

## SECTION 5

# Mitigation Measures

As discussed in Section 4 of this EIR, significant adverse environmental impacts to terrestrial biological resources have occurred as a result of delivering and using CVP on encroachment lands outside the authorized POU. In addition, additional significant adverse impacts could also occur, in the future, if the authorized POU is expanded to the boundaries proposed by Reclamation. Because these two categories of land involve an historical impact and a potential future impact, they would require different measures to mitigate associated adverse effects. Therefore, mitigation measures for each land category (encroachment vs expansion) are addressed separately in the following discussion.

## 5.1 Mitigation Needs for Impacts on Encroachment Lands

Section 4 of this EIR describes impacts from the delivery and use of CVP water on encroached lands. Of the 116,664 acres that currently receive CVP water (60,121 acres for M&I uses and 56,543 acres for irrigated agriculture), the development and land use conversion of 49,602 acres was facilitated by delivery of CVP water. The habitats of those 49,602 acres consisted of:

- 8 acres of valley-foothill hardwood-conifer
- 47 acres of mixed chaparral
- 198 acres of valley-foothill riparian/fresh emergent wetland
- 19,262 acres of annual grassland
- 29,918 acres of alkali scrub
- 169 acres of open water

Table 5-1 shows the water contractor service areas where these 49,602 acres of encroachment lands are located, the habitats affected by such encroachment, and the threatened and endangered species that are associated with those habitats.

These lands and associated habitats were directly affected by the delivery and use of CVP water. As concluded in Section 4, the impact to these habitats and associated wildlife species, designated as endangered or threatened in accordance with federal and state endangered species protection mandates, is considered a significant adverse impact.

Table 5-1 Habitats Affected and Associated Threatened and Endangered Species			
Water Contractor Name	Habitats Affected		Species
	Habitat Type	No. of Acres	
Kanawha Water District	Annual Grassland	665	Western spadefoot Peregrine Falcon Northern Harrier Prairie Falcon Townsend's big-eared bat Golden Eagle American badger Merlin Loggerhead Shrike Caper-fruited tropidocarpum
	Valley Foothill Riparian/ Fresh Emergent Wetland	24	Western pond turtle Peregrine Falcon Burrowing Owl Tricolored Blackbird American badger Merlin Foothill yellow-legged frog Loggerhead Shrike Townsend's big-eared bat
Sacramento Municipal Utility District	Annual Grassland	2,772	Vernal pool fairy shrimp California linderiella California tiger salamander Prairie Falcon Short eared Owl Long-billed Curlew Townsend's big-eared bat Bogg's Lake hedge-hyssop Vernal pool tadpole shrimp Western spadefoot Golden Eagle Burrowing Owl California Horned Lark Merlin Sacramento orcutt grass American badger
	Valley Foothill Riparian/ Fresh Emergent Wetland	58	California tiger salamander Western Spadefoot Northern Harrier Ferruginous Hawk Tricolored Blackbird Townsend's big-eared bat Western Pond Turtle Giant garter snake Swainson's Hawk Merlin American badger
San Luis Water District	Annual Grassland	7,928	California tiger salamander Hoover's eriastrum San Joaquin woolly-threads Townsend's big-eared bat Giant kangaroo rat Recurved larkspur San Joaquin kit fox American badger Short-nosed kangaroo rat San Joaquin antelope squirrel
	Valley Foothill Riparian/ Fresh Emergent Wetland	80	Foothill yellow-legged frog Townsend's big-eared bat American badger California tiger salamander
	Alkali Scrub	1,601	Giant garter snake Prairie Falcon Tricolored Blackbird San Joaquin antelope squirrel Fresno kangaroo rat Townsend's big-eared bat Recurved larkspur Hispid bird's beak Golden Eagle Burrowing Owl Tulare grasshopper mouse Giant kangaroo rat Short-nosed kangaroo rat Heartscale Blunt-nosed leopard lizard Moestan blister beetle
Silverthorn Summer Homes, Inc.	Valley-foothill hardwood-conifer	8	Shasta salamander Golden Eagle Bald Eagle
	Mixed chaparral	47	Blue-gray Gnatcatcher
Westlands Water District	Annual Grassland	8,066	Morrison's blister beetle San Joaquin dune beetle Burrowing Owl San Joaquin antelope squirrel Fresno kangaroo rat San Joaquin pocket mouse American badger California jewelflower Recurved larkspur Hoppings blister beetle Western spadefoot Northern Harrier Short-nosed kangaroo rat Giant kangaroo rat San Joaquin kit fox Townsend's big-eared bat San Joaquin woolly-threads
	Valley Foothill Riparian/ Fresh Emergent Wetland	36	Western spadefoot Giant garter snake Townsend's big-eared bat Western pond turtle American badger Panoche peppergrass
	Alkali Scrub	28,317	Moestan blister beetle Blunt-nosed leopard lizard Tulare grasshopper mouse Panoche peppergrass San Joaquin dune beetle Short-nosed kangaroo rat Recurved larkspur

### 5.1.1 Mitigation For Encroachment Land Impacts

It is recognized by both Reclamation and the SWRCB that mitigation for compensating past impacts to encroachment lands must provide similar environmental values that were associated with the affected

lands. Suitable mitigation for the impact to 49,602 acres of habitat, as listed in Table 5-1, could consist of several different measures to acquire, maintain, and restore the environmental habitat values needed to support listed species that were previously found on these lands. Measures to obtain these habitat values could include, but are not limited to:

- Acquiring lands for habitat restoration
- Implementing management programs to enhance existing habitat values
- Acquiring development rights to control land use activities to be consistent with target species needs and habitat requirements.

Because several different measures are available to mitigate the impact to encroachment lands, with each method capable of restoring some level of environmental value, the precise combination of measures needed to adequately mitigate the past impact to the encroached lands cannot be identified at this time.

As discussed in the following text, Reclamation is currently implementing several programs capable of achieving the mitigation requirements described in this EIR. These programs consist of ongoing, adaptive management efforts that will, overtime, restore, create and maintain targeted environmental habitat values which would mitigate impacts associated with the construction and operation of the CVP. This program is recognized by the SWRCB as the appropriate means to obtain mitigation for the impacts to encroachment lands, provided that portions of the funds and management efforts would specifically be assigned to mitigating those environmental values adversely affected by the encroachment of CVP water supplies to the 49,602 acres outside the authorized POU.

#### **5.1.1.1 CVPIA Programs Mitigating Impacts to Fish and Wetland Resources**

The passage of the Central Valley Project Improvement Act (CVPIA) in 1992 can be viewed as a turning point in the long-standing discussion of the relationship of fish and wildlife resources to the CVP. In general the CVPIA, among many other actions, made protection and maintenance of fish and wildlife resources a project purpose of the CVP, mandated a number of specific actions be undertaken to address fish and wildlife resources, and established a funding mechanism to help carry out these actions. The CVPIA, in essence, sets forth a fish and wildlife mitigation program for the CVP as presently configured and operated.

The CVPIA provides funding and a certain degree of latitude in establishing programs and funding priorities for past impacts of the CVP. Although it is recognized that the major focus of the CVPIA is to address the needs of anadromous fish and waterfowl, a number of the actions implemented under the CVPIA mandated programs have corollary benefits to terrestrial vegetation and wildlife species. In addition, there are other programs within the CVPIA that will provide direct benefits to terrestrial species that have been impacted by the CVP.

Among the programs that would provide corollary benefits to terrestrial species are the anadromous fish and wetland restoration activities. The anadromous fish activities will include habitat acquisition activities, that while directed at developing/protecting stream side habitats primarily for fishery purposes, will provide benefits to terrestrial species by virtue of stream side habitat enhancement. Wetland restoration activities also contribute to these benefits for terrestrial species, and perhaps to a greater benefit than fishery orientated activities. Acquisition and development of wetlands usually involves developing a mosaic of habitats which include not only the wetlands but also adjacent upland habitats.

Several examples of recently implemented habitat restoration/mitigation efforts that Reclamation has implemented consist of:

- **Valensine Ranch Acquisition** - Reclamation has provided substantial funds in a multi-agency organization partnership to purchase 4,300 acres of property. About 90 percent of the property consists of upland habitat types.
- **East Side Lake Berryessa** - Reclamation is funding a planning and habitat restoration effort to develop and enhance over 2,000 acres of uplands on the east side of the lake.
- **Intermountain West, Central Valley Habitat, and Riparian Habitat Joint Ventures** - Reclamation has provided funds for numerous habitat enhancement projects for each of these Joint Ventures. While the focus of the Joint Ventures is primarily wetland and riparian habitat, these projects typically have an upland habitat component associated with them.

These programs demonstrate that Reclamation is actively participating in programs designed to restore and enhance environmental values that were adversely effected by the construction and operation of the CVP. Therefore, the future application of these programs to mitigate impacts associated with effects to encroachment lands is suitable and appropriate.

### **5.1.1.2 CVPIA Programs Mitigating Impacts to Terrestrial Habitats**

In addition to the programs discussed above, two CVPIA programs that will specifically address terrestrial habitats are the Land Retirement and the (b)(1) “other” Programs.

### **5.1.1.3 Land Retirement Program**

The Land Retirement Program is directed toward acquiring lands from willing sellers with a preference for acquiring drainage-impaired lands in the CVP service area. In response to a request for proposals in 1997, there were 31 offers to sell drainage-impaired lands totaling 27,500 acres. Of this total, Reclamation anticipates funding purchases of about 12,500 acres.

In 1998, Reclamation will initiate a second effort to identify additional lands to purchase over the next 5 years. Funding for purchases identified in 1997 and through the next effort will be approximately \$50 million over the next 5 years. This level of funding could accommodate the acquisition of up to 60,000 acres, depending on land value and negotiated market cost. In addition to the CVPIA Land Retirement program, the Department of Interior will jointly investigate the possibility of purchasing additional lands on the west side of the San Joaquin Valley with willing partners.

The CVPIA Land Retirement Program is currently in place and will provide direct environmental benefits that include the restoration of upland habitat in areas where terrestrial species have been significantly effected by CVP-related land use conversions.

### **5.1.1.4 (B)(1) “other” Program**

The (b)(1) “other” Program is specifically designed to mitigate impacts to species and associated habitats that were not specifically enumerated in the CVPIA. The focus of this program is expected to be on sensitive species and upland habitats. Initial focus of this program will be given to habitats known to have experienced the greatest percentage decline in habitat quantity and quality since construction and initiation of operations of the CVP.

All projects that are funded through the (b)(1) “other” Program must be clearly linked to impacts from construction, operation, and maintenance of the CVP, in addition to being ranked in accordance with the program prioritization factors included in the 1997 Draft Program Plan (Appendix F). This program was initially implemented in 1997 and anticipates annual funding in the range of \$1-2 million, annually. Development of specific projects in the (b)(1) “other” program is being closely coordinated with other CVPIA programs and with other Federal, state, and private organizations that are implementing programs with similar goals and objectives.

Examples of specific activities funded include the following:

- Contribution to implementation of Pine Hill Ecological Reserve in El Dorado County to benefit listed plant species (1997-98 funding of \$1.5 million).
- Contribute funding toward acquisition of 60,000 acre property in Merced County which supports several high priority habitats including oak woodland and native grassland (anticipated 1998 funding of \$300,000).
- Contribute funding toward acquisition of property along Sandy Mush Road in Madera County to contribute to recovery of five federally listed species (anticipated 1997 funding of \$100,000).
- Acquisition of Jensen Ranch in Fresno County. This is a 182 acre property along the San Joaquin River facing development pressures that included riparian habitat, oak woodland, and associated uplands.

#### **5.1.1.5 Other Reclamation Programs To Enhance the Environment**

In addition to the CVPIA directed or related programs, Reclamation has undertaken additional activities or programs designed to enhance environmental conditions that have been affected by CVP operations. These include the following.

## **Central Valley Project Conservation Program**

This Program was established in 1997 under the authority of Section 7 (a)(1) of the Endangered Species Act for the primary purpose of undertaking actions to address the needs of species listed in accordance with the federal Endangered Species Act that have been affected by the CVP. A report describing the Program was completed in September 1997 (Appendix G).

A Program Manager has been assigned to develop and manage this Program. The Program is funded to undertake activities starting in October 1998. Anticipated funding is in the order of \$2 million a year. The Conservation Program will address the needs of special status species, including federally listed species, species that are candidates or are proposed species for federal listing, and other species of concern. Each of these species groups will benefit from the Conservation program if they are determined to have high-priority biological needs. The Conservation Program will implement an adaptive management program to protect, restore, and enhance these species and the ecosystems which support them throughout the Central Valley of California and other areas where CVP water is delivered.

Reclamation is committed to a cooperative, interagency approach toward implementation of both the (b)(1) "other" Program and the CVP Conservation Program. In this regard, guidelines describing these programs and the process for selecting habitat restoration activities to be funded have been developed and are publicly available. These guidelines establish the overall objectives of the programs and a framework for implementation. Both programs are dynamic; consequently, these guidelines will be updated periodically to reflect new information, changing ecological needs of species, and input from interested agencies, technical advisors, and the public.

## **Section 7 Consultation Actions**

Reclamation has also undertaken other activities specifically related to section 7 consultations that broadly address impacts to listed species and terrestrial habitats. As one example of this, Reclamation, in cooperation with the Fish and Wildlife Service has developed a San Joaquin Valley Endangered Species Recovery Program that addresses in a comprehensive manner the needs of terrestrial species in the San Joaquin Valley. This is a comprehensive collaborative approach to determining the needs of sensitive species associated with upland habitats in areas affected by the CVP. Upon finalization, various funding sources will be utilized to implement activities pursuant to this Program.

## **CALFED Program**

In addition to the Bureau of Reclamation actions described above the CALFED process is developing and beginning to implement an ecosystem restoration program directed to address the impacts of fish and wildlife associated with water development activities. Although this program is presently primarily directed towards aquatic and associated habitats directly related to the Bay-Delta ecosystem, many of the potential activities that would be funded under this program have corollary benefits to terrestrial species. As an example, land acquisition activities in the San Joaquin Valley directed toward riparian and stream side habitats would most likely also include some associated upland habitats. In addition, as the CALFED restoration effort evolves there may be opportunities to specifically address the needs of terrestrial species in uplands areas. Although future funding for this effort depends on congressional and state government appropriations, it is expected to be substantial. In 1997-1998 alone, approximately \$155 million were made available for these restoration efforts.

### **5.1.1.6 Rationale of Approach to Achieve Greatest Net Environmental Benefits**

The programs described above are designed to address the impacts of the CVP specifically, in addition to impacts of other water development activities in the Central Valley. These programs for the most part are designed to allow for agency and public input to determine the priority of funding. Thus those agencies that have concerns relative to certain species/habitat types have an opportunity to help determine how these mitigation efforts are undertaken. To a certain extent what is occurring is that rather than continue debates about what project/action was responsible for what impact, and the exact mitigation that may be needed for any particular species, programs were developed/authorized that provide funds to address the needs of species through a priority process.

In specific reference to the CVP, Reclamation and the Fish and Wildlife Service have agreed that full and successful implementation of the (b)(1) "other" and Conservation Programs, as well as other CVPIA actions that benefit species, will substantially meet the needs of species affected by the continued operation of the CVP. Taking this proactive approach will now likely reduce or potentially eliminate the need for additional actions under any future Section 7 consultations related to the CVP as it is presently configured and operated. The proposed Section 7 consultation for the continued operation of the CVP and implementation of the CVPIA would guide implementation of the Conservation Program to ensure that identified needs are addressed.

As previously stated, the programs described above have been designed and are being implemented to address the impacts of the CVP, and other water development activities. These programs for the most part allow for the involvement of interested parties to determine the priorities of the programs and subsequently the activities that will be funded. Decisions to proceed with the implementation of these program actions are based on the participation and concurrence of the US Fish and Wildlife Service, California Department of Fish and Game, and other interested parties who are actively involved in implementing environmental mitigation/restoration actions in the CVP service area.

### **5.1.2 Integration of Encroachment Land Mitigation Needs Into Ongoing Reclamation Programs**

In order to ensure that suitable mitigation for encroachment land impacts will be achieved as part of Reclamation's ongoing environmental restoration/mitigation programs, the environmental/habitat values associated with the encroachment lands need to be recognized and considered in the planning and implementation of these programs. This would be accomplished with the participation of the SWRCB, as part of the multi-agency teams, to define the suitability of each future program to satisfy the requirements needed for mitigating impacts to the encroachment lands.

The specific goals and objectives of each project that will be implemented as part of these ongoing programs, as well as, how they may satisfy the mitigation needs for the encroachment lands, cannot be defined at this time. However, it is the intention of the SWRCB that future ongoing Reclamation restoration program activities will focus in part on achieving adequate mitigation or restoration for the environmental/habitat values affected by delivering CVP water to the encroached lands. Reclamation shall be required to develop a schedule for feasible implementation and monitoring of mitigation or restoration actions subject to approval of the SWRCB. In addition, the SWRCB will also compare each mitigation or restoration project's environmental/habitat benefits with a set of criteria to be developed jointly by Reclamation and the SWRCB, that will assign environmental/habitat target values that need to be restored or mitigated for, pursuant to the approval of the petition to change the POU focusing primarily on listed species habitats lost on encroachment lands as identified in Table 5-1.

## 5.2 Mitigation for the Expansion Areas

Section 4 of this EIR described potential impacts associated with future development in the expansion areas. Potential impacts in expansion areas were discussed at a programmatic level because future land and water uses cannot be determined at this time. Mitigation will be developed as part of the site-specific environmental documents to be written for the renewal of CVP water service contracts. Over 67 contracts were scheduled to expire between 1993 and 1997. However, the CVPIA mandated that only interim contract renewals could occur until the Programmatic Environmental Impact Statement for the CVPIA is completed. During contract renewal, a needs analysis to determine beneficial use of the CVP water and a site-specific assessment to determine potential impacts of using CVP water for habitats for Federal and State-listed and proposed species are completed. All contract renewals will be subject to review under the NEPA and ESA processes.

During the NEPA review process, the public will have the opportunity to evaluate and provide input with respect to the beneficial use of CVP water. For impacts associated with delivery of CVP water for municipal and industrial development in expansion areas, local government agencies will have to develop mitigation for county land use plans and project-specific plans during the preparation of CEQA documents. The SWRCB will be a responsible agency under CEQA with respect to project-specific CEQA documents and will make its final decision at that time whether to allow delivery of CVP water to specific expansion areas. In addition, the Federal action of contract renewal will be subject to provisions of the ESA, thus ensuring that impacts to threatened and endangered species will be minimized.

The proposed project would allow delivery of CVP water to currently undeveloped lands that contain characteristics preferred by plant and animal species designated as threatened or endangered by the FWS or the California Department of Fish and Game. These lands would be affected in a significant adverse manner if converted from an undeveloped condition to agricultural, municipal, or industrial land use.

Reclamation will not be authorized under its water rights permits to deliver water for use in these areas until adequate environmental documentation has been prepared in accordance with CEQA and the SWRCB has approved delivery of CVP water to the specific location. The SWRCB will require applicable CVP water contractors or the appropriate local agency to be the lead agency for the preparation of the environmental document. Lands in the immediate vicinity of the habitats of designated plant and animal species will be defined in consultation with interested regulatory agencies. Upon definition or delineation of the habitat boundaries, site-specific mitigation measures will be developed to protect and preserve the size and values of these areas. Specific measures that may be implemented include:

- Avoiding the special management zones during land conversion, and prohibiting subsequent land management operations that would degrade the value of the zone for which it was defined
- Identifying suitable buffer areas and protecting them by deed restrictions to prevent future disturbance of special habitat management zone resources
- Preparing and implementing plans for offsite mitigation/compensation that will achieve full resource values through reconstruction or enhancement of similar special habitat management zones

Future land development in the expansion areas is a local action, and Reclamation should not be responsible for implementing the land use mitigation measures, except that Reclamation shall not deliver



water for use in the expansion areas unless enforceable mitigation measures are in place and approved by the SWRCB for the effects of water delivery in those areas.

The residential development proposal that would be located in the Pine Hill gabbro soils area in El Dorado Irrigation District (EID) is of immediate concern to the SWRCB. This area supports several listed endangered plants as described in Section 4. It is clear that CVP water could be used in the development of approximately 40,000 acres that have plant species proposed for listing as threatened or endangered or species that are already listed. El Dorado County has a County Land Use Plan that has identified these areas as sensitive habitat. The Plan has designated four areas as preserves but the Plan does not protect these areas. Reclamation would not be authorized to deliver any water to these sensitive species areas prior to completing required compliance with the Federal ESA and California ESA (if there are state-listed species). The SWRCB would make this a condition of granting Reclamation's petitions for this project.

## **5.3 Mitigation Monitoring Plan**

### **5.3.1 Introduction**

To effectively reduce, minimize, or avoid significant impacts to identified resources, the SWRCB as lead agency pursuant to CEQA is responsible for designing a reporting or monitoring program that will ensure that mitigation measures adopted as part of project approval are implemented. Reclamation, as petitioner, will be responsible for implementing any conditions that the SWRCB places on its approval of all or part of the petition. Each CVP water contractor, although directly responsible for allocating CVP water to locations within its respective boundaries, is not responsible for implementing mitigation, reporting on its success, or monitoring its effectiveness, unless it is performed as part of a separate agreement between the CVP water contractor and Reclamation.

To ensure that adopted mitigation measures or programs are implemented pursuant to permit issuance by the SWRCB, the mitigation monitoring plan requires that all parties participate in assigned roles and procedures. To accomplish this objective, a mitigation monitoring program that encompasses all future CVP water delivery plans affecting lands located outside the currently authorized POU must be developed. This program would:

- Identify the responsibilities of all parties including the SWRCB, Reclamation, and individual CVP water contractors in the preparation and review of information regarding development activities and requirements for site-specific habitat mitigation or compensation
- Identify site-specific information regarding development plans, environmental conditions, and appropriate monitoring requirements
- Identify procedures for reviewing, modifying, and approving proposed development plans and monitoring while ensuring compliance with applicable permit conditions
- Require that Reclamation enter into agreements with individual CVP water contractors to establish the contractors' responsibilities and to make their compliance a condition of receiving water

### **5.3.2 Monitoring Plan Description**

The following discussion outlines the roles and responsibilities of the three parties (CVP water contractors, Reclamation, and the SWRCB). The activities discussed below would occur prior to the introduction of CVP water supplies to lands where significant adverse effects to identified environmental resources may occur.

### **5.3.2.1 Role of the CVP Water Contractors**

Each CVP water contractor or designated CEQA lead agency would prepare and submit a plan and appropriate CEQA environmental document to Reclamation for lands located within the expanded POU that are currently undeveloped and could be served CVP water. Each plan would include any required take authorization pursuant to Fish and Game Code §2081 (California ESA). The plan would, at a minimum, describe:

- The location of lands to be served CVP water
- The location of proposed water delivery facilities including pump stations, pipeline/canal right-of-way, and other appurtenant facilities
- Environmental conditions of those lands that would receive CVP water or would support the installation of required water delivery facilities
- Suitable site-specific mitigation measures that would be implemented as part of facility installation and operation. Mitigation will be of sufficient detail to fully describe the type of mitigation being proposed, objectives and/or criteria to measure successful mitigation, schedule for implementation, and monitoring provisions for recording effectiveness
- Correspondence with relevant federal, state, and local regulatory, resource management, and land management agencies indicating that measures developed are suitable for the protection, mitigation, and/or maintenance of environmental resources

This information would be submitted to Reclamation in addition to other Reclamation-required information needed to allow connection to Reclamation facilities and/or use of CVP water to lands included in the modified place of use boundary. This information would not preclude or alleviate the individual CVP water contractors from CEQA or NEPA or other permit review requirements that may be mandated by other federal, state, or local permitting agencies prior to application of water to the expanded POU.

### **5.3.2.2 Role of the Bureau of Reclamation**

#### **Monitoring Encroachment Land Mitigation**

Reclamation will work jointly with SWRCB to develop criteria for evaluating the effectiveness of future environmental restoration or mitigation projects in restoring the appropriate environmental/habitat values needed to mitigate encroachment land impacts.

#### **Monitoring Expansion Land Mitigation**

Reclamation will be responsible for submitting CVP water contractor-prepared information to the SWRCB for review and approval, prior to the delivery and use of CVP water supplies to the expansion

area lands outside the authorized POU. Upon approval of mitigation monitoring plans by SWRCB, Reclamation will inform the CVP water contractors of any additional measures or obligations, as imposed by SWRCB, as part of authorizing CVP water deliveries to the expansion lands.

### **5.3.2.3 Role of the SWRCB**

#### **Monitoring Encroachment Land Mitigation**

SWRCB will work jointly with Reclamation to develop criteria for evaluating the effectiveness of future environmental restoration/mitigation projects to restore the appropriate environmental/habitat values needed for mitigation of encroachment land impacts. In addition, SWRCB will consult with Reclamation and provide guidance and comments regarding the implementation of future programs to adequately mitigate encroachment land impacts

#### **Monitoring Expansion Land Mitigation**

The SWRCB will be responsible for approving a Reclamation-prepared reporting and monitoring program that will ensure that mitigation is being implemented pursuant to permit conditions. Reclamation would submit CVP water delivery plans to the SWRCB, including project-specific mitigation measures. The SWRCB would evaluate the Reclamation-approved CVP water delivery plans to ensure:

- Compliance of mitigation measures that were assigned as part of the water rights permit conditions are met or completed in a timely manner
- Mitigation effectiveness in accordance with recommendations by interested federal, state, and local agencies participating in the review of the proposed project