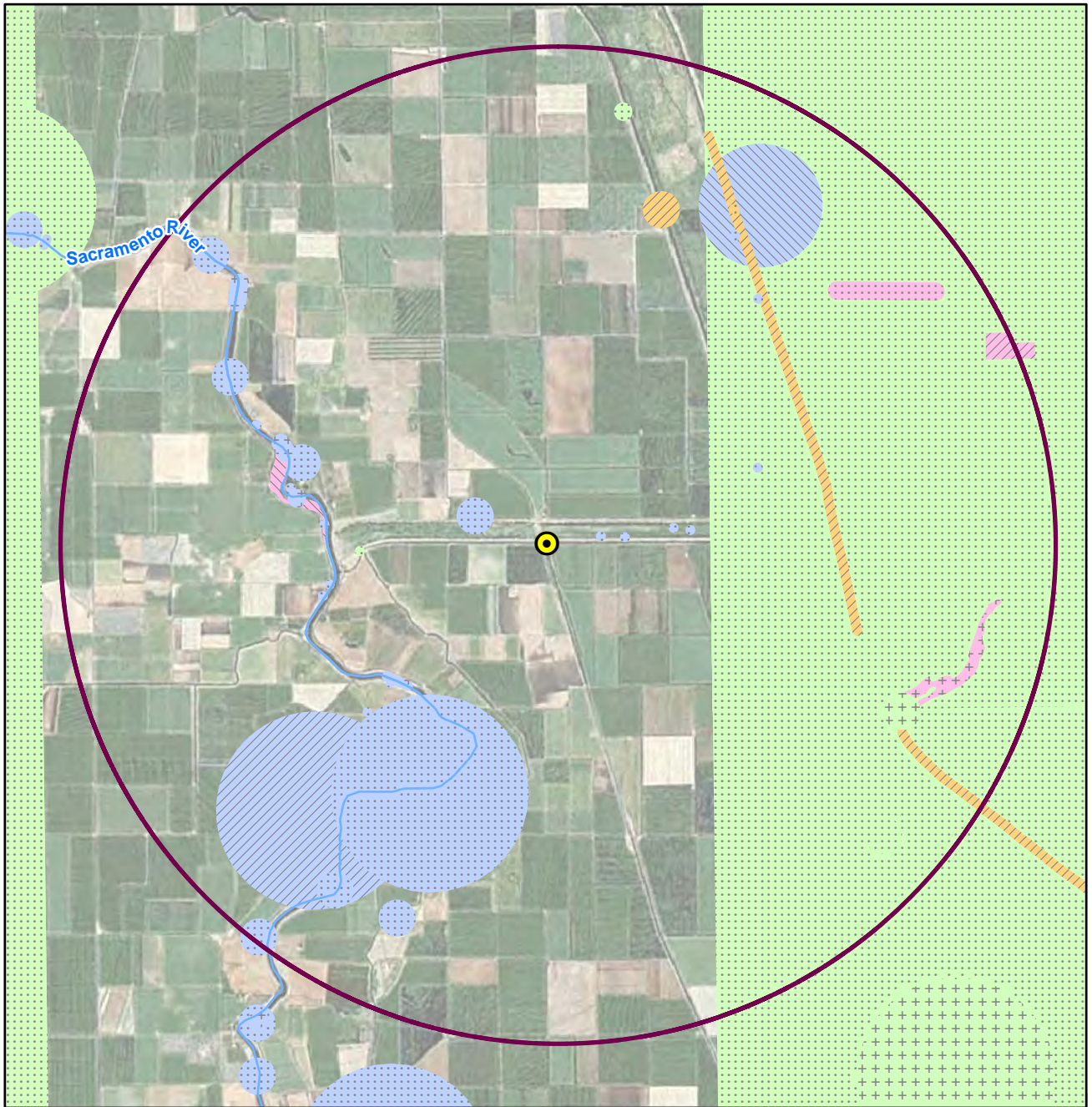


\\ODIN\PRO\NORTHERNCAL\FORNI\AWA\SAC\VALLEY\PROP50\FIGURES\MXD\SIPMWC\EAIS\_FONS\_MND\FIG3-7\_SUTTER\_BIO\_5MI\_OPTION2.MXD TWCBROOM 7/29/2011 9:42:24 AM



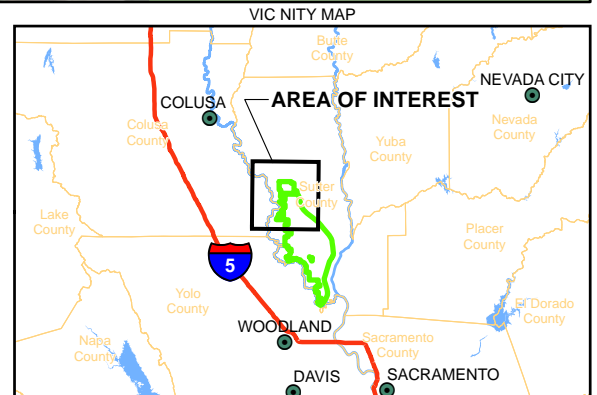
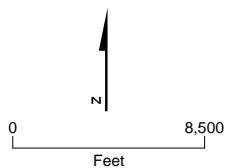
#### LEGEND

MONITORING WELL

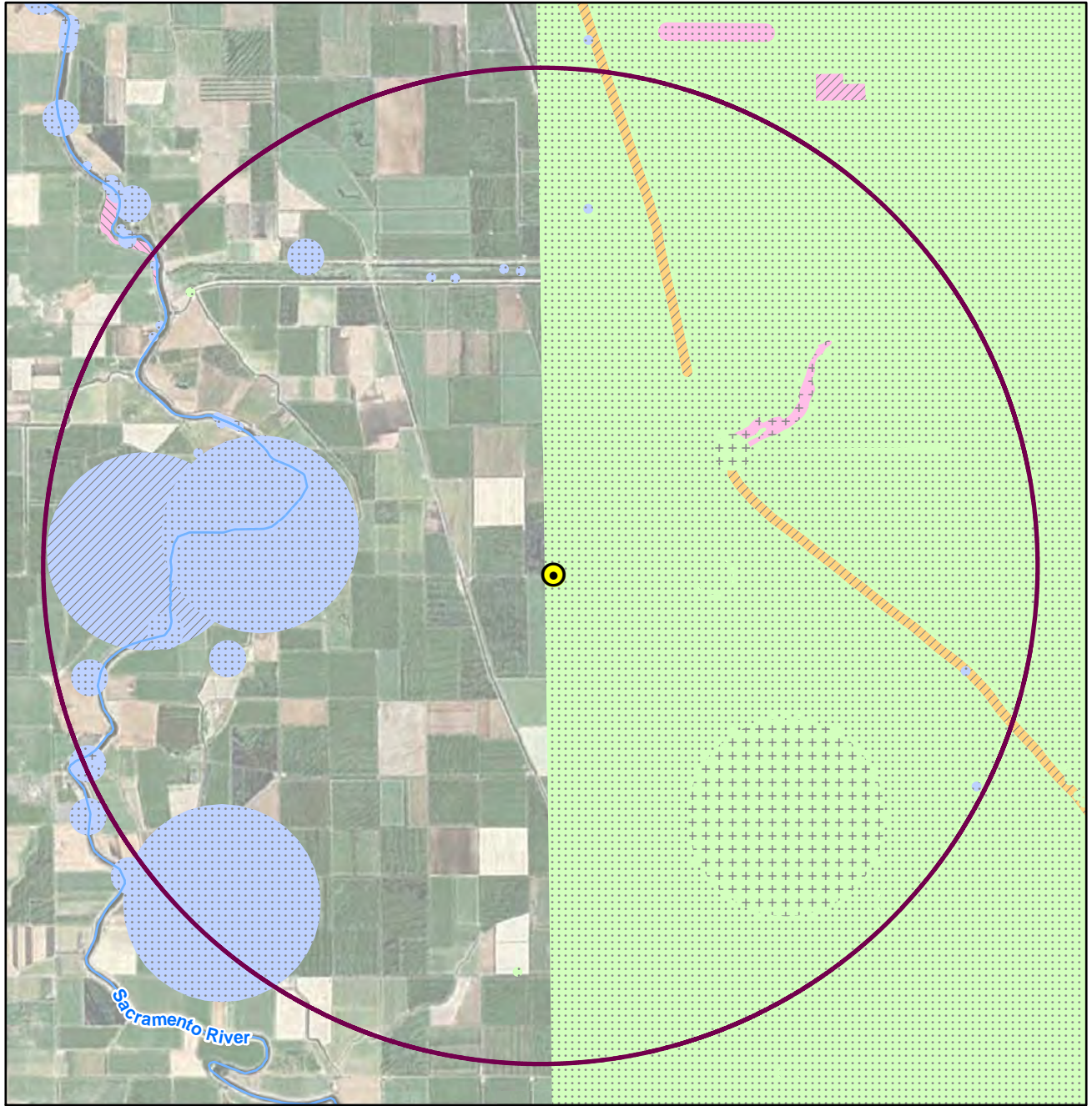
5-MILE BUFFER

#### CALIFORNIA NATURAL DIVERSITY DATABASE

- California black rail
- California linderella
- Coastal and Valley Freshwater Marsh
- Great Valley Mixed Riparian Forest
- Swainson's hawk
- Wright's trichocoronis
- bank swallow
- cackling goose
- giant garter snake
- tricolored blackbird
- veiny monardella
- western pond turtle
- woolly rose-mallow

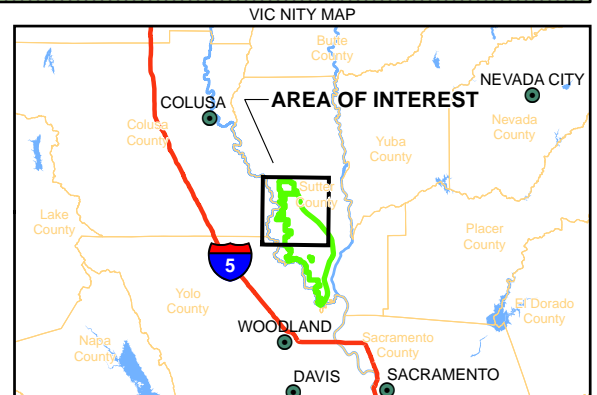
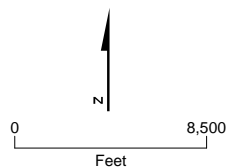


**FIGURE 3-7**  
**SUTTER MUTUAL WATER COMPANY**  
**BIOLOGICAL SURVEY OPTION 2**  
 EA/IS AND FONS/MND FOR PMWC GROUNDWATER  
 PRODUCTION ELEMENT PROJECT AND SMWC  
 GROUNDWATER MONITORING PROJECT



#### LEGEND

- MONITORING WELL
- 5-MILE BUFFER
- CALIFORNIA NATURAL DIVERSITY DATABASE**
  - California black rail
  - California linderella
  - Coastal and Valley Freshwater Marsh
  - Great Valley Mixed Riparian Forest
  - Swainson's hawk
  - Wright's trichocoronis
  - bank swallow
  - giant garter snake
  - tricolored blackbird
  - veiny monardella
  - woolly rose-mallow



**FIGURE 3-8**  
**SUTTER MUTUAL WATER COMPANY**  
**BIOLOGICAL SURVEY OPTION 3**  
 EA/IS AND FONS/MND FOR PMWC GROUNDWATER  
 PRODUCTION ELEMENT PROJECT AND SMWC  
 GROUNDWATER MONITORING PROJECT

## SECTION 4

# Consultation and Coordination

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Several federal and state laws, permits, licenses, and policy requirements have directed, limited, or guided the NEPA and CEQA analyses and decision-making processes of this EA/IS and are listed below.

## 4.1 Endangered Species Act

Section 7 of the Endangered Species Act (16 USC 1531 et seq.) requires federal agencies, in consultation with the Secretary of the Interior and/or Commerce, to make sure that their actions do not jeopardize the continued existence of endangered or threatened species, or result in the destruction or adverse modification of the critical habitat of these species. Reclamation has initiated informal consultation with USFWS for GGS.

## 4.2 National Historic Preservation Act

Section 106 of the NHPA requires federal agencies to consider the effects of federal undertakings on historic properties (properties determined eligible for inclusion in the NRHP). Compliance with Section 106 follows a series of steps that are designed to identify interested parties, determine the APE, identify if historic properties are present within the APE, and assess effects on any identified historic properties.

## 4.3 Regional Water Quality Control Board

The Regional Water Quality Control Board issues permits for activities that could cause impacts on surface waters and groundwater, including construction activities. The Regional Water Quality Control Board requires that a National Pollutant Discharge Elimination System permit be obtained if pollutants would be discharged to surface water. Before construction begins, an SWPPP would be prepared by the contractor to comply with the National Pollutant Discharge Elimination System permit.

## 4.4 Reclamation District No. 1500 Groundwater Management Plan

In 1997, RD 1500, in conjunction with SMWC and PMWC, worked collectively to develop a Groundwater Management Plan, to consider using groundwater as a viable water resource in Sutter Subbasin. RD 1500 is currently updating the Groundwater Management Plan to comply with Senate Bill 1938 for eligibility of funding in order to develop groundwater resources, increase long-term supply reliability within district boundaries, and assure long-term groundwater reliability and resource sustainability. The Groundwater Management Plan would contain basin management objectives that enable the needs of water users within the Sutter Subbasin for shared agricultural and environmental interests to be met.

## 4.5 Fish and Wildlife Coordination Act

The Fish and Wildlife Coordination Act requires that Reclamation consult with fish and wildlife agencies (federal and state) on water development projects that could affect biological resources. This is not a water development project; therefore, the Fish and Wildlife Coordination Act does not apply.

## 4.6 Migratory Bird Treaty Act

The Migratory Bird Treaty Act implements various treaties and conventions between the United States and Canada, Japan, Mexico, and the former Soviet Union for the protection of migratory birds. Unless permitted by regulations, the Act provides that it is unlawful to pursue, hunt, take, capture, or kill; attempt to take, capture, or kill; possess, offer to or sell, barter, purchase, deliver, or cause to be shipped, exported, imported, transported, carried, or received any migratory bird, part, nest, egg, or product, manufactured or not. Subject to limitations in the Act, the Secretary of the Interior may adopt regulations determining the extent to which, if at all, hunting, taking, capturing, killing, possessing, selling, purchasing, shipping, transporting, or exporting of any migratory bird, part, nest, or egg will be allowed, having regard for temperature zones, distribution, abundance, economic value, breeding habits, and migratory flight patterns. The proposed would not affect migratory birds; therefore, no further coordination is needed under the Migratory Bird Treaty Act.