

Staff Report

for the Regular Meeting of the Board of Directors, May 13, 2020

TO: Board of Directors

FROM: Doug Roderick, P.E., Engineering Manager

DATE: May 6, 2020

SUBJECT: Doty North Canal Siphon #1 Replacement Project (FATR #1031)

ENGINEERING

RECOMMENDATION:

Conduct a Public Hearing. After hearing testimony, consider adopting Resolution No. 2020-13 (Adopting a Mitigated Negative Declaration, Approve the Project and Mitigation Monitoring and Reporting Program for the Project), and authorize the General Manager to execute the appropriate documents.

BACKGROUND:

The Doty North Canal Siphon #1 is part of the Doty North Canal that supplies raw water to customers in Placer County. The existing structure is a 24-inch steel pipe that was originally constructed in the 1940s. The structure is in poor condition and has reached the end of its useful life. In addition, the existing facility is a point of flow restriction, resulting in a moratorium downstream of the facility.

The District is proposing to replace the existing siphon with a new 350-foot long, 36-inch diameter welded steel inverted siphon pipe. The new structure will span across Doty and Sailor's Ravines. The inlet of the new structure will be connected to an existing pipeline that was installed by the District in 2017.

On February 20, 2020, the District released the Initial Study/Mitigated Negative Declaration for public review. The Notice of Intent (NOI) was sent to the State Clearinghouse, Placer County Clerk's Office, published in the Lincoln News Messenger and placed at the Lincoln Library. In addition, letters were sent to 16 property owners located adjacent to the project. On March 12, 2020, a public informational meeting was held at the District's Placer Maintenance Yard.

The notice of a public hearing was published in the Union on April 25, 2020, and the Lincoln News Messenger on April 30, 2020. In addition, the property owners surrounding the project were notified by letter on March 16, 2020, of the public hearing date.

The final Initial Study and Mitigated Negative Declaration is available for review at the District's website at www.nidwater.com/projects.

It is staff's recommendation that the Board adopt Resolution No. 2020-13 (Adopting a Mitigated Negative Declaration, Approve the Project and Mitigation Monitoring and Reporting Program for the Project).

This item is in alignment with Goal Numbers 1 and 4 by the proactive management of our financial resources and by the integration of proven practices and technologies to enhance the reliability and quality of our water supply.

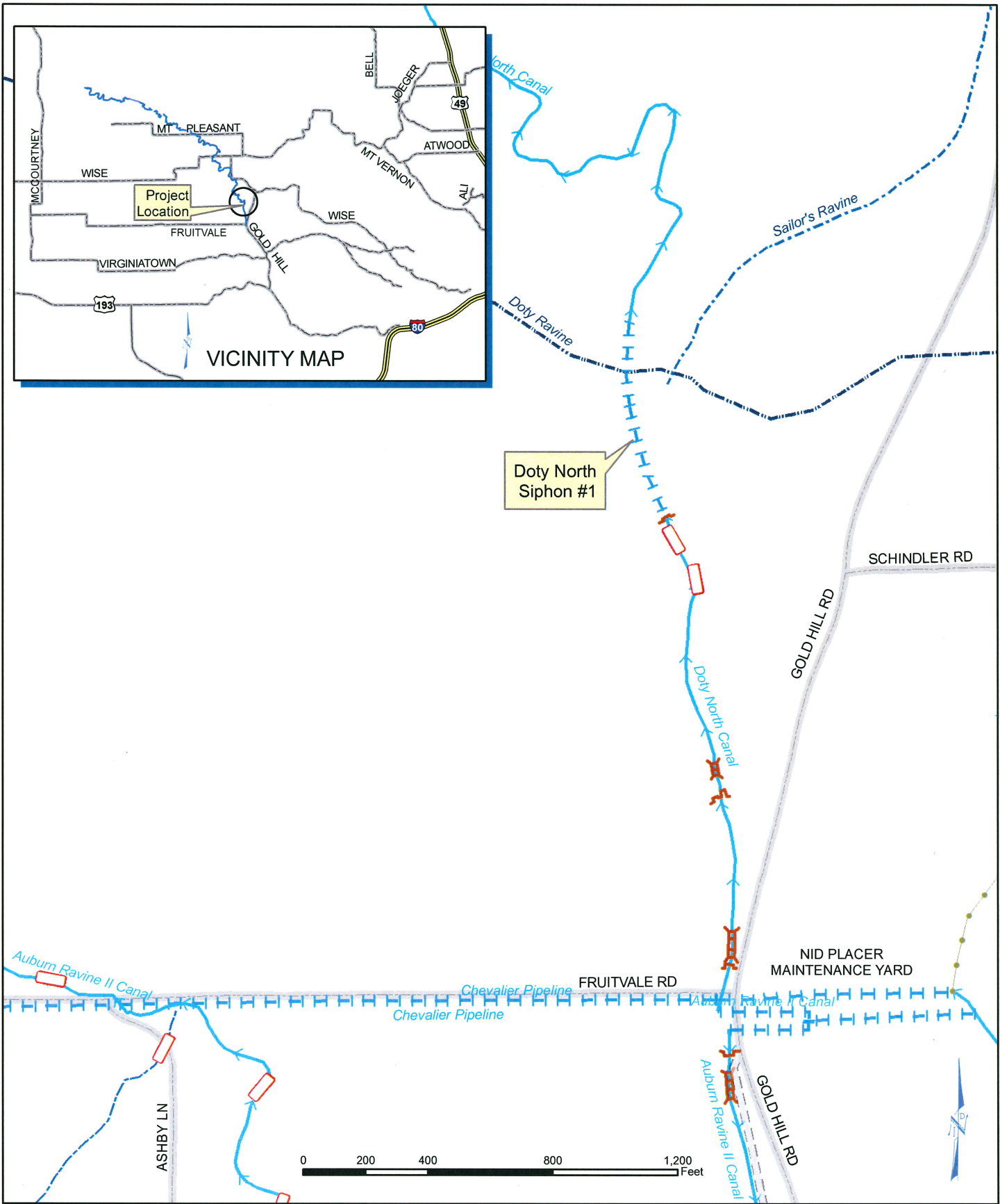
BUDGETARY IMPACT:

The 2020 budget for the Raw Water Replacement Program (Account #10151-52910) has \$1,800,000. Estimated construction costs for this project is \$400,000. After this commitment, there will remain \$1,400,000 in this account. The project will be constructed fall of 2020 and is anticipated to be completed in approximately six weeks.

ATTACHMENTS: (6)

- Vicinity Map
- Powerpoint Presentation
- Notice of Determination
- Final Mitigated Negative Declaration
- MMRP
- Resolution 2020-13 (Adopting a Mitigated Negative Declaration, Approve the Project and Mitigation Monitoring and Reporting Program for the Project)

DR



DOTY NORTH CANAL SIPHON #1 REPLACEMENT

Date: 2/21/2020
 Drawn By: D. HUNT

NEVADA IRRIGATION DISTRICT
 NEVADA COUNTY - PLACER COUNTY
 GRASS VALLEY, CALIFORNIA





ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS



NEVADA IRRIGATION DISTRICT

Doty North Canal Siphon #1 Replacement

Project Initial Study and Mitigated Negative

Declaration

Presented by:
Doug Roderick, PE (NID)

For the Board of Directors Meeting
May 13, 2020



Overview of Presentation



- ◆ Review the proposed project and initial study
- ◆ Review the mitigation measures
- ◆ Open and hear public testimony
- ◆ Close public hearing
- ◆ Recommend to adopt resolution



Purpose of the Project



- ◆ Replace an existing raw water transmission siphon that is in poor condition and has reached the end of its useful life.
- ◆ Design new siphon to meet current Raw Water Master Plan flows.
- ◆ Allows for removal of moratorium for raw water customers downstream of the facility.



Project Overview: Proposed Project



- The Project would replace the existing 24-inch raw water siphon crossing over Doty Ravine and Sailors Ravine with a new 350 –foot long, 36-inch diameter welded steel inverted siphon pipe.
- Due to system demands and operational constraints, construction planned to begin on or about October 15th.
- New inverted siphon pipe to be constructed next to existing facility, to allow for existing facility to be used during construction to minimize impacts to Doty Ravine.



Project Overview: Project Location



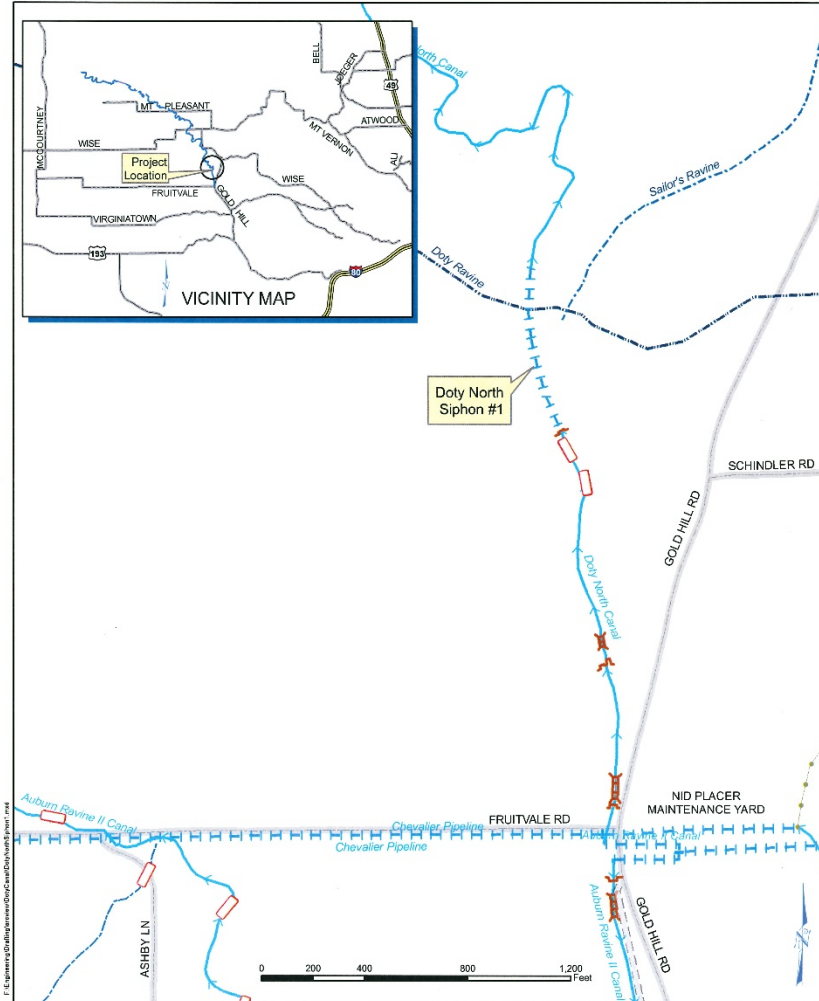
The Project is in southern Placer County north of Highway 193 adjacent to the Gold Hill Gardens Event Center at 2325 Gold Hill Road in Newcastle California.

Primary construction access would be from the south following the existing Gold Hill Gardens paved driveway entrance off of Gold Hill Road.

North side construction access would be provided by a temporary easement extending approximately 1,300 feet southwesterly from Gold Hill Road. The northern access route includes a temporary crossing of Sailors Ravine and extend through irrigated pasture.



Vicinity Map



DOTY NORTH CANAL SIPHON #1 REPLACEMENT

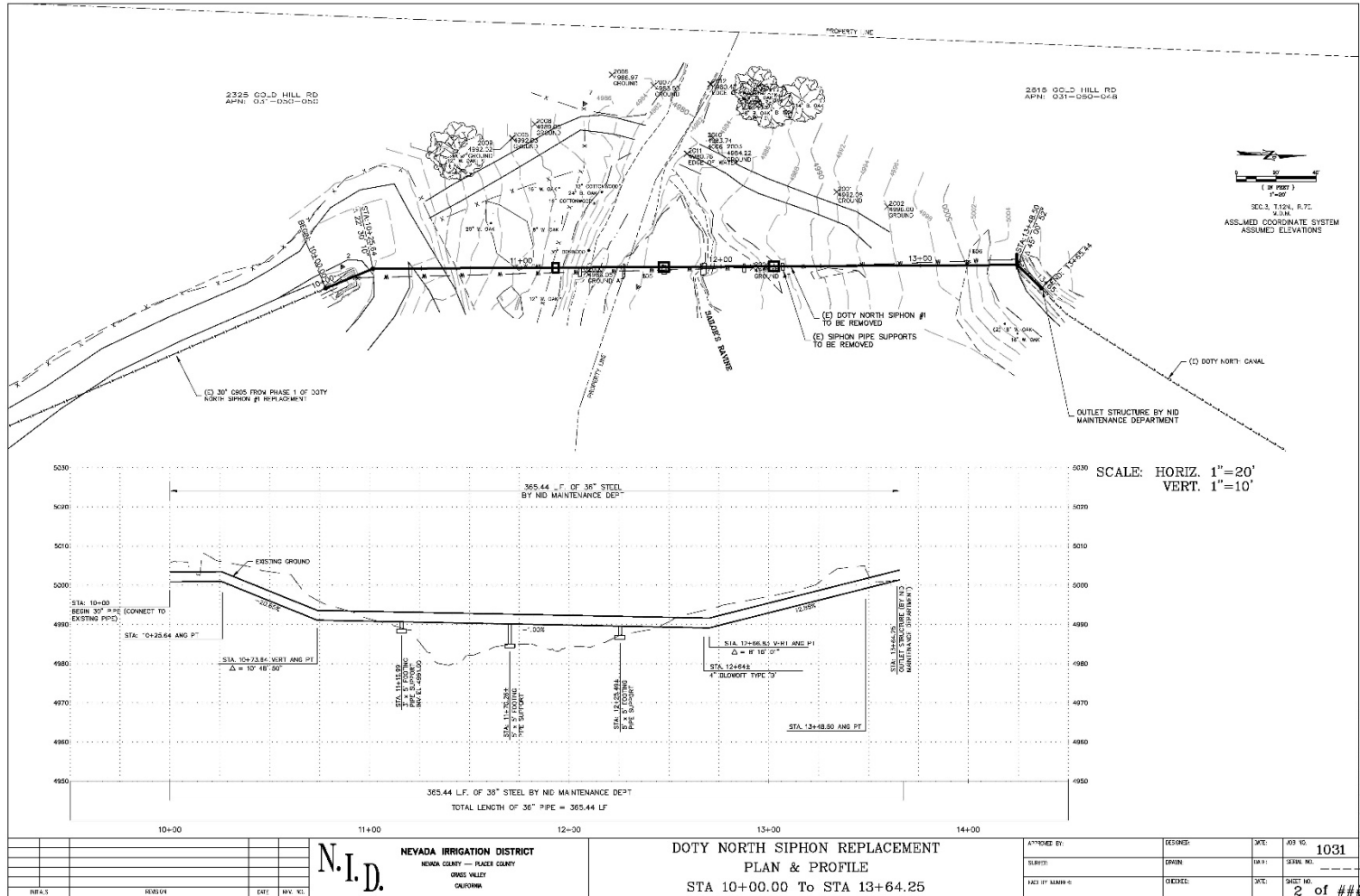
Date: 2/21/2020
Drawn By: D. HUNT

NEVADA IRRIGATION DISTRICT
NEVADA COUNTY - PLACER COUNTY
GRASS VALLEY, CALIFORNIA





Project Drawing





Photos of Project Site



Photo 1: Standing on north bank of Doty Ravine, just below confluence of Doty Ravine and Sailors Ravine facing east.



Photo 2: Standing on south bank of Doty Ravine facing east.



Photos of Project Site



Photo 3: Standing on siphon, facing north.
Sailors Ravine is visible.



Photo 4: Standing on siphon, facing south.
Both Doty Ravine and Sailors Ravine are visible.



CEQA Process



- AB52 Notice of Opportunity to Consult was sent via certified mail August 12, 2019 to 3 tribes. UAIC responded requesting opportunity to consult August 19, 2019. Consultation was concluded with agreement on March 12, 2020.
- An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for this project.
- The 30 day public review and comment period was February 20, 2020 through March 21, 2020.
 - Mailers were sent to the properties in the project area
 - NOI was posted at the State Clearinghouse and County of Placer Clerk Office
 - NOI was noticed in The Lincoln News Messenger on February 20, 2020
 - Hard copy of IS/MND was made available for review at NID Business Center and Lincoln Public Library
 - Electronic copy of IS/MND was posted on the District website
 - Received 2 Comment Letters: Placer County Air Pollution Control District and State Clearinghouse
- A community meeting was hosted at the District's Placer Maintenance Yard on March 12, 2020.
- The IS/MND will be considered for adoption and project approval by the Board May 13, 2020 meeting.
 - Mailers were sent to the properties in the project area and the trustee agencies that submitted comments on March 16, 2020.
 - The public hearing was noticed in The Union and The Lincoln News Messenger



Project Overview: Mitigation Measures



Mitigation Measure AG-1: Obtain Temporary Easements and Minimize Disruption to Existing Agricultural Operations

This mitigation measure requires that NID obtain a temporary construction easement for the proposed northern access route and incorporate all feasible conditions that serve to minimize agricultural/grazing conflicts. The temporary easement access route shall be reseeded and stabilized following construction.

Mitigation Measure BIO-1: Conduct Pre-Construction Special Status Plant Surveys

A total of 10 special-status plants have potential to occur on the Project site and/or along the proposed northern access route.

Mitigation Measure BIO-2: Conduct Special-Status Amphibian Surveys

Conduct pre-construction survey for foothill yellow-legged frog where construction occurs near potential habitat.

Mitigation Measure BIO-3: Conduct Special-Status Reptile Surveys

Conduct pre-construction survey for northwestern pond turtle and retain a qualified biologist to survey immediately prior to ground-disturbing activities.



Project Overview: Mitigation Measures



Mitigation Measure BIO-4: Conduct Special-Status Mammal Surveys

Conduct pre-construction survey for potential Ringtail den sites. Prior to work within potentially suitable Townsend's Big-Eared Bat, a bat habitat assessment is recommended for all suitable roosting habitat.

Mitigation Measure BIO-5: Compensate for the Loss of Riparian Communities

To compensate for the total loss of ± 0.002 acres of riparian habitat, prior to construction the District will purchase credits at an approved mitigation bank to ensure no net loss of riparian habitat functions and values. The District will purchase credits at a 3:1 ratio, for a total of ± 0.006 acres from an agency approved mitigation bank. This will be confirmed during review of engineering drawings during the CDFW Section 1602 permitting.

Mitigation Measure CUL-1: Protect P-31-3646 as an Environmentally Sensitive Area

P-31-3646 shall be designated an Environmentally Sensitive Area prior to construction activities. To accomplish this, high visibility temporary exclusion fencing shall be installed and no ground-disturbing activities shall be allowed northwest of the fence line. Metal plates may be laid over the portion of the environmentally sensitive area located within the Project site to accommodate vehicle traffic only.



Project Overview: Mitigation Measures



Mitigation Measure CUL-2: Monitor Ground Disturbance and Stop Work if Cultural Resources or Human Remains are Detected

All ground disturbing activities on the Project Site shall be monitored by an archaeological monitor under the supervision of a qualified professional archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for pre-contact and historic archaeologist.

Mitigation Measure PALEO-1: Discovery of Unknown Resources

If any paleontological resources (i.e. fossils) are found during Project construction, construction shall be halted immediately in the subject area.



Project Overview: Mitigation Measures



Mitigation Measure TCR-1: Worker Awareness Training

A consultant and construction worker tribal cultural resources awareness brochure and a one (1) hour in-field training program for all personnel involved in ground-disturbing activities will be developed and disseminated by a UAIC tribal representative.

Mitigation Measure TCR-2: Monitor Ground Disturbance to Avoid and Minimize Impacts to Known and Previously Unknown TCRs

One (1) tribal monitor shall be retained from UAIC to monitor the ground-disturbing activity associated with the installation of the temporary exclusion measures on site, and any and all ground disturbing construction activity associated with the siphon replacement on the north side of the ravine.



Project Timeline



- Design – Spring/Summer 2020
- CDFW Lake and Streambed Alteration Agreement– Summer 2020
- Temporary Easement Acquisition – Summer 2020
- Construction – Fall 2020



Open Public Comment



Close Public Comment



QUESTIONS?

NID Staff Requests the Board of Directors to:

Adopt Resolution #2020-13 adopting a Mitigated Negative Declaration, approve the Project and the Mitigation Monitoring and Reporting Program for the Doty North Canal Siphon #1 Replacement Project

Doty North Canal Siphon #1 Replacement Project

FINAL INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

State Clearinghouse Number

2020029068

May 2020

Prepared for:



Nevada Irrigation District
1036 West Main Street
Grass Valley, California 95945

Prepared by:



2525 Warren Drive
Rocklin, California 95677

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

NOTICE OF DETERMINATION

TO:

Office of Planning and Research
1400 10th Street
Sacramento, CA 95814

FROM:

Nevada Irrigation District
1036 West Main Street
Grass Valley, CA 95945

SUBJECT:

Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code

PROJECT TITLE:

Doty North Canal Siphon #1 Replacement Project

State Clearinghouse Number

2020029068

Contact Person

Mr. Doug Roderick

Telephone Number

530-271-6866

1.1 Project Approval

The Nevada Irrigation District (NID) is scheduled to consider approval of the Doty North Canal Siphon #1 Replacement Project (Proposed Project or Project) at its May 13, 2020 Board Meeting.

1.2 Project Location

The Proposed Project is located in southern Placer County, north of Highway 193, adjacent to the Gold Hill Gardens Event Center at 2325 Gold Hill Road, Newcastle, California. The Project Site is situated northwest of the event center grounds and extends across Doty ravine and Sailors ravine.

1.3 Project Description

The Project is proposed by NID to replace an existing raw water transmission siphon that is in poor condition and has reached the end of its useful life. Project construction is expected to take approximately six weeks and is scheduled to begin on or about October 15, 2020, or later depending on budget. Once completed, the Project will operate similar to existing conditions. Project construction would result in primarily temporary impacts; however, all temporarily disturbed areas would be restored to pre-project conditions. Long-term siphon operation would remain consistent with baseline conditions and the only activities would be continued occasional routine maintenance trips to the site.

Siphon Replacement

The existing 24-inch raw water siphon crossing over Doty Ravine and Sailors Ravine would be removed and replaced with a new 350-foot long, 36-inch-diameter welded steel inverted siphon pipe. The new pipe would convey raw water consistent with the District's approved masterplan design flow rate of 34 cubic feet per second (cfs). The new siphon would be welded steel pipe supported on each end by abutments

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

and three new steel pipe supports anchored to two 5-x-5-feet and one 3-x-5-feet concrete footings. Existing abutments are located on the north and south creek banks above the ordinary highwater mark. Two concrete footings would be similarly located in upland areas on each side of Doty Ravine. The center footing would be constructed on an upland area immediately above and between the Doty Ravine/Sailors Ravine confluence. The new siphon pipe would connect to the existing pipe just upstream of the existing siphon inlet and outlet structure on the north and south sides of the ravine.

Construction Access

Due to system operational constraints that limit when the Siphon can be taken offline for construction, and due to the flashy nature of the Doty Ravine Watershed and expected high flows during winter months, NID has determined that a temporary crossing during construction at the Project site is not feasible. Therefore, south side access would be provided via the existing Gold Hill Gardens driveway easement while access to the north side would be via a temporary construction easement across private property.

The south side access follows the existing Gold Hill Gardens driveway entrance off Gold Hill Road. The south side access is mostly paved driveway from Gold Hill Road until it leaves the event center parking lot on the west, where it transitions to a gravel service road leading to the Project site. The north side temporary easement would extend from Gold Hill Road, beginning at a point approximately 1,000 feet north of the existing Gold Hill Gardens Event Center driveway entrance. From that point, the north side access extends across Sailors Ravine and continues approximately 1,300 feet southwesterly through an irrigated pasture to the north side of the Project Site.

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

NID, as the Lead Agency, has approved the above-described Project and has made the following determinations:

1. There is no substantial evidence that the Proposed Project will have a significant effect on the environment;
2. In accordance with CEQA, a Mitigated Negative Declaration for the Proposed Project was prepared. The Mitigated Negative Declaration has been approved by NID, which is the Lead Agency for the Proposed Project. The Mitigated Negative Declaration reflects the independent judgment and analysis of NID;
3. Mitigation measures were required to be made a condition of approval of the Proposed Project;
4. A Statement of Overriding Considerations was not required to be adopted for the Proposed Project; and,
5. A Mitigation Monitoring and Reporting Plan was adopted for the Proposed Project.

This is to certify that the Final Mitigated Negative Declaration with comments and responses and record of project approval is available to the general public at: Nevada Irrigation District, 1036 West Main Street, Grass Valley, CA 95945.

Mr. Remleh Scherzinger
General Manager
Nevada Irrigation District

Date

Date Received for Filing at OPR: _____

Doty North Canal Siphon #1 Replacement Project

Final Initial Study and Mitigated Negative Declaration

State Clearinghouse Number 2020029068

May 2020

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

CONTENTS

Final Mitigated Negative Declaration – Doty North Canal Siphon #1 Replacement Project..... 1

Mitigation Measures Incorporated into the Project to Avoid Significant Effects 3

SECTION 1. Introduction.....1-1

SECTION 2. Project Overview.....2-1

SECTION 3. Comments and Responses3-1

SECTION 4. Revisions to the Draft Initial Study and Mitigated Negative Declaration.....4-1

SECTION 5. Mitigation Monitoring and Reporting Plan5-1

SECTION 6. List of Attachements6-1

FINAL MITIGATED NEGATIVE DECLARATION
Doty North Canal Siphon #1 Replacement Project

1.1 Lead Agency

Nevada Irrigation District (NID)

1.2 Project Location

The Doty North Canal Siphon #1 Replacement Project (Proposed Project or Project) is located in southern Placer County, north of Highway 193, adjacent to the Gold Hill Gardens Event Center at 2325 Gold Hill Road, Newcastle, California. The Project Site is situated northwest of the event center grounds and extends across Doty ravine and Sailors ravine.

1.3 Project Description

The Project is proposed by NID to replace an existing raw water transmission siphon that is in poor condition and has reached the end of its useful life. Project construction is expected to take approximately six weeks and is scheduled to begin on or about October 15, 2020, or later depending on budget. Once completed, the Project will operate similar to existing conditions. Project construction would result in primarily temporary impacts; however, all temporarily disturbed areas would be restored to pre-project conditions. Long-term siphon operation would remain consistent with baseline conditions and the only activities would be continued occasional routine maintenance trips to the site.

Siphon Replacement

The existing 24-inch raw water siphon crossing over Doty Ravine and Sailors Ravine would be removed and replaced with a new 350-foot long, 36-inch-diameter welded steel inverted siphon pipe. The new pipe would convey raw water consistent with the District's approved masterplan design flow rate of 34 cubic feet per second (cfs). The new siphon would be welded steel pipe supported on each end by abutments and three new steel pipe supports anchored to two 5-x-5-feet and one 3-x-5-feet concrete footings. Existing abutments are located on the north and south creek banks above the ordinary highwater mark. Two concrete footings would be similarly located in upland areas on each side of Doty Ravine. The center footing would be constructed on an upland area immediately above and between the Doty Ravine/Sailors Ravine confluence. The new siphon pipe would connect to the existing pipe just upstream of the existing siphon inlet and outlet structure on the north and south sides of the ravine.

Construction Access

Due to system operational constraints that limit when the Siphon can be taken offline for construction, and due to the flashy nature of the Doty Ravine Watershed and expected high flows during winter months, NID has determined that a temporary crossing during construction at the Project site is not feasible. Therefore, south side access would be provided via the existing Gold Hill Gardens driveway

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

easement while access to the north side would be via a temporary construction easement across private property.

The south side access follows the existing Gold Hill Gardens driveway entrance off Gold Hill Road. The south side access is mostly paved driveway from Gold Hill Road until it leaves the event center parking lot on the west, where it transitions to a gravel service road leading to the Project site. The north side temporary easement would extend from Gold Hill Road, beginning at a point approximately 1,000 feet north of the existing Gold Hill Gardens Event Center driveway entrance. From that point, the north side access extends across Sailors Ravine and continues approximately 1,300 feet southwesterly through an irrigated pasture to the north side of the Project Site.

1.4 Finding

Based on the information contained in the attached Initial Study, Nevada Irrigation District finds that there would not be a significant effect to the environment because the mitigation measures described herein would be incorporated as part of the Proposed Project.

1.5 Public Review Period

February 20, 2020 – March 21, 2020

1.6 Mitigation Measures Incorporated into the Project to Avoid Significant Effects

Agriculture and Forestry Resources

AG-1: Obtain Temporary Easements and Minimize Disruption to Existing Agricultural Operations

NID shall obtain a temporary construction easement for the proposed northern access route. The temporary easement alignment shall be coordinated with the grazer and be located to minimize disruptions to grazing operations. All feasible conditions that serve to minimize agricultural/grazing conflicts shall be incorporated into the easement. The temporary access route shall be reseeded and stabilized following construction.

Timing/Implementation: *Prior to construction*

Monitoring/Enforcement: *Contractor/NID*

Biological Resources

BIO-1: Conduct Pre-Construction Special-Status Plant Surveys

A total of 10 special-status plants have potential to occur on the Project Site and/or along the proposed northern access route. These include Sanborn's onion, big-scale balsamroot, Brandegees clarkia, streambank spring beauty, stinkbells, Butte County fritillary, Ahart's dwarf rush, dubious pea, Humboldt lily, and oval-leaved viburnum. The following measures are recommended to reduce potential impacts to less than significant:

- Perform focused plant surveys according to guidelines promulgated by USFWS (USFWS 2000), CDFW (CDFG 2009), and CNPS (CNPS 2019). Surveys should be timed according to the blooming period for target species and known reference populations, if available, and/or local herbaria should be visited prior to surveys to confirm the appropriate phenological state of the target species.
- If any special-status plant species are found during surveys within the Project Site or along the northern access route, and avoidance of the species is not possible, seed collection, transplantation, and/or other mitigation measures may be developed in consultation with the lead agency and/or appropriate resource agencies to reduce impacts to special-status plant populations.
- If no special-status plants are found within the Project Site, no further measures pertaining to special-status plants are necessary.

Timing/Implementation: *Prior to construction*

Monitoring/Enforcement: *NID*

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

BIO-2: Conduct Special-Status Amphibian Surveys

The following measures shall be implemented to minimize potential impacts to foothill yellow-legged frog:

- Conduct pre-construction surveys for foothill yellow-legged frog where construction occurs near potential habitat. If observed, consultation with CDFW prior to initiation of construction activities shall be required.
- During construction, where habitat for foothill yellow-legged frog is identified, no monofilament plastic mesh or line shall be used for erosion control to reduce the risk of entrapment.
- Silt fencing will be installed around suitable habitat for foothill yellow-legged frog that will not be disturbed, and fencing will be inspected daily to ensure no individuals are trapped along the fence.

Timing/Implementation: *Prior to and during construction*

Monitoring/Enforcement: *NID*

BIO-3: Conduct Special-Status Reptile Surveys

The following measure shall be implemented to minimize potential impacts to northern western pond turtle:

- Conduct a pre-construction Northwestern pond turtle survey within 24 hours prior to the initiation of construction activities and retain a qualified biologist to survey immediately prior to ground-disturbing activities in suitable habitat. If Northwestern pond turtle is found, consultation with CDFW shall be required, as well as the development of a relocation plan for Northwestern pond turtles encountered during construction.
- If no special-status reptiles are detected during the surveys, no further measures are needed.

Timing/Implementation: *Prior to construction*

Monitoring/Enforcement: *NID*

BIO-4: Conduct Special-Status Mammal Surveys

The Project Site and areas along the proposed construction access routes provides potential habitat for Ringtail and Townsend's big-eared bat. The following measures shall be implemented:

Ringtail

- A pre-construction survey for potential den sites (i.e., tree cavities, logs, snags) will be conducted within suitable habitat within the Project Site and along the construction access routes (i.e., large trees and riparian habitat). If potential den sites are located that will not be avoided by construction, consultation with CDFW prior to initiation of construction activities shall be required. If no potential den sites are found during the survey, no further measures are necessary.

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

Townsend's Big-Eared Bat

- Prior to work within potentially suitable bat roosting habitat, a bat habitat assessment is recommended for all suitable roosting habitat (i.e., manmade structures and suitable trees, if present). If the assessment identifies moderate to highly suitable roosting habitat, a qualified biologist will conduct an evening bat emergence survey to determine bats presence. If Townsend's big-eared bats are found, consultation with CDFW prior to initiation of construction activities shall be required. If no suitable roosting habitat is found, or if no bats are not found during the emergence surveys, no further measures are necessary.

Timing/Implementation: *Prior to construction*

Monitoring/Enforcement: *NID*

BIO-5: Compensate for the Loss of Riparian Communities

To compensate for the total loss of ±0.002 acres of riparian habitat, prior to construction the District will purchase credits at an approved mitigation bank to ensure no net loss of riparian habitat functions and values. The District will purchase credits at a 3:1 ratio, which would require purchasing a total of approximately 0.006 acre of riparian habitat credits from an agency approved mitigation bank. This ratio and acreage will be confirmed during the review of future engineering drawings and may be modified during the CDFW Section 1602 permitting process (if actual increase or decrease) which will dictate the ultimate compensation. The District will provide written evidence to the resource agencies that compensation has been established through the purchase of mitigation credits. The amount to be paid will be the fee that is in effect at the time the fee is paid.

Timing/Implementation: *Prior to construction*

Monitoring/Enforcement: *NID*

Cultural Resources

CUL-1: Protect P-31-3646 as an Environmentally Sensitive Area

P-31-3646 shall be designated an Environmentally Sensitive Area prior to construction activities. To accomplish this, high-visibility temporary exclusionary fencing shall be installed as shown on *Figure 4.5-1 Environmentally Sensitive Area Fencing for P-31-3646* (Note: *Figure 4.5-1 is confidential and may be requested from NID by qualified individuals on an as need to know basis*). No ground-disturbing activities shall be allowed northwest of the environmentally sensitive area fence line shown in *Figure 4.5-1*. Metal plates may be laid over that portion of the environmentally sensitive area located within the Project Site (see *Figure 4.5-1*), to accommodate vehicle travel only. Upon completion of the project, the metal plates will be directly lifted off the site and not dragged across the site.

Timing/Implementation: *Prior to and during construction*

Monitoring/Enforcement: *NID*

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

CUL-2: Monitor Ground Disturbance and Stop Work if Cultural Resources or Human Remains are Detected

All ground-disturbing activities on the Project Site shall be monitored by an archaeological monitor under the supervision of a qualified professional archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for pre-contact and historic archaeologist.

If subsurface deposits believed to be cultural or human in origin are discovered during construction by the monitor, all work must halt within 20 feet of the discovery. The monitor will notify the qualified professional archaeologist, who will evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:

- If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately, and no agency notifications are required.
- If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify NID, which shall consult on a finding of eligibility. If the find is determined to be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines, appropriate treatment measures will be implemented. Work may not resume within the no-work radius until NID, through consultation as appropriate, determines that the site either: 1) is not a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to its satisfaction.
- If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify the Placer County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the NID must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until NID, through consultation as appropriate, determines that the treatment measures have been completed to its satisfaction.

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

Timing/Implementation: *During ground disturbing construction activities*

Monitoring/Enforcement: *NID*

Paleontological Resources

PALEO-1: Discovery of Unknown Resources

If any paleontological resources (i.e., fossils) are found during Project construction, construction shall be halted immediately in the subject area and the area shall be isolated using orange or yellow fencing until NID is notified and the area is cleared for future work. A qualified paleontologist shall be retained to evaluate the find and recommend appropriate treatment of the inadvertently discovered paleontological resources. If NID resumes work in a location where paleontological remains have been discovered and cleared, NID will have a paleontologist onsite to confirm that no additional paleontological resources are in the area.

Timing/Implementation: *During construction*

Monitoring/Enforcement: *NID*

Tribal Cultural Resources

CUL-1: Protect P-31-3646 as an Environmentally Sensitive Area

See Cultural Resources Mitigation Measures section above.

Timing/Implementation: *Prior to construction*

Monitoring/Enforcement: *NID*

TCR-1: Worker Awareness Training

A consultant and construction worker tribal cultural resources awareness brochure and a one (1) hour in-field training program for all personnel involved in ground-disturbing activities will be developed and disseminated by a UAIC tribal representative to all operators of ground-disturbing equipment prior to construction commencing. The program will include relevant information regarding sensitive tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The worker tribal cultural resources awareness program will also describe appropriate avoidance and minimization measures for resources that have the potential to be located in the project area and will outline what to do and whom to contact if any potential tribal cultural resources or artifacts are encountered. The program will underscore the requirement for confidentiality and culturally appropriate treatment of any find of significance to Native Americans, and behaviors consistent with Native American tribal values. All ground-disturbing equipment operators shall be required to receive the training and sign a form that acknowledges receipt of the training. A copy of the form shall be provided to NID as proof of compliance.

Timing/Implementation: *Prior to construction*

Monitoring/Enforcement: *NID/UAIC*

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

TCR-2: Monitor Ground Disturbance to Avoid and Minimize Impacts to Known and Previously Unknown TCRs

One (1) tribal monitor shall be retained from UAIC to monitor the ground-disturbing activity associated with the installation of the temporary exclusion measures on site, and any or all ground disturbing construction activity associated with the siphon replacement on the north side of the creek. No later than five business days prior to the start of ground disturbing activities, the construction supervisor or their designee shall notify the UAIC of the construction schedule. Should the UAIC choose not to provide a tribal monitor, or if the monitor does not report to the project location at the scheduled time, or if the monitor is present but not actively observing activity, work may proceed without a monitor as long as the notification was made and documented.

The tribal monitor shall have the authority to temporarily pause ground disturbance within 20 feet of the discovery for a duration long enough to examine potential TCRs that may become unearthed during the activity. If no TCRs are identified, then construction activities shall proceed, and no agency notifications are required. In the event that a TCR is identified, the monitor shall flag off the discovery location and notify the NID immediately to consult on appropriate and respectful treatment.

Upon conclusion of the monitoring, the monitor shall submit a letter report to the NID to document the monitoring methods and results. If the find includes human remains, then NID shall immediately notify the Placer County Coroner and the procedures in Section 7050.5 of the California Health and Safety Code and, if applicable, Section 5097.98 of the Public Resources Code, shall be followed. If the discovery is reasonably associated with Native American culture, NID shall coordinate any necessary investigation of the discovery with a UAIC tribal representative and a qualified archaeologist approved by NID. As part of the site investigation and resource assessment, NID shall consult with appropriate parties to develop, document, and implement appropriate management recommendations, should potential impacts to the TCRs be found by NID to be significant. Nothing in this measure prohibits NID from considering any comments from other culturally affiliated Native American tribes that volunteer information to NID during its investigation. Possible management recommendations could include documentation, data recovery, or (if deemed feasible by NID) preservation in place. The contractor shall implement any measures deemed by NID, at its discretion, to be necessary and feasible to avoid, minimize, or mitigate significant effects to the TCRs.

Timing/Implementation: During construction

Monitoring/Enforcement: NID/UAIC

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

1.7 Best Management Practices

In addition to the above listed Mitigation Measures, NID will implement the following Best Management Practices (BMPs) as a part of the Project to minimize and avoid impacts on environmental resources. NID contractors will implement the BMPs in a timely manner.

BMP-1: Conduct Environmental Awareness Training for Construction Personnel

Before any work occurs in the project area, including grading, a Qualified Biologist will conduct mandatory contractor/worker awareness training. The awareness training will be provided to all construction personnel to brief them on the need to avoid impacts on biological resources and the penalties for non-compliance. If new construction personnel are added to the Project, the District will ensure that the personnel receive the mandatory training from the biologist before starting work.

BMP-2: Install Construction Barrier Fencing to Protect Environmentally Sensitive Areas

The Project contractor will install orange construction barrier fencing to identify site limits and environmentally sensitive areas. Environmentally sensitive areas in and adjacent to the construction area comprise mixed riparian forest, native oak trees greater than four inches diameter breast height (DBH), wetland drainages, and any trees that support migratory bird or raptor nests. Before construction, the District Engineer will work with a resource specialist to identify the locations for the barrier fencing and will place stakes around the ESAs to indicate these locations. The fencing will be installed before construction activities are initiated and will be maintained throughout the construction period. The following note will be included in the construction plans:

"The contractor's attention is directed to the areas designated as "environmentally sensitive areas" on the Project Site. These areas are protected, and no entry by the contractor for any purpose will be allowed unless specifically authorized in writing by the District's project manager. The District and contractor's project managers will take measures to ensure that the construction crew does not enter or disturb these areas, including giving written notice to crew members."

Temporary fences around the environmentally sensitive areas will be installed as the first order of work. Temporary fences will be furnished, constructed, maintained, and removed as directed by the project engineer. The fencing will be commercial-quality woven polypropylene, orange in color, and at least four feet high (Tensor Polygrid or equivalent).

BMP-3: Avoid and Minimize Disturbance of Doty and Sailors Ravines and Associated Aquatic Habitat and Restore all Temporarily Disturbed Areas

To the extent possible, the District and contractor will minimize impacts to Doty and Sailors Ravines and associated aquatic habitat by implementing the following:

- a. Prior to working within the Doty Ravine corridor, all heavy equipment will be checked by the District inspector and maintained daily to prevent leaks of materials that if introduced to water could be deleterious to aquatic life.

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

- b. Raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances associated with project-related activities that could be hazardous to aquatic life will be prevented from contaminating the soil or entering the Doty ravine and Sailors ravine channels.
- c. During construction, the District will not dump any material in the stream channel. All such debris and waste will be picked up daily and properly disposed of at an appropriate site. All construction debris and associated materials will be removed from the work site upon completion of the project.
- d. Consistent with the Project's Stormwater Pollution Prevention Plan (SWPPP), sediment fences will be installed in appropriate locations to reduce the introduction of sediment into creeks during construction. Any overburden project material would not be side cast into the creek channel but will be stabilized onsite or stored offsite at approved disposal sites to preclude increased risk of sediment input to creeks.
- e. The District and contractor will establish a spill prevention and countermeasure plan before project construction begins; the plan will include on-site handling criteria to avoid input of contaminants to the waterway. A staging and storage area will be provided away from the waterway for equipment, construction materials, fuels, lubricants, solvents, and other possible contaminants. This plan will be approved by the District project manager prior to the start of construction.
- f. After construction, all temporarily disturbed work areas will be stabilized and restored. This will include application of the District's standard erosion control seed mix and installation of erosion and sediment controls consistent with the Project's approved SWPPP.
- g. All equipment maintenance materials (e.g., oils, grease, lubricants, antifreeze, and similar materials) will be stored offsite.

Precautions to minimize turbidity/siltation will be considered during project planning and implementation and memorialized in the Project's approved SWPPP. Such precautions may entail the placement of silt fencing, coir logs, coir rolls, straw bale dikes, or other siltation barriers so that silt and/or other deleterious materials are not allowed to pass to downstream reaches. Passage of sediment beyond the sediment barrier(s) is prohibited. If any sediment barrier fails to retain sediment, corrective measures will be taken. The sediment barrier(s) will be maintained in good operating condition throughout the construction period. Maintenance includes, but is not limited to, removal of accumulated silt and/or replacement of damaged silt fencing, coir logs, coir rolls, and/or straw bale dikes. Non-biodegradable silt barriers (such as plastic silt fencing) shall be removed after the disturbed areas have been stabilized with erosion control vegetation (usually after the first growing season).

BMP-4: Minimize Potential for the Long-Term Loss of Mixed Riparian Forest

To the extent possible, the District will minimize the potential for the long-term loss of riparian vegetation by trimming vegetation rather than removing entire shrubs. Shrubs that need to be trimmed will be cut at least one foot above ground level to leave the root systems intact and allow for more rapid regeneration.

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

Cutting will be limited to the minimum area necessary within the construction zone. Disturbance or removal of vegetation will not exceed the minimum necessary to complete operations. Except for the vegetation specifically identified for trimming and/or removal in the California Department of Fish and Wildlife (CDFW) 1602 notification, no native oak trees with a trunk diameter greater than six inches DBH will be removed or damaged without prior consultation and approval by the District. Using hand tools (e.g., clippers, chain saw), trees may be trimmed to the extent necessary to gain access to the work sites. All cleared material/vegetation will be removed out of the riparian/stream zone.

BMP-5: Construct Outside of Nesting Season or Conduct Pre-Construction Nesting Surveys

To avoid disturbance of raptor breeding and nesting activity, including nesting of sensitive raptors, project activities will be avoided during the typical raptor breeding season of March through August, to the extent feasible. If construction must take place during the typical nesting season, pre-construction surveys will be conducted by a Qualified Biologist no more than 15 days prior to initiation of proposed construction activities. Surveys will be conducted to determine if active nesting is occurring on or directly adjacent to the study area. If active nests are found on or immediately adjacent to the site, survey results will be submitted to CDFW and consultation will be initiated with CDFW to determine appropriate avoidance measures. If no nesting is found to occur, project activities may proceed.

BMP-6: Avoid the Introduction or Spread of Noxious Weeds in the project Area

To avoid the introduction or spread of noxious weeds into previously uninfected areas (especially within the riparian community along Doty Ravine), the District will revegetate disturbed areas immediately after construction is complete using certified weed-free native and nonnative mixes.

BMP-7: Proper Handling of Hazardous Materials

Construction documents will identify materials that are considered hazardous. The Project contractor will be required to develop a Health and Safety Plan that addresses release prevention measures; employee training, notification, and evacuation procedures; and emergency response protocols and cleanup procedures. The contractor will comply with the California Occupational Safety and Health Administration (Cal-OSHA) standards for the storage and handling of fuels, flammable materials, and common construction-related hazardous materials and for fire prevention. Cal-OSHA requirements can be found in California Labor Code, Division 5, Chapter 2.5.

BMP-8: Prepare and Implement a Fire Suppression and Control Plan

The District will require the construction contractor to coordinate with Placer County Fire to ensure a fire control plan is prepared and implemented to reduce the risk of fires during construction. The fire prevention and control plan will include requirements for onsite extinguishers; roles and responsibilities of NID, the contractor; specification for fire suppression equipment and other critical fire prevention and suppression items.

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

BMP-9: Prepare and Implement a Construction Traffic Management Plan

As necessary, the District will require the contractor(s) to prepare a Traffic Control Plan in accordance with Placer County requirements and professional engineering standards prior to construction. The Traffic Control Plan could include the following requirements:

- a. Identification of traffic controls required where the temporary northern access connects to Gold Hill Road.
- b. Emergency services access to local land use shall be maintained for the duration of construction activities.
- c. Access for local land uses including residential driveways, commercial properties, and agricultural lands during construction activities shall be maintained.
- d. Adequate provisions will be made for the protection of the traveling public. All traffic control, including devices and personnel requirements, will be consistent with the current State of California Manual of Traffic Controls for Construction and Maintenance Work Areas.

Pursuant to Section 21082.1 of the California Environmental Quality Act, NID has independently reviewed and analyzed the Initial Study and Mitigated Negative Declaration for the Proposed Project and finds that the Initial Study and Mitigated Negative Declaration reflect the independent judgment of NID. The Lead Agency further finds that Project mitigation measures will be implemented as stated in the Mitigated Negative Declaration.

This Mitigated Negative Declaration meets the requirements of the California Environmental Quality Act, and I hereby recommend approval:

Mr. Remleh Scherzinger
General Manager
Nevada Irrigation District

Date

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

SECTION 1 INTRODUCTION

This document is the Final Initial Study and Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Plan (MMRP) for the Doty North Canal Siphon #1 Project (Proposed Project). It has been prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resource Code Section 21000 et. seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.) as amended. This Final IS/MND document supplements the Draft IS/MND released for public review February 20, 2020.

NID is the Lead Agency for the Proposed Project. NID distributed the Draft IS/MND for the Proposed Project to public agencies and the general public for review and comment in accordance with the State CEQA Guidelines, a 30-day review period, which began on February 20, 2020, and ended on March 21, 2020. During the public review period, two (2) comment letters and/or emails on the Draft IS/MND were received from interested parties. This Final IS/MND document is organized as follows:

- Section 1 provides a discussion of the purpose of the document and discusses the structure of the document.
- Section 2 contains a summary of the Project Description.
- Section 3 includes the comment letters received and responses to these comments.
- Section 4 includes revisions made to the IS/MND as a result of comments received.
- Section 5 includes the Proposed Project's Mitigation Monitoring and Reporting Program (MMRP), prepared pursuant to Public Resources Code Section 21081.6.

The comments received did not result in revisions to the Draft IS/MND.

This Final IS/MND document and the Draft IS/MND together constitute the environmental document for the Proposed Project.

THIS PAGE INTENTIONALLY LEFT BLANK

SECTION 2 PROJECT OVERVIEW

2.1 Project Location

The Project is in southern Placer County, north of Highway 193, adjacent to the Gold Hill Gardens Event Center at 2325 Gold Hill Road, Newcastle, California. The Project Site is situated northwest of the event center grounds and extends across Doty ravine and Sailors ravine. Existing site access is provided via a District easement that follows the Gold Hill Gardens Event Center driveway off Gold Hill Road, traverses through the Event Center parking lot, and then follows an existing service road to the south end of the Project Site. There is no existing improved access from Gold Hill Road to the Project Site on the north side of Doty Ravine. To provide equipment access to the north side of the Project site, a temporary construction access is proposed.

2.2 Project Description

The Doty North Canal Siphon #1 Replacement Project (Proposed Project or Project) is a proposal by NID to replace an existing raw water transmission siphon that is in poor condition and has reached the end of its useful life. Project construction is expected to take approximately six weeks and is scheduled to begin on or about October 15, 2020, or later depending on budget. Once completed, the Project will operate similar to existing conditions. Project construction would result in primarily temporary impacts; however, all temporarily disturbed areas would be restored to pre-project conditions. Long-term Siphon operation would remain consistent with baseline conditions and the only activities would be continued occasional routine maintenance trips to the site.

Siphon Replacement

The existing 24-inch raw water siphon crossing over Doty Ravine and Sailors Ravine would be removed and replaced with a new 350-foot long, 36-inch-diameter welded steel inverted siphon pipe. The new pipe would convey raw water consistent with the District's approved masterplan design flow rate of 34 cubic feet per second (cfs). The new siphon would be welded steel pipe supported on each end by abutments and three new steel pipe supports anchored to two 5-x-5-feet and one 3-x-5-feet concrete footings. Existing abutments are located on the north and south creek banks above the ordinary highwater mark. Two concrete footings would be similarly located in upland areas on each side of Doty Ravine. The center footing would be constructed on an upland area immediately above and between the Doty Ravine/Sailors Ravine confluence. The new siphon pipe would connect to the existing pipe just upstream of the existing siphon inlet and outlet structure on the north and south sides of the ravine.

Construction Access

Due to system operational constraints that limit when the Siphon can be taken offline for construction, and due to the flashy nature of the Doty Ravine Watershed and expected high flows during winter months, NID has determined that a temporary crossing during construction at the Project site is not feasible. Therefore, south side access would be provided via the existing Gold Hill Gardens driveway

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

easement while access to the north side would be via a temporary construction easement across private property.

The south side access follows the existing Gold Hill Gardens driveway entrance off Gold Hill Road. The south side access is mostly paved driveway from Gold Hill Road until it leaves the event center parking lot on the west, where it transitions to a gravel service road leading to the Project site. The north side temporary easement would extend from Gold Hill Road, beginning at a point approximately 1,000 feet north of the existing Gold Hill Gardens Event Center driveway entrance. From that point, the north side access extends across Sailors Ravine and continues approximately 1,300 feet southwesterly through an irrigated pasture to the north side of the Project Site.

THIS PAGE INTENTIONALLY LEFT BLANK

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

SECTION 3 COMMENTS AND RESPONSES

This section of the document contains the comment letters received during the 30-day public review period, which began on February 20, 2020, and ended on March 21, 2020. CEQA does not require lead agencies to provide formal responses to comments received on initial studies supporting proposed mitigated negative declarations; however, NID prepared this document to provide responses to comments received on the Draft IS/MND in order to provide comprehensive information and disclosure for both the public and NID’s decision-makers.

CEQA provides guidance on what and how public agencies, organizations, and individuals should focus when providing comments on an IS/MND. CEQA Guidelines Section 15204 states:

(b) In reviewing negative declarations, persons and public agencies should focus on the proposed finding that the project will not have a significant effect on the environment. If persons and public agencies believe that the project may have a significant effect, they should:

- (1) Identify the specific effect,
- (2) Explain why they believe the effect would occur, and
- (3) Explain why they believe the effect would be significant.

(c) Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

Written comments on the Draft IS/MND are reproduced on the following pages, along with responses to those comments.

3.1 List of Comment Letters

A list of public agencies, organizations, and individuals that provided comments on the Draft IS/MND is presented below. The letters and the responses to the comments follow.

Letter Number	Sender	Date Received
1	Ann Dobbs, Placer County Air Pollution Control District	March 6, 2020
2	Scott Morgan, State Clearinghouse	March 23, 2020

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

**3.2 Letter 1: Ann Dobbs, Associate Planner, Planning and Monitoring Section,
Placer County Air Pollution Control District**



110 Maple Street, Auburn, CA 95603 • (530) 745-2330 • Fax (530) 745-2373 • www.placer.ca.gov/apcd

Erik C. White, Air Pollution Control Officer

March 6, 2020

Kris Stepanian
Board Secretary
Nevada Irrigation District
1036 W. Main Street
Grass Valley, CA 95945
Sent via email: stepianik@nidwater.com

SUBJECT: Doty North Canal Siphon #1 Replacement Project – Placer County

Thank you for submitting the Notice of Intent to adopt a Mitigated Negative Declaration and Initial Study for the above referenced project. The District provides the following comments to assure that the project construction is done within the regulations of the Placer County Air Pollution Control District.

1. While this is a short-term project, odors from the use of construction equipment can be exacerbated to those who live in proximity. Construction equipment should not be allowed to idle close to homes in order to prevent odor nuisance as per Air District Rule 205 – Nuisance.
2. The District recommends the requirement of a Dust Control Plan to be submitted and approved by the District prior to the commencement of any ground disturbance, when disturbance will exceed one (1) acre in a given day.
3. Any generator greater than 50 brake horsepower will need a permit issued by the District or the certification of the Statewide Portable Engine Registration Program (PERP) <http://www.arb.ca.gov/portable/portable.htm> issued by the California Air Resources Board. The applicant should contact the District to obtain any necessary permits if the generators used are not permitted in the PERP program.
4. Under the Section 4.4.4 Environmental Setting, vegetation and tree trimming was mentioned. No mention was made of the disposal of the vegetation. Any disposal of this vegetation by burning will need to be done in accordance with the District Regulation 3 in which a burn permit is required from the Air District.

Please do not hesitate to contact me at 530.745.2327 or ahobbs@placer.ca.gov if you have any questions.

Sincerely,

Ann Hobbs
Associate Planner
Planning & Monitoring Section

cc: Yu-Shuo Chang, Planning & Monitoring Section Supervisor

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

Response to Letter 1:

The Placer County Air Pollution Control District comment letter summarizes adopted District rules, regulations and permits that may apply to the Project. This comment is acknowledged, and NID will ensure Project construction is conducted consistent with all applicable District requirements and permits.

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

**3.3 Letter 2: Scott Morgan, Director, State Clearinghouse, State of California
Office of Planning and Research**



Gavin Newsom
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Kate Gordon
Director

March 23, 2020

Doug Roderick
Nevada Irrigation District
1036 West Main Street
Grass Valley, CA 95945

Subject: Doty North Canal Siphon #1 Replacement Project
SCH#: 2020029068

Dear Doug Roderick:

The State Clearinghouse submitted the above named MND to selected state agencies for review. The review period closed on 3/20/2020, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act, please visit: <https://ceqanet.opr.ca.gov/2020029068/2> for full details about your project.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL 1-916-445-0613 state.clearinghouse@opr.ca.gov www.opr.ca.gov

Doty North Canal Siphon #1 Replacement Project
Final Initial Study and Mitigated Negative Declaration

Response to Letter 2:

The State Clearinghouse letter acknowledges that no state agencies submitted comment by the March 20, 2020 due date and that the Project has complied with public review requirements for draft environmental documents pursuant to the California Environmental Quality Act.

SECTION 4 REVISIONS TO THE DRAFT INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

4.1 Revisions to the Draft Initial Study and Mitigated Negative Declaration

Upon review of comments on the Draft IS/MND and the preparation of responses to those comments, it was determined that no substantial revisions to the text and analysis presented in the Draft IS/MND were necessary. A substantial revision according to Section 15073.5 of the 2017 CEQA Guidelines shall mean:

“(1) A new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or

(2) The lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required.”

As noted above, no substantial revisions to the text of the Draft IS/MND were required as a result of the review of and response to comments received on the Draft IS/MND. However, there was a typo with regard to Mitigation Measure CUL-1: Protect P-31-3646 as an Environmentally Sensitive Area. In the Draft IS/MND, the Mitigation Measure was incorrectly titled CUL-1: Protect P-34-3643 as an Environmentally Sensitive Area in both *Section 4.5.3 Cultural Resources* and *Section 4.18.5 Tribal Cultural Resources*, as well as in the *Environmental Commitment and Mitigation Measures* section at the front of the IS/MND. The body text of Mitigation Measure CUL-1 correctly describes the area as P-31-3646, and does not require revision. The title typo has been corrected in this Final Mitigated Negative Declaration.

Additionally, as discussed in *Section 4.18 Tribal Cultural Resources* of the Draft IS/MND, AB52 Consultation with the United Auburn Indian Community (UAIC) remained ongoing at the time the Draft Initial Study was released for public review and comment. Shortly after release, AB52 Consultation between UAIC and NID concluded with agreement. On January 23, 2020, NID and UAIC held a meeting to discuss the Draft mitigation measures. NID updated the mitigation measures to include crucial elements discussed in the January 23, 2020 meeting that were relevant to both parties and initially sent the revised mitigation measures to UAIC on February 12, 2020. NID followed up on February 19, 2020 to attempt to obtain concurrence. On March 10, 2020, NID received concurrence via email from UAIC on the proposed mitigation measures and, therefore, consultation concluded with agreement, pursuant to PRC Section 21080.3.2(b)(1) and 21082.3(d)(1). On March 12, 2020, NID sent UAIC an official letter to that effect.

THIS PAGE INTENTIONALLY LEFT BLANK

SECTION 5 MITIGATION MONITORING AND REPORTING PROGRAM

5.1 Introduction

In accordance with CEQA, an IS/MND has been prepared that assesses potential adverse impacts related to the construction activity for the Doty North Canal Siphon #1 Project. The IS/MND identifies mitigation measures that would reduce or eliminate these impacts.

Section 21081.6 of the Public Resources Code and Sections 15091(d) and 15097 of the State CEQA Guidelines require public agencies to adopt a reporting and monitoring program for changes to the project which it has adopted or made a condition of project approval to mitigate or avoid significant effects on the environment. An MMRP is required for the Proposed Project, because the IS/MND identified potentially significant adverse impacts related to construction activity, and mitigation measures have been identified to mitigate these impacts. Adoption of the MMRP will occur along with approval of the Proposed Project.

5.2 Purpose of the Mitigation Monitoring and Reporting Program

This MMRP has been prepared to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during the construction and operation of the Proposed Project, as required. The MMRP may be modified by NID during Project implementation, as necessary, in response to changing conditions or other Project refinements. **Table 5-1. Mitigation Monitoring and Reporting Program** has been prepared to assist the responsible parties in implementing the MMRP. This table identifies the category of significant environmental impact(s), individual mitigation measures, monitoring and mitigation timing, responsible person/agency for implementing the measure, monitoring and reporting procedure, and notation space to confirm implementation of the mitigation measures. The numbering of the mitigation measures follows the numbering sequence in the IS/MND.

5.3 Roles and Responsibilities

NID, as Lead Agency, is responsible for oversight of compliance of the mitigation measures in the MMRP. In addition to the mitigation measures listed in **Table 5-1**, NID will implement the following BMPs as a part of the Project to minimize and avoid impacts on environmental resources. NID contractors will implement the BMPs in a timely manner.

BMP-1: Conduct Environmental Awareness Training for Construction Personnel

Before any work occurs in the project area, including grading, a Qualified Biologist will conduct mandatory contractor/worker awareness training. The awareness training will be provided to all construction personnel to brief them on the need to avoid impacts on biological resources and the penalties for non-compliance. If new construction personnel are added to the Project, the District will ensure that the personnel receive the mandatory training from the biologist before starting work.

Doty North Canal Siphon #1 Replacement Project
Mitigation Monitoring and Reporting Program

BMP-2: Install Construction Barrier Fencing to Protect Environmentally Sensitive Areas

The Project contractor will install orange construction barrier fencing to identify site limits and environmentally sensitive areas. Environmentally sensitive areas in and adjacent to the construction area comprise mixed riparian forest, native oak trees greater than four inches diameter breast height (DBH), wetland drainages, and any trees that support migratory bird or raptor nests. Before construction, the District Engineer will work with a resource specialist to identify the locations for the barrier fencing and will place stakes around the ESAs to indicate these locations. The fencing will be installed before construction activities are initiated and will be maintained throughout the construction period. The following note will be included in the construction plans:

"The contractor's attention is directed to the areas designated as "environmentally sensitive areas" on the Project Site. These areas are protected, and no entry by the contractor for any purpose will be allowed unless specifically authorized in writing by the District's project manager. The District and contractor's project managers will take measures to ensure that the construction crew does not enter or disturb these areas, including giving written notice to crew members."

Temporary fences around the environmentally sensitive areas will be installed as the first order of work. Temporary fences will be furnished, constructed, maintained, and removed as directed by the project engineer. The fencing will be commercial-quality woven polypropylene, orange in color, and at least four feet high (Tensor Polygrid or equivalent).

BMP-3: Avoid and Minimize Disturbance of Doty and Sailors Ravines and Associated Aquatic Habitat and Restore all Temporarily Disturbed Areas

To the extent possible, the District and contractor will minimize impacts to Doty and Sailors Ravines and associated aquatic habitat by implementing the following:

- a. Prior to working within the Doty Ravine corridor, all heavy equipment will be checked by the District inspector and maintained daily to prevent leaks of materials that if introduced to water could be deleterious to aquatic life.
- b. Raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances associated with project-related activities that could be hazardous to aquatic life will be prevented from contaminating the soil or entering the Doty ravine and Sailors ravine channels.
- c. During construction, the District will not dump any material in the stream channel. All such debris and waste will be picked up daily and properly disposed of at an appropriate site. All construction debris and associated materials will be removed from the work site upon completion of the project.
- d. Consistent with the Project's Stormwater Pollution Prevention Plan (SWPPP), sediment fences will be installed in appropriate locations to reduce the introduction of sediment into creeks during construction. Any overburden project material would not be side cast into the creek channel but will be stabilized onsite or stored offsite at approved disposal sites to preclude increased risk of sediment input to creeks.

Doty North Canal Siphon #1 Replacement Project

Mitigation Monitoring and Reporting Program

- e. The District and contractor will establish a spill prevention and countermeasure plan before project construction begins; the plan will include on-site handling criteria to avoid input of contaminants to the waterway. A staging and storage area will be provided away from the waterway for equipment, construction materials, fuels, lubricants, solvents, and other possible contaminants. This plan will be approved by the District project manager prior to the start of construction.
- f. After construction, all temporarily disturbed work areas will be stabilized and restored. This will include application of the District's standard erosion control seed mix and installation of erosion and sediment controls consistent with the Project's approved SWPPP.
- g. All equipment maintenance materials (e.g., oils, grease, lubricants, antifreeze, and similar materials) will be stored offsite.

Precautions to minimize turbidity/siltation will be considered during project planning and implementation and memorialized in the Project's approved SWPPP. Such precautions may entail the placement of silt fencing, coir logs, coir rolls, straw bale dikes, or other siltation barriers so that silt and/or other deleterious materials are not allowed to pass to downstream reaches. Passage of sediment beyond the sediment barrier(s) is prohibited. If any sediment barrier fails to retain sediment, corrective measures will be taken. The sediment barrier(s) will be maintained in good operating condition throughout the construction period. Maintenance includes, but is not limited to, removal of accumulated silt and/or replacement of damaged silt fencing, coir logs, coir rolls, and/or straw bale dikes. Non-biodegradable silt barriers (such as plastic silt fencing) shall be removed after the disturbed areas have been stabilized with erosion control vegetation (usually after the first growing season).

BMP-4: Minimize Potential for the Long-Term Loss of Mixed Riparian Forest

To the extent possible, the District will minimize the potential for the long-term loss of riparian vegetation by trimming vegetation rather than removing entire shrubs. Shrubs that need to be trimmed will be cut at least one foot above ground level to leave the root systems intact and allow for more rapid regeneration. Cutting will be limited to the minimum area necessary within the construction zone. Disturbance or removal of vegetation will not exceed the minimum necessary to complete operations. Except for the vegetation specifically identified for trimming and/or removal in the California Department of Fish and Wildlife (CDFW) 1602 notification, no native oak trees with a trunk diameter greater than six inches DBH will be removed or damaged without prior consultation and approval by the District. Using hand tools (e.g., clippers, chain saw), trees may be trimmed to the extent necessary to gain access to the work sites. All cleared material/vegetation will be removed out of the riparian/stream zone.

BMP-5: Construct Outside of Nesting Season or Conduct Pre-Construction Nesting Surveys

To avoid disturbance of raptor breeding and nesting activity, including nesting of sensitive raptors, project activities will be avoided during the typical raptor breeding season of March through August, to the extent feasible. If construction must take place during the typical nesting season, pre-construction surveys will be conducted by a Qualified Biologist no more than 15 days prior to initiation of proposed construction activities. Surveys will be conducted to determine if active nesting is occurring on or directly adjacent to the study area. If active nests are found on or immediately adjacent to the site, survey results

Doty North Canal Siphon #1 Replacement Project

Mitigation Monitoring and Reporting Program

will be submitted to CDFW and consultation will be initiated with CDFW to determine appropriate avoidance measures. If no nesting is found to occur, project activities may proceed.

BMP-6: Avoid the Introduction or Spread of Noxious Weeds in the project Area

To avoid the introduction or spread of noxious weeds into previously uninfected areas (especially within the riparian community along Doty Ravine), the District will revegetate disturbed areas immediately after construction is complete using certified weed-free native and nonnative mixes.

BMP-7: Proper Handling of Hazardous Materials

Construction documents will identify materials that are considered hazardous. The Project contractor will be required to develop a Health and Safety Plan that addresses release prevention measures; employee training, notification, and evacuation procedures; and emergency response protocols and cleanup procedures. The contractor will comply with the California Occupational Safety and Health Administration (Cal-OSHA) standards for the storage and handling of fuels, flammable materials, and common construction-related hazardous materials and for fire prevention. Cal-OSHA requirements can be found in California Labor Code, Division 5, Chapter 2.5.

BMP-8: Prepare and Implement a Fire Suppression and Control Plan

The District will require the construction contractor to coordinate with Placer County Fire to ensure a fire control plan is prepared and implemented to reduce the risk of fires during construction. The fire prevention and control plan will include requirements for onsite extinguishers; roles and responsibilities of NID, the contractor; specification for fire suppression equipment and other critical fire prevention and suppression items.

BMP-9: Prepare and Implement a Construction Traffic Management Plan

As necessary, the District will require the contractor(s) to prepare a Traffic Control Plan in accordance with Placer County requirements and professional engineering standards prior to construction. The Traffic Control Plan could include the following requirements:

- a. Identification of traffic controls required where the temporary northern access connects to Gold Hill Road.
- b. Emergency services access to local land use shall be maintained for the duration of construction activities.
- c. Access for local land uses including residential driveways, commercial properties, and agricultural lands during construction activities shall be maintained.
- d. Adequate provisions will be made for the protection of the traveling public. All traffic control, including devices and personnel requirements, will be consistent with the current State of California Manual of Traffic Controls for Construction and Maintenance Work Areas.

Doty North Canal Siphon #1 Replacement Project
Mitigation Monitoring and Reporting Program

5.4 Mitigation Monitoring and Reporting Program

The column categories identified in **Table 5-1. Mitigation Monitoring and Reporting Program** are described below.

- **Mitigation Measure** – This column lists the mitigation measures by number.
- **Monitoring Activity/Timing/Frequency/Schedule** – This column lists the activity to be monitored for each mitigation measure, the timing of each activity, and the frequency/schedule of monitoring for each activity.
- **Implementation Responsibility/Verification** – This column identifies the entity responsible for complying with the requirements of the mitigation measure, and provides space for verification initials and date.
- **Responsibility for Oversight of Compliance/Verification** – This column provides the agency responsible for oversight of the mitigation implementation, and is to be dated and initialed by the agency representative based on the documentation provided by the construction contractor or through personal verification by agency staff.
- **Outside Agency Coordination** – This column lists any agencies with which NID may coordinate for implementation of the mitigation measure.
- **Comments** – This column provides space for written comments, if necessary.

Doty North Canal Siphon #1 Replacement Project
Mitigation Monitoring and Reporting Program

Doty North Canal Siphon #1 Replacement Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Activity/Timing/ Frequency/ Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Outside Agency Coordination	Comments
<p>AG-1: Obtain Temporary Easements and Minimize Disruption to Existing Agricultural Operations</p> <p>NID shall obtain a temporary construction easement for the proposed northern access route. The temporary easement alignment shall be coordinated with the grazer and be located to minimize disruptions to grazing operations. All feasible conditions that serve to minimize agricultural/grazing conflicts shall be incorporated into the easement. The temporary access route shall be reseeded and stabilized following construction.</p>	<p>Activity: Obtain temporary easements</p> <p>Timing: Prior to construction</p> <p>Frequency: Once</p>	<p>Contractor, NID</p>	<p>NID</p>		
<p>BIO-1: Conduct Pre-Construction Special-Status Plant Surveys</p> <p>A total of 10 special-status plants have potential to occur on the Project Site and/or along the proposed northern access route. These include Sanborn's onion, big-scale balsamroot, Brandegee's clarkia, streambank spring beauty, stinkbells, Butte County fritillary, Ahart's dwarf</p>	<p>Activity: Conduct Pre-Construction Special-Status Plant Surveys</p>	<p>Project Biologist</p>	<p>NID</p>	<p>USFWS, CDFW</p>	

Doty North Canal Siphon #1 Replacement Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Activity/Timing/ Frequency/ Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Outside Agency Coordination	Comments
<p>rush, dubious pea, Humboldt lily, and oval-leaved viburnum. The following measures are recommended to reduce potential impacts to less than significant:</p> <ul style="list-style-type: none"> ■ Perform focused plant surveys according to guidelines promulgated by USFWS (USFWS 2000), CDFW (CDFG 2009), and CNPS (CNPS 2019). Surveys should be timed according to the blooming period for target species and known reference populations, if available, and/or local herbaria should be visited prior to surveys to confirm the appropriate phenological state of the target species. ■ If any special-status plant species are found during surveys within the Project Site or along the northern access route, and avoidance of the species is not possible, seed collection, transplantation, and/or other mitigation measures may be developed in consultation with the lead agency and/or appropriate resource agencies to reduce impacts to special-status plant populations. 	<p>Timing: Prior to construction</p> <p>Frequency: Once</p>				

Doty North Canal Siphon #1 Replacement Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Activity/Timing/ Frequency/ Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Outside Agency Coordination	Comments
<ul style="list-style-type: none"> ■ If no special-status plants are found within the Project Site, no further measures pertaining to special-status plants are necessary. 					
<p>BIO-2: Conduct Special-Status Amphibian Surveys</p> <p>The following measures shall be implemented to minimize potential impacts to foothill yellow-legged frog:</p> <ul style="list-style-type: none"> ■ Conduct pre-construction surveys for foothill yellow-legged frog where construction occurs near potential habitat. If observed, consultation with CDFW prior to initiation of construction activities shall be required. ■ During construction, where habitat for foothill yellow-legged frog is identified, no monofilament plastic mesh or line shall be used for erosion control to reduce the risk of entrapment. ■ Silt fencing will be installed around suitable habitat for foothill yellow-legged 	<p>Activity: Conduct Special-Status Amphibian Surveys, Install silt fencing where suitable habitat is identified</p> <p>Timing: Prior to and during construction</p> <p>Frequency: Surveys – once Inspect fencing (if required) – daily</p>	<p>Project Biologist</p>	<p>NID</p>	<p>USFWS, CDFW</p>	

Doty North Canal Siphon #1 Replacement Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Activity/Timing/Frequency/Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/Verification	Outside Agency Coordination	Comments
<p>frog that will not be disturbed, and fencing will be inspected daily to ensure no individuals are trapped along the fence.</p>					
<p>BIO-3: Conduct Special-Status Reptile Surveys</p> <p>The following measure shall be implemented to minimize potential impacts to northern western pond turtle:</p> <ul style="list-style-type: none"> ■ Conduct a pre-construction Northwestern pond turtle survey within 24 hours prior to the initiation of construction activities and retain a qualified biologist to survey immediately prior to ground-disturbing activities in suitable habitat. If Northwestern pond turtle is found, consultation with CDFW shall be required, as well as the development of a relocation plan for 	<p>Activity: Conduct Special-Status Reptile Surveys</p> <p>Timing: Within 24 hours prior to construction</p> <p>Frequency: Once</p>	<p>Project Biologist</p>	<p>NID</p>	<p>USFWS, CDFW</p>	

Doty North Canal Siphon #1 Replacement Project
 Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Activity/Timing/ Frequency/ Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Outside Agency Coordination	Comments
<p>Northwestern pond turtles encountered during construction.</p> <ul style="list-style-type: none"> ■ If no special-status reptiles are detected during the surveys, no further measures are needed. 					

Doty North Canal Siphon #1 Replacement Project
Mitigation Monitoring and Reporting Program

<p>BIO-4: Conduct Special-Status Mammal Surveys</p> <p>The Project Site and areas along the proposed construction access routes provides potential habitat for Ringtail and Townsend’s big-eared bat. The following measures shall be implemented:</p> <p><i>Ringtail</i></p> <ul style="list-style-type: none"> ■ A pre-construction survey for potential den sites (i.e., tree cavities, logs, snags) will be conducted within suitable habitat within the Project Site and along the construction access routes (i.e., large trees and riparian habitat). If potential den sites are located that will not be avoided by construction, consultation with CDFW prior to initiation of construction activities shall be required. If no potential den sites are found during the survey, no further measures are necessary. <p><i>Townsend’s Big-Eared Bat</i></p> <ul style="list-style-type: none"> ■ Prior to work within potentially suitable bat roosting habitat, a bat habitat assessment is recommended for all suitable roosting habitat (i.e., manmade 	<p>Activity: Conduct Special-Status Mammal Surveys</p> <p>Timing: Prior to construction</p> <p>Frequency: Once</p>	<p>Project Biologist</p>	<p>NID</p>	<p>USFWS, CDFW</p>	
--	---	---------------------------------	-------------------	---------------------------	--

Doty North Canal Siphon #1 Replacement Project
 Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Activity/Timing/ Frequency/ Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Outside Agency Coordination	Comments
<p>structures and suitable trees, if present). If the assessment identifies moderate to highly suitable roosting habitat, a qualified biologist will conduct an evening bat emergence survey to determine bats presence. If Townsend's big-eared bats are found, consultation with CDFW prior to initiation of construction activities shall be required. If no suitable roosting habitat is found, or if no bats are not found during the emergence surveys, no further measures are necessary.</p>					

Doty North Canal Siphon #1 Replacement Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Activity/Timing/Frequency/Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/Verification	Outside Agency Coordination	Comments
<p>BIO-5: Compensate for the Loss of Riparian Communities</p> <p>To compensate for the total loss of ±0.002 acres of riparian habitat, prior to construction the District will purchase credits at an approved mitigation bank to ensure no net loss of riparian habitat functions and values. The District will purchase credits at a 3:1 ratio, which would require purchasing a total of approximately 0.006 acre of riparian habitat credits from an agency approved mitigation bank. This ratio and acreage will be confirmed during the review of future engineering drawings and may be modified during the CDFW Section 1602 permitting process (if actual increase or decrease) which will dictate the ultimate compensation. The District will provide written evidence to the resource agencies that compensation has been established through the purchase of mitigation credits. The amount to be paid will be the fee that is in effect at the time the fee is paid.</p>	<p>Activity: Purchase credits at an approved riparian habitat mitigation bank, Section 1602</p> <p>Timing: Prior to construction</p> <p>Frequency: Once</p>	<p>NID</p>	<p>NID</p>	<p>CDFW</p>	

Doty North Canal Siphon #1 Replacement Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Activity/Timing/ Frequency/ Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Outside Agency Coordination	Comments
<p>CUL-1: Protect P-31-3646 as an Environmentally Sensitive Area</p> <p>P-31-3646 shall be designated an Environmentally Sensitive Area prior to construction activities. To accomplish this, high-visibility temporary exclusionary fencing shall be installed as shown on <i>Figure 4.5-1 Environmentally Sensitive Area Fencing for P-31-3646</i> (Note: <i>Figure 4.5-1</i> is confidential and may be requested from NID by qualified individuals on an as need to know basis). No ground-disturbing activities shall be allowed northwest of the environmentally sensitive area fence line shown in <i>Figure 4.5-1</i>. Metal plates may be laid over that portion of the environmentally sensitive area located within the Project Site (see <i>Figure 4.5-1</i>), to accommodate vehicle travel only. Upon completion of the project, the metal plates will be directly lifted off the site and not dragged across the site.</p>	<p>Activity: Protect P-31-3646 as an Environmentally Sensitive Area</p> <p>Timing: Prior to and during construction</p> <p>Frequency: Throughout entire Project</p>	<p>Project Archaeologist, Contractor</p>	<p>NID</p>		

Doty North Canal Siphon #1 Replacement Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Activity/Timing/ Frequency/ Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Outside Agency Coordination	Comments
<p>CUL-2: Monitor Ground Disturbance and Stop Work if Cultural Resources or Human Remains are Detected</p> <p>All ground-disturbing activities on the Project Site shall be monitored by an archaeological monitor under the supervision of a qualified professional archaeologist who meets the Secretary of the Interior’s Professional Qualification Standards for pre-contact and historic archaeologist.</p> <p>If subsurface deposits believed to be cultural or human in origin are discovered during construction by the monitor, all work must halt within 20 feet of the discovery. The monitor will notify the qualified professional archaeologist, who will evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:</p> <ul style="list-style-type: none"> ■ If the professional archaeologist determines that the find does not represent a cultural resource, work may 	<p>Activity: Implement unanticipated discoveries protocol</p> <p>Timing: During all ground disturbing activities</p> <p>Frequency: Same as Timing</p>	<p>Project Archaeologist, Contractor</p>	<p>NID</p>	<p>CRHR, NAHC, Medical Examiner</p>	

Doty North Canal Siphon #1 Replacement Project
 Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Activity/Timing/Frequency/Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/Verification	Outside Agency Coordination	Comments
<p>resume immediately, and no agency notifications are required.</p> <ul style="list-style-type: none"> ■ If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify NID, which shall consult on a finding of eligibility. If the find is determined to be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines, appropriate treatment measures will be implemented. Work may not resume within the no-work radius until NID, through consultation as appropriate, determines that the site either: 1) is not a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to its satisfaction. ■ If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection 					

Doty North Canal Siphon #1 Replacement Project
 Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Activity/Timing/Frequency/Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/Verification	Outside Agency Coordination	Comments
<p>measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify the Placer County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the NID must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include</p>					

Doty North Canal Siphon #1 Replacement Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Activity/Timing/Frequency/Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/Verification	Outside Agency Coordination	Comments
<p>either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until NID, through consultation as appropriate, determines that the treatment measures have been completed to its satisfaction.</p>					
<p>PALEO-1: Discovery of Unknown Resources If any paleontological resources (i.e., fossils) are found during Project construction, construction shall be halted immediately in the subject area and the area shall be isolated using orange or yellow fencing until NID is notified and the area is cleared for future work. A qualified paleontologist shall be retained to evaluate the find and recommend appropriate treatment of the inadvertently discovered paleontological resources. If NID resumes work in a location where paleontological remains have been discovered and cleared, NID will have a</p>	<p>Activity: Implement unanticipated discoveries protocol</p> <p>Timing: During ground disturbing activities</p> <p>Frequency: Same as Timing</p>	<p>Project Paleontologist, Contractor</p>	<p>NID</p>	<p>Placer County Coroner</p>	

Doty North Canal Siphon #1 Replacement Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Activity/Timing/Frequency/Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/Verification	Outside Agency Coordination	Comments
paleontologist onsite to confirm that no additional paleontological resources are in the area.					
<p>TCR-1: Worker Awareness Training</p> <p>A consultant and construction worker tribal cultural resources awareness brochure and a one (1) hour in-field training program for all personnel involved in ground-disturbing activities will be developed and disseminated by a UAIC tribal representative to all operators of ground-disturbing equipment prior to construction commencing. The program will include relevant information regarding sensitive tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The worker tribal cultural resources awareness program will also describe appropriate avoidance and minimization measures for resources that have the potential to be located in the project area and will outline what to do and whom to contact</p>	<p>Activity: Worker awareness training</p> <p>Timing: Prior to ground disturbing activity</p> <p>Frequency: At least once for all workers who are to engage in ground disturbing activity</p>	NID, UAIC	NID, UAIC	UAIC	

Doty North Canal Siphon #1 Replacement Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Activity/Timing/ Frequency/ Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Outside Agency Coordination	Comments
<p>if any potential tribal cultural resources or artifacts are encountered. The program will underscore the requirement for confidentiality and culturally appropriate treatment of any find of significance to Native Americans, and behaviors consistent with Native American tribal values. All ground-disturbing equipment operators shall be required to receive the training and sign a form that acknowledges receipt of the training. A copy of the form shall be provided to NID as proof of compliance.</p>					
<p>TCR-2: Monitor Ground Disturbance to Avoid and Minimize Impacts to Known and Previously Unknown TCRs</p> <p>One (1) tribal monitor shall be retained from UAIC to monitor the ground-disturbing activity associated with the installation of the temporary exclusion measures on site, and any or all ground disturbing construction activity associated with the siphon replacement on the north side of the creek. No later than five business days prior to the start of ground disturbing activities, the construction supervisor or their designee shall notify the UAIC of the construction schedule.</p>	<p>Activity: Retain UAIC ground disturbing Monitor</p> <p>Timing: Prior to construction</p> <p>Frequency: No later than five business days prior to ground disturbing activity</p>	<p>NID, UAIC, Contractor</p>	<p>NID, UAIC</p>	<p>UAIC, Placer County Coroner</p>	

Doty North Canal Siphon #1 Replacement Project
Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Activity/Timing/Frequency/Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/Verification	Outside Agency Coordination	Comments
<p>Should the UAIC choose not to provide a tribal monitor, or if the monitor does not report to the project location at the scheduled time, or if the monitor is present but not actively observing activity, work may proceed without a monitor as long as the notification was made and documented.</p> <p>The tribal monitor shall have the authority to temporarily pause ground disturbance within 20 feet of the discovery for a duration long enough to examine potential TCRs that may become unearthed during the activity. If no TCRs are identified, then construction activities shall proceed, and no agency notifications are required. In the event that a TCR is identified, the monitor shall flag off the discovery location and notify the NID immediately to consult on appropriate and respectful treatment.</p> <p>Upon conclusion of the monitoring, the monitor shall submit a letter report to the NID to document the monitoring methods and results. If the find includes human remains, then NID shall immediately notify the Placer County Coroner and the procedures in Section 7050.5 of the</p>					

Doty North Canal Siphon #1 Replacement Project
 Mitigation Monitoring and Reporting Program

Mitigation Measure	Monitoring Activity/Timing/Frequency/Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/Verification	Outside Agency Coordination	Comments
<p>California Health and Safety Code and, if applicable, Section 5097.98 of the Public Resources Code, shall be followed. If the discovery is reasonably associated with Native American culture, NID shall coordinate any necessary investigation of the discovery with a UAIC tribal representative and a qualified archaeologist approved by NID. As part of the site investigation and resource assessment, NID shall consult with appropriate parties to develop, document, and implement appropriate management recommendations, should potential impacts to the TCRs be found by NID to be significant. Nothing in this measure prohibits NID from considering any comments from other culturally affiliated Native American tribes that volunteer information to NID during its investigation. Possible management recommendations could include documentation, data recovery, or (if deemed feasible by NID) preservation in place. The contractor shall implement any measures deemed by NID, at its discretion, to be necessary and feasible to avoid, minimize, or mitigate significant effects to the TCRs.</p>					



RESOLUTION NO. 2020-13

OF THE BOARD OF DIRECTORS OF THE NEVADA IRRIGATION DISTRICT

**ADOPTING A MITIGATED NEGATIVE DECLARATION, APPROVING THE PROJECT
AND MITIGATION MONITORING AND REPORTING PROGRAM –
DOTY NORTH CANAL SIPHON #1 REPLACEMENT PROJECT**

WHEREAS, Nevada Irrigation District (“District”) has undertaken the review of a project to replace the existing Doty North Canal Siphon #1 with a new welded steel siphon pipeline (the “Project”); and

WHEREAS, the California Environmental Quality Act of 1970 (“CEQA”) requires state, local, and other agencies to evaluate or reduce, when feasible, the significant environmental impacts of their respective projects; and

WHEREAS, the District’s engineering staff has prepared a Preliminary Review and Initial Study (“Initial Study”) for the proposed Project in accordance with the requirements of CEQA; and

WHEREAS, on February 20, 2020, a Notice of Intent to Adopt a Mitigated Negative Declaration for the Project was published in the Lincoln Messenger newspaper; and

WHEREAS, a Notice of Consideration of Adoption of Mitigated Negative Declaration for the Project was published in the Union on April 25, 2010 and the Lincoln News Messenger on April 30, 2020 advising of the time and place of a public hearing on the Project; and

WHEREAS, on May 13, 2020, following a public hearing on the Mitigated Negative Declaration for the Project, the Board of Directors of the Nevada Irrigation District approved the adoption of the proposed Mitigated Negative Declaration for the Project as presented; and

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Nevada Irrigation District that it does find as follows:

1. The above recitals are true and correct.
2. Based on its review of the whole record before it, including the Initial Study, presentations of Staff and the public comments, both written and oral, received in response to its Notice of Intent, the Board finds that there is no substantial evidence of record that the Project will have a significant effect on

the environment and that the Mitigated Negative Declaration represents the independent judgment and analysis of the District.

3. Mitigation measures are made a condition for approval of the Project and the Board hereby adopts the mitigation measures which it has either required in the Project or made a condition of approval to mitigate or avoid significant environmental impacts.
4. The documents which constitute the record of proceedings upon which the decision of the Board is based are located at the offices of Nevada Irrigation District, 1036 West Main Street, Grass Valley, California, and the Secretary to the Board is the custodian thereof.
5. The Board of Directors hereby approves the Project.
6. The Board Secretary is hereby authorized to file a Notice of Determination, a copy of which is attached as Exhibit 'A', with the Office of the County Clerk, Placer County and State Clearinghouse.

* * * * *

PASSED AND ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting held on the 13th day of May 2020, by the following vote:

AYES:	Directors:
NOES:	Directors:
ABSENT:	Directors:
ABSTAINS:	Directors:

President of the Board of Directors

Attest:

Secretary to the Board of Directors