SACRAMENTO - SAN JOAQUIN DELTA CONSERVANCY
A California State Agency

RESOLUTION NO. [2022-01]

RESOLUTION OF THE SACRAMENTO-SAN JOAQUIN DELTA CONSERVANCY ADOPTING THE FINAL NOTICE OF EXEMPTION AND MAKING LEAD AGENCY DETERMINATIONS

WHEREAS, the Sacramento-San Joaquin Delta Conservancy (Delta Conservancy) prepared and submitted a Statutory Exemption for Restoration Projects (SERP) concurrence request to the California Department of Fish and Wildlife Director for the Riparian Area Restoration 1 at River Garden Farms Project (Project) per Public Resources Code 21080.56; and

WHEREAS, American Rivers is working with the Delta Conservancy and Audubon California to complete project CEQA compliance requirements. Audubon California obtained conditional funding from the Wildlife Conservation Board (WCB) to complete restoration activities at the project site; these funds will be released by WCB to Audubon California upon fulfillment of CEQA compliance requirements. American Rivers obtained funding from the Sacramento-San Joaquin Delta Conservancy (Delta Conservancy) and The Nature Conservancy (TNC) to complete CEQA for the Project (P1-1702) on behalf of Audubon California; and

WHEREAS, the Sacramento-San Joaquin Delta Conservancy is the lead agency on the Project, and the Board is the decision-making body for the proposed Project; and

WHEREAS, the Project location is 19 acres within the River Garden Farms property. River Garden Farms is a 15,000-acre farm located along the Sacramento River a few miles north of Knights Landing, a Central Valley town in Yolo County that is approximately 20 miles northwest of Sacramento, California. The Project location is adjacent to Road 98A to the west and borders the 14A irrigation canal, which is connected to the Sacramento River via the Reclamation District 108 (RD 108) pump station. The Project is a climate-resilient, bird-friendly restoration project with the goal of creating and improving habitat for birds and other key species. The Project will install 15.8 acres of Mixed Riparian Forest (MRF), Mixed Riparian Thicket (MRT), and a grassland and forb understory along the levee slope adjacent to the farm and 3.2 acres of the Willow Scrub (WS) community on the canal-side of the levee via native plant restoration. The Project is one of seven locations that have planned restorations on the River Garden Farms property. This will create a wildlife corridor between the Sacramento River and Roosevelt Ranch, which hosts 2,530 acres of restored wetlands on private lands enrolled in the Wetland Reserve Program of the Natural Resources Conservation Service. See 'Riparian Area 1' in Restoration Planning Project at River Garden Farms: Riparian Restoration Design (supporting documents found at this link); and

WHEREAS, the Project's restoration designs use three woody plant communities (MRF, MRT, and WS) with an understory layer of forbs and grasses. The planting pattern for the woody plant associations have been designed to achieve a network of dense riparian vegetation for cover, breeding sites, and dispersal corridors for riparian birds, pollinators, and other wildlife of conservation concern. These woody plant communities will benefit a variety of Neotropical migrant songbirds, which require dense

shrubby vegetation. Abundant blackberry and rose will form dense thickets expanding formation of a lush riparian habitat, and coyote brush, blue elderberry, and shrubby willows will function as trellis species and provide habitat structure. The Project site is currently dominated by non-native grasses and will require site preparation before native vegetation planting and seeding can begin. Site preparation activities include clearing debris, weeds and thatch, and discing soils. After the site is prepared, there will be approximately 15.8 acres of farm-side plantings, including the MRF, MRT, and grassland and forb understory on the farm-side of the levee, and 3.2 acres of WS plantings on the canal-side of the levee. MRF community will be located on the two exterior rows of the farm-side plantings. These rows have already been planted by a volunteer program at 20 feet on center, so the MRF community will be installed between existing plantings, resulting in a spacing of 10 feet on center. The aisle ways between the MRF plantings and the MRT community will be seeded with native grasses. The MRT community will be planted in the three interior rows on the farm side planting. The center row of the MRT has already been planted by a volunteer program on 20-foot centers, so the MRT community will be installed between these existing plantings, resulting in a 10-foot plant spacing. The outer two rows of this community are not currently planted and will be installed with 10-foot plant spacing. The aisle ways between the MRT community rows will be seeded with native forbs. On the canal-side of the levee, the WS community will be installed in a single row. Each tree or shrub will be planted with two Santa Barbara sedge plugs, one on either side of the plant. Plans for vegetation plantings are based on a site-specific planting design and utilize a palette of locally occurring species to promote quick growth of an herbaceous floodplain community along with several varying types of riparian forest. See 'Riparian Area 1' in Restoration Planning Project at River Garden Farms: Riparian Restoration Design (supporting documents found at this link); and

WHEREAS, the Project is adjacent to a section of the Sacramento River constrained by the narrow floodway, bordered by agricultural land, levees, and farmer berms for much of its length, and largely separated from its historic floodplains. There will be no in-stream work conducted as part of this project; planting will be on the banks only. Irrigation will occur during the project to support establishment of planted vegetation. After the Project ends, planted vegetation will be supported by seepage from the canal. The 14A irrigation canal is filled with water year-round; annual maintenance of one to two weeks' duration may occur, during which water levels are reduced, but the canal is never completely dewatered. The 14A irrigation canal is filled with water via the El Dorado Bend Pumping Plant on the Sacramento River (only during summer months), and from RD108 lands via the Sycamore Slough Reuse Pumping Plant. There is no hydraulic connection between Canal 14A and the Colusa Drain. Water rights information may be obtained from RD 108 or publicly available records. Irrigation water for plantings will not originate from the canal, but rather a mix of other farm-side system sources to the south of the canal. Existing aquatic habitat in the canal is perennial, with seasonally varying water depths of one to ten feet. There are occasional patches of canal-side emergent vegetation, and very sparse, mature riparian vegetation. Significant inflows to the canal are only from El Dorado Bend Pumping Plant diversions during the summer months, and RD108 lands drain water via the Sycamore Slough Reuse Pumping Plant. Fish access to, and presence in, the canal is unknown. The El Dorado Bend Pumping Plant is prohibited from operating during winter and spring months coinciding with salmonid migration in the mainstem Sacramento River. Fish access may be possible via the unscreened intake of the El Dorado Bend Pumping Plant, but this has not been previously documented. The project is not designed to enhance fish habitat, nor will it alter canal operations or hydrology. For full riparian restoration design plans for the Project, see 'Riparian Area 1' in Restoration Planning

Project at River Garden Farms: Riparian Restoration Design (supporting documents found at this link); and

WHEREAS, the Project's expected environmental benefits include the creation of rapid cover for Central Valley Joint Venture (CVJV) focal birds in accordance with conservation actions identified in the CVJV Implementation Plan, which provides a cohesive vision for bird conservation in the Central Valley within the context of the entire Pacific Flyway in association with four international bird conservation initiatives. This project is a Priority 2 riparian restoration project located within the boundaries of the CVJV. The CVJV's conservation objective for riparian habitat in the 2020 Implementation Plan is 8,377 acres by 2030 for the Sacramento Planning Region and 33,332 acres valley-wide. The proposed project will contribute 19 acres to the CVJV's overall habitat objective for riparian habitat in the Sacramento Planning Region and benefit three of the highlighted bird groups in the plan: riparian land birds, grassland-oak savannah land birds, and at-risk bird species (see Table ES-1 on page iv of the Central Valley Joint Venture 2020 Implementation Plan, supporting documents found at this link). CVJV birds expected to benefit from habitat restoration at the site include: CVJV At-Risk Species such as Swainson's Hawk (*Buteo swainsoni*) and Oak Titmouse (*Baeolophus inornatus*); and Focal Riparian Songbirds, such as Ash-Throated Flycatcher (*Myiarchus cinerascens*), and Spotted Towhee (*Piplio maculatus*). Additionally, plantings will create and enhance important habitat for key species. Specifically, planting elderberry (Sambucus nigra) clusters will create habitat for Valley Elderberry Longhorn Beetle (*Desmocerus californicus dimorphus*) and planting of forbs and grasslands will create habitat for Giant Garter Snake (Thamnophis gigas) and Monarch butterfly (*Danaus plexippus*). The Project will create an important wildlife linkage between the Sacramento River and permanently protected wetlands at Roosevelt Ranch two miles to the south. Finally, the project will directly sequester carbon through the addition of soil and woody biomass, contributing to the state's Natural and Working Lands Climate Implementation Plan; and

WHEREAS, stakeholder outreach took place between American Rivers (AR) and the Yocha Dehe Wintun Nation on March 15, 2022, where AR staff provided Laverne Bill, the Yocha Dehe Wintun Nation's cultural and natural resources manager, information specific to the Project (see correspondence dated March 15, 2022 in supporting documents at this link). Audubon California obtained letters of support from Ducks Unlimited, Reclamation District 108, and the Central Valley Joint Venture (CVJV), a partnership of 19 public and private government agencies, science and conservation organizations, and corporations who work collaboratively to protect, restore and enhance habitats for birds (see letters of support at this link); and

WHEREAS, a Notice of Exemption was prepared for the Project by the Sacramento-San Joaquin Delta Conservancy, pursuant to the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000-21177) and CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387); and

WHEREAS, consistent with Public Resources Code Section 21081.6(a)(2), the documents which constitute the record for this project are located at the offices and the website of the Sacramento-San Joaquin Delta Conservancy and may be inspected by any person; and

WHEREAS, the Sacramento-San Joaquin Delta Conservancy determines this project meets all the SERP requirements described in Public Resources Code section 21080.56; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of the Sacramento-San Joaquin Delta Conservancy determines the Project:

a) **Is exclusively intended to conserve, restore, protect, or enhance, and assist in recovery of California native fish and wildlife and the habitat which they depend (21080.56. (a)),**

The lead agency has determined that this project is exclusively both (a) a project to conserve, restore, protect, or enhance in the recovery of California wildlife, and the habitat upon which they depend and (b) a project to restore or provide habitat for California wildlife. As outlined in Table 1 on page 3 of the Restoration Planning Project at River Garden Farms: Riparian Restoration Design document (supporting documents found at this link), this project intends to restore lost riparian habitat for migratory birds, resident birds, and other sensitive species and create a wildlife movement corridor through achieving the following objectives: (1) establishing healthy riparian and hedgerow habitat that provides immediate (less than 3 years) habitat benefits and has a high probability of long-term survivorship; (2) maximizing the habitat benefits to birds and other species by incorporating understory plant species with structural diversity to produce cover, breeding sites, food sources, and safe dispersal options; (3) providing rapid cover for a wide range of bird species, including neo-tropical migrants and Central Valley Joint Venture focal species; (4) enhancing riparian habitat connectivity; and (5) sequestering carbon in soil and tree biomass.

b) **May have incidental public benefits, such as public access and recreation (21080.56. (b)),**

The lead agency has determined that this project will have incidental public benefits that include increased carbon storage, improvements to water quality, and improved climate resiliency through enhancement of ecological function of degraded habitat to improve durability to climatic shifts (Keeley et al. 2018, Seavy et al. 2009, supporting documents found at this link). The project area is on private land that will not be open to public access and recreation. See page 17 of 2021 Wildlife Conservation Board Pacific Flyway Conservation 2020 Full Application Form for more information (supporting documents can be found at this link).

c) **Results in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery. Includes procedures and on-going management for protection of the environment (21080.56. (c)),**

Long-Term Net Benefits to Climate Resiliency: The lead agency has determined that the Project results in long-term net benefits to climate resiliency. First, this project creates climate resiliency through restoration of wildlife habitat linkages, as ecosystems with greater connectivity, complexity, redundancy, and extent tend to have greater resilience. The Project creates high-value habitat corridors to accommodate wildlife movement between the Sacramento River and Roosevelt Ranch's expansive wetlands to the south of the project site. Numerous scientific studies, including Keeley et al. 2018 (supporting documents found at this link), have demonstrated that improved habitat connectivity promotes species persistence in response to climate change.

Next, as climate change increases temperatures, individuals and ecosystems will need to migrate to areas with more shade and cooler temperatures during periods of high heat (see page 42 of *Climate Change and the Delta: A Synthesis*, supporting documents found at this link). To make this restoration more resilient to climate change, the Project's design includes diverse vegetation species and high variability in vegetation structure, height, and light availability. This will create varied habitat for wildlife, including temperature refugia during periods of extreme heat.

Finally, long-term management actions (including plant health surveys, weed/pest control, and other actions to ensure the health of planted vegetation; see *Maintenance & Management Plan* for complete description of maintenance and management activities, supporting documents found at this link) are planned for a period of 25 years after the project's end date. These post-implementation management actions will ensure that the soil and woody biomass added to the project area will continue to thrive and sequester atmospheric carbon long after project implementation is complete.

Long-Term Net Benefits to Biodiversity: The lead agency has determined that the project results in long-term net benefits to biodiversity by producing habitat and cover for the numerous bird, mammal, reptile, and amphibian species known to use the areas in and around the project site. According to the California Wildlife Habitat Relationships (CWHR) database (CDFW 2008), 198 bird species have ranges known to overlap with the River Garden Farms property; 107 of these have been detected on the River Garden Farms property through monitoring efforts including Floodplain Forest Bird Surveys, winter waterbird surveys of flooded rice fields, Healthy Soils Program cover crop surveys, and alfalfa field surveys. Additionally, CWHR indicates that 41 species of mammals have ranges that overlap with the River Garden Farms property, as well as 18 species of amphibians and reptiles. The CVJV's conservation objective for riparian habitat in the 2020 Implementation Plan is 8,377 acres by 2030 for the Sacramento Planning Region where the Project is located and 33,332 acres valley-wide. This Project will contribute to this objective and benefit three of the highlighted bird groups in the plan: riparian land birds, grassland-oak savannah land birds, and at-risk bird species.

Long-Term Net Benefits to Sensitive Species Recovery: The lead agency has determined that the project results in long-term net benefits to sensitive species recovery. The Central Valley Joint Venture's (CVJV) riparian habitat conservation objectives are based on population and breeding density objectives for a group of 12 focal bird species (please see page 14 of 2021 WCB Grant Application for a complete list of focal bird species, all supporting documents can be found at this link). Among these are numerous Central Valley Joint Venture (CVJV) focal species and species with special status, including those identified as Species of Greatest Conservation Need (SGCN) in the State Wildlife Action Plan (CDFW 2015). Eight of these species have the potential to be supported by the project. Additionally, seven of the CVJV's grassland-oak savannah focal species and five at-risk species will be supported by the project. CVJV Focal Birds to benefit from habitat restoration include: Focal Riparian Songbirds, such as Ash-Throated Flycatcher, Black-headed Grosbeak, and Nuttall's Woodpecker; Focal Oak Woodland Birds, such as Acorn Woodpecker, Yellow-Billed Magpie, and Western Bluebird; and At-Risk Species, such as Swainson's Hawk and Oak Titmouse. Other species of wildlife to benefit from project implementation include federally-threatened Giant Garter Snake (*Thamnophis gigas*), Valley Longhorn Elderberry Beetle (*Desmocerus californicus dimorphus*). Please see page 15 of WCB Grant Application for a complete list of other species of wildlife expected to benefit from the project (supporting documents found at this link). Additionally, the 2014 Ecosystem Restoration Program (ERP) Conservation Strategy cites the Central Valley's importance as the Pacific Flyway's most important waterfowl wintering area in the Pacific Flyway, supporting up to 60 percent of the total Flyway bird population in some years, and higher proportions of certain populations (see page 113 of *2014 Ecosystem Restoration Program Conservation Strategy for Restoration of the Sacramento-San Joaquin Delta, Sacramento Valley and San Joaquin Valley Regions*, supporting documents found at this link). A 2021 Audubon Society study estimates that 107 million migratory land birds use the Central Valley in the spring and 147 million in fall (DeLuca et al. 2021, supporting documents found at this link).

Procedures and Ongoing Management for the Protection of the Environment: The lead agency has determined that the project includes procedures and ongoing management for the protection of the environment. During project implementation, the project will use best management practices such as low-impact site preparation activities and planting activities to install vegetation onsite (see pages 12-13 of Restoration Planning Project at River Garden Farms: Riparian Restoration Design document for more information, supporting documents found at this link).

The Project will conduct monitoring and reporting during the three year grant term of project implementation (2022-2025). The Project monitoring will assess the effectiveness of the Project with respect to its objectives and associated performance measures, and to ensure that the restoration continues to provide long-term carbon sequestration, water quality, and wildlife habitat benefits. Monitoring data will be made available to the California Natural Diversity Database (CNDDB) and Point Blue's California Avian Data Center (see page two of Monitoring and Reporting Plan, supporting documents found at this link). The team responsible for monitoring is comprised of Audubon California, Point Blue Conservation Science, and River Partners. Audubon California has overall project management responsibilities and is responsible for coordination of project monitoring. Audubon will also be responsible for collecting the vegetation habitat value, bird, connectivity, and carbon storage data under the guidance of Point Blue. Point Blue will assist Audubon California with monitoring design, data management, and analyses. Point Blue will also train Audubon staff to collect multiple-benefit monitoring data including vegetation structure and diversity, bird, and carbon storage using Point Blue's draft protocol "Protocol for Evaluating the Multiple-Benefits of Riparian Restoration in California." (Dybala et al. in prep, supporting documents found at this link) River Partners will monitor vegetation health including cover, vigor, and survival, of all woody and seeded species. Baseline monitoring will be conducted in year one, post-planting vegetation monitoring will occur in years two and three on an annual basis. Plant survivorship will also be monitored monthly. Baseline bird diversity data will be collected in year one of the project. Bird data will be collected in the spring/summer and soil carbon data will be collected after the first rain in the fall/winter. Post-planting monitoring will occur in years two and three on an annual basis and will begin one year after the final plantings have been completed. Visual surveys for general plant health will occur monthly during the term of the grant and will include looking for plant stress and other factors that may be affecting plant survivorship. Monitoring for the vegetation, birds, and carbon storage metrics beyond the term of the grant is not explicitly funded. However, the team fully expects to have a regular presence on the farm for years to come as they secure funding for and implement other restoration projects that have been planned. Therefore, it is highly likely that there will be many opportunities for them to perform ongoing monitoring of the restoration's metrics. See the Monitoring and Reporting Plan for a complete description of the Performance Measures table summarizing the project's performance measures relative to the five project objectives (supporting documents found at this link).

Finally, long-term, post-maintenance management activities such as plant health surveys, weed/pest control, and other actions are planned for a period of 25 years after the project grant's end date and will be the responsibility of the owner of the River Garden Farms property. Management tasks and responsibilities will include visual plant health surveys to assess plant stress and determine if corrective action must be taken, invasive weed management (expected to be minimal after the grant period, as vegetation is designed to be self-sustaining, and planted seed mixes contain highly competitive native grasses; will include mowing and spot-spraying of undesirable vegetation annually); irrigation (while irrigation should not be required, the landowner may determine the need for supplemental water),

pest management (while pest management should not be required, the property landowner will be responsible), and plant replacement (not expected due to irrigation during first three years of establishment; however, if needed, plant replacement will be responsibility of landowner and incorporated into other implementation projects on the property). Please see *Maintenance and Management Plan* for a complete description of maintenance and management activities (supporting documents found at this link).

d) Has construction activities solely related to habitat restoration (21080.56. (d)),

The lead agency has determined that the Project does not include any construction activities, except for construction activities solely related to habitat restoration. Site preparation activities include clearing debris, weeds and thatch, and discing soils. Restoration activities will also include installation of a temporary irrigation system prior to planting; this irrigation system will be removed once plants have become established at the site. After project end, vegetation will use seepage from nearby Canal 14A as its sole water source. See page 12 of project design plans in the *Restoration Planning Project at River Garden Farms* document for more information (supporting documents found at this link). New container plants will be installed via hand digging. Grass and forb understories will be drill-seeded when possible, and mechanically broadcast seeded when this is not possible. Following broadcast seeding, or attached to the seeder, a light-duty ring roller, Fuerst tine harrow, or similar device shall be used to ensure light soil coverage of broadcast seed. Please refer to pages 12-13 of project design plans within the Restoration Planning Project at River Garden Farms document for more information (supporting documents found at this link).

e) Consistent with Public Resources Code § 21081.6(a)(1), adopts the Notice of Exemption, and

f) The Delta Conservancy hereby authorizes and directs staff to file a Notice of Exemption with the State Clearinghouse.

PASSED, APPROVED, AND ADOPTED BY THE SACRAMENTO-SAN JOAQUIN DELTA CONSERVANCY BOARD THIS MAY 25, 2022.

VOTE

Ayes:
Noes:
Abstentions:
Absent:

Lead Agency Certification

I certify that I have the authority to determine whether a project is exempt pursuant to CEQA Guidelines section 15025(a)(1), and this project meets all the requirements described in Public Resources Code section 21080.56, and that I have submitted all the determinations required therein necessary to obtain the concurrence of the Director of Fish and Wildlife

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Don Nottoli, Board Chair