



AGENDA

Meeting of the Reclamation District 2084 Board of Trustees
Thursday, April 2nd, 2026
9:00 am

Larsen Wurzel and Associates, Inc.
2450 Venture Oaks Way Suite 240, Sacramento, CA 95833

Alternative Location:
Office of Page Baldwin, Jr.
3348 Liberty Island Road
Rio Vista, CA 94571

NOTICE TO THE PUBLIC

For Virtual Public Access:
Meeting Link (via Microsoft Teams):

[Click here to join the meeting](#)

Call in: 1-469-294-4078

Meeting number/access code: 291 071 699#

Mark Young
President / Trustee
December '27

Page Baldwin Jr.
Trustee
December '27

Matt Gause
Trustee
December '29

Richard Harris
Trustee
December '29

Marshall Cook
Trustee
December '29

Eric Nagy, PE
General Manager

Any member of the public appearing virtually may speak during Public Comment. Reclamation District No. 2084 will use best efforts to swiftly resolve requests for reasonable modifications or accommodations with individuals with disabilities, consistent with the Americans with Disabilities Act, and resolving any doubt whatsoever in favor of accessibility.

- 1. Call to Order**
- 2. Roll Call and Opening Remarks**
- 3. Public Comment (New Business)**

This is an opportunity for members of the public to directly address the Board on subject matter not on the agenda within the jurisdiction of the Board.

- 4. Agenda Approval (Action)**
- 5. Consent Items (Action)**

- Approval of Meeting Minutes from March 5th, 2026
Enclosure 1: Agenda Item 5.a – Meeting Minutes

- 6. Board Items (Action item unless otherwise noted)**

- Approve the Draft FY22/23 Audit with Cropper Accountancy
- Approve the 2024 Audit Engagement Letter with Cropper Accountancy
- Annual Statement of Economic Interests Form 700 Requirement
- SB 827 Fiscal and Financial Training Requirement

7. Operations and Maintenance Update (Action Item unless otherwise noted)

- a. Update from MBK Engineers (Informational)

Enclosure 2: Agenda Item 7.a – MBK Engineer’s Report

- b. Ongoing Maintenance Items (Informational)

- c. CDFW Routine Maintenance Agreement Extension (Informational)

Enclosure 3: Agenda Item 7.c.1 – Current Agreement

Enclosure 4: Agenda Item 7.c.2 – Draft Extension

Enclosure 5: Agenda Item 7.c.3 – Summary of Changes

Enclosure 6: Agenda Item 7.c.4– Draft Comment Letter

8. Financial Management (Informational/Action)

- a. FY2026-2027 Budget Committee Development Update (Informational)

- b. March Financial Manager’s Report (Informational)

Enclosure 7: Agenda Item 8.b – Financial Manager’s Report

9. Little Egbert Project Update (Informational Only)

10. Other Reports (Informational Only)

Trustee Report(s)

General Manager’s Report

Counsel Report (if needed)

11. Adjourn

The next regular Board Meeting is tentatively set for May 7th, 2026 at 9:00am

- Any documents related to agenda items that are made available to the Board before the meeting will be available for review by the public by contacting info@rd2084.org.
- If you need reasonable accommodation due to a disability, please contact info@rd2084.org at least 48 hours in advance of the meeting. This contact information may also be used for any questions you may have.
- Public comments are generally limited to three (3) minutes but may be more or less at the discretion of the Board.
- The Board may consider the agenda items listed above in a different order at the meeting, pursuant to the determination of the Board Chair. All items appearing on this agenda, whether or not listed expressly for action, may be deliberated upon and subject to action at the discretion of the Board.

ENCLOSURE 1

AGENDA ITEM 5.a



MINUTES

Special Meeting of the Reclamation District 2084 Board of Trustees
Thursday, March 5th, 2026
9:00 am

Larsen Wurzel and Associates, Inc.
2450 Venture Oaks Way Suite 240, Sacramento, CA 95833

Alternative Location:
Office of Page Baldwin, Jr.
3348 Liberty Island Road
Rio Vista, CA 94571

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Call in: 1-469-294-4078

Meeting number/access code: 691 660 977#

Mark Young
President / Trustee
December '27

Page Baldwin Jr.
Trustee
December '27

Matt Gause
Trustee
December '29

Richard Harris
Trustee
December '29

Marshall Cook
Trustee
December '29

Eric Nagy, PE
General Manager

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1. Call to Order

The meeting was called to order at 9:00am. President Young presided.

2. Roll Call and Opening Remarks

Trustees Present: Mark Young, President
Page Baldwin, Jr.
Marshall Cook
Richard Harris

Trustees Absent: Matt Gause

3. Public Comment (New Business)

There was no public comment.

4. Agenda Approval (Action)

Trustee Harris moved to approve the agenda.

Trustee Cook seconded and it passed by unanimous vote of Trustees present.

AYES: Baldwin, Cook, Harris, Young

NOES: (none)

ABSTAIN: (none)

RECUSE: (none)

5. Consent Items (Action)

- a. Approval of Meeting Minutes from January 7th, 2026

Enclosure 1: Agenda Item 5.a – Meeting Minutes

Trustee Harris moved to approve the consent items.

Trustee Cook seconded and it passed by unanimous vote of Trustees present.

AYES: Baldwin, Cook, Harris, Young

NOES: (none)

ABSTAIN: (none)

RECUSE: (none)

6. Board Items (Action item unless otherwise noted)

- a. Approve the Draft FY22/23 Audit with Cropper Accountancy

Trustee Cook moved to table this item.

Trustee Harris seconded and it passed by unanimous vote of Trustees present.

AYES: Baldwin, Cook, Harris, Young

NOES: (none)

ABSTAIN: (none)

RECUSE: (none)

- b. Approve amended Meeting Schedule for Calendar Year 2026

Enclosure 2: Agenda Item 6.b – Meeting Schedule and Location for Calendar Year 2026

Trustee Cook moved to approve the meeting schedule for Calendar Year 2026.

Trustee Harris seconded and it passed by unanimous vote of Trustees present.

AYES: Baldwin, Cook, Harris, Young

NOES: (none)

ABSTAIN: (none)

RECUSE: (none)

7. Operations and Maintenance Update (Action Item unless otherwise noted)

- a. Update from MBK Engineers (Informational)

Enclosure 3: Agenda Item 7.a – MBK Engineer's Report

b. Ongoing Maintenance Items (Informational)

Engineer Moncrief gave an update on District operation and maintenance activities.

Flood season is winding down with the Fremont Weir overtopping expected to end soon.

CalOES issued a notice of payment for two of three projects expecting payment. The check is expected within 6-8 weeks.

c. Approve Annual CEQA Filing Resolution 2025/26 – 01

Enclosure 4: Agenda Item 7.c.1 – Resolution 2025/26 – 01

Enclosure 5: Agenda Item 7.c.2 - Redline Resolution 2025/26-1

Trustee Harris moved to approve the Annual CEQA Filing Resolution 2025/26-01, Redline Version (Agenda Item 7.c.2).

Trustee Cook seconded and it passed by unanimous vote of Trustees present.

AYES: Baldwin, Cook, Harris, Young

NOES: (none)

ABSTAIN: (none)

RECUSE: (none)

8. Financial Management (Informational/Action)

a. Review Budget to Date (Informational)

Enclosure 6: Agenda Item 8.a – Expenditures to Date

District staff reviewed the budget to date. Pump Station O&M has exceeded the line-item budget. Electrical Power is likely to exceed the line-item budget prior to the end of the Fiscal Year. However, the District expenses as a whole remain well within the total budget. Staff is not currently recommending a budget amendment.

b. February Financial Manager's Report (Informational)

Enclosure 7: Agenda Item 8.b – Financial Manager's Report

District staff reviewed the financial manager's report. The bank balance is healthy. Reimbursement from CalOES/FEMA is expected in the coming weeks. Trustee Gause and President Young will be workshopping the FY26/27 Budget in April.

9. Little Egbert Project Update (Informational Only)

General Manager Nagy gave an update on the Little Egbert Multi-Benefit Project. LEJPA staff is meeting with DWR next week. The final EIR is expected in Summer 2027. The District secured the 408 permissions for geotechnical investigations on behalf of LEJPA in 2021. DWR may request an amendment of this permit for additional investigations.

10. Other Reports (Informational Only)

Trustee Report(s)

None

General Manager's Report

General Manager Nagy gave the General Manager's Report.

Margaret Engessser will be taking over as District Staff and handling financial management and general administration.

Form 700s are due April 1, 2026. These should be submitted through Solano County's eDisclosure system.

Counsel Report (if needed)

None

11. Adjourn

The next regular Board Meeting is tentatively set for April 2nd, 2026 at 9:00am

Trustee Harris moved to adjourn the meeting.

Trustee Cook seconded and it passed by unanimous vote of Trustees present.

AYES: Baldwin, Cook, Harris, Young

NOES: (none)

ABSTAIN: (none)

RECUSE: (none)

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ENCLOSURE 2

AGENDA ITEM 7.a



Water Resources ♦ Flood Control ♦ Water Rights

MEMORANDUM

March 25, 2026

TO: Reclamation District No. 2084
FROM: MBK Engineers
SUBJECT: April 2026 Engineer's Report

Trustees:

Described below are the items constituting the engineer's report to be discussed at your scheduled April 2026 meeting.

FEMA/OES Coordination: The District recently received their notification of payment email from OES. This is the letter that typically is provided prior to actual receipt of payment. The District should receive payments within 2 months, or sooner for those items in the notification provided. There large category D projects is still in process of the specific NOP's.

2026-27 Subventions Application and Resolution: Your application was submitted for the Subventions Program. We will support CEQA filing in coordination with the District through County and State Clearinghouse.

CDFW Routine Maintenance Agreement Extension: CDFW accepted the Districts request for a five-year extension, through EPIMS. CDFW has requested significant language amendment changes that will impact both your ability to operate and maintain your levees and afford the expensive modifications. Attached is the original RMA language, CDFW amended language, summary of changes and impacts, and an initial response letter for the District to review. These changes will impact all RD's with this new RMA filing approach in the Subventions Program. As written, the current extension is not suitable for RD operations.

Spring – Summer 2026 Activities:

- 1) Erosion Monitoring-Repair: Continue levee patrols, when possible to check for changes in condition. District has ability to perform critical work, if necessary, and file emergency after-the-fact permit notifications. There are a few small erosion sites, but given the RMA issue to be resolved, this planning should wait.
- 2) Animal Control: Continue to patrol for rodent/beaver activity, potential burrow locations will be staked for observations. Animal activity impacting levee embankments can cause rapid changes in conditions that could lead to a levee embankment failure. Sinkholes and anomalies have to be evaluated immediately.
- 3) All Weather Roadway: Any rutting or roadway damage will need to be repaired prior to next flood season to ensure access during emergencies. District should evaluate size of potential project to maintain all-weather access during the summer/fall maintenance season.
- 4) Seepage Repair and monitoring: Continue to monitor change in conditions during routine inspections.

Thank you,

A handwritten signature in black ink, appearing to read "Michael Z..." with a stylized flourish at the end.

ENCLOSURE 3

AGENDA ITEM 7.c.1



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



February 24, 2021

Mark Young
Reclamation District 2084, Little Egbert Tract
P.O. Box 698
Rio Vista, CA 94571-0698

Dear Mr. Young:

Final Lake or Streambed Alteration Agreement, Notification No. 1600-2020-0273-R3, Little Egbert Tract Routine Levee Maintenance

Enclosed is the final Streambed Alteration Agreement (Agreement) for the Little Egbert Tract Routine Levee Maintenance (Project). Before the California Department of Fish and Wildlife (CDFW) may issue an Agreement, it must comply with the California Environmental Quality Act (CEQA). In this case, CDFW determined your Project is exempt from CEQA and filed a Notice of Exemption (NOE) on the same date it signed the Agreement.

Under CEQA, the filing of an NOE triggers a 35-day statute of limitations period during which an interested party may challenge the filing agency's approval of the Project. You may begin the Project before the statute of limitations expires if you have obtained all necessary local, state, and federal permits or other authorizations. However, if you elect to do so, it will be at your own risk.

If you have any questions regarding this letter, please contact Brianne O'Rourke, Senior Environmental Scientist (Specialist) at (209) 234-3456 or by email at brianne.orourke@wildlife.ca.gov.

Sincerely,

DocuSigned by:

Melissa Farinha

0D25EB6A0381473...

Melissa Farinha, Acting Environmental Program Manager

ec: California Department of Fish and Wildlife

Brianne O'Rourke
Bay Delta Region
brianne.orourke@wildlife.ca.gov

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

BAY DELTA REGION
2825 CORDELIA ROAD, SUITE 100
FAIRFIELD, CA 95434
(707) 428-2002
WWW.WILDLIFE.CA.GOV



STREAMBED ALTERATION AGREEMENT

NOTIFICATION NO. 1600-2020-0273-R3
Cache Slough

RECLAMATION DISTRICT 2084
MARK YOUNG
P.O. Box 698
RIO VISTA, CA 94571-0698

ROUTINE MAINTENANCE AGREEMENT

This Streambed Alteration Agreement (Agreement) is entered into between the California Department of Fish and Wildlife (CDFW) and Reclamation District (RD) 2084, Little Egbert Tract (Permittee): as represented by Mark Young.

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) Section 1602, Permittee notified CDFW on 11/3/2020 that Permittee intends to complete the project described herein.

WHEREAS, pursuant to FGC Section 1603, CDFW has determined that the project could substantially adversely affect existing fish or wildlife resources and has included measures in the Agreement necessary to protect those resources.

WHEREAS, Permittee has reviewed the Agreement and accepts its terms and conditions, including the measures to protect fish and wildlife resources.

NOW THEREFORE, Permittee agrees to complete the project in accordance with the Agreement.

PROJECT LOCATION

The project is located on RD 2084/Little Egbert Tract. Located on Cache Slough. USGS Quads: Rio Vista

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PROJECT DESCRIPTION

The project is limited to any routine maintenance activity including, but not limited to, any maintenance activity that is funded by the Delta Levees Program (Program) or its successor, described in Section 12987 of the Water Code.

In brief summary, activities which are considered “routine” include: Vegetation control, erosion repair, road maintenance, minor culvert repair, removing or modifying levee encroachments, and removal of anomalies caused by burrowing rodents. Routine maintenance does not include any new work other than described above. Routine maintenance does not include the removal of or damage to riparian vegetation except as permitted below.

This 1602 Agreement consists of the Agreement, project impacts, administrative measures and list of authorized maintenance activities.

PROJECT IMPACTS

The adverse effects that the Project could have on the fish or wildlife resources identified above, include, but are not limited to:

- permanent loss of riparian habitat
- temporary loss of natural streambed and banks
- loss of bank stability and increase of bank erosion during activities
- soil compaction or other disturbance to soil layer
- disruption to nesting birds and other wildlife

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

Permittee shall meet each administrative requirement described below.

- 1.1 Documentation at Project Site. Permittee shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times

and shall be presented to CDFW personnel, or personnel from another State, federal, or local agency upon request.

- 1.2 Providing Agreement to Persons at Project Site. Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons who will be working on the project at the project site on behalf of Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 Notification of Conflicting Provisions. Permittee shall notify CDFW if Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, State, or federal agency. In that event, CDFW shall contact Permittee to resolve any conflict.
- 1.4 Project Site Entry. Permittee agrees that CDFW personnel may enter the project site at any time to verify compliance with the Agreement and Permittee will provide the necessary safety equipment required to enter the site.

2. Avoidance and Minimization Measures

Permittee shall comply with the requirements of Section 12987 of the Water Code in performing any maintenance activities covered by this Agreement that is funded by the Program or its successor. Among other requirements, Section 12987 of the Water Code provides that maintenance activities funded by the Program shall be consistent with a net long-term habitat improvement program and have a net benefit for aquatic species in the Delta.

The following conditions are meant to avoid and/or minimize adverse impacts to fish and wildlife resources identified above and do not authorize take by Permittee. Permittee shall implement each measure listed below.

- 2.1 Only those activities specifically mentioned within this Agreement and in Attachment A may be conducted under this 1602 Agreement.
- 2.2 Permittee shall submit separate written notification pursuant to Code Section 1602 (Form FG 2023 and FG 2024), together with the required fee prescribed in the CDFW LSAA fee schedule, and

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otherwise follow the normal notification process prior to the commencement of maintenance activities in all cases where:

- 2.2.1 The proposed activities do not meet the routine maintenance criteria or are substantially modified from the activities described in this Agreement.
 - 2.2.2 Activities will occur at a location where CDFW advises Permittee that conditions affecting fish and wildlife resources on the site have substantially changed or such resources would be adversely affected by the proposed maintenance activity.
 - 2.2.3 The proposed activities would adversely impact a State of California (State) or federally listed rare, threatened, endangered or candidate species or its habitat.
- 2.3 Performing bank stabilization activities on natural banks or unarmored levee sections (including the placement of riprap) is not permitted under this agreement. Permittee will need to obtain a separate, project-specific Streambed Alteration Agreement from CDFW, pursuant to Section 1602 of the Fish and Game Code.
- 2.4 All activities to repair levees and add supplemental riprap to stabilize minor slipouts, erosion, or subsidence of the levee section or to place riprap onto existing riprap below the waterside hinge point authorized under this Agreement shall be confined to the period of July 1 to October 31.

- 2.4.1 The waterside work period is based on the low likelihood to impact migrating ESA listed salmonids and Delta Smelt juveniles as indicated by 2016 - 2019 data from the USFWS Chipps Island Trawl and CDFW's 20mm and Summer Towntet surveys. CDFW may modify the work period specified in this subsection at any time if it determines such action is necessary to protect CESA or ESA endangered, threatened, or candidate fish species or other fish species based on the information contained in any new or revised guidelines that are published after the effective date of this Agreement. CDFW shall provide the Permittee with any new or revised guidelines after they are published.
- 2.5 Repairing of levees and adding supplemental riprap to stabilize minor slipouts, erosion, or subsidence of the levee section shall be limited to up to 100 linear feet at any work location, not to exceed 1,200 linear feet per year. For reclamation districts with more than 8.8 miles of levees, the total linear feet allowed shall be 136.36 lineal feet times the number of miles of levee. This can include repairing levees and adding riprap, replacement of existing bank protection, and repair of existing water control devices. In completing any repair work authorized under this condition, Permittee shall minimize the excavation and placement of earthen fill.
- 2.6 Permittee shall allow any fish or wildlife it encounters during the course of maintenance activities authorized by this Agreement to leave the work area unharmed. This Agreement does not allow for the take or disturbance of any State or federally listed species.
- 2.7 Take of individual raptors and migratory birds, their nests, and eggs and the nests and eggs of any other bird species is prohibited under FGC Sections 86, 3503, 3503.5, and 3513.
- 2.8 If authorized maintenance activities have the potential to disturb or destroy active nests during the nesting season of protected raptors (February 15 to August 15), a preconstruction survey for active nests shall be conducted at the work site and out to 500-feet. Pre-project surveys will be conducted by a CDFW approved biologist within 15 days prior to the beginning of authorized maintenance activities. Prior to initiating authorized activities, the results of the survey shall be submitted to Brianne O'Rourke at

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brianne.orourke@wildlife.ca.gov, or faxed to 707-428-2036, Attn: Delta Levees Program. Refer to Notification Number 1600-2020-0273-R3 when submitting the survey to CDFW. If active nests are found, Permittee shall consult with CDFW to establish appropriate nest buffers and/or avoidance measures prior to initiating activities. If a lapse in project-related activities of 15 days or longer occurs, another focused survey shall be conducted as described above.

- 2.9 Western Burrowing Owls may be present in the work area. Avoidance of take of individual Burrowing Owls, their nests, and eggs is currently mandated under Fish and Game Code Sections 86, 3503, 3503.5 and 3513. CDFW recommends that Permittee follow the 2012 Staff Report on Burrowing Owl Mitigation in order to reduce the chance of adversely impacting Burrowing Owls if they are thought to be present at the maintenance site. Contact CDFW for a copy of the guidelines if needed.

Occupied habitat includes areas Burrowing Owls may use for breeding/nesting (February 1 to August 31), wintering (September 1 to January 31), foraging, and/or migration stopovers. Occupancy of suitable Burrowing Owl habitat can typically be verified by an observation of at least one Burrowing Owl, or alternatively, its molted feathers, cast pellets, prey remains, eggshell fragments, or excrement, and/or loose soil near the burrow entrance.

- 2.10 In order to protect nesting birds and other breeding wildlife species, all herbicides, other than those used to control Giant Reed (*Arundo donax*), shall be applied from July 1 through March 1. All herbicides used shall be approved by the California Department of Pesticide Regulation and applied according to the product label instructions. Permittee is responsible for maintaining its herbicide use records for ensuring herbicide use and timing is consistent with any federal, State, or local regulations. No soil sterilants may be used except to control Giant Reed (*Arundo donax*).

Mowing, discing, burning, cutting, including any removal of branches, stems, and shoots of grasses, weeds, brush, berry vines, and shrubs shall be completed between July 1 and March 1.

If these activities are deemed necessary between March 1 and July 1, the Permittee shall have pre-project nest surveys by a CDFW

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approved biologist conducted within 7 days prior to the beginning of authorized maintenance activities. If active nests are found, Permittee shall consult with CDFW to establish appropriate nest buffers and/or avoidance measures prior to initiating activities.

- 2.11 Pacific Pond Turtles (PPT), formerly Western Pond Turtle, may be present in the project area. If a PPT is observed, it should be left alone to move out of the area on its own. Permittee shall exercise measures to avoid direct injury to PPT, as well as measures to avoid areas where they are observed to occur.
- 2.12 Giant Garter Snakes (GGS), a federal- and State-listed threatened species, may be present in the project area. If a GGS is encountered during project activities, all activities will cease until the snake moves out of the area on its own. Vehicles driven to the project site shall maintain a 15 mile an hour speed limit throughout project area, and drivers will be informed to watch for snakes and avoid running over them. If a GGS is found during project activities, Permittee shall notify CDFW and USFWS immediately.
- 2.13 Surveys for special status plants shall be conducted in accordance with the Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants (USFWS January 2000) and Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018) and will be comprehensive for vascular plants. Two surveys will be conducted within the Project area to capture the appropriate phenological state of all special status plants that may occur in the Project area. These surveys will be conducted within the active flowering or fruiting period for the special status species, typically April through July. If found, special status plant populations will be documented using a California Natural Diversity Database (CNDDDB) form and completed forms will be submitted to CNDDDB.

Areas with special status plants will be flagged or otherwise marked (e.g., stake, fence) for avoidance prior to construction, including the incorporation of a clearly marked 10-foot radius buffer, and all employees will be notified of the plant locations. If invasive plants are identified within the 10-foot buffer that need to be removed,

CDFW will be consulted to determine appropriate methods to avoid impacts to rare plants.

If avoidance is not possible, mitigation will be required, and mitigation ratios will be determined by CDFW. A monitoring period of at least three years will be required, or as otherwise determined by CDFW. Location of mitigation plantings will be recorded using GPS coordinates to enable location of the sensitive plant species after the monitoring period is complete. GPS coordinates and/or maps for any special status species located during pre-construction surveys will be provided to CDFW prior to construction.

- 2.14 No trees with a diameter at breast height (DBH) in excess of 2-inches shall be removed or damaged without prior written approval from CDFW. If there is no feasible alternative to tree removal, trees with trunks less than 2-inches in diameter at 48-inches above the ground may be removed. When trees of this size are removed, the root system shall be left undisturbed.
- 2.15 Permittee shall **not** remove, prune or damage any Blue Elderberry plants under this Agreement.
- 2.16 Permittee may prune tree branches up to 48-inches above the ground. Branches and limbs extending over the water shall not be pruned to avoid potential impacts to shaded riverine aquatic (SRA) habitat.
- 2.17 Rodent control shall be limited to the use of first-generation anticoagulant rodenticide (FGAR) bait stations only, including rodenticides placed in bait tubes or bait boxes to avoid impacts to Western Burrowing Owls and other non-target wildlife. The use of fumigants is not authorized within this Agreement.
- 2.18 If listed plant or animal species, or suitable habitat for listed species, are expected or known to occur in the work area, a qualified, CDFW-approved biologist with the ability and knowledge to identify listed plant and animal species and their habitat shall conduct pre-construction surveys within 7 days of commencing maintenance activities. If listed plant or animal species are located during surveys at the project site, Permittee shall not conduct the project under this

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1602 Agreement and shall notify CDFW for a separate 1602 Agreement.

- 2.19 Nothing in this Agreement shall constitute compliance by Permittee with CESA or the federal ESA. In the event that Permittee, in performing any maintenance activities authorized under this Agreement, has the potential to take a listed species, Permittee shall comply with CESA and/or ESA and shall notify CDFW for a separate 1602 Agreement as described above.
- 2.20 Nothing in this Agreement authorizes Permittee to take any fully protected species. The take of such species is prohibited by Sections 3511, 4700, and 5050 and 4700 of the Fish and Game Code.
- 2.21 Permittee shall be responsible for complying with CEQA (Pub. Resources Code, § 21000 et seq.) for any maintenance activities authorized by this Agreement and must comply with all applicable federal, State, and local laws and regulations.
- 2.22 Debris, soil, silt, bark, tree or vegetation trimmings, rubbish, creosote-treated wood, raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous or deleterious to aquatic life, shall not be left or stored where it could be washed back into the channel or where it will cover aquatic or riparian vegetation. Equipment shall be stored in areas that any possible contamination from the equipment would not flow or be washed back into the channel. All debris shall be disposed of properly. Best management practices shall be employed to accomplish these requirements.
- 2.23 The Permittee or its contractors shall not dump any litter, tree or vegetation trimmings, or construction debris within the riparian/stream zone. All such debris and waste shall be removed from the worksite daily and properly disposed of at an appropriate disposal site.
- 2.24 The Permittee shall not stockpile or store construction material where it could be washed into the waterway or where it could cover aquatic or riparian vegetation.

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- 2.25 Freshly poured concrete for maintenance activities shall be isolated from flowing water for a period of 28 days. Commercial sealants may be applied to the poured concrete surface where difficulty in excluding water flow for a long period may occur. If sealant is used, water shall be excluded from the site until the sealant is dry, typically for a minimum of 7 days.
- 2.26 The Permittee shall restrict all construction activities to periods of dry weather and construction activities shall be timed with awareness to precipitation forecasts. Permittee shall cease all construction activities and implement appropriate erosion control measures where necessary, prior to storm events.
- 2.27 If, in the opinion of CDFW, conditions arise or change in such a manner as to be considered deleterious to the stream or wildlife, operations shall cease until corrective measures, approved by CDFW, are taken.

3. Compensatory Mitigation Measures

To compensate for adverse impacts to fish and wildlife resources identified above that cannot be avoided and/or minimized, Permittee shall implement each measure listed below.

- 3.1 Impacts to riparian forest (trees 20-feet in height or greater) will require replacement at a mitigation ratio of 3:1 by acreage; scrub-shrub (trees and shrubs less than 20-feet in height) will require replacement at a mitigation ratio of 2:1 by acreage; freshwater marsh will require replacement at a mitigation ratio of 1:1 by acreage; and shaded riverine aquatic (SRA) habitat will require replacement at a mitigation ratio of 1:1 by linear feet. The mitigation will be completed in a manner and at a site subject to the approval of CDFW.

4. Reporting Measures

Permittee shall meet each reporting requirement described below.

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- 4.1 Permittee shall provide CDFW's Bay Delta Region an annual written report of each category of maintenance activities, as listed in Attachment A, performed during the previous fiscal year (July 1 to June 30), along with the appropriate fee determined from the CDFW Streambed Alteration Agreement Fee Schedule for work performed under this Agreement, based upon the number of categories of activities performed in the reporting period. The current fee schedule can be found at <https://wildlife.ca.gov/Conservation/LSA>. Reports are due November 1. Reports shall be submitted to CDFW as listed below under Contact Information. If these fees or reports are not received by CDFW by November 1, CDFW may submit a written request for submission of these fees or reports. If the fees or reports are not received by CDFW within 30-days of submission, CDFW may terminate this Agreement. Reports shall include, at a minimum:
 - 4.1.1 The activity location (by waterbody name and levee station).
 - 4.1.2 A brief description of each activity performed.
 - 4.1.3 Estimates of the extent of maintenance activities performed, including the length and width of the work areas.
 - 4.1.4 A description of the quantity of trees or shrubs removed as allowed under condition 2.14.
 - 4.1.5 A map showing where activities were performed and where photographs were taken.
 - 4.1.6 Photographs of the maintenance work.
 - 4.1.7 Any difficulties with adhering to the conditions of this Agreement.
 - 4.1.8 Reference to this Agreement by title and notification number 1600-2020-0273-R3.
- 4.2 Permittee shall include, with the annual report described above, written notification of **proposed** routine maintenance activities, by category, for the upcoming fiscal year. This notification shall include an estimate and description of each activity by levee station location, and the extent including the length and width of the work areas. Each annual notification of proposed and completed maintenance activities shall be added to this 1602 Agreement as Attachment B-year (B-2013, B-2014, etc.) by CDFW.

CONTACT INFORMATION

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Any communication that Permittee or CDFW submits to the other shall be in writing and any communication or documentation shall be delivered to the address below by U.S. mail, fax, or email, or to such other address as Permittee or CDFW specifies by written notice to the other.

To Permittee:

Reclamation District 2084
c/o Michael Moncrief
455 University Avenue, Suite 100
Sacramento, CA 95825

To CDFW:

California Department of Fish and Wildlife
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, California 94534
Attn: Lake and Streambed Alteration Program – Brianne O’Rourke
Notification #1600-2020-0273-R3
Fax (707) 428-2036
brianne.orourke@wildlife.ca.gov

LIABILITY

Permittee shall be solely liable for any violations of the Agreement, whether committed by Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents or contractors and subcontractors, to complete the project or any activity related to it that the Agreement authorizes.

This Agreement does not constitute CDFW’s endorsement of, or require Permittee to proceed with the project. The decision to proceed with the project is Permittee’s alone.

SUSPENSION AND REVOCATION

CDFW may suspend or revoke in its entirety the Agreement if it determines that Permittee or any person acting on behalf of Permittee, including its officers, employees,

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representatives, agents, or contractors and subcontractors, is not in compliance with the Agreement.

Before CDFW suspends or revokes the Agreement, it shall provide Permittee written notice by certified or registered mail that it intends to suspend or revoke. The notice shall state the reason(s) for the proposed suspension or revocation, provide Permittee an opportunity to correct any deficiency before CDFW suspends or revokes the Agreement, and include instructions to Permittee, if necessary, including but not limited to a directive to immediately cease the specific activity or activities that caused CDFW to issue the notice.

ENFORCEMENT

Nothing in the Agreement precludes CDFW from pursuing an enforcement action against Permittee instead of, or in addition to, suspending or revoking the Agreement.

Nothing in the Agreement limits or otherwise affects CDFW's enforcement authority or that of its enforcement personnel.

OTHER LEGAL OBLIGATIONS

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from obtaining any other permits or authorizations that might be required under other federal, State, or local laws or regulations before beginning the project or an activity related to it.

This Agreement does not relieve Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from complying with other applicable statutes in the FGC including, but not limited to, FGC Sections 2050 et seq. (threatened and endangered species), 3503 (bird nests and eggs), 3503.5 (birds of prey), 5650 (water pollution), 5652 (refuse disposal into water), 5901 (fish passage), 5937 (sufficient water for fish), and 5948 (obstruction of stream).

Nothing in the Agreement authorizes Permittee or any person acting on behalf of Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, to trespass.

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AMENDMENT

CDFW may amend the Agreement at any time during its term if CDFW determines the amendment is necessary to protect an existing fish or wildlife resource.

Permittee may amend the Agreement at any time during its term, provided the amendment is mutually agreed to in writing by CDFW and Permittee. To request an amendment, Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the corresponding amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

TRANSFER AND ASSIGNMENT

This Agreement may not be transferred or assigned to another entity, and any purported transfer or assignment of the Agreement to another entity shall not be valid or effective, unless the transfer or assignment is requested by Permittee in writing, as specified below, and thereafter CDFW approves the transfer or assignment in writing.

The transfer or assignment of the Agreement to another entity shall constitute a minor amendment, and therefore to request a transfer or assignment, Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the minor amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

EXTENSIONS

In accordance with FGC Section 1605(b), Permittee may request one extension of the Agreement, provided the request is made prior to the expiration of the Agreement's term. To request an extension, Permittee shall submit to CDFW a completed CDFW "Request to Extend Lake or Streambed Alteration" form and include with the completed form payment of the extension fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5). CDFW shall process the extension request in accordance with FGC 1605(b) through (e).

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If Permittee fails to submit a request to extend the Agreement prior to its expiration, Permittee must submit a new notification and notification fee before beginning or continuing the project the Agreement covers (FGC, § 1605, subd. (f)).

EFFECTIVE DATE

The Agreement becomes effective on the date of CDFW's signature, which shall be:
1) after Permittee's signature; 2) after CDFW complies with all applicable requirements under CEQA; and 3) after payment of the applicable FGC Section 711.4 filing fee listed at: <https://www.wildlife.ca.gov/Conservation/LSA>.

TERM

This Agreement shall expire on 12/31/2025 unless it is terminated or extended before then. All provisions in the Agreement shall remain in force throughout its term. Permittee shall remain responsible for implementing any provisions specified herein to protect fish and wildlife resources after the Agreement expires or is terminated, as FGC Section 1605(a)(2) requires.

EXHIBITS

The documents listed below are included as exhibits to the Agreement and incorporated herein by reference.

- A. Definition of Terms and Authorized Maintenance Activities
- B. Permittee's Annual Report of Completed and Proposed Annual Maintenance Activities

AUTHORITY

If the person signing the Agreement (signatory) is doing so as a representative of Permittee, the signatory hereby acknowledges that he or she is doing so on Permittee's behalf and represents and warrants that he or she has the authority to legally bind Permittee to the provisions herein.

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AUTHORIZATION

This Agreement authorizes only the project described herein. If Permittee begins or completes a project different from the project the Agreement authorizes, Permittee may be subject to civil or criminal prosecution for failing to notify CDFW in accordance with FGC Section 1602.

CONCURRENCE

The undersigned accepts and agrees to comply with all provisions contained herein.

FOR AGENCY

DocuSigned by:

Mark Young

2F9E0F340898408...

Mark Young

Reclamation District 2084

2/19/2021

Date

FOR DEPARTMENT OF FISH AND WILDLIFE

DocuSigned by:

Melissa Farinha

0D25EB6A0381473...

James Starr

Environmental Program Manager

2/25/2021

Date

Prepared by: Brianne O'Rourke
Senior Environmental Scientist (Specialist)

Date Sent: 1/5/2021

ATTACHMENT A DEFINITION OF TERMS AND AUTHORIZED MAINTENANCE ACTIVITIES

Definition of terms as used herein and for purposes of the Agreement

- A. Emergency means: an emergency as defined in section 21060.3 of the Public Resources Code.
- B. Encroachment means: a building, equipment item, or other physical structure that compromises the integrity of a levee and hinders the District's ability to maintain the levee.
- C. Fiscal Year means: the period from July 1 through June 30 of each year.
- D. Fully Protected Species means: those species identified in state statutes or regulations as being fully protected, including, but not limited to, those species listed in sections 3511, 4700, 5050, and 5515 of the Fish and Game Code.
- E. Listed Species means: any plant or animal species that is listed as an endangered, a threatened, or a candidate species under the California Endangered Species Act ("CESA") (Fish & G. Code, § 2050 et seq.) and/or the federal Endangered Species Act ("ESA") (16 U.S.C. § 1531 et seq.).
- F. Maintenance Project or Maintenance Activity means: any levee maintenance work specified in "Authorized Maintenance Activities" below, from the waterside edge of crown (hinge point) of the levee waterward, including the entire levee waterside slope, the waterside toe of the levee, and the open-water areas of the channel adjacent to the waterside toe of the levee.
- G. Mean High Water means: the arithmetic mean of the daily high water levels over an extended period of time.
- H. Reclamation District 2084 or District means: Reclamation District 2084 or the District's employees, representatives, or agents.
- I. Routine Annual Maintenance means: any levee maintenance activities performed on a regular or ongoing basis during the fiscal year as part of the District's levee maintenance program.
- J. Special Status Species means: those plant or animal species defined as endangered, rare, or threatened in section 15380 of title 14 of the California Code of Regulations (also known as the CEQA Guidelines).
- K. Take means: to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.

Authorized Maintenance Activity Categories (Activities Subject to Current Fee Schedule*)

***As of January 1, 2021, the Maintenance Activity fee is \$314.50 per Activity Category. Check the CDFW website for updated fee information *prior to submitting your payment*, as fees are subject to change**

<https://www.wildlife.ca.gov/Conservation/LSA>

Vegetation Management

Control of vegetation, such as weeds, brush, berry vines, and trees, on the waterside slope of levees by mowing, grazing, trimming and/or treating with herbicides approved by the California Department of Pesticide Regulation, provided that the District remove only that amount of vegetation necessary for inspection and maintenance of the levee.

The District may remove fallen or dead (not dormant) trees and shrubs, where they pose an imminent threat to levee integrity.

Burning of trees, shrubs, and berry vines is not permitted within this Agreement. Burning of ruderal species and weeds shall be completed in accordance with all local air quality laws/regulations, including any necessary permit and reporting as required by the applicable counties Air Quality Management District (or equivalent agency).

Any use of chemicals including pesticides and herbicides must be applied according to the product label specifications.

The District may not remove, prune, or apply herbicides to any Blue Elderberry plants under this Agreement.

Debris and Sediment Removal

Removal of flood-deposited woody or herbaceous vegetation and associated debris which significantly reduce channel capacity, provided that the removal does not interfere with the proper functioning of, or otherwise compromise, existing water and flood control devices including, but not limited to, culverts, bridges, and stream flow measuring stations.

Removal of trash, deposits and debris from the levee and berm or bench.

Structure Maintenance and Repair

Cleaning, repairing, raising, modification of (other than by moving or enlarging), and/or replacement of flap gates, discharge pipes, siphons, weirs, drop structures, or other existing water control devices.

Repairing levees and adding supplemental riprap to stabilize minor slipouts, erosion, or subsidence of the levee section. This can include repair or replacement of existing bank protection materials with clean quarry rock, replacement of concrete slope paving and channel lining, pipe and weir revetments, articulated concrete mats, and similar materials, except asphalt, tires, or materials that contain creosote. The armoring of natural banks or unarmored levees is not authorized under this Agreement (see condition 2.4 of the Agreement). In completing any repair work authorized in this subsection, the District shall minimize the excavation and placement of earthen fill.

All work completed pursuant to this section shall be limited to up to 100 linear feet at any work location, not to exceed 1,200 linear feet per year. Reclamation districts with more than 8.8 miles of levees, the total linear feet allowed shall be 136.36 lineal feet times the number of miles of levee.

Removal or modification of encroachments.

Shaping levee crowns to allow them to drain freely.

Repairing and shaping patrol or access roads on levees.

Rodent Control

Extermination of California Ground Squirrels (*Otospermophilus beecheyi*), provided the extermination is conducted in accordance with the Fish and Game Code and any CDFW regulations, and any other applicable laws or regulations, or additional conditions specified herein.

Rodent control shall be limited to the use of first generation anticoagulant rodenticide (FGAR) bait stations only, including rodenticides placed in bait tubes or bait boxes, to avoid impacts to Western Burrowing Owls and other non-target wildlife. The use of fumigants is not authorized within this Agreement. Additional rodenticide use recommendations from the Department of Pesticide Regulation are included on the following page.

Filling of Beaver (*Castor canadensis*) and Muskrat (*Ondatra zibethicus*) dens, provided the filling is conducted in accordance with the Fish and Game Code and any CDFW regulations, and any other applicable laws or regulations.

Recommendations for Rodenticide Use

Bait Station Design and Use: Bait stations should be designed with an opening that prevents access to non-target species (not to exceed 3") and controls bait spillage by feeding rodents. See your county agricultural commissioner for recommended designs and suggestions to retrofit existing stations. Bait stations should be secured (e.g. staked) upright to prevent tipping and access by non-target animals. Bait stations should not be filled beyond design capacity and in no case should bait stations be filled with more than 10 lbs of bait.

Station Monitoring: While treated baits are in use, bait stations should be inspected for spillage, evidence of disturbance by non-target animals, excess moisture from irrigation systems, etc. Problems should be corrected before baiting is resumed. Any spilled baits should be promptly cleaned up. Bait stations should be replenished with treated baits as needed to provide continuous exposure. After treated baits are accepted, as evidenced by consumption of baits, depletion of bait in the bait station should be inspected at least weekly for depletion of bait and refilled until feeding ceases. Treated baits should be promptly removed (or bait stations should be sealed) from all stations after feeding has ceased. If subsequent baiting is needed, a two week period without use of treated baits should be observed before baiting is resumed. This is to keep the period when treated bait is exposed to a minimum without jeopardizing good pest control.

Carcass Survey and Disposal: Carcass survey and disposal should be performed in the treated area beginning on the third day following the initial exposure of toxic baits. Any exposed carcasses of target species should be disposed of (e.g. completely buried) in a manner inaccessible to wildlife. Any carcasses of non-target species should be reported to CDFW the same day they are observed (916-358-2954). Carcass surveys should continue for at least five days after toxic baiting has ceased and thereafter until no more carcasses are found. Carcasses should be handled with care to avoid contact with parasites such as fleas.

Obligate Riparian: A 50-foot buffer is required from the edge of dense riparian brush to any bait stations.

**ATTACHMENT B
PERMITTEE'S DESCRIPTION OF PROPOSED ANNUAL
MAINTENANCE ACTIVITIES**

ENCLOSURE 4

AGENDA ITEM 7.c.2



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
R3LSA@wildlife.ca.gov
(707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
MEGHAN HERTEL, Director



March 11, 2026

Mark Young
Reclamation District 2084, Little Egbert Tract
P.O. Box 698
Rio Vista, CA 94571-0698

**EXTENSION OF LAKE OR STREAMBED ALTERATION AGREEMENT
NOTIFICATION NO., 1600-2020-0273-R3, Little Egbert Tract Routine Levee
Maintenance**

Dear Mark Young:

The California Department of Fish and Wildlife (CDFW) received your request to extend the above referenced Lake or Streambed Alteration Agreement (Agreement) and extension fee. You requested to extend the expiration of your Agreement from December 31, 2025 to December 31, 2030.

CDFW has determined that an extension will require modifications to the Agreement because the measures contained in the Agreement no longer protect the fish and wildlife resources that the activity may substantially adversely affect. CDFW hereby agrees to extend the term of the agreement to December 31, 2030 with addition of the following changes. Amended language is shown in ***bold italics*** and removed language is shown in ~~strikeout~~.

1. The following new condition will be included as Condition 1.5:

No Trespass. To the extent that any provisions of this Agreement provide for activities that require the Permittee to traverse another owner's property, such provisions are agreed to with the understanding that the Permittee possesses the legal right to so traverse. In the absence of such right, any such provision is void.

2. The following new condition will be included as Condition 1.6:

Unauthorized Take. The Permittee is required to comply with all applicable State and Federal laws, including the California Endangered Species Act (CESA), Federal Endangered Species Act, and the Native Plant Protection Act. This Agreement does not authorize the take of any State or Federal endangered or threatened species or State rare plant species. Liability for any take or incidental take of such listed species remains the responsibility of the Permittee for the duration of the project. Any unauthorized take of such listed species may result in prosecution and nullification of the Agreement.

Nothing in this Agreement authorizes Permittee to take any fully protected species. The take of such species is prohibited by Sections 3511, 4700, and 5050 and 4700 of the Fish and Game Code.

Take of individual raptors and migratory birds, their nests, and eggs and the nests and eggs of any other bird species is prohibited under Fish and Game Code Sections 86, 3503, 3503.5, and 3513.

Take of plants designated as endangered, threatened, or rare is prohibited under Fish and Game Code Sections 1900 et seq and 2080 et seq.

3. The following new condition will be included as Condition 1.7:

Fish Passage. The project shall be in compliance with Fish and Game Code section 5901 and shall not install or maintain any device or contrivance that prevents, impedes, or tends to prevent or impede, the passing of fish up and down stream.

4. The following new condition will be included as Condition 1.8:

Qualified Biologist(s) and Biological Monitor(s). No later than 14 days prior to project activities covered by this Agreement, Permittee shall submit to CDFW, for review and approval, the qualifications for the biologist(s) that shall oversee the implementation of the conditions in this Agreement and conduct surveys or monitoring work using the Biologist Resume Form (available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=202869>) or another format containing the same information. Project activities covered by this Agreement may not commence unless CDFW has approved the proposed biologist(s) in writing. At minimum the CDFW approved Qualified Biologist(s) shall have a minimum of five years of academic training and professional experience in biological sciences and related resource management activities with a minimum of two years conducting surveys for each species for which they will be conducting surveys and/or monitoring. A Biological Monitor is an individual who shall have academic

and professional experience in biological sciences and related resource management activities as it pertains to this project, experience with construction-level Biological Monitoring, be able to recognize species that may be present within the project area and be familiar with the habitats and behavior of those species.

5. The following new condition will be included as Condition 1.9:

Qualified Biologist or Biological Monitor On-Site. As called for in conditions 2.7, 2.8, 2.10 and 2.28, a Qualified Biologist or Biological Monitor shall be on site daily to monitor compliance with all conditions of this Agreement unless otherwise approved in writing by CDFW. The Qualified Biologist or Biological Monitor shall have the authority to halt project activities through communication with Permittee or Project Manager or their on-site designee, to comply with the terms of this Agreement and otherwise avoid impacts to species and or habitats. If the on-site biologist has requested a work stop due to failure to implement any of the conditions, CDFW shall be contacted within 24 hours.

6. Condition 2.7 will be modified to:

~~Take of individual raptors and migratory birds, their nests, and eggs and the nests and eggs of any other bird species is prohibited under FGC Sections 86, 3503, 3503.5, and 3513.~~ ***If maintenance activities consisting of removing or trimming of trees and shrubs, levee erosion repairs, placement of riprap, or removal of encroachments are necessary during the nesting season of the Swainson's hawk (March 1 to August 30), surveys for Swainson's hawk shall be conducted according to the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley, Swainson's Hawk Technical Advisory Committee, May 31, 2000. A copy of these survey recommendations may be obtained at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83990>. The results of the surveys shall be emailed to brianne.orourke@wildlife.ca.gov and R3LSA@wildlife.ca.gov. Refer to Notification Number 1600-2020-0273-R3 when submitting the surveys to CDFW. A quarter-mile temporary disturbance buffer shall be established for all Swainson's hawk nests. If project related activities within the quarter-mile buffer are determined to be necessary during the nesting season, then the Qualified Biologist shall, along with Permittee, consult with CDFW to determine the best course of action necessary to avoid nest disturbance or take of individuals. Prior to commencement of any work within the buffer, the Qualified Biologist shall submit to CDFW for approval a written nest avoidance plan for each occurrence where work-related activities within the raptor nesting season is necessary. CDFW will review and grant approval on a case-by-case basis. If a lapse in project-related activities of 15 days or longer occurs, another focused raptor survey shall be conducted as described above.***

7. Condition 2.8 will be modified to:

~~If authorized maintenance activities have the potential to disturb or destroy active nests during the nesting season of protected raptors (February 15 to August 15), a preconstruction survey for active nests shall be conducted at the work site and out to 500 feet. Pre-project surveys will be conducted by a CDFW approved biologist within 15 days prior to the beginning of authorized maintenance activities. Prior to initiating authorized activities, the results of the survey shall be submitted to Brianne O'Rourke at brianne.orourke@wildlife.ca.gov, or faxed to 707-428-2036, Attn: Delta Levees Program. Refer to Notification Number 1600-2020-0273-R3 when submitting the survey to CDFW. If active nests are found, Permittee shall consult with CDFW to establish appropriate nest buffers and/or avoidance measures prior to initiating activities. If a lapse in project-related activities of 15 days or longer occurs, another focused survey shall be conducted as described above.~~ ***If authorized maintenance activities have the potential to disturb or destroy active nests during the nesting season of raptors (February 15 to August 15), appropriate protocol level pre-construction raptor nest survey(s) shall be conducted within a quarter-mile (1320 feet) of the project sites (one survey must be within 15 days prior to the beginning of maintenance activities) by a Qualified Biologist in order to identify active nests in the project site vicinity. The number of required raptor nest surveys may be reduced based on consultation from CDFW. The Qualified Biologist shall have experience in searching for and monitoring nests for Swainson's Hawk and other raptors. The results of the survey shall be emailed to brianne.orourke@wildlife.ca.gov and R3LSA@wildlife.ca.gov. Refer to Notification Number 1600-2020-0273-R3 when submitting the survey to CDFW. An initial quarter-mile temporary disturbance buffer shall be established for all raptor nests. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then the CDFW-approved on-site biologist experienced with raptor behavior shall be retained by the project proponent to monitor the nest, and shall along with the project proponent, consult with the CDFW to determine the best course of action necessary to avoid nesting bird disturbance or take of individuals. If a lapse in project-related activities of 15 days or longer occurs, another focused raptor survey shall be conducted as described above.***

8. Condition 2.9 will be modified to:

~~Western Burrowing Owls may be present in the work area. Avoidance of take of individual Burrowing Owls, their nests, and eggs is currently mandated under Fish and Game Code Sections 86, 3503, 3503.5 and 3513. CDFW recommends that Permittee follow the 2012 Staff Report on Burrowing Owl Mitigation in order to reduce the chance of adversely impacting Burrowing Owls if they are thought~~

~~to be present at the maintenance site. Contact CDFW for a copy of the guidelines if needed.~~

Western Burrowing Owls may be present in the work area. Burrowing Owl is a candidate species for CESA listing. Take of individual Burrowing Owls, their nests, and eggs is prohibited under CESA and Fish and Game Code Sections 86, 3503, 3503.5 and 3513. Permittee shall conduct a habitat assessment and surveys, if warranted based on the habitat assessment, following CDFW's 2012 Staff Report on Burrowing Owl Mitigation. A copy of the 2012 Staff Report may be obtained at:

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843>. If Burrowing Owls are found at the project site, Permittee shall consult with CDFW prior to conducting maintenance activities to determine the best course of action necessary to avoid take.

Occupied habitat includes areas Burrowing Owls may use for breeding/nesting (February 1 to August 31), wintering (September 1 to January 31), foraging and/or migration stopovers. Occupancy of suitable Burrowing Owl habitat can typically be verified by an observation of at least one Burrowing Owl, or alternatively, its molted feathers, cast pellets, prey remains, eggshell fragments, or excrement, and/or loose soil near the burrow entrance.

9. Condition 2.10 will be modified to:

In order to protect nesting birds, all herbicides, ~~other than those used to control Giant Reed (*Arundo donax*)~~, shall be applied from July 1 through March 1. All herbicides used shall be approved by the California Department of Pesticide Regulation and applied according to the product label instructions. ***by employees trained in the use of herbicides.*** Permittee is responsible for maintaining its herbicide use records for ensuring herbicide use and timing is consistent with any federal, State, or local regulations. No soil sterilants may be used ~~except to control Giant Reed (*Arundo donax*)~~.

Mowing, discing, and cutting, including any removal of branches, stems, and shoots of grasses, weeds, brush, berry vines, shrubs, and trees shall be completed between July 1 and March 1.

If these activities are deemed necessary between March 1 and July 1, ~~the~~ Permittee shall have pre-project nest surveys ***for all nesting birds (including ground-nesting)*** by a CDFW-approved biologist ***Qualified Biologist*** conducted within ~~7 days~~ ***15 days*** prior to the beginning of authorized maintenance activities. If active nests are found, Permittee shall consult with CDFW to establish appropriate nest buffers and/or avoidance measures prior to initiating activities. ***If a lapse in project-related work of 15 days or longer occurs, another focused survey shall be performed, and the results shall be sent to CDFW***

prior to resuming work.

10. Condition 2.12 will be modified to:

Giant Garter Snakes (GGS), a federal- and State-listed threatened species, may be present in the project area. If a ~~GGS~~ ***any snake*** is encountered during project activities, all activities will cease until the snake moves out of the area on its own. Vehicles driven to the project site shall maintain a 15 mile an hour speed limit throughout project area, and drivers will be informed to watch for snakes and avoid running over them. If a GGS is found during project activities, Permittee shall notify CDFW and USFWS immediately.

11. Condition 2.13 will be modified to:

~~Surveys for special status plants shall be conducted in accordance with the Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants (USFWS January 2000) and Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018) and will be comprehensive for vascular plants. Two surveys will be conducted within the Project area to capture the appropriate phenological state of all special status plants that may occur in the Project area. These surveys will be conducted within the active flowering or fruiting period for the special status species, typically April through July. If found, special status plant populations will be documented using a California Natural Diversity Database (CNDDDB) form and completed forms will be submitted to CNDDDB.~~

Areas with special status plants will be flagged or otherwise marked (e.g., stake, fence) for avoidance prior to ~~construction~~ ***maintenance activities***, including the incorporation of a clearly marked 10-foot radius buffer, and all employees will be notified of the plant locations. If invasive plants are identified within the 10-foot buffer that need to be removed, CDFW will be consulted to determine appropriate methods to avoid impacts to rare plants.

~~If avoidance is not possible, mitigation will be required, and mitigation ratios will be determined by CDFW. A monitoring period of at least three years will be required, or as otherwise determined by CDFW. Location of mitigation plantings will be recorded using GPS coordinates to enable location of the sensitive plant species after the monitoring period is complete. GPS coordinates and/or maps for any special status species located during pre-construction surveys will be provided to CDFW prior to construction~~ ***the need for mitigation shall be determined on a case-by-case basis, in consultation with the Department. For impacts that the Department has determined mitigation is required, the mitigation shall be provided in a manner and at a location that is acceptable to the Department. If impacts are mitigated at a location other than a mitigation bank, the new plantings shall be documented using a***

California Natural Diversity Database (CNDDDB) form and completed forms shall be submitted to CNDDDB following establishment.

12. Condition 2.14 will be modified to:

No trees with a diameter at breast height (DBH ***equals trunk diameter measured at 48 inches above the ground***) in excess of 2-inches shall be removed or damaged without prior written approval from CDFW. If there is no feasible alternative to tree removal, trees with ~~trunks~~ ***DBH*** less than 2-inches in diameter at 48-inches above the ground may be removed. When trees of this size are removed, the root system shall be left undisturbed. ***If trees with trunks greater than a 2-inch DBH are to be removed, CDFW shall be notified prior to removal and, if CDFW deems necessary, Permittee shall obtain a separate Streambed Alteration Agreement pursuant to Section 1602 of the Fish and Game Code.***

13. Condition 2.18 shall be removed.

14. Condition 2.19 shall be removed.

15. Condition 2.20 shall be removed.

16. Condition 2.21 shall be removed.

17. The following new condition will be included as Condition 2.28:

Colonial Waterbird Rookeries. If project activities occur during breeding and nesting season, March 1 to July 31, for colonial nesting birds, an initial quarter-mile temporary disturbance buffer shall be established for all rookeries. If project related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season, then an on-site Qualified Biologist or Biological Monitor experienced with colonial waterbird behavior shall be retained by the project proponent to monitor the nest, and shall, along with the project proponent, consult with CDFW to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be only allowed to proceed within the temporary nest disturbance buffer if the colonial waterbirds are not exhibiting agitated behavior such as getting up from a brooding position or flying off the nest, and only with the approval of CDFW. The Qualified Biologist or Biological Monitor shall be on-site daily while maintenance activities are taking place to determine the appropriate buffer distance and shall have the authority to stop work if the colonial waterbirds are exhibiting agitated behavior.

18. The following new condition will be included as Condition 2.29:

Herbicide Use. Permittee shall use caution to apply the least practicable amount of herbicide necessary to effectively control noxious weeds. Permittee shall use caution when applying herbicides near water. Permittee is responsible for any environmental damages caused by the application or use of substances that prove harmful to fish, non-target plant, and wildlife species. Any fish or non-target animal deaths following application of herbicides or other chemicals, including FGAR rodent bait, shall be reported to CDFW immediately. Permittee will use Best Management Practices (BMPs) for pollinator protection when using herbicides that may cause harm or death to bee and other pollinator species.

19. The following new condition will be included as Condition 4.3:

Permittee shall provide CDFW results of all biological surveys (including pre-project) and any observations of animal species observed during surveys required under Avoidance and Minimization Measures for Swainson's hawk (Measure 2.7), raptors (Measure 2.8), Burrowing Owl (Measure 2.9), nesting birds (Measure 2.10), and special status plants (Measure 2.13) prior to conducting maintenance activities. Results shall be emailed to CDFW staff at brianne.orourke@wildlife.ca.gov and R3LSA@wildlife.ca.gov.

All other terms and conditions in the original Agreement remain in effect unless otherwise noted herein.

Please sign and return one copy of this letter to acknowledge the extension and additional measures to protect fish and wildlife resources. Copies of the Agreement and this letter must be readily available at project work sites and must be presented when requested by a CDFW representative or other agency with inspection authority.

If you have any questions regarding this letter, please contact Brianne O'Rourke, Senior Environmental Scientist (Specialist) at (209) 234-3456 or by email at brianne.orourke@wildlife.ca.gov.

Sincerely,

Melissa Farinha, Environmental Program Manager

ec: California Department of Fish and Wildlife

Brianne O'Rourke, Senior Environmental Scientist (Specialist)
Bay-Delta Region
brianne.orourke@wildlife.ca.gov

Mark Young
1600-2020-0273-R3
March 11, 2026

ACKNOWLEDGEMENT

I hereby agree to the above-referenced amendment.

Print Name: _____ Date: _____

Signature: _____

ENCLOSURE 5

AGENDA ITEM 7.c.3

Extension of LSAA Notification

1600-2020-0273-RD, Little Egbert (RD 2084) RMA

Major Changes (By Section)

New Conditions Added

1.5 – No Trespass

Work requiring access across others' property is only valid if the Permittee has legal right of access. Otherwise, those provisions are void.

1.6 – Unauthorized Take

Reinforces that the Agreement does *not* authorize take of any state or federal listed species; all take laws still apply.

1.7 – Fish Passage

Project must comply with Fish & Game Code 5901; no structures may impede fish movement.

1.8 – Qualified Biologists

Biologists must have CDFW approval **14 days before work**; specific experience requirements added.

1.9 – On-Site Biologist/Monitor

A qualified biologist must be onsite **daily**, with authority to stop work if conditions are violated.

2.28 – Colonial Waterbird Rookeries

Establishes new protections and disturbance buffers for colonial nesting birds. On-site monitoring required.

2.29 – Herbicide Use

Adds requirements to minimize herbicide quantities, avoid impacts to water and pollinators, and report any fish/wildlife deaths immediately.

Modified / Strengthened Conditions

2.7 – Swainson’s Hawk

- Clarifies survey requirements.
- Requires following official 2000 survey methodology.
- Establishes **¼-mile disturbance buffer** unless reduced with CDFW approval.
- Requires nest avoidance plans when working within buffer.

2.8 – Raptors

- Updates required survey distances and timing.
- Expands pre-construction survey requirements.
- Establishes **¼-mile temporary buffer** for raptor nests.
- Requires consultation and continuous monitoring if working within buffer.

2.9 – Burrowing Owl

- Adds CESA protections (species now candidate).
- Requires habitat assessment and surveys per 2012 Staff Report.
- Consultation with CDFW required if owls are present.

2.10 – Nesting Birds & Vegetation Management

- Herbicide timing and methods clarified.
- Expands requirements for pre-construction nest surveys (within 15 days).
- Requires new surveys after 15-day lapse in work.

2.12 – Giant Garter Snake

- Requires immediate cessation of work if any snake is encountered.
- Adds vehicle speed limits and reporting requirements.

2.13 – Special-Status Plants

- Requires full protocol-level botanical surveys (spring–summer).
- Prior to maintenance activities, special species plants will be flagged/marked.
- Adds documentation, CNDDDB reporting, buffers, and mitigation requirements if avoidance is not possible.

2.14 – Tree Removal

- Clarifies that removing trees >2-inch DBH requires prior CDFW approval; may require a separate 1602 Agreement.

Conditions Removed Entirely

Conditions **2.18, 2.19, 2.20, and 2.21** are removed.

New Reporting Requirement

4.3 – Survey Report Submission

All biological survey results (Swainson’s hawk, raptors, burrowing owl, nesting birds, special-status plants) must be submitted to CDFW **before conducting maintenance activities**.

RD 2084 – Agreement 1600-2020-0273-R3: Major Changes Table

Condition	Previous Requirement	New / Amended Requirement	What this means for RD 2084
Term of Agreement	Expires Dec 31, 2025 .	Extended to Dec 31, 2030 with added/modified conditions.	Five more years of coverage, but compliance duties increase—plan work and budgets accordingly.
1.5 – No Trespass	Not previously stated.	Activities that traverse others’ property are valid only if you have legal access rights; otherwise void.	Confirm and document access rights before scheduling work across non-RD parcels.
1.6 – Unauthorized Take	General compliance implied.	Agreement does not authorize take of any listed species or fully protected	Treat all work as zero-take; train crews and subs on prohibitions and escalation steps.

Condition	Previous Requirement	New / Amended Requirement	What this means for RD 2084
		species; liability remains with Permittee.	
1.7 – Fish Passage	Not explicitly stated.	Must not install/maintain devices that impede fish passage; comply with FGC §5901.	Review any in-water structures/pumps/board ramps for passage effects; adjust BMPs.
1.8 – Qualified Biologists	Qualifications/approvals less prescriptive.	Submit biologist resumes 14 days before work ; CDFW written approval required; minimum experience standards specified.	Lock in biologist roster early each season; build 2-week lead time into schedules.
1.9 – On-Site Biologist/Monitor	Intermittent monitoring.	Daily on-site monitoring unless CDFW approves otherwise; biologist can halt work and must notify CDFW within 24 hours if a stop is requested.	Budget for continuous monitoring on active days; empower monitor to stop work.
2.7 – Swainson’s Hawk	Surveys and buffers referenced but narrower.	Follow 2000 TAC survey protocol; ¼-mile buffer ; CDFW-approved nest avoidance plan required if work within buffer;	Longer lead time for surveys; potential schedule holds near active nests; document and submit results.

Condition	Previous Requirement	New / Amended Requirement	What this means for RD 2084
		resurvey after 15-day lapses.	
2.8 – Raptors (general)	Shorter distances/fewer surveys.	Protocol-level pre-construction surveys out to ¼-mile ; at least one within 15 days of work; ¼-mile temporary buffer ; CDFW consultation and monitoring if working within buffer; resurvey after 15-day lapses.	Expand survey radius and cadence; anticipate buffers and adaptive monitoring.
2.9 – Burrowing Owl	Follow 2012 Staff Report “recommended.”	Species identified as CESA candidate; habitat assessment + surveys required per 2012 Staff Report; consult CDFW if owls present; defines occupancy indicators.	Treat BO surveys as mandatory; expect avoidance/coordination and possible seasonal constraints.
2.10 – Nesting Birds & Vegetation Mgmt.	Timing and survey windows narrower (7-day lookback).	Herbicides (except for ar5rundo) July 1–Mar 1 ; mowing/discing/cutting July 1–Mar 1 unless pre-project surveys within 15	Align vegetation work to non-nesting season; if not possible, schedule 15-day window surveys and maintain records.

Condition	Previous Requirement	New / Amended Requirement	What this means for RD 2084
		<p>days; resurvey after 15-day lapses; clarify label compliance/records .</p>	
<p>2.12 – Giant Garter Snake</p>	<p>Mention of GGS presence and basic avoidance.</p>	<p>Stop work if any snake encountered until it moves off; 15 mph site speed limit; immediate notification to CDFW/USFWS if GGS observed.</p>	<p>Toolbox talk for snake ID; institute speed controls; set up incident reporting protocol.</p>
<p>2.13 – Special-Status Plants</p>	<p>General survey guidance.</p>	<p>Full protocol-level botanical surveys (Apr–Jul typical); special plants flagged prior to maintenance; avoidance 10-ft buffers; CNDDDB reporting; if not avoidable, mitigation with ≥3-year monitoring and GPS documentation; CDFW determines ratios.</p>	<p>Plan spring/early summer surveys; budget for possible mitigation and multi-year monitoring.</p>
<p>2.14 – Tree Removal</p>	<p>Prior approval thresholds less explicit.</p>	<p>Removing trees >2-inch DBH requires CDFW</p>	<p>Pre-clear any >2" DBH removals; expect extra time if a new 1602 is required.</p>

Condition	Previous Requirement	New / Amended Requirement	What this means for RD 2084
		<p>prior approval and may need a separate 1602; roots to remain for ≤2-inch removals.</p>	
<p>2.18, 2.19, 2.20, 2.21</p>	<p>Previously in effect.</p>	<p>Removed.</p>	<p>These conditions no longer apply; ensure internal SOPs don't still rely on them.</p>
<p>2.28 – Colonial Waterbird Rookeries</p>	<p>Not previously stated.</p>	<p>New protection: ¼-mile initial buffer; daily on-site biologist/monitor to set buffer and authority to stop work; CDFW approval needed to proceed within buffer; proceed only if birds not agitated.</p>	<p>Add rookery screening to pre-work checks; anticipate real-time buffer adjustments and possible work holds.</p>
<p>2.29 – Herbicide Use (BMPs & Pollinators)</p>	<p>General herbicide timing; fewer specifics.</p>	<p>Use least practicable amount; use caution near water; Permittee liable for environmental harm; report any fish/non-target deaths immediately; adopt pollinator BMPs.</p>	<p>Tighten application QA/QC; add pollinator BMPs; set incident response workflow.</p>

Condition	Previous Requirement	New / Amended Requirement	What this means for RD 2084
4.3 – Reporting	Results often provided upon request or post-hoc.	<p>Provide all biological survey results to CDFW before maintenance activities (addresses 2.7, 2.8, 2.9, 2.10, 2.13).</p>	<p>Build submittal milestone before NTP; track email to brianne.orourke@wildlife.ca.gov and R3LSA@wildlife.ca.gov.</p>

ENCLOSURE 6

AGENDA ITEM 7.c.4

On behalf of Reclamation District 2084 (RD 2084 or District), Little Egbert Tract, we appreciate the opportunity to review the proposed modifications within the extension of LSAA Routine Maintenance Agreement (RMA) 1600-2020-0273-R3. RD 2084 is supportive and committed to environmental stewardship, species protection, and regulatory compliance, as it relates to the overall responsibility of RD 2084 to operate, maintain and repair its flood protection annually. However, several new and modified conditions create significant feasibility, cost, and operational challenges that would hinder the District's ability to carry out essential routine responsibilities under the new RMA. Maintenance activities, including vegetation management, road repairs, erosion control, and rodent abatement would all require significant procedural and operational changes.

Based on a preliminary review of the District's past Subventions claims, we anticipate that complying with the LSAA measures as written would double the District's costs. In addition, we are concerned about scheduling conflicts caused by trying to comply with the measures and limited resources available to support these additional activities. RD 2084 may not be able to continue operations under the Subventions Program. Similar modifications to other RMAs throughout the Delta will likely negatively affect the ability of other RDs like the District to participate in the Subventions Program, potentially crippling the Program due to low participation.

The following conditions, as written, will have severe impacts on the District's ability to safely and effectively carry out its statutory flood protection and levee maintenance responsibilities under the Delta Levees Maintenance Subventions Program (Subventions Program). As a levee system within the Sacramento River Flood Control Project, these changes will lead to immediate financial hardships, and an inability to participate in the Subventions Program.

A summary of our comments on the new and modified measures in the LSAA extension is as follows:

1. Condition 1.8 – Qualified Biologists

The requirement to submit biologist qualifications 14 days before any work, even during normal operational work windows July 1 – March 1, annually, for routine maintenance, combined with strict CDFW minimum certification qualifications, creates an unsustainable scheduling constraint. Most RD 2084 maintenance needs are weather dependent, reactive, or emergent, often requiring rapid response within hours—not weeks.

The pool of biologists with the specific qualifications now required is extremely limited. In addition, retaining multiple on-call biologists to ensure availability throughout the year would increase RD 2084's annual operating budget by several multiples, well beyond the financial capacity of the District.

Result:

This condition delays or prevents essential maintenance and makes routine work, during normal operational periods, prohibitively expensive.

2. Condition 1.9 – Daily On-Site Biologist Monitoring

Requiring a CDFW approved biologist to be physically on site every day work occurs, even for short-duration activities, presents a substantial operational barrier.

Many RD 2084 tasks last minutes, not hours. Yet biologists charge not only for their time on the job, but travel time and overtime rates as well. Routine activities such as spot-spraying, minor vegetation trimming, rodent burrow filling, or small-scale road grading would incur monitoring costs 10 to 20 times higher than the work itself for small maintenance activities and double the cost for larger maintenance activities.

Additionally, RD 2084 performs maintenance at dozens of short segments each year, making continuous monitoring economically impossible.

RD 2084, as well as other RDs in the Delta, have a long history of performing routine levee maintenance activities with no or minimal impacts to the environment. We strongly believe that on-site biological monitoring is not required to adequately protect biological resources in the District.

Result:

This condition renders day-to-day maintenance and operations financially unsustainable and would effectively bring nearly all operational activities to a halt. Additionally, there are not enough biologists to monitor all the jobs they would need to support routine maintenance activities throughout the Delta Region.

3. Condition 2.13 – Special Status Plants

The requirement for full protocol level botanical surveys prior to maintenance activities, combined with plant-by-plant flagging and buffer establishment, is not compatible with how RMA maintenance is planned or funded.

Protocol botanical surveys can only be conducted during limited seasonal windows, typically in spring or early summer. However, District maintenance needs do not always align with these survey windows. For example, rodent burrow issues or erosion concerns may be identified later in the year, long after the survey window has closed. Under this condition, the District will be unable to address these issues until the next survey window, causing delays that can increase risk and lead to more costly repairs.

The timing of survey requirements also conflicts with the District's budgeting process. Surveys would need to occur as early as April, yet the District often does not have an approved budget for the upcoming fiscal year at that time. This means the scope of maintenance work, and whether funding will be available, is still uncertain when surveys are required. Conducting District-wide surveys annually during rare plant blooming periods, without knowing which areas will actually require work results in unnecessary costs and inefficiency.

Additionally, performing protocol level surveys Districtwide each season, followed by mapping, flagging, and ongoing monitoring, is financially infeasible for a small reclamation district. The cost of annual, repeated surveys far exceeds available resources.

Result:

This condition imposes survey timing and cost burdens that do not match the District's annual planning and funding cycle. It also creates delays in addressing maintenance needs that arise outside the narrow survey window, ultimately hindering responsible levee management.

4. Condition 2.28 – Colonial Waterbird Rookeries

RD 2084 supports the protection of colonial nesting birds; however, the proposed requirements, such as daily on-site biologists, dynamic buffers, and real-time CDFW consultation, are not workable for the District's operational landscape or maintenance program.

If rookeries are identified, buffers up to ¼ mile could restrict access to large areas of the District. Importantly, rookery birds in this region are already accustomed to regular equipment and vehicle operation from both agricultural activity and routine levee maintenance. These species continue to nest and forage successfully despite the consistent presence of machinery and vehicle traffic. Traffic and noise impacts from routine levee maintenance activities conducted under this RMA are not anticipated to exceed those from the normal agricultural operations surrounding the levee system. In addition, most agricultural operation hours start and end daily beyond routine levee maintenance activities. The District also requests that CDFW identify if rookeries are possible on the District and which specific areas pose the potential habitat, prior to specifying the potential monitoring and avoidance requirements

Result:

Levee maintenance activities aren't expected to significantly change the baseline conditions; therefore, the proposed measures are unnecessary to protect wildlife. The proposed conditions could further exacerbate the ability of the District to perform necessary routine maintenance and repairs to the critical levee system.

5. Condition 2.29 – Herbicide Use and Pollinator Protections

Although RD 2084 understands the importance of pollinators, and as much as possible wants to protect the species. The District would like to have a copy of the pollinator BMPs prior to agreeing to sign this agreement so that there is a clear understanding of what is expected.

Result

The proposed pollinator BMP requirements could make essential vegetation management significantly more expensive, less effective, and in some cases impossible to perform during the periods when it is legally required. For these reasons, RD 2084 would like to review a copy to ensure that following the BMPs for pollinators won't impact the timing they can do work or cost significantly more money. Without the protection of the levee system, the protected acreage of land will be more at risk of permanent flooding, with a complete loss of any available pollinator species within the protected lands.

Request for Collaborative Revision

RD 2084 respectfully requests that the 2021 RMA language continue to be utilized for the requested extension so that RD 2084 can protect species while also maintaining operational practicality and fiscal feasibility.

Specifically, RD 2084 requests:

- Alternative compliance pathways for small scale, low impact routine maintenance activities that have been occurring continuously for many years.
- Removal of any monitoring requirements for short-duration work.
- Tiered survey requirements based on activity type, location, and seasonal context.
- Clear identified locations, based on baseline habitat assessments, to determine if and when specialized biological oversight is genuinely warranted.
- Recognition of RD 2084's limited financial and staffing resources.
- Recognition of the Subventions Program's limited financial capabilities to support the proposed revised RMA policy.

RD 2084 is committed to continuing a cooperative relationship with CDFW and welcomes the opportunity to meet and discuss realistic approaches that support both environmental protection and public safety.

Thank you for your time and consideration. We look forward to working together on solutions that ensure compliance while still allowing the District to perform its critical operational routine maintenance and repair responsibilities under the Subventions Program.

ENCLOSURE 7

AGENDA ITEM 8.b

FINANCIAL MANAGER'S REPORT

Reclamation District 2084 Board of Directors

As of March 24, 2026

Previously Paid Invoices	Currently Paid Invoices	Total Invoiced
\$169,589.83	\$33,618.59	\$203,208.42

Current Budget	Bank Balance	Budget Balance
\$800,400.00	\$184,924.42	\$597,191.58
Funds Received To-Date	Total Invoiced	Total Pending Invoices
\$291,227.00	\$203,208.42	\$13,487.31

Funds / Cash	Vendor	Invoice #	Date	Amount
1	CA DWR		10/14/2025	\$111,227.00
2	LEJPA		02/09/2026	\$180,000.00

Expenses	Vendor	Invoice #	Month of Service	Amount
1	LWA	1912000-0126	January	\$7,074.30
2	MBK	19155	January	\$1,544.30
3	Asta Construction	6697		\$24,999.99

Pending Invoices	Vendor	Status	Invoice #	Month of Service	Amount
1	Cropper Accountancy Corporation	Approved	10288		\$2,950.00
2	Harris Reimbursement	In Progress		February/March	\$200.00
3	MBK	Approved	19798	February	\$1,218.00
4	PG&E	Approved		February	\$9,119.31
				<i>Total Pending</i>	<i>\$13,487.31</i>

Notes

District Invoices # 1-3 represent total amount of District bills paid between February 27, 2026 and March 24, 2026 of \$33,618.59