Dennis Underwood Conservation Area

Draft Environmental Assessment/Initial Study with a Negative Declaration

Bureau of Reclamation, Lower Colorado Region
Lower Colorado River Multi-Species Conservation Program
EA LC-17-21

The Metropolitan Water District of Southern California
MWD No. 1574

October 2018

U.S. Department of the Interior
Bureau of Reclamation

The Metropolitan Water District of Southern California

Mission Statements

The Department of the Interior conserves and manages the Nation's natural resources and cultural heritage for the benefit and enjoyment of the American people, provides scientific and other information about natural resources and natural hazards to address societal challenges and create opportunities for the American people, and honors the Nation's trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated island communities to help them prosper.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

The mission of The Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

Cover photo: Proposed Site of Dennis Underwood Conservation Area (Bureau of Reclamation photo)

Contents

Page

1.0 Proposed Project **1**
1.1 Project Location: Palo Verde Valley 1
1.2 Project Background- Lower Colorado River Multi-Species Conservation Program 2
1.3 Public Review and Comment 4
1.4 Compliance with Environmental Statutes and Applicable Regulatory Requirements and Approvals 5
1.5 Tiering and Incorporation by Reference 5
1.6 State Action 5
1.7 Federal Action 6
2.0 Project Description **7**
2.1 Purpose and Need/Project Objectives 7
2.2 Environmental Setting 8
2.3 Description of the Proposed Project/Proposed Action 8
2.3.1 Project Phases 8
2.3.2 Timing Considerations and Estimated Schedule 14
2.3.3 Proposed Construction Equipment 14
2.3.4 Design Measures and Considerations 14
2.4 Alternatives 17
2.5 Past, Present, and Reasonably Foreseeable Future Projects 18
3.0 Environmental Consequences and Analysis **20**
CEQA's Checklist and Impact Analysis 20
Potentially Affected Environmental Factors 21
Agency Determination 22
3.1 Aesthetics/Visual Resources 22
3.1.1 Regulatory Setting 23
3.1.2 Impact Analysis (CEQA and NEPA) 23
3.2 Agricultural Resources 25
3.2.1 Regulatory Setting 26
3.2.2 Impact Analysis (CEQA and NEPA) 29
3.3 Air Quality 32
3.3.1 Regulatory Setting: 32
3.3.2 Impact Analysis (CEQA) 33
3.4 Biological Resources 38
3.4.1 Regulatory Setting 39
3.4.2 Impact Analysis (CEQA and NEPA) 42
3.5 Cultural Resources 44
3.5.1 Regulatory Setting 44
3.5.2 Impact Analysis (CEQA and NEPA) 46
3.6 Geology and Soils 49
3.6.1 Regulatory Setting 50
3.6.2 Impact Analysis (CEQA and NEPA) 51
3.7 Greenhouse Gas Emissions 53
3.7.1 Regulatory Setting 54

3.7.2 Impact Analysis (CEQA and NEPA) 56
3.8 Hazards and Hazardous Materials 59
3.8.1 Regulatory Setting 59
3.8.2 Impact Analysis (CEQA and NEPA) 60
3.9 Hydrology and Water Quality 64
3.9.1 Regulatory Setting 65
3.9.2 Impact Analysis (CEQA and NEPA) 66
3.10 Land Use Planning 69
3.10.1 Regulatory Setting 69
3.10.2 Impact Analysis (CEQA and NEPA) 70
3.11 Mineral Resources 71
3.11.1 Regulatory Setting 71
3.11.2 Impact Analysis (CEQA and NEPA) 72
3.12 Noise 73
3.12.1 Regulatory Setting 74
3.12.3 Impact Analysis (CEQA and NEPA) 75
3.13 Population and Housing 78
3.13.1 Regulatory Setting 78
3.13.2 Impact Analysis (CEQA and NEPA) 78
3.14 Public Services 80
3.14.1 Regulatory Setting 80
3.14.2 Impact Analysis (CEQA and NEPA) 81
3.15 Recreation 82
3.15.1 Regulatory Setting 82
3.15.2 Impact Analysis (CEQA and NEPA) 83
3.16 Transportation/Traffic 84
3.16.1 Regulatory Setting 85
3.16.2 Impact Analysis (CEQA and NEPA) 85
3.17 Utilities and Service Systems 87
3.17.1 Regulatory Setting 88
3.17.2 Impact Analysis (CEQA and NEPA) 88
3.18 Mandatory Findings of Significance 90
3.18.1 Impact Analysis (CEQA) 91
3.19 Additional NEPA Requirements 92
3.19.1 Indian Trust Assets 92
3.19.2 Indian Sacred Sites 92
3.19.3 Environmental Justice 92
4.0 Consultation and Coordination **94**
4.1 Agencies Contacted/Consulted 94
4.2 National Historic Preservation Act and Tribal Consultation 94
4.3 Federal Endangered Species Act 94
4.4 Public Involvement 94
5.0 References **96**
6.0 List of Preparers **101**

Figures

Figure 1- Dennis Underwood Conservation Area Location 3
Figure 2- Dennis Underwood Conservation Area Proposed Land Cover 9

Figure 3- Dennis Underwood Conservation Area Planting Plan Concept.....11
Figure 4- Dennis Underwood Conservation Area Planting Plan Section View 13
Figure 5- Dennis Underwood Conservation Area Furrow Planting Detail.....13

Tables

Table 1- Targeted Covered Species and associated Conservation Measures- Dennis Underwood Conservation Area.....7
Table 2- Anticipated Construction Summary and Project Schedule 14
Table 3- Anticipated Project Equipment.....14
Table 4- Design Measures by Resource Area.....15
Table 5- Farmland Conversion Impact Rating Results.....28
Table 6- USDA Farmland Conversion Impact Rating, Form AD-1006.....31
Table 7- ICAPCD Thresholds of Significance 34
Table 8- Anticipated Construction Equipment 34
Table 9- Estimated Construction Emissions for Criteria Pollutants 35
Table 10- Estimated Operational Emissions for Criteria Pollutants.....35

Appendices

Appendix A - Dennis Underwood Conservation Area Project - Results of the Land Evaluation and Site Assessment
Appendix B - Dennis Underwood Conservation Area Project - Air Quality and Greenhouse Gas Study
Appendix C - Consultation Response Letters

Acronyms and Abbreviations

Acronym or Abbreviation	Definition
Air and Greenhouse Gas Study	Dennis Underwood Conservation Area Project Air Quality and GHG Study
AB	Assembly Bill
APE	Area of Potential Effects
ARB	Air Resources Board
BLM	Bureau of Land Management
BMP	Best Management Practice
CA	California
CAA	Clean Air Act
CalEEMod	California Emissions Estimator Model
CCAA	California Clean Air Act
CEQ	Council on Environmental Quality
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CDFW	California Department of Fish and Wildlife
CFR	Code of Federal Regulations
CGS	California Geological Survey
CNEL	Community Noise Equivalent Level
CO	Carbon monoxide
CO_2	Carbon dioxide
CO_2e	Carbon dioxide equivalent
Conservation Area	Dennis Underwood Conservation Area
CRBWQCB	Colorado River Basin Water Quality Control Board
CRHR	California Register of Historic Resources
CSFM	California State Fire Marshal
CWA	Clean Water Act
EA	Environmental Assessment
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
FONSI	Finding of No Significant Impact
FPP	Fire Prevention Plan
FPPA	Farmland Protection Policy Act
GHG	Greenhouse Gas
H_2S	Hydrogen sulfide
HCP	Habitat Conservation Plan
ICAPCD	Imperial County Air Pollution Control Board
IS	Initial Study
ITA	Indian Trust Assets
LCR	Lower Colorado River

Acronym or Abbreviation	Definition
LCR MSCP	Lower Colorado River Multi-Species Conservation Program
LCR MSCP HCP	Lower Colorado River Multi-Species Conservation Program Habitat Conservation Plan
LESA	Land Evaluation and Site Assessment
MBTA	Migratory Bird Treaty Act
Metropolitan	The Metropolitan Water District of Southern California
MT	Metric ton
MRZ	Mineral Resource Zones
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
ND	Negative Declaration
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
NO_2	Nitrogen dioxide
NPDES	National Pollution Discharge Elimination System
NRHP	National Register of Historic Places
0_3	Ozone
Pb	Lead
Phase I Assessment	Phase I Environmental Site Assessment
Porter-Cologne	Porter-Cologne Water Quality Control Act
Project	Dennis Underwood Conservation Area
PM_{10}	Particulate matter 10 micrometers or less in diameter
$PM_{2.5}$	Particulate matter 2.5 micrometers or less in diameter
PVC	Polyvinyl chloride
PVER	Palo Verde Ecological Reserve
PVID	Palo Verde Irrigation District
RCRA	Resource Conservation and Recovery Act
Reclamation	Bureau of Reclamation
Rule	County of Imperial Rules of Procedure to Implement the California Land Conservation Act of 1965
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCAQMD	South Coast Air Quality Management District
SIP	State Implementation Plan
SHPO	State Historic Preservation Officer
SMARA	Surface Mining and Reclamation Act
SO_2	Sulfur dioxide
SR	State Route

Acronym or Abbreviation	Definition
SSAB	Salton Sea Air Basin
SWRCB	State Water Resources Control Board
SWPPP	Storm Water Pollution Prevention Plan
TSCA	Toxic Substances Control Act
USFWS	U.S. Fish and Wildlife Service
U.S.	United States
USDA NCRS	U.S. Department of Agriculture-Natural Resources Conservation Service
WDR	Waste Discharge Requirements
Williamson Act	California Land Conservation Act

PROJECT TITLE

Dennis Underwood Conservation Area

LEAD AGENCIES AND PROJECT SPONSOR

NEPA
Bureau of Reclamation, Lower Colorado Region
PO Box 61470 (LC-2620)
Boulder City, NV 89006

Contact Person:
Faye Streier
Bureau of Reclamation
Resource Management Office
E-mail: fstreier@usbr.gov
Office: (702) 293-8132

CEQA
The Metropolitan Water District of Southern California
P.O. Box 54153
Los Angeles, CA 90054

Contact Person:
Vikki Dee Bradshaw
The Metropolitan Water District of Southern California
Environmental Planning Section
E-mail: vbradshaw@mwdh2o.com
Office Phone: (213) 217-6028

1.0 Proposed Project

This Environmental Assessment/Initial Study (EA/IS) is intended to provide the Bureau of Reclamation (Reclamation), as the Federal lead agency under the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.), and The Metropolitan Water District of Southern California (Metropolitan), as the State lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), with the information required to exercise their discretionary responsibilities with respect to the Project. An EA is prepared in accordance with NEPA to analyze impacts of the Project and is used to issue a Finding of No Significant Impact (FONSI), if applicable. An IS is prepared in accordance with CEQA and is used to analyze impacts of the Project and determine the appropriate type of CEQA documentation. This EA/IS is a joint document intended to fulfill both NEPA and CEQA requirements for this project.

The actions analyzed in this document are Reclamation's acquisition of an easement for conservation purposes from Metropolitan for 635 acres of land owned by Metropolitan for the establishment of the Dennis Underwood Conservation Area (Project) as part of the Lower Colorado River Multi-Species Conservation Program (LCR MSCP) and Reclamation's construction, operation, maintenance and monitoring of the Project. Funding for the Project would be provided by the LCR MSCP.

1.1 Project Location: Palo Verde Valley

The proposed Project is located in the Palo Verde Valley along the Colorado River (River) within the Colorado Desert geologic province of California, part of the larger Sonoran Desert (CGS, 2002) in Imperial County, California in Sections 25 and 36, Township 9 South, Range 21 East, San Bernardino Meridian. The Colorado Desert extends from the Mojave Desert to the north, to the River on the east, to the Peninsular Ranges on the west, and south into Mexico. The Palo Verde Valley is bounded by the Big Maria Mountains to the north, the Palo Verde Mesa to the west, the Palo Verde Mountains to the south, and the Trigo Mountains in Arizona to the east. The Colorado Desert is defined by its relatively low levels of precipitation, low elevations, relatively warm winters, and extremely warm summers.

The Palo Verde Valley is approximately nine miles wide and 30 miles long, and is relatively level. The proposed Project site is previously irrigated agricultural land located within the Palo Verde Irrigation District (PVID), approximately 18 miles south of Blythe, California (Figure 1) below Palo Verde Diversion Dam. The PVID is located in southeastern Riverside and northeastern Imperial counties, approximately 200 miles east of Los Angeles. The PVID contains approximately 131,228 acres, 104,500 acres of which are in the Palo Verde Valley. An estimated 91,000 acres of PVID's valley lands below the Palo Verde Diversion Dam are irrigated.

The proposed Project area's long, hot growing season is ideal for agriculture and native habitat development. The mild winters, with a minimum of frost, permit growing of crops year-round, including alfalfa, cotton, wheat, Sudan grass, melons, lettuce, and other vegetables.

The proposed Project is located in Reach 4 of the LCR MSCP, between River Miles 96 – 99 as seen in Figure 1. The River and Cibola National Wildlife Refuge border the Project to the east. The LCR MSCP Pretty Water Conservation Area borders the Project to the south, and agricultural lands border the Project to the west and north. The proposed Project site is currently zoned as agriculture.

1.2 Project Background - Lower Colorado River Multi-Species Conservation Program

The LCR MSCP is a 50-year (2005 to 2055) multi-stakeholder Federal and non-Federal partnership which was created to balance the use of LCR water resources with the conservation of native species and their habitats. The LCR MSCP was initiated to assure compliance with the Federal and California Endangered Species Acts (ESA and CESA, respectively). The program is designed to conserve at least 27 species between the full pool elevation of Lake Mead and the Southerly International Boundary with Mexico, and is implemented through the program's Habitat Conservation Plan (HCP).

The program is cooperatively funded by the Federal government and the states of Arizona, California, and Nevada and other permittees, including Metropolitan, within these states.

The purposes of the LCR MSCP are to develop and implement a plan that will:

- Conserve habitat and work toward the recovery of threatened and endangered species, as well as reduce the likelihood of additional species being listed;
- Accommodate present water diversions and power production and optimize opportunities for future water and power development, to the extent consistent with existing laws; and
- Provide the basis for incidental take authorizations.

Reclamation is responsible for implementing the LCR MSCP over the 50-year term of the program. The LCR MSCP is governed by a Steering Committee, which is an unincorporated association of more than 50 water and power users; State, Federal, and local entities; and tribes. Metropolitan serves as a voting member of the Steering Committee. The Steering Committee works with Reclamation to coordinate the implementation of the LCR MSCP and its HCP requirements.

A major component of the LCR MSCP is creating and managing habitat to benefit 27 covered species. Cottonwood-willow (*Populus fremontii-Salix sp.*), honey mesquite (*Prosopis glandulosa*), marsh, and backwater are the predominant land cover types to be created under the

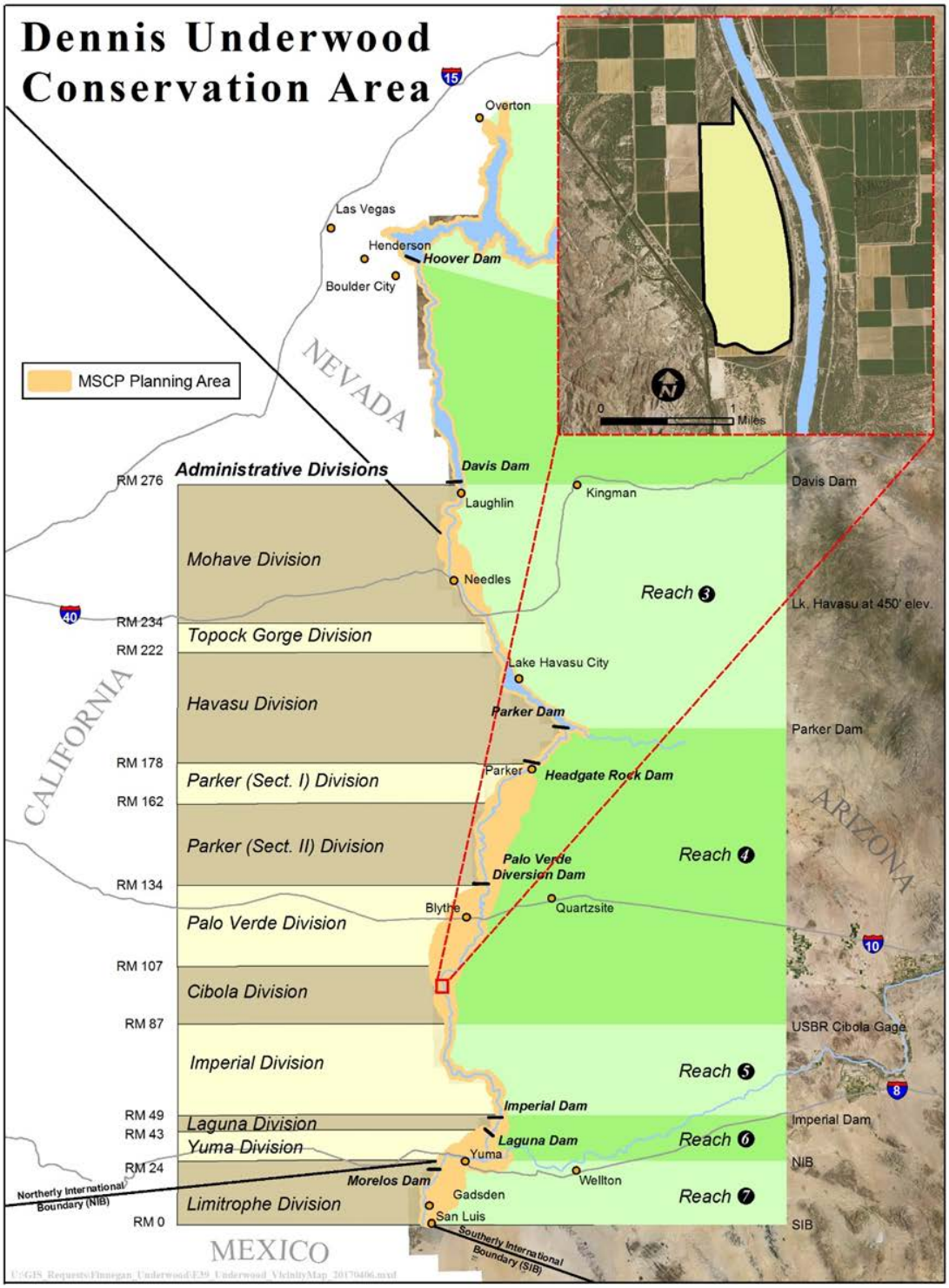

Figure 1- Dennis Underwood Conservation Area Location

LCR MSCP HCP. Habitat creation goals include the establishment of a total of 8,132 acres of habitat including:

- 5,940 acres of cottonwood-willow
- 1,320 acres of honey mesquite
- 512 acres of marsh
- 360 acres of backwater

The following documents provide the framework and implementation of the LCR MSCP which can be accessed at https://www.lcrmscp.gov/:

- LCR MSCP Final Habitat Conservation Plan (LCR MSCP HCP) (LCR MSCP 2004a)
- LCR MSCP Final Biological Assessment (LCR MSCP 2004b)
- LCR MSCP Final Programmatic Environmental Impact Statement/Environmental Impact Report (LCR MSCP EIS/EIR) (Reclamation et. al. 2004))
- Record of Decision, LCR MSCP (USDOI 2005)
- LCR MSCP Funding and Management Agreement (LCR MSCP 2005a)
- LCR MSCP Implementing Agreement (LCR MSCP 2005b)
- Biological and Conference Opinion on the LCR MSCP, Arizona, California and Nevada (USFWS 2005)
- Section 10 Endangered & Threatened Species – Federal Incidental Take Permit (USFWS 2005b)
- Section 2081 Endangered & Threatened Species – State Incidental Take Permit (CDFW 2005)

1.3 Public Review and Comment

Pursuant to State CEQA Guidelines sections 15072 and 15073, this proposed EA/IS and Negative Declaration (ND) will be circulated for a minimum 30-day public review period. This review period will also inform the NEPA process. Local and State agencies and the public will have the opportunity to review and comment on the document. Revisions will be incorporated as appropriate into the proposed Final EA/IS with ND in response to written comments received by Metropolitan and Reclamation during the 30-day public review period. In accordance with State CEQA Guidelines Section 15074, Subdivision (b), Metropolitan and Reclamation will review and consider the proposed Final EA/IS with ND, together with any comments received during the public review process, prior to taking action of the EA/IS with ND and the Project.

1.4 Compliance with Environmental Statutes and Applicable Regulatory Requirements and Approvals

This EA/IS with ND complies with all applicable environmental, natural resource, and cultural resource statues, regulations, and guidelines. These additional statutes, regulations, and guidelines may require permits, approvals, consultations with outside agencies, or implementation of mitigation measures. Federal, state, and local statues and regulations relevant to the Project are identified in Section 3 under each resource or issue area and titled "Regulatory Setting".

1.5 Tiering and Incorporation by Reference

The NEPA implementing regulations encourage both tiering and incorporation by reference. Tiering refers to following up on analysis contained in the broader EIS with an EIS or EA of a narrower scope, incorporating by reference the general discussions and concentrating solely of the issues specific to the narrower scope EIS or EA. An EA tiered to a broad EIS needs only analyze the changes to, or details of, the original proposal not previously analyzed to determine if any changes or details result in potentially significant impacts (40 CFR 1502.20). The CEQA Guidelines encourage tiering from a broader EIR when appropriate (CEQA Guidelines Section 15152). Under CEQA, an EIR or ND can incorporate by reference any document that is part of the public record or available to the public (CEQA Guidelines Section 15150, Subdivision (a)).

To facilitate focusing on Project-specific issues, this EA/IS with ND:

- is tiered to and incorporates by reference the LCR MSCP EIS/EIR in order to use the programmatic analysis in the FEIS/EIR, and;
- summarizes environmental impacts identified in the LCR MSCP EIS/EIR by focusing the analysis in the EA/IS with ND on only those impacts that were not described in the LCR MSCP EIS/EIR to determine if any previously undescribed impacts would be significant.

1.6 State Action

Metropolitan is fee owner of 635 acres of land within the PVID service area that is currently set aside for the potential establishment of the Project as part of the LCR MSCP. Metropolitan proposes to grant an easement for conservation purposes to Reclamation allowing for the creation, management, and maintenance of 461 acres of cottonwood-willow and 167 acres of honey mesquite land cover types to be created by Reclamation's LCR MSCP. Seven acres located on the north end of the property will be managed by LCR MSCP and remain undeveloped. Metropolitan is the State lead agency for this EA/IS with ND under CEQA. Metropolitan has the authority to issue easements, leases, or other agreements for the use of its lands.

Metropolitan must comply with CEQA when it undertakes a discretionary action defined by CEQA as a "project" which may cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment. CEQA requires Metropolitan to

identify the significant environmental impacts of its actions and to avoid or mitigate those impacts, if feasible.

1.7 Federal Action

Reclamation would acquire the easement for conservation purposes from Metropolitan and construct, operate, maintain, and monitor the conservation area to be completed as part of the Project. Funding for the Project would be provided by the LCR MSCP.

2.0 Project Description

2.1 Purpose and Need/Project Objectives

NEPA and CEQA require the identification of the purpose and need or project objectives, respectively. Under NEPA, the purpose and need are used to establish the basis for the development of the range of reasonable alternatives, if any, to assist with the identification and selection of the preferred alternative. Under CEQA, the project objective provides an explanation of the underlying fundamental purpose of the project. In this EA/IS with ND, the NEPA Purpose and Need and the CEQA Project Objectives are interchangeable.

The purpose and need/objective of the proposed Project is to comply with the LCR MSCP mitigation requirements by creating and maintaining cottonwood-willow and mesquite land cover types for covered species in Reaches 3-6 of the River in California. The Project has been targeted to create and manage habitat for the species and associated LCR MSCP conservation measures shown in Table 1.

Table 1- Targeted Covered Species and associated Conservation Measures- Dennis Underwood Conservation Area

Species	Scientific Name	Conservation Measure
Arizona Bell's vireo	*Vireo bellii arizonea*	BEV11
elf owl	*Micrathene whitneyi*	ELOW1
gilded flicker	*Colaptes chrysoides*	GIFL1
Gila woodpecker	*Melanerpes uropygialis*	GIWO1
McNeill's sootywing skipper	*Hesperopsis gracielae*	MNSW2
summer tanager	*Piranga rubra*	SUTA1
vermillion flycatcher	*Pyrocephalus rubinus*	VEFL1
Southwestern willow flycatcher	*Empidonaz traillii extimus*	WIFL1
Western red bat	*Lasiurus blossevillii*	WRBA2
Western yellow bat	*Lasiurus xanthinus*	WYBA3
yellow-billed cuckoo	*Coccyzus americanus occidentalis*	YBCU1
Sonoran yellow warbler	*Setophaga petechia sonorana*	YWAR

The development of this Project will satisfy both a portion of the LCR MSCP habitat requirements and a portion of the CESA Incidental Take Permit No. 2081-2005-008-06. Restoration of the site includes planting 461 acres of cottonwood-willow and 167 acres of honey mesquite land cover types. The proposed Project location is within the historic floodplain of the River and provides suitable site characteristics that would allow the creation of the conservation area habitat outlined above.

The proposed Project would satisfy the needs/objectives by including the following design elements:

- Design and manage habitat to support cottonwood-willow types I – IV.
- Create a minimum cottonwood-willow patch size of 50 acres.
- Include moist soils.
- Design and manage habitat to support honey mesquite type III.
- Create patches of at least 50 acres of honey mesquite.
- Create honey mesquite habitat type III.

2.2 Environmental Setting

The visual scene in the Palo Verde Valley is dominated by agricultural areas, which are characterized by square or rectangular fields, typically 40 to 80 acres in area, sometimes interspersed with scattered farmhouses and related agricultural structures. These agricultural regions are crossed by irrigation canals and drainages that parallel dirt farm roads. The proposed Project site is a leveled, agricultural field that is currently planted in sorghum Sudan grass (*Sourghum spp*). Supplied by PVID's C-28 canal, irrigation water is delivered through five irrigation laterals which are oriented in an east-west direction across the site.

2.3 Description of the Proposed Project/Proposed Action

2.3.1 Project Phases

The LCR MSCP is tasked with creating 5,940 acres of cottonwood-willow and 1,320 acres of honey mesquite habitat cover types. As noted in Section 1.2, implementation of the LCR MSCP provides the Federal and California Endangered Species Act authorization for diversions, including agricultural diversions, by California permittees. For this Project, Reclamation proposes to design, create, operate, and maintain approximately 461 acres of cottonwood-willow and 167 acres of honey mesquite habitat land cover types on 635 acres of currently idled farmland owned in fee by Metropolitan (Figure 2). Seven acres on the north end of the property will be managed by LCR MSCP and remain undeveloped. Reclamation would enter into an easement for conservation purposes with Metropolitan for the 635 acres of Metropolitan-owned land.

As part of the LCR MSCP acquisition of the easement for conservation purposes giving Reclamation the right to develop the Conservation Area on the site, Reclamation shall have the right to utilize the PVID Priority 1 water entitlement associated with the property. Reclamation shall be authorized to divert water to irrigate cottonwood-willow habitat in perpetuity on 461 acres. Reclamation shall be authorized to divert water to irrigate honey mesquite habitat on 167 acres, for a period of three years following initial planting or re-establishment if lost.

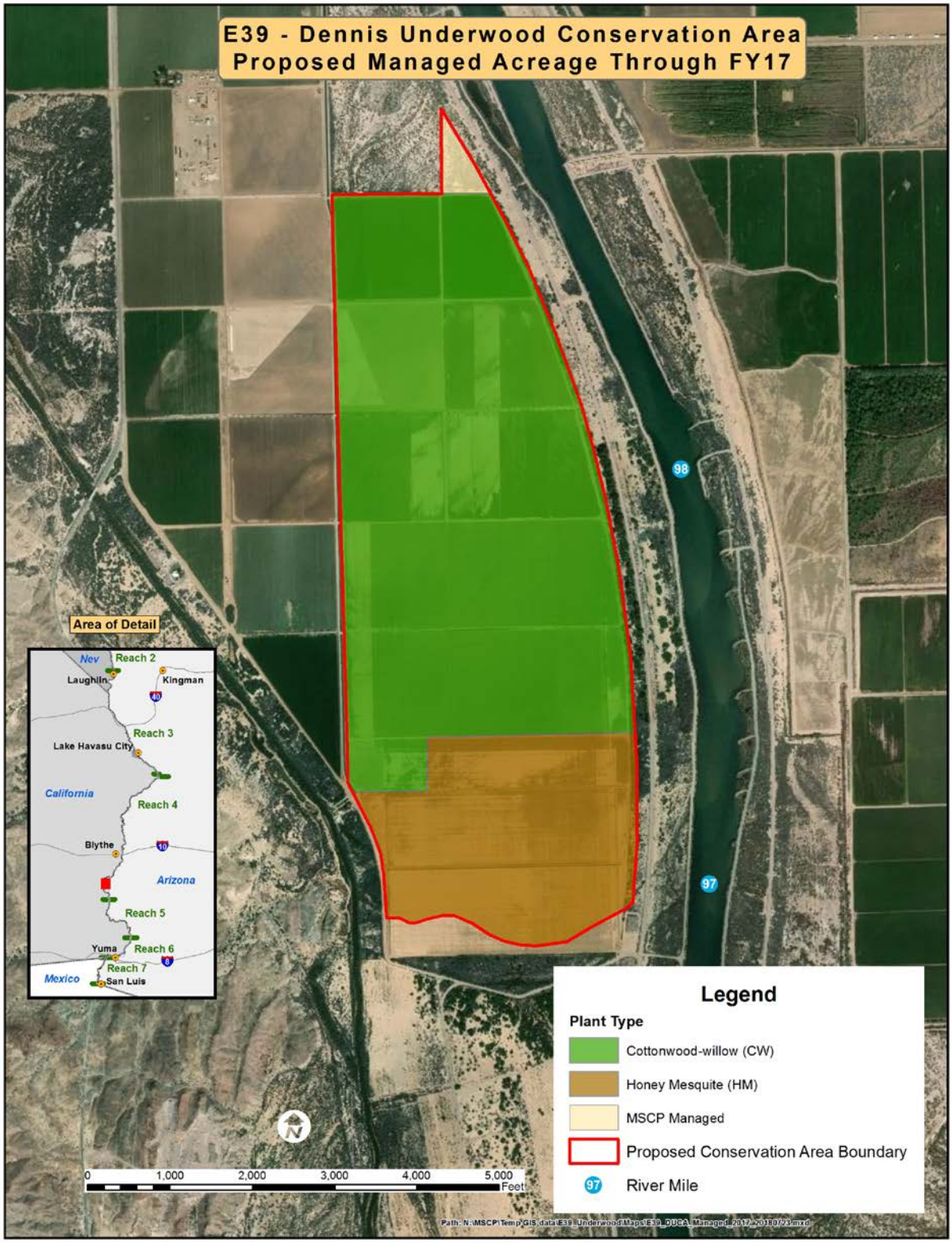

Figure 2- Dennis Underwood Conservation Area Proposed Land Cover

Reclamation's Boulder Canyon Operations Office Water Accounting and Verification Group will compute unmeasured return flow and total consumptive use at the Conservation Area annually.

The Project would be constructed incorporating the general design and target criteria identified in the LCR MSCP EIS/EIR and the HCP discussed in Section 1.2. A Restoration Development and Monitoring Plan will guide Conservation Area and habitat development, vegetation management, and the operation and maintenance of the site and irrigation system. The Restoration Development and Monitoring Plan will follow the guidelines of the HCP. The basic design criteria outlined in the Restoration Development and Monitoring Plan are:

- Create large blocks of cottonwood-willow with interspersed bands of honey mesquite.
- Mimic historical landscape patterns of plant communities along the LCR.
- Habitat patches created equal to or greater than patch size required to support sustainable occupancy of target covered species.
- Create an integrated mosaic of cottonwood-willow, honey mesquite, quail bush (*Atriplex* spp.) and other native riparian species.
- Create habitat near existing habitat at the following areas: Pretty Water Conservation Area, Cibola Valley Conservation Area, and Cibola National Wildlife Refuge Unit 1.

The proposed Project would be implemented in three phases. Phases 1 and 2 would span two to three years and include ground preparation, minor trenching, and re-vegetation. Phase 3 would include habitat management, operation, and maintenance for the span of the LCR MSCP.

Phase 1 – Ground Preparation. The cottonwood-willow planting area will incorporate constructed channels to provide moist growing sites for willow. This series of channels will be oriented in a north-south direction in alternating fields (Figure 3). The channels would have a maximum depth of 4 feet and a maximum width of 100 feet. The channels are created using dry-cutting (dry land excavation) methods. Dry-cutting earthwork includes: excavation, grading, and contouring the channels within each field. Draft design calculations indicate that approximately 81,000 cubic yards of material would be excavated to create the channels. The excavated material would be placed on the 167 acres planned for honey mesquite planting.

Upgrades and repairs to the irrigation canals that currently exist at the proposed Project area may include: installation of canal (Jack) gates, field ports, stop logs, and panel replacement. The fields would be separated by earthen borders to improve water dispersion over the field. The fields may require disking, plowing, chisel plowing, laser leveling, and other standard farming practices needed to prepare the fields for planting. The sorghum Sudan grass may be tilled into the ground. Further soil preparation may include planting a cover crop with the provided benefits of: increasing organic matter and beneficial microorganisms in the soil, increasing the soil's nitrogen and moisture retention, bringing minerals to the surface and breaking up hardpans, and erosion control. The cover crop (sorghum Sudan grass) will either be left on the field or tilled in prior to planting. Tilling is not expected to exceed 6 inches in depth. The planting furrows would be cut into the fields to a depth of 2 – 3 feet. The furrows would be spaced 15 to 50 feet apart, with a moderate sinuosity.

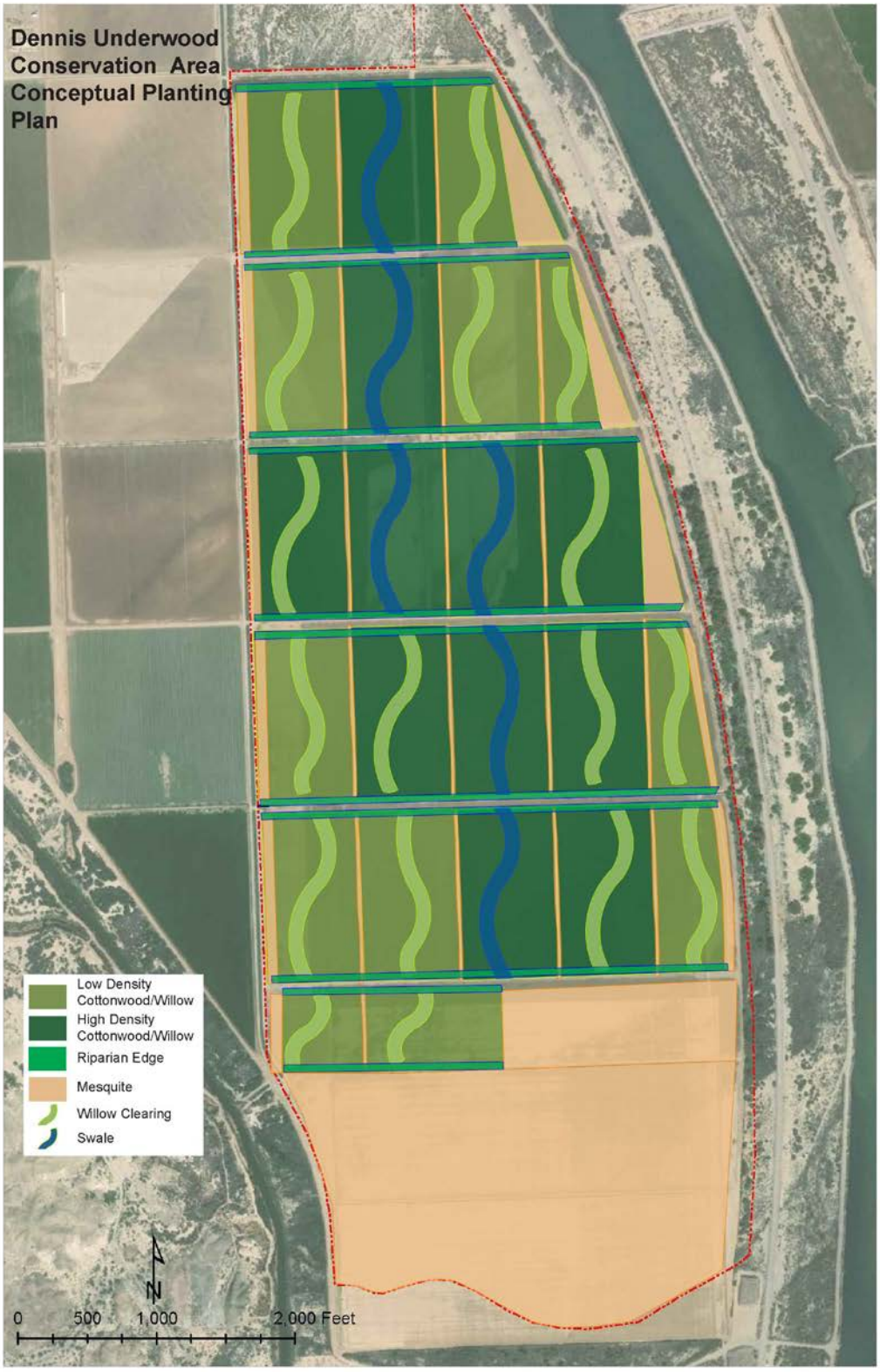

Figure 3- Dennis Underwood Conservation Area Planting Plan Concept

The Project area has existing farming access roads, so it is not likely that additional roads would need to be constructed. If roads are added, they would be gravel-surfaced. Minor farming access roads would be 10 feet in width and major farming roads (high traffic roads and canal roads) would be 12 feet in width.

Phase 2 – Establishment/Re-Vegetation. Upon the completion of sufficient ground preparation described in Phase 1, re-vegetation using hand or mass transplanting of cottonwood-willow and honey mesquite land cover types would occur. Approximately 167 acres of honey mesquite habitat and approximately 461 acres of cottonwood-willow habitat would be planted (Figures 2 and 3). The planting design would result in a mosaic of cottonwood, Goodding's willow (*Salix gooddingii*), coyote willow (*Salix exigua*), and honey mesquite at this site. The distribution and design for re-vegetation follows the recommendations outlined in the HCP.

Coyote willow (*Salix exigua*), desert broom (*Baccharis sarothroides*), and mulefat (*Baccaris salicifolia*) would be planted in the channels to maximize moisture availability. Desert broom, mulefat, quail bush (*Atriplex lentiformis*), grasses, and other upland vegetation may be established within the proposed Project area in various configurations. Figures 3, 4, and 5 illustrate the proposed planting plan using the excavated channels and open areas within the cottonwood-willow planting areas and the locations of honey mesquite plantings. Honey mesquite would be planted in furrows to direct irrigation directly to the trees.

Phase 3 – Habitat Management, Operations, and Maintenance. Phases 1 and 2 would be designed to limit the long-term maintenance requirements of the restoration area. Site management, operation, and maintenance would include, but not be limited to, activities associated with irrigation, irrigation structure repair and replacement, road maintenance, monitoring well installation and maintenance, invasive species control, and removal and replanting of riparian vegetation as needed.

Road maintenance may include adding aggregate as needed to maintain the road prism, repairing the road, grading, repairing and/or replacing culverts, and repair of the road shoulder.

Two to six shallow monitoring wells would be installed for long term monitoring of groundwater levels and salinity. To install wells, an approximately 6-inch diameter hole would be drilled to a depth of 5 feet below the water surface. A 2-inch diameter slotted polyvinyl chloride (PVC) well screen would be placed in the hole, and the annulus backfilled with silica sand. The wells would be completed with 4-inch diameter steel casings, native backfill, cement grout, and a 2-foot by 2-foot concrete pad on the ground surface. Finished wells typically have a 3-foot tall casing above ground, are painted yellow, and have a locking steel cap to protect from vandalism. Site disturbance is minimal for shallow monitoring well installations; a CME-75 drill rig equipped with hollow stem augers would be used to drill and install the wells. The depth of each well would be dependent on land surface and groundwater elevations for the well location.

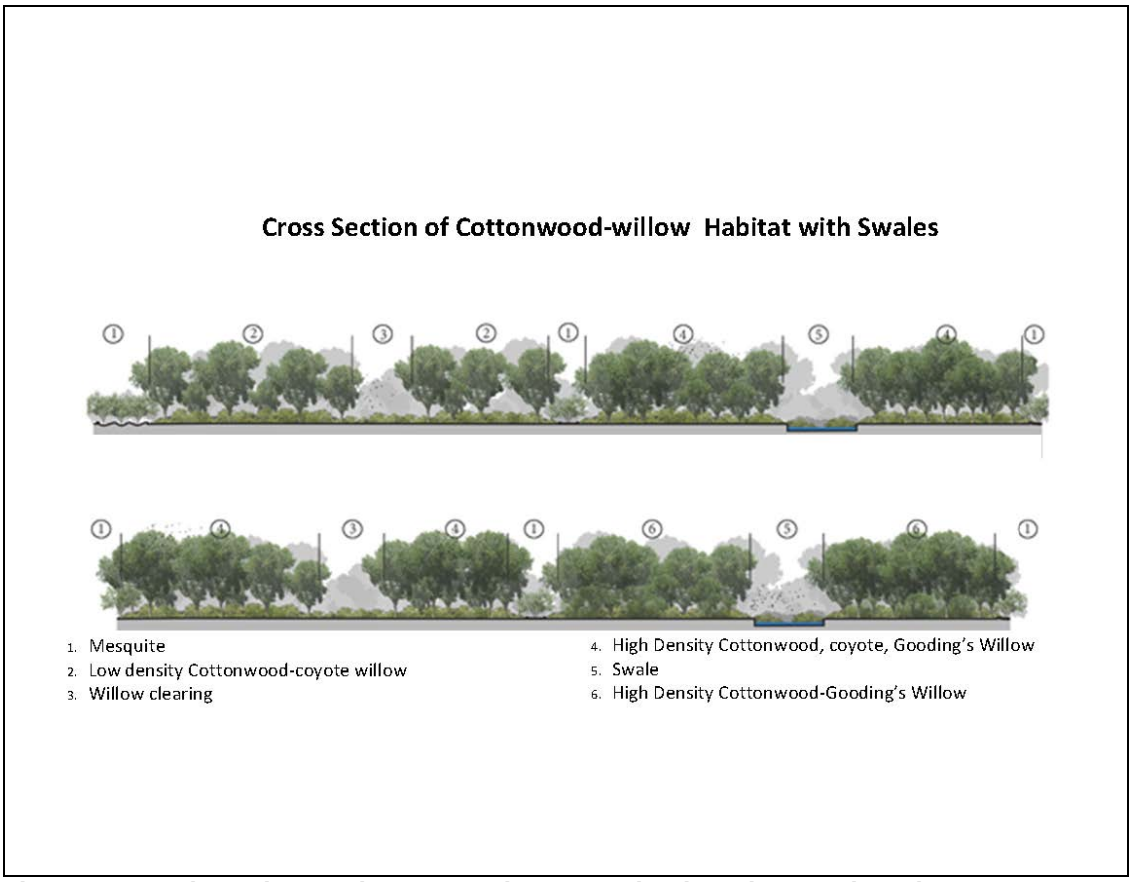

Figure 4- Dennis Underwood Conservation Area Planting Plan Section View

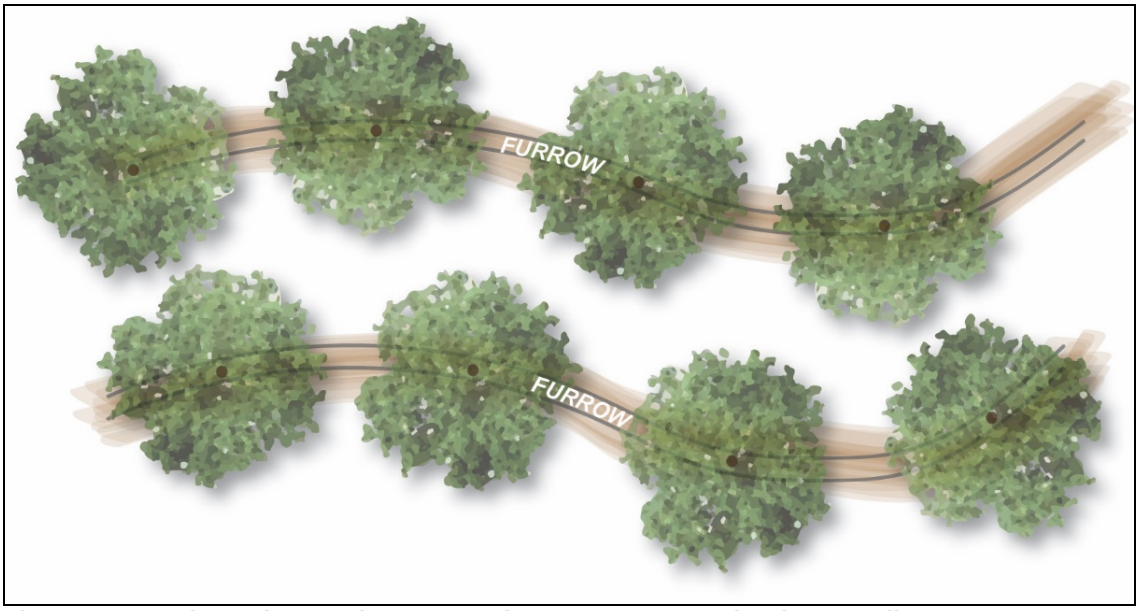

Figure 5- Dennis Underwood Conservation Area Furrow Planting Detail

The Conservation Area would be managed and maintained in accordance with the Development and Monitoring Plan. The management of the habitat would follow the HCP guidelines to maintain the seral stages required by LCR MSCP covered species. Monitoring and research through the adaptive management process would guide cottonwood-willow and mesquite habitat management.

2.3.2 Timing Considerations and Estimated Schedule

The Project schedule for the proposed three phases is provided in Table 2.

Table 2- Anticipated Construction Summary and Project Schedule

Phase	Activity	Time Period
1: Ground Preparation	Excavation of channels. Irrigation and farming services.	January 2019 – March 2019
2: Establishment/Re-Vegetation	Plant approximately 167 acres of honey mesquite and 461 acres of cottonwood-willow.	March 2019 – April 2020
3: Habitat Management, Operations, and Maintenance	Pre and post-development monitoring for LCR MSCP species. Irrigation and farming services.	October 2019 – remaining life of program.

2.3.3 Proposed Construction Equipment

Table 3 lists the equipment anticipated to be implemented in the Project during each phase.

Table 3- Anticipated Project Equipment

Project Phase	Equipment Type
1: Ground Preparation	1 D6R Dozer 3 John Deere 9630 Tractor Scrapers 1 345 Excavator 1 6,000 Gallon Water Truck 1 Tractor
2: Establishment/Re-Vegetation	1 Forklift 1 Mass Transplanter

2.3.4 Design Measures and Considerations

The following design measures are included in the Project design and would be implemented as part of the Project. These measures would be applied during construction and throughout all phases of the proposed Project.

Table 4- Design Measures by Resource Area

Resource Area	Measures
Air Quality	
	To reduce dust emissions: 1. All grading activities shall be suspended when winds exceed 25 miles per hour. 2. All disturbed areas, including Bulk Material storage which is not being actively utilized, shall be effectively stabilized and visible emissions shall be limited to no greater than 20% opacity for dust emissions by using water, chemical stabilizers, dust suppressants, tarps, or other suitable material such as vegetative ground cover. 3. All on-site and off-site unpaved roads will be effectively stabilized and visible emissions shall be limited to no greater than 20% opacity for dust emissions by paving, chemical stabilizers, dust suppressants, and/or watering. 4. All unpaved traffic areas one (1) acre or more with 75 or more average vehicle trips per day will be effectively stabilized and visible emission shall be limited to no greater than 20% opacity for dust emissions by paving, chemical stabilizers, dust suppressants and/or watering. 5. The transport of Bulk Materials shall be completely covered unless six inches of freeboard space from the top of the container is maintained with no spillage and loss of Bulk Material. In addition, the cargo compartment of all Haul Trucks is to be cleaned and/or washed at delivery site after removal of Bulk Material. 6. All Track-Out or Carry-Out will be cleaned at the end of each workday or immediately when mud or dirt extends a cumulative distance of 50 linear feet or more onto a paved road within an urban area. 7. Movement of Bulk Material handling or transfer shall be stabilized prior to handling or at points of transfer with application of sufficient water, chemical stabilizers, or by sheltering or enclosing the operation and transfer line. 8. The construction of any new Unpaved Road is prohibited within any area with a population of 500 or more unless the road meets the definition of a Temporary Unpaved Road. Any Temporary Unpaved Road shall be effectively stabilized and visible emissions shall be limited to no greater than 20% opacity for dust emission by paving, chemical stabilizers, dust suppressants, and/or watering. To reduce pollutant emissions: 9. All equipment used for grading and construction must be tuned and maintained to the manufacturer's specifications to maximize efficient burning of vehicle fuel. 10. The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and off-site Haul Trucks in order to minimize exhaust emissions from truck idling.

Resource Area	Measures
Biological Resources	
	1. The Project Area biological education program will be provided to staff and contractors by an approved biologist. This education program includes information to aid in species identification, current status, and actions to take to avoid impacts to wildlife. 2. To reduce spread and/or introduction of noxious and invasive species, equipment used for this Proposed Action shall be thoroughly cleaned prior to entering the Project Area. The cleaning process will ensure that all dirt and debris that may harbor noxious or invasive weeds seeds are removed and disposed of at an appropriate facility. Reclamation's *Inspection and Cleaning Manual for Equipment and Vehicles to Prevent the Spread of Invasive Species: 2012 Edition* should be referenced for inspection and cleaning activities. The manual can be found at: https://www.usbr.gov/mussels/prevention/docs/EquipmentInspectionandCleaningManual2012.pdf 3. To ensure compliance to the LCR MSCP HCP, all applicable LCR MSCP HCP Conservation Measures will be incorporated into the design, construction, operation, and maintenance of the Proposed Action. 4. To the extent feasible, all work for Phases 1 and 2 shall be conducted outside the migratory bird breeding season (February 1 to September 15). If ground disturbance or vegetation clearing is needed during the breeding/nesting season for any phase, a pre-construction survey will be completed by the Project Biologist and a buffer (distance to be determined) will be enforced around all nests until the young have fledged and left the nest.
Cultural Resources	
	1. In the event of an unanticipated discovery, all operations in the area of the discovery will cease and a Reclamation archaeologist will be contacted. "Discovery" means the encounter of any previously unidentified or incorrectly identified cultural resource including, but not limited to, archaeological deposits, human remains, or places reported to be associated with Native American religious beliefs and practices.
Hazardous Materials	
	1. A State of California Storm Water Pollution Prevention Permit would be prepared for the Project prior to excavation activities 2. Discovered Contaminants Protections - Should contaminants be identified, activity on the site shall cease and a qualified Reclamation Hazardous Materials Specialist for the Project shall be retained to conduct the following: • Obtain samples of the suspected contaminants • Require lab analysis and access findings to identify specific contaminants • Ensure appropriate remediation is conducted and completed in accordance to the regulations specific to the contaminants identified.

Resource Area	Measures
Hazardous Materials continued	3. Toxic Substances Protections - To ensure toxic substances are not released into the aquatic environment, the following measures shall be followed: • All engine-powered equipment shall be well-maintained and free of leaks of fuel, oil, hydraulic fluid or any other potential contaminant. • Staging areas for refueling of equipment shall be located away from the River to prevent any accidental fuel leakage from contaminating surface water. • A spill prevention and response plan shall be prepared in advance of the commencement of work; a spill kit with appropriate clean-up supplies shall be kept on hand during operations. a. For refueling and maintenance of mobile equipment, only approved and certified fuel cans with "no-spill" spring-loaded nozzles shall be used. b. All spill cleanup materials or other liquid or solid wastes shall be securely containerized and labeled in the field. 4. The application and control of herbicides and pesticides shall be in accordance with the Toxic Substances Control Act (TSCA) and the U.S. Environmental Protection Agency (EPA) labeling requirements including but not limited to: • Requiring a certified and trained applicator • Application of the material in accordance with its label 5. A Hazardous Materials Management Plan addressing storage, use, transportation, and disposal of solid waste, hazardous material, and hazardous waste anticipated to be used or generated at the Project area shall be prepared. The plan shall identify all hazardous materials that would be used, stored, or transported at the site. It shall establish inspection procedures, storage requirements, storage quantity limits, inventory control, nonhazardous product substitutes, disposition of excess materials, and procedures for notification of emergency response authorities. 6. Prior to any hazardous materials being stored at the Project site, a Hazardous Materials Authorization form shall be completed and submitted to Reclamation's Regional Hazardous Materials Coordinator. Only approved materials may be stored at the Project area.
Hydrology and Water Quality	
	1. The design would utilize as much of the existing water related infrastructure as possible to minimize construction of new structures. 2. Detention basins would be constructed to prevent flood damage to the Project and its facilities.

2.4 Alternatives

A discussion of alternatives to the Proposed Action is included below to meet the requirements of NEPA.

No Project Alternative (No Action Alternative)

Under this alternative, Metropolitan would not issue an easement for conservation purposes to Reclamation; consequently, a conservation area would not be created at this location to meet the goals of the LCR MSCP. The 635 acres of land would remain under the management of Metropolitan. The LCR MSCP would seek other locations in California to develop the Conservation Area which may not have the desired physical characteristics or size requirements.

Alternatives Considered but Not Evaluated in Detail

The LCR MSCP conducted site analysis of three other parcels of land owned by Metropolitan in California near the River that had the best potential for satisfying habitat requirements for the LCR MSCP and CESA. These three sites presented issues with multiple landowners and irrigation and canal infrastructure, but the primary consideration was the size of the sites and depth to ground water.

Site A was 318 acres with a depth to ground water of 12-16 feet. Site B was 162 acres with a depth to ground water of 14-18 feet. Site C was 318 acres with a depth to ground water of 12-16 feet. In contrast, the depth to ground water at the Project site is 8-12 feet. This shallower depth to groundwater is more optimum for cottonwood-willow growth, as the roots have greater potential for reaching groundwater. The three other locations were not large enough to meet the purpose and objectives outlined in Section 2.1. The 635-acre Project site would allow for the establishment of 167 acres of honey mesquite and 461 acres of cottonwood-willow; the later will meet the habitat creation requirement for CESA.

The planting concept selected for the site was developed to meet the physical characteristics of the Project site, species and acreage requirements described in Section 2.1, and habitat requirements for Southwestern willow flycatcher. The constructed channels within the cottonwood-willow planting area are a design feature intended to provide moist soils to meet Southwestern willow flycatcher habitat needs. A similar design has been successfully tested at the Rockhouse Riparian Demonstration Project near Roosevelt Lake, Arizona where Southwestern willow flycatcher pairs and territories have been documented in this habitat type (Salt River Project, 2016). Because the planting concept meets the purpose and objectives for the Project, no alternative planting concepts were considered.

2.5 Past, Present, and Reasonably Foreseeable Future Projects

Cumulative impacts are defined as impacts to the environment that result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes the action. Cumulative impacts can result from individually minor, but collectively significant, actions taking place over a period of time (40 Code of Federal Regulations [CFR] 1508.70). The list below identifies LCR MSCP Conservation Areas located near the Project. These Conservation Areas will be addressed as appropriate in Section 3.

- Palo Verde Ecological Reserve (PVER) encompasses 1,352 acres of River historic floodplain near Blythe, California. The LCR MSCP began transitioning the land from agricultural crops to riparian habitat through a phased approach in 2006. Restoration development of riparian habitat (945 acres of cottonwood-willow and 78 acres of honey mesquite) was complete in 2013. Generally, all phases at PVER are targeted for Southwestern willow flycatcher, yellow-billed cuckoo, and other covered species (Reclamation, 2018).

- Pretty Water Conservation Area is located on Cibola National Wildlife Refuge, directly south of the Project. Restoration of the 566-acre area was accomplished by removing saltcedar (tamarisk) and other nonnative vegetation and planting honey mesquite and other native upland plant species. The resulting vegetation mosaic is expected to provide suitable habitat for populations of the Arizona Bell's vireo and the vermilion flycatcher, as well as a number of resident and migrating bird species and some game species along the LCR (Reclamation, 2018b).

- Cibola National Wildlife Refuge Unit 1 Conservation Area, located on the Cibola National Wildlife Refuge, is approximately 950 acres. It is primarily cottonwood/willow that is managed for Southwestern willow flycatcher, yellow-billed cuckoo, and other native species. It also includes a mosaic of native habitats including riparian, wetland, and riparian-upland interface areas.

- Cibola Valley Conservation Area is located within the Cibola Valley Irrigation and Drainage District. The 1,309 acres, previously agricultural fields, are being planted with cottonwood/willow and mesquite for Southwestern willow flycatcher, yellow-billed cuckoo, and other LCR MSCP covered species.

3.0 Environmental Consequences and Analysis

This section combines the discussion of the environmental consequences in accordance with the requirements of NEPA and CEQA, and is presented using the CEQA IS format. The IS identifies site-specific conditions and impacts, evaluates their potential significance, and discusses ways to avoid or lessen impacts that are potentially significant absent Project revisions or implementation of mitigation measures, if applicable. The IS was completed for Reclamation, as the Federal lead agency for creating, monitoring, and maintaining the proposed Project, and Metropolitan, as the landowner and state lead agency.

The information, analysis, and conclusions included in the IS provide the basis for determining the appropriate document needed to comply with NEPA and CEQA. For the proposed Project, based on the analysis and information contained herein, Metropolitan staff has found that the IS shows that there is substantial evidence that the Project will not have a significant effect on the environment and a ND will be developed. The determination of significance under NEPA occurs at the time of approval, via a FONSI, if appropriate. As a result, Reclamation and Metropolitan have concluded that an EA/IS with ND are the appropriate NEPA and CEQA documents for the Project.

EAs typically include the consideration of direct, indirect, and cumulative impacts. The IS checklist questions addressed for each environmental factor are comprehensive and capture the relevant potential direct and indirect impacts. Because of this, the IS checklist responses also provide the analysis of direct and indirect impacts for NEPA unless otherwise noted. Determinations of significance are included for CEQA purposes. A discussion of the potential impacts of the No Action Alternative and analysis of cumulative impacts is included to meet NEPA requirements.

CEQA's Checklist and Impact Analysis

The evaluation of environmental impacts provided in this IS is based in part on the impact questions contained in Appendix G of the State CEQA Guidelines. These questions, which are included in an impact assessment matrix for each environmental category (Aesthetics/Visual Resources, Agriculture and Forest Resources, Air Quality, Biological Resources, etc.), are "intended to encourage thoughtful assessment of impacts." Where there is a possibility for the action to affect a specific resource, there is a discussion of the direction and magnitude of the impact. Each question is followed by a check-marked box and column headings that are defined below.

- **Potentially Significant Impact.** This column is checked if there is substantial evidence that a Project-related environmental effect may be significant. If there are one or more "Potentially Significant Impacts," a Project EIR would be prepared.

- **Less than Significant with Mitigation.** This column is checked when the Project may result in a significant environmental impact, but the incorporation of identified Project revisions or mitigation measures would reduce the identified effect(s) to a less than significant level.

- **Less than Significant Impact.** This column is checked when the Project would not result in any significant effects. The Project's impact is less than significant even without the incorporation of Project-specific mitigation measures.

- **No Impact.** This column is checked when the Project would not result in any impact in the category or the category does not apply. When the determination in the checklist is "No Impact," and there is no possibility for the Project to have an effect on the resource, there is no explanation of the answer. Where this project could be presumed to have an effect on the resource in question, there is an explanation provided for any "No Impact" determinations. All other determinations are accompanied by an explanation.

Potentially Affected Environmental Factors

The environmental factors checked below would be potentially affected by this proposed Project; no checked boxes indicate that no impacts would be "Potentially Significant Impact" or "Less than Significant with Mitigation."

Potentially Affected Environmental Factors		
☐ Aesthetics/Visual Resources	☐ Agriculture and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural and Paleontological Resources/Traditional Cultural Properties/Sacred Sites	☐ Hydrology and Water Quality
☐ Greenhouse Gas Emissions and Climate Change	☐ Hazards/Hazardous Materials/Human Health and Safety	☐ Noise
☐ Land Use and Planning	☐ Mineral Resources	☐ Recreation
☐ Population and Housing	☐ Public Services	☐
☐ Transportation/Traffic	☐ Utilities and Service Systems	
☐ Mandatory Findings of Significance		
☐ Other Major Areas of Concern: Environmental Justice and Indian Trust Assets or Tribal Lands		

After a careful analysis, Metropolitan found that the project would not have a significant effect on the environment and there are no impacts to any of the environmental factors or resource categories that require mitigation. Detailed descriptions and analyses of impacts from Project activities that are the basis for their significance determinations are provided for each environmental factor on the following pages, beginning with Section 3.1, Aesthetics/Visual Resources. Relevant laws, regulations, and policies potentially applicable to the Project are listed in the Regulatory Setting for each environmental factor analyzed in the IS.

Agency Determination

Based on the environmental impact analysis provided by this Initial Study:

☒ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Vikki Dee Bradshaw — September 27, 2018

Signature — Date

Vikki Dee Bradshaw
Team Manager, Environmental Planning Section
The Metropolitan Water District of Southern California

3.1 Aesthetics/Visual Resources

AESTHETICS/VISUAL RESOURCES – Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

3.1.1 Regulatory Setting

Federal and State:

No Federal or State laws and regulations pertaining to aesthetics and relevant to the proposed Project have been identified.

Local:

- **Imperial County General Plan Circulation and Scenic Highways Element**

  The Imperial County General Plan Circulation and Scenic Highways Element (Imperial County, 2008) identified four areas within the county that have state-designated scenic highways potential. The following routes have been designated or are eligible for state scenic highway designation:

  - **Interstate 8 (I-8)**. The portion of Interstate 8 (I-8) between the San Diego County line and its junction with State Route (SR) 98 is eligible for future Scenic Highway Designation.
  - **State Route 78.** The portion of SR-78 from the junction with SR-86 to the San Diego County line is eligible for future Scenic Highway Designation.
  - **State Route 111**. SR-111, as it extends along the northeast shore of the Salton Sea from Bombay Beach to the Riverside County line, is eligible for future Scenic Highway Designation.
  - **Borrego-Salton Seaway**. County Highway S-22, also known as the Borrego-Salton Seaway, is an eligible scenic highway from Salton City to Borrego Springs in San Diego County.

- **Imperial County General Plan Open Space and Conservation Element**

  - The Imperial County General Plan Open Space and Conservation Element (Imperial County, 2016) identifies agricultural areas as dominating the visual scenes in the Imperial Valley. These areas are characterized by square or rectangular fields, typically 40 to 80 acres in area, that are sometimes interspersed with scattered farmhouses and related agricultural structures. These agricultural regions are crossed by irrigation canals and drainages that parallel dirt farm roads.

3.1.2 Impact Analysis (CEQA and NEPA)

a. Would the project have a substantial adverse effect on a scenic vista?

No Impact. There are no officially designated scenic vistas, scenic highways, or scenic resources existing within or adjacent to the Project site. The proposed Project site has been used for agriculture, is zoned for agriculture, and is immediately surrounded by agricultural land. The Project is adjacent to local roads used for access to agricultural

lands. State Route 78 is located approximately one-half mile from the Project and this portion is not currently designated a scenic highway nor identified for future Scenic Highway Designation. The proposed Project site is not rated by Imperial County on Figure 9 in the Imperial County Open Space and Conservation Element Visual Resource. Construction activities including clearing, excavation, and planting would result from the implementation of Phases 1 and 2 of the proposed Project. During these phases, there would be short-term, temporary impacts to views of the Project site from SR-78, farm roads, and the River consistent with agricultural activities. The proposed work and resulting revegetation are consistent with the visual character and its surroundings. After Project completion, views from publicly accessible viewpoints of the Project site would be enhanced by creating a revegetated conservation area vegetated with a variety of native plants. Therefore, impacts to aesthetics would be beneficial. No impacts to scenic vistas, scenic highways, or visual character would occur under the proposed Project. Impacts to aesthetics would be less than significant.

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. As explained in response (a) above, no officially designated scenic vistas, scenic highways, or scenic resources exist within or adjacent to the Project site. No historic buildings or outcroppings were identified within the Project area based on the Phase I Cultural Resources Investigation (Campbell et. al., 2017). Therefore, the Project would have no impact on scenic resources including, but not limited to tree, rock outcroppings, and historic buildings within a state scenic highway corridor.

c. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

No Impact. As explained in response a) above, the proposed Project site has been used for agriculture and is immediately surrounded by agricultural land. During Phases 1 and 2 there would be short-term, temporary impacts to the existing visual character or quality of the site and its surroundings. After Project completion, the visual character of the site would be enhanced by the vegetation. The visual character of the surrounding agricultural land would not be degraded. This is evidenced by other LCR MSCP conservation areas, such as PVER, where the visual contrast between agricultural land and cottonwood-willow forest is aesthetically pleasing.

d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No Impact: The proposed Project activities would take place during daylight hours and would not include the construction or installation of any lighting or illuminating sources. Therefore, there would be no new impact resulting from glare or light.

Mitigation Summary (CEQA and NEPA)

The Project would not result in significant impacts to Aesthetics/Visual Resources. Therefore, no mitigation is required.

No Action Alternative (NEPA)

Under the No Action Alternative, the Project area would continue to be used for agricultural purposes. Although the type of crop present may change over time, the overall visual landscape would not change.

Cumulative Impacts (NEPA)

The Impact Analysis determined that there would be beneficial impacts to aesthetics, and no impacts to scenic vistas, scenic highways, or visual character would occur under the proposed Project. Because there would be no negative impacts to aesthetics, no negative cumulative impacts are anticipated.

3.2 Agricultural Resources

AGRICULTURE AND FORESTRY RESOURCES Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Natural Resources Agency, to non-agricultural use?	☐	☐	☒	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒	☐
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Pub. Resources Code, § 12220, subd. (g)), timberland (as defined by Pub. Resources Code, § 4526), or timberland zoned Timberland Production (as defined by Gov. Code, § 51104, subd. (g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☒	☐

3.2.1 Regulatory Setting

Land Evaluation and Site Assessment Model
The California Land Evaluation and Site Assessment (LESA) Model was used to rate the relative value of agricultural land resources within and around the proposed Project area. The LESA evaluates land use and site assessment factors to determine whether the proposed Project would result in a significant agricultural resources impact under CEQA Guidelines.

The LESA evaluates measures of soil resource quality, project size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. For a given project, the factors are rated, weighted, and combined, resulting in a Land Evaluation sub-score and a Site Assessment sub-score. The sub-scores are combined to determine a single numeric score. A project's single numeric score becomes the basis for determining a project's potential impact (California Department of Conservation, 2017).

Federal:

- **Farmland Protection Policy Act**

  The Farmland Protection Policy Act (FPPA) is intended to minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. It assures that – to the extent possible – federal programs are administered to be compatible with state, local units of government, and private programs and policies to protect farmland. The FPPA is overseen by the U.S. Department of Agriculture's Natural Resources Conservation Service (USDA NRCS).

State:

- **California Land Conservation Act (Williamson Act)**

  The Williamson Act (California Land Conservation Act, California Government Code, Section 51200 et. seq.) is a statewide mechanism for the preservation of agricultural land and open space land. The Act enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value.

Local:

- **Imperial County Right-To-Farm Ordinance**

  On August 7, 1990, the Imperial County Board of Supervisors adopted the Imperial County Right-to-Farm Ordinance (Ordinance No. 1031) to reduce the loss to the County

of its agricultural resources by notifying potential buyers and users of adjacent properties about the potential nuisances associated with agricultural operations and fully disclose agricultural practices in the area. The Ordinance also establishes a County Agricultural Grievance Committee to resolve disputes between those who manage agricultural operations and adjacent property owners (Imperial County, 1996).

- **Imperial County General Plan**

  Agriculture has been the single-most important economic activity in Imperial County throughout its history. Imperial County recognizes the area as one of the finest agricultural areas in the world due to several environmental and cultural factors, including good soils, a year-round growing season, the availability of adequate water transported from the River, extensive areas committed to agricultural production, a gently sloping topography, and a climate that is well-suited for growing crops and raising livestock. The Agricultural Element in the Imperial County General Plan demonstrates the long-term commitment by the County to the full promotion, management, use, development, and protection of agricultural production while allowing logical, organized, growth of urban areas (Imperial County, 1996).

  The General Plan's Agricultural Element identifies several implementation programs and policies for the preservation of agricultural resources. The Agricultural Element recognizes that Imperial County can and should take additional steps to provide further protection for agricultural operations and, at the same time, provide for logical, organized growth of urban areas. The County must be specific and consistent about which lands will be maintained for the production of food and fiber and for support of the County's economic base. The County's strategy and overall framework for maintaining agriculture includes the following policy directed at the preservation of Important Farmland:

  "The overall economy of Imperial County is expected to be dependent upon the agricultural industry for the foreseeable future. As such, all agricultural land in Imperial County is considered as Important Farmland, as defined by federal and state agencies, and should be reserved for agricultural uses. Agricultural land may be converted to non-agricultural uses only where a clear and immediate need can be demonstrated, such as requirements for urban housing, commercial facilities, or employment opportunities. All existing agricultural land will be preserved for irrigation agriculture, livestock production, aquaculture, and other agriculture related uses, except for non-agricultural uses identified in this General Plan or in previously adopted City General Plans."

- **Imperial County Zoning Ordinance**

  Imperial County's Zoning Ordinance establishes land use zones and regulations for the use of land and buildings in the unincorporated areas of the County. The Zoning Ordinance is an implementation of the County's General Plan and provides more specific requirements than are provided in the General Plan.

- **Imperial County Williamson Act Rules and Procedures**

  In 2000, the Imperial County Board of Supervisors adopted the Williamson Act and the provisions established by California Revenue and Taxation Code Section 423.3. The Board of Supervisors also adopted Resolution 200-084, which established the County of Imperial Rules of Procedure to Implement the California Land Conservation Act of 1965 (Rules). The Rules set forth eligibility criteria and standards for the standards for the establishment of an agricultural preserve, expansion of an agricultural preserve, and removal of land from an agricultural preserve. The Rules also establish requirements for Land Conservation Contracts and local monitoring requirements.

  On February 23, 2010, the Imperial County Board of Supervisors voted to not accept any new Williamson Act contracts and not to renew existing contracts, due to the elimination of the subvention funding from the state budget. The County reaffirmed this decision in a vote on October 12, 2010, and notices of nonrenewal were sent to landowners with Williamson Act contracts following that vote. The applicable deadlines for challenging the County's actions have expired, and therefore all Williamson Act contracts in Imperial County will terminate on or before December 31, 2018. No Williamson Act contracts are located on or in the vicinity of the Project.

  Methodology

  Potential impacts to agricultural resources from implementation of the proposed project were evaluated in the LESA (Appendix A) based on review of the County of Imperial General Plan, Agricultural Element, the Imperial County Zoning Code, and field reconnaissance conducted in the surrounding area.

  As summarized in Table 5, and detailed in Table 6, the project site received a Farmland Conversion Impact Rating score of 146 points. As described in the LESA, the USDA recommends that sites receiving a total score of less than 160 need not be given further consideration for protection and no alternative sites need to be evaluated (Title 7, C.F.R., Part 658).

Table 5- Farmland Conversion Impact Rating Results

	Land Evaluation Score	Site Assessment Score	Total LESA Score
Dennis Underwood Conservation Area Project	69	77	146

Source: Farmland Conservation Impact Rating form AD-1006 located in the LESA (Appendix A)

3.2.2 Impact Analysis (CEQA and NEPA)

a. *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Natural Resources Agency, to non-agricultural use?*

Less Than Significant Impacts. For the purpose of FPPA, "Important Farmland" includes prime farmland, unique farmland, and land of statewide of local importance. FPPA Important Farmland designations were evaluated for the project site by the USDA NRCS under the Land Evaluation portion of the LESA (Appendix A). Evaluation of the proposed Project site determined that the site is not considered a significant agricultural resource because it is significant only if the *Factor 4: Protection Provided by State and Local Government* of the Form AD-1006 (see Table 6) in the LESA sub-score is greater than or equal to 20 points. Because no other protections, other than agriculture zoning and Imperial County Right-to-Farm provisions, apply to the proposed Project site, and only 45 percent of the project site is zoned agriculture, the project site was preliminarily assigned 9 points out of 20 total points possible for Factor 4. The LESA then further concluded that the proposed site would not be committed to uses that would preclude agricultural productivity in the future. Under the proposed project, the land would be managed in a manner that would maintain conditions that would make it suitable for agricultural use and thus, for purposes of this assessment would not be considered a permanent conversion. Impacts are less than significant, and no mitigation would be necessary.

b. *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

Less Than Significant Impact. The project site is not located within land designated as Williamson Act land and therefore is not subject to the Williamson Act.

Approximately 286.96 acres (45 percent), of the project site is zoned A-2, General Agricultural, according to Imperial County Zoning Maps and designated Agriculture according to the Imperial County Land Use Plan.

In addition, Imperial County has a Right-to-Farm Ordinance intended to reduce the loss of agricultural resources in Imperial County by clarifying the circumstances under which agricultural operations may be considered a nuisance and promoting a good neighbor policy by advising the purchasers and users of property adjacent to or near agricultural operations of the inherent potential problems associated with agricultural operations (including but not limited to, noises, odors, light, fumes, insects, dust, chemicals, smoke, the operation of machinery). The project would involve the restoration of the site to native riparian habitat, which will not conflict with adjacent land uses and thus not conflict with the Right-to-Farm Provisions and it

would facilitate farming on other areas zoned for agricultural use.

c. *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Pub. Resources Code, § 12220, subd. (g)), timberland (as defined by Pub. Resources Code, § 4526), or timberland zoned Timberland Production (as defined by Gov. Code, § 51104, subd. (g))?*

   No Impact: There is no forest land or timberland within the proposed Project area. Therefore, no impacts are anticipated and no mitigation is required.

d. *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

   No Impact. As noted in response I above, the proposed Project would not include any forest land. Therefore, the Project would not result in the loss of forest land or convert forest land to non-forest use.

e. *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?*

   Less Than Significant Impact. As noted in responses (a) and (d) above, implementation of the proposed Project would not result in the conversion of Farmland to non-agricultural use and would not result in the conversion of forest land to non-forest land. The Project will also assist in ensuring that permits for existing water diversions, which facilitate farming operations in the area, are compliant with the Federal and California Endangered Species Acts.

Mitigation Summary (CEQA and NEPA)

The Project would not result in significant impacts to Agricultural Resources. Therefore, no mitigation is required.

No Action Alternative (NEPA)

Under the No Action Alternative, the site would continue to be used for agricultural purposes and subject to Imperial County plans and zoning.

Cumulative Impacts (NEPA)

The analysis in Section 3.2.2 demonstrates that the proposed Project would be in compliance with the FPPA, the Williamson Act, and Imperial County plans and rules. The LESA determined that alternative sites or designs for the Project do not need to be considered. Because potential impacts to farmland have been given full consideration as required by completion of the LESA and review of other laws and plans, there would be no cumulative impacts to Agricultural Resources.

Table 6- USDA Farmland Conversion Impact Rating, Form AD-1006

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I *(To be completed by Federal Agency)*		Date Of Land Evaluation Request 1/26/18	
Name of Project Dennis Underwood Conservatinon Area		Federal Agency Involved Bureau of Reclamation	
Proposed Land Use restoration to native riverine habitat		County and State Imperial County, CA	
PART II *(To be completed by NRCS)*		Date Request Received By NRCS	Person Completing Form:
Does the site contain Prime, Unique, Statewide or Local Important Farmland? *(If no, the FPPA does not apply - do not complete additional parts of this form)*	YES ☑ NO ☐	Acres Irrigated 625	Average Farm Size 900 ac
Major Crop(s) Alfalfa, Wheat, Cotton, Vegetables	Farmable Land In Govt. Jurisdiction Acres: 625.00 % 100	Amount of Farmland As Defined in FPPA Acres: 625 % 99	
Name of Land Evaluation System Used Storie Index Rating	Name of State or Local Site Assessment System Soil Capability Class	Date Land Evaluation Returned by NRCS 02/09/2018	

PART III *(To be completed by Federal Agency)*	Alternative Site Rating Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly	634.81			
B. Total Acres To Be Converted Indirectly	0			
C. Total Acres In Site	634.81			
PART IV *(To be completed by NRCS)* Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	355.50			
B. Total Acres Statewide Important or Local Important Farmland	228.50			
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted	625.00			
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	625.00			
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)	69			

PART VI *(To be completed by Federal Agency)* Site Assessment Criteria *(Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)*	Maximum Points	Site A	Site B	Site C	Site D
1. Area In Non-urban Use	(15)	15			
2. Perimeter In Non-urban Use	(10)	10			
3. Percent Of Site Being Farmed	(20)	5			
4. Protection Provided By State and Local Government	(20)	6			
5. Distance From Urban Built-up Area	(15)	15			
6. Distance To Urban Support Services	(15)	10			
7. Size Of Present Farm Unit Compared To Average	(10)	6			
8. Creation Of Non-farmable Farmland	(10)	0			
9. Availability Of Farm Support Services	(5)	3			
10. On-Farm Investments	(20)	5			
11. Effects Of Conversion On Farm Support Services	(10)	2			
12. Compatibility With Existing Agricultural Use	(10)	0			
TOTAL SITE ASSESSMENT POINTS	160	77	0	0	0
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland *(From Part V)*	100	69	0	0	0
Total Site Assessment *(From Part VI above or local site assessment)*	160	77	0	0	0
TOTAL POINTS ***(Total of above 2 lines)***	260	146	0	0	0

Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES ☐ NO ☑

Reason For Selection:

Name of Federal agency representative completing this form: Sam Cobb, District Conservationist | Date: 2/9/2018

(See Instructions on reverse side) **Form AD-1006 (03-02)**

3.3 Air Quality

AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

3.3.1 Regulatory Setting

Federal:

- **Clean Air Act (CAA) (42 USC 7401 et seq.)**

  The CAA requires the U.S. Environmental Protection Agency (EPA) to identify National Ambient Air Quality Standards (NAAQS) to protect public health and welfare. National standards are established for ozone (O3), carbon monoxide (CO), nitrogen dioxide (NO2), sulfur dioxide (SO2), particulate matter (PM10 and PM2.5), and lead (Pb). In 2007, the U.S. Supreme Court ruled that carbon dioxide (CO2) is an air pollutant as defined under the CAA, and that the EPA has authority to regulate Greenhouse Gas (GHG) emissions. Pursuant to the 1990 CAA Amendments, EPA classifies air basins (or portions thereof) as in "attainment" or "nonattainment" for each criteria air pollutant, based on whether the NAAQS are achieved. The classification is determined by comparing monitoring data with State and Federal standards.

  - An area is classified as in "attainment" for a pollutant if the pollutant concentration is lower than the standard.
  - An area is classified as in "nonattainment" for a pollutant if the pollutant concentration exceeds the standard.

- An area is designated "unclassified" for a pollutant if there are not enough data available for comparisons.

State:

- **California Clean Air Act of 1988 (CCAA) (Assembly Bill [AB] 2595)**

  The CCAA requires all air districts in the State to endeavor to achieve and maintain State ambient air quality standards for O_3, CO, SO_2, NO_2, and PM_{10} and $PM_{2.5}$; attainment plans for areas that did not demonstrate attainment of State standards until after 1997 must specify emission reduction strategies and meet milestones to implement emission controls and achieve more healthful air quality. The 1992 CCAA Amendments divide O_3 nonattainment areas into four categories of pollutant levels (moderate, serious, severe, and extreme) to which progressively more stringent requirements apply. State ambient air standards are generally stricter than national standards for the same pollutants; California also has standards for sulfates, hydrogen sulfide (H_2S), vinyl chloride, and visibility-reducing particles.

Local:

- **Imperial County Air Quality Management Plans**

  Imperial County Air Pollution Control District (ICAPCD) has adopted numerous attainment plans to reduce ozone and particulate precursor emissions. Most recently, following a reclassification from marginal nonattainment to moderate nonattainment, ICAPCD adopted the 2017 State Implementation Plan (SIP) for the 75 parts per billion (equivalent to 0.075 ppm) 8-hour ozone standard to bring the Imperial County portion of the Salton Sea Air Basin (SSAB) into attainment of the federal 2008 8-hour ozone standard by July 20, 2018. The SIP describes the stationary, area, and transportation source control measures in place in the SSAB to reduce ozone emissions.

3.3.2 Impact Analysis (CEQA)

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

Less than Significant Impact. The Project is consistent with the zoning and land use classifications that were used to prepare the Imperial County Air Quality Management Plans. The "Dennis Underwood Conservation Area Project Air Quality and Greenhouse Gas Study" (Air and GHG Study) was prepared for the Project (Metropolitan and Rincon, 2018). The Air and GHG Study can be found in Appendix B. The air quality analysis conforms to the methodologies recommended in the ICAPCD's *CEQA Air Quality Handbook* (ICAPCD, 2017). The guidance document includes thresholds for emissions associated with both construction and operation of

the project. ICAPCD's thresholds of significance from the Air and GHG Study are outlined in Table 7 below.

Table 7- ICAPCD Thresholds of Significance

Pollutant	Construction Thresholds (pounds/day)	Operational Thresholds (pounds/day)
NO_X	100	137
ROG	75	137
PM_{10}	150	150
$PM_{2.5}$	NA	550
SO_X	NA	150
CO	550	550

ICAPCD: Imperial County Air Pollution Control District; ROG: reactive organic gases; NO_X: nitrogen oxides; CO: carbon monoxide; SO_X: sulfur oxides; PM_{10}: particulate matter less than 10 microns in size; $PM_{2.5}$: particulate matter less than 2.5 microns in size; NA: not available

Source: ICAPCD 2017c

The project's construction and operational emissions were calculated using the California Emissions Estimator Model (CalEEMod) software version 2016.3.2. To provide a conservative estimate of emissions, construction activities were modeled to occur consecutively within each phase (i.e. all 32 days of construction work within Phase 1 would occur consecutively within one year) rather than spread across separate years. Construction activities were estimated to occur between July 2018 and April 2020. The construction equipment is described below in Table 8 (Air and GHG Study page 8).

Table 8- Anticipated Construction Equipment

Construction Phase	Equipment Type
Phase 1: Site Preparation	1 D6R Dozer 3 John Deere 9630 Tractor Scrapers 1 345 Excavator 1 6,000 Gallon Water Truck 1 Tractor
Phase 2: Establishment/Re-Vegetation	1 Forklift 1 Mass Transplanter

Air pollutant emissions generated by the implementation of the Project during construction and operations will not exceed the daily (by each phase) and annual emission thresholds as shown in Table 9 and Table 10 below (Air and GHG Study, pages 11 and 12).

Table 9- Estimated Construction Emissions for Criteria Pollutants

	Estimated Maximum Daily Emissions (pounds/day)					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Maximum	5.0	50.0	28.7	0.1	105.1	10.9
ICAPCD Thresholds	75	100	550	n/a	150	n/a
Threshold Exceeded?	No	No	No	n/a	No	n/a

ICAPCD: Imperial County Air Pollution Control District; ROG: reactive organic gases; NO_X: nitrogen oxides; CO: carbon monoxide; SO_X: sulfur oxides; PM_{10}: particulate matter less than 10 microns in size; $PM_{2.5}$: particulate matter less than 2.5 microns in size

See Appendix A for modeling details and CalEEMod results.

Notes: Emissions presented are the highest of the winter and summer modeled emissions. Emission data is from "mitigated" results, which include BMPs that will be implemented during project construction in compliance with ICAPCD rules.

Table 10- Estimated Operational Emissions for Criteria Pollutants

	Estimated Maximum Daily Emissions (pounds/day)					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Maximum	<0.1	0.1	0.2	<0.1	15.1	1.5
ICAPCD Thresholds	137	137	550	150	150	550
Threshold Exceeded?	No	No	No	No	No	No

ICAPCD: Imperial County Air Pollution Control District; ROG: reactive organic gases; NO_X: nitrogen oxides; CO: carbon monoxide; SO_X: sulfur oxides; PM_{10}: particulate matter less than 10 microns in size; $PM_{2.5}$: particulate matter less than 2.5 microns in size

See Appendix A for modeling details and CalEEMod results.

Notes: Emissions presented are the highest of the winter and summer modeled mobile emissions.

The proposed Project's emissions are in compliance with the thresholds established by the ICAPCD. The Project would not significantly increase local air emissions and would not conflict with or obstruct implementation of the air quality management plan. Therefore, it would be a less than significant impact.

b. *Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?*

Less than Significant Impact. The ICAPCD has established significance thresholds to assist Lead Agencies in determining whether a proposed project may have a significant impact to air quality. ICAPCD provides the quantitative criteria shown in Table 9 (above) in the form of thresholds for temporary construction activities and long-term project operation within the SSAB in Imperial County (ICAPCD 2017). Table 9 (above) summarizes the estimated construction emissions for criteria pollutants during the construction phases and Table 10 (above) summarizes the estimated operational emissions for criteria pollutants during operations. The Project

would not exceed the ICAPCD thresholds and the impacts would be less than significant.

Although the Project falls below the level of significance for construction emissions, the ICAPCD requires implementation of the following standard best management practices (BMPs) for construction equipment and fugitive dust described in full under Section 7.1 of the ICAPCD *CEQA Air Quality Handbook*:

1. All disturbed areas, including bulk material storage which is not being actively utilized, shall be effectively stabilized and visible emissions shall be limited to no greater than 20% opacity for dust emissions by using water, chemical stabilizers, dust suppressants, tarps or other suitable material such as vegetative ground cover.

2. All on-site and off-site unpaved roads will be effectively stabilized and visible emissions shall be limited to no greater than 20% opacity for dust emissions by paving, chemical stabilizers, dust suppressants and/or watering.

3. All unpaved traffic areas one (1) acre or more with 75 or more average vehicle trips per day will be effectively stabilized and visible emission shall be limited to no greater than 20% opacity for dust emissions by paving, chemical stabilizers, dust suppressants and/or watering.

4. The transport of bulk materials shall be completely covered unless six inches of freeboard space from the top of the container is maintained with no spillage and loss of bulk material. In addition, the cargo compartment of all haul trucks is to be cleaned and/or washed at delivery site after removal of bulk material.

5. All Track-Out or Carry-Out will be cleaned at the end of each workday or immediately when mud or dirt extends a cumulative distance of 50 linear feet or more onto a paved road within an urban area.

6. Movement of bulk material handling or transfer shall be stabilized prior to handling or at points of transfer with application of sufficient water, chemical stabilizers or by sheltering or enclosing the operation and transfer line.

7. The construction of any new unpaved road is prohibited within any area with a population of 500 or more unless the road meets the definition of a temporary unpaved road. Any temporary unpaved road shall be effectively stabilized and visible emissions shall be limited to no greater than 20% opacity for dust emission by paving, chemical stabilizers, dust suppressants and/or watering.

c. *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal*

or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Less than Significant. Under State law, the ICAPCD is required to prepare a plan to improve air quality for pollutants for which the Basin is in nonattainment. ICAPCD has adopted numerous attainment plans to reduce O_3 and particulate precursor emissions. Most recently, following a reclassification from marginal nonattainment to moderate nonattainment, ICAPCD adopted the 2017 SIP for the 75 parts per billion (equivalent to 0.075 parts per million) 8-hour O_3 standard to bring the Imperial County portion of the SSAB into attainment of the federal 2008 8-hour O_3 standard by July 20, 2018.

The 2013 SIP for the 2006 federal $PM_{2.5}$ standard includes a source inventory and discussion of control technologies to reduce $PM_{2.5}$ emissions in the portion of the Imperial County portion of the SSAB determined to be in nonattainment. This region includes populated portions of Imperial County south of the Salton Sea, but does not include the project site (ICAPCD, 2014).

According to the calculations for criteria air pollutants, emissions do not exceed the annual thresholds established by the ICAPCD. Therefore, the critical air pollutant emissions generated by the project would not be cumulatively considerable.

d. Would the project expose sensitive receptors to substantial pollutant concentrations?

No Impact. The ICAPCD does not explicitly define sensitive receptors, but it identifies schools, day care centers, hospitals, retirement homes, convalescence facilities, and residences as susceptible to air quality impacts (ICAPCD, 2017). The project site is located in a remote area of Imperial County at the southern edge of the Palo Verde Valley. The site is surrounded by agricultural uses and open space. The nearest zoned residential land uses are located in the community of Palo Verde, approximately five miles north of the project site. No sensitive receptors were identified within 1,000 feet of the Project site boundary.

e. Would the project create objectionable odors affecting a substantial number of people?

No Impact. The ICAPCD's *CEQA Air Quality Handbook* identifies a one-mile screening distance for types of operations that commonly emit odors, including wastewater treatment plants, sanitary landfills, composting stations, feedlots, asphalt plants, auto body shops, and rendering plants. The Project involves restoration of riverine habitat, which would not result in substantial emissions of odorous compounds. During construction activities, only short-term, temporary odors from vehicle exhaust and construction equipment engines would occur. As previously discussed, there are no sensitive receptors located within 1,000 feet of the Project site. Furthermore, construction-related odors disperse and dissipate over relatively short

distances. Therefore, the Project would not expose sensitive receptors to substantial odor impacts.

Mitigation Summary (CEQA and NEPA)

The Project would not result in significant impacts to Air Quality. Therefore, no mitigation is required.

No Action Alternative (NEPA)

No impacts to air quality from construction of the Project would occur under the No Action alternative. The current level of emissions from farm equipment operating in adjacent fields and vehicle travel on nearby roads is expected to remain. There may be emissions from farm equipment at the site if it is farmed in the future.

Cumulative Impacts (NEPA)

There are no other construction projects known to be occurring in the vicinity of the Project during the Project's anticipated construction dates so no cumulative impacts from the Project and other construction projects are identified. Emissions from farm equipment operating on adjacent farm fields may be present during both the construction and operational phases but measurable cumulative impacts from Project emissions and farm equipment emissions are not anticipated due to the low construction and operation emissions and the intermittent nature of farm equipment operation.

3.4 Biological Resources

BIOLOGICAL RESOURCES – Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by	☐	☐	☐	☒

BIOLOGICAL RESOURCES – Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?	☐	☐	☐	☒

3.4.1 Regulatory Setting

Federal:

- **Federal Endangered Species Act (ESA) (7 USC 136, 16 USC 1531 et seq.)**
    - The ESA, which is administered in California by the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS), provides protection to species listed as threatened or endangered, or proposed for listing as threatened or endangered. Section 9 prohibits the "take" of any member of a listed species. Take is defined as "...to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct."
    - When applicants are proposing projects with a Federal nexus that "may affect" a federally listed or proposed species, the Federal agency is required to consult with the USFWS or NMFS, as appropriate, under Section 7, which provides that each Federal agency must ensure that any actions authorized, funded, or carried out by the agency are not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of areas determined to be critical habitat.

- **Migratory Bird Treaty Act (MBTA) (16 USC 703-712)**

    - The MBTA was enacted to ensure the protection of shared migratory bird resources. The MBTA prohibits the take, possession, import, export, transport, selling, purchase, barter, or offering for sale, purchase, or barter, of any migratory bird, their eggs, parts, and nests, except as authorized under a valid permit.

State:

- **California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.)**

    - The CESA provides for the protection of rare, threatened, and endangered plants and animals, as recognized by the California Department of Fish and Wildlife (CDFW), and prohibits the taking of such species without its authorization. Furthermore, the CESA provides protection for those species that are designated as candidates for threatened or endangered listings. Pursuant to the requirements of the CESA, an agency reviewing a proposed project within its jurisdiction must determine whether any State-listed endangered or threatened species may be present in the project site and determine whether the proposed project will have a potentially significant impact on such species.

- **California Fish and Game Code**

    - The California Native Plant Protection Act (CA Fish & Game Code, § 1900 et seq.) is intended to preserve, protect, and enhance endangered or rare native plants in California. This Act includes provisions that prohibit the taking of listed rare or endangered plants from the wild and a salvage requirement for landowners. The Act directs CDFW to establish criteria for determining what native plants are rare or endangered.

    - The California Fish and Game Code sections 3503 & 3503.5 prohibit the taking and possession of native birds' nests and eggs from all forms of needless take. These regulations also provide that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nests or eggs of any such bird except as otherwise provided by this Code or any regulation adopted pursuant thereto.

    - California Fish and Game Code sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fish) designate certain species as "fully protected." Fully protected species, or parts thereof, may not be taken or possessed at any time without permission by CDFW.

<u>Local:</u>

- **Imperial County General Plan's Conservation and Open Space Element (2016)**
  - The following goals are outlined in this element:
    - Goal 1: Environmental resources shall be conserved for future generations by minimizing environmental impacts in all land use decisions and educating the public on their value.
      - Objectives include coordinating the acquisition, designation, and management of important natural and cultural resource areas in Imperial County with other governmental agencies as appropriate and ensure the conservation and management of the County's natural and cultural resources.
    - Goal 2: The County will integrate programmatic strategies for the conservation of critical habitats to manage their integrity, function, productivity, and long-term viability.
      - Objectives include designating critical habitats for Federal and State-listed species and using CEQA and NEPA processes to identify, conserve and restore sensitive vegetation and wildlife resources.
  - This element also outlines a policy to provide a framework for the conservation and enhancement of natural and created open space which provides wildlife habitat values. This would be achieved through the following programs:
    - Identify Resource Areas (see Figures 1 through 3) to conserve and enhance native vegetation and wildlife. These resource areas include CDFW-, USFWS-, and Bureau of Land Management (BLM)-designated sensitive habitats. These designated lands are designed for the protection and perpetuation of rare, endangered, and threatened species, and areas important for scientific study.
    - Conserve the native habitat of sensitive plants and animals through the dedication of open space easements, or other means that will ensure their long-term protection and survival. Such easements may preclude the erecting of any structures (temporary or permanent), vegetation removal, or any other activities. These dedicated open space easements would also serve to reduce potential indirect impacts to sensitive biological resources that may result from human activities associated with future developments.

3.4.2 Impact Analysis (CEQA and NEPA)

a. *Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

No Impact. This project is consistent with the LCR MSCP goal to create two-thirds of the LCR MSCP habitat on agricultural lands. This site-specific analysis is consistent with the goals and analysis in the LCR MSCP EIS/EIR. Impacts from conversion of agricultural land to habitat, creating habitat for cottonwood-willow and honey mesquite associated covered species, and maintenance activities for the LCR MSCP program can be found on pages 3.4-31 to 3.4-38 of the EIS/EIR and are incorporated by reference.

Agricultural lands provide little or no habitat value to special status species. The proposed project is entirely on agricultural land and no candidate, sensitive or special status species are anticipated to be affected during Phase 1 (ground disturbance) and Phase 2 (establishment/re-vegetation) due to lack of suitable habitat. A comprehensive list of species analyzed can be found in Tables 3.4-3 and 3.4-4 of the LCR MSCP EIS/EIR and is incorporated here by reference.

During Phase 3 (habitat management, operations, and maintenance) it is expected that special status species will occur in the conservation area. In particular, covered species in Table 1 of this EA/IS with ND are expected to utilize the conservation area and benefit from its creation. Implementation of all applicable LCR MSCP HCP Conservation Measures would be incorporated into the design, construction, operation, and maintenance of the proposed action. The Conservation Measures will avoid and minimize impacts to special status species. No substantial adverse effects to candidate, sensitive or special status species are anticipated.

b. *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

No Impact. The project is entirely on agricultural lands. There is no riparian habitat or other sensitive natural communities.

c. *Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

No Impact. The project is entirely on agricultural lands. No federally protected wetlands occur in the project area.

d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

No Impact. The project area is entirely on agricultural lands. Agricultural lands provide little or no habitat value to wildlife, so the project would not interfere with the movement of wildlife or disrupt native nursery sites during Phase 1 and Phase 2.

This project is consistent with the LCR MSCP program design concept of creating habitats in proximity to each other to recreate integrated mosaics of habitat that approximate the relationship among aquatic and terrestrial communities historically present along the LCR. The project is in close proximity to the following created Conservation Areas: Palo Verde Ecological Reserve, Pretty Water Conservation Area, Cibola National Wildlife Refuge Unit 1 Conservation Area, and Cibola Valley Conservation Area.

Once the Project reaches Phase 3 (habitat management, operations, and maintenance), the Project will have beneficial effects for wildlife including providing nursery sites for wildlife and functioning as a wildlife corridor.

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. The conversion of agricultural lands that provide little or no habitat value to special status species to habitat that will support and contribute to the conservation of special status species is consistent with local polices and goals relating to the protection of biological resources (see page 43 of this EA/IS with ND).

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. The project is not located within any planning area for a HCP or Natural Community Conservation Plan other than the LCR MSCP HCP.

Mitigation Summary (CEQA and NEPA)

The Project would not result in significant impacts to Biological Resources. Therefore, no mitigation is required.

No Action Alternative (NEPA)

The Dennis Underwood Conservation Area would not be created and the LCR MSCP would need to identify other areas to reach the habitat creation goals.

Cumulative Impacts (NEPA)

Cumulative impacts to biological resources from implementation of the LCR MSCP program were disclosed and analyzed in the LCR MSCP EIS/EIR on pages 4-33. The analysis included development of Conservation Areas. The creation of the Project is consistent with the HCP and the habitat creation goals. It was determined that no long-term adverse cumulative impacts to biological resources would result from implementation of the HCP. It was determined that beneficial cumulative biological impacts would be realized by implementation of the HCP.

3.5 Cultural Resources

CULTURAL RESOURCES: Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource (as defined in State CEQA Guidelines, § 15064.5)?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource (pursuant to State CEQA Guidelines, § 15064.5)?	☐	☐	☐	☒
c) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code section 21074?	☐	☐	☐	☒
d) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
e) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

3.5.1 Regulatory Setting

<u>Federal:</u>

- **National Historic Preservation Act**
    - The National Historic Preservation Act (16 U.S.C. 470 et seq.) (NHPA) establishes national policy for historic preservation and sets in place a program for the preservation of historic properties by requiring federal agencies to consider effects to significant cultural resources (e.g., historic properties) prior to undertakings.
    - Section 106 of the NHPA requires federal agencies to take into account the effects of projects on historic properties (resources included in or eligible for the National Register of Historic Places (NRHP). It also gives the Advisory Council

on Historic Preservation and the state historic preservation offices an opportunity to consult.

State:

- **California Environmental Quality Act**
  - In California, archaeological and unique paleontological resources (particularly in regard to fossil localities) are protected by CEQA. CEQA requires lead agencies to determine if a proposed project would have a significant effect on archaeological resources (California Public Resources Code, Section 21000 et seq.). Historical resources are also considered under CEQA, as well as California Public Resources Code Section 5024.1, which established the California Register of Historical Resources (CRHR). If an archaeological resource is neither a unique archaeological nor a historical resource, the effects of the proposed program on those resources shall not be considered a significant effect on the environment (14 CCR 15064.5I (4)). Under CEQA, a lead agency must determine if the project would result in the direct or indirect destruction of a unique paleontological resource or site or unique geologic feature and if such impacts would be significant. The CEQA lead agency is responsible for ensuring that feasible mitigation measures are implemented in order to reduce impacts to a less-than-significant level.

- **California Public Resources Code**
  - California Public Resources Code, Sections 5097–5097.6, states that the unauthorized disturbance or removal of archaeological, historical, or paleontological resources located on public lands is a misdemeanor. It prohibits the intentional destruction of objects of antiquity without a permit (express permission) on public lands, and it provides for criminal sanctions. This section was amended in 1987 to require consultation with the Native American Heritage Commission (NAHC) whenever Native American graves are found.

- **California Health and Safety Code**
  - California Health and Safety Code, Section 7050.5 et seq., requires that if human remains are discovered anywhere other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the county coroner has examined the remains (California Health and Safety Code, Section 7050.5b).

Local:

- **Imperial County General Plan Open Space and Conservation Element**

  - The purpose of this element is to promote the protection, maintenance, and use the County's natural and cultural resources and to prevent the wasteful exploitation, destruction, and neglect of the State's natural and cultural resources.

  - The cultural resources section of this element describes the prehistoric and historic resources in Imperial County. All prehistoric archaeology involves indigenous culture that existed prior to Spanish colonization in 1769. Additional cultural resources, which have been identified by the State of California, include sacred lands that are manifested in cultural landscapes.

3.5.2 Impact Analysis (CEQA and NEPA)

a. Would the project cause a substantial adverse change in the significance of a historical resource (as defined in State CEQA Guidelines, § 15064.5)?

No Impact: No recorded historical resources were identified within the Project area during the records search conducted at the South Coastal Information Center at San Diego State University and Arizona State Museum.

A pedestrian field survey and report summarizing this work was undertaken for the Project area. No historical resources were identified in the project Area of Potential Effects (APE) (Campbell et. Al., 2017).

The NAHC Sacred Lands File was consulted as well. No properties were identified in the project area.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource (pursuant to State CEQA Guidelines, § 15064.5)?

Cultural resource studies of the APE were conducted to identify cultural resources within the Project area. As part of the studies, a pedestrian field survey and a report summarizing this work was completed. The records search conducted at the South Coastal Information Center at San Diego State University, the Arizona State Museum, and the NAHC Sacred Lands File did not identify any cultural properties in the project area.

No Impact: The pedestrian field survey did not result in the identification of any archaeological resources; an existing 1960-1970s agricultural canal irrigation system was identified and was found to be ineligible for inclusion in the CRHR or the NRHP. The record search of the South Coastal Information Center

identified 16 previous studies within a half-mile radius of the APE, and 22 previously recorded cultural resource locales. None of the resources are within or border the project APE. Review of historic aerial photos and USGS maps indicated that prior to channelization, the Project area was repeatedly within the river channel of the River in 1902, 1938, 1939, and 1942.

The Project would have no impact and not result in an adverse change in the significance of a historical resource or archaeological resource because the cultural resource studies (pedestrian field survey and record searches) failed to identify the presence of any such resources within the Project area or in the vicinity of the Project area.

In accordance with Section 106 of the National Historic Preservation Act of 1966 (as currently amended) and its implementing regulations found at 36 CFR Part 800, Reclamation consulted with the California State Historic Preservation Officer (SHPO) on a "no historic properties affected" determination. The SHPO concurred with this determination in a letter dated March 30, 2018 (Appendix C).

c. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code section 21074?*

In an effort to identify tribal cultural resources within the Project area, Metropolitan sent a letter to the Twenty-nine Palms Band of Mission Indians, who had previously requested formal notification of Metropolitan projects within the geographic area that is traditionally and culturally affiliated with the tribe. Metropolitan sent a formal notification letter to the Tribal Chairman via certified mail with a statement that the Tribe has 30 days to request consultation. No response was received within 30 days of receipt.

Reclamation sent project information and findings to the Fort Yuma-Quechan Tribe, Fort Mohave Indian Tribe, Colorado River Indian Tribes, Hopi Tribe, Cocopah Tribe, and Chemehuevi Indian Tribe. The Hopi Tribe responded with their concurrence for the Project on February 23, 2018 (Appendix C). No other responses were received.

No Impact: The Project would have no impact and would not result in substantial adverse change in the significance of a tribal cultural resource because the Native American tribe requesting consultation for Metropolitan projects within the Project area, the Twenty-nine Palms Band of Mission Indians, did not request consultation within 30 days of receipt of Metropolitan's notification letter.

d. *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

In an effort to identify unique paleontological resources within the Project area, a paleontological resource assessment was conducted of the Project area and

vicinity (Rincon Consultants, 2017). The paleontological resource assessment consisted of a fossil locality record search at the Natural History Museum of Los Angeles County and a review of existing geologic maps and primary literature regarding fossiliferous geologic units within the Project area and vicinity. The paleontological locality records search resulted in no previously recorded fossil localities being identified within the Project boundaries. The locality search indicated that the closest vertebrate localities were identified approximately 50 miles northwest of the Project area, near the Eagle Mountains and Coxcomb Mountains.

No Impact: The Project would have no impact and would not directly or indirectly destroy a unique paleontological resource or site or geologic feature. The Project location is within the historic river channel and floodplain of the River. Floodplain sediments typically do not support geologic units old enough to contain fossil deposits. The paleontological resource assessment conducted for the Project failed to identify unique paleontological resources, fossil localities, or unique geologic features within the vicinity of the Project area.

e. Would the project disturb any human remains, including those interred outside of formal cemeteries?

Cultural resource studies of the APE were conducted to identify cultural resources within the Project area, including human remains interred outside of formal cemeteries. As part of the studies, a pedestrian field survey and report was undertaken for the entire Project area, a records search was conducted at the South Coastal Information Center at San Diego State University, the Arizona State Museum, and the NAHC Sacred Lands File.

No Impact: The Project is not anticipated to disturb any human remains, including those interred outside of formal cemeteries. The Project location is within recently fallowed farm fields resting on historic river channels of the River. The Project area has been heavily disturbed due to decades of industrial agriculture, and the proposed Project is not anticipated to create any additional soil disturbance beyond that of typical agricultural practices. Additionally, the pedestrian field survey did not result in the identification of any cultural resources, including human use of the Project area.

Mitigation Summary (CEQA and NEPA)

The Project would not result in significant impacts to Cultural Resources. Therefore, no mitigation is required.

No Action Alternative (NEPA)

The No Action Alternative would have no impacts to cultural or paleontological resources.

Cumulative Impacts (NEPA)

No direct or indirect impacts to cultural or paleontological resources have been identified, so the Project would not have any cumulative impacts to these resources.

3.6 Geology and Soils

GEOLOGY AND SOILS – Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

3.6.1 Regulatory Setting

Federal:

No Federal laws and regulations pertaining to geology and soils and relevant to the Project have been identified.

State:

- **Alquist-Priolo Earthquake Fault Zoning Act (Pub. Resources Code, §§ 2621-2630)**
    - This Act requires that "sufficiently active" and "well-defined" earthquake fault zones be delineated by the State Geologist and prohibits locating structures for human occupancy across the trace of an active fault.

- **California Seismic Hazards Mapping Act (Pub. Resources Code, § 2690 and following as Division 2, Chapter 7.8)**
    - This Act and the Seismic Hazards Mapping Regulations (Cal. Code Regs., tit.14, Div. 2, Ch. 8, Art. 10) are designed to protect the public from the effects of strong ground shaking, liquefaction, landslides, other ground failures, or other hazards caused by earthquakes. The Act requires that site-specific geotechnical investigations be conducted identifying the hazard and formulating mitigation measures prior to permitting most developments designed for human occupancy.

Local:

- **Imperial County General Plan Seismic and Public Safety Element**
    - The goals of this element include public health and safety considerations in land use planning, minimization of potential hazards to public health, safety, and welfare, and prevention of the loss of life and damage to health and property resulting from both natural and human-related phenomena.

- **Imperial County General Plan Conservation and Open Space Element**
    - This element describes the geology and soils within Imperial County. Imperial County is underlain by three natural geomorphic provinces: the Peninsular Ranges, the Colorado Desert, and the Mojave Desert. Each of these provinces is a naturally defined geologic region that displays a distinct landscape or landform with defining features based on geology, faults, topographic relief, and climate.

- Soils in Imperial County are formed by stratified alluvial deposits. A large portion of the County includes fine-textured lakebed sediments. Approximately 28 known soil types occur in Imperial County. The soils in the proposed Project area consist primarily of Rositas, Holtville, Gilman, Meloland, Ripley, Cibola and Glenbar. Parent material includes Glenbar, Holtville, and Imperial soils. Indio, Vint, Meloland, and Rositas soils are derived from windblown and channel silts. Rositas and Carsitas soils were formed in beach deposits. Sand and gravelly fan materials are the parent materials of Carsitas and Rositas soils.

- The clay material deposited in riverine environments during the formation of the River delta terrace is the source of the Holtville and Imperial soils. Niland soils occur in clayey lakebed. Several large gullies have formed from runoff water leading into the Salton Sea. The Antho, Laveen, Niland, and Superstition soils were formed from fan sediment. Fine-textured basin deposits provide the source material for Glenbar, Holtville, and Imperial soils.

- Existing conditions for geologic activity in Imperial County include earthquakes, the principal geologic activity affecting public safety in the county. Imperial County contains several major active faults, including the Brawley Fault Zone, the Coyote Creek Fault and the Elmore Ranch Fault (in the San Jacinto Fault Zone), the Elsinore Fault, the Imperial Fault, the Laguna Salada Fault (in the Elsinore Fault Zone), the San Andreas Fault, the Superstition Hills Fault, and the Wienert Fault (in the San Jacinto Fault Zone).

3.6.2 Impact Analysis (CEQA and NEPA)

a. Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

ii. Strong seismic ground shaking?

iii. Seismic-related ground failure, including liquefaction?

iv. Landslides?

Less Than Significant Impact: Although there are several major active faults and fault zones in Imperial County, the proposed Project is not located within an Alquist-Priolo Earthquake Fault Zone as depicted by the California Geologic Survey maps (California Department of Conservation, 2015), nor is the proposed Project located in the immediate vicinity of an earthquake fault as identified in Figure 7 in the Imperial County's Open Space and Conservation Element's Seismic Hazards map (Imperial County, 2016).

Impacts from seismic ground shaking are forecasted to be less than significant because the site is not located within close proximity of an earthquake fault.

According to the California Geologic Survey Map, the Project is not located in an area susceptible to landslides (California Department of Conservation, 2015). In addition, the Project area is relatively flat topography and no new significant slopes will be created. The Project site does not have any habitable buildings or structures, and is not located within close proximity of an earthquake fault. The Project would not include the construction of housing or structures that would expose people to seismic hazards, including liquefaction. Therefore, impacts would be less than significant.

b. Would the project result in substantial soil erosion or the loss of topsoil?

No Impact: There would be no loss of soil material within the Project area because any soil movement associated with grading activities would remain within the Project boundaries. The Project design includes a re-vegetation plan using native plants to improve and enhance wildlife and riparian habitat and the vegetation would stabilize soils. A Storm Water Pollution Prevention Program (SWPPP) would be implemented to control soil erosion during and after construction. The establishment of native habitat will minimize erosion and provide soil stabilization. The Project would result in the restoration of habitat and provide stability to the topsoil and reduce erosion. Following construction of the Project, the restored and improved site conditions would have reduced soil erosion. The proposed Project would not result in substantial soil erosion or the loss of topsoil.

c. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

No Impact: The proposed Project would not involve new structures and is not located on a geologic unit that is unstable or would become unstable as described above. The proposed Project site is not susceptible to landslides; thus, there are no impacts from lateral spreading. The site is also not susceptible to liquefaction according to the California Geologic Survey Map. Accordingly, no impacts involving unstable geologic units or soil would occur with implementation of the proposed Project.

d. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

No Impact: The proposed Project is characterized by silty sandy loams and clays; however, since this is a restoration project and there are no structures proposed as part of the Project, Uniform Building Code is not applicable. There would be no substantial risks to life or property and no impact is anticipated.

e. Would the project have soils incapable of adequately supporting septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact: The Project site is not currently occupied and is not proposed for any development under the Project other than restoration. The site would not become occupied as a result of the proposed Project, so septic tanks and alternative wastewater disposal systems are not proposed.

Mitigation Summary (CEQA and NEPA)

The Project would not result in significant impacts to Geology and Soils. Therefore, no mitigation is required.

No Action Alternative (NEPA)

Under the No Action Alternative, the Project site would continue to be used for agriculture. Periodic plowing of the soils may occur, or the Project site may be fallowed. Current practices to prevent soil erosion, such as the establishment of cover crops if the Project site is fallowed, would continue.

Cumulative Impacts (NEPA)

No direct or indirect impacts to Geology or Soils have been identified, so the Project would not have any cumulative impacts to these resources.

3.7 Greenhouse Gas Emissions

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE – Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

3.7.1 Regulatory Setting

Federal:

- **Clean Air Act (42 USC 7et seq.)**
    - In 2007, the U.S. Supreme Court ruled that carbon CO2 is an air pollutant as defined under the CAA, and that the EPA has authority to regulate GHG emissions.

State:

- **California Advanced Clean Cars Program**
    - Assembly Bill (AB) 1493 (2009), California's Advanced Clean Cars program (referred to as "Pavley"), requires the Air Resources Board (ARB) to develop and adopt regulations to achieve "the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles."

- **Assembly Bill (AB) 32**
    - AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 and requires the ARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires ARB to adopt regulations to require reporting and verification of statewide GHG emissions. Based on this guidance, ARB approved a 1990 statewide GHG level and 2020 limit of 427 million metric tons carbon dioxide equivalent (CO2e).
    - In May 2014, ARB approved the first update to the AB 32 Scoping Plan which defines ARB's climate change priorities for the next five years and sets the groundwork to reach post-2020 statewide goals. It also evaluates how to align the State's longer-term GHG reduction strategies with other State policy priorities, such as for water, waste, natural resources, clean energy and transportation, and land use (ARB, 2014).
    - On December 14, 2017, ARB adopted the 2017 Scoping Plan, which relies on the continuation and expansion of existing policies and regulations, such as the Cap-and-Trade Program, as well as implementation of recently adopted policies and policies, such as SB 1383.

- **Senate Bill 97**

    - Pursuant to SB 97, the State Office of Planning and Research prepared and the Natural Resources Agency adopted amendments to the State CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. Effective as of March 2010, the revisions to Appendix G (Environmental Checklist Form) and F (Energy Conservation Appendix) of the CEQA Environmental Checklist Form provide a framework to address global climate change impacts in the CEQA process. The adopted guidelines give lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHG and climate change impacts.

- **Senate Bill 375**

    Senate Bill (SB) 375, signed in August 2008, enhances the State's ability to reach AB 32 goals by directing the ARB to develop regional GHG emission reduction targets to be achieved from passenger vehicles for 2020 and 2035. In addition, SB 375 directs each of the state's 18 major Metropolitan Planning Organizations to prepare a "sustainable communities strategy" that contains a growth strategy to meet these emission targets for inclusion in the Regional Transportation Plan.

- **Senate Bill 32**

    - On September 8, 2016, the governor signed SB 32 into law, extending AB 32 by requiring the State to further reduce GHGs to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged). On December 14, 2017, ARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. As with the 2013 Scoping Plan Update, the 2017 Scoping Plan does not provide project-level thresholds for land use development. Instead, it recommends that lead agencies adopt policies and locally-appropriate quantitative thresholds consistent with a statewide per capita goal of six metric tons (MT) CO_2e by 2030 and two MT CO_2e by 2050 (ARB 2017). As stated in the 2017 Scoping Plan, these goals may be appropriate for plan-level analyses (city, county, subregional, or regional level), but not for specific individual projects because they include all emissions sectors in the state.

- **Senate Bill 1383**

    - Adopted in September 2016, SB 1383 requires the ARB to approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants. The bill requires the strategy to achieve the following reduction targets by 2030:

        - Methane – 40% below 2013 levels
        - Hydrofluorocarbons – 40% below 2013 levels

        - Anthropogenic black carbon – 50% below 2013 levels

    - The bill also requires CalRecycle, in consultation with the State board, to adopt regulations that achieve specified targets for reducing organic waste in landfills.

- **California Environmental Quality Act**

    - Pursuant to the requirements of SB 97, the Resources Agency has adopted amendments to the State CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted State CEQA Guidelines provide general regulatory guidance on the analysis and mitigation of GHG emissions in CEQA documents, while giving lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts.

3.7.2 Impact Analysis (CEQA and NEPA)

a. Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less than Significant Impact. With regard to environmental impacts, there are no established federal, state, or local quantitative thresholds applicable to the proposed program to determine the quantity of GHG emissions that may have a significant effect on the environment. Neither Imperial County nor the ICAPCD have adopted a qualified GHG reduction plan or a quantitative threshold for GHG emissions that is applicable to non-stationary sources. For the proposed project, the most appropriate screening threshold for determining GHG emission impacts is the South Coast Air Quality Management District (SCAQMD) proposed interim Tier 3 screening threshold of 3,000 metric tons (MT) of CO_2e per year for mixed use projects (SCAQMD, 2008). The Tier 3 threshold is the most applicable screening threshold for the proposed project, as Imperial County and the ICAPCD have not adopted GHG emissions reduction plans (Tier 2), nor is the project a high-density development whose impacts would be more appropriately quantified by a service population threshold (Tier 4). SCAQMD regulates air pollution in the South Coast Air Basin, which lies adjacent to and northwest of the SSAB. Based on SCAQMD guidance, construction emissions are amortized over the life of the project, which is defined by SCAQMD as 30 years, and compared to the applicable interim GHG significance threshold tier.

Construction of the proposed Project would generate temporary GHG emissions primarily as a result of operation of construction equipment on-site, from worker trips and material deliveries, as well as ongoing operational vehicle trips. Project GHG emissions generated within the SSAB were calculated in CalEEMod and are provided in Appendix A of the Air and GHG Study. Mobile GHG emissions generated outside of the

SSAB were calculated using emission factors from CalEEMod and the California Climate Action Registry General Reporting Protocol and are provided in Appendix B of the Air and GHG Study.

As shown in Table 11 below (Air and GHG Study, page 23) construction activity for the project would generate an estimated total of 84.8 MT of CO_2e over the construction period. In accordance with the SCAQMD's recommendation, GHG emissions from Project construction were amortized over a 30-year period and added to annual operational emissions to determine the project's total annual GHG emissions. Amortized over 30 years, construction emissions total 2.8 MT CO_2e per year. Operational emissions total 6.6 MT of CO_2e per year.

Table 11- Estimated Construction Emissions of Greenhouse Gases

GHG Emissions (CO_2e)	
Total Construction Emissions Inside SSAB	79.5 MT
Total Mobile Emissions Outside SSAB[1]	5.3 MT
Total Construction Emissions	84.8 MT
Amortized Construction Emissions (over 30 years)	2.8 MT/year
Total Annual Operational Emissions	6.6 MT/year
Total Annual Emissions	9.4 MT/year
SCAQMD Interim Recommended Threshold	*3,000 MT/year*
Exceed Threshold?	*No*

CO_2e: carbon dioxide equivalent; SSAB: Salton Sea Air Basin; MT: metric tons; SCAQMD: South Coast Air Quality Management District

[1]See Appendix B for GHG Emission Worksheet for Outside of Basin Vehicle Miles Traveled

See Appendix A for CalEEMod output. Values are approximations and have been rounded.

In total, the project would conservatively generate 9.4 MT of CO_2e per year, which is well below SCAQMD's recommended significance threshold of 3,000 MT of CO_2e per year. Therefore, impacts related to operational and construction GHG emissions would be less than significant.

b. *Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

Less than Significant Impact. The state and local regulatory programs for GHG emissions and climate change are described in the response to item (a) above. As discussed in the regulatory setting, California has established a policy framework to reduce GHG emissions statewide through implementation of policies including AB 32.

The 2017 Scoping Plan identifies GHG reduction strategies, focusing on energy, transportation, agriculture, water, waste management, and natural and working lands. The ARB's 2050 "Vision for the Natural and Working Lands Sector" is to reduce GHG emissions and maintain and enhance the capacity of natural and working lands to store carbon. Restoration activities are identified as a strategy for achieving the 2050 Vision (ARB, 2017).

The project would return 635 acres of fallowed cropland to native riverine habitat through restoration and re-vegetation activities. Therefore, the project would directly contribute to the 2050 Vision and would be consistent with ARB's Scoping Plan. Therefore, impacts would be less than significant, and no imposed mitigation would be required.

Mitigation Summary (CEQA and NEPA)

The Project would not result in significant impacts to Greenhouse Gas Emissions. Therefore, no mitigation is required.

No Action Alternative (NEPA)

No GHG impacts from construction of the Project would occur under the No Action alternative. The current level of emissions, which includes GHG from farm equipment operating in adjacent fields and vehicle travel on nearby roads, is expected to remain. There may be GHG emissions from farm equipment if the site is farmed in the future.

Cumulative Impacts (NEPA)

The analysis of GHG is essentially a cumulative impacts analysis as it addresses cumulative GHG emissions. The analysis in Section 3.7.2 addresses the cumulative impacts of GHG, so no further analysis of cumulative impacts is needed.

3.17 Hazards and Hazardous Materials

HAZARDS/HAZARDOUS MATERIALS/ HUMAN HEALTH AND SAFETY – Would the Project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

3.8.1 Regulatory Setting

Federal:

- **Resource Conservation and Recovery Act (RCRA) (42 USC 6901 et seq.)**
    - The Resource Conservation and Recovery Act authorizes the EPA to control hazardous waste from "cradle-to-grave," which encompasses its generation,

transportation, treatment, storage, and disposal.

- **Toxic Substances Control Act (TSCA) (15 USC 2601– 2692)**
    - The TSCA authorizes the EPA to require reporting, record-keeping, testing requirements, and restrictions related to chemical substances and/or mixtures. It also addresses production, importation, use, and disposal of specific chemicals, such as polychlorinated biphenyls, asbestos-containing materials, lead-based paint, and petroleum.

Local:

- **Imperial County Operational Area Hazardous Materials Area Plan**
    - The Imperial County Operational Area Hazardous Materials Area Plan (Imperial County Office of Emergency Services, 2016b) identifies local, state, and federal responsibilities during incidents involving the release or threatened release of hazardous substances.
- **Imperial County Operational Area Emergency Operations Plan**
    - The Imperial County Operational Area Emergency Operations Plan (Imperial County Office of Emergency Services, 2016c) provides a comprehensive, single source of guidance and procedures for the Imperial County to prepare for and respond to significant or catastrophic natural, environmental or conflict-related risks that produce situations requiring coordinated response.

3.8.2 Impact Analysis (CEQA and NEPA)

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact: The proposed Project involves habitat restoration. During all Project phases (Phases 1 through 3), construction equipment requiring the use of fuel (diesel and gasoline) would be required. During construction of the proposed Project, typical materials of concern that would be used on the Project site would include gasoline and diesel fuel, motor oil, hydraulic fluids, lubricants and similar petroleum-based products. The design measures to address use of these materials are listed in Table 4 and include the following:

- All engine-powered equipment shall be well-maintained and free of leaks of fuel, oil, hydraulic fluid or any other potential contaminant.
- Staging areas for refueling of equipment shall be located away from the River to prevent any accidental fuel leakage from contaminating surface water.
- A spill prevention and response plan shall be prepared in advance of the commencement of work; a spill kit with appropriate clean-up supplies shall be kept on hand during operations.
- For refueling and maintenance of mobile equipment, only approved and certified fuel cans with "no-spill" spring-loaded nozzles shall be used.
- All spill cleanup materials or other liquid or solid wastes shall be securely containerized and labeled in the field.
- A Hazardous Materials Management Plan addressing storage, use, transportation, and disposal of solid waste, hazardous material, and hazardous waste anticipated to be used or generated at the Project area shall be prepared. The plan shall identify all hazardous materials that would be used, stored, or transported at the site. It shall establish inspection procedures, storage requirements, storage quantity limits, inventory control, nonhazardous product substitutes, disposition of excess materials, and procedures for notification of emergency response authorities.
- Prior to any hazardous materials being stored at the Project site, a Hazardous Materials Authorization form shall be completed and submitted to Reclamation's Regional Hazardous Materials Coordinator. Only approved materials may be stored at the Project area.

These BMPs would be designed to minimize the potential for accidental release of hazardous, potentially hazardous, or non-hazardous materials. Upon completion of the Project, site maintenance and landscaping will require the use of ordinary types of hazardous materials such as herbicides, but none of these would be used or stored on site in large enough quantities to create a significant impact from an accidental release or spill. The application and control of herbicides and pesticides shall be in accordance with the TSCA and EPA Labeling requirements including but not limited to requiring a certified and trained applicator and application of the material in accordance with label instructions. Although the Project phases would present a potential for spills, the phases are short-term, the quantities are small and controlled by having BMP's in place. As a result, impacts would be less than significant.

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact: Although the Project phases could present a potential for spills, the impacts would be short-term and controlled by having a SWPPP in place. Preparation of a SWPPP is a regulatory requirement. The SWPPP would be developed by Reclamation. With mandatory compliance with all applicable federal, State, and local regulations related to the transportation, use, and disposal of hazardous and non-

hazardous waste, the potential for reasonably foreseeable upset or accident conditions involving the release of hazardous materials would be low. A Phase I Environmental Site Assessment (Phase I Assessment) was conducted in April, 2017[1]. This Phase I Assessment did not document the presence or likely presence of any hazardous substance or petroleum products at the Project site. (Geosyntec, 2017). Although no hazardous materials are anticipated to be discovered, should contaminants be identified, activity on the site shall cease and a qualified Reclamation Hazardous Materials Specialist for the Project shall be retained to conduct the following:

- Obtain samples of the suspected contaminants
- Require lab analysis and access findings to identify specific contaminants
- Ensure appropriate remediation is conducted and completed in accordance to the regulations specific to the contaminants identified.

Once constructed, the Project would require activities associated with irrigation, irrigation structure repair and replacement, road maintenance, invasive species control, and removal and replanting riparian vegetation as needed. Compliance with applicable laws and BMPs would be adhered to during all phases of the Project to prevent spills of any quantity of hazardous materials. Therefore, with the above plans and BMPs in place, the Project would not create a significant hazard to the public or environment through the reasonably foreseeable upset and accident conditions involving hazardous materials.

c. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

No Impact: There are no existing or proposed schools within one-quarter of a mile of the proposed Project. Therefore, there would be no impact.

d. *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

No Impact: The Project site is not identified on the list of hazardous materials sites compiled pursuant to Government Code section 65962.5. As a result, the proposed Project would not create a significant hazard to the public or the environment and there would be no impact.

e. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

[1] A Phase I Environmental Site Assessment is a report that documents evaluation of a parcel of real estate for environmental contamination.

No Impact: The Project site is not located within two miles of a public airport. The closest public airport is Blythe Airport, located more than 15 miles from the Project. Because the proposed Project area is not located within an airport land use plan or within the vicinity of an airport, no new impacts to the safety of people residing or working in the Project area would occur. The Project would not result in safety hazard impacts from aircraft-related uses.

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

No Impact: The Project is not located within the vicinity of a private airport. The closest public airport is Blythe Airport, located more than 15 miles from the Project. Because the proposed Project area is not located within the vicinity of a private airstrip, no new impacts to the safety of people residing or working in the Project area would occur. The Project would not result in safety hazard impacts from aircraft-related uses.

g. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No Impact: Activities associated with the Project would not conflict with the Imperial County Operational Area Emergency Operations Plan. The Project is located approximately 0.5 mile from State Route 78. All construction vehicles and stationary construction equipment would be staged off the internal roadway system. The proposed Project would not alter any roadway system. The Project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

h. Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No Impact: The risk of wildlife fire as a result of site grading and establishment of vegetation during Phase 1 and 2 is minimal. The Project site is sparsely vegetated and design measures (Table 4) such as watering of the site and the requirement to have well-maintained engine-powered equipment free of oil or fuel leaks would help to reduce the risk of fire during construction. There are no habitable structures at the Project site or in close proximity to the Project site. After construction, Project activities would only involve habitat restoration or enhancement and thus would not expose people or structures to wildland fire impacts.

Mitigation Summary (CEQA and NEPA)

The Project would not result in significant impacts to hazards and hazardous materials. Therefore, no mitigation is required.

No Action Alternative (NEPA)

The Phase I Assessment documented that the Project site does not have any known hazardous substances or petroleum products. Under the No-Action Alternative the Project site would continue to be used for agriculture. This may involve equipment that uses gasoline and diesel fuel, motor oil, hydraulic fluids, lubricants and similar petroleum-based products. In recent years herbicides and pesticides have not been used at the Project site due to its use for organic crops; however, herbicides and pesticides may be used in the future.

Cumulative Impacts (NEPA)

There is some potential for spill of hazardous materials during construction and operation of the Project. No cumulative impacts from hazardous materials are anticipated as there are no other construction projects occurring during the construction period of the Project and no known hazardous substances or petroleum projects existing at the site.

3.17 Hydrology and Water Quality

HYDROLOGY AND WATER QUALITY – Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒

HYDROLOGY AND WATER QUALITY – Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

3.9.1 Regulatory Setting

Federal:

- **Clean Water Act (CWA) (33 U.S.C. 1251 et seq.)**
    - The CWA is comprehensive legislation (it generally includes reference to the Federal Water Pollution Control Act of 1972, its supplementation by the CWA of 1977, and amendments in 1981, 1987, and 1993) that seeks to protect the nation's water from pollution by setting water quality standards for surface water and by limiting the discharge of effluents into waters of the U.S. These water quality standards are promulgated by the EPA and enforced in California by the State Water Resources Control Board (SWRCB) and nine Regional Water Quality Control Boards (RWQCBs). CWA sections include the National Pollution Discharge Elimination System (NPDES). Section 402 (33 USC 1342) establishes conditions and permitting for discharges of pollutants under the NPDES.

State:

- **Porter-Cologne Water Quality Control Act (Cal. Water Code, § 13000 et seq.) (Porter-Cologne)**
    - Porter-Cologne is the principal law governing water quality in California. The Act established the SWRCB and nine RWQCBs that have primary responsibility for protecting State water quality and the beneficial uses of State waters. Porter-Cologne also implements many provisions of the CWA, such as the NPDES permitting program.

Under the California Water Code, anyone who discharges waste (other than community water systems) that affects waters of the state must file a Report of Water Discharge with their RWQCB. The RWQCBs prescribe the Waste Discharge Requirements (WDRs) or waive the WDRs (called a "Conditional Waiver") to anyone who is determined to be a "discharger" of waste. The Colorado River Basin Water Quality Control Board (CRBWQCB) regulates discharges from irrigated agricultural lands by issuing Conditional Waivers WDRs. The Conditional Waivers regulate discharges of water that could directly or indirectly affect the quality of waters of the state. The Conditional Waivers mainly apply to owners and operators of irrigated lands and drain maintenance operators. On September 20, 2012, the CRBWQCB adopted a Conditional Waiver of WDRs for agricultural wastewater discharges in the Palo Verde Valley in Riverside and Imperial Counties (Board Order R7-2012-0047) (CRWQCB, 2012). The PVID has formed the Palo Verde Outfall Coalition to manage compliance requirements under the Conditional Waiver.

Local:

- **Imperial County General Plan Water Element (Imperial County)**
    - This element identifies and analyzes the types of water resources within Imperial County to assure goals and policies adopted preserve and enhance resource availability and quality.

3.9.2 Impact Analysis (CEQA and NEPA)

a. Would the Project violate any water quality standards or waste discharge requirements?

No Impact: The Project would involve surface irrigation of the Project site. Reclamation will participate in the Palo Verde Outfall Coalition to ensure compliance with the Conditional Waiver for the Palo Verde Valley. This Conditional Waiver establishes a comprehensive control program for the protection of water quality in the Palo Verde Valley and Palo Verde Mesa (CRWQCB, 2012). In addition, design measures are included in the Project to ensure that water quality standards are not violated. Any herbicides or pesticides would be used according to label requirements. See the design measures under "Hazardous Materials" in Table 4 of the EA/IS with ND for specific information.

b. Would the Project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

No Impact: The Project's irrigation water would come from PVID's surface water delivery system; which originates at Palo Verde Diversion Dam on the River. There would be no pumping or removal of groundwater from the underlying aquifer.

c. *Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?*

No Impact: The Project site is located in the Palo Verde Valley which has soils that are fine-grained sand and loam alluvial deposits from the River (CRWQCB, 2012). These soils allow rapid percolation of surface water into the ground. There are no constructed irrigation drains at the Project site. The cottonwood-willow planting area will incorporate constructed channels to provide moist growing sites for willow. The majority of irrigation water that concentrates in these swales would be absorbed by vegetation. Any remaining water that is not lost to evaporation would percolate back into the groundwater system. Irrigation water outside of the constructed channels would also percolate into the ground. No substantial erosion or siltation is anticipated.

d. *Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

No Impact: As discussed in the response to item I above, irrigation water would percolate into the ground. The rate of surface runoff would not exceed that which resulted from past irrigation at the site; there would not be an increase in flooding as a result of the Project.

e. *Would the Project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

No Impact: The site is currently a fallowed agricultural field with no existing or planned stormwater drainage systems. There are no constructed irrigation drains at the Project site. As described in the response to item (a) above, Project Design Measures would prevent the release of polluted runoff.

f. *Would the Project otherwise substantially degrade water quality?*

No Impact: As discussed in the response to item (a) above, Reclamation shall participate in the Palo Verde Outfall Coalition and implement Design Measures to ensure that water quality is not degraded.

g. *Would the Project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*

No Impact: The majority of the Project site is located within the 100-year floodplain as determined by the Federal Emergency Management Agency (FEMA, 2018). There would be no housing placed at the site.

h. *Would the Project place within a 100-year flood hazard area structures which would impede or redirect flood flows?*

No Impact: The only structures proposed at the Project site are gravel roads (if additional roads are needed) with associated culverts and monitoring wells. If gravel roads are constructed, they would be designed to ensure they do not impede or redirect flood flows. Above ground structures associated with monitoring wells would be small and would not impede or redirect flood flows.

i. *Would the Project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*

No Impact: As discussed in the response to item (d) above, the Project would not increase the risk of flooding at the site so the Project would not expose people or structures to significant risks from flooding.

j. *Would the Project cause inundation by seiche, tsunami, or mudflow?*

No Impact: There is no potential for a seiche, tsunami, or mudflow at the Project site.

Mitigation Summary (CEQA and NEPA)

The Project would not result in significant impacts to hydrology and water quality. Therefore, no mitigation is required.

No Action Alternative (NEPA)

Under the No Action Alternative, the site would continue to be used for agriculture, so irrigation of the site would continue as determined by the type of crop. Irrigation would continue to be from surface water and would be in accordance with the requirements of the Palo Verde Outfall District and PVID policies.

Cumulative Impacts (NEPA)

There are no direct or indirect impacts identified for Water Quality and Hydrology, so there would be no cumulative impacts.

3.10 Land Use Planning

LAND USE AND PLANNING: Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

3.10.1 Regulatory Setting

Federal and State: No Federal or State laws and regulations pertaining to land use and planning and relevant to the Project have been identified.

Local:

- **Imperial County General Plan Conservation and Open Space Element**
    - This element defines a policy to provide a framework for the conservation and enhancement of natural and created open space which provides wildlife habitat values. It also identifies Resource Areas to conserve and enhance native vegetation and wildlife. These areas include CDFW and USFWS designated sensitive habitats and BLM Areas of Critical Environmental Concern. These designated lands are designed for the protection and perpetuation of rare, endangered, and threatened species and areas important for scientific study.
    - The Conservation and Open Space Element also includes the goal of conserving environmental resources for future generations by minimizing environmental impacts in all land use decisions and educating the public on their value with the following objectives:
        - **Objective 1.1**: Encourage uses and activities that are compatible with the fragile desert environment and foster conservation.

- **Objective 1.2**: Coordinate the acquisition, designation, and management of important natural and cultural resource areas in Imperial County with other governmental agencies as appropriate.
- **Objective 1.4**: Ensure the conservation and management of the County's natural and cultural resources.

Other:

- **Lower Colorado River Multi-Species Conservation Program**
  - The proposed Project is a mitigation requirement under the LCR MSCP. The LCR MSCP is discussed in Section 1.2.1 of this EA/IS with ND.

3.10.2 Impact Analysis (CEQA and NEPA)

a. Would the project physically divide an established community?

No Impact. There are no communities within the Project area so an established community will not be divided by the Project.

b. Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

No Impact. The proposed Project is consistent with the Imperial County General Plan's Open Space Element's goals and policies. The area is zoned for agriculture and the restoration project is consistent with the designated land use. The Project would create native habitat and would not conflict with any land use plan or policy.

c. Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact: Implementation of the proposed Project satisfies required mitigation under the LCR MSCP. The Project is not in an area or near any natural community conservation Plan. Therefore, there would be no conflict with any habitat or natural community conservation plan.

Mitigation Summary (CEQA and NEPA)

The Project would not result in significant impacts to land use and planning. Therefore, no mitigation is required.

No Action Alternative

Under the No Action Alternative, use of the site would continue to be consistent with the Imperial County General Plan's Open Space Element and would not conflict with any plan or policy.

Cumulative Impacts

There would be no direct or indirect impacts to Land Use Planning from the proposed Project, so there would be no cumulative impacts.

3.11 Mineral Resources

MINERAL RESOURCES: Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

3.11.1 Regulatory Setting

Federal: No Federal laws and regulations pertaining to mineral resources and relevant to the Project have been identified.

State:

- **Surface Mining and Reclamation Act (SMARA) (Pub. Resources, §§ 2710-2796)**
    - In accordance with SMARA, the California Geological Survey classifies the regional significance of mineral resources and assists in the designation of lands containing significant aggregate resources. Mineral Resource Zones (MRZs) have been designated to indicate the significance of mineral deposits. The MRZ categories are:
        - MRZ-1: Areas where adequate information indicates that no significant mineral deposits are present or where it is judged that little likelihood exists for their presence.
        - MRZ-2: Areas where adequate information indicates significant mineral deposits are present, or where it is judged that a high likelihood exists for

their presence.
- MRZ-3: Areas containing mineral deposits the significance of which cannot be evaluated from available data.
- MRZ-4: Areas where available information is inadequate for assignment to any other MRZ.

Local:

- **Imperial County General Plan Land Use Element (Imperial County, 2015)**
  - This element identifies the goal of protecting areas of regionally-significant mineral resources which are in locations suitable for extractive uses with the following objectives.
    - Objective 7.1: Provide adequate space and land use classifications to meet current and projected economic needs for extractive activities.
    - Objective 7.2: Require that extractive uses are designed and operated to avoid air and water quality degradation, including groundwater depletion, other adverse environmental impacts, and comply with the State Surface Mining and Reclamation Act and County Surface Mining Ordinance.

- **Imperial County General Plan Open Space and Conservation Element (2016)**
  - This element describes the mineral resources that are currently being extracted in Imperial County which include gold, gypsum, sand, gravel, lime, clay, stone, kyanite, limestone, sericite, mica, tuff, salt, potash, and manganese. Several issues influence the extraction of mineral deposits in Imperial County, including the location of geologic deposition, the potential for impacts to the environment, and land use conflicts. As a result, the extraction of mineral resources is limited to a relatively small number of sites throughout Imperial County.

3.11.2 Impact Analysis (CEQA and NEPA)

a. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact: The Project Area is agricultural land and mining activities presently do not take place within the proposed Project area. There are no mining sites for any type of mineral located in the vicinity of the Project based on information from the California Geological Survey and the Imperial County Open Space and Conservation Element Figure 8 (Imperial County, 2016). The proposed Project site is not located in a designated MRZ zone. Therefore, development of the Project will not result in the loss or availability of a known mineral resource and no impacts to mineral resources would occur.

b. *Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

No Impact: The proposed Project would not affect existing access to or supply of mineral resources in the area and does not conflict with the Land Use Element of the Imperial County General Plan. Thus, no impacts to mineral resources would occur.

Mitigation Summary (CEQA and NEPA)

The Project would not result in significant impacts to mineral resources. Therefore, no mitigation is required.

No Action Alternative

Under the No Action Alternative, the site would continue to be agricultural land with no identified mineral resources or mining operations.

Cumulative Impacts

There would be no direct or indirect impacts to mineral resources from the Project, so there would be no cumulative impacts.

3.12 Noise

NOISE: Would the Project result in:	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not	☐	☐	☐	☒

NOISE: Would the Project result in:	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

3.12.1 Regulatory Setting

Federal:

- **Noise Control Act** (42 USC 4910)
    - Requires the EPA to establish noise emission criteria, as well as noise testing methods (40 CFR Chapter 1, Subpart Q). These criteria generally apply to interstate rail carriers and to some types of construction and transportation equipment. The EPA published a guideline (EPA, 1974) containing recommendations for acceptable noise level limits affecting residential land use of 55 dBA Ldn for outdoors and 45 dBA Ldn for indoors.

State:

- State regulations for limiting population exposure to physically and/or psychologically significant noise levels include established guidelines and ordinances for roadway and aviation noise under California Department of Transportation as well as the now defunct California Office of Noise Control. The California Office of Noise Control land use compatibility guidelines provided the following:
    - An exterior noise level of 60 to 65 dBA Community Noise Equivalent Level (CNEL) is considered “normally acceptable” for residences.
    - A noise level of 70 dBA CNEL is considered to be “conditionally acceptable” (i.e., the upper limit of “normally acceptable” noise levels for sensitive uses such as schools, libraries, hospitals, nursing homes, churches, parks, offices, and commercial/professional businesses).
    - A noise level of greater than 75 dBA CNEL is considered “clearly unacceptable” for residences.

Local:

- **Imperial County General Plan EIR Noise Element (2015)**
    - This element describes that the predominant land use in Imperial County is agriculture. Noise sources associated with agricultural operations include field machinery, especially when diesel engine-driven; heavy trucks, used for the delivery of supplies and the distribution of products; and aircraft, used for the spraying of crops.
    - Sensitive Receptors are defined as areas of habitation where the intrusion of noise has the potential to impact adversely the occupancy, use or enjoyment of the environment. Sensitive receptors include, but are not limited to, residences, schools, hospitals, parks and office buildings. Sensitive receptors may also be non-human species. Many riparian bird species are sensitive to excessive noise.
    - The construction noise standard outlines that construction noise, from a single piece of equipment or a combination of equipment, shall not exceed 75 dB Leq, when averaged over an eight (8)-hour period, and measured at the nearest sensitive receptor. This standard assumes a construction period, relative to an individual sensitive receptor of days or weeks. In cases of extended length construction times, the standard may be tightened so as not to exceed 75 dB Leq when averaged over a one (1) hour period.
    - The noise element also specifies an Agricultural Noise/Right to Farm Ordinance. In recognition of the role of agriculture in the County, the Board of Supervisors has adopted a Right to Farm Ordinance (No. 1031). This ordinance requires a disclosure to owners and purchasers of property near agricultural lands or operations, or included in an area zoned for agricultural purposes. The disclosure advises persons that discomfort and inconvenience from machinery and aircraft noise resulting from conforming and accepted agricultural operations are a normal and necessary aspect of living in the agricultural areas of the County.

3.12.2 Impact Analysis (CEQA and NEPA)

a. *Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Less Than Significant Impact. The Project does not propose to construct facilities that would generate noise near sensitive receptors (e.g., residential uses, schools, hospitals, nursing homes, religious institutions, libraries, and similar uses), and therefore will not subject persons to long-term excessive noise impacts.

The equipment identified for the proposed Project includes a dozer, excavator, water truck, tractor, forklift, and mass transplanter which are also used in for industrial agriculture. The Imperial County Noise Element has adopted a right to Farm Ordinance 1031 which states, "An additional purpose of this ordinance is to promote a good neighbor policy by advising purchasers and users of property adjacent to or near agricultural operations of the inherent potential problems associated with agricultural operations. Such concerns may include, but are not limited to, noises, odors, light, fumes, insects, dust, chemicals, smoke, the operation of machinery of any kind during any 24-hour period (including aircraft), the storage and disposal of manure, and the application of chemical fertilizers, soil amendments, and pesticides." The proposed Project involves conservation restoration and is located in a rural area zoned for agriculture. Since no persons will be exposed to the proposed Project construction activities, impacts are less than significant.

b. Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact. The proposed Project involves conservation restoration in a rural area zoned for agriculture. There are no habitable structures or sensitive receptors located within the Project site or in the Project vicinity. Equipment required for Project construction is consistent with agricultural activities in the area. Phase 1 and 2 construction activities will be temporary and will not be a substantial source of groundborne vibration or noise levels. Phase 3 will require periodic maintenance using equipment consistent with agricultural activities. Therefore, no significant impacts would result.

c. Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Less Than Significant Impact. As explained in response (a) above, the Project does not propose to construct facilities that would generate noise near sensitive receptors (e.g., residential uses, schools, hospitals, nursing homes, religious institutions, libraries, and similar uses). Temporary noise would be generated during construction activities during Phases 1 and 2. This noise would be temporary. Noise during Phase 3 would be generated from maintenance activities such as irrigation system repair and road maintenance. This noise would be intermittent and infrequent and would not exceed the existing ambient noise generated from agricultural activities. No permanent noise exceeding existing ambient noise levels at the Project area would be generated, so impacts would be less than significant.

d. Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Less Than Significant Impact. Construction activities during Phases 1 and 2 may increase the ambient noise in the vicinity of the Project area while Phase 3 would include

habitat management, operation, and maintenance of the conservation area. Construction activities may temporarily increase ambient noise in the vicinity of the Project, particularly in Phases 1 and 2; however, there are no sensitive receptors (e.g., residential uses, schools, hospitals, nursing homes, religious institutions, libraries, and similar uses), in the vicinity of the proposed Project. Furthermore, the Imperial County Noise Element has adopted a right to Farm Ordinance 103 which acknowledges the impacts of agricultural operations. However, because no habitable structures or sensitive receptors are located within the Project vicinity, the impacts would be less than significant.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The Project would not expose people in the Project area to excessive noise levels since no airport-related noise currently exists within two miles or in the vicinity of the Project area. Therefore, impacts from airport-related noise are not anticipated.

f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. As explained in response I above, the Project would not expose people in the Project area to excessive noise levels since no airport-related noise currently exists within two miles or in the vicinity of the Project area. Therefore, impacts from airport-related noise are not anticipated.

Mitigation Summary (CEQA and NEPA)

The Project would not result in significant impacts to noise. Therefore, no mitigation is required.

No Action Alternative

Under the No Action Alternative, the site would continue to be used for agriculture. Intermittent noise may be created from the operation of farm equipment and vehicles entering the site.

Cumulative Impacts

There are no other construction projects known to be occurring in the vicinity during the Project's anticipated construction dates, so no cumulative noise impacts from the Project and other construction projects are identified. Noise from farm equipment operating on adjacent farm fields may be present during both the construction and operational phases but measurable cumulative impacts from Project noise and farm equipment noise are not anticipated due to the low construction and operation noise and the intermittent nature of farm equipment operation.

3.13 Population and Housing

POPULATION AND HOUSING- Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
C) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

3.13.1 Regulatory Setting

Federal and State: No Federal or State laws and regulations pertaining to population and housing and relevant to the Project have been identified.

Local:

- **Imperial County General Plan Housing Element (2013)**
    - The Housing Element of the General Plan is a comprehensive assessment of current and future housing needs in Imperial County and proposed actions to facilitate the provision of housing to meet those needs for households of all income levels.
    - General Plan Land Use Designation includes agriculture which intended to preserve lands for agricultural production and related industries, including aquaculture, ranging from light to heavy agriculture. Where this designation is applied, agriculture shall be promoted as the principal and dominant use to which all others shall be subordinate.

3.13.2 Impact Analysis (CEQA and NEPA)

a. *Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

No Impact: The proposed Project would not induce population growth, either directly or indirectly, or require the construction of replacement housing due to displacement of substantial groups of people. Implementation of the proposed action would not generate any significant number of job opportunities that would cause an increase in population in the planning area. Reclamation employees or contractors completing construction activities, tree planting, or overseeing work activities would travel to the area on an intermittent, temporary basis, and would not require permanent housing or increase the need for infrastructure. Operation and maintenance of irrigation facilities would be handled by a local contractor so would not create a demand for new housing or infrastructure. The Project site is zoned for agriculture and does not contain any housing units. Conservation area establishment would be implemented on agricultural land in areas well removed from population centers. No residences, roads or infrastructure are proposed as part of the Project. The proposed Project establishes a conservation area consistent with the designated zoning. Implementation of the Project would not displace substantial numbers of people necessitating the construction of replacement housing elsewhere, as no housing exists within the Project area. No impacts are anticipated.

b. Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No Impact. The Project would not displace substantial numbers of existing housing units, or require the construction or replacement housing, as not housing units are proposed to be demolished as a result of the Project. No impacts are anticipated.

c. Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact: Implementation of the Project would not displace substantial numbers of people necessitating the construction of replacement housing elsewhere as no housing exists on the Project site.

Mitigation Summary (CEQA and NEPA)

The Project would not result in significant impacts to population and housing. Therefore, no mitigation is required.

No Action Alternative

Under the No Action Alternative, the site would continue to be used for agriculture. The site has typically been farmed by a single operator so this continued use is not expected to lead to population growth.

Cumulative Impacts

There are no direct or indirect impacts to population and housing, so there would be no cumulative impacts.

3.14 Public Services

PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☐	☒
Police Protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

3.14.1 Regulatory Setting

Federal:

- **Code of Federal Regulations 29 CFR 1910.38**
    - Whenever an Occupational Safety and Health Administration standard requires one, an employer must have an Emergency Action Plan that must be in writing, kept in the workplace, and available to employees for review. An employer with 10 or fewer employees may communicate the plan orally to employees.
- **Code of Federal Regulations 29 CFR 1910.39**
    - An employer must have a Fire Prevention Plan (FPP). A FPP must be in writing, be kept in the workplace, and be made available to employees for review; an employer with 10 or fewer employees may communicate the plan orally to employees.

State:

- **California Code of Federal Regulations Title 19, Public Safety**
    - The California State Fire Marshal (CSFM) develops regulations relating to fire and life safety. These regulations have been prepared and adopted to establish minimum standards for the prevention of fire and for protection of life and property against fire, explosion, and panic. The CSFM also adopts and administers regulations and standards necessary under the California Health and Safety Code to protect life and property.

No State laws and regulations pertaining to public services and relevant to the Project have been identified.

Local:

- **Imperial County General Plan**
    - **Police Protection:** Police protection is currently provided to the County of Imperial by the Sheriff's Department which is headquartered in El Centro. Substations are located in Bombay Beach, Brawley, Niland, Ocotillo, Palo Verde, Salton City, and Winterhaven.
    - **Fire Protection:** Fire protection is currently provided to the County of Imperial by the Imperial County Fire Department. Three stations are staffed and operated by the County of Imperial. The headquarters is located in Imperial. Two substations are located in Heber and Seeley.

3.14.2 Impact Analysis (CEQA and NEPA)

a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
    - *Fire protection?*
    - *Police protection?*
    - *Schools?*
    - *Parks?*
    - *Other public facilities?*

No Impact: The proposed Project would neither contribute to an increase in population in the surrounding areas nor have any effect on the existing level of public service or on any governmental facilities. No new housing would be constructed, and no additional

demands on schools or parks would result. The proposed Project involves conservation restoration with no structures or occupants. Thus, the proposed Project would not exceed acceptable service ratios, response times, or other performance objectives for any public services. Therefore, no impact to public services would occur.

Mitigation Summary (CEQA and NEPA)

The Project would not result in significant impacts to public services. Therefore, no mitigation is required.

No Action Alternative

Under the No Action Alternative there would be no new impacts to public services.

Cumulative Impacts

There would be no direct or indirect impacts to public services from the proposed Project, so there would be no cumulative impacts.

3.15 Recreation

RECREATION	Potentially Significant Impact	Less Than Significant with Mitigation	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

3.15.1 Regulatory Setting

Federal and State: No Federal or State laws and regulations pertaining to recreation and relevant to the Project have been identified.

Local:

- **Imperial County General Plan**

- The County of Imperial operates six parks within the county which includes Palo Verde Park.

- **Imperial County General Plan Parks and Recreation Element (2008)**
  - This element's goal includes providing the people of Imperial County with usable and functional landscaped parks with recreational amenities such as playgrounds and athletic fields, and facilities such as restrooms and ramadas.

- **Imperial County General Plan Open Space and Conservation Element**
  - Parks and recreation in Imperial County are enhanced by the natural resources of the Sonoran Desert, including the mountains, sandy hills, Colorado River, and Salton Sea. Because of the varied terrain throughout the County, abundant opportunities for recreation exist, such as hiking, boating, fishing, hunting, and off-highway activities. Many of these opportunities are located on land under Federal or State jurisdiction, but multiple smaller parks are located in the urban areas of the County.

3.15.2 Impact Analysis (CEQA and NEPA)

a. *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

   No Impact: The proposed Project involves the creation of a conservation area and would neither create housing nor increase population numbers as it involves the restoration of habitat. The proposed Project site located in an agricultural area and is not identified as a recreation or open space area on the Imperial County Open Space and Recreation map included as Figure 10 in the Open Space and Conservation Element (Imperial County, 2016). No recreation impacts would occur.

b. *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

   No Impact. The proposed Project involves restoration of native habitat and does not include recreational facilities or require the construction or expansion of recreational facilities. No impacts to recreation would occur.

Mitigation Summary (CEQA and NEPA)

The Project would not result in significant impacts to recreation. Therefore, no mitigation is required.

No Action Alternative

Under the No Action Alternative, the site would continue to be used for agriculture. No recreation facilities are planned at the site and no impacts to recreation would occur.

Cumulative Impacts

There would be no direct or indirect impacts to recreation from the proposed Project, so there would be no cumulative impacts.

3.16 Transportation/Traffic

TRANSPORTATION/TRAFFIC – Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

3.16.1 Regulatory Setting

Federal and State: No Federal or State laws and regulations pertaining to transportation and traffic and relevant to the Project have been identified.

Local:

- **Imperial County General Plan Circulation Element Plan (2008)**
    - This element outlines the County's goal of providing and requiring an integrated transportation system for the safe and efficient movement of people and goods within and through the County of Imperial with minimum disruption to the environment and to assure that road systems are adequate to accommodate emergency situations and evacuation plans.

3.16.2 Impact Analysis (CEQA and NEPA)

a. *Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance or the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?*

   No Impact: The proposed Project falls outside the boundaries of the Imperial County Circulation Element Plan as identified in the Imperial County General Plan Circulation and Scenic Highways Element (Imperial County, 2008). Vehicle traffic related to the Project is anticipated to be primarily due to construction activities during Phases 1 and 2 of the Project. The Project does not conflict with the Circulation and Scenic Highways Element and is not intended or designed to increase traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either number of vehicle trips, volume to capacity ratio on roads, or congestion at intersections), or exceed, either individually or cumulatively, a level of service standard. The proposed construction is consistent with agricultural zoning and activities. No impact is anticipated.

b. *Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?*

   No Impact: The proposed Project falls outside the boundaries of the Imperial County Circulation Element Plan as identified in the Imperial County General Plan Circulation and Scenic Highways Element (Imperial County, 2008). The proposed Project is located

in a rural area zoned for agriculture. Vehicle traffic related to the Project is anticipated to be primarily due to construction activities during Phases 1 and 2 of the Project. The Project does not conflict with the Circulation and Scenic Highways Element and is not intended or designed to increase traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either number of vehicle trips, volume to capacity ratio on roads, or congestion at intersections), or exceed, either individually or cumulatively, a level of service standard. The minor amounts of traffic generated by the proposed action would not affect roadway capacity, the volume-to-capacity ratio or roads or congestion at intersections. No impact is anticipated.

c. Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

No Impact. The Project would not affect air traffic patterns at any airport or airstrip as no airport facilities are located in the vicinity of the site.

d. Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. The Project does not propose any changes to the existing roadway alignment or include any design features that would increase hazards. The proposed Project involves the establishment of a conservation area and is consistent with agricultural zoning and activities. No impact is anticipated.

e. Would the project result in inadequate emergency access?

No Impact. All vehicles and stationary equipment would be staged off of public roads and would not block any roads. The proposed Project is located in a rural area zoned for agriculture. The minor amounts of traffic generated by the propose action would not cause inadequate emergency access. No impact is anticipated.

f. Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

No Impact: The proposed Project falls outside the boundaries of the Imperial County Circulation Element Plan as identified in the Imperial County General Plan Circulation Scenic Highways Element. There are no public transit, bicycle, or pedestrian facilities in the vicinity of the Project. Vehicle traffic related to the Project is anticipated to be primarily due to construction activities during Phases 1 and 2 of the Project. The proposed construction is consistent with agricultural zoning and activities. No new impact to transportation and traffic would occur due to the proposed Project.

Mitigation Summary (CEQA and NEPA)

The Project would not result in significant impacts to transportation or traffic. Therefore, no mitigation is required.

No Action Alternative

Under the No Action Alternative there may be intermittent traffic related to agricultural uses of the site. No impacts to existing transportation or traffic are anticipated.

Cumulative Impacts

There would be no direct or indirect impacts related to transportation or traffic from the proposed Project, so there would be no cumulative impacts.

3.17 Utilities and Service Systems

UTILITIES AND SERVICE SYSTEMS – Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

3.17.1 Regulatory Setting

Federal and State: No Federal or State laws and regulations pertaining to utilities and service systems and relevant to the Project have been identified.

Local:

- **Imperial County General Plan**
    - Water Service: The PVID provides water service to the Palo Verde Valley, the southern portion of which is located in the northeast corner of Imperial County. The PVID supplies irrigation water to an overall area of about 8,400 acres in the Palo Verde region of Imperial County. This water is directly applied to 7,462 acres of farmland. The water is strictly for irrigation purposes and is taken from the River.
    - Solid Waste: Three different types of landfills exist within the County. The three different types are classified as Class I, Class II, and Class III. A Class I landfill site is wholly for the dumping of hazardous wastes. A Class II landfill site is for dumping designated and/or special waste, and a Class III landfill site is for dumping non-hazardous wastes such as municipal waste. There are currently eleven Class III landfills located within the County of Imperial.
    - Sewage Treatment: The County of Imperial does not provide any sewer service. Sewer service is provided by cities and by several districts serving unincorporated communities. These districts include the Salton Community Service District, the Heber Public Utilities District, the Niland Service District, the Coachella Valley Water District, and the Seeley Community Service District.

3.17.2 Impact Analysis (CEQA and NEPA)

a. Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

No Impact: The proposed Project involves the establishment of a conservation area which will include irrigation. As discussed in Section 3.9, the CRBWB regulates discharges from irrigated agricultural lands by issuing Conditional Waivers of Waste Discharge Requirements. Reclamation will participate in the Palo Verde Outfall Coalition to ensure compliance with the Conditional Waiver for the Palo Verde Valley. No residential, commercial, or industrial wastewater would be generated by the proposed Project. No impacts are anticipated that would exceed any wastewater treatment requirements threshold set by the CRBWB.

b. *Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

No Impact: The proposed Project involves the establishment of a conservation area and would not involve residential, commercial, or institutional uses that would result in a new demand for water or would generate residential, commercial, or industrial wastewater. The proposed Project would be irrigated by water supplied and delivered to the Project area by PVID and would not generate any residential, municipal, or industrial wastewater; therefore, no impacts are anticipated.

c. *Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

No Impact: The proposed Project involves the establishment of a conservation area. The Project does not require or result in the construction of new storm water drainage facilities or expansion of existing facilities. The Project is located in an agricultural zone and will utilize all established drainages and channels. No impacts are anticipated.

d. *Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

No Impact. The proposed Project involves the establishment of a conservation area. The proposed Project would be irrigated by water supplied and delivered to the Project area by PVID. Reclamation does not consider any resulting increase in evaporation or percolation of LCR water to be a diversion or additional consumptive use. No impacts are anticipated.

e. *Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

No Impact: The proposed Project involves the establishment of a conservation area. No residential, municipal, or industrial wastewater would be generated by the proposed Project. No impacts are anticipated.

f. *Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*

No Impact. The proposed Project involves the establishment of a conservation area. The clearing of vegetation would be required during Phase 1. Vegetation cleared from the site would tilled into the ground or buried onsite by the excavation material generated from the creation of the constructed channels and furrows. There would be minimal solid waste generated during Phases 1-2. Any trash from construction workers would be

removed by the end of the day. These items would not exceed the capacity of a landfill. Waste would not be generated after implementation of Phases 1-2. No impacts to landfills would occur with the implementation of the proposed Project.

g. Would the project comply with federal, state, and local statutes and regulations related to solid waste?

No Impact. During Phases 1 and 2 solid waste would be generated primarily through the clearing of vegetation and construction activities. Vegetation cleared from the site would be tilled into the ground or buried onsite by the excavation material generated from the creation of the constructed channels and furrows. There would be minimal solid waste generated during Phases 1-2. This may include a small amount of trash from construction workers and bags and shipping materials for seeds and seedlings. This waste would be removed from the Project site and disposed of at an appropriate waste facility. Waste would not be generated after implementation of Phases 1-2. All federal, state and local statutes and regulations related to solid waste would be complied with.

Mitigation Summary (CEQA and NEPA)

The Project would not result in significant impacts to utilities and service systems. Therefore, no mitigation is required.

No Action Alternative

Under the No Action Alternative, the site would continue to be used for agriculture. There would be no impact to existing utilities and service

Cumulative Impacts

There would be no direct or indirect impacts related to utilities or service systems from the proposed Project, so there would be no cumulative impacts.

3.18 Mandatory Findings of Significance

MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce	☐	☐	☒	☐

MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

3.18.1 Impact Analysis (CEQA)

a. *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

   Less than Significant Impact: Based on the analyses contained in the EA/IS with ND, impacts to all the environmental issue areas are considered as having a less than significant or no impact on the environment for all phases of the Project.

b. *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?*

   Less than Significant Impact: The analysis in this EA/IS with ND demonstrated that the proposed Project would be in compliance with all applicable regional plans. Compliance with these regional plans serves to reduce impacts on a regional basis so that the Project would not result in impacts that considered with the effects of other past, present, and probable foreseeable future projects, would be cumulatively considerable.

c. *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Less than Significant Impact: As discussed in this EA/IS with ND, the proposed Project would not expose persons to adverse impacts related to any of the environmental issue areas. All impact areas were identified to have no impact or a less than significant impact. Thus, there would be no substantial adverse effects on human beings, either directly or indirectly.

3.19 Additional NEPA Requirements

3.19.1 Indian Trust Assets

Indian Trust Assets (ITA) are defined as "legal interests in property held in trust by the United States for Indian tribes or individuals" (Reclamation, 1993). ITAs are those properties, interests, or assets of a federally recognized Indian tribe or individual Indian over which the Federal government also has an interest, either through administration or direct control. Examples of ITAs include lands, minerals, timber, hunting rights, fishing rights, water rights, in-stream flows, and other treaty rights. All Federal bureaus and agencies are responsible for protecting ITAs from adverse impacts resulting from their programs and activities. There would be no impact to ITAs from the Project as there are none identified at the Project site.

3.19.2 Indian Sacred Sites

Executive Order 13007, "Indian Sacred Sites," requires that Federal agencies with legal or administrative responsibility for management of Federal lands, "to the extent practicable permitted by law, and not clearly inconsistent with essential agency functions: (1) accommodate access to, and ceremonial use of, Indian sacred sites by Indian religious practitioners; and (2) avoid adversely affecting the physical integrity of such sacred sites." No sacred sites have been identified at the Project site.

3.19.3 Environmental Justice

EO 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," directs federal agencies to determine whether their programs, policies, and activities have disproportionately high and adverse human health or environmental effects on minority and low-income populations. In accordance with CEQ guidance, minority populations should be identified if the minority population in the project area "exceeds 50 percent" or if the percentage of minority population in the project area is meaningfully greater than the "minority population percentage in the general population or other appropriate unit of analysis" (CEQ, 1997). Communities should be identified as "low income" based on the annual statistical poverty thresholds from the U.S. Census Bureau (CEQ, 1997).

The analysis area for environmental justice includes the California Census Tract in which the Project area is located, Census Tract 124. Data from this Census Tract was compared to data from Imperial County, California, and the State of California. Census Tract 206.02 in La Paz

County, Arizona was also included since the proposed Project area borders the River. Data from this Census Tract was compared to data from La Paz County and the State of Arizona. The EPA Environmental Justice Screening and Mapping Tool (EPA, 2018) was also accessed to determine if there is a combination of environmental and demographic indicators that would warrant further analysis for environmental justice purposes.

Minority populations in the Census Tracts did not exceed 50 percent of the populations in the analysis area for Environmental Justice (U.S Census Bureau, 2018). The percentage of minority population in the Census Tracts was not found to be meaningfully greater than the minority population percentage for California, Imperial County, Arizona, and La Paz County. The minority populations present in the Census Tracts, States, and Counties and do not meet the thresholds identified for environmental justice analysis; therefore, they are not addressed further in an environmental justice context.

According to CEQ Guidance, communities should be identified as “low income” based on the annual statistical poverty thresholds from the U.S. Census Bureau (CEQ, 1997). The percent of individuals below poverty levels in the Census Tracts were compared to those for California, Imperial County, Arizona, and La Paz County. The percent of individuals below poverty levels for Census Tract 206.02 were considerably lower than those for La Paz County or Arizona (8.1%, 21.1%, and 17.7%, respectively). The percent of individuals below poverty levels for Census Tract 124 was lower than in Imperial County (19.2 % and 24.1% respectively) but slightly higher than for California as a whole (15.8%) (U.S Census Bureau, 2018). Although Census Tract 124 has a higher poverty rate than California as a whole, this is likely because of high average income in large population centers in California.

The Project would not result in disproportionately high and adverse human health or environmental effects on minority and low-income populations. No high and adverse human health or environmental effects have been identified that may impact either Census Tract. A minority population meeting thresholds for environmental justice analysis was not identified for the analysis area and poverty levels for the Census Tracts were either lower or in one case only slightly higher than poverty levels for the comparison counties and states. No environmental or demographic indicators requiring further analysis were highlighted with the Environmental Justice Screening and Mapping Tool.

4.0 Consultation and Coordination

4.1 Agencies Contacted/Consulted

U.S. Fish and Wildlife Service
California SHPO
Native American Heritage Commission
California Department of Fish and Wildlife

4.2 National Historic Preservation Act and Tribal Consultation

Reclamation consulted with the California SHPO on a finding of "no historic properties affected" on February 27, 2018. The California SHPO concurred with this finding on March 30, 2018.

A letter inviting consultation under Section 106 of the NHPA was sent to the following Tribes on February 15, 2018

- Chemehuevi Indian Tribe, Havasu Lake, CA
- Colorado River Indian Tribes, Parker, AZ
- Fort Mojave Indian Tribe, Mohave Valley, AZ
- Cocopah Indian Tribe, Somerton, AZ
- Fort Yuma-Quechan Tribe, Yuma, AZ
- Hopi Tribe, Kykotsmovi, AZ

The Hopi Tribe responded with their concurrence for the Project on February 23, 2018. No other tribes responded. The consultation response letters are included in Appendix C.

4.3 Federal Endangered Species Act

Reclamation will request concurrence from the USFWS on the actions associated with the Dennis Underwood Conservation Area.

4.4 Public Involvement

- Notification of the initiation of a 30-day public comment period on the Draft EA/IS with ND was sent to a distribution list which includes Federal, State, and County contacts; and other interested parties.

- The Draft EA/IS with ND was posted on:

  Reclamation's internet site at: http://www.usbr.gov/lc/region/g2000/envdocs.html and Metropolitan's internet site at: http://mwdh2o.com/CEQA.

- A news release regarding the availability of Draft EA/IS with ND was sent to newspapers and other media and posted on Reclamation's internet site at http://www.usbr.gov/newsroom/newsreleases

5.0 References

Alquist-Priolo Earthquake Fault Zoning Act. 1972. California Public Resources Code §§ 2621-2630.

California Advanced Clean Cars Program. Assemb. Bill 1493.

California Air Resources Board. 2017. California's 2017 Climate Change Scoping Plan. December 14, 2017. https://www.arb.ca.gov/cc/scopingplan/scoping_plan 2017.pdf. Cited in Metropolitan Water District of Southern California and Rincon Consultants. 2018. Dennis Underwood Conservation Area Project Air Quality and Greenhouse Gas Study. Los Angeles, California.

_____. 2014. AB 32 Scoping Plan. http://www.arb.ca.gov/cc/scopingplan/scopingplan.htm. Cited in Metropolitan Water District of Southern California and Rincon Consultants. 2018. Dennis Underwood Conservation Area Project Air Quality and Greenhouse Gas Study. Los Angeles, California.

California Code of Regulations. Title 19. Public Safety. 2014

California Department of Conservation. 2017. Land Evaluation and Site Assessment Model (LESA). http://www.conservation.ca.gov/dlrp/Pages/qh_lesa.aspx. Accessed 3/28/18

California Department of Fish and Game. 2005. LCR MSCP, California Endangered Species Act, Incidental Take Permit.

California Environmental Quality Act. California Public Resources Code § 21000-21189, and Title 14 CCR, § 753, and Chapter 3, §§ 15000-15387.

California Clean Air Act of 1988. Assemb. Bill 2595.

California Geological Survey. 2015. Fault Activity Map of California. Interactive map accessed 4/2/2018 at http://maps.conservation.ca.gov/cgs/fam/.

_____. 2002. California Geomorphic Provinces. Note 36. Sacramento California.

California Global Warming Solutions Act of 2006. Assemb. Bill 32.

California Land Conservation Act of 1965. California Code § 51200.

California Native Plant Protection Act. California Fish and Game Code § 1900 et seq.

California Regional Water Quality Control Board Colorado River Basin Region. 2012. Order R7-2012-0047. Conditional Waiver of Waste Discharge Requirements for Agricultural Wastewater Discharges and Discharges for Waste from Drain Operations and Maintenance Activities Originating from the Palo Verde Valley and Palo Verde Mesa. Riverside and Imperial Counties.

California Seismic Hazards Mapping Act. 1990. California Public Resources Code § 2690 and following as Division 2, Chapter 7.8.

California Senate Bill 32. California Global Warming Solutions Act of 2006. Chapter 488.

California Senate Bill 97. Chapter 185.

California Senate Bill 375. Sustainable Communities and Climate Protection Act of 2008. Chapter 728, Statutes of 2008.

California Senate Bill 1383. Lara, Chapter 395, Statutes of 2016.

California Surface Mining and Reclamation Act of 1975. (Public Resources, §§ 2710-2796.

Campbell, B., C. Duran, D. Merrick, R. Perzel, and M. Strother. 2017. Class III Pedestrian Survey for the Dennis Underwood Conservation Area Project. Rincon Consultants Project No. 17-05009. Report on file at the South Coastal Information Center, San Diego State University, San Diego, California.

Clean Air Act. 42 U.S.C. §7401 et seq. 1970.

Code of Federal Regulations. 29 CFR 1910.38 Emergency Action Plans. 2002.

Code of Federal Regulations. 29 CFR 1910.39 Fire Prevention Plans. 2002.

Council on Environmental Quality and California Governor’s Office of Planning and Research. 2014. NEPA and CEQA: Integrating Federal and State Environmental Reviews.

Council on Environmental Quality 1997. Environmental Justice Guidance Under the National Environmental Policy Act.

Executive Order 12898. Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. 1994.

Executive Order 13007. Indian Sacred Sites. 1996.

Farmland Protection Policy Act of 1981. 7 U.S.C. Subsection 4201 et seq.

Federal Emergency Management Agency. 2018. FEMA Flood Map Service Center. Accessed at California Department of Water Resources, Best Available Maps at: http://gis.bam.water.ca.gov/bam

Geosyntec consultants. 2017. Phase I Environmental Site Assessment Lower Colorado River Multi-Species Conservation Plan A 635-Acre Site-Portion of APN 006-150-065 Palo Verde, CA. Prepared for Metropolitan Water District. Riverside, CA.

Imperial County. Imperial County General Plan-Water Element. Imperial County Planning and Development Services. El Centro, California.

_____. 2016. Imperial County General Plan- Conservation and Open Space Element. Imperial County Planning and Development Services. El Centro, California.

_____. 2016 b. Imperial County Operational Area Hazardous Materials Area Plan. Imperial County Office of Emergency Services.

_____. 2016 c. Imperial County Emergency Operations Plan. Imperial County Office of Emergency Services.

_____. 2015. Imperial County General Plan- Land Use Element. Imperial County Planning and Development Services. El Centro, California.

_____. 2008. Imperial County General Plan- Circulation and Scenic Highways Element. Imperial County Planning and Development Services. El Centro, California.

_____. 1996. Imperial County General Plan- Agricultural Element. Imperial County Planning and Development Services. El Centro, California.

_____. 1993. Imperial County General Plan. Imperial County Planning and Development Services. El Centro, California.

Imperial County Air Pollution Control District. 2017. CEQA Air Quality Handbook. El Centro, CA. 31 pp.

_____. 2014. Imperial County 2013 State Implementation Plan for the 2006 24-Hour $PM_{2.5}$ Moderate Nonattainment Area (2013 $PM_{2.5}$ SIP). El Centro, CA. 318 pp.

LCR MSCP. 2005a. LCR MSCP, Funding and Management Agreement. April 4. Available at: https://www.lcrmscp.gov/steer_committee/regulatory_compliance.html

LCR MSCP. 2005b. LCR MSCP, Implementing Agreement. April 4. Available at: https://www.lcrmscp.gov/steer_committee/regulatory_compliance.html

LCR MSCP. 2004a. LCR MSCP, Volume II: Habitat Conservation Plan. Final. December 17. (J&S 00450.00.) Sacramento, Ca. Available at: http://www.lcrmscp.gov/steer_committee/regulatory_compliance.html.

LCR MSCP. 2004b. LCR MSCP, Volume III: Biological Assessment. Final. December 17 (J&S 00450.00.) Sacramento, CA. Available at: http://www.lcrmscp.gov/steer_committee/regulatory_compliance.html.

Metropolitan Water District of Southern California and Rincon Consultants. 2018. Dennis Underwood Conservation Area Project Air Quality and Greenhouse Gas Study. Los Angeles, California.

National Environmental Policy Act of 1969, as amended. Public Law 91-190: 42 U.S.C. § 4321.

National Historic Preservation Act of 1966, as amended. Public Law 89-665: 16 U.S.C 470 et seq.

Resource Conservation and Recovery Act. 42 U.S.C §6901 et seq.

Rincon Consultants, Inc. 2017. Paleontological Resource Assessment for the Dennis Underwood Conservation Area Project, Imperial County. Rincon Project No. 17-05009. Los Angeles, CA.

Salt River Project. 2016. Roosevelt Habitat Conservation Plan Annual Report. Prepared for U.S Fish and Wildlife Service. Phoenix, AZ. 53 pages.

South Coast Air Quality Management District. 2008. Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans. Board Letter and Attachments. http://www.aqmd.gov/home/rules-compliance/ceqa/airquality-analysis-handbook/ghg-significance-thresholds. Cited in Metropolitan Water District of Southern California and Rincon Consultants. 2018. Dennis Underwood Conservation Area Project Air Quality and Greenhouse Gas Study. Los Angeles, California.

Toxic Substances Control Act of 1976. 15 U.S.C. §2601 et seq. 1976.

U.S. Bureau of Reclamation. 2018. Palo Verde Ecological Reserve. Fact sheet accessed on February 20, 2018 at: https://www.lcrmscp.gov/outreach/pver_fact_sheet.pdf

_____. 2018b. Pretty Water Conservation Area. Fact sheet accessed on February 20, 2018 at: https://www.lcrmscp.gov/outreach/pretty_water_fact_sheet.pdf

_____. 1993. Policy directive on ITAs issued by the Commissioner of Reclamation.

U.S. Bureau of Reclamation, U.S. Fish and Wildlife Service, the Metropolitan Water District of Southern California. 2004. LCR MSCP, Volume I, Final Programmatic Environmental

Impact Statement/Environmental Impact Report. December 17. Available at: http://www.lcrmscp.gov/publications/voli_env_impact_st_dec04.pdf.

U.S. Census Bureau. 2018 a. American Fact Finder. Poverty Status in the Past 12 Months. 2012-2016 American Community Survey 5-Year Estimates. Accessed April 5, 2018 at: https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml

_____. 2018 b. American Fact Finder. ACS Demographic and Housing Estimates. 2012-2016 American Community Survey 5-Year Estimates. Accessed April 5, 2018 at: https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml

U.S. Department of the Interior. 2005. Record of Decision Lower Colorado River Multi-Species Conservation Plan. April 2. Washington D.C.

U.S. Environmental Protection Agency. 2018. Environmental Justice Screening and Mapping Tool. Accessed on April 4, 2018 at: https://www.epa.gov/ejscreen

_____. 1974. Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety. Office of Noise Abatement and Control. 550/0-74-004.

U.S Fish and Wildlife Service. 2005. Biological and Conference Opinion on the LCR MSCP, Arizona, California and Nevada. Phoenix, AZ.

_____.2005b. LCR MSCP, Endangered and Threatened Species, Federal Incidental Take Permit. April 4. Available at: https://www.lcrmscp.gov/steer_committee/regulatory_compliance.html

6.0 List of Preparers

Metropolitan

Vikki Dee Bradshaw - Team Manager, Environmental Planning Section
Michelle Morrison - Environmental Compliance Specialist
Diane Dosserich - Senior Environmental Planning Specialist

Reclamation

Arien Chavez - Hydrologist
Andrea Finnegan - General Biologist, Dennis Underwood Conservation Area Project Manager
Mark Slaughter - Archaeologist
Faye Streier - Natural Resource Specialist, National Environmental Policy Act Coordinator
Andrew Trouette - Natural Resource Specialist, Biological Services Coordinator