

**Appendix E – Good Neighbor Checklist.**

*This page intentionally left blank.*

DWR developed a Good Neighbor Checklist which was developed based on information from the Agricultural and Land Stewardship Framework and Strategies and can be obtained from <https://water.ca.gov/Programs/California-Water-Plan/Water-Resource-Management-Strategies/Agriculture-and-Land-Stewardship-Framework>).

The Checklist was developed to assist project managers in considering issues that neighbors close to a proposed project site may have regarding potential impacts. This tool is not required by CEQA and includes several points that are not related to environmental impacts. The Checklist is advisory only and does not require or trigger any specific action or mitigation measures pursuant to CEQA.

**Have project proponents consulted with all neighboring landowners and operators about the project and its potential impacts?**

Neighboring landowners were informed of the Proposed Project through the EIR NOP process. Notices soliciting feedback on the scope of environmental analysis and inviting interested parties to attend a public meeting were mailed to neighboring landowners via certified mail in March 2019. DWR received several comment letters from neighboring landowners, Reclamation Districts, and agricultural operators during the public comment period on the scope of the EIR. Each private individual who commented during the EIR scoping period was contacted to set up meetings with the project managers and commenters to discuss commenters' concerns on the Proposed Project. Neighboring landowners and operators will continue to be notified as the Draft and Final EIR become available and when there are opportunities to comment on the Proposed Project and its potential impacts.

The current agricultural operator of the Proposed Project Site has been engaged throughout the project planning process and played an active role in developing the planned mitigation for the Proposed Project's conversion of the Bowsbey Property to non-agricultural use. This collaborative effort took place over the course of two years and included adjacent landowners with the intent of assuring the operator's continued productivity.

**Have project proponents designated a local contact person to meet with neighboring landowners and discuss any issues of concern?**

DWR's Project Manager, Bonnie Irving, will continue to meet with neighboring landowners as needed. Questions about the Proposed Project can be directed to Bonnie Irving, [Bonnie.Irving@water.ca.gov](mailto:Bonnie.Irving@water.ca.gov) or 916-651-9784.

**Will the project need access through other properties? If so, have access agreements been obtained?**

No access is required through nearby properties.

**Does the management plan for the project provide for an on-site patrol or manager to deter trespass and vandalism?**

During Proposed Project construction, an on-site patrol or manager will deter trespass and vandalism. Long term, the Proposed Project Site would be monitored by the California Department of Fish and Wildlife Delta Bay Enhanced Enforcement Program staff.

**Will the project increase the presence of vegetation susceptible to fire?**

The Proposed Project would decrease the presence of vegetation susceptible to fire. On completion, the Proposed Project Site would be converted to tidal marsh habitat and primarily revegetated with wetland vegetation. Tidal marsh habitat and wetland vegetation are less susceptible to fire than the existing habitat types and vegetation. Currently the site contains approximately 1,364 acres of irrigated pasture, 487 contain non-native grassland, and the remainder is developed land or managed wetlands. During construction, most of the existing vegetation within the Proposed Project Site interior would be removed.

**Will the project discontinue maintenance of flood control features, involve prolonged or repeated flooding of previously dry land, or affect wind fetch across waterways?**

The Proposed Project will discontinue maintenance of certain flood control features, build new flood control features, and improve the maintainability of other flood control features. This will result in Yolo Bypass flooding of previously reclaimed land and may affect wind fetch across waterways. The Proposed Project would create tidal marsh habitat and improve the flood control capacity of the Lower Yolo Bypass by degrading portions of the Shag Slough Levee. The portions of degraded levee would allow for the conveyance of floodwaters through the Proposed Project Site during large storm events.

The Proposed Project includes the construction of the Duck Slough Setback Levee and improvement of the existing Cache/Hass Slough Levee. These features will maintain and improve flood protection for the surrounding properties. These levee improvements will replace and improve flood protection capabilities that were previously provided by the Shag Slough Levee.

The newly constructed Duck Slough Setback Levee would provide flood protection to those areas west of Duck Slough and north of Liberty Island Road. The new levee would be constructed to the 100-year flood elevation plus seven feet of additional freeboard, providing enhanced flood protection relative to the level currently offered by the Shag Slough Levee. The Cache/Hass Slough Levee would remain in place to function as a training levee. The Cache/Hass Slough Levee would undergo improvements to increase its stability and enhance its ability to withstand wind-wave forces and erosion caused by overtopping. Hydraulic models were used during the Proposed Project's design process to assess to confirm the regional flood protection benefit and wind fetch effects of the Proposed Project.

The Proposed Project would inundate existing farmland within the Proposed Project Site by exposing these lands to tidal inundation in order to convert them to tidal marsh habitat. The conversion of reclaimed lands within the Proposed Project Site to tidal marsh habitat is an intended goal of the Proposed Project. The Proposed Project would also expose the same reclaimed land to seasonal flooding by degrading the Shag Slough Levee and incorporating this land into the Yolo-bypass flood way. The incorporation of reclaimed lands within the Proposed Site into the Yolo-bypass flood way is also an intended goal of the Proposed Project.

**As a result of the project, are species on the project site expected to increase markedly in abundance and move from the site to neighboring lands or waterways? If yes, which species?**

The Project is expected to increase the food production for a number of species on the Project Site. The Project was proposed to satisfy DWR's restoration obligations pursuant to RPA4 of the USFWS BiOp for Delta Smelt and is consistent with RPA 1.6.1 of the NMFS Salmonid BiOp for the State Water Project and Central Valley Project. Accordingly, the Proposed Project is intended to provide suitable habitat for Delta Smelt and other special-status fish species. This may result in a local increase in abundance within the Proposed Project Site and adjacent waterways. This is not an adverse environmental effect. The Proposed Project does have the potential to indirectly affect nearby agricultural lands through the increase in the abundance of protected fish species that could be entrained by local water diversions including Delta smelt, green sturgeon, Chinook salmon, and other salmonids. The effects of small diversions on fish populations, especially listed species, are complex. Fish entrainment depends on the size, location, and timing of the diversion. Limited studies suggest that small irrigation diversions in the Delta may not have a large impact on listed species and that small local agricultural water diversions in the waterways surrounding the Proposed Project are likely to have minimal effects on listed fish species due to the limited overlap with regard to listed species seasonal abundance, their associated habitat use, and the irrigation season.

**Is it reasonably possible that species in the project area could damage crops or promote the growth of weeds or diseases on neighboring farms?**

The Proposed Project is not anticipated to increase the area's bird population. A substantial avian presence has been documented in the area with several habitat types present, including grazing land which attracts species such as geese, hawks, vultures, blackbirds, and crows; and managed wetlands, which attract species such as blackbirds, geese, ducks, and egrets. The Proposed Project may shift the composition of bird species within and near the Proposed Project Site, as a result in changes to foraging habitat from irrigated pasture and managed wetlands to tidal wetlands. However, the Proposed Project is not anticipated to change the overall quantity of birds. Crop damage is therefore not anticipated to occur due to changes in species composition or abundance as a result of the Proposed Project.

The Proposed Project is also not anticipated to lead to an increase in mosquitoes. Overall, the Proposed Project would likely lead to a decrease in mosquito breeding habitat due to the introduction of tidal influence to the site, which would facilitate water movement and reduce the quantity of standing water present. Mosquitoes would therefore not likely introduce disease or other nuisance, which may adversely affect neighboring livestock operations.

**Will the project disturb utilities, roads, bridges, or other infrastructures that serve agricultural uses?**

The Proposed Project will not permanently disturb utilities, roads, bridges or other infrastructures that serve agricultural uses. Currently, Liberty Island Road serves the current agricultural practices of the Proposed Project Site and an adjacent landowner to the north. It also supports access to the Shag Slough Levee by RD 2098 and 2068 and pedestrian access to the Reserve.

Access for the adjacent neighbor and to Shag Slough Levee along a portion of the east-west alignment of the Liberty Island Road will be temporarily affected as Liberty Island Road in this portion will require repaving and crown adjustment. Temporary access, during construction will be provided through the work area for both the adjacent landowner and RDs 2098 and 2068 staff.

During construction, area roadway usage would temporarily increase. This increase will be due primarily to worker transport to and from the Proposed Project Site, and periodic transportation of large trucks and heavy machinery to and from the Proposed Project Site. The types of equipment and vehicles that will be transported on area roads are largely similar to the types of equipment regularly serving the agricultural properties in this region. The added road use will be temporary and is not anticipated to disturb or damage the roads.

The Proposed Project Site would vacate a portion of Liberty Island Road along the east-west and north-south sections of the terminus of the road. Liberty Island Road would terminate at the junction with Malcom Lane at the northwest corner of the Proposed Project Site. The east-west section of Liberty Island Road would remain and be used to provide private access to the Proposed Project Site and the adjacent property that is located to the north of Proposed Project site. Private electrical utilities that service the adjacent property would be relocated from the south side to the north side of Liberty Island Road. This electric utility service would be relocated with minimal interrupted service (approximately 1 day). The vacation of a portion of Liberty Island Road would also eliminate pedestrian access to the Reserve, which is used for recreation. Access to the Reserve is not agricultural in purpose and is therefore not further considered here although it is considered in the Draft EIR Chapter IV.J Recreation.

**Will the project fragment or isolate farmland?**

The Proposed Project would not fragment or isolate farmland. The Proposed Project Site is bordered by an inundated island managed by CDFW to the east and farmland to the south, north, and west. Upon conversion of the Proposed Project Site to tidal marsh habitat all adjacent agricultural properties would continue to border other agricultural operations on at least one side.

**Do domestic or feral animals or livestock occur on lands neighboring the project?**

Livestock occurs on lands neighboring the Proposed Project Site, including lands to the north and west. Livestock operations in the vicinity of the Proposed Project Site include cattle and sheep grazing. The Proposed Project is not anticipated to adversely affect livestock, as it would not increase the presence of nuisance or predator species.

**Do neighboring farms use chemicals as fertilizer, or to control weeds or crop pests?**

According to 2016 Pesticide Use Reporting Data collected by the California Department of Pesticide Regulation, properties throughout the Cache Slough Complex, including properties near the Proposed Project Site, apply pesticides and herbicides. Cache Slough is included on the 303(d) list of water quality-limited segments for the organophosphate pesticides diazinon and chlorpyrifos. It is not expected that use of these pesticides would adversely affect the Proposed Project that is intended to create habitat for Delta Smelt (*Hypomesus transpacificus*), which feeds on aquatic invertebrates.

**Other Potential Nuisances to Agriculture**

It is possible that noise generated during Proposed Project construction could present a noise nuisance to nearby agricultural properties. This possibility is assessed in Draft EIR Chapter IV.A, Impacts Found to be Less than Significant.

The Proposed Project would utilize temporary lighting to facilitate refueling and maintaining construction equipment during the nighttime. These activities would be located within a designated staging area, which is at least 1,300 feet from the nearest off-site residence. This is assessed in Draft EIR Chapter IVA, Impacts Found to be Less than Significant.

*This page intentionally left blank.*