveys, avoidance/monitoring, and compensatory mitigation); Mitigation Measure SEIR-BIO-2 would avoid impacts to special-status reptiles (preconstruction surveys and avoidance); Mitigation Measure SEIR-BIO-3 would avoid impacts to burrowing owl (preconstruction surveys and avoidance/work limitations); Mitigation Measure SEIR-BIO-4 would avoid impacts to San Joaquin kit fox (preconstruction surveys, avoidance/monitoring, and compensatory mitigation); and Mitigation Measure SEIR-BIO-6 would avoid impacts to bridge-nesting birds (preconstruction surveys and avoidance).

Implementation of Mitigation Measures TERR-1, TERR-7, TERR-8, TERR-11, TERR-13, TERR-15, SEIR-BIO-1 through SEIR-BIO-4, and SEIR-BIO-6 would reduce impacts to less than significant. Mitigation Measures TERR-1, TERR-7, TERR-8, TERR-11, TERR-13, TERR-15, SEIR-BIO-1 through SEIR-BIO-4, and SEIR-BIO-6 are described in Section 3.9.5 of the Final SEIR.

1.3.6.2 Biological Resources Threshold 2

Description of Potential Impact

The Project would have a substantial adverse effect on any riparian habitat or other sensitive (or special-status) natural community identified in local or regional plans, policies, regulations, or by CDFW, NMFS, or USFWS.

Findings

The additional impact areas will result in 175.35 acres of permanent and temporary impacts to vegetation communities and land covers. Direct and indirect impacts to annual grasslands that do not support gum plant patches, scrub/chaparral, eucalyptus woodland, and urban/disturbed would be less than significant because these vegetation communities and land covers are not considered sensitive by CDFW and do not constitute riparian habitat.

Mitigation Measure SEIR-BIO-5a requires monitoring during construction to ensure avoidance of impacts to sensitive natural communities and provides avoidance and minimization measures for sensitive vegetation and riparian habitat; Mitigation Measure SEIR-BIO-5b defines compensatory mitigation requirements to offset impacts to jurisdictional sensitive vegetation and riparian habitat, and includes a weed control plan. Mitigation Measure HAZ-1 requires preparation of a Spill Prevention and Response Plan for preventing spills and responding to chemical or hazardous substance spills to address indirect impacts to sensitive vegetation communities and riparian habitat.

Implementation of Mitigation Measures SEIR-BIO-5a and SEIR-BIO-5b would reduce impacts to less than significant. Mitigation Measures SEIR-BIO-5a and SEIR-BIO-5b are described in Section 3.9.5 of the Final SEIR and Mitigation Measure HAZ-1 is described in Sections 3.8.5 of the Final SEIR.

1.3.6.3 Biological Resources Threshold 3

Description of Potential Impact

The Project would have a substantial adverse effect on Federally protected wetlands as defined by Section 404 of the CWA (including, but not limited to, marsh, vernal pool, coast, etc.) through direct removal, filling, hydrological interruption, or other means.

Findings

The additional impact areas would result in 7.57 acres of permanent and temporary impacts to jurisdictional aquatic resources. Mitigation Measure SEIR-BIO-5a requires monitoring during construction to ensure avoidance of impacts to sensitive natural communities and provides avoidance and minimization measures for sensitive vegetation and riparian habitat; Mitigation Measure SEIR-BIO-5b defines compensatory mitigation requirements to offset impacts to jurisdictional sensitive vegetation and riparian habitat, and includes a weed control plan. Mitigation Measure HAZ-1 requires preparation of a Spill Prevention and Response Plan for preventing spills and responding to chemical or hazardous substance spills to address indirect impacts to sensitive vegetation communities and riparian habitat.

Implementation of Mitigation Measures SEIR-BIO-5a and SEIR-BIO-5b would reduce impacts to less than significant. Mitigation Measures SEIR-BIO-5a and SEIR-BIO-5b are described in Section 3.9.5 of the Final SEIR and Mitigation Measure HAZ-1 is described in Sections 3.8.5 of the Final SEIR.

1.36.4 Biological Resources Threshold 4

Description of Potential Impact

The Project would 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.

Findings

It is expected that during construction, tule elk would move away from construction activities. While the effects of construction are not anticipated to affect the health of the general population of tule elk, broader movement, or ability to maintain current levels of genetic flow, temporary indirect movement of smaller herds or individuals away from construction disturbance and toward potential hazards, including State Route 152, would be a significant impact. Mitigation Measure SEIR-BIO-7 requires the preparation of a tule elk management plan to outline methods and procedures for herding elk away from construction activities such that they are not moved toward areas that could represent a hazard to the herd or individual animals.

Implementation of Mitigation Measure SEIR-BIO-7 would reduce impacts to less than significant. Mitigation Measure SEIR-BIO-7 is described in Section 3.9.5 of the Final SEIR.

1.3.7 Section 3.11, Recreation

1.3.7.1 Recreation Threshold 2

Description of Potential Impact

The Project construction activities would substantially reduce access to or close recreation areas.

Findings

Closure of recreation resources would occur for the duration of Project construction. Mitigation Measure SEIR-REC-1 would require development of new campsites and other amenities to compensate for those reduced or lost during Project construction.

Implementation of Mitigation Measure SEIR-REC-1 would reduce impacts to less than significant. SEIR-REC-1 is described in Section 3.11.5 of the Final SEIR.

1.3.8 Section 3.12, Cultural Resources

1.3.8.1 Cultural Resources Threshold 1

Description of Potential Impact

The Project would result in adverse effects to a cultural resource included in or eligible for inclusion in the National Register of Historic Places and/or the California Register of Historical Resources.

Findings

The Project could result in adverse effects to known or previously unknown, inadvertently discovered archaeological resources and human remains during earth-disturbing activities. Reclamation has developed a geoarchaeological sensitivity map and supporting summary that identifies areas of elevated potential for encountering buried resources within the Project site; archaeological monitoring would be required in the areas identified by this map.

Mitigation Measures SEIR-CR-1, SEIR-CR-2, and SEIR-CR-3, require investigation and assessment by a qualified archaeologist in the event that an unknown resource is encountered during Project construction and that pertinent regulatory requirements are implemented in the event human remains are encountered, and that monitoring be required in accordance with the geoarchaeological sensitivity map developed for the Project site.

Implementation of Mitigation Measures SEIR-CR-1, SEIR-CR-2, and SEIR-CR-3 would reduce impacts to less than significant. Mitigation Measures SEIR-CR-1, SEIR-CR-2, and SEIR-CR-3 are described in Section 3.12.5 of the Final SEIR.

1.3.9 Section 3.14, Tribal Cultural Resources

1.3.9.1 Tribal Cultural Resources Threshold 1

Description of Potential Impact

The Project could cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Findings

Government-to-government consultation initiated by DWR, acting in good faith and after a reasonable effort, has not resulted in the identification of a tribal cultural resource within the Project site. Given that no tribal cultural resource has been identified, no resource-specific mitigation measures pertaining to known tribal cultural resources are necessary. Consultation has concluded and coordination regarding tribal cultural resources outside of formal consultation is ongoing as appropriate.

Mitigation Measures SEIR-CR-1, SEIR-CR-2, and SEIR-CR-3, require investigation and assessment by a qualified archaeologist in the event that an unknown resource is encountered, that pertinent regulatory requirements are implemented in the event human remains are encountered during Project construction, and that monitoring be required in accordance with the geoarchaeological sensitivity map developed for the Project.

Implementation of Mitigation Measures SEIR-CR-1, SEIR-CR-2, and SEIR-CR-3 would reduce impacts to less than significant. Mitigation Measures SEIR-CR-1, SEIR-CR-2, and SEIR-CR-3 are described in Section 3.12.5 of the Final SEIR.

1.4 Findings of Fact Concerning Project Alternatives

The California Environmental Quality Act (CEQA) requires that an EIR "describe a range of reasonable alternatives to the project or to the location of the project, which could feasibly attain the basic objectives of the project…" [CEQA Guidelines Section 15126.6 (a)]. If a project alternative will substantially lessen the significant environmental effects of a proposed project, the decision maker should not approve the proposed project unless it determines that "specific economic, legal, social, technological, or other considerations… make infeasible the project alternatives identified in the final EIR." (California Public Resources Code Section 21002; CEQA Guidelines Section 15091[a][3]).

The Reservoir Restriction Alternative, Crest Raise Alternative, and the No Project Alternative were considered during preparation of the 2019 Final EIS/EIR for the Project. The Crest Raise Alternative was selected, approved, and formed the basis for analysis contained within the Final SEIR. As such, no further alternatives were evaluated in the Final SEIR.

1.5 Findings Determination

I adopt the Findings set forth in Section 1 of this document, which meet the requirements of CEQA Guidelines Section 15091. To the extent that these Findings conclude that various mitigation measures are feasible and within DWR's responsibility and jurisdiction, I direct DWR to implement these measures, thereby incorporating them as part of the Project.

Karla A. Nemeth, Director
California Department of Water Resources

10/3/2021
Date

2 Statement of Overriding Considerations

Section 15093 of the CEQA Guidelines establishes the following requirements for a Statement of Overriding Considerations:

a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable".

b) Where the decision of the public agency allows the occurrence of significant effects, which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. This statement may be necessary if the agency also makes a finding under Section 15091(a)(2) or (a)(3).

c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination.

Essentially, when called on to approve a project that would have one or more significant effects that cannot be avoided or substantially lessened, a public agency must explain how it views the balance of the economic, legal, social, technological, or other benefits of the project against the unavoidable adverse environmental effects before approving the project.

DWR adopts this Statement of Overriding Considerations and finds that, as part of the approval process, (a) the Project has been modified to eliminate or substantially lessen all significant effects on the environment where feasible, and (b) the remaining unavoidable impacts of the Project are an acceptable environmental cost in light of the environmental, economic, legal, social, technological, and other considerations set forth herein. As outlined in the Findings listed in Section 1, the following categories of environmental effects will remain significant even after the imposition of mitigation and the examination of alternatives:

- Air Quality
- Noise and Vibration

DWR concluded that there are no feasible alternatives that can reduce the potentially significant and unavoidable impacts identified to a less-than-significant level and that both of the alternatives considered in the 2019 Final EIS/EIR for the Project have some significant and unavoidable impacts (see Findings).

DWR determines that the B.F. Sisk Dam Safety of Dams Modification Project cannot be implemented in a way that would meet the need of the Project without resulting in the significant and unavoidable impacts described in the Final SEIR and summarized above, primarily because the Project cannot be implemented in a way that accomplishes the basic Project objectives without resulting in direct construction impacts. As discussed in the Findings, the significant air quality and noise and vibration impacts have mitigation measures associated with them, but the mitigation measures would not avoid the significant effect. DWR has balanced the economic, legal, social,

technological, and other benefits of the Project and has determined that the benefits of the Project outweigh its unavoidable adverse environmental impacts.

DWR determines that the B.F. Sisk Dam Safety of Dams Modification Project is primarily a public safety project that provides the following public benefits, as described in detail in the Final SEIR, that justify proceeding with the Project despite the environmental cost of the significant effects identified by the analysis:

1. The B.F. Sisk Dam Safety of Dams Modification Project protects public safety by correcting the current seismic instability of B.F. Sisk Dam. The Project would reduce the risks associated with the potential seismic-related ground shaking and ground failure generated by nearby faults that represent a risk of dam failure in the current condition.
2. By substantially reducing the risk of dam failure, the B.F. Sisk Dam Safety of Dams Modification Project reduces the risk of flooding within the dam failure inundation area.
3. The B.F. Sisk Dam Safety of Dams Modification Project meets the objective of reducing safety concerns of the public downstream of the dam.
4. The B.F. Sisk Dam Safety of Dams Modification Project would protect critical water infrastructure serving domestic and agricultural purposes and safeguard the infrastructure investment represented by the existing dam.

2.1 Statement of Overriding Considerations Determination

I adopt the Statement of Overriding Considerations set forth in Section 2 of this document, which meets the requirements of CEQA Guidelines Section 15093.

Karla A. Nemeth, Director
California Department of Water Resources

10/3/2021
Date

3 Mitigation Monitoring and Reporting Program

California Public Resources Code, Section 21081.6, requires that, upon certification of an Environmental Impact Report, "the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation."[1]

This Mitigation Monitoring and Reporting Program was developed in compliance with Section 21081.6 of the California Public Resources Code and Section 15097 of the California Environmental Quality Act Guidelines,[2] and includes the following information:

- A list of mitigation measures
- The timing for implementation of the mitigation measures
- The party responsible for implementing or monitoring implementation of the mitigation measures
- The date of completion of monitoring

The California Department of Water Resources (DWR) must adopt this Mitigation Monitoring and Reporting Program, or an equally effective program, if it approves the proposed modifications to the B.F. Sisk Dam Safety of Dams Modification Project (Project) with the mitigation measures that were adopted or made conditions of Project approval.

Please refer to Table 1-1, Mitigation Measures Comparison, in Chapter 1 of the Draft Supplemental Environmental Impact Report (SEIR) for a comparison of mitigation measures from the 2019 Environmental Impact Statement/Environmental Impact Report (EIS/EIR) to mitigation measures identified by the Draft SEIR and this Mitigation Monitoring and Reporting Program. As described under Section 1.9 in Chapter 1 of the Draft SEIR, all mitigation measures from the 2019 EIS/EIR would be implemented unless new or revised measures were identified by the Draft SEIR. Table 3-1, Mitigation Monitoring and Reporting Program, below, identifies new mitigation measures identified by the Draft SEIR, as well as mitigation measures identified in the Draft SEIR that replace mitigation measures from the 2019 EIS/EIR. Table 3-1 also includes all measures from the 2019 EIS/EIR, some of which were not identified in the Draft SEIR because they do not apply to the Modified Project components evaluated by the Draft SEIR. Table 3-1 is, therefore, a comprehensive list of all mitigation measures applicable to the Modified Project.

1 California Public Resources Code, Sections 21000–21189. California Environmental Quality Act (CEQA), as amended.
2 14 CCR 15000–15387 and Appendices A–N. Guidelines for Implementation of the California Environmental Quality Act, as amended.

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
Air Quality			
AQ-1 (Same as AQ-1 in 2019 EIS/EIR): Reduce Emissions from Off-Road Construction Equipment by Using Tier 4 Construction Equipment. Impacts on air quality from construction activities will be reduced by using construction equipment compliant with the Tier 4 emission standards for off-road diesel engines instead of the fleet average for the San Joaquin Valley Air Basin. Records will be maintained by the construction contractor that demonstrate that actual emissions would not exceed the SJVAPCD's significance criteria and would be submitted to Reclamation monthly. If NOx emissions are forecasted to exceed thresholds, then changes will be made so that the threshold is not exceeded, or work will be stopped.	DWR, Reclamation, and construction contractors	Modeling of projected emissions to forecast emissions levels Documentation of Tier 4 compliance and modeled emissions on file with DWR and Reclamation	Prior to and during construction
AQ-2 (Same as AQ-2 in 2019 EIS/EIR) Reduce Exhaust Emissions from On-Road Trucks. All haul trucks, vendor trucks, and other heavy-heavy duty trucks operating on site with on-road engines will meet model year 2015 or better emission standards.	DWR, Reclamation, and construction contractors	Documentation of compliance with model year 2015 or better emissions standards on file with DWR and Reclamation and field monitor verification	Prior to and during construction
AQ-3 (Same as AQ-3 in 2019 EIS/EIR) Implement Best Available Mitigation Measures for Construction Phase. As required by the SJVAPCD, the project must apply the following best available mitigation measures for the construction phase: All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.	DWR, Reclamation, and construction contractors	Documentation on file with DWR and Reclamation Measures incorporated into construction specifications Compliance verified by field monitor	Prior to and during construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant. All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking. With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition. When materials are transported off site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. *(The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)* Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/ suppressant. Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday. An owner/operator of any site with 150 or more vehicle trips per day, or 20 or more vehicle trips per day by vehicles with			

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
three or more axles shall implement mitigation measures to prevent carryout and trackout.			
Greenhouse Gas Emissions			
SEIR-GHG-1 (New mitigation measure): Construction GHG Emissions Reductions. To reduce greenhouse gas (GHG) emissions generated by equipment during construction, the following measures shall be incorporated into the Modified Project: i. The proper tuning and maintenance of all construction equipment in accordance with manufacturer's specifications ii. Where feasible, employing the use of electrical or alternative fueled (i.e., non-diesel) construction equipment, including forklifts, concrete/industrial saws, pumps, aerial lifts, air compressors, and other comparable equipment types to the extent commercially available iii. To reduce the need for electric generators and other fuel-powered equipment, providing on-site electrical hookups for the use of hand tools such as saws, drills, and compressors used for construction where feasible and appropriate iv. Encouraging and providing carpools, shuttle vans, transit passes and/or secure bicycle parking for construction worker commutes	DWR, Reclamation, and construction contractors	Documentation on file with DWR and Reclamation Measures incorporated into construction specifications Compliance verified by field monitor	Prior to and during construction
SEIR-GHG-2 (Replaces GHG-1 in the 2019 EIS/EIR): Carbon Offsets – Construction Emissions. The California Department of Water Resources (DWR) and Bureau of Reclamation (Reclamation) shall retire carbon offsets in a quantity sufficient to offset the Modified Project's construction greenhouse gas (GHG) emissions to below the DWR	DWR and Reclamation	Documentation on file with DWR and Reclamation	Prior to start of construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
thresholds of 25,000 metric ton carbon dioxide equivalent (MT CO_2e) total and 12,500 MT CO_2e per year for Extraordinary Construction Projects, consistent with the performance standards and requirements set forth below. Based on modeling conducted to date, a minimum of 104,537 MT CO_2e would be required to reduce emissions below the project-level significance threshold. **Carbon Offset Standards – Eligible Registries, Acceptable Protocols and Defined Terms** "Carbon offset" shall mean an instrument, credit, or other certification verifying the reduction of GHG emissions issued by the Climate Action Reserve, the American Carbon Registry, or Verra (previously, the Verified Carbon Standard). This shall include, but is not limited to, an instrument, credit or other certification issued by these registries for GHG reduction activities within the Merced County region. Offsets from the Clean Development Mechanism (CDM) registry or generated under CDM protocols shall not be purchased or used to satisfy offset requirements. Qualifying carbon offsets presented for compliance with this mitigation measure may be used provided that each registry shall continue its existing practice of requiring the following for the development and approval of protocols or methodologies: i. Adherence to established GHG accounting principles set forth in the International Organization for Standardization (ISO) 14064, Part 2 or the World Resources Institute/World Business Council for Sustainable Development (WRI/WBCSD) Greenhouse Gas Protocol for Project Accounting ii. Oversight of the implementation of protocols and methodologies that define the eligibility of carbon offset projects and set forth standards for the estimation,			

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
monitoring and verification of GHG reductions achieved from such projects. The protocols and methodologies shall: a. Be developed by the registries through a transparent public and expert stakeholder review process that affords an opportunity for comment and is informed by science b. Incorporate standardized offset crediting parameters that define whether and how much emissions reduction credit a carbon offset project should receive, having identified conservative project baselines and the length of the crediting period and considered potential leakage and quantification uncertainties c. Establish data collection and monitoring procedures, mechanisms to ensure permanency in reductions, and additionality and geographic boundary provisions d. Adhere to the principles set forth in the program manuals of each of the aforementioned registries, as such manuals are updated from time to time Further, any carbon offset used to reduce the Modified Project's GHG emissions shall be a carbon offset that represents the past or forecasted reduction or sequestration of one MT of CO_2e that is "not otherwise required" (California Environmental Quality Act [CEQA] Guidelines Section 15126.4(c)(3)). Each carbon offset used to reduce GHG emissions shall achieve additional, real, permanent, quantifiable, verifiable, and enforceable reductions, which are defined for purposes of this mitigation measure as follows: i. "Additional" means that the carbon offset is not otherwise required by law or regulation, and not any other GHG emissions reduction that otherwise would occur. ii. "Real" means that the GHG reduction underlying the carbon offset results from a demonstrable action or set of			

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
actions, and is quantified under the protocol or methodology using appropriate, accurate, and conservative methodologies that account for all GHG emissions sources and sinks within the boundary of the applicable carbon offset project, uncertainty, and the potential for activity-shifting leakage and market-shifting leakage. iii. "Verifiable" means that the GHG reduction underlying the carbon offset is well documented, transparent, and set forth in a document prepared by an independent verification body that is accredited through the American National Standards Institute (ANSI). iv. "Permanent" means that the GHG reduction underlying the carbon offset is not reversible; or, when GHG reduction may be reversible, that a mechanism is in place to replace any reversed GHG emission reduction. v. "Quantifiable" means the ability to accurately measure and calculate the GHG reduction relative to a project baseline in a reliable and replicable manner for all GHG emission sources and sinks included within the boundary of the carbon offset project, while accounting for uncertainty and leakage. vi. "Enforceable" means that the implementation of the GHG reduction activity must represent the legally binding commitment of the offset project developer to undertake and carry it out. The protocols and methodologies of the Climate Action Reserve, the American Carbon Registry, and Verra establish and require carbon offset projects to comply with standards designed to achieve additional, real, permanent, quantifiable, verifiable, and enforceable reductions. The above definitions are provided as criteria and performance standards			

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
associated with the use of carbon offsets. Such criteria and performance standards are intended only to further construe the standards under CEQA for mitigation related to GHG emissions (see, e.g., State of California CEQA Guidelines Section 15126.4[a][c]), and are not intended to apply or incorporate the requirements of any other statutory or regulatory scheme not applicable to the Modified Project (e.g., the California Cap-and-Trade Program).			
Visual Resources			
VIS-1 (Same as VIS-1 in 2019 EIS/EIR): To reduce visual intrusion from light sources, Reclamation shall require the contractors to implement measures to reduce light and glare while meeting minimum safety and security standards. Light reduction measures must include: directing lighting downward to prevent spillover onto nearby areas, utilization of lighting fixtures with directional shielding to focus on areas being lit, and a construction requirement that all lighting in areas not under active construction be shut off. To reduce the amount of glare, building finishes shall be subdued and earth-toned. On-site mechanical equipment roofing materials, and any exposed vents or flashings must be constructed of non-glare finishes that minimizes reflectivity.	DWR, Reclamation, and construction contractors	Measures incorporated into project design and construction specifications Compliance verified by field monitor	Prior to and during construction
Noise and Vibration			
NOISE-1 (Same as NOISE-1 in 2019 EIS/EIR): A Noise Control Plan (NCP) will be developed by the construction contractor prior to the start of any construction activities to address increased noise levels as a result of the proposed project and alternatives. The NCP will identify the procedures for predicting construction noise levels at sensitive receptors and will describe the reduction measures required to minimize construction noise. The noise mitigation measures in the NCP will include, but are not limited to:	DWR, Reclamation, and construction contractors	Documentation on file with DWR and Reclamation NCP incorporated into construction specifications Compliance verified by field monitor	NCP development prior to construction NCP implementation during construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
Appropriate level of sound attenuation will be used or constructed to minimize noise levels by at least 3 dBA. Potential sound attenuation measures could include, but are not limited to stationary equipment and stockpiles, or otherwise placed between the source(s) of construction noise and noise-sensitive receptors, as appropriate. The feasible measures will be determined by the construction contractor based on an initial evaluation of each construction site. Contractor will be responsible for maintaining equipment in best possible working condition and outfitting construction equipment with the most effective locally available commercial mufflers or other noise attenuation devices; When feasible, the loudest construction activities will be conducted during Merced County construction noise exempt hours, between 7 a.m. and 6 p.m.; Operation of construction equipment between the hours between 6 p.m. and 10 p.m. will be prohibited within 9,100 feet of the subdivision off SR 152. During the hours between 10 p.m. and 6 a.m. the operation of construction equipment will be prohibited within 9,550 feet of the subdivision off SR 152. Shutting down equipment that are queued or not in use for 5 minutes or more; Pre-construction meeting with contractors and project managers to confirm that noise mitigation procedures are in place; Signs shall be posted at the construction sites that include permitted construction days and hours, a day and evening contact number for the job site, and a contact number in the event of problems;			

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
The public will be kept informed of the construction hours and days; List contact information for complaints and respond to noise complaints; and An on-site complaint and enforcement manager shall respond to and track complaints and questions related to noise.			
NOISE-2 (Same as NOISE-2 in 2019 EIS/EIR: A Blasting Plan for construction shall be prepared and followed that includes the following: Identification of blast officer; Scaled drawings of blast locations, and neighboring buildings, streets, or other locations which could be inhabited; Blasting notification procedures, lead times, and list of those notified. Public notification to potentially affected vibration and nuisance noise receptors describing the expected extent and duration of the blasting; Description of means for transportation and on-site storage and security of explosives in accordance with local, State, and Federal regulations; Minimum acceptable weather conditions for blasting and safety provisions for potential stray current (if electric detonation); Traffic control standards and traffic safety measures (if applicable); Required personal protective equipment; Minimum standoff distances and description of blast impact zones and procedures for clearing and controlling access to blast danger;	DWR, Reclamation, and construction contractors	Documentation on file with DWR and Reclamation Blasting plan incorporated into construction specifications Compliance verified by field monitor	Plan development prior to construction Plan implementation during construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
Procedures for handling, setting, wiring, and firing explosives; and procedures for handling misfires per Federal code; Type and quantity of explosives and description of detonation device; Methods of matting or covering of blast area to prevent flyrock and excessive air blast pressure; Description of blast vibration and air blast monitoring programs; Dust control measures in compliance with applicable air pollution control regulations (to interface with general construction dust control plan); Emergency Action Plan to provide emergency telephone numbers and directions to medical facilities; Procedures for action in the event of injury; Material Safety Data Sheets for each explosive or other hazardous materials to be used; Evidence of licensing, experience, qualifications of blasters, and description of insurance for the blasting work; A sound attenuation plan shall be prepared outlining the sound control measures that would include the use of blasting mats or sound walls; If vibration results in damage to any nearby structures or utilities, or scenic rock faces, blasting shall immediately cease. The stability of segmental retaining walls, existing slopes, creek canals, etc. shall be monitored and any evidence of instability due to blasting operations shall result in immediate termination of blasting; Explosive materials shall be delivered in specially built vehicles marked with United Nations (UN) hazardous			

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
materials placards. Explosives and detonators shall be delivered in separate vehicles or be separated in compartments meeting the Department of Transportation (DOT) rules within the same vehicle. Vehicles shall have at least two ten-pound Class-A fire extinguishers and all sides of the vehicles display placards displaying the UN Standard hazard code for the onboard explosive materials. Drivers shall have commercial driver licenses (CDL) with Hazmat endorsements, and drivers shall carry bill-of-landing papers detailing the exact quantities and code dates of transported explosives or detonators; The contractor must comply with U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) table-of-distance requirements (Code of Federal Regulations [CFR] 27, U.S. Department of Justice, Alcohol, Tobacco, Firearms and Explosives Division Part 555) that restrict explosive quantities based on distance from occupied buildings and public roadways. Employees must also comply with the security requirements of the Safe Explosives Act (Title XI, Subtitle C of Public Law 107-296, Interim Final Rule), implemented in March 2003. These requirements require background checks for all persons that use, handle or have access to explosive materials; and responsible persons on a now required Federal explosives license must submit photographs and fingerprints with the application to ATF.			
NOISE-3 (Same as NOISE-3 in 2019 EIS/EIR): A pre-construction noise survey will be completed during the daytime and nighttime periods at multiple locations across the project area, including identified sensitive receptors, to establish background noise levels at those times. During construction, noise will be periodically monitored at these locations to assess any increases in noise levels that exceed the local noise ordinances. If noise levels are recoded exceeding the background noise level by 10 dBA between 6	DWR, Reclamation, and construction contractors	Survey prior to construction and periodic monitoring during construction Documentation of survey, monitoring, and noise mitigation on file with DWR and Reclamation	Prior to and during construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
p.m. and 10 p.m. or by 5 dBA between 10 p.m. and 7 a.m. or if noise complaints are received, an investigation will be conducted to determine the source of the noise. After the investigation, noise will be reduced using all feasible measures, including mitigation at the receiver impacted by the noise. Potential mitigation at the receiver would include building envelope improvements and acoustical window treatments. All mitigation requirements will be included in bid documents and construction contracts.			
Traffic and Transportation			
TR-1 (Same as TR-1 in 2019 EIS/EIR): Construction Traffic Control Plan. The following construction management actions will be documented in a temporary traffic control plan developed by the contractor as a requirement that will be included in its construction contract. The temporary traffic control plan will be submitted for Caltrans review and approval during the Encroachment Permit process. Construction contractors shall install signage at affected intersections in accordance with the California Manual on Uniform Traffic Control Devices guidelines warning motorists of slow moving construction traffic and lane closures, including SR-152, Basalt Road, Romero Visitor Center access road, and the San Luis Creek Campground Road. Signage shall also be posted at these intersections one month in advance to allow motorists time to plan for delays or alternate routes. Construction contractors shall implement dust abatement and perform proper construction traffic management actions, including signage warning motorists of construction activity and traffic controls like flaggers or temporary traffic lights where construction equipment will be entering roadways, to reduce conflicts during periods of high traffic volume in and around each construction site and to avoid conflicts with emergency	DWR, Reclamation, and construction contractors	Traffic control plan incorporated into construction specifications Documentation of traffic control plan and review and approval of plan by the California Department of Transportation (Caltrans) on file with DWR and Reclamation Compliance verified by field monitor	Plan development prior to construction Plan implementation during construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
responders entering and exiting the area during an emergency. In addition to the temporary traffic control plan, prior to the initiation of any construction actions, construction contractors shall develop and adhere to a health and safety plan outlining all applicable Occupational Safety and Health Administration requirements, important traffic safety plans including identification of emergency access routes in and through construction areas that would will need to be kept clear at all times during construction. The health and safety plan shall include coordination with emergency service personnel to ensure adequate mitigation for all impacts.			
Hazards and Hazardous Materials			
HAZ-1 (Same as HAZ-1 in 2019 EIS/EIR): The construction contractor in coordination with the Lead Agencies shall work with the CDPR and the Central Valley RWQCB to review existing monitoring data of the San Luis Reservoir SRA LUST Cleanup Site to evaluate the potential for interacting with hazardous soil contamination during construction. If the construction contractor and the Lead Agencies (as the responsible party for this potential disturbance) determine that interaction with contaminated soil cannot be avoided and these construction actions could generate a release of this soil to nearby water bodies or elsewhere off site, the construction contractor shall prepare a Contaminated Soil/Groundwater Remediation Plan. This remediation plan will detail the nature of the contaminants on site, measures required to avoid interaction with these contaminants including if necessary a pre-construction cleanup of the site, and a response action plan in the event of an inadvertent release of contaminated soils from the construction site. This plan will be submitted to the CDPR and the Central Valley RWQCB for review and approval prior to any construction taking place.	DWR, Reclamation, and construction contractors	Documentation of evaluation and approved Contaminated Soil/Groundwater Remediation Plan (if necessary) on file with DWR and Reclamation Spill Prevention and Response Plan and Fire Prevention Plan incorporated into construction specifications and on file with DWR and Reclamation Compliance verified by field monitor	Determination of potential to interact with contaminated soils prior to construction Contaminated Soil/Groundwater Remediation Plan, if necessary, prior to and during any construction activities with potential to interact with contaminated soils Spill Prevention and Response Plan and Fire Prevention Plan prior to and during construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
In addition, the construction contractor shall also prepare a Spill Prevention and Response Plan for preventing spills and responding to chemical or hazardous substance spills. This plan will include spill prevention management, including employee training, hazardous substance inventory, and spill response equipment. The plan will also include a spill response plan, including evacuation procedures, spill containment and cleanup, and reporting a release. Finally, the construction contractor shall prepare a Fire Prevention Plan to prevent a fire from occurring. The plan must include (Occupational Safety and Health Administration 2018 [as cited in 2019 EIS/EIR]): A list of all major fire hazards, proper handling and storage procedures for hazardous materials, potential ignition sources and their control, and the type of fire protection equipment necessary to control each major hazard. Procedures to control accumulations of flammable and combustible waste materials. Procedures for regular maintenance of safeguards installed on heat-producing equipment to prevent the accidental ignition of combustible materials. The name or job title of employees responsible for maintaining equipment to prevent or control sources of ignition or fires. The name or job title of employees responsible for the control of fuel source hazards. Note that HAZ-1 is identified in the 2019 EIS/EIR and includes additional content that is not required for reduction of significant fire impacts resulting from components of the Modified Project. However, for consistency, the entirety of the mitigation measure is listed here.			

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
HAZ-2 (Same as HAZ-2 in 2019 EIS/EIR): Construction contracts will include requirements for the contractor to prepare a construction safety plan prior to any construction activities in collaboration with seaplane base personnel to coordinate construction activities including: a schedule, coordination of personnel with aviation radios, and notice requirements. Also, consistent with Mitigation Measure TR-1, the contractor shall coordinate with emergency service personnel to ensure adequate mitigation for all impacts.	DWR, Reclamation, and construction contractors	Incorporated into construction specifications Construction safety plan on file with DWR and Reclamation Compliance verified by field monitor	Plan development prior to construction Plan implementation during construction
HAZ-3 (Same as HAZ-3 in 2019 EIS/EIR): This measure is eliminated with the SEIR because the San Luis Reservoir Seaplane Base is no longer operational.	N/A	N/A	N/A
HAZ-4 (Same as HAZ-4 in 2019 EIS/EIR): The Lead Agencies will include requirements in all construction contracts requiring the use of spark arrestors on all construction equipment. The contract shall also include requirements for the contractor to educate all construction workers about the risk of starting a wildfire and how to avoid it and who to contact in case a wildfire is started. In addition, restrictions shall be placed on smoking and campfires for any personnel utilizing Basalt Campground.	DWR, Reclamation, and construction contractors	Incorporated into construction specifications Documentation on file with DWR and Reclamation Compliance verified by field monitor	Prior to and during construction
SEIR-HAZ-1 (New mitigation measure): Maintenance of Modified Project buildings, grounds, and infrastructure, including defensible space areas, shall be conducted using firesafe practices to minimize the potential for wildfire ignitions resulting from equipment use. Firesafe practices shall be consistent with California Public Resources Code Sections 4427, 4428, 4431, and 4442. Maintenance activities shall be ceased during periods of high fire hazard (e.g., red flag warnings), except where necessary to maintain public safety and available water supply for fire suppression purposes.	DWR, Reclamation, and State Parks	Operations and maintenance procedures on file with DWR, Reclamation, and State Parks Field verification by maintenance staff	Ongoing during operation

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
SEIR-HAZ-2 (New mitigation measure): Campground operations shall be modified during periods of high fire hazard (e.g., red flag warnings) to reduce the potential for wildfire ignitions. Modifications may include, but are not limited to, banning campfires and open flames, and partially or completely closing the campground to the public.	DWR, Reclamation, and State Parks	Operations and maintenance procedures on file with DWR, Reclamation, and State Parks Field verification by operations staff	Ongoing during operation
Biological Resources			
TERR-1 (Same as TERR-1 in 2019 EIS/EIR): Special-status Plant Species and Special-Status Natural Communities. Surveys of the project area for special-status plant species will be conducted during the identifiable blooming period prior to commencement of work. Special-status plants include: Arcuate bush-mallow (blooms April through September), big-scale balsamroot (blooms March through June), California alkali grass (blooms March through May), chaparral harebell (blooms May through June), Congdon's tarplant (blooms May through October), Hall's bushmallow (blooms May through September), Hispid bird's beak (blooms June through September), Hospital Canyon larkspur (blooms March through June), Lemmon's jewelflower (blooms February through May), Lime Ridge navarretia (blooms May through June), round-leaved filaree (blooms March through May), shining navarretia (blooms April through July), and spiny-sepaled button-celery (blooms April through June). A qualified DWR biologist (qualified biologist) will be present prior to and during construction to ensure avoidance of impacts on special-status plant species and special-status natural communities by implementing one, or more, of the following, as appropriate, per the biologist's recommendation: a. Flag the population or natural community areas to be protected; b. Allow adequate buffers; and/or,	DWR and Reclamation	Documentation of survey findings and implementation of avoidance and minimization measures on file with DWR and Reclamation Compliance verified by field monitor	Prior to and during construction As required by approved monitoring plan and in accordance with adaptive management

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
c. Time construction or other activities during dormant and/or non-critical life cycle periods. For unavoidable impacts to special-status plant species, compensatory mitigation may be required based on recommendations of the qualified biologist. If any impacts occur to listed plant species, consultation with USFWS and/or CDFW will be initiated. If deemed necessary based on the type and extent of special-status plant populations affected, compensatory mitigation will entail: a. The protection, through land acquisition or a conservation easement, of a population of equal or greater size and health. Or, b. If it is not feasible to acquire and preserve a known population of a special-status plant to be impacted, suitable unoccupied habitat capable of supporting the species will be acquired, and used to create a new population. For population creation, the following considerations will also be met: • Prior to unavoidable and permanent disturbance to a population of a special-status plant species, propagules shall be collected from the population to be disturbed. This may include seed collection or cuttings, and these propagules will be used to establish a new population on suitable, unoccupied habitat as described above. Transplantation may be attempted but will not be used as the primary means of plant salvage and new population creation. • Creation of new populations will require identifying suitable locations and researching and determining appropriate and viable propagation or planting techniques for the species. It will also require field and literature research to determine the appropriate seed sampling techniques and			

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
harvest numbers for acquisition of seed from existing populations. • A minimum ten-year monitoring plan with adaptive management will be implemented to document the success of creating new plant populations. Adequate funding for compensatory mitigation will be provided on an agreed-to schedule, following a discussion with the appropriate regulatory agencies, to ensure long-term protection and management of lands acquired or placed under conservation easement.			
TERR-2 (Same as TERR-2 in 2019 EIS/EIR): Valley Elderberry Longhorn Beetle. Prior to construction, the known stand of more than 25 elderberry shrubs and surrounding areas with suitable elderberry habitat would be surveyed to determine the current number of elderberry shrubs present, their stem diameters, and, if feasible, the presence and number of exit holes formed by valley elderberry longhorn beetle (VELB)as they exit the branch. Surveys are valid for two years. A 100-foot buffer around construction areas would also be surveyed for elderberry shrubs that could be affected by dust from construction. Areas containing elderberry shrubs with stems greater than 1-inch in diameter would be assumed to provide VELB habitat, protected with fencing, and avoided to the extent possible. Consultation with the USFWS through the Section 7 process may be required if shrubs cannot be avoided during construction. If shrubs cannot be avoided, removal measures would be implemented, including transplanting shrubs to a USFWS-approved conservation area, compensating for habitat loss at a ratio ranging from 1:1 to 8:1 depending on the diameter of the impacted elderberry stems and habitat type that they were removed from (riparian or non-riparian), under an Elderberry Mitigation Plan approved	DWR and Reclamation	Documentation of survey findings and implementation of impact avoidance, minimization, and mitigation measures on file with DWR and Reclamation Compliance verified by field monitor	Prior to and during construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
by USFWS, or purchasing credits at a USFWS-approved mitigation bank for VELB.			
SEIR-BIO-1 (Replaces TERR-3 in 2019 EIS/EIR): Special-Status Amphibians. Before and after construction: The Modified Project proponent shall submit the name and credentials of a California Department of Water Resources (DWR) biologist qualified to act as construction monitor to the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) for approval at least 15 days before construction work begins. General minimum qualifications are a 4-year degree in biological sciences and experience in surveying, identifying, and handling California tiger salamanders and California red-legged frogs. The qualified biologist shall be present at all times during construction. Consultation with the USFWS through the Section 7 process may be required to determine avoidance, conservation, and mitigation measures. The USFWS- and CDFW-approved biologist, under the appropriate federal and state authorities (e.g., permitting and consultation), shall survey the work sites 2 weeks before the onset of construction. If California tiger salamanders or California red-legged frogs (or their tadpoles or eggs) are found, the approved biologist shall contact USFWS and CDFW to determine whether moving any of these life stages is appropriate. If USFWS and CDFW approve moving the animals, the biologist shall be allowed sufficient time to move frogs and/or salamanders from the work sites before work begins. If these species are not identified, construction can proceed at these sites. The biologist shall use professional judgment to determine whether (and if so, when) the California tiger salamanders and/or California red-legged frogs are to be moved. The biologist shall immediately inform	DWR and Reclamation	Documentation of construction monitoring and implementation of impact avoidance, minimization, and mitigation measures on file with DWR and Reclamation Compliance verified in the field by approved biologist construction monitor	Prior to and during construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
the construction manager that work shall be halted, if necessary, to avert avoidable take of listed species. The known location of California red-legged frogs and Willow Spring, the water source for the perennial frog pond near the borrow area, shall be avoided during construction with a buffer of 250 feet to avoid modifying aquatic habitat that supports the frog population; or as otherwise approved by the resource agencies. Areas impacted by construction shall be monitored during construction to identify, capture, and relocate special-status amphibians, if present. Areas beneath construction equipment and vehicles shall be inspected daily, prior to operation, for presence of special-status amphibians under tracks/tires and within machinery. If special-status amphibians are found, a qualified biologist shall capture and relocate animals from work sites. Appropriate state and federal permits for handling of special-status species shall be acquired. If necessary, a detailed amphibian relocation plan shall be prepared at least 3 weeks before the start of groundbreaking and submitted to CDFW and USFWS for review. The purpose of the plan is to standardize amphibian relocation methods and relocation sites. The USFWS- and CDFW-approved biologist shall be present at the active work sites until special-status amphibians have been removed, and habitat disturbance has been completed. Thereafter, compliance with all minimization measures shall be monitored by an individual who has received training from a CDFW- and USFWS-approved biologist, consistent with USFWS requirements.			

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
The Modified Project proponent and its contractors shall install frog-exclusion fencing (i.e., silt fences) around all construction areas that are within 100 feet of any identified ponds that provide potential special-status amphibian aquatic breeding habitat. During and after rain events, an approved biologist shall monitor work areas for the presence of special-status amphibians. DWR shall ensure that compensation is provided for permanent and temporary impacts on California tiger salamander and California red-legged frog aquatic habitat. Compensatory mitigation shall be provided for the loss of aquatic breeding sites that will be filled or otherwise directly affected by the Modified Project, as well as mitigate for any impacts on associated California red-legged frog upland habitat through compensatory mitigation. If possible, compensatory mitigation areas shall be located within a California red-legged Frog Recovery Area, as identified in the 2002 California Red-legged Frog Recovery Plan (USFWS 2002). The total area, size, and number of California red-legged frog or California tiger salamander mitigation ponds to be created will be based on a comparable loss of breeding sites (e.g., a minimum 1:1 replacement ratio) as a result of the Modified Project. These ponds shall concurrently satisfy wetland mitigation requirements identified in Mitigation Measure TERR-16 in the 2019 EIS/EIR. To the degree possible, new mitigation ponds that are created for California red-legged frog and California tiger salamander shall be hydrologically self-sustaining and shall not require a supplemental water supply.			
TERR-4 (Same as TERR-4 in 2019 EIS/EIR): Western Pond Turtle. Before construction activities begin, a qualified biologist shall conduct western pond turtle surveys within creeks and in other ponded areas affected by the project.	DWR and Reclamation	Documentation of survey findings and implementation of impact minimization measures on file with DWR and Reclamation	Prior to construction in areas with potential to be

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
Adjacent upland areas shall also be examined for evidence of nests as well as individual turtles. The project biologist shall be responsible for the survey and for the relocation of pond turtles, if found. Construction shall not proceed until a reasonable effort has been made to capture and relocate as many western pond turtles as possible to minimize take. However, some individuals may be undetected or enter sites after surveys and would be subject to injury or mortality. If a nest is observed, a biologist with the appropriate permits and prior approval from CDFW shall move eggs to a suitable location or facility for incubation, and release hatchlings into the creek system the following autumn.		Compliance verified by qualified biologist	occupied by western pond turtles
SEIR-BIO-2 (Replaces TERR-5 in the 2019 EIS/EIR): Special-Status Reptiles. Before construction activities begin, a qualified biologist shall conduct special-status reptile (i.e., San Joaquin whipsnake and coast horned lizard) surveys 2 weeks prior to construction activities within work sites and within 100 feet of disturbance areas. A qualified biologist shall relocate any special-status reptiles to suitable habitat outside of areas of disturbance. There is possibility of special-status reptiles to move into the work sites after preconstruction surveys have checked the area and some individuals could be subject to mortality. If special-status reptiles are detected in work sites during construction, activities and equipment travel shall cease in the immediate area of detection until the special-status reptile has left work site or has been relocated out of the area by a qualified biologist.	DWR, Reclamation, and construction contractors	Documentation of survey findings and implementation of impact minimization measures on file with DWR and Reclamation Compliance verified by qualified biologist	Prior to and during construction
TERR-6 (Same as TERR-6 in 2019 EIS/EIR): Nesting Bird Surveys. A qualified biologist would conduct nesting bird surveys prior to construction and supervise avoidance of nests during construction. The generally accepted nesting season extends from February 1 through September 15. If an active nest of a special-status bird is found, construction within 300 feet of the nest (500 feet for raptor nests, excluding	DWR and Reclamation	Documentation of survey findings and implementation of impact minimization measures on file with DWR and Reclamation Compliance verified by qualified biologist	Prior to and during construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
Swainson's hawk) would be postponed until the nest is no longer active.			
TERR-7 (Same as TERR-7 in 2019 EIS/EIR): Preconstruction Surveys for and Avoidance of Swainson's Hawk Nests. Prior to construction, surveys for active Swainson's hawk nests will be conducted in and around all potential nest trees within 0.5 mile of construction areas. If known or active nests are identified through preconstruction surveys or other means, a 0.5 mile no-disturbance buffer shall be established around all active nest sites if construction cannot be limited to occur outside the nesting season (February 15 through September 15). Buffer sizes may be reduced if approved by CDFW and active nest sites are monitored during construction by a qualified biologist. Permanent foraging habitat losses (i.e., grasslands) within one mile of active Swainson's hawk nests shall be compensated by preserving in perpetuity suitable foraging habitat at a ratio of 1:1. This includes permanently disturbed construction sites. The CDFW shall approve the location and types of habitats preserved.	DWR and Reclamation	Documentation of survey findings and implementation of impact avoidance, minimization, and mitigation measures, including compensation for foraging habitat if necessary, on file with DWR and Reclamation Compliance verified in the field by qualified biologist	Prior to and during construction
TERR-8 (Same as TERR-8 in the 2019 EIS/EIR): Bald and Golden Eagles, and California Condor. The following measures address potential impacts on nesting eagles in the San Luis Reservoir vicinity. Prior to the initiation of construction, an Eagle Conservation Plan will need to be developed that details eagle protection guidelines specific to the San Luis Reservoir construction area. These protections will include, the initiation of pre-construction surveys by a USFWS-approved biologist for golden eagles and bald eagles initiating approximately two years prior to construction continuing through the construction period. These surveys will be completed across an area at a 5-mile radius from where impacts from the project occur, including construction areas.	DWR and Reclamation	Eagle Conservation Plan and documentation of implementation of the plan on file with DWR and Reclamation Compliance verified and monitored by approved biologist	Prior to and during construction and as required by the Eagle Conservation Plan

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
Any nesting sites identified during these surveys would be mapped and monitored for up to ten years, depending on the monitoring specifications identified within the plan. Whenever feasible, construction near recently active nest sites shall start outside the active nesting season. The nesting period for golden eagles is between January 15 and August 15 and bald eagles nest between January 1 and August 15. If groundbreaking activities begin during the nesting period, a qualified biologist shall perform a preconstruction survey 14 to 30 days before the start of each new construction phase to search for eagle nest sites within two miles of proposed activities. If active nests are not identified, no further action is required and construction may proceed. If active nests are identified, the avoidance guidelines identified below shall be implemented. For golden and bald eagles, construction contractors shall observe CDFW and USFWS avoidance guidelines, which stipulate a minimum 660 foot to 0.5-mile buffer zone depending upon the visibility and severity of the activity (e.g., earth-moving versus blasting) (USFWS 2007). Buffer zones shall remain until young have fledged. A qualified biologist will monitor the nest daily for one week to determine whether construction activities are disturbing nest behavior. If nest behavior appears normal, then weekly monitoring will continue until the nest is no longer active. If the nest appears disturbed, the biological monitor will increase the no-work buffer at their discretion to ensure normal nesting behavior. For activities conducted with agency approval within this buffer zone, a qualified biologist shall monitor construction activities and the eagle nest(s) to monitor eagle reactions to activities. If activities are deemed to have a negative effect on nesting eagles, the biologist shall immediately inform the construction manager that work should be halted, and CDFW and USFWS will be consulted.			

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
CDFW and USFWS often allow construction activities that are initiated outside the nesting season to continue without cessation even if raptors such as eagles choose to nest within 500 feet of work activities. Thus, work at the dam construction site may continue if approved by CDFW and USFWS and a qualified biologist monitors the nest site during construction. To compensate for the loss of grassland, which provides suitable foraging habitat for golden eagles and California condors, grasslands shall be enhanced or restored at a minimum ratio of 1:1. Restoration or enhancement of grassland habitat shall be conducted under a USFWS and CDFW-approved restoration/enhancement plan, and may be conducted on lands also used for mitigation for Swainson's hawk and/or San Joaquin kit fox.			
SEIR-BIO-3 (Replaces TERR-9 in the 2019 EIS/EIR): Burrowing Owl. Prior to construction, surveys for burrowing owls shall be conducted in areas supporting potentially suitable habitat. Breeding season surveys shall be performed to determine the presence of burrowing owls for the purposes of inventory, monitoring, avoidance of take, and determining appropriate mitigation. In California, the breeding season begins as early as February 1 and continues through August 31. Under the survey guidelines in the California Department of Fish and Wildlife's (CDFW's) Staff Report on Burrowing Owl Mitigation (CDFG 2012), a biologist shall: 1) perform a habitat assessment to identify essential components of burrowing owl habitat, including artificial nest features; 2) perform intensive burrow surveys in areas that are identified to provide suitable burrowing owl habitat, and; 3) perform at least four appropriately-timed breeding season surveys (four survey visits spread evenly [roughly every 3 weeks] during the peak of	DWR and Reclamation	Documentation of survey findings and implementation of impact avoidance and minimization measures on file with DWR and Reclamation Compliance verified and monitored by qualified biologist	Prior to and during construction in potentially suitable habitat

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
the breeding season, from April 15 to July 15) to document habitat use. Preconstruction surveys (referred to as take avoidance surveys in CDFG [2012]) shall be used to assess the owl presence before site modification is scheduled to begin. Generally, initial preconstruction surveys should be conducted within 7 days, but no more than 30 days prior to ground-disturbing activities. Additional surveys may be required when the initial disturbance is followed by periods of inactivity or the development is phased spatially and/or temporally over the Modified Project area. Up to four or more survey visits performed on separate days may be required to assure with a high degree of certainty that site modification and grading will not take owls. The full extent of the preconstruction survey effort shall be described and mapped in detail (e.g., dates, time periods, area[s] covered, and methods employed) in a biological report that shall be provided for review to CDFW. In addition to the above survey requirements, the following measures shall be implemented to reduce Modified Project impacts to burrowing owls: Construction exclusion areas (e.g., orange exclusion fence or signage) shall be established around occupied burrows, where no disturbance shall be allowed. During the nonbreeding season (September 1 through January 31), the exclusion zone shall extend at least 160 feet around occupied burrows. During the breeding season (February 1 through August 31), exclusion areas shall extend 250 feet around occupied burrows (or farther if warranted to avoid nest abandonment). If work or exclusion areas conflict with owl burrows, passive relocation of on-site owls could be implemented as an alternative, but only during the nonbreeding season and only with CDFW approval. The approach to owl relocation and burrow closure will vary depending on the number of occupied			

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
burrows. Passive relocation shall be accomplished by installing one-way doors on the entrances of burrows within 160 feet of the Modified Project area. The one-way doors shall be left in place for 48 hours to ensure the owls have left the burrow. The burrows shall then be excavated with a qualified biologist present. Construction shall not proceed until the Modified Project area is deemed free of owls. Unoccupied burrows within the immediate construction area shall be excavated using hand tools, and then filled to prevent reoccupation. The qualified biologist shall be present during construction to continue examination of burrows. If any burrowing owls are discovered during the excavation, the excavation shall cease and the owl allowed to escape. Excavation shall be completed once the biological monitor confirms the burrow is empty. Artificial nesting burrows shall be provided as a temporary measure when natural burrows are lacking. To compensate for lost nest burrows, artificial burrows shall be provided outside the 160-foot buffer zone. The alternate burrows shall be monitored daily for 7 days to confirm that the owls have moved in and acclimated to the new burrow.			
TERR-10 (Same as TERR-10 in 2019 EIS/EIR): Tricolored Blackbird. Prior to construction, appropriately timed surveys for tricolored blackbirds would be conducted in areas supporting potentially suitable habitat within 0.25 mile of construction areas. Habitat within 0.25 mile of tricolored blackbird colonies will be avoided during nesting season, which can begin as early as mid-March and extend through August. If colonies cannot be avoided, CDFW shall be consulted to potentially reduce buffer distances with active monitoring during construction by a qualified biologist.	DWR and Reclamation	Documentation of survey findings and implementation of impact avoidance and minimization measures on file with DWR and Reclamation Compliance verified and monitored by qualified biologist	Prior to and during construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
TERR-11 (Same as TERR-11 in 2019 EIS/EIR): Special-Status Bats. Impacts to special-status bats shall be minimized by performing preconstruction surveys and creating no-disturbance buffers around active bat roosting sites. Before construction activities (i.e., ground clearing and grading, including trees or shrub removal) within 200 feet of trees that could support special-status bats, a qualified bat biologist shall survey for special-status bats. If no evidence of bats (i.e., direct observation, recorded vocalizations, guano, staining, or strong odors) is recorded, no further mitigation shall be required. If evidence of bats is observed, the following measures shall be implemented to avoid potential impacts on breeding populations: A no-disturbance buffer of 200 feet shall be created around active bat roosts during the breeding season (April 15 through August 15). Bat roosts initiated during construction are presumed to be unaffected by the indirect effects of noise and construction disturbances. However, the direct take of individuals will be prohibited. Removal of trees showing evidence of active bat activity shall occur during the period least likely to affect bats, as determined and monitored by a qualified bat biologist (generally between February 15 and October 15 for winter hibernacula, and between August 15 and April 15 for maternity roosts). If the exclusion of bats from potential roost sites is necessary to prevent indirect impacts due to construction noise and human activity adjacent, bat exclusion activities (e.g., installation of netting to block roost entrances) shall also be conducted during these periods. If special-status bats are identified in the dam or special allowances must be	DWR and Reclamation	Documentation of survey findings and implementation of impact avoidance and minimization measures on file with DWR and Reclamation Compliance verified and monitored by qualified biologist	Prior to and during construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
made to relocate bats, Reclamation will coordinate the effort in advance with CDFW.			
SEIR-BIO-4 (Replaces TERR-12 in the 2019 EIS/EIR): San Joaquin Kit Fox. San Joaquin kit fox would be affected by construction activities if animals are harmed or killed by equipment, their movement is blocked, or their dens or other habitat is altered or destroyed. Consultation with the U.S. Fish and Wildlife Service (USFWS) through the Section 7 process may be required to determine avoidance, conservation, and mitigation measures. Prior to construction, a qualified biologist shall conduct surveys to identify potential dens more than 4 inches in diameter. A multispecies burrow assessment in 2020 located numerous potential San Joaquin kit fox dens in suitable habitat throughout the Modified Project site (Dudek 2020b). If dens are located within the proposed work area and cannot be avoided during construction activities, a USFWS-a nd California Department of Fish and Wildlife (CDFW)-approved biologist shall determine if the dens are occupied. If occupied dens are present within the proposed work area, their disturbance and destruction shall be avoided. Exclusion zones shall be implemented following the latest USFWS procedures (USFWS 2011b). The Modified Project proponent shall implement San Joaquin kit fox protection measures. The following measures, which are intended to reduce direct and indirect Modified Project impacts on San Joaquin kit foxes, are derived from the San Joaquin Kit Fox Survey Protocol for the Northern Range (USFWS 1999) and the Standardized Recommendations for Protection of the San Joaquin Kit Fox (USFWS 2011b). The following measures shall be implemented for construction areas at San Luis Reservoir: Preconstruction surveys shall be conducted within 200 feet of work areas to identify potential San Joaquin kit fox dens or	DWR and Reclamation	Documentation of survey findings and implementation of impact avoidance, minimization, and compensatory habitat mitigation measures on file with DWR and Reclamation Compliance verified and monitored by qualified biologist	Prior to and during construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
other refugia in and surrounding workstations. A qualified biologist shall conduct the survey for potential kit fox dens 14 to 30 days before construction begins. All identified potential dens shall be monitored for evidence of kit fox use by placing an inert tracking medium at den entrances and monitoring for at least 3 consecutive nights. If no activity is detected at these den sites, they shall be closed following guidance established in the USFWS Standardized Recommendations report (USFWS 2011b). If kit fox occupancy is determined at a given site during the preconstruction surveys or during the construction period, the construction manager should be immediately informed that work should be halted within 200 feet of the den and the USFWS contacted. Depending on the den type, reasonable and prudent measures to avoid effects to kit foxes could include seasonal limitations on Modified Project construction at the site (i.e., restricting the construction period to avoid spring–summer pupping season), and/or establishing a construction exclusion zone around the identified site, or resurveying the den 1 week later to determine species presence or absence. Off-road vehicle and equipment movement shall be limited to the Modified Project footprint. To compensate for permanent impacts to grassland, which provides habitat for San Joaquin kit fox, lands shall be acquired and covered by conservation easements or mitigation credits shall be purchased at a 2:1 mitigation ratio, or other compensation ratios approved by USFWS and CDFW.			
TERR-13 (Same as TERR-13 in 2019 EIS/EIR): American Badger. Impacts on badgers within annual grasslands and oak woodland at San Luis Reservoir will be minimized through a combination of worker training, preconstruction surveys, and passively or actively relocating animals. Concurrent with other	DWR and Reclamation	Documentation of survey findings and implementation of impact avoidance and minimization	Prior to and during construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
required surveys, during winter/spring months before new project activities, and concurrent with other preconstruction surveys (e.g., kit fox and burrowing owl), a qualified biologist shall perform a survey to identify the presence of active or inactive American badger dens. If this species is not found, no further mitigation shall be required. If badger dens are identified within the construction footprint during the surveys or afterwards, they shall be inspected and closed using the following methodology: When unoccupied dens are encountered outside of work areas but within 100 feet of proposed activities, vacated dens shall be inspected to ensure they are empty and temporarily covered using plywood sheets or similar materials. If badger occupancy is determined at a given site within the work area, work activities at that site should be halted. Depending on the den type, reasonable and prudent measures to avoid harming badgers will be implemented and may include seasonal limitations on project construction near the site (i.e., restricting the construction period to avoid spring-summer pupping season), and/or establishing a construction exclusion zone around the identified site, or resurveying the den at a later time to determine species presence or absence. Badgers may be passively relocated using burrow exclusion (e.g., installing one-way doors on burrows) or similar CDFW-approved exclusion methods. In unique situations it might be necessary to actively relocate badgers (e.g., using live traps) to protect individuals from potentially harmful situations. Such relocation would be performed with advance CDFW coordination and concurrence.		measures on file with DWR and Reclamation Compliance verified and monitored by qualified biologist	
TERR-14 (Same as TERR-14 in the 2019 EIS/EIR): Vernal Pool Fairy Shrimp and Vernal Pool Tadpole Shrimp. While project design is planned to avoid fill of seasonal wetlands and pools identified as suitable habitat for vernal	DWR and Reclamation	Documentation of avoidance or compliance with measures required by Section 7 consultation on file with DWR and Reclamation	Prior to construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
pool crustaceans, if any vernal pool fairy shrimp or vernal pool tadpole shrimp habitat will be impacted, the project proponent may assume presence of the species. Consultation with the USFWS through the Section 7 process may be required to determine avoidance, conservation, and mitigation measures. Measures may include, but are not limited to, compensating for impacts at a 2:1 ratio for preservation and at a 1:1 ratio for creation.			
TERR-15 (Same as TERR-15 in 2019 EIS/EIR): Contractor Environmental Awareness Training and Site Protection Measures. All construction personnel working in biologically sensitive areas shall attend an environmental education program delivered by a qualified biologist prior to starting work. The training shall include an explanation as how to best avoid the accidental take of special-status plants and wildlife. The field meeting shall include species identification, life history, descriptions, and habitat requirements. The program shall include an explanation of Federal and State laws protecting endangered species, and avoidance and minimization methods being implemented to protect these species. A qualified biologist will be present on the site at all times during construction. The contractor shall provide closed garbage containers for the disposal of all trash items (e.g., wrappers, cans, bottles, food scraps). Work sites shall be cleaned of litter before closure each day, and placed in wildlife-proof garbage receptacles. Construction personnel shall not feed or otherwise attract any wildlife. No pets, excluding service animals, shall be allowed on site or in construction areas. Nighttime vehicle traffic shall be kept to a minimum on non-maintained roads with a maximum speed of 15 mph. To minimize disturbance to wildlife, temporary and permanent exterior lighting shall be installed such that:	DWR and Reclamation	Documentation of field trainings on file with DWR and Reclamation Measures incorporated into construction specifications Compliance verified and monitored in the field by qualified biologist	Prior to and during construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
lamps and reflectors are not visible from beyond the project site, reflective glare will be minimized to the extent feasible; illumination of the project and its immediate vicinity is minimized; lighting shall incorporate fixture hoods/shielding, with light directed downward or toward the area to be illuminated; all lighting shall be of minimum necessary brightness consistent with operational safety and security; lights in areas not occupied on a continuous basis (such as maintenance areas) shall have (in addition to hoods) switches, timer switches, or motion detectors so that the lights operate only when the area is occupied, and the plan complies with local policies and ordinances.			
SEIR-BIO-5 (Replaces TERR-16 in the 2019 EIS/EIR): Mitigation Measures for Special-Status Communities, including Native Grassland, and Jurisdictional Wetlands or Waters and Streambeds and Banks Regulated by CDFW, RWQCB, and USACE. **SEIR-BIO-5a.** Final project design shall avoid and minimize the fill of wetlands and other waters to the greatest practicable extent. The following actions shall be performed to protect jurisdictional wetlands: The distribution of federal and state jurisdictional wetlands and waters; streambeds and banks regulated by the California Department of Fish and Wildlife (CDFW); and sensitive habitat regulated by CDFW, shall be defined and avoided to the greatest possible extent. Prior to construction, a qualified biologist shall delineate the extent of jurisdictional areas to be avoided in the field. The Bureau of Reclamation (Reclamation) shall designate areas to	DWR and Reclamation	Documentation of delineation of jurisdictional areas and implementation of impact avoidance, minimization, and compensatory mitigation measures, and compliance with wetland mitigation and monitoring plan and weed control plan on file with DWR and Reclamation Avoidance and minimization measures incorporated into construction specifications Compliance verified and monitored in the field by qualified biologist	Prior to and during construction and as required to comply with wetland mitigation and monitoring plan and weed control plan and terms and conditions of agency approvals

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
be avoided as "Restricted Areas" and protect them using highly visible fencing, rope, or flagging, as appropriate based on site conditions. No construction activities or disturbance shall occur within restricted areas that are designated to protect wetlands. The removal of riparian and wetland vegetation shall be minimized. The disturbance of riparian and aquatic habitat north of the access road to the dam shall be avoided. The removal or damage to purple needlegrass grassland, gum plant patches and tarweed fields communities within annual grassland, and *Baccharis pilularis*/(*Nassella pulchra*–*Elymus glaucus*–*Bromus carinatus*), and narrowleaf goldenbush communities within scrub/chaparral shall be minimized. Impacts to these communities in the staging area shall be avoided. **SEIR-BIO-5b.** Where jurisdictional wetlands and other waters cannot be avoided, to offset temporary and permanent impacts that would occur as a result of the Modified Project, restoration and compensatory mitigation shall be provided as described below. A wetland mitigation and monitoring plan shall be developed in coordination with CDFW, the U.S. Army Corps of Engineers (USACE), and/or the Regional Water Quality Control Board (RWQCB) that details mitigation and monitoring obligations for temporary and permanent impacts to wetlands and other waters as a result of construction activities; and other CDFW-jurisdictional areas. The plan shall quantify the total acreage affected; provide for mitigation as described below to wetland or riparian habitat; annual success criteria; mitigation sites; monitoring and reporting requirements; and site-specific plans to compensate for wetland losses resulting from the Modified Project. Prior to construction, the aquatic structure of wetland and riparian areas to be disturbed shall be photo-documented,			

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
and measurements of width, length, and depth shall be recorded. Reclamation shall recontour and revegetate disturbed portions of jurisdictional areas in areas temporarily affected by construction prior to demobilization by the contractor at the end of Modified Project construction. Creek banks shall be recontoured to a more stable condition if necessary. Revegetation shall include a palette of species native to the watershed area according to a revegetation plan to be developed by Reclamation and submitted to USACE, CDFW, and RWQCB for approval. Following removal, woody trees habitat acreage shall be replanted at a minimum 1:1 ratio, or as determined and agreed upon by the permitting agencies. Interim vegetation or other measures shall be implemented as necessary to control erosion in disturbed areas prior to final revegetation. Wetland and other waters impacts in the construction area shall be compensated at a ratio of 2:1 or at a ratio agreed upon by the wetland permitting agencies. Compensatory mitigation shall be conducted by creating or restoring wetland and aquatic habitat at an agency-approved location on nearby lands or through purchasing mitigation credits at a USACE- and/or CDFW-approved mitigation bank (depending on the resource). If mitigation is conducted on or off-site, a 5-year wetland mitigation and monitoring program for on-site and off-site mitigation shall be developed. Appropriate performance standards may include, but are not limited to a 75% survival rate of restoration plantings; absence of invasive plant species; and a viable, self-sustaining creek or wetland system at the end of 5 years. A weed control plan to limit the Modified Project's potential to spread noxious or invasive weeds shall be developed. This plan would be consistent with current integrated pest			

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
management plans that are already in practice on lands surrounding San Luis Reservoir. Noxious or invasive weeds include those rated as "high" in invasiveness by the California Invasive Plant Council. The plan shall include a baseline survey to identify the location and extent of invasive weeds in the Modified Project area prior to ground-disturbing activity, a plan to destroy existing invasive weeds in the construction area prior to initiation of ground-disturbing activity, weed-containment measures while the Modified Project is in progress, and monitoring and control of weeds following completion of construction.			
SEIR-BIO-6 (New mitigation measure): Avoidance of Bridge-Nesting Birds. Prior to the construction and removal of the temporary haul road under State Route (SR) 152, surface modification treatment (Polytetrafluoroethylene [PTFE] sheeting) shall be applied to the SR-152 bridge to prevent nesting by species such as cliff swallow, black phoebe, and white-throated swift (if weep holes are present). PTFE sheeting shall be installed vertically at the junctures of vertical and overhead surfaces on the sides and underneath the first 75 feet of the SR-152 bridge extending from the southern abutment of the bridge to the north along the bridge. The treatment shall be applied before the nesting season (February 1). In combination with PTFE sheets, broadcast call units playing distress calls from adult cliff swallows may be used to further deter nesting. If used, distress calls should be played for 26 seconds in duration continuously via broadcast call units installed within the nest exclusion area as described in "Methods for Excluding Cliff Swallows from Nesting on Highway Structures" (UC Davis 2009). During the nesting season, the exclusion treatment shall be supplemented with bi-weekly inspections by a qualified biologist to evaluate treatment integrity, inspect the area for active nests, and subsequently remove any partial nests, as feasible. The 75-	DWR and Reclamation	Documentation of completed avoidance measures on file with DWR and Reclamation Avoidance measures incorporated into construction specifications Compliance verified and monitored in the field by qualified biologist	Prior to and during construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
foot treatment area has been established as a standard disturbance buffer for cliff swallow, black phoebe, and white-throated swift for work activities that involve heavy machinery and personnel (PG&E 2016).			
SEIR-BIO-7 (New mitigation measure): Elk Avoidance and Minimization. In order to minimize conflicts between construction activities and tule elk within the Modified Project area, a Tule elk site management plan shall be developed to direct control measures. At a minimum, the plan shall specify that Tule elk shall be directed (herded) from the work area(s) such that they are not confined (trapped) between construction activities and landscape features such as fences, buildings, water bodies, and in particular State Route 152. When herding elk, they should always be provided an escape route to the general south. The California Department of Fish and Wildlife (CDFW) indicates that Tule elk are readily herded by people or vehicles and quickly associate the need to move with specific people or vehicles; the plan should specify that particular vehicles (choose red trucks, for example) or personnel shall be tasked with herding activities. Once elk have been herded away from the construction zone, they will generally stay a comfortable distance from activities. If Tule elk do re-enter the construction zone, then additional herding efforts shall be required. Additionally, during the March and April periods, lone females shall be provided additional monitoring because they may be birthing, though they quickly rejoin the herd within a few days after birthing. Once developed, the plan shall be reviewed by CDFW elk biologists.	DWR and Reclamation	Tule elk site management plan and documentation of plan implementation on file with DWR and Reclamation Measures incorporated into construction specifications Compliance verified and monitored in the field by qualified biologist	Prior to and during construction
Recreation			
SEIR-REC-1 (Replaces REC-1 in the 2019 EIS/EIR): Campsite and Facilities Replacement. Campsites closed at San Luis Reservoir during construction of the Modified Project shall be replaced at a 1:1 ratio at the San Luis Creek Use Area and	DWR and Reclamation	Documentation on file with DWR and Reclamation	Prior to project completion

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
then as necessary at the Los Banos Creek Use Area, including six American with Disabilities Act (ADA)-accessible campsites and RV accommodations. These new replacement campsites shall be developed consistent with the new facilities considered in the San Luis Reservoir State Recreation Area Resource Management Plan/General Plan (San Luis Reservoir SRA RMP/GP) and shall not exceed the quantities of new facilities considered in the San Luis Reservoir SRA RMP/GP at each use area. The new campsites shall be constructed concurrent to the crest construction period during a period of low precipitation in order to reduce the risk of accidental leaks or spills, potential for soil contamination, and to minimize erosion of loose materials in construction areas, as per Goal RES-WQ4 in the San Luis Reservoir SRA RMP/GP (Reclamation and CDPR 2013): Design, construct, and maintain buildings, roads, trails, campsites, boat launches and marinas, and associated infrastructure to minimize stormwater runoff, promote groundwater recharge, and prevent soil erosion. The new campsites shall be constructed within the San Luis Creek Use Area at the SRA on O'Neill Forebay. The Bureau of Reclamation (Reclamation) shall include this mitigation requirement in bid documents and construction contracts. In addition, Reclamation shall work with the California Department of Parks and Recreation to implement the following measure: The boat launch at the San Luis Creek Use Area shall be expanded by adding a launch lane and a boarding float. In addition, a fish cleaning station, public storage lockers, and shower facilities shall be developed at San Luis Creek Use Area.		Measures incorporated into project design and construction specifications Operations and maintenance procedures on file with DWR, Reclamation, and State Parks	Ongoing during operation
Cultural and Tribal Cultural Resources			

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
SEIR-CR-1 (New mitigation measure): Unanticipated Discovery of Archaeological Resources. Prior to construction, a qualified cultural resources specialist, meeting the Secretary of the Interior's Professional Qualification Standards for Archaeology, shall review the final Modified Project design to confirm impacts to all known cultural resources and/or resources identified to be of importance to consulting Native American tribes, have been considered and addressed. As stipulated by Mitigation Measure CR-1 of the B.F. Sisk Dam Safety of Dams Modification Project Environmental Impact Statement/Environmental Impact Report (2019 EIS/EIR), the Programmatic Agreement Among The Bureau of Reclamation, Interior Region 10 California-Great Basin; and The California State Historic Preservation Officer Regarding Compliance with Section 106 of the National Historic Preservation Act Pertaining to the Implementation of the Safety of Dams B.F. Sisk Dam Project (Programmatic Agreement) was prepared. This document, specifically the section pertaining to Treatment of Post Review Discoveries, provides that in the event of a post-review discovery during construction or other Modified Project-related activities, the Bureau of Reclamation (Reclamation) in conjunction with California Department of Water Resources (DWR) shall determine if ongoing construction activities will affect a previously unidentified cultural resource that may be eligible for the National Register of Historic Places and California Register of Historical Resources or affect a known cultural resource in an unanticipated manner, and address the discovery or unanticipated effect in accordance with Title 36, Part 800.13(b) of the Code of Federal Regulations (CFR) (Reclamation and SHPO 2019). There remain areas within the Modified Project that have not been subject to cultural resources survey because no activities are presently planned in these areas with potential to impact cultural resources. As stipulated by Mitigation Measure CR-1 of the 2019 EIS/EIR,	DWR and Reclamation	Documentation of archaeological review, required surveys, training of construction personnel, compliance with the programmatic agreement, and implementation of other reporting and impact avoidance and minimization measures on file with DWR and Reclamation Compliance verified and monitored in the field by qualified archaeologist	Prior to and during construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
should project plans change such that use of these areas could introduce impacts to cultural resources, additional cultural resources survey and evaluation efforts will be performed as stipulated in the Programmatic Agreement shall act as a guide for additional cultural resources survey and evaluation efforts. All construction crews shall be alerted to the potential to encounter sensitive cultural and tribal cultural material. This may occur through inclusion of a cultural resources component within a Worker Environmental Awareness Program or other preconstruction training. Prior to construction, a communication matrix with primary and secondary cultural resources points of contact from Reclamation, DWR, consulting parties, and other pertinent project personnel shall be developed and circulated. A simple overview guide with roles and responsibilities, cultural resource management protocols, and a list of guiding documents shall be prepared as a companion to this communication matrix prior to construction. In the event that archaeological resources (e.g., sites, features, or artifacts) are exposed during construction activities for the Modified Project, all construction work occurring in the vicinity shall immediately stop until a qualified archaeologist can evaluate its significance and determine whether additional study is warranted. A minimum work exclusion buffer should be assumed to be no less than 100 feet, or as otherwise specified by the approved Programmatic Agreement (Reclamation and SHPO 2019) and its future amendments. This buffer may be adjusted by the qualified archaeologist in consultation with the lead agency. Prehistoric archaeological deposits may be indicated by the presence of discolored or dark soil, fire-affected material, the presence of imported shell, burned or complete bone, non-local lithic materials, or other characteristics observed to be atypical of the			

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
surrounding area. Common prehistoric artifacts may include modified or battered lithic materials; lithic or bone tools that appeared to have been used for chopping, drilling, or grinding; projectile points; fired-clay ceramics or non-functional items; and other items. Historic-age deposits are often indicated by the presence of glass bottles and shards, ceramic material, building or domestic refuse, ferrous metal, or old features such as concrete foundations or privies. Depending on the nature and the significance of the find under the California Environmental Quality Act (14 CCR 15064.5[f]; California Public Resources Code, Section 21082) and/or Section 106 of the National Historic Preservation Act, it may be appropriate for the qualified archaeologist to simply record the find and allow work to continue. Avoidance should be considered the preferred option for treatment of unanticipated cultural resources. Prior to any ground-disturbing investigative techniques, the feasibility of resource avoidance should be considered. If the discovery proves significant, as determined by the qualified archaeologist in consultation with the lead agency(s) and other consulting parties, additional work, such as testing, data recovery, or other alternatives, may be warranted. The qualified archaeologist shall prepare a report to document compliance with approved mitigation requirements and to DWR/Reclamation standards. This report shall be reviewed by lead agency staff and, once finalized, submitted to a California Historical Resources Information System information center. Reclamation will ensure that any non-Native American Graves Protection and Repatriation Act–related cultural materials and associated records falling under Reclamation's Scope of Collections Statement (Programmatic Agreement, Appendix F) that result from the identification, evaluation, and treatment of historic properties on Reclamation land conducted under the Programmatic Agreement shall be properly maintained in			

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
accordance with 36 CFR 79. If there is an adverse effect determined that requires the development of a Historic Properties Treatment Plan (HPTP) under the Programmatic Agreement, Reclamation shall ensure that documentation of the curation of these materials is prepared and provided to parties named in the HPTP specific to the resolution of effects for that historic property as stipulated within the HPTP. Reclamation's responsibilities under the Programmatic Agreement shall continue and shall include follow-up with consulting parties should any changes to the Modified Project occur.			
SEIR-CR-2 (New mitigation measure): Unanticipated Discovery of Human Remains. In the event that Native American human remains, funerary objects, sacred objects, and/or objects of cultural patrimony are inadvertently discovered under or on the surface of Bureau of Reclamation (Reclamation) lands, Reclamation shall follow the procedures outlined in the Native American Graves Protection and Repatriation Act (NAGPRA), as specified in the implementing regulations at Title 43, Section 10.2(d)(1–2) of the Code of Federal Regulations (CFR) and Stipulation X and Appendix E of the Programmatic Agreement Among The Bureau of Reclamation, Interior Region 10 California-Great Basin; and The California State Historic Preservation Officer Regarding Compliance with Section 106 of the National Historic Preservation Act Pertaining to the Implementation of the Safety of Dams B.F. Sisk Dam Project. Reclamation shall ensure that all such NAGPRA cultural items encountered during any undertaking on Reclamation lands are treated in accordance with the requirements at Section 3(c–d) of NAGPRA and the implementing regulations at 43 CFR 10. On State-owned or private lands, in accordance with Section 7050.5 of the California Health and Safety Code, if suspected human remains are found, the county coroner shall be	DWR and Reclamation	Documentation of implementation of impact avoidance and minimization measures and compliance with applicable regulations and the programmatic agreement on file with DWR and Reclamation	Prior to and during construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur on either federal or State-owned lands until agency approval is provided. On State-owned or private lands, the county coroner shall determine within 2 working days of notification of the discovery whether the remains are human in origin. If the county coroner determines that the remains are, or are believed to be, Native American, the county coroner shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The descendants or authorized representative may, with the permission of the owner of the land, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The most likely descendant shall complete inspection of the remains within 48 hours of being granted access to the site.			
SEIR-CR-3 (New mitigation measure): Archaeological and Native American Monitors and Worker Environmental Awareness Program. The Bureau of Reclamation (Reclamation) has developed a geoarchaeological sensitivity map and supporting summary that identifies areas of elevated potential for encountering buried resources within the area of potential effect; archaeological monitoring shall be required in the higher sensitivity areas identified by this map. Archaeological monitors shall be provided a copy of Reclamation's geoarchaeological sensitivity map and supporting documentation at least 30 days prior to the	DWR and Reclamation	Documentation of archaeological monitoring in accordance with the geoarchaeological sensitivity map, notification of consulting Native American tribes of opportunity to monitor, and record of worker training on file with DWR and Reclamation	Prior to and during construction

Table 3-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Responsible Party	Method of Verification	Timing of Verification
initiation of ground-disturbing activities. Consulting Native American tribes shall be given the opportunity to monitor in higher sensitivity areas identified as having elevated potential for encountering buried resources. A copy of the geoarchaeological sensitivity map and supporting documentation shall be provided to Native American Monitors at least 30 days prior to the initiation of ground-disturbing activities within areas subject to monitoring. Prior to and during construction, all construction crews shall be alerted to these monitoring requirements and the potential to encounter sensitive cultural and tribal cultural material. This may occur through inclusion of a cultural resources component within a Worker Environmental Awareness Program or other preconstruction training.			

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3.1 Mitigation Monitoring and Reporting Program Determination

I adopt the Mitigation Monitoring and Reporting Program set forth Section 3 of this document, which meets the requirements of CEQA Guidelines Section 15091(d).

Karla A. Nemeth, Director
California Department of Water Resources

10/3/2021
Date

Exhibit C

Notice of Determination

Print Form

Notice of Determination

Appendix D

To:

☒ Office of Planning and Research

U.S. Mail: P.O. Box 3044, Sacramento, CA 95812-3044

Street Address: 1400 Tenth St., Rm 113, Sacramento, CA 95814

☐ County Clerk
County of: _____
Address: _____

From:

Public Agency: Dept of Water Resources
Address: 1416 Ninth Street, Room 604
Sacramento, CA 95814
Contact: Sara Paiva-Lowry
Phone: 916-820-7821

Lead Agency (if different from above):
Same as above
Address: _____
Contact: _____
Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2009091004

Project Title: B.F. Sisk Dam Safety of Dams Modification Project

Project Applicant: Dept. of Water Resources, 1416 Ninth Street, Room 604, Sacramento, CA 95814

Project Location (include county): Merced County

Project Description:

This modified project develops a new permanent public campground, establishes a new borrow area, modifies a public day use area, and includes minor expansions of the contractor work areas described in the 2019 EIS/EIR.

This is to advise that the Department of Water Resources (☒ Lead Agency or ☐ Responsible Agency) has approved the above described project on 10/3/2021 (date) and has made the following determinations regarding the above described project.

1. The project [☒ will ☐ will not] have a significant effect on the environment.
2. ☒ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☒ was ☐ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:
https://water.ca.goov/News/Public-Notices/2021/June-2021/Sisk-Draft-DSEIR

Signature (Public Agency): ____ Karla _____ Title: DWR Director

Date: 10/3/2021 Date Received for filing at OPR: _____

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Revised 2011