CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
DIRECTOR'S OFFICE
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CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTORY EXEMPTION FOR RESTORATION PROJECTS
CONCURRENCE NO. 21080.56-2026-100-R4

Project: Island Dairy Floodplain Restoration Project

Location: Stanislaus County

Lead Agency: Reclamation District 2092

Lead Agency Contact: Neil Wilson; RD2092CA@outlook.com

Background

Project Location: The Island Dairy Floodplain Restoration Project (Project) is located along the San Joaquin River, east of the unincorporated community of Grayson, Stanislaus County; bordered by the San Joaquin National Wildlife Refuge to the west and Dos Rios State Park to the north; centered at approximately 37.5672289, -121.1630501; Sections 23, 24, and 26, Township 4 South, Range 7 East; U.S. Geological Survey map Westley; Assessor's Parcel Numbers 016-048-002-000, 016-048-005-000, 016-048-006-000, and 016-048-001-000. The Project site is approximately 489.5 acres in size.

Project Description: The Project site has been extensively modified for compatibility with agricultural operations. It is currently composed of 417 acres of seasonal agricultural row crops, 38 acres of dairy facilities, a 7.5-acre pond used for irrigation, and 27 acres of access roads and remnant riparian habitat. Concrete rubble and earthen berms line the streambanks. These modifications have disrupted natural geomorphic evolution and have created poor quality habitat.

River Partners proposes to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend, and to restore or provide habitat for California native fish and wildlife. Specifically, the Project includes Initial Restoration Activities and Ongoing Restoration Activities, intended to restore habitat quality to 468 acres of the Project site. Ongoing Restoration Activities will occur for a minimum of three years after Initial Restoration Activities.

Initial Restoration Activities:

- Retirement of dairy facilities, wastewater lagoons, and row crops
- Removal of approximately 11,500 cubic yards of concrete rubble from the streambank
- Grading to remove 14 segments of earthen berms along the streambank, create three refugia mounds within the floodplain, and three swales to improve the San Joaquin River's connection with the floodplain

- Disking of the floodplain surface and formation of planting rows
- Revegetation with native trees, shrubs, and herbaceous understory across 455 acres using potted stock, cuttings, plugs, and seed
- Installation of a new drip irrigation system, which will connect to the existing gravity flood irrigation system
- Installation of a fish screen on the existing river pump, which will meet National Marine Fisheries Service standards

Ongoing Restoration Activities:

- Application of supplemental water to restored areas, via the diversion of flow from the San Joaquin River using the existing river pump and utilization of existing groundwater wells
- Maintenance of existing infrastructure onsite, as necessary to facilitate the Project, including, but not limited to, the existing river pump, electrical panels, ditches, pipes, emitters, and valves
- Treatment of non-native and/or invasive plant species (weeds) by hand-pulling, mowing, string-trimming, and/or herbicide application
- Monitoring of successful plant establishment, wildlife utilization, and floodplain characteristics

The Project may be implemented in phases, dependent on funding and the terms of existing agricultural leases at the Project site.

Upon the completion of the Project, River Partners intends to transfer the Project site to a long-term land steward that will maintain the Project site for the purpose of conservation in perpetuity, as required by the notice of unrecorded grant agreement.

Tribal Engagement: River Partners submitted a request to the California Historical Resources Information System for a record of cultural resources within the geographical area. A request was also submitted to the Native American Heritage Commission for a Tribal Consultation List and Sacred Lands File Search. Upon receiving responses, River Partners initiated engagement with tribal contacts. A site visit was organized for September 25, 2025, to introduce tribal contacts to the Project, solicit their feedback, and discuss opportunities for their involvement. River Partners has also collaborated with the California Indian Basketweavers' Association to incorporate culturally significant plants into the Project revegetation palette.

Interested Party Coordination: River Partners conducted outreach with residents of the unincorporated community of Grayson, to solicit feedback about the Project and other restoration efforts in the region. Feedback has been incorporated into Project planning.

River Partners has held meetings with Stanislaus County (County) staff to discuss how the Project may align with the County's floodway management goals. Coordination will continue with the County to acquire approval for weed control along the County-owned road that borders the Project site.

Coordination has occurred with the Central Valley Flood Protection Board (CVFPB) to initiate the process of acquiring an Encroachment Permit, as the Project occurs within the Designated Floodway. This process ensures there is ample opportunity for hydraulic impact analysis during Project planning.

Additional Project-specific engagement has occurred with the Central Valley Joint Venture, Xerces Society, Tricolored Blackbird Working Group, U.S. Fish and Wildlife Service, and the California Department of Parks and Recreation. Various partners have participated in the Project planning process, including, but not limited to: Cramer Fish Sciences, MBK Engineers, Point Blue Conservation Science, and others.

Anticipated Project Implementation Timeframes: Start date: 2027
Completion date: 2036

Lead Agency Request for CDFW Concurrence: On March 11, 2026, the Director of the California Department of Fish and Wildlife (CDFW Director) received a concurrence request from the Lead Agency pursuant to Public Resources Code section 21080.56, subdivision (e) (Request). The Request seeks the CDFW Director's concurrence with the Lead Agency's determination on March 10, 2026, that the Project meets certain qualifying criteria set forth in subdivisions (a) to (d), inclusive, of the same section of the Public Resources Code (Lead Agency Determination). The CDFW Director's concurrence is required for the Lead Agency to approve the Project relying on this section of the California Environmental Quality Act (CEQA). (Pub. Resources Code, § 21000 et seq.).

Concurrence Determination

The CDFW Director concurs with the Lead Agency Determination that the Project meets the qualifying criteria set forth in Public Resources Code section 21080.56, subdivisions (a) to (d), inclusive (Concurrence).

Specifically, the CDFW Director concurs with the Lead Agency that the Project meets all of the following conditions: (A) the Project is exclusively to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or is exclusively to restore or provide habitat for California native fish and wildlife; (B) the Project may have public benefits incidental to the Project's fundamental purpose; (C) the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery; and includes procedures and ongoing management for the protection of the environment; and (D) Project construction activities are solely related to habitat restoration. Pursuant to Public Resources Code section 21080.56, subdivision (g), CDFW will post this Concurrence on its CEQA Notices and Documents internet page: https://wildlife.ca.gov/Notices/CEQA.

This Concurrence is based on best available science and supported, as described below, by substantial evidence in CDFW's administrative record of proceedings for the Project.

This Concurrence is also based on a finding that the Project is consistent with and that its implementation will further CDFW's mandate as California's trustee agency for fish and

wildlife, including the responsibility to hold and manage these resources in trust for all the people of California.

Discussion

A. Pursuant to Public Resources Code section 21080.56, subdivision (a), the CDFW Director concurs with the Lead Agency that the Project will exclusively conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or restore or provide habitat for California native fish and wildlife.

   The Project is exclusively intended to restore 468 acres of functional riparian habitat along the San Joaquin River. The Project will establish habitat that is contiguous with conserved habitats at the San Joaquin River National Wildlife Refuge and Dos Rios State Park. Diverse vegetation communities will be established to provide wildlife opportunities for foraging, breeding, and refuge. Hydrologic connectivity will be restored to the floodplain to promote geomorphic processes, which will establish complex microhabitats over time. The Project is expected to assist in the recovery of California native fish and wildlife endemic to or migrating within the San Joaquin River corridor.

B. Pursuant to Public Resources Code section 21080.56, subdivision (b), the CDFW Director concurs with the Lead Agency that the Project may have incidental public benefits, such as public access and recreation.

   All Project activities are solely for the purpose of habitat restoration. The Project is not intended to produce public benefits, such as access or recreation. However, the Lead Agency expects the Project may produce incidental public benefits in the form of improved air and water quality and minimized flood risk to the local community. The restoration of floodplain connectivity with the San Joaquin River will accommodate increased frequency and duration of seasonal flooding, which may buffer the local community from high-flow events and slow the velocity of floodwaters. The cessation of agricultural practices onsite is expected to minimize sedimentation and pollution into the watershed and incrementally enhance streamflow.

C. Pursuant to Public Resources Code section 21080.56, subdivision (c), the CDFW Director concurs with the Lead Agency that the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery, and includes procedures and ongoing management for the protection of the environment.

   <u>Long-term Net Benefits to Climate Resiliency</u>:

   The Project will increase the frequency and duration in which flood flows persist at the Project site, thereby enhancing groundwater recharge. Current conditions allow inundation at approximately 11,000 cubic feet per second (cfs). Project conditions will allow inundation as low as 2,900 cfs, with significant inundation occurring at 7,500 cfs.

Approximately 455 acres of the Project site will be revegetated with native trees, shrubs, and herbaceous species using potted stock, cuttings, plugs, and seed. As woody vegetation matures, it will form a forested canopy. This canopy will provide shade, localized cooling, and carbon sequestration, which are valuable as climate change conditions worsen.

Though Ongoing Restoration Activities include the utilization of groundwater wells and diversion of streamflow for supplemental water of plantings, this consumptive water use will be much less in volume than the consumptive use associated with current agricultural operations onsite. Supplemental water will be supplied most heavily during the first year after plants are installed, and then will be gradually reduced over the next two years, to encourage deep root development and plant hardiness. Upon the completion of Ongoing Restoration Activities, River Partners will cease consumptive water use onsite. This is expected to passively enhance local streamflow.

The Project will add 468 acres of restored habitat to the suite of restored and conserved habitats that occur within the San Joaquin River corridor, such as the San Joaquin River National Wildlife Refuge and Dos Rios State Park. River Partners is also planning the restoration of additional habitats near the Project site, such as the Ott Farms Restoration Project and the El Puente Floodplain Reconnection Project. Therefore, this Project will leverage benefits beyond its footprint – it will provide continuity with restored contiguous riparian habitats available to fish and wildlife within the lower San Joaquin River corridor. Connected habitats serve as migratory pathways, offering wildlife refugia and resources, allowing for genetic exchange, and preventing habitat fragmentation, which are especially vital as wildlife face environmental pressures associated with climate change.

Long-term Net Benefits to Biodiversity:

The Project will establish suitable habitat for a broad range of native fish and wildlife. Specifically, a minimum of 15 native plant species will be planted across 455 acres. Plant communities will include grassland, oak woodland, mixed riparian, sedges, and cottonwood-willow scrub. This revegetation strategy is intended to establish robust native plant communities that will provide ecosystem structure. Invasive species will be suppressed for a minimum of three years to ensure native species successfully establish. The diversity and density of native vegetation will increase forage availability for insects, birds, and mammals, thereby bolstering the food web along the San Joaquin River corridor.

Long-term Net Benefits to Sensitive Species Recovery:

The diverse vegetation established by the Project will provide breeding and foraging habitat for sensitive resident and migratory birds, including, but not limited to: Swainson's hawk (*Buteo swainsoni*), a species listed as threatened under the California Endangered Species Act (CESA); least Bell's vireo (*Vireo bellii pusillus*), a species listed as endangered under CESA and the federal Endangered Species Act (ESA); and tricolored blackbird (*Agelaius tricolor*), a species listed as threatened under

CESA. The revegetation palette has also been designed to provide valuable foraging resources for pollinators year-round. Notably, the revegetation palette will include narrowleaf milkweed (*Asclepias fascicularis*), the obligate host plant for monarch (*Danaus plexippus plexippus*) caterpillars, a species that is proposed threatened under the ESA.

Riparian brush rabbit (*Sylvilagus bachmani riparius*), a species listed as endangered under the ESA and CESA, has been documented at the nearby San Joaquin River National Wildlife Refuge. The Project has been designed to mimic the preferred habitat of the riparian brush rabbit, to support their colonization within the Project site. The Project will also establish topographical mounds planted at high density, to offer riparian brush rabbit refuge during high flow events.

Though the Project site occurs within the floodplain of the San Joaquin River, the presence of earthen berms and concrete debris limits hydrologic connectivity and presents an entrapment risk to aquatic species. The Project includes grading, concrete debris removal, and select berm degrades to ensure positive drainage during seasonal flood events. These activities are intended to resolve the risk of aquatic species entrapment and stranding within the Project site after high flow events. River Partners also aims to grade the Project site such that it will provide suitable frequency, duration, depth, and velocity to support the colonization of invertebrates and rearing of juvenile salmonids, such as fall-run Chinook salmon (*Oncorhynchus tshawytscha*), a CDFW Species of Special Concern, and Central Valley steelhead (*Oncorhynchus mykiss irideus*), a species listed as threatened under the ESA.

Procedures for the Protection of the Environment:

River Partners will secure permits or approvals prior to the commencement of the Project, which will include a range of environmental impact avoidance and minimization measures. The following permits or approvals are anticipated to be necessary:

- Clean Water Act section 401 Statewide Restoration General Order, from the Central Valley Regional Water Quality Control Board
- Restoration Management Permit, from CDFW
- Encroachment Permit, from the CVFPB

Additional best management practices (BMPs) will be implemented during the Project to protect the environment. These BMPs include, but are not limited to:

- Prior to initiating each phase of the Project, personnel will be provided with environmental awareness training.
- Vehicles and equipment will be regularly inspected and properly maintained to prevent leaks of materials or substances that may be harmful to aquatic or terrestrial life.
- Mature native trees and shrubs will be avoided to the greatest extent feasible.
- Prior to initiating each phase of the Project, surveys will be conducted to identify sensitive species. Avoidance buffers, biological monitoring, and modified work

practices will be implemented as necessary to avoid and minimize impacts to sensitive species.
- Weed treatments will be conducted in a targeted manner, informed by site monitoring, to minimize impacts to native species and prevent soil scalping.

Ongoing Management for the Protection of the Environment:

Upon the completion of Initial Restoration Activities for each Project phase, River Partners will conduct extensive monitoring. This monitoring is intended to inform maintenance needs, as well as document changes to the Project site over time. Monitoring activities include, but are not limited to:

- A census of every individual woody plant, with mortality and vigor documented
- Vegetation relevés to assess cover of native and non-native plants
- Collection of aerial drone footage
- Assessments of wildlife utilization, by avian point counts, acoustic recording units, surveys, eDNA collection, and wildlife camera deployment
- Installation of pressure transducers and piezometers

Ongoing Restoration Activities will occur for at least three years after the completion of Initial Restoration Activities. Ongoing Restoration Activities are intended to ensure long-term net benefit to fish, wildlife, and their habitat.

After the Project, River Partners intends to transfer the Project site via fee title to another entity, for the purpose of long-term habitat conservation in perpetuity.

D. Pursuant to Public Resources Code section 21080.56, subdivision (d), the CDFW Director concurs with the Lead Agency that the Project does not include any construction activities, except those solely related to habitat restoration.

Implementation of the Project will require the utilization of heavy construction equipment and farm equipment. The utilization of this equipment is for the sole purpose of habitat restoration. The Project does not include the construction of new structures or facilities, except for the installation of a fish screen on an existing river pump and installation of a new drip irrigation system. The Project will include the retirement of dairy facilities and row crops, however, some existing structures and/or facilities will remain to serve the Project, such as ditches, valves, and electrical panels.

Scope and Reservation of Concurrence

This Concurrence is based on the proposed Project as described by the Lead Agency Determination and the Request. If there are any subsequent changes to the Project that affect or otherwise change the Lead Agency Determination, the Lead Agency, or any other public agency that proposes to carry out or approve the Project, shall submit a new lead agency determination and request for concurrence from CDFW pursuant to Public Resources Code section 21080.56. If any other public agency proposes to carry out or approve the Project subsequent to the effective date of this Concurrence, this Concurrence shall remain in effect and no separate concurrence from CDFW shall be required so long as the other public

agency is carrying out or approving the Project as described by the Lead Agency Determination and the Request.

In its request for a concurrence, the Lead Agency set forth potential bases for a determination that the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery. Although the CDFW Director agrees with the Lead Agency that the Project will provide such long-term net benefits, this Concurrence is not intended to be and should not be construed as an endorsement of every argument set forth in the Lead Agency's concurrence request.

Other Legal Obligations

The Project shall remain subject to all other applicable federal, state, and local laws and regulations, and this Concurrence shall not weaken or violate any applicable environmental or public health standards. (Pub. Resources Code, § 21080.56, subd. (f).)

CDFW Director's Certification

Signed by:
By: 19042A1B72454D8... _____ Date: 4/14/2026

Meghan Hertel, Director
California Department of Fish and Wildlife