Certification of Consistency

C20255

Step 1 - Agency Profile

A. GOVERNMENT AGENCY:	**State Agency**
Government Agency:	Solano County
Primary Contact:	Mathew Walsh, Principal Planner
Address:	675 Texas Street, Suite 5500
City, State, Zip:	Fairfield, CA 94530
Telephone/Fax:	(707) 784-3168
E-mail Address:	alagneaux@westervelt.com

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

Step 2 - Covered Action Profile

A. COVERED ACTION PROFILE: **Project**

Title: Cache Slough Mitigation Bank

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

Proponent Name:	Westervelt Ecological Services
Address:	3600 American River Drive, Suite 200
City, State, Zip:	Sacramento, CA 95864

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.

ISMND Posting_Solano County.docx

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

The project consists of the development of the Cache Slough Mitigation Bank, a private commercial mitigation bank, at the southernmost reach of the Yolo Bypass in Solano County. The project would include a low water crossing under State Route 84 to restore tidal connection to the project site and would restore over 300 acres of tidal freshwater wetland and floodplain-associated vegetation communities that will expand available juvenile rearing habitat and increase food web support for at-risk Delta fish species. The Project's informed wetland restoration effort will contribute to regional and national goals for reconnecting waterways with their floodplain to increase resiliency of the ecosystem. The primary goal of the Project's restoration efforts is to re-engage the restored habitat with Cache Slough and the Sacramento River to restore approximately 300 acres of tidal freshwater wetland and floodplain riparian vegetation communities. These efforts will expand the floodplain of Cache Slough/Sacramento River and create shaded riverine aquatic habitat for aquatic species. Habitat restoration and permanent protections provided by the Project will contribute to recovery efforts for salmonids (steelhead and Chinook salmon), green sturgeon, delta smelt, longfin smelt, and giant garter snake. The following objectives will support achievement of the Project's goals: - Excavate approximately 14,000 linear feet of multi-dimensional main and fringe tidal channels to support the flow and ebb of tides for full tidal excursions and exchange to provide habitat for fish, and transport nutrients to support the food web in the connected waterways. - Create topographic complexity by re-contouring the existing habitat to promote diverse habitat assemblages associated with tidal wetlands and floodplains. - Design and construct a breach in the existing levee/Highway 84 at the confluence of Cache Slough, Sacramento River, and Steamboat Slough that allows unobstructed tidal flow into the restored habitat. A detailed description of project activities are provided in the attached IS/MND. CSMB_ISMND_Final_Compiled_04012025 (1).pdf

E. STATUS IN THE CEQA PROCESS:	NOD has been filed
F. STATE CLEARINGHOUSE NUMBER:(if applicable)	2025010929

G. COVERED ACTION ESTIMATED TIME LINE:

ANTICIPATED START DATE: (If available)	05/01/2026
ANTICIPATED END DATE: (If available)	11/01/2027

H. COVERED ACTION TOTAL ESTIMATED PROJECT COST:	$12,000,000

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

J. Supporting Documents:

CACHES~1.PDF, CSMB_ISMND_Final.pdf, AppJ_Geotechnical_Investigation.pdf, AppK_Wildlife Hazards Analysis_20241115.pdf, AppM_Modeling_Eval_Water_Quality.pdf, AppN_Hydrologic_Hydraulic_Impact Analysis.pdf, AppH_Fish_Assessment.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 consistent with the coequal goal of ecosystem protection, restoration, and enhancement because the covered action will reconnect the site to Cache Slough/ Sacramento River and restore approximately 300 acres of tidal marsh habitat that will enhance ecosystem processes within the Delta and contribute to recovery efforts for Delta fish species by expanding juvenile rearing habitat and providing food web support. By restoring natural processes, the project will have biogeochemical benefits that include exports of organic carbon into the adjacent waterways; removal or retention of nutrient, chemical, and heavy metal pollutants through phytoremediation; and nutrient cycling that supports soil formation, wildlife habitat, and oxygen generation. The project includes permanent protection of restored habitats by placing a conservation easement over the property.

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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:	The IS/MND prepared for the project includes mitigation measures and environmental commitments that will be incorporated during implementation of the project to avoid and minimize potentially significant environmental impacts. These measures are equal to or more effective than the applicable measures contained in the Delta Plan Ecosystem Amendment MMRP, as amended June 2022 and finalized in April 2025. A comparison table of the project measures to the Ecosystem Amendment MMRP is attached. Comparision MMRP.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:	The Project's restoration design, environmental analysis, and Long-Term Management Plan (LTMP) were developed utilizing the best available science, consistent with the Delta Plan's six criteria for Best Available Science: relevance, inclusiveness, objectivity, transparency and openness, timeliness, and peer review (Delta Plan Appendix 1A, Table 1A-1). The project's restoration plan relied heavily on historical data related to prior land use, habitat conditions, and vegetation composition as depicted in historical aerial imagery and described in the San Francisco Estuary Institute's 2012 Sacramento-San Joaquin Delta Historical Ecology Investigation (Whipple et. al. 2012). Detailed soil investigations were conducted and current and historic geologic and soils maps were consulted to determine the appropriateness of the onsite soils and underlying geologic formations to support proposed marsh and riparian vegetation communities. Existing tidal datums were consulted and projected sea level rise conditions were considered in determining the appropriate restoration elevations that would achieve a mixture of shallow water aquatic habitat and higher elevation floodplain habitat to accommodate future transition to marsh habitat. Hydraulic and water quality modeling of the proposed restoration concept was conducted using the most current Delta models to identify an appropriately sized tidal connection that would achieve full tidal exchange and provide fish access, while avoiding significant impacts on upstream and downstream water quality and hydrology. A LTMP was developed for the project to establish objectives, priorities, and tasks to monitor, manage, and maintain restored habitat and ecological processes on the site. The LTMP includes management of non-native invasive plant species that pose an ecological threat to the function of the restored native habitats. Existing information on known invasive species within the Delta and current vegetation management strategies were developed using the best available science including information provided by the California Invasive Plant Council (Cal-IPC) and Delta Interagency Invasive Species Coordination (DIISC) Team; standard integrated pest management (IPM) principles;

and recent studies and publications, such as Critical Needs for Control of Invasive Aquatic Vegetation in the Sacramento-San Joaquin Delta (Conrad et. al. 2020), Ecology and Ecosystem Effects of Submerged and Floating Aquatic Vegetation in the Sacramento–San Joaquin Delta (Christman et. al. 2023), and Invasive Aquatic Vegetation in the Sacramento–San Joaquin Delta and Suisun Marsh: The History and Science of Control Efforts and Recommendations for the Path Forward (Conrad et. al. 2023), among others.

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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:	The adaptive management approach for the project was developed using Appendix C of the Delta Plan and will be implemented consistent with the Delta Plan's three phase and nine-step adaptive management framework, as described in the attached Detailed Findings report. CACHES~1.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?

No

Answer Justification:	This policy is not applicable. The project does not act as a water supplier nor propose to export water from, transport water through, or use water in the Delta.

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

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

No

Answer Justification:	This policy is not applicable. The project does not enter into or amend a water supply or water transfer contract.

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

Is a statement confirming the nature of the conservation measure from the California Department of Fish and Wildlife available?	N/A
Answer Justification:	This policy is not applicable. The project does not include implementation of a conservation measure pursuant to a natural community conservation plan or a habitat conservation plan.

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

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

Yes

Answer Justification:	Based on preliminary hydraulic modeling for the project, there would be minor changes in existing flow velocities at the tidal opening to Cache Slough/Sacramento River. Based on the analysis of these changes (Appendix N in the IS/MND), changes in flow velocity during winter and summer tidal conditions would extend approximately 300 feet from the project's tidal opening and would bet at most +1.6 feet per second (fps) during ebb tides (IS/MND Appendix N, Figure 29). During flood tides, changes in velocity would extend approximately 800 feet from the Project's tidal opening and would range between +0.1 fps and +3.7 fps (IS/MND Appendix N, Figure 30). The Project design proposes rip-rap rocks as a form of erosion protection along areas of high velocities and therefore the increase in flow velocities are mitigated under the Project's erosion protection design. Therefore, the project will not significantly affect flows in Cache Slough/Sacramento River and will not require the revision of flow objectives by the State Water Resources Board (Decision 1641). AppN_Hydrologic_Hydraulic_Impact Analysis.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:	The project is considered an ecosystem restoration covered action and will contribute to restoring ecosystem functions in the Delta by providing priority attributes listed in Appendix 3A, Section 1 of the Delta Plan. Attachment A includes a completed Appendix 3A checklist describing how the project will restore hydrological, geomorphic, and biological processes; improve habitat connectivity; increase native vegetation cover; and contribute to the recovery of special-status species. The project will also provide social benefits identified in Appendix 3A, Section 2 of the Delta Plan. Attachment A includes a completed Appendix 3A checklist describing how the project will provide cultural, recreational, agricultural, and natural resource benefits to the Delta. Attachment A_Appendices 3a and 4a.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 is consistent with Appendix 4A of the Delta Plan. See Attachment A and the Detailed Findings report.

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?

Yes

Answer Justification:	The project is located within the Yolo Bypass and is mapped as a priority habitat restoration area depicted in Figure 4-7 of the Delta Plan (amended June 2022). The project's goals and objectives to restore tidal freshwater wetlands and floodplain riparian communities and improve tidal connectivity and circulation within the Yolo Bypass are consistent with this policy.

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 does not include construction of a new levee or substantial rehabilitation or reconstruction of an existing levee. However, the project is located close to an existing flood control work (Mellin Levee). The project includes construction of a perimeter berm that will provide a buffer between the Mellin Levee and tidal waters. The perimeter berm will be higher in elevation than the existing berm on the nearby Watson Hollow Slough, an existing tidal waterway. Therefore, the project is consistent with this policy since it will not decrease the level of protection of a flood control work. Appendix N of the project IS/MND includes a hydraulic analysis for the project.

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:	The project includes contour grading to create tidal channels, floodplains, and riparian habitats. These activities would remove most of the existing upland invasive plant species. Engaging a full tidal prism exchange and design of channel depths (up to 11.5 feet deep during mean higher high water) will help to limit the accumulation of nuisance invasive floating and submerged vegetation. Short duration increases in water velocity (up to 7 fps) through the tidal opening would also provide opportunities to flush out floating invasive non-native aquatic plants. However, it is not feasible to fully prevent the establishment of invasive nonnative aquatic plants within newly restored aquatic habitats. Aquatic invasive nonnative plant species are abundant within the adjacent Watson Hollow Slough and the waterways of the Delta in general. Due to their growth forms and specialized adaptations, several aquatic floating non-native invasive plant species have flourished and have persisted in large numbers within the waters of the Delta despite control efforts. Thus, invasion by these species into the restored tidal freshwater marsh complex is expected after the site is breached, and complete eradication of these species is

likely not possible nor desirable. Since complete eradication of these species is likely possible only by using very costly and invasive methods that could significantly diminish the conservation values of the Project, management efforts will be focused on upland species and conducted with methods that maximize benefits (maximum effect) and minimize detriments (costs, effectiveness). The primary focus for aquatic invasive plants will be prevention and control, since full eradication is not feasible given the prevalence within the Delta region. Invasive nonnative wildlife species that could occupy restored habitats on the Project site and negatively affect the conservation values of the Project include largemouth bass (Micropterus salmoides), smallmouth bass (Micropterus dolomieu), Mississippi silverside (Menidia beryllina), and other non-native Centrarchidae (sunfish) fish species. Design considerations that were made to limit predatory fish include: excluding large boulders from channels, avoiding placement of piers in the waterway at the low water crossing, and excavating channels with a low gradient (i.e., no steep drop offs) to reduce suitable hiding areas for predatory fish. The project was also designed to promote positive drainage on the marsh plain to prevent establishment of permanent backwater pools that could support breeding habitat for silversides and sunfish. Integrated pest management (IPM) will be used as appropriate and permitted to minimize the introduction and spread of invasive nonnative species through implementation of a combination of techniques. These IPM techniques include biological control, cultural control, manual control, mechanical control, and chemical control. All IPM measures used will adhere to the most current research and guidance as provided by the USDA National Invasive Species Center (USDA 2023). Invasive species management must also allow for year-to-year variation (especially important for annual species), effects of climate change, new herbicides and treatment plans, and reassessments of actual threats to conserved species and their habitats. The project embraces an adaptive management approach towards invasive nonnative species, allowing for a dynamic and flexible process of implementing, evaluating, learning, and adapting. To be successful, ongoing invasive species management will need to incorporate lessons learned from previous years' experience, advances in scientific understanding and technology, and trial and error. The following sources will be consulted for guidance on what species may threaten the conservation values of the Project and the management of those species, including but not limited to: the Department of Boating and Waterways, Cal-IPC, DIISC Team, California Department of Food and Agriculture, and the University of California State Integrated Pest Management Program. However, any new additional sources of information regarding invasive nonnative plant species may be consulted, as they become available. Invasive nonnative species will be monitored by conducting annual surveys that include observations of invasive plant species and observations of other non-native plant and/or wildlife species. This will include surveys annually in the summer and winter in addition to annual walk-through surveys in spring and fall. Surveys will be conducted either on-foot, if accessible, or using aerial interpretation (i.e. drone imagery). The results of the invasive nonnative species surveys will be included in the annual report and conveyed to the Signatory Agencies and other relevant parties. Species that threaten the conservation values of the Bank will be evaluated and prioritized, and appropriate management strategies will be developed.

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 policy is not applicable. The Project will not develop new industrial, commercial, or residential structures or buildings.

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:	Existing zoning and land use designations were considered during development of the project to ensure that habitat restoration on the site would not conflict with adjacent land uses and management activities. The attached Good Neighbor Checklist (Attachment B) documents considerations and actions taken to ensure that the project would be compatible with surrounding land uses. The project site occurs within the proposed Cache Slough Complex Habitat Conservation Plan (HCP) area and would be compatible with the goals of the HCP to protect habitat for federally and state-listed aquatic species that occupy Cache Slough waterways. The project is located within, and is consistent, with the priorities of the Yolo Bypass Cache Slough Partnership Multi-Benefit Program Master Plan to improve habitat quality and quantity to achieve multiple benefits for ecosystems. The project will not conflict with existing land use designations. A majority of the project is within unincorporated Solano County. According to the Solano County General Plan (Solano County 2008), the Project site is designated as Agriculture Minimum 80 acres (A-80) pursuant to Section 28.21.020 of the Solano County Code. This designation allows for conservation and mitigation banking with a use permit. The project has applied for a use permit and therefore, will not conflict with Solano County zoning regulations. As described in Section II of the IS/MND, the project site is not designated as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland by the California Department of Conservation. The project site is current designated as Grazing Land and the project will implement grazing within non-wetland areas for vegetation management. Approximately 6.4 acres of land within the project site lies within the Rio Vista city boundaries. This small area is zoned for general and service commercial and/or industrial. Because no restoration activities are proposed within this parcel and no land use changes are proposed, the project would not conflict with Rio Vista zoning regulations. The project site is located within the airport influence area of the Rio Vista Municipal Airport and a portion of the project overlaps with the inner Wildlife Hazards Analysis (WHA) boundary. In compliance with Policies WH-1 and WH-2 of the Rio Vista Airport Land Use Compatibility Plan (ALUCP), a WHA was conducted for the Project to evaluate existing and potential future conditions for wildlife hazards to aircraft. Detailed information regarding methods and results of the WHA can be found in Appendix K of the IS/MND (attached) and described in Section X of the IS/MND. In summary, the project is not expected to result in an increase in bird strike risks to aircraft and with mitigation incorporated, the project would not present any incompatibility with any of the policies, criteria, or standards of the Rio Vista ALUCP. The project would also be compatible with, and complementary to, the adjacent future land use and development of the Little Egbert Multi-Benefit Project, which will further contribute to restoration of tidal wetlands in the Delta. Attachment B_Good Neighbor Checklist_01-17-2025.pdf, AppK_Wildlife Hazards Analysis_20241115.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:	This policy is not applicable. This Project does not require State investment in levee operation, maintenance, or improvements of Delta Project levees and non-Project levees.

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:	This policy is not applicable. The Project does not include residential development.

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 project is located within the Yolo Bypass which is a designated floodway and is subject to three flowage easements that allow passage of flood waters across the Project site. Therefore, the project will require an encroachment permit from the Central Valley Flood Protection Board (CVFPB) and must demonstrate that proposed restoration activities will not obstruct the free flow of water across the site or result in increased flooding risk to neighboring properties. A hydraulic impact analysis was conducted for the project to analyze changes in water surface elevations that could result in increased flooding offsite as a result of project implementation. This analysis is presented in Chapter 3, Section X. Hydrology and Water Quality of the project IS/MND. The following conclusions were made: - Existing drainage patterns offsite would not be substantially altered. - Upstream or downstream water diversions that rely on tidal stage to function such as siphons and pump intakes are not expected to be affected by the Project. - Impacts of water surface elevations during winter tidal conditions and summer irrigation periods, including the Mean higher high water surface elevation and the Mean Lower Low Water surface water elevation, as a result of project implementation are considered negligible. - The project is not expected to increase flood risk to neighboring properties or flood control infrastructures.

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

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

Yes

Answer Justification:	This project will restore tidal freshwater wetland and floodplain riparian habitat within the Yolo Bypass, enhancing floodplain values and functions and contributing to regional restoration goals.