Certification of Consistency

C20258

Step 1 - Agency Profile

A. GOVERNMENT AGENCY:	**State Agency**
Government Agency:	Reclamation District 1601
Primary Contact:	Christopher H. Neudeck
Address:	711 N. Pershing Ave.
City, State, Zip:	Stockton, CA 95203
Telephone/Fax:	(209) 946-0268
E-mail Address:	ntomera@geiconsultants.com

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

Step 2 - Covered Action Profile

A. COVERED ACTION PROFILE: **Project**

Title: Twitchell Island Levee Improvement Project - San Joaquin River Reach

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

Proponent Name:	Reclamation District 1601
Address:	711 N. Pershing Ave.
City, State, Zip:	Stockton, CA 95203

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.)	Yes

Please attach any supporting evidence of the public review and comment period by clicking the upload button. Such evidence could include but is not limited to: a meeting agenda and attachment demonstrating that this certification was made publicly

available, a screenshot with date and link to a website where the materials were posted, or other similar documentation.

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

RD Agenda 12-16-2025.pdf

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

The project proponent proposes to construct levee improvements along the south side of Twitchell Island along the San Joaquin River, including constructing a foundation berm and new setback levee behind and attached to the existing levee, installing a sheet pile wall in front of the existing pump station, raising the crown of the existing setback levee, constructing a dryland levee across Chevron Point, and creating new channel margin habitat along the waterside of the levee to benefit special-status fish species. The new foundation berm and setback levee would extend from the east end of the existing setback levee to the west side of the existing pump station, and from the east side of the pump station to Sevenmile Slough. In front of the pump station and within the existing levee, a sheet pile wall would be constructed to provide the necessary freeboard and to avoid the need to relocate the pump station, which otherwise would be required if new foundation berm and setback levee were to be constructed end of the existing setback levee and would cut across Chevron Point and tie in to the existing levee along Threemile Slough. Waterside habitat enhancements would occur along the waterside of the existing San Joaquin River levee from the east end of the existing setback levee to Sevenmile Slough. Borrow materials, including engineered fill, drain rock, and aggregate base needed to construct the new foundation berm, setback levee, dryland levee, and raise the existing setback levee would be obtained from commercially available sources, likely within 60 miles of the project site. These materials would be transported to the site by barge or haul truck. A complete project description is provided in the Draft and Final Environmental Impact Reports. _Full DEIR_091514.pdf, FEIR_150424.pdf

E. STATUS IN THE CEQA PROCESS:	NOD has been filed
F. STATE CLEARINGHOUSE NUMBER:(if applicable)	2012022038
G. COVERED ACTION ESTIMATED TIME LINE:	
ANTICIPATED START DATE: (If available)	03/02/2026
ANTICIPATED END DATE: (If available)	12/31/2040
H. COVERED ACTION TOTAL ESTIMATED PROJECT COST:	$170,000,000

I. IF A CERTIFICATION OF CONSISTENCY FOR THIS COVERED ACTION WAS PREVIOUSLY SUBMITTED, LIST DSC REFERENCE NUMBER ASSIGNED TO THAT CERTIFICATION FORM: C20162

J. Supporting Documents:

RD 1601 Consistency with the Delta Plan_12-18-25.pdf, RD 1601 Adaptive Management Plan_12-18-25.pdf, RD 1601 Crosswalk Table_12-6-25.pdf, List of Best Available Science.pdf, Appendix 3A and Appendix 4A.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?

Yes

Answer Justification:

The Project is a covered action under the following policies, thereby requiring a certification of consistency. The policies include the following: - ER PA (CCR Title 23 Section 5005.1): Disclose Contributions to Restoring Ecosystem Function and Providing Social Benefits - ER P2 (CCR Title 23 Section 5006): Restore Habitats at Appropriate Elevations - ER P4 (CCR Title 23 Section 5008): Expand Floodplains and Riparian Habitats in Levee Projects - ER P5 (CCR Title 23 Section 5009): Avoid Introductions of and Habitat Improvements for Invasive Nonnative Species - DP P2 (CCR Title 23 Section 5011): Respect Local Land Use when Siting Water or Flood Facilities or Restoring Habitats - RR P1 (CCR Title 23 Section 5012): Prioritization of State Investments in Delta Levees and Risk Reduction - RR P3 (CCR Title 23 Section 5014): Protect Floodways The objectives of the Project for the San Joaquin River reach are: - To accomplish landside levee improvements that increase the levee's resistance to erosion, provide better overall levee stability, and provide additional freeboard (increased levee height) for an estimated wave run-up of 4.7 ft at the 100-year event water surface elevation (the maximum elevation with a 1 percent chance of occurring in any given year, 0.01 annual exceedance probability [AEP]), and - To provide channel margin habitat along the San Joaquin River. As such the Project is in alignment with the coequal goals of the Delta Plan to provide more reliable water supply and protect, restore,

and enhance the Delta ecosystem. RD 1601 Consistency with the Delta Plan_12-18-25.pdf

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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?

Yes

Answer Justification:

RD 1601 (CEQA lead agency) has prepared an Environmental Impact Report (EIR). The public draft has gone through public review (ended on April 11, 2014). The Final Draft of the IS/MND was issued and a Notice of Determination was filed on May 19, 2015 (SCH No. 2012022038). The Project will implement all applicable environmental commitments and mitigation measures identified in the EIR. A crosswalk table was prepared to demonstrate consistency of all mitigation measures included in the Delta Plan EIR Mitigation, Monitoring, and Reporting Program with environmental commitments and/or mitigation measures for the Project. The crosswalk table is included. RD 1601 Consistency with the Delta Plan_12-18-25.pdf

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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:

RD 1601 and DWR are committed to utilizing the best available science to design and construct the project. Ongoing research related to aquatic and terrestrial wildlife and habitat management continues to progress and provides greater insight on how to manage wetlands. The project design and adaptive management plan are based on best available science, as demonstrated by the following elements: - Well-stated objectives - Conceptual models of habitat requirements of sensitive fish and wildlife species - Best professional judgment of experts The Project is designed to increase levee resilience and provide channel margin habitat along the San Joaquin River. Throughout Project planning and implementation, the Project Team has been committed to utilizing the best available science to design and construct the Project. RD 1601 is committed to managing and monitoring the site. Adaptive management of the Project will be based on the utilization of input from monitoring data in conjunction with adaptive review of whether restoration goals and objectives are being achieved. Ongoing research related to aquatic and terrestrial wildlife and habitat management continues to progress and provides

greater insight on how to manage habitat. A list of current best available science applicable to the project is included. RD 1601 Consistency with the Delta Plan_12-18-25.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?

Yes

Answer Justification:

RD 1601 has prepared an Adaptive Management Plan (AMP), which incorporates adaptive management for the site. The AMP considers best available science and best professional judgement gained from wetland and riparian habitat management throughout the Delta. The management plan outlines the maintenance plan, performance standards, monitoring program, and remedial actions to ensure project success. Operation of the Project would ensure continued implementation of adaptive management through regular inspection, maintenance, and repair. RD 1601 would maintain and operate the site. RD 1601, in conjunction with California Department of Water Resources (DWR) and California Department of Fish and Wildlife (CDFW), have adequate staff and fiscal resources to operate and maintain water control infrastructure installed under the Project. The AMP is included. RD 1601 Consistency with the Delta Plan_12-18-25.pdf

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:

The Project does not involve the export, transfer, or use of water in the Delta by a water supplier that has failed to contribute to reduced reliance on the Delta and improved regional self-reliance. As such, Policy WR P1 is not applicable. RD 1601 Consistency with the Delta Plan_12-18-25.pdf

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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:

The Project is not part of the State Water Project and/or Central Valley Project and would not affect the contracting process for water from the State Water Project and/or Central Valley Project. As such, Policy

WR P2 is not applicable. RD 1601 Consistency with the Delta Plan_12-18-25.pdf

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: No adopted or approved habitat conservation plan/natural community conservation plan (HCP/NCCP) efforts overlap the project site. As such, Section 5002(c) of Title 23 in the CCR is not applicable.

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: The Project includes restoration activities within the San Joaquin River; however, the Project does not include discharges to or diversions from the San Joaquin River. No portion of the Project is subject to the State Water Resources Control Board's Bay Delta Water Quality Control Plan flow objectives (State Water Resources Control Board, 2018). The Project would not affect in-stream flows. As such, Policy ER P1 is not applicable. RD 1601 Consistency with the Delta Plan_12-18-25.pdf

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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?

Yes

Answer Justification: One of the objectives of the Project is to provide channel margin habitat along the San Joaquin River. Consequently, the Project has a natural resource benefit of increasing native species' habitat. Appendix 3A: Disclosing Contributions to Restoring Ecosystem Function and Providing Social Benefits is included. RD 1601 Consistency with the Delta Plan_12-18-25.pdf

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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 the amended policy is April 1, 2027.

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

Yes

Answer Justification:

The Project will comply with ER P2's requirements by restoring or creating 5 linear miles of transitional intertidal areas including tidal mudflat natural community and patches of subtidal and lower marsh consistent with Delta Plan Appendix 3. Currently, Twitchell Island is listed as subtidal habitat based on its elevation (Delta Stewardship Council, 2013); although not mapped, the San Joaquin River is tidally influenced. The waterside of the existing levee along the San Joaquin River would be modified based on five design options to create a mosaic of three different habitat types (tule marsh and mudflat, riparian forest and scrub, and upland scrub and grassland). Appendix 4A: Protecting, Restoring, and Enhancing Habitats at Appropriate Elevations is included in Attachment A. As shown in Table 3.6-6 of the Draft Environmental Impact Report (DEIR), the Project would create approximately 17.47 acres of shallow shoreline (with tule marsh), 1.42 acres of tidal back channel, 1.70 acres of tule marsh, 2.56 acres of dense willow scrub, 2.48 acres of alder willow scrub, 4.33 acres of mixed riparian, 0.81 acres of tall trees (riparian), and 8.65 acres of upland scrub. The shallow shoreline habitat includes portions of the shoreline that would be modified to create shallowly sloping tidal and subtidal areas within approximately 8 feet of mean higher high water. The tidal back-channel areas represent unvegetated tidally influenced areas created along tidal back channels. Because the habitat in the San Joaquin River and on Twitchell Island have been carefully selected with regards to elevation (e.g., tidal, subtidal), the Project is consistent with Policy ER P2. RD 1601 Consistency with the Delta Plan_12-18-25.pdf

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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 the amended policy is April 1, 2027.

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

N/A

Answer Justification:

The Project is located within San Joaquin River and on Twitchell Island, which are not a priority habitat restoration area identified in the Delta Plan. As such, Policy ER P3 is not applicable. RD 1601 Consistency with the Delta Plan_12-18-25.pdf

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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 the amended policy is April 1, 2027.

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

Yes

Answer Justification:

The Project includes the construction of a new setback levees and creation of riparian habitat. Landside improvements would involve constructing a foundation berm and new setback levee behind and attached to the existing levee along the San Joaquin River on the south side of Twitchell Island. The setback levees would expand the floodplain. Depending on the design option selected for the reach, RD

1601 will install riparian habitat (including mixed riparian forest and scrub, alder and willow scrub, and dense willow scrub) between the existing levee and setback levee. As shown in Table 3.6-6 of the DEIR, the Project would create approximately 2.56 acres of dense willow scrub, 2.48 acres of alder willow scrub, 4.33 acres of mixed riparian, and 0.81 acres of tall trees (riparian). Because the Project incorporates an expansion of floodplain and riparian habitat, the Project is consistent with Policy ER P4. RD 1601 Consistency with the Delta Plan_12-18-25.pdf

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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?

Yes

Answer Justification:

During construction of the Project, RD 1601 will reduce the potential to import non-native and invasive plant and wildlife species by implementing best management practices (BMPs). These BMPs will include but are not limited to the following: - Construction vehicles and equipment will be cleaned inside and out at an authorized washing facility before arrival at the project site, to avoid and/or minimize introduction of invasive or noxious weeds to the site. Exterior cleaning will consist of pressure washing vehicles and equipment, with close attention paid to the tracks, feet, and/or tires and on all elements of the undercarriage. Vehicle cabs will be swept out, and refuse will be disposed at an approved off-site location. The project applicant shall ensure that vehicles and equipment are inspected in an attempt to ensure they are free of soil and debris that could harbor nonnative plant seeds, roots, or rhizomes. If invasive or noxious weeds are already present in portions of the project site, vehicles will be cleaned before moving from infested areas to areas that are weed free. (Mitigation Measure 3.6-1: Avoid, Minimize, or Mitigate Potential Effects on Special-Status Plants and Their Habitats during Construction.) - Follow accepted aquatic invasive species prevention practices in the Delta, such as using barges for hauling materials or other construction operations that are of local origin, or requiring hull cleaning (i.e., clean, drain, and dry procedures) for all vessels prior to use on the project site in accordance with CDFW guidelines. (Mitigation Measure 3.6-6: Avoid or Minimize Potential Impacts on Special-Status Fish Species, Essential Fish Habitat, and Riverine Aquatic Resources during Construction.) By implementing the construction BMPs, the Project is consistent with Policy ER P5. RD 1601 Consistency with the Delta Plan_12-18-25.pdf

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:

This Project is a levee and restoration project and does not involve any residential, commercial, or industrial development. As such, Policy DP P1 is not applicable. RD 1601 Consistency with the Delta Plan_12-18-25.pdf

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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:

The project site is designated by the Sacramento County General Plan as Agricultural Cropland and zoned AG-80. The Agricultural Cropland land use designation identifies agricultural lands most suitable for intensive agriculture, and the AG-80 zoning code is intended to promote long-term agricultural use, to discourage the premature and unnecessary conversion of agricultural land to urban uses, and to encourage the retention of sufficiently large agricultural lots to assure maintenance of viable agricultural units. The special combining zone called the DW Land Use Zone also is applied to the waterside berm and levee area, extending to the top of the waterside of the levee. This special combining zone primarily is used to regulate property in the unincorporated area of the county, along the Sacramento River and Delta waterways. The Project would include constructing a foundation toe berm and new setback levee behind and attached to the existing levee along the San Joaquin River on the south side of Twitchell Island, installing a sheet pile wall in front of the existing pump station, raising the crown of the existing setback levee, and constructing a dryland levee across Chevron Point. These levee improvements would increase the levee's resistance to erosion, provide better overall levee stability, and provide additional freeboard (increased levee height) for an estimated wave run-up of 4.7 feet at the 100-year event water surface elevation. The Project would not include other changes in the existing environment that could result in inconsistencies with the Agricultural Cropland land use designation, AG-80 zoning code, or DW combining zone. The proposed levee improvements would not change the overall agricultural character or use of the project site and would not hinder the overall agricultural land uses on Twitchell Island. A more detailed description of this information can be found in the DEIR, Section 3.2, "Land Use and Agriculture Resources." The Project would not conflict with the land classification of AG-80 open space/agriculture and there are no Williamson Act contracts on Twitchell Island. As such, the Project is consistent with Policy DP P2. RD 1601 Consistency with the Delta Plan_12-18-25.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?

Yes

Answer Justification:

The Project will be funded, wholly or partially, by the California Department of Water Resources (DWR) Delta Levees Special Flood Control Projects. The Twichell Island levee system is operated by RD 1601 and consists of a combination of project and nonproject levees. The Project consists of improvements to the levee along the San Joaquin River (nonproject levee) and includes a tie into the Threemile Slough levee (project levee). Twichell Island levees will be operated and maintained to protect the Delta's physical characteristics. Based on the analysis conducted by the geotechnical engineers, the design,

construction, and maintenance of levee improvements would meet or exceed applicable design standards for the following elements: static and dynamic stability, seismic ground shaking, liquefaction, subsidence, and seepage. The proposed dryland levee would key into the existing Threemile Slough levee. Because the Project would not alter the Threemile Slough levee, the Threemile Slough will continue to be maintained and operated in accordance with 33 CFR 208.10, existing Operation and Maintenance manuals, and CVFPB Resolution 2018-06. Because Twitchell Island is listed under the Very-High Priority within the Delta Levees Investment Strategy Priorities, DWR's funding selection is appropriate. Because the Project will ensure the Twichell Island levee will be operated and maintained to protect the Delta's physical characteristics and Twichell Island is a Very-High Priority levee, the Project is consistent with Policy RR P1. RD 1601 Consistency with the Delta Plan_12-18-25.pdf

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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:

The Project is located along the San Joaquin River and on Twitchell Island and does not propose new residential development. As such, Policy RR P2 is not applicable. RD 1601 Consistency with the Delta Plan_12-18-25.pdf

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

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

Yes

Answer Justification:

The San Joaquin River has been designated as a regulated stream; however, San Joaquin River and Twichell Island are not within a designated floodway. Project construction would improve the reliability and stability of the flood protection system overall and would provide increased flood protection for local communities. The proposed levee repairs also would reduce the risk of a levee system failure. The proposed foundation toe berm, new setback levee, and sheet pile wall would not impede or redirect flood flows. Creation of waterside habitat is also not expected to significantly impact local hydraulics. Along Twitchell Island, the San Joaquin River channel is approximately 1,800 to 3,200 feet wide and averages between 30 to 60 feet deep at base flow. The wetted perimeter of the river at Twitchell Island is 1,900-3,300 feet, compared to a vegetated roughness perimeter of 75 feet or less. More importantly, Design Options 1 and 2 would have no impact on riverbank morphology or roughness (i.e., no change from existing rocked bank conditions). The remaining Design Options (3, 4, and 5) would excavate the existing bank 50-75 feet landward to a depth below MLLW, resulting in a slightly wider channel with greater cross-sectional area (an approximate increase of 2-4 percent in wetted perimeter). Only a portion of the added cross-sectional area would be vegetated. Therefore, the riverbank widening and habitat elements of the proposed project would result in a neutral or net increase in channel

capacity. See Section 3.5, “Hydrology and Water Quality,” in the DEIR. Because the Project would not unduly impede the free flow of water or jeopardize public safety, the Project is consistent with Policy RR P3. RD 1601 Consistency with the Delta Plan_12-18-25.pdf

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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 is located along the San Joaquin River and on Twitchell Island and would not involve any encroachment in the Yolo Bypass, Cosumnes River-Mokelumne River Confluence, or Lower San Joaquin River Floodplain Bypass Proposal (as submitted to DWR in March 2011). As such, Policy RR P4 is not applicable RD 1601 Consistency with the Delta Plan_12-18-25.pdf

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