

CALIFORNIA ENVIRONMENTAL QUALITY ACT - **ADDENDUM**

OCTOBER 2022

**CENTRAL VALLEY FLOOD PROTECTION PLAN (CVFPP)
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) ADDENDUM NUMBER (No.) 1
TO THE 2012 PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR)
STATE CLEARINGHOUSE No. 2010102044**

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1. Prologue

This document is the Final First Addendum to the 2012 Central Valley Flood Protection Plan Program Environmental Impact Report (PEIR), prepared for the 2022 Central Valley Flood Protection Plan Update (2022 CVFPP Update). It summarizes proposed modifications and refinements to the program that are included in the 2022 CVFPP Update, as well as changes in circumstances and new information since the publication of the 2012 PEIR and the 2017 Supplemental PEIR, analysis pursuant to the California Environmental Quality Act Guidelines, and minor changes to the 2012 PEIR and 2017 Supplemental PEIR.

2. Introduction

The California Department of Water Resources (DWR), as lead agency under the California Environmental Quality Act (CEQA),¹ prepared a Program Environmental Impact Report (PEIR) for the 2012 Central Valley Flood Protection Plan (CVFPP) and distributed the Draft PEIR on March 6, 2012, for a 45-day public review period (DWR 2012). The public comment period on the Draft PEIR closed on April 20, 2012. DWR finalized the PEIR in June 2012, and the Central Valley Flood Protection Board (CVFPB) adopted the plan on June 29, 2012. The 2012 Draft PEIR, Final PEIR, and MMRP are available online at <https://water.ca.gov/Programs/Flood-Management/Flood-Planning-and-Studies/Central-Valley-Flood-Protection-Plan>. The CVFPP is updated every 5 years as required by the Central Valley Flood Protection Act of 2008 (California Water Code Section 9612(e)).

In 2017, DWR prepared an update to the CVFPP (2017 CVFPP Update) (DWR 2017a). The 2017 CVFPP Update included refinements to the State Systemwide Investment Approach (SSIA) that were identified through ongoing flood management planning and coordination with State, federal, and local partners to improve flood protection in the Central Valley. DWR prepared a Supplemental PEIR to the 2012 PEIR to address the program changes identified in the 2017 CVFPP Update (DWR 2017b). The Draft Supplemental PEIR was circulated for a 45-day public review period, coinciding with review of the Draft 2017 CVFPP Update, on December 30, 2016. The public review and comment period for the Supplemental PEIR concluded on March 31, 2017. The CVFPP Supplemental PEIR was finalized in June 2017, and the CVFPB adopted the 2017 CVFPP Update on August 25, 2017.

DWR is now preparing a 2022 CVFPP Update. This Addendum No. 1 to the 2012 PEIR, State Clearinghouse No. 2010102044, addresses proposed modifications and refinements to the program that are included in the 2022 CVFPP Update, as well as changes in circumstances

¹ CEQA is found at California Public Resources Code, Sections 21000 et seq., and the State CEQA Guidelines are found at California Code of Regulations, Title 14, Section 15000 et seq.

and new information since the publication of the 2012 PEIR and the 2017 Supplemental PEIR. These proposed modifications and refinements involve alignment with other State efforts, performance tracking, and climate resilience and are described in more detail in Section 2, “Program Modifications and Refinements.” Additionally, changes in circumstances and new information involve updates to State and federal species lists and listings and separates Tribal cultural properties (TCPs) from Tribal cultural resources (TCRs). These updates are described in more detail in Section 3, “Changes in Circumstances and New Information.”

State CEQA Guidelines Section 15162 specifies the requirements for subsequent environmental review. The tests for subsequent review are based on whether the 2022 CVFPP Update could result in new significant impacts or a substantial increase in the severity of a significant impact, or if there are substantial changes with respect to the circumstances under which the project is undertaken. If one or more of these conditions are met, a subsequent PEIR should be prepared. According to CEQA Guidelines Section 15163, if any of the conditions in Section 15162 are met but only minor additions or changes to the previous environmental document would be necessary, a supplemental PEIR could be prepared. If none of the conditions of Section 15162 are met but some minor changes or additions are necessary, an addendum could be prepared (State CEQA Guidelines Section 15164). DWR has determined that the modifications and refinements and changes in circumstances and new information (described in Section 2, “Program Modifications and Refinements,” and Section 3, “Changes in Circumstances and New Information”) constitute minor technical changes to the program, and none of the conditions described in State CEQA Guidelines Section 15162 (see Section 1.1, “Regulatory Context”) or Section 15163 requiring preparation of a subsequent or supplemental EIR have occurred. Substantial evidence for this decision is provided in Section 4, “Environmental Analysis,” as well as in the program’s administrative record. Therefore, DWR has prepared this addendum to the 2012 PEIR to address program modifications and refinements included in the 2022 CVFPP Update in accordance with Section 15164 of the State CEQA Guidelines.

This document describes the program modifications and refinements from the 2022 CFRPP in Section 2. Section 3 provides information about the regulatory changes since 2017 that affect the CVFPP program. Section 4 presents updated environmental impact analyses based on the program modifications and refinements and regulatory changes. Section 5 presents the conclusions. This Addendum modifies the 2012 PEIR and 2017 Supplemental PEIR, with changes shown in underline/strikethrough format. (Note: Independent of this CEQA Addendum, DWR will prepare a “Consolidated PEIR” that incorporates changes to the 2012 PEIR adopted in the 2017 Supplemental PEIR and this 2022 Addendum solely for the purpose of providing a single updated PEIR for use by agencies, Native American Tribes, and the public.)

2.1 Regulatory Context

Section 15162(a) of the State CEQA Guidelines describes the conditions requiring preparation of a subsequent EIR as follows:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - A. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based on the substantial evidence in light of the program's whole record, as supplemented with the analysis provided in Section 4, "Environmental Analysis," none of the conditions in State CEQA Guidelines Section 15162(a) requiring a subsequent EIR have occurred. Since none of these conditions have occurred, the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation (State CEQA Guidelines Section 15162[b]).

Section 15164(a) of the State CEQA Guidelines states that a lead agency may prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. DWR, as lead agency, has prepared this addendum in accordance with State CEQA Guidelines Section 15164 because this document demonstrates that the proposed modifications to the CVFPP and changes in circumstances and new information constitute minor changes to the program but would not trigger any of the conditions in State CEQA Guidelines Section 15162(a), as specified above, requiring a subsequent or supplemental EIR. The purpose of this addendum, therefore, is to provide the additional substantial evidence and CEQA analysis necessary to address the minor technical changes to the CVFPP and supplement the administrative record for the CVFPP PEIR.

3. Program Modifications and Refinements

The following discussion addresses minor modifications and refinements to the program as presented in the 2012 PEIR and 2017 Supplemental PEIR. The modifications and refinements include building flood system climate resilience, accountability and performance tracking, and alignment with other State planning efforts. This addendum also addresses changes in circumstances and new information regarding implementation of the program described in Section 3, “Changes in Circumstances and New Information.”

The content and refinements included in the 2022 CVFPP Update and associated documents, including the 2022 Conservation Strategy, State Plan of Flood Control Descriptive Document, and Flood System Status Report, do not include actions that would result in physical effects on the environment, and do not include actions that were not already considered at a programmatic level in the 2012 PEIR, as updated by the 2017 Supplemental PEIR. Therefore, these modifications and refinements would not affect the analyses presented in the 2012 PEIR and 2017 Supplemental PEIR.

3.1 Building Flood System Climate Resilience

Understanding the risks of climate change has substantially changed since the 2017 CVFPP Update. The 2022 CVFPP Update reflects the urgency and resolve with which we must act to adapt to the current level of threats and prepare for even greater threats in the future. The 2022 CVFPP Update is informed by new data about the impacts of a changing climate in the Central Valley and includes projections of climate change impacts on ecological conditions that are influenced by or can affect flood management.

A broader range of future climate scenarios is being evaluated to inform estimates of plan performance of the CVFPP over time and to provide flood system managers with information on the potential effects of climate change. Emerging data are also being used to guide development of ecosystem enhancements based on projected shifts in habitat locations and extents, species stressors, and species adaptations to new climate conditions. An initial list of broad, possible adaptation strategies to address climate change risks in the system have been identified. Lastly, the 2022 CVFPP Update is recommending watershed-based approaches to better understand the projected impacts of climate change on different watersheds in the Systemwide Planning Area and support continued identification, prioritization, and development of adaptation strategies through collaborative efforts.

3.2 Accountability and Performance Tracking

As part of the 2022 CVFPP Update, DWR has built upon an outcome-based framework that established objectives and metrics that could be tracked over time to measure performance of planned flood management investments by initiating development of a performance tracking system that monitors and reports on metrics related to projects implemented in the CVFPP's Systemwide Planning Area. The goal of the tracking system is to ensure return on the State of California's (State) investment, track progress toward achieving desired outcomes and societal values, and allow for adaptive management of the system. The tracking system is scoped to measure progress on improving flood facilities as detailed in the Flood System Status Report (DWR 2017c) and progress toward meeting the measurable objectives identified in the 2016 Conservation Strategy (DWR 2016). As the tracking system is implemented, DWR will begin to use an aligned set of intended outcomes to prioritize investments at the program level. Further, it will help identify as-needed course corrections that can be meaningfully incorporated to adjust priorities over time.

The performance tracking and adaptive management system has been developed in collaboration with the California Water Plan and other DWR planning efforts, which include other water management sectors (e.g., water supply, water quality, groundwater) and geographic scales (e.g., statewide, hydrologic regions, watersheds) across California.

3.3 Alignment with Other State Planning Efforts

Since the preparation of the 2017 CVFPP Update, a goal of CVFPP planning is to align the goals and objectives with other statewide plans, policies, and priorities for flood management. The 2022 CVFPP Update will continue to be aligned with State efforts mentioned in the 2017 CVFPP Update and will also demonstrate alignment with the 2020 California Water Resilience Portfolio, the Delta Plan, and the California Water Plan. The vision and principles of these statewide plans are embedded in the formulation, analysis,

and implementation of the 2022 CVFPP recommendations. Through plan alignment, the SSIA may be refined by recommending future management actions and identifying new policies necessary for program implementation.

4. Changes in Circumstances and New Information

This section addresses changes in circumstances and new information that add to the information presented in the 2012 PEIR and 2017 Supplemental PEIR. The changes in circumstances and new information include changes to environmental and regulatory settings such as State and federal species lists and listing status and expanded definition of wetlands, and changes affecting the approach to the analysis such as separation of TCPs and TCRs.

These changes in circumstances and new information would not result in new significant impacts or a substantial increase in the severity of a significant impact that were not already considered at a programmatic level in the 2012 PEIR, as updated by the 2017 Supplemental PEIR. Further, new information does not show newly feasible mitigation measures or alternatives or considerably different mitigation measures or alternatives from those analyzed in the 2012 PEIR or 2017 Supplemental PEIR that would reduce one or more significant effects. Therefore, these changes in circumstances and new information would not affect the analyses and conclusions presented in the 2012 PEIR and 2017 Supplemental PEIR.

4.1 Changes to Environmental and Regulatory Setting

4.1.1 State and Federal Species Lists and Listing Status and CEQA Guidelines

Since the 2017 CVFPP Update, State and federal species lists and listing status have been updated and those updates are reflected in this addendum. Additionally, regulatory changes such as the adoption of the Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle (VELB) (2017 Framework) provides new guidance on surveys, monitoring, and mitigating impacts to VELB (USFWS 2017).

The State CEQA Guidelines have been updated with several changes since the prior PEIR and Supplemental PEIR were prepared. In 2019, amendments to Section 15162.2 of the State CEQA Guidelines incorporated new resource areas, energy and wildfire, into the Appendix G Environmental Checklist. However, both resource areas were previously

evaluated in the 2012 PEIR in Section 3.9, “Energy,” and Section 3.12, “Hazards and Hazardous Materials.” In 2012, the Appendix F (Energy Conservation) and Appendix G (Environmental Checklist) of the State CEQA Guidelines did not list potential thresholds of significance for either energy or wildlife-related impacts; however, DWR established applicable thresholds for both resource areas. For energy, significance thresholds identified by DWR included if the project would generate wasteful or inefficient use of energy, substantial reduction in the generation of renewable energy, compliance with existing energy standards, effects on hydroelectric generation, and efficiency of transportation energy use. After applying these thresholds, impacts associated with energy usage were determined to be less than significant. For wildfire, thresholds identified by DWR included whether the project would expose people or structures to a significant risk of loss, injury, or death involving wildland fires. DWR identified that the project area could potentially be within a High Fire Hazard Severity Zone; however, because DWR would be required to comply with the elements of OSHA’s fire protection and prevention standard during all construction phases for all future site-specific projects, the potential for uncontrollable wildfire was considered less than significant.

Additionally, the State CEQA Guidelines have been updated to include the expanded definition of wetlands to “State or federally protected wetlands” and the State Water Resources Control Board has adopted new procedures to implement the State’s wetlands program. The 2012 PEIR analyzed Waters of the State under the California Water Code as well as Waters of the United States under the federal Clean Water Act.

Lastly, in 2020, new State CEQA Guidelines Section 15064.3 established vehicle miles traveled (VMT) as the most appropriate measure of transportation impacts shifting away from levels of service (LOS). In the 2012 PEIR Section 3.19, “Transportation Traffic,” no program components would permanently increase vehicles on the roadways; however, the project would have temporary impacts to traffic. Additionally, the CVFPP is not a land use or transportation project.

4.2 Changes Affecting the Approach to the Analysis

4.2.1 Separation of Tribal Cultural Properties (TCPs) and Tribal Cultural Resources (TCRs)

Based upon Tribal consultation and Tribal comments received on the 2017 Supplemental PEIR and in accordance with recent DWR standards, DWR has decided to separate the analysis of TCRs from TCPs. This change would result in new numbered impacts for certain TCRs and TCPs in the 2017 Supplemental PEIR; however, there are no changes to the actual impacts or impact analyses in the 2017 Supplemental PEIR. Rather than a single, combined impact discussion in the 2017 Supplemental PEIR, impacts related to TCRs and TCPs would

Changes in Circumstances and New Information

be bifurcated into two separate discussions but without any changes to the impacts or impact analyses.

5. Environmental Analysis

This section of Addendum No. 1 analyzes the potential effects on the physical environment from implementation of the proposed modifications and refinements to the CVFPP program and changes in circumstances and new information. This analysis has been prepared to determine whether any of the conditions in State CEQA Guidelines Section 15162 (described in Section 1.1) would occur as a result of the proposed modifications and refinements, changes in circumstances, and new information.

The proposed program modifications and refinements, changes in circumstances, and new information would have no impact to existing analyses for the topic areas listed below. Consequently, new significant or potentially significant impacts or a substantial increase in the severity of previously identified significant effects analyzed and disclosed in the 2012 PEIR and 2017 Supplemental PEIR would not occur for the following topic areas:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources – Aquatic
- Energy
- Geology, Soils and Seismicity (Including Mineral and Paleontological Resources)
- Groundwater Resources
- Hazards and Hazardous Materials
- Hydrology
- Land Use and Planning
- Noise
- Population, Employment, and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Utilities and Service Systems
- Water Quality
- Wildfire

The program refinements included in the 2022 CVFPP Update would not result in new significant impacts or change the severity of impacts previously identified. For this reason, the 2012 PEIR and 2017 Supplemental PEIR analyses adequately covers the 2022 CVFPP Update's refinements.

For some resources, there is new information that was not known during the previous Update. New information is available for the following topic areas that are analyzed below:

- Air Quality
- Biological Resources – Aquatic
- Biological Resources – Terrestrial
- Climate Change and Greenhouse Gas Emissions
- Cultural and Historic Resources

As defined in State CEQA Guidelines Section 15162, while some of the new information considered in Addendum No. 1 is substantially important (i.e., the Native American Ancestral Lands Policy established by Executive Order B-10-11 and reaffirmed by Executive Order N-15-19), none of the new information considered shows new or substantially more severe significant impacts. Further, it does not show newly feasible mitigation measures or alternatives or considerably different mitigation measures or alternatives from those analyzed in the 2012 PEIR or 2017 Supplemental PEIR that would reduce one or more significant effects. No changes to impact conclusions or changes in impact severity in either the 2012 PEIR or 2017 Supplemental PEIR would result from these modifications, refinements, changes in circumstances, and new information, as explained below. To ensure the CVFPP PEIR has the most current information and continues to adequately describe the environmental impacts of the CVFPP, minor changes and additions to the text are needed. Additions to the text are underlined. Text that is moved or deleted is marked in ~~strikeout~~. Text to remain unchanged is presented in gray text.

5.1 Biological Resources – Aquatic

The following changes are made to PEIR Section 3.5, "Biological Resources - Aquatic," and have no effect on the physical environment or the impacts presented in the 2012 PEIR or the 2017 Supplemental PEIR:

- Update to 2012 PEIR Table 3.5-2 to reflect the changed the naming convention, legal status, and/or listing status of: steelhead–Central Valley DPS, longfin smelt, Pacific lamprey, and western river lamprey.

Species	Status ¹	Habitat Description
Central Valley steelhead – Central Valley DPS	FT	Sacramento and San Joaquin rivers and their major tributaries, Eastside tributaries; Delta, Suisun Bay; Suisun and Napa marshes, San Francisco Bay, Pacific Ocean
Longfin smelt	ST, Federal Status Review underway <u>FC</u>	Klamath, Eel, and San Francisco Bay/Sacramento-San Joaquin Delta estuaries; Delta, Suisun Bay; Suisun and Napa marshes, San Francisco Bay
Pacific lamprey	No status <u>CSC</u>	Sacramento and San Joaquin rivers and their major tributaries; Delta, San Francisco Bay, Pacific Ocean
<u>Western r</u> River lamprey	CSC	Sacramento and San Joaquin rivers and their major tributaries

5.2 Biological Resources - Terrestrial

The following changes are made to PEIR Section 3.6, "Biological Resources - Terrestrial," and have no effect on the physical environment or the impacts presented in the 2012 PEIR or the 2017 Supplemental PEIR:

- Update to 2012 PEIR Table 3.6-4 to reflect the changed legal and/or listing status of: Shasta salamander, foothill yellow-legged frog, tricolored blackbird, and black tern. In addition, scientific reclassification/renaming of the northern leopard frog and western pond turtle. Finally, since the publication of the 2012 PEIR, monarch butterfly has been added as a special-status species within the Study Area, as reflected below.

Species	Status ¹	Habitat Description
<u>Monarch-California overwintering population</u> <u><i>Danaus plexippus</i> pop. 1</u>	<u>FC</u>	<u>Habitats include closed-cone coniferous forest. Winter roost sites extend along the coast from northern Mendocino to Baja California, Mexico. Roosts located in wind-protected tree groves (eucalyptus, Monterey pine, cypress), with nectar and water sources nearby.</u>
Shasta salamander <i>Hydromantes shastae</i>	CT	Mixed conifer, woodland, and chaparral habitats, especially near limestone.
Northern leopard frog <u><i>Lithobates</i> Rana <i>pipiens</i></u>	CSC	Grasslands, wet meadows, potholes, forests, woodland, brushlands, springs, canals, bogs, marshes, and reservoirs from sea level to 11,000 feet. Generally

Species	Status ¹	Habitat Description
		prefers permanent water with abundant aquatic vegetation.
Foothill yellow-legged frog (east/Southern Sierra clade) <i>Rana boylei</i>	€SC CE	Streams and rivers with rocky substrate and open, sunny banks, in forests, chaparral, and woodlands from sea level to 6,700 feet. Sometimes found in isolated pools, vegetated backwaters, and deep, shaded, spring-fed pools.
Foothill yellow-legged frog (northeast/Northern Sierra clade) <i>Rana boylei</i>	€SC CT	Streams and rivers with rocky substrate and open, sunny banks, in forests, chaparral, and woodlands from sea level to 6,700 feet. Sometimes found in isolated pools, vegetated backwaters, and deep, shaded, spring-fed pools.
Foothill yellow-legged frog (Feather River clade) <i>Rana boylei</i>	€SC CT	Streams and rivers with rocky substrate and open, sunny banks, in forests, chaparral, and woodlands from sea level to 6,700 feet. Sometimes found in isolated pools, vegetated backwaters, and deep, shaded, spring-fed pools.
Western pond turtle <i>Actinemys</i> <i>Emys marmorata</i>	CSC	Ponds, lakes, rivers, streams, creeks, marshes, and irrigation ditches with abundant vegetation and either rocky or muddy bottoms, in woodland, forest, and grassland.
Tricolored blackbird <i>Agelaius tricolor</i>	€€ <u>CT, CSC</u>	Foraging: On ground in croplands, grassy fields, flooded land, and along edges of ponds. Nesting: Dense cattails, tules, or thickets near freshwater.
Black tern <i>Chlidonias niger</i>	€SC	Foraging and nesting: Freshwater emergent wetlands, marshes, lakes, ponds, moist grasslands, and agricultural fields.
Willow flycatcher <i>Empidonax traillii</i>	CE FE	<i>Foraging:</i> Willow thickets and adjacent meadows. <i>Nesting:</i> Extensive thickets of low, dense willows at edge of wet meadows, ponds, or backwaters.

¹ Status Definitions:

FC = federal candidate for listing

FE = federally listed as endangered

FT = federally listed as threatened

DL = delisted

CC = California candidate for listing

CE = California listed as endangered

CT = California listed as threatened

FP = California fully protected

CSC = California species of special concern

- Update to 2012 PEIR Section 3.6.4, "Environmental Impacts and Mitigation Measures," for near-term management activities (NTMAs), to update and strengthen

Mitigation Measure BIO-T-3a (NTMA) to include USFWS Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle conservation guidelines which were updated in May 2017.

Mitigation Measure BIO-T-3a (NTMA): Conduct Focused Surveys for Special-Status Plants and Wildlife, and Avoid Impacts

Not all measures listed below may be applicable to each management action. Rather, these measures serve as an overlying mitigation framework to be used for specific management actions. The applicability of measures listed below would vary based on the lead agency, location, timing, and nature of each management action.

The project proponent will verify whether species survey and avoidance protocols have been established for species that might be affected by the specific project, or will coordinate with the appropriate regulatory agency (e.g., USFWS or DFG) to determine an acceptable alternative method for surveying and avoiding effects on a species. To avoid effects of proposed construction activities of NTMAs on special-status plants and wildlife, the project proponent will ensure that the following measures are implemented before commencement of ground-disturbing activities associated with NTMAs. Where measures below call for field surveys, the project proponent may rely on previous surveys that were conducted for the project area if these surveys meet the applicable agency guidelines. If avoidance consistent with these measures cannot be achieved, the project proponent will implement the minimization and compensation measures included in Mitigation Measure BIO-T-3b (NTMA) described below. Where surveys for special-status species may be necessary, the project proponent may be able to rely on previous surveys that were conducted for the project area if these surveys meet the applicable agency guidelines.

- The CNNDDB will be searched to determine whether any records describe species observations and indicate the presence of habitat for those species in or near the project area. These habitats and species occurrences will be identified, mapped, and quantified as deemed appropriate. The project proponent, assisted by the primary engineering and construction contractors, will coordinate with a qualified biologist to ensure that disturbance of sensitive communities, habitats, and species is minimized during construction of NTMAs, to the extent feasible. In consultation with USFWS and DFG, the project proponent will develop measures to minimize and, where appropriate, compensate for construction-related effects on sensitive habitats and special-status species.
- A qualified botanist will conduct surveys for special-status plants (as listed in Table 3.6-3) with potential to occur in appropriate habitat within the project area. The surveys will follow applicable guidelines established by USFWS and/or DFG, and will be conducted at the appropriate time of year when the target species would be clearly identifiable. If no special-status plants have the potential to occur in the project area or none are found during focused surveys, no further action is required. If special-status plants are found, areas of occupied habitat will be identified. The construction contractor will avoid these areas where feasible. Temporary fencing will be installed to protect all occupied habitat that is located adjacent to construction areas but can be avoided.
- A qualified biologist will conduct a survey in areas where elderberry shrubs could occur within 165 feet of construction and inundation areas. Surveys ~~and stem counts~~ will

follow the USFWS conservation guidelines for the Valley elderberry longhorn beetle (USFWS [2017](#)). If elderberry shrubs are found, the project proponent will implement avoidance measures that are consistent with the USFWS conservation guidelines for this species (USFWS [2017](#)). Where feasible, effects will be avoided by establishing and maintaining a 100-foot-wide buffer around elderberry plants. Where a 100-foot buffer is not feasible, effects may be minimized by providing a minimum setback, with a buffer around elderberry plants measuring at least 20 feet wide.

- Protocol surveys of all potential nesting trees and habitat in the area will be completed during the raptor nesting season (generally February 15-September 15 but may be adjusted for individual species), particularly if any construction activity is to occur during that season. Potential nesting trees and other nesting habitats (e.g., grasslands for northern harriers and burrowing owls) that are within one-half mile of proposed activity will be surveyed. To avoid the loss of active raptor nests, if the project proponent elects to remove trees suitable for nesting, the trees will be removed during the non-nesting season (generally between September 15 and February 15), to the extent practicable. Where feasible and depending on the species (particularly for Swainson's hawk), construction activities within one-quarter mile of active nests will be avoided during the raptor nesting season. Other nesting raptors may tolerate a much smaller buffer (e.g., one-tenth mile).
- Surveys for other special-status wildlife listed in Table 3.6-4 with potential to occur in the project area will be conducted by a qualified biologist at the appropriate time of year when the target species would be clearly identifiable. Not all wildlife species require surveys, because their presence may be assumed based on habitat components and known locality records or they clearly will not be present in the area. USFWS and DFG will be consulted to determine for which species surveys should be conducted; appropriate species protocols will be followed. Occupied and potentially suitable habitat will be avoided where feasible by installing temporary exclusionary fencing.
- If potentially suitable aquatic habitat for giant garter snake is identified, a buffer area of 200 feet will be established around the aquatic habitat, where feasible. These buffers will be indicated by temporary fencing, high-visibility flagging, or other equally effective means.
- If nesting areas for pond turtles are identified, a buffer area of 300 feet will be established between the nesting site and nearby wetlands, where feasible. (The nesting site may be adjacent to wetlands or extend up to 400 feet away from wetland areas in uplands.) These buffers will be indicated by temporary fencing if construction has begun or will be established before nesting periods are ended (the period from egg laying to emergence of hatchlings is normally April to November).
- Preconstruction surveys for special-status bat species will be conducted to determine the presence of roosts. When colonial roosting sites located in trees or structures must be removed, removal will occur outside of the nursery and/or hibernation seasons. Unless otherwise approved by DFG, such removal will occur during dusk and/or evening hours after bats have left the roosting site. When hibernation sites are identified on the project site, nursery and hibernation sites will be sealed before the hibernation season

(November–March). Additional measures, such as monitoring and on-site mitigation roosts, will be implemented, as feasible (see H. T. Harvey & Associates 2004).

Participation in and compliance with an existing approved HCP, NCCP, or similar plan applicable to an NTMA may replace the specific survey and avoidance actions listed above if all of the following conditions are met:

- The existing approved HCP, NCCP, or similar plan is applicable to the NTMA.
- The NTMA is within the permit area.
- The NTMA is a covered activity under the existing plan.
- The plan addresses methods to identify, avoid, minimize, and compensate for effects on special-status species.

Mitigation Measure BIO-T-3b (NTMA): If Avoiding Construction-Related Effects on Special-Status Plants and Wildlife is Infeasible, Minimize and, Where Appropriate, Compensate for Effects on Special-Status Species and Loss of Habitat

If the focused surveys described above in Mitigation Measure BIO-T-3a have been completed and avoiding effects on special-status species is infeasible, the project proponent will coordinate with the appropriate regulatory agency (e.g., USFWS or DFG) to determine acceptable methods for minimizing or compensating for effects on a species. Various minimization and compensation measures are described below. The CVFPP Conservation Strategy Framework may be a suitable source of compensation habitat. The project proponent will ensure that the following measures are implemented to minimize and compensate for effects of proposed levee improvements on special-status plants and wildlife:

- If special-status plants cannot be avoided, the project proponent will coordinate with USFWS and/or DFG (depending on which agency has jurisdiction over the particular species) to determine appropriate minimization and compensation measures. Some local plans and policies, if applicable to the project being implemented, may require that the project proponent completely avoid effects on a special-status plant species or pay a fee to mitigate impacts. Where feasible and applicable, the project proponent will consult and/or coordinate with local agencies on these plans and policies. In some instances, sensitive plants may be relocated to an area approved by DFG or USFWS.
- If ground-disturbing activities are to occur within 20 feet of the dripline of an elderberry shrub, minimization and compensation measures consistent with the USFWS conservation guidelines (USFWS [2017](#)) will be implemented. These measures include transplanting elderberry shrubs and planting compensatory elderberry seedlings and associated native plantings.
- If an active raptor nest is found, a biologist, in coordination with DFG, will determine an appropriate buffer that minimizes the potential for disturbing the nest. Setbacks will be marked by brightly colored temporary fencing. Based on the coordination with DFG, no construction activities will begin in the buffer area until a qualified biologist has confirmed that the nest is no longer active or that the birds are not dependent on it. A qualified biologist will monitor construction to ensure that project activities will not substantially adversely affect the nesting pair or their young. The size of the buffer may vary, depending on the nest location, nest stage, construction activity, and monitoring

results. If establishing the buffer becomes infeasible or construction activities result in an unanticipated nest disturbance, DFG will be consulted to determine the appropriate course of action.

- Minimization and compensation measures for other special-status wildlife species will be developed in consultation with DFG and/or USFWS. DFG and USFWS provide standardized minimization measures for several species; for example, the giant garter snake has specific minimization measures, such as restrictions on the construction season and a requirement for biological surveys and monitoring.

Participation in and compliance with an existing approved HCP, NCCP, or similar plan applicable to an NTMA may replace the specific minimization and compensation actions listed above if all of the following conditions are met:

The existing approved HCP, NCCP, or similar plan is applicable to the NTMA.

- The NTMA is within the permit area.
- The NTMA is a covered activity under the existing plan.
- The plan addresses methods to identify, avoid, minimize, and compensate for effects on special-status species.

All construction-related activities will be subject to all applicable permitting requirements. The mitigation measures described above, when combined with applicable permit requirements, must, at a minimum, meet the following basic performance standard:

- Authorized losses of habitat will not exceed the function and value of available compensation habitat.

DWR will also track these habitat compensation efforts as part of the MMRP for this PEIR. These measures will be designed to ensure that construction activities of NTMAs will not result in a substantial reduction in the population size or range of any special-status plants or wildlife.

5.3 Climate Change and Greenhouse Gas Emissions

The 2022 CVFPP Update draws on the latest climate science and understanding to assess the effects of sea level rise and the hydrological impacts in the Central Valley at a level of detail to support a systemwide plan and its updates. Climate change science estimates that atmospheric rivers will become stronger and wetter, increasing their potential to cause catastrophic storm events that could overwhelm many parts of the current flood system if improvements, such as those in the SSIA, are not implemented. In a warmer climate, extreme atmospheric rivers will become more intense as they become wetter, longer, and wider.

The 2022 CVFPP Update climate change analysis advances the analysis in the 2017 CVFPP Update and confirms findings using a range of climate change scenarios. In the San Joaquin Valley, the 2022 CVFPP Update climate change approach includes innovative decision-scaling approaches piloted in the Tuolumne and Merced River watersheds with study

partners. These two watersheds were selected as pilots in response to the 2017 CVFPP Update analyses that projected significant climate change effects related to flood management in those watersheds and partnerships with local water districts. Watershed studies such as these allow strategies to adapt to climate change to be identified and prioritized for implementation based on climate vulnerabilities and their likelihood of occurrence.

Additionally, the 2022 CVFPP Update uses a conservative projection of sea level rise to prevent underestimating risk for planning purposes. This projection follows the State of California Sea-Level Rise Guidance 2018 Update (California Ocean Protection Council 2018).

Lastly, the 2022 CVFPP Update is informed by new data about the impacts of a changing climate in the Central Valley and includes projections of climate change impacts on ecological conditions that are influenced by or can affect flood management. The 2022 CVFPP Update also begins to examine what makes communities vulnerable to climate change and how to increase community resilience.

With use of new software and data updates, flood risk values under climate change conditions are not comparable across CVFPP updates. What is most important is that the trends are consistent, and understanding of the trends is improving. For CEQA purposes, the updated modeling results presented in the 2022 CVFPP Update and the potential impacts from implementation of the CVFPP on climate change are consistent with the 2012 PEIR and 2017 Supplemental PEIR. While this new information provides for better understanding of potential impacts of climate change on the system, none of it shows new or substantially more severe significant impacts from implementation of the CVFPP on the environment. The program modifications and changes in circumstance and new information would not result in new or substantially more severe significant impacts related to climate change that were disclosed in the 2012 PEIR and 2017 Supplemental PEIR. Further, the new information does not show newly feasible mitigation measures or alternatives or considerably different mitigation measures or alternatives from those analyzed in the 2012 PEIR or 2017 Supplemental PEIR that would reduce one or more significant effects. No changes to impact conclusions or changes in impact severity in either the 2012 PEIR or 2017 Supplemental PEIR would result from these modifications, refinements, changes in circumstances, and new information,

5.4 Cultural and Historic Resources

5.4.1 Native American Tribal Consultation for the 2022 CVFPP Update

DWR and CVFPB conducted three informational meetings for all Tribes associated with the 2022 CVFPP Update. The purpose of these meetings was to provide information to Tribal communities to inform them of the status and next steps related to the 2022 CVFPP Update, foster government-to-government relations, discuss outreach activities and opportunities, and solicit Tribal input on the 2022 CVFPP Update. The first two meetings (held on February 16, 2021 and attended by representatives of 11 Tribes; and held on March 2, 2021 and attended by representatives of nine Tribes) were hosted prior to the initiation of consultation, to provide the Tribes with sufficient information to determine whether they would consult with DWR on the preparation of the 2022 CVFPP Update. The third meeting, held on October 4, 2021, and attended by representatives of seven Tribes, was conducted to review and collaborate on the 2022 CVFPP Update Working Draft. The Working Draft (a pre-public draft) was shared with public partners and all affiliated Tribes to solicit early input. DWR sent letters to Tribes in April 2021, including Tribes on the Native American Heritage Commission (NAHC) list for the 2022 CVFPP Update, providing notification of the 2022 CVFPP Update and inviting Tribes to consult. Based on these efforts, six Tribes have engaged with DWR on the 2022 CVFPP Update.

5.4.2 Changes to the PEIR

Section 3.2.1 of this addendum includes changes to PEIR Section 3.8, “Cultural and Historic Resources” of the PEIR to separate TCRs from the discussion of impacts to TCPs and form a stand-alone impact discussion. The following changes are made to PEIR Section 3.8, “Cultural and Historic Resources,” and have no effect on the physical environment or the impacts presented in the 2012 PEIR or the 2017 Supplemental PEIR:

- Update to PEIR Section 3.8 “Cultural and Historic Resources,” to add reference to Tribal Cultural Resources (TCRs).

This section identifies the cultural and historic resources, including Tribal Cultural Resources (TCRs), that could be affected by implementation of the proposed program. This section is composed of the following subsections:

- Section 3.8.1, “Environmental Setting,” describes the physical conditions in the program study area as they apply to cultural and historic resources.
- Section 3.8.2, “Regulatory Setting,” summarizes federal, State, and regional and local laws and regulations pertinent to evaluation of the proposed program’s impacts on cultural and historic resources.

- Section 3.8.3, "Analysis Methodology and Thresholds of Significance," describes the methods used to assess the environmental effects of the proposed program and lists the thresholds used to determine the significance of those effects.
- Section 3.8.4, "Environmental Impacts and Mitigation Measures for NTMAs," discusses the environmental effects of the near-term management activities (NTMAs) and identifies mitigation measures for significant environmental effects.
- Section 3.8.5, "Environmental Impacts, Mitigation Measures, and Mitigation Strategies for LTMAAs," discusses the environmental effects of the long-term management activities (LTMAAs) and identifies mitigation measures for significant environmental effects.
- Update to PEIR Section 3.8.1, "Environmental Setting," to add mention of TCRs and TCPs to the definition of cultural resources.

Definitions

Cultural resources are sites, buildings, structures, objects, and districts that may have traditional or cultural value for the historical significance they possess or convey. Cultural resources include but are not limited to the following types of resources: prehistoric and historic-era archaeological deposits; TCRs; historic-era features, such as roadways and railroad tracks; buildings and structures of architectural significance; and places that are important for maintaining a community's identity or culture (i.e., traditions, beliefs, lifeways, social institutions) such as Traditional Cultural Properties (TCPs).

Historical resources are those cultural resources that are determined eligible for listing in the California Register of Historical Resources (CRHR) pursuant to Public Resources Code (PRC) Section 5024.1.

Historic properties are cultural resources that are found eligible for inclusion in the National Register of Historic Places (NRHP) by meeting the criteria outlined in Title 36, Section 60.4 of the Code of Federal Regulations (CFR) (36 CFR 60.4).

- Update to PEIR Section 3.8.2, Regulatory Setting, to add a description of Executive Order N-15-19, Statement of Administrative Policy on Native American Ancestral Lands to the discussion of applicable State regulations.

Executive Order N-15-19, Statement of Administrative Policy on Native American Ancestral Lands (Office of the Governor, September 25, 2020). Executive Order N-15-19 reaffirms the principles of government-to-government engagement established by previous Executive Order B-10-11 that every State agency and department shall encourage communication and consultation with California Native American Tribes. Executive Order N-15-19 further states every State agency and department shall seek opportunities to support California tribes' co-management of and access to natural lands within that Tribe's ancestral area and which is under the ownership control of the State of California.

- Update to PEIR Section 3.8.3, "Analysis Methodology and Thresholds of Significance," to add a mention of TCRs. A discussion of significance conclusions and recommendations for the approach to TCRs and cultural resource impact analyses for projects implementing the CVFPP is also added.

Analysis Methodology

Impact evaluations were based on a review of the management actions proposed under the CVFPP, expressed as NTMAs and LTMAAs in this PEIR, to determine whether these actions could potentially result in impacts on cultural and historical resources, including TCRs. NTMAs and LTMAAs are described in more detail in Section 2.4, "Proposed Management Activities." The overall approach to analyzing the impacts of NTMAs and LTMAAs and providing mitigation is summarized below and described in detail in Section 3.1, "Approach to Environmental Analysis." NTMAs can consist of any of the following types of activities:

- Improvement, remediation, repair, reconstruction, and operation and maintenance of existing facilities
- Construction, operation, and maintenance of small setback levees
- Purchase of easements and/or other interests in land
- Operational criteria changes to existing reservoirs that stay within existing storage allocations
- Implementation of the vegetation management strategy included in the CVFPP
- Initiation of conservation elements included in the proposed program
- Implementation of various changes to DWR and Statewide policies that could result in alteration of the physical environment

All other types of CVFPP activities fall within the LTMA category. NTMAAs are evaluated using a typical "impact/mitigation" approach. Where impact descriptions and mitigation measures identified for NTMAAs also apply to LTMAAs, they are also attributed to LTMAAs, with modifications or expansions as needed.

Beyond direct implementation of NTMAAs and LTMAAs, land use changes and induced growth are two mechanisms by which effects on cultural resources could occur. Effects of land use changes are discussed in Section 3.14, "Land Use and Planning," and the effects of induced growth are discussed in Section 6.1, "Growth-Inducing Impacts."

Thresholds of Significance

The following applicable thresholds of significance have been used to determine whether implementing the proposed program would result in a significant impact. These thresholds of significance are based on the questions posed in Appendix G of the CEQA Guidelines, as amended. A cultural resource impact is considered significant if implementation of the proposed program would do any of the following when compared against existing conditions:

- Result in a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines
- Result in a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines
- Disturb any human remains, including those interred outside of dedicated cemeteries.

Additionally, a TCR impact is considered significant if implementation of the proposed program would result in a substantially adverse change in the significance of a TCR (as defined in PRC Section 21074 and above) when compared against existing conditions:

- Listed as eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k), or
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

Significance Conclusions

The program changes, new circumstances, new info summarized in Addendum (No. 1) to the Final Program Environmental Impact Report for the 2012 Central Valley Flood Protection Plan do not change the conclusions in the 2012 PEIR and the 2017 Supplemental PEIR that impacts to certain types of cultural resources (including TCRs) from some CVFPP management actions could result in potentially significant and unavoidable impacts. This conclusion was based primarily on the fact that cultural resource surveys of the entire CVFPP planning area have not been performed (surveys of this scale would be infeasible given the large geographic scope and current resource levels for planning) and that the nature and scale of impacts to cultural resources would be evaluated at the project level where investigation is possible and required. Since the 2012 PEIR only identified this impact as “potentially” significant, project-level environmental reviews can still come to any of the conclusions allowed under CEQA (no impact, less-than-significant impact, less-than-significant impact with mitigation, potentially significant impact, or significant and unavoidable impact) based on the nature of the project and its circumstances, and the evidence available to inform the project-level conclusion.

The impact conclusions reached in the 2012 PEIR’s program-level analysis (that management actions *could* result in significant and unavoidable impacts) is based on a lack of project-specific data and based on an acknowledgement that significant and unavoidable impacts are possible and could not be ruled out. The significance conclusion is that significant and unavoidable impacts *could* occur during implementation of the CVFPP, not that the impacts *would* occur.

Additionally, in future project-level analyses where no resources of importance to Native American Tribes (such as TCRs) have been identified in the project area, DWR recognizes that Tribal concerns over the potential effect of project activities on as-yet unidentified resources of Native American origin are of critical importance to Tribes. Even where no such resources have been identified in a project area as a result of project-level analyses, unanticipated discoveries could occur during construction and feasible mitigation measures that apply to all potential resources of Native American origin including unevaluated TCRs and archaeological sites may be identified in the CEQA document. Project-level mitigation measures should include identification of appropriate culturally sensitive treatment of any such resources discovered during project construction and maintenance regardless of conclusions required under CEQA under the “substantial evidence” requirement.

- Update to PEIR Section 3.8.4, “Environmental Impacts and Mitigation Measures for NTMAs,” Impact CUL-4 (NTMA) Potential Damage or Disturbance to Traditional Cultural Properties/Tribal Cultural Resources during Ground Disturbance or Other Construction-Related Activities has been split into two pieces, addressing TCPs and TCRs separately. In 2012, CUL-4 only referred to TCPs. In 2017, TCRs were added. Impacts to TCPs are now shown as Impact CUL-5. Text that is moved or changed is presented in underline/strikethrough.

Impact CUL-4 (NTMA): ~~Potential Damage or Disturbance to Traditional Cultural Properties/Tribal Cultural Resources during Ground Disturbance or other Construction-Related Activities~~

~~Traditional cultural properties (TCPs) are cultural resources with tangible locations that are important to the cultural continuity and longevity of a community, have been important to the community for more than 50 years, and meet the criteria for eligibility for listing in the NRHP and CRHR. Although most TCPs in California are associated with Native American communities, they are not exclusively so. TCPs can be archaeological or built-environment resources, or they can be features of the natural landscape. TCPs are often locations on the landscape that have sacred or other special meaning to Native American communities. Cultivating and harvesting plants for traditional medicines and foods, and for uses such as basketry, remain important activities to Native American communities. Some of the areas where such plants grow, which are often located adjacent to rivers and streams, may qualify as TCPs.~~

TCRs can be a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American Tribe that is either on, or eligible for inclusion in, the CRHR or a local historic register, or is a resource that the lead agency, at its discretion and supported by substantial evidence, determines should be treated as a TCR.

Pursuant to AB 52 and the Natural Resources Agency’s Tribal consultation policy, DWR contacted approximately 50 Tribes in coordination with the Notice of Preparation (NOP) released on March 18, 2016. This provided notice of the Supplemental PEIR and provided an opportunity for interested Tribes to submit information and request consultation under AB 52. Based on responses to the March 18, 2016, letter and pursuant to AB 52 and DWR’s Tribal Engagement Policy (DWR, 2016h), DWR initiated Native American outreach meetings with the United Auburn Indian Community, Yocha Dehe Wintun Community, the Wilton Rancheria, the Lone Band of Miwok Indians, and the Shingle Springs Band of Miwok Indians during the period of October through December, 2016. On December 30, 2016 DWR released the Draft Supplemental PEIR, and the comment deadline was March 31, 2017. On February 9, DWR sent a letter to the five Native American Tribes that had requested consultation under AB 52 or the DWR Tribal Engagement Policy requesting that they notify DWR, by February 25, if they wanted to proceed with consultation. On March 21, 2017, DWR sent another letter to Native American Tribes that had requested consultation under AB 52 asking if the Tribes wanted to continue with consultation and providing available dates. Only UAIC responded to these letters, and requested to continue consultation. UAIC provided comments on the draft Supplemental PEIR, but the remaining Native American Tribes did not.

DWR and UAIC proceeded with consultation on April 11 and 18, May 2 and 16, June 15 and 27, and July 6, 2017.

Based on consultation activities to date, DWR added background information about Tribal resources, updated the Regulatory Setting, and has expanded the Supplemental PEIR mitigation measures. In addition, DWR is adding a new Mitigation Measure CUL-4c to establish cultural resource awareness and sensitivity training.

Ground-disturbing construction activities or the demolition or modification of the built environment associated with NTMA projects could cause a significant adverse change to ~~TCP~~/TCRs. Therefore, this impact would be **potentially significant**.

Mitigation Measure CUL-4a (NTMA): *Conduct Cultural Resources Studies and Avoid Effects on ~~TCP~~/TCRs*

In areas potentially containing ~~TCPs~~ or TCRs, an ethnographer or archaeologist who meets the Secretary of the Interior's standards as a professional cultural resource specialist will consult with appropriate populations (Native Americans or otherwise) before approval of any project and identify the presence of any ~~TCP~~/TCRs at the project location. Native American ~~TCP~~/TCRs may be identified by an ethnographer who has worked intensively with community members (often, but not always, elders) possessed of considerable knowledge about places important to the community. Efforts to identify ~~TCP~~/TCRs may include the engagement of Tribal monitors. Should ~~TCP~~/TCRs be identified in the project area, they will be avoided by project redesign or project relocation, if feasible. As an example, the proposed location of a water-monitoring device may be moved to another, still appropriate, place along a stream bed to avoid a section of the creek bank that is a ~~TCP~~/TCR for medicinal plants, thereby avoiding a substantial adverse change to the resource.

Where avoidance is implemented and no further mitigation is required, implementing this mitigation measure would reduce Impact CUL-4 (NTMA) to a **less-than-significant** level. However, if avoidance is not feasible, see Mitigation Measure CUL-4b (NTMA) below.

Mitigation Measure CUL-4b (NTMA): *Consult with Native American Communities and Implement Appropriate Measures to Mitigate Effects on ~~TCPs~~/TCRs*

Where an identified ~~TCP~~/TCR cannot be fully avoided by a proposed project, the project proponent will engage in early, meaningful consultation with Native American communities, consistent with AB 52 and DWR's Tribal Engagement Policy, to identify ways to mitigate impacts on ~~TCP~~/TCRs. This may include the engagement of Tribal monitors. An example of a mitigation measure that may be implemented would be if ~~TCP~~/TCR locations that presently support plant species cultivated and harvested by Native American communities for traditional medicines and foods, or for uses such as basketry, are slated for destruction to make way for planned construction, the project proponent may work with the Native American community associated with the ~~TCP~~/TCR to identify other nearby locations that can support these same plants. The project proponent can then take steps to enhance existing plant populations at those locations or provide materials and labor to cultivate new plants, with assistance from the Native American community.

Working with local Native American communities to develop interpretive programs is another measure to mitigate impacts on ~~TCF~~TCRs. Programs may include developing signage, constructing visitor centers describing locations that have sacred or other special meaning to Native Americans, developing and implementing management plans for important cultural resources, or establishing conservation easements to protect culturally important places.

For each subsequent project implemented under the CVFPP, DWR will follow the consultation processes described in Public Resources Code Sections 21080.3.1 and 21080.3.2 for Native American Tribes that request notice and consultation under AB 52. These processes include the following:

- DWR will maintain a notification list of Tribal contacts.
- DWR will notify Tribal contacts within 14 days from deciding to undertake a project.
- Tribes may respond to the notifications in writing within 30 days and request consultation on the project.
- DWR will begin consultation with the Tribe within 30 days of receiving the Tribe's written request.
- Consultation will end when DWR and the interested Tribe(s) agree to measures to mitigate or avoid a significant effect on a TCR, or a party acting in good faith and after a reasonable effort, concludes that a mutual agreement cannot be reached.

For projects implemented under the CVFPP, the topics to be addressed in each project-level consultation will depend upon the interests and concerns of the consulting Tribe and the specifics of the project and its context including project and alternatives footprint. Without limiting the scope of future consultations under Public Resources Code Section 21080.3.2 in any way, these topics may include one or more of the following:

- Obtaining information that may be held by the affiliated Tribe, including Tribal Historic Preservation Offices, or others concerning the location and characteristics of any Tribal cultural resources that may be located in the project area. This may include Tribal registers, inventories, and geographical information systems. The characteristics of potentially affected resources may include, but are not limited to, the nature of the resource (village site, burial site, sacred site, etc.), the areal extent of the resource, and the cultural significance of the resource to the Tribe.
- Reviewing results of previous flood safety work and existing investigations (including non-invasive investigations, geoarchaeology, surveys, testing, data recovery, and well, trench, and boring logs) in proximity to the project area and to known potentially affected TCRs to further characterize known resources within the project footprint. The purposes of the review of previous investigations are to: provide data concerning the inventory of TCRs in the project area, describe and evaluate the significance of any known TCRs, and provide information useful in determining potential project effects on

identified TCRs in the project footprint. Undertaking additional investigations appropriate to the scale and type of activity to further characterize known resources, where needed, and to assess the sensitivity for potential unknown resources in the project area. Other non-invasive investigatory methods may be appropriate and will be discussed with affiliated Tribes.

- Integrating Native American values into Tribal cultural resource significance evaluations (using criteria 1, 2, 3 and 4). In applying the criteria set forth in the subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to the Native American Tribe.
- Developing feasible avoidance measures for known resources. In some circumstances, only minor location adjustments or redesign may be needed to avoid the resource. Avoidance measures could include relocating haul and access roads, staging areas, spoil piles, and borrow areas. In other circumstances, such as operations and maintenance activities, opportunities for avoidance may be more limited.
- To the extent that avoidance is infeasible or unanticipated discoveries are encountered, developing appropriate mitigation measures to minimize the impacts to the resource. Such measures would include those described in Section 15370 of the CEQA Guidelines and may include providing Native American Tribes that are affiliated with the project area with a schedule of ground-disturbing activities, considering alternative construction methods, potential reburial locations, potential site protection, buffer zones, a burial recovery plan, a cultural and Tribal resources management and treatment plan, sensitivity training, and discussing alternative equipment. It is recognized that in certain circumstances these measures might not reduce the effects on cultural resources and values to a less than significant level, and that some mitigation measures may themselves result in impacts that need to be addressed. Providing for the appropriate involvement of qualified Tribal monitors, including notification, coordination and safety protocols, and consideration of compensation.
- Undertaking the activities described above with full respect for the potentially affected Tribal cultural resources and their significance to the Tribe. In particular, full consideration will be given to the Most Likely Descendant's recommendation for treatment and disposition of ancestral human remains and grave goods, consistent with Public Resources Code section 5097.98.

In addition to formal consultations required by AB 52 in connection with future projects that are implemented under the CVFPP, DWR will comply with the DWR Tribal Engagement Policy and will notify Tribes culturally and traditionally affiliated with the project area, as appropriate, in connection with future ground disturbing geotechnical surveys that may have an effect on Tribal cultural resources that are known to be present or that are likely to be present in the vicinity of the ground disturbing activities. When determining the presence or likely presence of Tribal cultural resources, in addition to other sources, the following may be reviewed: the applicable Information in the California Historical Resources Information System, NAHC Sacred Lands database, ethnographic research, records maintained by the affiliated Tribe, and the results of previous surveys and investigations.

This mitigation measure was developed solely for projects that may be implemented under the CVFPP and corresponding consultations under AB 52, and is not necessarily applicable to Tribal consultations conducted in conjunction with other DWR projects.

Mitigation Measure CUL-4c: *Cultural Resource Awareness and Sensitivity Training*

Only personnel who have received cultural resource awareness and sensitivity training will be allowed to enter areas potentially containing ~~TCPs~~ or TCRs. Training will include a presentation developed in coordination with affiliated Tribal representatives. Topics may include the potential presence and type of Native American and non-Native American resources that might be found during operations associated with the individual flood control projects, and necessary reporting protocols. Written materials will be provided to personnel as appropriate.

Implementing Mitigation Measure CUL-4a (NTMA) and a suite of measures as necessary in Mitigation Measure CUL-4b (NTMA) and CUL-4c (NTMA) would reduce Impact CUL-4 (NTMA) to a less-than-significant level in most cases, but may not necessarily reduce impacts on some categories of ~~TCP~~/TCRs. For example, a Tribe's sacred site that is regularly visited for ceremonies could be destroyed during levee construction. In this situation, the direct impacts of the action cannot be fully mitigated even though some form of mitigation may be negotiated with the Tribe to ameliorate the action. In such instances, Impact CUL-4 (NTMA) would be **potentially significant and unavoidable**.

- Update to PEIR Section 3.8.4, "Environmental Impacts and Mitigation Measures for NTMAs," to renumber the discussion of impacts to TCPs as Impact CUL-5. The below text addressing potential impacts, mitigation measures, and significance conclusions is not new text; it has only been moved out of Impact CUL-4 to Impact CUL-5. (As noted above, Impact CUL-4 has been split into two pieces, addressing TCPs and TCRs separately. TCRs only are now addressed in Impact CUL-4).

Impact CUL-5 (NTMA): *Potential Damage or Disturbance to Traditional Cultural Properties during Ground Disturbance or other Construction-Related Activities*

Traditional cultural properties (TCPs) are cultural resources with tangible locations that are important to the cultural continuity and longevity of a community, have been important to the community for more than 50 years, and meet the criteria for eligibility for listing in the NRHP and CRHR. Although most TCPs in California are associated with Native American communities, they are not exclusively so. TCPs can be archaeological or built-environment resources, or they can be features of the natural landscape. TCPs are often locations on the landscape that have sacred or other special meaning to Native American communities. Cultivating and harvesting plants for traditional medicines and foods, and for uses such as basketry, remain important activities to Native American communities. Some of the areas where such plants grow, which are often located adjacent to rivers and streams, may qualify as TCPs.

Ground-disturbing construction activities or the demolition or modification of the built environment associated with NTMA projects could cause a significant adverse change to TCPs. Therefore, this impact would be **potentially significant**.

Mitigation Measure CUL-5a (NTMA): Conduct Cultural Resources Studies and Avoid Effects on TCPs

In areas potentially containing TCPs, an ethnographer or archaeologist who meets the Secretary of the Interior's standards as a professional cultural resource specialist will consult with appropriate populations (Native Americans or otherwise) before approval of any project and identify the presence of any TCPs at the project location. Native American TCPs may be identified by an ethnographer who has worked intensively with community members (often, but not always, elders) possessed of considerable knowledge about places important to the community. Efforts to identify TCPs may include the engagement of Tribal monitors. Should TCPs be identified in the project area, they will be avoided by project redesign or project relocation, if feasible. As an example, the proposed location of a water-monitoring device may be moved to another, still appropriate, place along a stream bed to avoid a section of the creek bank that is a TCPs for medicinal plants, thereby avoiding a substantial adverse change to the resource.

Mitigation Measure CUL-5b (NTMA): Consult with Native American Communities and Implement Appropriate Measures to Mitigate Effects on TCPs

Where an identified TCP cannot be fully avoided by a proposed project, the project proponent will engage in early, meaningful consultation with Native American communities, consistent with AB 52 and DWR's Tribal Engagement Policy, to identify ways to mitigate impacts on TCPs. This may include the engagement of Tribal monitors. An example of a mitigation measure that may be implemented would be if TCP locations that presently support plant species cultivated and harvested by Native American communities for traditional medicines and foods, or for uses such as basketry, are slated for destruction to make way for planned construction, the project proponent may work with the Native American community associated with the TCP to identify other nearby locations that can support these same plants. The project proponent can then take steps to enhance existing plant populations at those locations or provide materials and labor to cultivate new plants, with assistance from the Native American community.

Working with local Native American communities to develop interpretive programs is another measure to mitigate impacts on TCPs. Programs may include developing signage, constructing visitor centers describing locations that have sacred or other special meaning to Native Americans, developing and implementing management plans for important cultural resources, or establishing conservation easements to protect culturally important places.

Mitigation Measure CUL-5c (NTMA): Cultural Resource Awareness and Sensitivity Training

Only personnel who have received cultural resource awareness and sensitivity training will be allowed to enter areas potentially containing TCPs. Training will include a presentation developed in coordination with affiliated Tribal representatives. Topics may include the potential presence and type of Native American and non-Native American resources that might be found during operations associated with the individual flood control projects, and necessary reporting protocols. Written materials will be provided to personnel as appropriate.

Implementing Mitigation Measure CUL-5a (NTMA) and a suite of measures as necessary in Mitigation Measure CUL-5b (NTMA) and CUL-5c (NTMA) would reduce Impact CUL-5 (NTMA) to a less-than-significant level in most cases, but may not necessarily reduce impacts on some categories of TCPs. For example, a Tribe's sacred site that is regularly visited for ceremonies could be destroyed during levee construction. In this situation, the direct impacts of the action cannot be fully mitigated even though some form of mitigation may be negotiated with the Tribe to ameliorate the action. In such instances, Impact CUL-5 (NTMA) would be **potentially significant and unavoidable**.

- Update to PEIR Section 3.8.4, "Environmental Impacts and Mitigation Measures for NTMAs," Impact CUL-5 (NTMA) was renumbered to Impact CUL-6 (NTMA). Additionally, clarifying text stating including disarticulated human bone and bone fragments was added to Impact CUL-6. Mitigation Measure CUL-5a and CUL-5b (NTMA) were renumbered to CUL-6a and CUL-6b (NTMA).

Impact CUL-56 (NTMA): Potential Damage or Disturbance to Human Remains, Including Those Interred Outside of Formal Cemeteries, during Ground Disturbance or Other Construction-Related Activities

Cemeteries are defined by fencing or grave markers or both, but they may also be unmarked. Marked cemeteries may be informal family cemeteries found in rural settings or formal entities managed by local governments or cemetery boards. Formal cemeteries, in particular, can often be identified during record searches early in the project-planning process. However, unmarked cemeteries and Native American burials are difficult to locate during project planning and are often discovered only after construction has begun. Ground disturbance associated with NTMAs could disturb cemeteries and burial places, especially previously undiscovered burial places. Because cemeteries and burial places, including disarticulated human bone and bone fragments, could be disturbed, this impact would be **potentially significant**.

Mitigation Measure CUL-56a (NTMA): Conduct Cultural Resources Studies and Avoid Effects on Human Remains

The project proponent will ensure that archaeological and historical studies and surveys will be conducted by professionals who meet the Secretary of the Interior's standards, to identify the presence of human remains within a particular project location. Should human remains be identified within the study area, impacts on those remains resulting from any NTMA will be avoided, if feasible. Project relocation and redesign are appropriate avoidance measures. For example, should construction of a new maintenance facility be proposed at a place known to contain human remains, relocation of the facility would avoid disturbing the burials.

Where avoidance is implemented and no further mitigation is required, implementing this mitigation measure would reduce Impact CUL-56 (NTMA) to a **less-than-significant** level. However, if avoidance is not feasible, see Mitigation Measures CUL-56b (NTMA) and/or CUL-56c (NTMA) below, as applicable.

Mitigation Measure CUL-56b (NTMA): Relocate Known Cemeteries

The project proponent will consult with the entity (county, city, or private) that has jurisdiction over the cemetery, and with interested parties as appropriate, to identify a satisfactory place to relocate human remains that would provide protection from future disturbance. Similarly, if Native American burials are known to exist in an archaeological site, the project proponent will work with the appropriate Tribe, as identified by the Native American Heritage Commission, to identify a satisfactory location for reinterment of burials in a protected location. In these and other circumstances where a known cemetery must be relocated, implementing this mitigation measure would reduce Impact CUL-~~56~~ (NTMA) to a **less- than-significant** level.

Mitigation Measure CUL-~~56~~c (NTMA): *Immediately Halt Construction If Human Remains Are Discovered and Implement a Burial Treatment Plan*

Construction activities have the potential to result in unanticipated effects on buried human remains where there is no surface indication of their presence. Under these circumstances, the project proponent will adhere to the requirements described in Section 7050.5 of the California Health and Safety Code and PRC Section 5097.98:

- If human remains are uncovered during ground-disturbing activities, potentially damaging excavation must halt in the area of the remains and the local county coroner must be notified. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code, Section 7050.5(b)).
- If the coroner determines that the remains are those of a Native American, he or she must contact the NAHC by phone within 24 hours of making that determination (Health and Safety Code, Section 7050(c)).
- In turn, under the provisions of PRC Section 5097.98, NAHC will identify a Most Likely Descendant (MLD). The MLD designated by the NAHC will have at least 48 hours to inspect the site and propose treatment and disposition of the remains and any associated grave goods.

For large projects (e.g., new levee construction) or projects where a high probability of encountering human remains exists, a burial treatment plan will be developed by the project proponent in consultation with local Native American Tribes before construction. During this process, all parties will be made aware of the actions required should buried Native American human remains be uncovered during construction. The plan will detail all of the activities identified above and include treatment preferences identified by the MLD.

Smaller, localized projects do not require a burial treatment plan. Examples of such projects are modifications of existing facilities and projects that do not involve ground disturbance (e.g., purchases of easements, structure modifications). However, should human remains be uncovered during these project activities, treatment of the remains will strictly follow the requirements in Section 7050.5 of the California Health and Safety Code and PRC Section 5097.98.

Implementing Mitigation Measures CUL-~~56~~**a** (NTMA), CUL-~~56~~**b** (NTMA), and CUL-~~56~~**c** (NTMA) and complying with other provisions of the California Health and Safety Code would reduce Impact CUL-~~56~~ (NTMA) to a **less-than-significant** level.

Some burials and cemeteries may also be TCRs as described in Impact CUL-4 above and TCPs as described in CUL-5. In that situation, the impact analysis, mitigation measures, and potentially significant and unavoidable impact conclusion described under Impact CUL-4 and CUL-5 could apply. Burials and cemeteries may also be archaeological resources as described in Impacts CUL-1 and/or CUL-2 above. In that situation, the impact analysis, mitigation measures, and less than significant impact conclusion described under those impacts could apply.

- Update to PEIR Section 3.8.5, “Environmental Impacts, Mitigation Measures, and Mitigation Strategies for LTMA,” revised necessary impact statements and Mitigation Measures for LTMA to be consistent with impact statements and Mitigation Measures for NTMA. Changes in Section 3.8.5 include the addition of a discussion for Mitigation Measure CUL-4c (LTMA) which was inadvertently omitted from the 2017 Supplemental PEIR.

Impact CUL-4 (LTMA): *Potential Damage or Disturbance to ~~Traditional Cultural Properties~~/Tribal Cultural Resources during Ground Disturbance or Other Construction-Related Activities*

Where the LTMA would continue activities included in the NTMA, this impact would be the same as Impact CUL-4 (NTMA). However, the LTMA also include activities of greater scope, which could result in greater direct effects on ~~TCP~~/TCRs. Those activities could involve constructing flood bypasses and restoring and realigning stream channels. This impact would be **potentially significant**.

Mitigation Measure CUL-4a (LTMA): *Implement Mitigation Measure CUL-4a (NTMA)*

Where avoidance is implemented and no further mitigation is required, implementing this mitigation measure would reduce Impact CUL-4 (LTMA) to a **less-than-significant** level. However, if avoidance is not feasible, see Mitigation Measures CUL-4b (LTMA) and CUL-4c (LTMA) below.

Mitigation Measure CUL-4b (LTMA): *Implement Mitigation Measure CUL-4b (NTMA)*

Implementing Mitigation Measure CUL-4a (LTMA) and a suite of measures as necessary in Mitigation Measure CUL-4b (LTMA) would reduce Impact CUL-4 (LTMA) to a less-than-significant level in most cases, but would not necessarily reduce impacts on some categories of ~~TCP~~/TCRs. In such instances, Impact CUL-4 (LTMA) would be **potentially significant and unavoidable**.

Mitigation Measure CUL-4c (LTMA): *Implement Mitigation Measure CUL-4c (NTMA)*

Implementing Mitigation Measure CUL-4c (LTMA) for actions involving substantial ground-disturbing activities would reduce Impact CUL-4 (LTMA) by providing awareness training to

construction personnel, including appropriate procedures in the event of the discovery of a TCR.

Impact CUL-5 (LTMA): Potential Damage or Disturbance to Traditional Cultural Properties during Ground Disturbance or Other Construction-Related Activities

Where the LTMA would continue activities included in the NTMA, this impact would be the same as Impact CUL-5 (NTMA). However, the LTMA also include activities of greater scope, which could result in greater direct effects on TCPs. Those activities could involve constructing flood bypasses and restoring and realigning stream channels. This impact would be **potentially significant**.

Mitigation Measure CUL-5a (LTMA): Implement Mitigation Measure CUL-5a (NTMA)

Where avoidance is implemented and no further mitigation is required, implementing this mitigation measure would reduce Impact CUL-5 (LTMA) to a **less-than-significant** level. However, if avoidance is not feasible, see Mitigation Measures CUL-5b (LTMA) and CUL-5c (LTMA) below.

Mitigation Measure CUL-5b (LTMA): Implement Mitigation Measure CUL-5b (NTMA)

Implementing Mitigation Measure CUL-5a (LTMA) and a suite of measures as necessary in Mitigation Measure CUL-5b (LTMA) would reduce Impact CUL-5 (LTMA) to a less-than-significant level in most cases, but would not necessarily reduce impacts on some categories of TCPs. In such instances, Impact CUL-5 (LTMA) would be **potentially significant and unavoidable**.

Mitigation Measure CUL-5c (LTMA): Implement Mitigation Measure CUL-5c (NTMA)

Implementing Mitigation Measure CUL-5c (LTMA) for actions involving substantial ground-disturbing activities would reduce Impact CUL-5 (LTMA) by providing awareness training to construction personnel, including appropriate procedures in the event of the discovery of a TCP.

Impact CUL-56 (LTMA): Potential Damage or Disturbance to Human Remains, Including Those Interred Outside of Formal Cemeteries, during Ground Disturbance or Other Construction-Related Activities

This impact would be similar to Impact CUL-~~5~~**6** (NTMA), as described above. Actions that could affect cemeteries and burial places under the LTMA include modifying or constructing new weirs and bypasses. This impact would be **potentially significant**.

Mitigation Measure CUL-~~5~~6**a (LTMA): Implement Mitigation Measure CUL-~~5~~**6**a (NTMA)**

Where avoidance is implemented and no further mitigation is required, implementing this mitigation measure would reduce Impact CUL-~~5~~**6** (LTMA) to a **less-than-significant** level. However, if avoidance is not feasible, see Mitigation Measures CUL-~~5~~**6**b (LTMA) and/or CUL-~~5~~**6**c (LTMA) below, as applicable.

Mitigation Measure CUL-~~5~~6**b (LTMA): Implement Mitigation Measure CUL-~~5~~**6**b (NTMA)**

If Native American burials are known to exist in an archaeological site, the project proponent will work with the appropriate Tribe to identify a satisfactory location for reinterment of burials in a protected location. In these and other circumstances where a known cemetery must be relocated, implementing this mitigation measure would reduce Impact CUL-~~56~~ (LTMA) to a **less-than-significant** level.

Mitigation Measure CUL-~~56~~c (LTMA): Implement Mitigation Measure CUL-~~56~~c (NTMA)

Implementing Mitigation Measures CUL-~~56~~a (LTMA), CUL-~~56~~b (LTMA), and CUL-~~56~~c (LTMA) and complying with other provisions of the California Health and Safety Code would reduce Impact CUL-~~56~~ (LTMA) to a **less-than-significant** level.

LTMA Impact Discussions and Mitigation Strategies

The impacts of the proposed program's NTMA and LTMA related to cultural and historic resources and the associated mitigation measures are thoroughly described and evaluated above. The general narrative descriptions of additional LTMA impacts and mitigation strategies for those impacts that are included in other sections of this draft PEIR are not required for cultural and historic resources.

5.5 Cumulative Impacts

As described in PEIR Section 4.3.2, the cumulative impact analysis for the CVFPP combined a list approach and a plan approach to generate the most reliable assessment of future conditions possible. This Addendum (No. 1) to the 2012 PEIR includes changes to Chapter 4, "Cumulative Impacts," of the PEIR to update the lists of closely related past, present, and foreseeable future projects considered in the impact analysis. The following changes are made to PEIR Section 4.3, "Related Projects." Based on the updates in these documents and the comprehensive, programmatic nature of the impact discussion in the 2012 PEIR and 2017 Supplemental PEIR, these updates would not result in new or substantially more severe cumulative impacts compared to those presented in the 2012 PEIR or the 2017 Supplemental PEIR.

- Update to PEIR Section 4.3.1, Past and Present Projects and Activities and Cumulative Context, to refresh the list of "Plans Describing Conditions Contributing to Cumulative Effects."

Numerous statewide, regional, and local plans were considered in the CVFPP cumulative analysis in the PEIR. The plans listed below relate, on a regional or statewide level, to issues such as air quality, transportation, habitat preservation, and water. The list of plans describing conditions contributing to cumulative effects is updated as follows:

- 2020 Water Resilience Portfolio (DWR 2020)
- California Water Plan Update ~~2009~~ 2013 (DWR, ~~2009~~ 2013 ~~2013a~~ 2018)

- The Water Quality Control Plan (Basin Plan) for the California Regional Water Quality Control Board: Central Valley Region, the Sacramento River Basin and San Joaquin River Basin (Central Valley RWQCB, ~~2009 2016~~ 2018)
- The East Bay Municipal Utility District's WSMP 2040: Water Supply Management Program 2040 (EBMUD ~~2009~~ 2012)
- The California Air Resources Board's Climate Change Scoping Plan: A Framework for Change (CARB ~~2008 2014~~ 2017)
- PM10 Implementation/Maintenance Plan and Redesignation ~~Request~~ for Sacramento County (SMAQMD ~~2010~~ 2013)
- Sacramento Regional 8-Hour Ozone Attainment and Reasonable Further Progress Plan (EDCAQMD et al., 2008)
- The San Joaquin Valley Air Pollution Control District's 2007 Ozone Plan (SJVAPCD, 2007a)
- The San Joaquin Valley Air Pollution Control District's ~~Extreme Ozone Attainment Demonstration Plan~~ 2013 Plan for the Revoked 1-Hour Ozone Standard (SJVAPCD, 2004 2013)
- The San Joaquin Valley Air Pollution Control District's 2016 Plan for the 2008 8-Hour Ozone Standard (SJVAPCD, 2016)
- The San Joaquin Valley Air Pollution Control District's 2007 PM10 Maintenance Plan and ~~Request for Redesignation~~ (SJVAPCD, 2007b)
- The San Joaquin Valley Air Pollution Control District's San Joaquin Valley ~~2008~~ 2015 PM2.5 Plan (SJVAPCD, ~~2008-2015~~)
- Raising the Roof: California Development Projections and Constraints, 1997-2020. Statewide Housing Plan Update (California Department of Housing and Community Development, 2000)
- California Transportation Plan ~~2025~~ 2040 (Caltrans, ~~2006~~ 2016)
- Butte County 2016 Regional Transportation Plan/Sustainable Communities Strategy 2008-2035 (BCAG, ~~2008~~ 2016)
- The Sacramento Area Council of Governments' 2016 Metropolitan Transportation Plan/Sustainable Communities Strategy for 2035 (SACOG, ~~2011~~ 2016)
- The San Joaquin Council of Governments' ~~2011~~ 2014 Regional Transportation Plan/Sustainable Communities Strategy (SJCOG, ~~2011~~ 2014)
- The Stanislaus Council of Governments' ~~2011~~ 2014 Regional Transportation Plan/Sustainable Communities Strategy (STANCOG, ~~2011~~ 2014)

- The Merced County Association of Governments' ~~2012~~ 2016 Regional Transportation Improvement Program (MCAG, ~~2011~~ 2016)
- Madera County ~~2011~~ 2014 Regional Transportation Plan (Madera County, ~~2011~~ 2014)
- ~~Fresno Council of Governments~~ The Council of Fresno County Governments' 2011 2014 Regional Transportation Plan/Sustainable Communities Strategy (Fresno Council of Governments ~~Council of Fresno County Governments, 2010~~ 2014)
- Natomas Basin Habitat Conservation Plan (City of Sacramento et al., 2003)
- East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (East Contra Costa County HCPA, 2006)
- San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (San Joaquin County, 2000)
- ~~Bay Delta Conservation Plan (Reclamation et al. 2012)~~
- California Water Fix (California Natural Resources Agency, 2016a)
- California EcoRestore (California Natural Resources Agency, 2016b)
- The Delta Stewardship Council's Delta Plan (Delta Stewardship Council, ~~2011~~ 2013 2019)
- The Delta Protection Commission's Land Use and Resource Management Plan for the Primary Zone of the Delta (DPC, 2010)
- The Delta Protection Commission's Economic Sustainability Plan for the Sacramento-San Joaquin Delta (DPC, ~~2011~~ 2012)
- The Sacramento-San Joaquin Delta Conservancy's ~~Interim~~ 2012 Strategic Plan (Delta Conservancy, ~~2011~~ 2012)
- ~~Yolo Natural Heritage Program Plan Document~~ Yolo Habitat Conservation Plan and Natural Community Conservation Plan (Yolo County HCP/NCCP JPA, ~~2011~~ 2015)
- Butte Regional Conservation Plan (BCAG, ~~2011~~ 2015)
- Habitat restoration and species protection actions undertaken pursuant to the Central Valley Project Improvement Act (H.R. 429, Public Law 102-575), including the Anadromous Fish Restoration Program, Habitat Restoration Program, Instream Water Acquisition Program, Spawning and Rearing Habitat Restoration Program, and Anadromous Fish Screen Program (Bureau of Reclamation 1992, 2020)
- Update to PEIR Section 4.3.2, "Reasonably Foreseeable Future Projects," to refresh the list of "List of Reasonably Foreseeable Future Projects."

In addition to statewide, regional, and local plans and statewide development data identified in the previous section, reasonably foreseeable future flood management and water supply management projects in the extended systemwide planning area were included in the PEIR cumulative impacts analysis. These projects were considered individually because their effects are more closely related to those of the CVFPP than other projects. This list does not include any projects that are included in the CVFPP.

- Yuba River Basin Project
- Shasta Lake Water Resources Investigation
- North of Delta Off-Stream Storage (Sites Reservoir)
- Los Vaqueros Reservoir Expansion
- Arroyo Pasajero Flood Related Improvements (Central Valley Project/State Water Project)
- San Joaquin River Salinity Management Plan
- Cosgrove Creek Flood Control Project
- San Joaquin River Restoration Program
- North Delta Flood Control and Ecosystem Restoration Project
- Dutch Slough Tidal Restoration Project
- Franks Tract Project
- Delta-Mendota Canal/California Aqueduct Intertie Project
- Delta Water Supply Project
- Hetch Hetchy Seismic Upgrade Project
- North Bay Aqueduct Alternative Intake Project
- ~~BDCP/DHCCP~~ California WaterFix/California EcoRestore/Delta Plan
- Suisun Marsh Management, Preservation, and Restoration Plan
- Environmental Permitting for Operations and Maintenance Project
- Yolo Bypass Cache Slough Water Plan

6. Conclusions

Based on the analysis in this addendum, the modifications and refinements identified in the 2022 CVFPP Update and changes in circumstances and new information since the 2012 PEIR and 2017 Supplemental PEIR were prepared would result in **none** of the conditions described in Section 15162 of the State CEQA Guidelines that would trigger the need to prepare a subsequent or supplemental PEIR. Most importantly, the proposed minor technical changes evaluated in this addendum:

- would not result in any new significant environmental effects,
- would not substantially increase the severity of previously identified significant effects,
- would not result in mitigation measures or alternatives previously found to be infeasible becoming feasible, and
- would not result in availability/implementation of mitigation measures or alternatives which are considerably different from those analyzed in the previous document that would substantially reduce one or more significant effects on the environment.

These conclusions confirm that a subsequent or supplemental EIR is not required, and this addendum to the 2012 PEIR is the appropriate CEQA document under State CEQA Guidelines Section 15164 to evaluate the minor technical changes and resulting environmental impacts thereof.

7. References

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