Certification of Consistency

C202110

Step 1 - Agency Profile

A. GOVERNMENT AGENCY:	**Local Agency**
Government Agency:	Department of Water Resources
Primary Contact:	Ling Chu
Address:	3500 Industrial Blvd.
City, State, Zip:	West Sacramento, CA 95691
Telephone/Fax:	(916) 376-9786 / (916) 376-9748
E-mail Address:	ling-ru.chu@water.ca.gov

B. GOVERNMENT AGENCY ROLE IN COVERED ACTION: **Will Approve**

Step 2 - Covered Action Profile

A. COVERED ACTION PROFILE: **Project**

Title: Lookout Slough Tidal Habitat Restoration And Flood Improvement Project

B. PROPONENT CARRYING OUT COVERED ACTION (If different than State or Local Agency):

Proponent Name:	EIP III Credit Co., LLC
Address:	2330 Marinship Way, Suite 120
City, State, Zip:	Sausalito, CA 94965

C. OPEN MEETING LAWS

Agencies whose actions are not subject to open meeting laws (Bagley-Keene Open Meeting Act [Gov. Code sec 11120 et seq.] or the Brown Act [Gov. Code sec 54950 et seq.]) must post their draft certification on their website and in their office for public review and comment, and mail to all persons requesting notice (Administrative Procedures Governing Appeals, Rule 3). A state or local public agency that is subject to open meeting laws is encouraged to post the draft certification on their website and in the office for public review and comment and to mail to all persons requesting notice.

Any state or local public agency that is subject to open meeting laws with regard to its certification is also encouraged to take those actions. It is encouraged to upload any evidence that the project, plan or program went through for public review and comment as part of a Bagley-Keene or Brown Act meeting.

Is your agency subject to open meeting laws (Bagley-Keene Open Meeting Act [Gov. Code sec 11120 et seq.] or the Brown Act [Gov. Code sec 54950 et seq.])? (Note: Select "Yes" if your agency or organization is subject to open meeting laws. Select "No" if your agency or organization is not subject to open meeting laws.)	No
If your agency is not subject to open meeting laws (Bagley-Keene Open Meeting Act [Gov. Code sec 11120 et seq.] or the Brown Act [Gov. Code sec 54950 et seq.]) **did your agency, at least 10 days prior to the submission of a certification of consistency to the Delta Stewardship Council, post the draft certification on your website and in the office for public review and comment, and mail the draft**	Yes

certification to all persons requesting notice?

Any state or local public agency that is subject to open meeting laws with regard to its certification is also encouraged to take those actions. It is encouraged to upload any evidence that the project, plan or program went through for public review and comment as part of a Bagley-Keene or Brown Act meeting.

Note: Any public comments received during this process must be included in the record submitted to the Council in case of an appeal.

D. COVERED ACTION SUMMARY: (Project Description from approved CEQA document may be used here)

The Proposed Project would restore within the Proposed Project Site approximately 3,165 acres of tidal wetland habitat, including habitat that is beneficial to Delta Smelt (Hypomesus transpacificus), and other fish and wildlife species. The Proposed Project was designed to provide multiple benefits, including improved flood conveyance. It would widen a portion of the Yolo Bypass to increase flood storage and conveyance, increase the resilience of levees, and reduce flood risk. Flood improvement elements as proposed are consistent with the Central Valley Flood Protection Plan, which calls for multi-benefit projects that expand the Yolo Bypass while incorporating ecosystem-enhancing features. To accomplish this, a new setback levee would be constructed to the east of Duck Slough and south of Liberty Island Road. The Shag Slough Levee would be breached in nine locations to provide tidal inundation to the areas within the Bowlsbey and Liberty Farms Properties. The Vogel Levee would also be breached in two locations to provide tidal inundation to the areas within the Vogel Property. These breaches would also allow food for Delta Smelt that is produced within the new tidal wetland areas to be exported to the waterways of the Cache Slough Complex. The Shag Slough Levee would also be lowered at two locations to allow floodwaters from the Yolo Bypass to be conveyed across and stored within the Proposed Project Site during flood events. The Cache/Hass Slough Levee would undergo a series of improvements, remain in place, and function as a training levee to maintain stage differences between the Proposed Project Site and Cache and Hass Sloughs. Upon completion, the Proposed Project would protect approximately 3,400 acres of open space in perpetuity, including approximately 3,165 acres of tidal marsh and subtidal habitats and 149 acres of seasonal floodplain habitat in Solano County, California, and a very small portion of Yolo County, California. Restoring these habitats will increase food availability for Delta Smelt, Steelhead – Central Valley Distinct Population Segment (DPS) (Oncorhynchus mykiss), Chinook Salmon – Sacramento River winter-run Evolutionarily Significant Unit (ESU) (Oncorhynchus tshawytscha), Chinook Salmon – Central Valley spring-run ESU, Green Sturgeon – Southern DPS (Acipenser medirostris), and Longfin Smelt (Spirinchus thaleichthys), known hereafter as “Target Protected Fish Species,” as well as other native fishes within the Project Site and the surrounding Cache Slough Complex. It will also provide rearing habitat for Delta Smelt and salmonids, provide potential spawning habitat for Delta Smelt, and create habitat conditions for other aquatic and terrestrial wetland-dependent species, such as giant garter snake (Thamnophis gigas), that utilize the combination of Sacramento-San Joaquin River Delta habitat interfaces (i.e., Delta-freshwater, aquatic-tidal, marsh-floodplain, seasonal wetland-lowland grassland). Additionally, the Proposed Project would create over 40,000 acre-feet of transitory flood storage at the Delta confluence. The Lookout Slough Tidal Habitat Restoration and Flood Improvement Project was developed to partially fulfill a requirement under the 2008 U.S. Fish and Wildlife Service (USFWS) Delta Smelt Biological Opinion on the Coordinated Operations of the federal Central Valley Project and the State Water Project (2008 USFWS BiOp) to restore 8,000 acres of tidal habitat. Restoration of tidal habitat also would provide access for salmonid rearing at the Project Site and therefore was expected to be credited toward a restoration requirement in the 2009 National Marine Fisheries Service (NMFS) Biological Opinion and Conference Opinion on the Long-Term Operation of the Central Valley Project and the State Water Project (2009 NMFS BiOp). These restoration requirements in the 2008 USFWS BiOp and 2009 NMFS BiOp were carried forward as baseline conditions in the USFWS Biological Opinion for the Reinitiation of Consultation on the Coordinated Operations of the Central Valley Project and the State Water Project (2019 USFWS BiOp) and the NMFS Biological Opinion on Long Term Operation of the Central Valley Project and the State Water Project (2019 NMFS BiOp), which are the currently effective biological opinions governing coordinated operations of the Central Valley Project and State Water Project. The 8,000-acre tidal restoration requirement also is a condition (Condition 9.1.1) of the Incidental Take Permit for Long-Term Operation of the State Water Project in the Sacramento-San Joaquin Delta (2081-2019-066-00) (2020 LTO ITP), issued by the California Department of Fish and Wildlife on March 31, 2020. The 2020 LTO ITP is DWR’s California Endangered Species Act authorization to carry out ongoing State Water Project operations. The following names/locations in this project description describe specific areas, as well as levees and sloughs, within and adjacent to the Proposed Project Site: Bowlsbey Property – Approximate 1,644-acre

property in the northwestern portion of the Proposed Project Site bounded by Liberty Island Road to the north, Shag Slough to the east, Lookout Slough to the south, and Duck and Hass Sloughs to the west. Liberty Farms Property – Approximate 1,678-acre property in the southeastern portion of the Proposed Project Site bounded by Lookout Slough to the north, Lookout and Cache Sloughs to the west, the cross levee to the south, and Shag Slough to the east. Vogel Property – Approximate 55-acre property in the southwestern portion of the Proposed Project Site bounded by the Bowlsbey Property to the north and Cache Slough to the south, east, and west. Shag Slough Levee – State Plan of Flood Control (SPFC) levee on the west side of Shag Slough, which borders the eastern boundaries of the Bowlsbey and Liberty Farms Properties. The Shag Slough Levee is part of the Yolo Bypass West levee system. Cache/Hass Slough Levee – SPFC levee located on the north side of Cache and Hass Sloughs, which borders the southern boundaries of the Bowlsbey and Liberty Farms Properties. The Cache/Hass Slough Levee is part of the Yolo Bypass West levee system. Cache/Hass Slough Training Levee – The Proposed Project includes improvements to the stability of the Cache/Hass Slough Levee and the Cross Levee. The improved levee would function to maintain stage differences between the Proposed Project Site and waters in Cache/Hass Slough during bypass flooding events. The Cache/Hass Slough Training Levee refers to the Cache/Hass Slough Levee and the Cross Levee in their modified post-project state and altered function. Duck Slough Setback Levee – Proposed SPFC setback levee proposed as part of the Yolo Bypass levee system, located on the eastern side of Duck Slough and the southern side of Liberty Island Road. Cross Levee – SPFC levee on the southern end of the Proposed Project Site, runs roughly west-east between Cache and Hass Sloughs. Vogel Levee – Existing agricultural levee located on the eastern, southern, and western boundaries of the Vogel property. Lookout Slough – Man-made drainage/water control channel that separates the Bowlsbey and Liberty Farms Properties. Lookout Slough is not connected to Cache Slough and is not open to tidal inundation. Duck Slough – Man-made drainage/water control channel that forms the western boundary of the Bowlsbey Property. Duck Slough is not connected to Hass Slough and is not open to tidal inundation. Sycamore Slough – Remnant of a historical slough, which is no longer connected to Hass Slough and is not open to tidal inundation.

E. STATUS IN THE CEQA PROCESS: Final Certified Document

F. STATE CLEARINGHOUSE NUMBER:(if applicable) 2019039136

G. COVERED ACTION ESTIMATED TIME LINE:

ANTICIPATED START DATE: (If available) 04/01/2022

ANTICIPATED END DATE: (If available) 04/01/2025

H. COVERED ACTION TOTAL ESTIMATED PROJECT COST: $120,000,000

I. IF A CERTIFICATION OF CONSISTENCY FOR THIS COVERED ACTION WAS PREVIOUSLY SUBMITTED, LIST DSC REFERENCE NUMBER ASSIGNED TO THAT CERTIFICATION FORM: C20215

J. Supporting Documents:

Attachment 1_508.pdf, **Attachment 2_508.pdf**, **Attachment 2A_508.pdf**, **Attachment 2B_508.pdf**, **Attachment 2C_508.pdf**, **Attachment 2D_508.pdf**, **Attachment 2E_508.pdf**, **Attachment 3_508.pdf**, **Attachment 3A_508.pdf**, **Attachment 3B_508.pdf**, **Attachment 3C_508.pdf**, **Attachment 3D_508.pdf**, **Attachment 3E_508.pdf**, **Attachment 4_508.pdf**, **Attachment 4A_508.pdf**, **Attachment 4B_508.pdf**

Step 3 - Consistency with the Delta Plan

DELTA PLAN CHAPTER 2

G P1/Cal. Code Regs., tit. 23, § 5002 - **Detailed Findings to Establish Consistency with the Delta Plan.**

G P1/Cal. Code Regs., tit. 23, § 5002 identifies what must be addressed in a certification of consistency filed by a State or local public agency with regard to any covered action and only applies after a "proposed action" has been determined by a State or

local public agency to be a covered action because it is covered by one or more of the regulatory policies listed under Delta Plan Chapters 3, 4, 5, and 7 of this form. Inconsistency with this policy may be the basis for an appeal.

A certification of consistency must include detailed findings that address each of the regulatory policies identified in Cal. Code Regs., tit. 23, §§ 5002-5013 and listed on this Form that is implicated by the covered action.

As outlined in Cal. Code Regs., tit. 23, § 5002 (b)(1), the Delta Stewardship Council acknowledges that in some cases, based upon the nature of the covered action, full consistency with all relevant regulatory policies may not be feasible. In those cases, the agency that files the certification of consistency may nevertheless determine that the covered action is consistent with the Delta Plan because, on whole, that action is consistent with the coequal goals. That determination must include a clear identification of areas where consistency with relevant regulatory policies is not feasible, an explanation of the reasons why it is not feasible, and an explanation of how the covered action nevertheless, on whole, is consistent with the coequal goals. That determination is subject to review by the Delta Stewardship Council on appeal.

Specific requirements of this regulatory policy:

a. G P1(b)(1)/Cal. Code Regs., tit. 23, § 5002, subd. (b)(1) - **Coequal Goals**

As outlined in **Cal. Code Regs., tit. 23, § 5002 (b)(1)** , the Delta Stewardship Council acknowledges that in some cases, based upon the nature of the covered action, full consistency with all relevant regulatory policies may not be feasible. In those cases, the agency that files the certification of consistency may nevertheless determine that the covered action is consistent with the Delta Plan because, on whole, that action is consistent with the coequal goals. That determination must include a clear identification of areas where consistency with relevant regulatory policies is not feasible, an explanation of the reasons why it is not feasible, and an explanation of how the covered action nevertheless, on whole, is consistent with the coequal goals. That determination is subject to review by the Delta Stewardship Council on appeal.

Is the covered action consistent with this portion of the regulatory policy?

N/A

Answer Justification:	The Project has been deemed consistent for this policy under the previous Certification number C20215 and additional justification was provided. This policy is not applicable for this Recertification to address Council findings on Appeal C20215. This policy was appealed on C20215, the appeal was denied, the Council did not remand issues related to this policy in the Council's findings, and there are no changes to this Project.

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b. G P1(b)(2)/Cal. Code Regs., tit. 23, § 5002, subd. (b)(2) - **Mitigation Measures**

G P1(b)(2)/Cal. Code Regs., tit. 23, § 5002, subd. (b)(2) provides that covered actions not exempt from CEQA, must include all applicable feasible mitigation measures adopted and incorporated into the Delta Plan as amended April 26, 2018, (unless the measure(s) are within the exclusive jurisdiction of an agency other than the agency that files the certification of consistency), or substitute mitigation measures that the agency that files the certification of consistency finds are equally or more effective. For more information, see Cal. Code Regs., tit. 23, § 5002, and Delta Plan Appendix O, Mitigation Monitoring and Reporting Program, which are referenced in this regulatory policy.

Is the covered action consistent with this portion of the regulatory policy?

N/A

Answer Justification:	The Project has been deemed consistent for this policy under the previous Certification number C20215 and additional justification was provided.

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c. G P1(b)(3)/Cal. Code Regs., tit. 23, § 5002, subd. (b)(3) - **Best Available Science**

G P1(b)(3)/Cal. Code Regs., tit. 23, § 5002, subd. (b)(3) provides that, relevant to the purpose and nature of the project, all covered actions must document use of best available science. For more information, see Appendix 1A, which is referenced in this regulatory policy.

Is the covered action consistent with this portion of the regulatory policy?

Yes

Answer Justification:	This resubmittal is only intended to address GP1(b)(3): Best Available Science criterion on inclusiveness. Please see Attachment 1- Analysis Responding to Remanded Issues and Supporting Re-Certification of Consistency with the Delta Plan, Attachment 2 – Consistency with Policy G P1(b)(3): Best Available Science Methods Used to Estimate Recreational Uses, and Attachment 4 – Public Access Summary for clarification on how the Project is consistent with Best Available Science criterion on Inclusiveness. The Project has already been deemed consistent with the other aspects of GP1(b)(3) under Certification number C20215. Attachment 1_508.pdf, Attachment 2_508.pdf, Attachment 2A_508.pdf, Attachment 2B_508.pdf, Attachment 2C_508.pdf, Attachment 2D_508.pdf, Attachment 2E_508.pdf, Attachment 4_508.pdf, Attachment 4A_508.pdf, Attachment 4B_508.pdf

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d. G P1(b)(4)/Cal. Code Regs., tit. 23, § 5002, subd. (b)(4) - **Adaptive Management**

G P1(b)(4)/Cal. Code Regs., tit. 23, § 5002, subd. (b)(4) provides that an ecosystem restoration or water management covered action must include adequate provisions, appropriate to its scope, to assure continued implementation of adaptive management. For more information, see Appendix 1B, which is referenced in this regulatory policy. Note that this requirement may be satisfied through both of the following:

(A) An adaptive management plan that describes the approach to be taken consistent with the adaptive management framework in Appendix 1B; and

(B) Documentation of access to adequate resources and delineated authority by the entity responsible for the implementation of the proposed adaptive management process.

Is the covered action consistent with this portion of the regulatory policy?

N/A

Answer Justification:	The Project has been deemed consistent for this policy under the previous Certification number C20215 and additional justification was provided. This policy is not applicable for this Recertification to address Council findings on Appeal C20215. This policy was appealed on C20215, the appeal was denied, the Council did not remand issues related to this policy in the Council's findings, and there are no changes to this Project.

DELTA PLAN CHAPTER 3

WR P1 / Cal. Code Regs., tit. 23, § 5003 - **Reduce Reliance on the Delta through Improved Regional Water Self-Reliance**

Is the covered action consistent with this portion of the regulatory policy?

N/A

Answer Justification:	Under the previous Certification number C20215, this policy

was considered not applicable and additional justification was provided. This policy is not applicable for this Recertification to address Council findings on Appeal C20215. This policy was appealed on C20215, the appeal was denied, the Council did not remand issues related to this policy in the Council's findings, and there are no changes to this Project.

WR P2 / Cal. Code Regs., tit. 23, § 5004 - **Transparency in Water Contracting**

Is the covered action consistent with this portion of the regulatory policy?

N/A

Answer Justification:

Under the previous Certification number C20215, this policy was considered not applicable and additional justification was provided. This policy is not applicable for this Recertification to address Council findings on Appeal C20215. This policy was appealed on C20215, the appeal was denied, the Council did not remand issues related to this policy in the Council's findings, and there are no changes to this Project.

DELTA PLAN CHAPTER 4

Cal. Code Regs., tit. 23, § 5002, subd. (c) - **Conservation Measure**

Cal. Code Regs., tit. 23, § 5002, subd. (c) provides that a conservation measure proposed to be implemented pursuant to a natural community conservation plan or a habitat conservation plan that was: (1) Developed by a local government in the Delta; and (2) Approved and permitted by the California Department of Fish and Wildlife prior to May 16, 2013 is deemed to be consistent with the regulatory policies listed under Delta Plan Chapter 4 of this Form (i.e. sections 5005 through 5009) if the certification of consistency filed with regard to the conservation measure includes a statement confirming the nature of the conservation measure from the California Department of Fish and Wildlife.

Is the covered action consistent with this portion of the regulatory policy?

N/A

Answer Justification:

Under the previous Certification number C20215, this policy was considered not applicable and additional justification was provided. For G P1/ Cal. Code Regs., tit. 23, § 5002, subd. (b)(2), (b)(3) and (b)(4), these policies are not applicable for this Recertification to address Council findings on Appeal C20215. These policies were appealed on C20215, the appeal was denied, the Council did not remand issues related to this policy in the Council's findings, and there are no changes to this Project.

ER P1 / Cal. Code Regs., tit. 23, § 5005 - **Delta Flow Objectives**

Is the covered action consistent with this portion of the regulatory policy?

N/A

Answer Justification:

Under the previous Certification number C20215, this policy was considered not applicable and additional justification was provided. This policy is not applicable for this Recertification to address Council findings on Appeal C20215. This policy was appealed on C20215, the appeal was denied, the Council did not remand issues related to this policy in the Council's findings, and there are no changes to this Project.

ER PA/Cal. Code Regs., tit.23, § 5005.1 - **Contributions to Restoring Ecosystem Function and Providing Social Benefits**

Effective Date April 1, 2025

Is the covered action consistent with this portion of the regulatory policy?

Answer Justification:

ER P2 / Cal. Code Regs., tit. 23, § 5006- **Restore Habitats at Appropriate Elevations**

For covered actions with a Notice of Preparation, Negative Declaration, or Mitigated Negative Declaration issued before April 1, 2025, the effective date of this policy is April 1, 2027. If this applies to you, please contact Council staff.

Is the covered action consistent with this portion of the regulatory policy?

N/A

Answer Justification: The Project has been deemed consistent for this policy under the previous Certification number C20215 and additional justification was provided. This policy is not applicable for this Recertification to address Council findings on Appeal C20215. This policy was appealed on C20215, the appeal was denied, the Council did not remand issues related to this policy in the Council's findings, and there are no changes to this Project.

ER P3 / Cal. Code Regs., tit. 23, § 5007 - **Protect Opportunities to Restore Habitat**

For covered actions with a Notice of Preparation, Negative Declaration, or Mitigated Negative Declaration issued before April 1, 2025, the effective date of this policy is April 1, 2027. If this applies to you, please contact Council staff.

Is the covered action consistent with this portion of the regulatory policy?

N/A

Answer Justification: The Project has been deemed consistent for this policy under the previous Certification number C20215 and additional justification was provided.

ER P4 / Cal. Code Regs., tit. 23, § 5008 - **Expand Floodplains and Riparian Habitats in Levee Projects**

For covered actions with a Notice of Preparation, Negative Declaration, or Mitigated Negative Declaration issued before April 1, 2025, the effective date of this policy is April 1, 2027. If this applies to you, please contact Council staff.

Is the covered action consistent with this portion of the regulatory policy?

N/A

Answer Justification: The Project has been deemed consistent for this policy under the previous Certification number C20215 and additional justification was provided.

ER P5 / Cal. Code Regs., tit. 23, § 5009 - **Avoid Introductions of and Habitat for Invasive Nonnative Species**

Is the covered action consistent with this portion of the regulatory policy?

N/A

Answer Justification: Under the previous Certification number C20215, this policy was considered not applicable and additional justification was provided. This policy is not applicable for this Recertification to address Council findings on Appeal C20215. This policy was

appealed on C20215, the appeal was denied, the Council did not remand issues related to this policy in the Council's findings, and there are no changes to this Project.

DELTA PLAN CHAPTER 5

DP P1 / Cal. Code Regs., tit. 23, § 5010 - **Locate New Urban Development Wisely**

Is the covered action consistent with this portion of the regulatory policy?

N/A

Answer Justification:

Under the previous Certification number C20215, this policy was considered not applicable and additional justification was provided.

DP P2 / Cal. Code Regs., tit. 23, § 5011 - **Respect Local Land Use When Siting Water or Flood Facilities or Restoring Habitats**

Is the covered action consistent with this portion of the regulatory policy?

Yes

Answer Justification:

For the portion of DP P2 that pertains to whether there were conflicts with existing agricultural uses, conflicts with existing infrastructure, conflicts with existing water intakes and beneficial uses of water, conflicts with the use of existing water intakes and diversions related to endangered species presence, conflicts with the Solano County General Plan, and conflicts with the Solano County Climate Action Plan, this policy is not applicable for this Recertification to address Council findings on Appeal C20215. This policy was appealed on C20215, the appeal was denied, the Council did not remand issues related to this policy in the Council's findings, and there are no changes to this Project. For Policy DP P2 (Cal. Code Regs., tit. 23, § 2011): Allocation of Proposition 1 Funds and Disproportionate Impacts and Demographic Considerations, these policies are not applicable for this Recertification to address Council findings on Appeal C20215. These policies were appealed on C20215, the appeals were dismissed as being not appealable or within the Council's jurisdiction, the Council did not remand issues related to this policy in the Council's findings, and there are no changes to this Project. For the portion of DP P2 related to Recreation and the Council's findings, please see Attachment 1- Executive Summary, Attachment 3 – Consistency with Policy DP P2: Respect Local Land Use When Siting Water or Flood Facilities or Restored Habitats, and Attachment 4 – Public Access Summary for clarification on how the Project is consistent with Policy DP P2. Attachment 1_508.pdf, Attachment 3_508.pdf, Attachment 3A_508.pdf, Attachment 3B_508.pdf, Attachment 3C_508.pdf, Attachment 3D_508.pdf, Attachment 3E_508.pdf, Attachment 4_508.pdf, Attachment 4A_508.pdf, Attachment 4B_508.pdf

DELTA PLAN CHAPTER 7

RR P1 / Cal. Code Regs., tit. 23, § 5012 - **Prioritization of State Investments in Delta Levees and Risk Reduction**

Is the covered action consistent with this portion of the regulatory policy?

N/A

Answer Justification:	The Project has been deemed consistent for this policy under the previous Certification number C20215 and additional justification was provided. This policy is not applicable for this Recertification to address Council findings on Appeal C20215. This policy was appealed on C20215, the appeals were denied or dismissed, the Council did not remand issues related to this policy in the Council's findings, and there are no changes to this Project.

RR P2 / Cal. Code Regs., tit. 23, § 5013 - **Require Flood Protection for Residential Development in Rural Areas**

Is the covered action consistent with this portion of the regulatory policy?

N/A

Answer Justification:	Under the previous Certification number C20215, this policy was considered not applicable and additional justification was provided.

RR P3 / Cal. Code Regs., tit. 23, § 5014 - **Protect Floodways**

Is the covered action consistent with this portion of the regulatory policy?

N/A

Answer Justification:	The Project has been deemed consistent for this policy under the previous Certification number C20215 and additional justification was provided.

RR P4 / Cal. Code Regs., tit. 23, § 5015 - **Floodplain Protection**

Is the covered action consistent with this portion of the regulatory policy?

N/A

Answer Justification:	The Project has been deemed consistent for this policy under the previous Certification number C20215 and additional justification was provided.
