

CERTIFICATION OF CONSISTENCY: DETAILED FINDINGS

Yolo Bypass East Levee Project

Prepared for
West Sacramento Area Flood Control Agency

January 2022



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INTRODUCTION

Purpose of Project

The project purpose is to reduce the overall flood risk to the City of West Sacramento, California. An unacceptably high risk of flooding from levee failure threatens the public safety of people, as well as property and critical infrastructure, throughout West Sacramento and the surrounding region.

In addition to the high probability of flooding, the consequences of flooding at the project site would be catastrophic. The flooding would rapidly inundate an urbanized area with minimal warning or evacuation time. Providing flood risk management would reduce loss of life and damage to property.

Furthermore, the State of California has developed new standards and criteria for protecting urban areas to reduce flood risk. Bringing the West Sacramento project levees up to these standards would reduce risk of uncontrolled flooding that could result in significant damages.

Project Need

California Senate Bill (SB) 5 of 2007, the Central Valley Flood Protection Act (Act), required that Department of Water Resources (DWR) and the Central Valley Flood Protection Board (CVFPB) address flooding problems in the Central Valley and report to the Legislature in 2012 with updates every 5 years. This landmark legislation obligated the State and local governments to approach flood management in a much more holistic way. Importantly, the Act required that urban communities (communities with a population with 10,000 people or communities expected to have 10,000 people within 10 years) achieve a 200-year level of protection by 2016 or no new development entitlements may be granted unless the communities certify they have made (and annually are making) adequate progress in implementation and will achieve the State's 200-year standard by 2025. The Act also required that DWR prepare maps showing areas subject to inundation in a 200-year event and provide annual notices to all homes protected by levees to ensure homeowners understand their flood risk. Significantly, the Act also required that DWR prepare and the CVFPB adopt a Central Valley Flood Protection Plan (CVFPP) by July of 2012. This plan was to provide the framework for modification of and future investment decisions in the Central Valley's flood protection system. On June 29, 2012, the CVFPB did adopt the CVFPP which included a strategy for reducing the flood risk of the citizens of the Central Valley. The plan focuses on: (1) urban areas obtaining at least 200-year protection through structural improvements; (2) significant upgrades to system-wide facilities (such as bypasses) to add additional robustness and redundancies to the system; (3) investment in small community systems (structural improvements or nonstructural improvements, such as home elevation) to achieve at

least 100-year protection; (4) spot repairs and operation and maintenance improvements for the rural areas of the Valley; and (5) investment to update emergency response and recovery plans.

In 2007, West Sacramento voters approved an assessment on property to fund the local portion of costs to improve the West Sacramento levee system. The assessment has been used to construct improvements under the State's Early Implementation and Urban Flood Risk Reduction Programs in advance of the federal West Sacramento Project (WSP). The Yolo Bypass East Levee is the first levee increment to be improved under the WSP. The WSP will meet the U.S. Army Corps of Engineers' (USACE's) and State's current levee design criteria and provide at least a 0.5% annual chance of exceedance (200 year) level of protection.

Purpose of Document

The Yolo Bypass East Levee Project is considered a covered action under the Delta Plan. A state or local agency that proposes to undertake a covered action must submit a Certification of Consistency with the Delta Plan to the Delta Stewardship Council, with detailed findings demonstrating that the covered action is consistent with the Delta Plan (Water Code Section 85225)¹.

A Certification of Consistency has been submitted electronically for the Yolo Bypass East Levee Project, via the Delta Stewardship Council's website on-line form. The purpose of this document is to provide detailed findings in support of this Certification of Consistency, specifically to provide additional details and explanation regarding the consistency of the Yolo Bypass East Levee Project with the following regulatory policies:

- GP 1 / 23 CCR Section 5002
 - (b)(2) Mitigation Measures
 - (b)(3) Best Available Science
- ER P3 / 23 CCR Section 5007
- ER P4 / 23 CCR Section 5008
- ER P5 / 23 CCR Section 5009
- DP P2 / 23 CCR Section 5011
- RR P1 / 23 CCR Section 5012
- RR P4 / 23 CCR Section 5015

¹ Since the West Sacramento Area Flood Control Agency is subject to the Brown Act, the agency was not subject to the requirement that at least 10 days prior to the submission of the certification of consistency, the draft certification be posted on the agency's website and otherwise made available to the public prior to the certification being formally posted on the Delta Stewardship Council's Covered Action web portal.

CEQA Compliance

West Sacramento GRR FEIS/EIR

The USACE was preparing construction plans and specifications for the levee improvements authorized in the Water Resources Development Act (WRDA) of 1992, when the 1997 New Year's Day Flood occurred. It was one of the largest experienced in northern California since beginning of record keeping and exceeded the 1906 event. In the wake of the 1997 flood, the USACE identified underseepage as an area of greater concern in the design and repair of levees. This resulted in a number of design revisions to the levee improvements recommended in the West Sacramento Project Design Memorandum. These design revisions and the associated increase to the total estimated project cost were captured in a supplemental authorization through the Energy and Water Development Appropriation Act of 1999 (PL 105-245).

Through the course of implementation of authorized project features, it was found that the scope of the authorized project was not adequate to address the residual flood risk for the West Sacramento area, and construction of the features authorized thus far had caused the project to reach its authorized cost limit. The Corps conducted a general reevaluation study of the West Sacramento Project which included measures to address seepage, stability, erosion, and levee height concerns throughout the system of levees that surround West Sacramento and documented the findings in the West Sacramento GRR. In December 2015, the FEIS/EIR was published for the West Sacramento GRR; followed by the Chief's Report (signed on April 26, 2016) with a Record of Decision signed on August 22, 2016.

Environmental Assessment/Initial Study

The West Sacramento Area Flood Control Agency (WSAFCA) and the USACE prepared an Environmental Assessment/Initial Study (EA/IS) – a joint supplemental National Environmental Policy Act (NEPA)/California Environmental Quality Act (CEQA) document. WSAFCA is a non-Federal sponsor (NFS) and the lead agency under CEQA. The CVFPB is another NFS that has a Local Cooperation Agreement with WSAFCA. The supplemental EA/IS addresses project level design changes from the 2015 West Sacramento General Reevaluation Report (GRR) Final Environmental Impact Statement/Environmental Impact Report (2015 GRR FEIS/EIR). The 2015 GRR FEIS/EIR (State Clearinghouse No. 2009072055) covered nine levee reaches within West Sacramento, including portions of the Sacramento River, Yolo Bypass, Sacramento Bypass, and the Sacramento Deep Water Ship Channel. The supplemental EA/IS covers the specific project alternative considered by WSAFCA to be a Delta Plan covered action – the Yolo Bypass East Levee Project. The IS analysis indicated that an MND to be the appropriate document for this Project. The EA/IS was circulated for comments in November 2021 (WSAFCA et al. 2021). The Final Mitigated Negative Declaration (MND) was completed in January 2022 (WSAFCA 2022). A Notice of Determination for the Yolo Bypass East Levee Project was filed with the State Clearinghouse.

References:

West Sacramento Area Flood Control Agency (WSAFCA), U.S. Army Corps of Engineers (USACE), Central Valley Flood Protection Board (CVFPB), 2015. West Sacramento General Reevaluation Report: Final Environmental Impact Statement/Environmental Impact Report. December 2015.

WSAFCA, USACE, CVFPB, 2021. Yolo Bypass East Levee: Environmental Assessment/Initial Study. November 2021.

WSAFCA, 2022. Yolo Bypass East Levee: Mitigated Negative Declaration. January 2022.

COVERED ACTION SUMMARY

Regional Setting

The project site is located within the City of West Sacramento and falls within WSAFCA's boundaries. The flood protection system for the area consists of over 50 miles of levees in Reclamation District (RD) 900, RD 537, and DWR's Maintenance Area 4, that completely surround the City of West Sacramento. The City of West Sacramento is located in eastern Yolo County at the confluence of the American and Sacramento Rivers. The City of West Sacramento lies within the natural floodplain of the Sacramento River, which bounds the city along the north and east. It is made up of a small amount of high ground between the Tower Bridge to south of Highway 50 along the Sacramento River, and reclaimed land protected from floods by levees and the Yolo and Sacramento Bypass systems.

Project Description

The Yolo Bypass East Levee Project would consist of structural modifications to the Yolo Bypass East Levee, to address seepage, levee stability, erosion, and overtopping concerns. The modifications would occur on approximately 3,300 linear feet of the Yolo Bypass East Levee, including 2,475 linear feet along the AA segment and 825 linear feet along the AD segment. The total project impact area would be approximately 15 acres. By contrast, the measure proposed for the Yolo Bypass East Levee under the 2015 GRR FEIS/EIR to address seepage and stability concerns was the installation of 4,500 feet of conventional open trench slurry cutoff wall at a depth of 40 feet and 100 feet. Following installation of the cutoff wall, the levee would be reconstructed with a 20-foot-wide crown, and a 3:1 Horizontal to Vertical (H:V) slope on the waterside, and a 2H:1V slope on the landside.

Structural modifications are proposed on approximately 2,475 linear feet (station 22+00 to station 53+00) of Segment AA. Primary improvements include installation of a stability berm adjacent to the existing levee, replenishment of existing waterside revetment extending north from the Navigation Levee to the Interstate 80 (I-80) Causeway, reconstruction of the existing maintenance road adjacent to the levee, and installation of piping in the drainage ditch.

Structural modifications are proposed along 825 linear feet (station 114+00 to station 124+00) of Segment AD. Primary improvements include landside embankment grading and extending a subgrade levee drainage system. The extension consists of approximately 825-feet of 30-inch diameter perforated pipe to alleviate ongoing seepage. A new pump station would be constructed as part of the levee drainage system with capacity to discharge seepage away from the levee prism into the Yolo Bypass. The new pump station would be sited at station 122+00, adjacent to RD 900's existing pump station (Racetrack pump station) and would be sized to pump and discharge up to 33.6 cfs during a 100-yr flood event into the Yolo Bypass in years when the Yolo Bypass is flooded and the drainage system is active and collecting drainage water that would be discharged back to the Yolo Bypass. Additionally, the landside levee slope would be constructed at 3.5H:1V with a drainage blanket along the base of the reconstructed levee.

Measure Authorized Under 2015 West Sacramento GRR and Analyzed in 2015 FEIS/EIR	Current Proposed Project
<ul style="list-style-type: none"> • Installation of 2500 feet of 40-foot-deep slurry cutoff wall • Installation of 2000 feet of 100-foot-deep slurry cutoff wall • Reconstruction of levee with 20-foot-wide crown with slopes of 3H:1V on the waterside and 2H:1V on the landside 	<ul style="list-style-type: none"> • Installation of a 2150-foot-long stability berm on the landside of Segment AA of the YBEL • Installation of 2400 feet of rock slope protection on waterside of Segment AA of the YBEL • Retain maintenance road on landside toe of Segment AA following construction • Upgrade to existing subgrade levee drainage system including installation of 825 feet of 30-inch diameter perforated pipe and subgrade pump station • Reconstruction of the landside slope of Segment AD to 3.5H:1V

Mitigation Measures (23 CCR Section 5002)

This section provides detailed findings of consistency with regulatory policy *GP 1 / 23 CCR Section 5002: (b)(2) Mitigation Measures*.

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, which is here by incorporated by reference, (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;

To support this Delta Plan Certification of Consistency, a comprehensive table is uploaded which crosswalks all mitigation measures included in the Delta Plan EIR Mitigation Monitoring and Reporting Program (MMRP) with Project specific environmental commitments and/or mitigation measures specifically identified in the project’s MMRP included in the Final MND completed in January 2022.

Best Available Science (23 CCR Section 5002)

This section provides detailed findings of consistency with regulatory policy *GP 1 / 23 CCR Section 5002: (b)(3) Best Available Science*.

As relevant to the purpose and nature of the project, all covered actions must document use of best available science;

The Delta Plan requires documentation of the use of best available science. This best available science is specific to the decision being made and the time frame available for making that decision. In demonstrating use of best available science, sources of data are cited and analytical tools used. Best available science changes over time, and decision may need to be revisited as new information becomes available. Ultimately documentation of use of best available science for a proposed covered action is variable and relative to the scale, scope, and nature of the

proposed covered action. The following summarizes how best available science (e.g., site specific technical studies) influenced project design.

Design Considerations

Overall Design

The project consist of structural modifications to the Yolo Bypass East Levee to address seepage, levee stability, erosion, and overtopping concerns. The modifications would occur on approximately 3,300 linear feet of the YBEL, including 2,475 linear feet along the AA segment and 825 linear feet along the AD segment. The total project impact area would be approximately 15 acres. By contrast, the measure proposed for the YBEL under the 2015 GRR FEIS/EIR to address seepage and stability concerns was the installation of 4,500 feet of conventional open trench slurry cutoff wall at a depth of 40 feet and 100 feet. Following installation of the cutoff wall, the levee would be reconstructed with a 20-foot-wide crown, and a 3:1 Horizontal to Vertical (H:V) slope on the waterside, and a 2H:1V slope on the landside.

Pump Station

A new pump station would be constructed as part of the levee drainage system with capacity to discharge seepage away from the levee prism into the Yolo Bypass. The new pump station would be sited at station 122+00, adjacent to RD 900's existing pump station (Racetrack pump station) and would be sized to pump and discharge up to 33.6 cfs during a 100-yr flood event into the Yolo Bypass in years when the Yolo Bypass is flooded and the drainage system is active and collecting drainage water that would be discharged back to the Yolo Bypass. Additionally, the landside levee slope would be constructed at 3.5H:1V with a drainage blanket along the base of the reconstructed levee.

The need for a pump station was confirmed by a review and analysis of the Segment AD landside toe drainage by MGE Engineering, Inc. The analysis concluded that the existing and proposed systems for drainage of levee runoff, underseepage, and through seepage fail to convey water to the discharge outlet due to backwatering of conveyance pipes at the existing West Sacramento Racetrack pump station. Modification of the Racetrack pump station to address the backwater condition would be costly.

Furthermore, mixing flood control and interior drainage through reliance on the Racetrack pump station is undesirable, given the Racetrack pump station is connected to a large interior drainage system that includes Lake Washington and the Causeway Pump Station. It is therefore recommended in the MGE Engineering, Inc analysis that a pump station capable of discharging the levee system flows directly into the Yolo Bypass be constructed to the southwest of the Racetrack pump station to handle flows from both the existing and proposed underdrain seepage systems.

Soil Conditions

According to the Geotechnical Data Report, the soils underlying Segments AA and AD have the potential to become unstable (Blackburn, 2020), and it is the purpose of the project to address these unstable soils. The geotechnical investigation identified a possible liquefiable soil layer approximately 50 feet below the ground surface, but concluded that this layer would not trigger post-earthquake instability at the project site (Blackburn, 2020). The report further states that levee settlement due to slope failure is not anticipated (Blackburn, 2020).

According to Natural Resources Conservation Service (NRCS) Web Soil Survey data, the soils underlying the project site have a moderate expansion potential. The geotechnical investigation performed by Blackburn Consulting does not specifically identify any expansive soils within the project site. Soil that is required to construct the seepage/stability berm and to modify the landside drainage ditch to a buried pipe within Segment AA, and soil required for levee fill for slope mitigation in Segment AD, would be required to undergo analysis before use.

Levee Height

Following the Urban Levee Design Criteria (ULDC) the design water surface elevation (DWSE) is the median stage calculated by routing the 1/200 annual chance of exceedance (ACE) design flood and accounts for basin changes and necessary adjustments to stages for resiliency and uncertainty. Following ULDC, the minimum top of levee (MTOL) is the required minimum elevation of the physical top of levee (not including gravel surfacing) for providing reasonable assurance of containing the DWSE. The MTOL is the DWSE plus the higher of either 3 ft or the calculated height for wind setup and wave runoff.

Water surface profiles were developed using a HEC-RAS 1D model developed by the Sacramento District called the Sacramento River Basin HEC-RAS Release 4 model. The HEC-RAS model calibration focused on replicating the 1997 flood and then validated by replicating the 2006 flood. The modeling results show the MTOL line closely matches the existing top of the portion of the Yolo Bypass East Levee within the project footprint. This analysis indicates that levee raising would not be necessary to meet the state's minimum requirement for flood protection (USACE, 2020).

References:

Blackburn Consulting (Blackburn), 2020. Geotechnical Data Report – 65 % Design, North Basin Yolo Bypass East Levee Project. West Sacramento, California. June 2020.

MGE Engineering, Inc. Memorandum: Segment AD Landside Toe Drainage. Prepared for West Sacramento Area Flood Control Agency. September 16, 2020.

MGE Engineering, Inc. Memorandum: Evaluation of Segment AD Landside Drainage. Prepared for West Sacramento Area Flood Control Agency. August 10, 2020.

U.S. Army Corps of Engineers. 2020. West Sacramento EPD: Yolo Bypass Levee, Design Water Surface (Final). March 30, 2020.

Protect Opportunities to Restore Habitat (23 CCR Section 5007)

This section provides detailed findings of consistency with regulatory policy *ER P3 / 23 CCR Section 5007: Protect Opportunities to Restore Habitat*

(a) Within the priority habitat restoration areas depicted in Appendix 5, significant adverse impacts to the opportunity to restore habitat as described in section 5006, must be avoided or mitigated.

(b) Impacts referenced in subsection (a) will be deemed to be avoided or mitigated if the project is designed and implemented so that it will not preclude or otherwise interfere with the ability to restore habitat as described in section 5006.

(c) Impacts referenced in subsection (a) shall be mitigated to a point where the impacts have no significant effect on the opportunity to restore habitat as described in section 5006. Mitigation shall be determined, in consultation with the California Department of Fish and Wildlife, considering the size of the area impacted by the covered action and the type and value of habitat that could be restored on that area, taking into account existing and proposed restoration plans, landscape attributes, the elevation map shown in Appendix 4, and other relevant information about habitat restoration opportunities of the area.

The project involves improvements to the Yolo Bypass East Levee. The Yolo Bypass is one of the Priority Habitat Restoration Areas (PRHAs) identified in the Delta Plan. The project occurs on the very margin of the Yolo Bypass. Improvements to the existing Yolo Bypass East Levee would not result in the construction of any features which could interfere with potential future restoration of habitat within the Yolo Bypass, including increased inundation of the Yolo Bypass to create shallowly inundated floodplains for rearing juvenile native fishes. The Project would not preclude the implementation of restoration of habitat within the Yolo Bypass PHRA. As such, the Yolo Bypass East Levee Project is considered to be fully consistent with Delta Plan Policy ER P3.

Expand Floodplains and Riparian Habitats (23 CCR Section 5008)

This section provides detailed findings of consistency with regulatory policy *ER P4 / 23 CCR Section 5008: Expand Floodplains and Riparian Habitats in Levee Projects*

(a) Levee projects must evaluate and where feasible incorporate alternatives, including the use of setback levees, to increase floodplains and riparian habitats. Evaluation of setback levees in the Delta shall be required only in the following areas (shown in Appendix 8): (1) The Sacramento River between Freeport and Walnut Grove, the San Joaquin River from the Delta boundary to Mossdale, Paradise Cut, Steamboat Slough, Sutter Slough; and the North and South Forks of the Mokelumne River, and (2) Urban levee improvement projects in the cities of West Sacramento and Sacramento.

(b) For purposes of Water Code section 85057.5(a)(3) and section 5001(j)(1)(E) of this Chapter, this policy covers a proposed action to construct new levees or substantially rehabilitate or reconstruct existing levees.

The 2015 West Sacramento GRR FEIS/EIR identified its Alternative 5 as the preferred alternative and the least environmental damaging practicable alternative. This Alternative 5 includes the construction of new setback levees along the Sacramento River south levee. Alternative 5 includes a setback levee to be constructed roughly 500 feet west of the existing levee prism, with the existing levee potentially degraded and breached in several place and/or the bank maintained in the current manner with erosion protection.

While the Yolo Bypass East Levee Project by itself does not include the use of a new setback levee or other measures specifically to increase the extent of floodplains and riparian habitat, it is part of a larger portfolio of regional flood risk reduction measures analyzed in the USACE West Sacramento GRR. The Yolo Bypass East Levee Project also was designed to promote protection of existing floodplain and riparian habitat values within the project footprint.

References:

West Sacramento Area Flood Control Agency (WSAFCA), U.S. Army Corps of Engineers (USACE), Central Valley Flood Protection Board (CVFPB), 2015. West Sacramento General Reevaluation Report: Final Environmental Impact Statement/Environmental Impact Report. December 2015.

Nonnative Species (23 CCR Section 5009)

This section provides detailed findings of consistency with regulatory policy *ER P5 / 23 CCR Section 5009: Avoid Introductions of and Habitat for Invasive Nonnative Species*

(a) The potential for new introductions of or improved habitat conditions for nonnative invasive species, striped bass, or bass must be fully considered and avoided or mitigated in a way that appropriately protects the ecosystem.

(b) For purposes of Water Code section 85057.5(a)(3) and section 5001(j)(1)(E) of this Chapter, this policy covers a proposed action that has the reasonable probability of introducing or improving habitat conditions for nonnative invasive species.

The levee banks are vegetated with sparse non-native grasses and forbs. Site preparation for the proposed action would not involve removing any trees or shrubs but would involve clearing non-native groundcover. The staging areas would also be reseeded and planted with native grasses and forbs and would be returned to pre-project conditions, as per **Mitigation Measure BIO-1: Native Habitat** (measure language provided below). The project would potentially reduce the prevalence of nonnative species by removing existing habitat dominated by these species and reseeded with native vegetation. As such, the Yolo Bypass East Levee Project is considered to be fully consistent with Delta Plan Policy ER P5.

Mitigation Measure BIO-1: Native Habitat

Any ruderal grassland temporarily impacted by construction would be restored by reseeding the affected area with native grasses and forbs following construction.

Land Use Considerations (23 CCR Section 5011)

This section provides detailed findings of consistency with regulatory policy *DP P2 / 23 CCR Section 5011: Respect Local Land Use When Siting Water or Flood Facilities or Restoring Habitats*.

(a) Water management facilities, ecosystem restoration, and flood management infrastructure must be sited to avoid or reduce conflicts with existing uses or those uses described or depicted in city and county general plans for their jurisdictions or spheres of influence when feasible, considering comments from local agencies and the Delta Protection Commission. Plans for ecosystem restoration must consider sites on existing public lands, when feasible and consistent with a project's purpose, before privately owned sites are purchased. Measures to mitigate conflicts with adjacent uses may include, but are not limited to, buffers to prevent adverse effects on adjacent farmland.

(b) For purposes of Water Code section 85057.5(a)(3) and section 5001(j)(1)(E) of this Chapter, this policy covers proposed actions that involve the siting of water management facilities, ecosystem restoration, and flood management infrastructure.

Surrounding uses are characterized as public open space, industrial-heavy, and agriculture. No forest land or timberland exists on or adjacent to the project area. The Yolo Bypass East Levee Project area is zoned agriculture by the City of West Sacramento. There are no prime and unique farmlands within the project area. The project area is not enrolled in or restricted by a Williamson Act contract. Construction activities would be temporary and would not conflict with land use designations in the City of West Sacramento General Plan.

The levee is not accessible to the public in the project area, although informal uses occur as the public occasionally accesses the sections of the Yolo Bypass East Levee area for walking and fishing activities. A bike commuter corridor crosses the levee along I-80 and Roland Hensley Park is located adjacent to the project site. However, the bike corridor and park are not located within segments AA or AD of the Yolo Bypass East Levee. Additionally, the proposed project would not result in an increase in population as such, the City of West Sacramento would not need to upgrade or build new recreation facilities.

The Delta Protection Commission submitted a comment letter on the Yolo Bypass East Levee Project EA/IS on December 6, 2021. The comment letter noted the Delta Protection Commission's directive under the Great California Delta Trail Act to develop and adopt a plan and implementation program for continuous regional recreation corridor extending throughout the five Delta counties linking the San Francisco Bay Trail system to the Sacramento River trails and that the Commission was currently preparing the final Great California Delta Trail Master Plan. The comment letter also expressed support for flood protection and stability projects for the levee system within the Delta. WSAFCA formally noted these comments in the Final Mitigated Negative Declaration.

Based on the CEQA analysis, including consideration of local agency comments, implementation of the Yolo Bypass East Levee Project was determined to not conflict with existing land uses. The project is consistent with Delta Plan Policy DP P2.

Delta Levee Investments (23 CCR Section 5012)

This section provides detailed findings of consistency with regulatory policy *RR P1 / 23 CCR Section 5012: Prioritization of State Investments in Delta Levees and Risk Reduction*

Delta Plan Policy RR P1 provides a table of priorities for state investment in Delta Integrated Regional Flood Management, which contains three general themes: 1) localized flood protection, 2) levee network and 3) ecosystem conservation. Additionally, three separate goals are identified for each of those themes. As such, state funding for Delta flood management should fall into one of nine different priorities. Policy RR P1 specifically states that the nine priorities are meant to guide budget and funding allocation strategies for levee improvements.

Goals	Localized Flood Protection	Levee Network	Ecosystem Conservation
1	Protect existing urban and adjacent urbanizing areas by providing 200-year flood protection.	Protect water quality and water supply conveyance in the Delta, especially levees that protect freshwater aqueducts and the primary channels that carry fresh water through the Delta.	Protect existing and provide for a net increase in channel-margin habitat
2	Protect small communities and critical infrastructure of statewide importance (located outside of urban areas).	Protect flood water conveyance in and through the Delta to a level consistent with the State Plan of Flood Control for project levees.	Protect existing and provide for net enhancement of floodplain habitat.
3	Protect agriculture and local working landscapes.	Protect cultural, historic, aesthetic, and recreational resources (Delta as Place).	Protect existing and provide for net enhancement of wetlands.

It is a key goal identified in the Delta Plan to reduce flood risk to existing urban and adjacent urbanizing areas by providing 200-year flood protection (*Localized Flood Protection, Goal 1*). The Yolo Bypass East Levee Project was authorized and funded by Congress for implementation by USACE, with State investments being part of the local match required, pursuant to this

priority goal explicitly identified for Delta Plan Policy RR P1. As such, the Yolo Bypass East Levee Project is considered to be fully consistent with Delta Plan Policy RR P1.

Floodplain Encroachment (23 CCR Section 5012)

This section provides detailed findings of consistency with regulatory policy *RR P4 / 23 CCR Section 5015: Floodplain Protection*

(a) No encroachment shall be allowed or constructed in a floodway, unless it can be demonstrated by appropriate analysis that the encroachment will not unduly impede the free flow of water in the floodway or jeopardize public safety.

(b) For purposes of Water Code section 85057.5(a)(3) and section 5001(j)(1)(E) of this Chapter, this policy covers a proposed action that would encroach in a floodway that is not either a designated floodway or regulated stream.

Delta Plan Policy RR P4 requires that no encroachments be placed in certain Delta floodplains unless there is sufficient analysis that such an encroachment would not have a significant impact on floodplain values and functions. The Project is located on the periphery of what the Delta Plan designates as the Yolo Bypass floodplain. Although the Project will involve pumping seepage water back into the Yolo Bypass during periods when it is inundated, it will not include any infrastructure-related encroachments into this floodplain (e.g., bridge pilings). Given the diminutive size of the intake relative to conveyance capacity of the Yolo Bypass, the effect on flood conveyance relative to exiting conditions is considered de minimis. As such, the Yolo Bypass East Levee Project is considered to be fully consistent with Delta Plan Policy RR P4.

References

Blackburn Consulting (Blackburn), 2020. Geotechnical Data Report – 65 % Design, North Basin Yolo Bypass East Levee Project. West Sacramento, California. June 2020.

MGE Engineering, Inc. Memorandum: Segment AD Landside Toe Drainage. Prepared for West Sacramento Area Flood Control Agency. September 16, 2020.

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WSAFCA, USACE, CVFPB, 2021. Yolo Bypass East Levee: Environmental Assessment/Initial Study. November 2021.

WSAFCA, 2022. Yolo Bypass East Levee: Mitigated Negative Declaration. January 2022.