

Staff Report

for the Board of Directors' Meeting of August 14, 2019

TO: Board of Directors

FROM: Gary D. King, PE, PhD, Engineering Manager
Tonia M. Tabucchi Herrera, PE, Senior Engineer

DATE: August 06, 2019

SUBJECT: E. George to Lake Wildwood Backbone Extension Pipeline Project
(FATR #2255) - Initial Study/Mitigated Negative Declaration

ENGINEERING

RECOMMENDATION:

Conduct Public Hearing; after hearing testimony, consider adopting Resolution No. 2019-26 -- Adopting a Mitigated Negative Declaration, and Approving the Project and Mitigation Monitoring and Reporting Program – E. George to Lake Wildwood Backbone Extension Pipeline Project.

BACKGROUND:

All the treated water service for the Lake Wildwood and Penn Valley Systems is reliant on the Lake Wildwood Treatment Plant supplied by the Newton Canal. Currently there is no interconnection with an auxiliary system.

The E. George to Lake Wildwood Backbone Extension Pipeline Project (Project) will connect the E. George Treated Water System to the Lake Wildwood Treated Water System allowing for delivery of supplemental and/or emergency treated water to Lake Wildwood and Penn Valley Systems when needed. Additionally, the Project will provide the availability of treated water to the adjoining parcels and abutting areas as the pipeline is identified to have the dual function of transmission and distribution.

Lastly, the Project will allow for the continued use of the existing Lake Wildwood Treatment Plant while planning for replacement and/or significant upgrades.

The proposed Project will involve construction of approximately 5.6 miles of a combination of new 20" and 16" pipelines, pressure reducing stations, water services, fire hydrants, stub outs for future extensions, and all necessary appurtenances.

The majority of the project will be located within Rough & Rough Hwy and Rough & Ready Road, both county roads. A portion of the Project, approximately the remainder of the route west of Rough & Ready Road, will require easement acquisition. The pressure reducing stations will most likely require right of way acquisition.

Upgrades of the existing E. George Treated Water System will be required. A portion of the upgrades are currently identified in the Pipeline Replacement Program.

On June 27, 2019, a community informational meeting was held to discuss the potential Project; introduce the CEQA document (Draft IS/MND) and process; and to gather input from the community. Prior to the meeting, a notification was mailed to 793 property owners surrounding the site and posted on the District website. The Project was noticed in The Union Newspaper on June 7, 2019. At the community informational meeting, 11 members of the public were in attendance.

The Notice of Completion and transmittal of the CEQA document (Draft IS/MND) was provided to the State Clearinghouse and Nevada County Clerk office. Hard copies of the CEQA document were made available at the Madelyn Helling Library and NID Business Center. The electronic copy was made available on NID's website.

It is the recommendation of the Engineering Department to approve this CEQA document with the following modifications to address NHAC comments:

Section 4.5, Page 4-50

Less than Significant with Mitigation Incorporated. There are no known burial sites located within the Project area; however, there is always a potential that ground-disturbing activities will expose previously unknown human remains. Therefore, implementation of **Mitigation Measure CUL-4 CUL-2** would be required to reduce potential adverse impacts to Less than Significant.

Section 4.5, Page 4-51

TGR-2 CUL-2: Avoid and minimize impacts to previously unknown Tribal Cultural Resources

Section 4.7.5, Page 4-59

PALEO-1: Discovery of Unknown Resources

Mitigation Measure PALEO-1 applies to all segments of the proposed Project and Alternative 1.

If any paleontological resources (i.e., fossils) are found during proposed Project construction, construction shall be halted immediately in the subject area and the resource will be isolated the area using orange or yellow fencing until NID is notified and a and the appropriate regulatory agency clears the area for future work. ~~A qualified paleontologist shall be~~ is 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.

Section 4.18, Page 4-92

4.18.5 Mitigation Measures

Implementation of this Project supports District Goal number 1 of the Strategic Plan. This Project provides for reliability and redundancy for the Lake Wildwood System, thus ensuring a sustainable and reliable operation of the system that will benefit the District's customers and surrounding community. The Project also supports District Goal number 3, the Community Investment Program.

BUDGET IMPACTS:

The Project is estimated at \$8-9 million for construction of the dual distribution and transmission pipeline and ancillary items phased over 5-7 years, depending on budget. The first phase of the project is budgeted in 2019 for \$1.0 million with additional \$1.0 in 2020 with additional funds from capacity fees. The 2020 budget is pending Board approval.

Attachment: Resolution #2019-26

Mitigation Monitoring and Reporting Program

Comment email Native American Heritage Commission

Comment letter Central Valley Regional Water Quality Control Board letter

Comment letter Nevada County (Department of Public Works)

Comment letter State Office of Planning and Research (State Clearinghouse)



RESOLUTION NO. 2019-26
OF THE BOARD OF DIRECTORS OF THE NEVADA IRRIGATION DISTRICT

**ADOPTING A MITIGATED NEGATIVE DECLARATION, AND APPROVING THE
PROJECT AND MITIGATION MONITORING AND REPORTING PROGRAM –
E. GEORGE TO LAKE WILDWOOD BACKBONE EXTENSION PIPELINE PROJECT**

WHEREAS, Nevada Irrigation District (“District”) has undertaken the review of a project to construction approximately 5.6 miles of pipeline from the E. George Treated Water System to the Lake Wildwood Treated Water System and all the necessary appurtenances (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 an Initial Study and Mitigated Negative Declaration for the proposed Project in accordance with the requirements of CEQA; and

WHEREAS, on June 7, 2019, a Notice of Intent to Adopt a Mitigated Negative Declaration for the Project was published in The Union newspaper, advising of the time and place of a public hearing on the Project; and

WHEREAS, on August 14, 2019, 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 including changes as presented in the staff report; 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, Nevada County and State Clearinghouse.

* * * *

PASSED AND ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting held on the 14th day of August, 2019 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

**NID E. George to Lake Wildwood Backbone Extension Pipeline Project
Final Mitigated Negative Declaration Approval**

NOTICE OF DETERMINATION

TO: Nevada County 950 Maidu Avenue Suite 210 Nevada City, CA 95959	CC: Office of Planning and Research 1400 10th Street Sacramento, California 95814	FROM: Nevada Irrigation District 1036 West Main Street Grass Valley, CA 95945
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SUBJECT: Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code

PROJECT TITLE: NID E. George to Lake Wildwood Backbone Extension Pipeline Project

State Clearinghouse Number	Contact Person	Telephone Number
2019069025	Tonia Tabucchi Herrera	530-273-6185

Project Approval: The Nevada Irrigation District approved the NID E. George to Lake Wildwood Backbone Extension Pipeline Project on August 14, 2019.

Project Location: The Project is generally located along 5.6 miles of Rough and Ready Highway in Nevada County, California. The proposed alignment would install approximately 5.6 miles of 16 or 20 inch underground pipeline depending on location within the existing County right-of-way/public roads along Rough and Ready Highway (at West Drive), Rough and Ready Road, Minnow Lane, and Lake Wildwood Drive (at Chaparral Drive). Easement acquisition would be required along private roads Empty Diggins Lane, Riffle Box Road, and Bosa Drive as well as the non-roadway segments at the west end of Riffle Box Road and east of Minnow Lane (along a future fire access road).

Project Description: The Project is located along the Rough and Ready Highway and other roads in Nevada County, California. The project spans an approximately 5.6-mile linear alignment that has two sections where it deviates from the roadway and extends across private land. Below is the total alignment and approximate section lengths:

- Along Rough and Ready Highway from West Drive (easternmost Project boundary) to Rough and Ready Road (approximately 2.5 miles).
- From Rough and Ready Highway, the Project continues west along Rough and Ready Road to Riffle Box Road (approximately 1.75 miles).
- The Project continues approximately 460 feet west along Riffle Box Road. At this point Riffle Box Road then makes a sharp turn north; however, the Project alignment continues east, cross country approximately 830 feet, where it rejoins Rough and Ready Road.
- The Project then continues west 209 feet, where it turns south onto Empty Diggins Lane

NID E. George to Lake Wildwood Backbone Extension Pipeline Project Final Mitigated Negative Declaration Approval

- From the intersection of Rough and Ready Road and Empty Diggins Lane, the Project continues southwest along Empty Diggins Road to Bosa Drive (approximately 0.3 mile).
- The Project then turns north on Bosa Drive and continues approximately 0.3 mile to a private driveway.
- The Project follows the private driveway west approximately 90 feet to where the driveway makes a turn to the south. The Project would continue along the driveway approximately 500 feet, to where it joins Minnow Way. This area is to be improved as a fire lane by Lake Wildwood HOA.
- The Project then follows Minnow Way approximately 475 feet west to Lake Wildwood Drive.
- At the intersection of Lake Wildwood and Minnow Way, the Project turns north along Lake Wildwood Drive.
- The Project follows Lake Wildwood Drive approximately 0.3 mile north to Chaparral Drive, where it ends at the westernmost boundary.

Alternative Alignment

In addition to the proposed Project, this Initial Study also evaluates an alternative pipeline segment (Alternative Segment). The Alternative Segment is shown in Figure 2-2, Sheet 8 and is located near the western end of the proposed alignment on property owned by the Lake Wildwood Homeowner's Association.

The Alternative Segment begins on the east at Empty Diggins Road and extends southwesterly along an existing dirt road approximately 525 feet. From that point, the Alternative Segment turns north, continuing along an existing dirt road for an additional 1,270 feet until it ties back into the proposed alignment at the western terminus of Bosa Drive. If selected this alternative would replace the 0.30 mile Bosa Drive segment which would eliminate the need for excavation/cuts in existing road pavement and minimize related traffic delays associated with construction.

Pipeline Details

The majority of the Project would be constructed within existing roadways, except where it would cross private property between Riffle Box Road and Rough and Ready Road near Empty Diggins Lane. Another short segment would cross private property just east of Minnow Lane within a private driveway. Appurtenances such as fire hydrants, Pressure Reducing Valve Stations, and service lines and meter boxes would be placed on the shoulder of the road at the adjacent property lines. Stub-outs for future pipeline extensions would also be installed.

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;

**NID E. George to Lake Wildwood Backbone Extension Pipeline Project
Final Mitigated Negative Declaration Approval**

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; and
4. A Statement of Overriding Considerations was not required to be adopted for the Proposed Project.
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

Signature (Public Agency)

Title

Date: _____

Date Received for Filing at OPR: _____

**NID E. George to Lake Wildwood Backbone Extension Pipeline 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>AQ-1: The following ozone precursor-reduction measures shall be implemented by the Project construction contractor during construction activities:</p> <ul style="list-style-type: none"> • All off-road equipment (portable and mobile) shall meet or be cleaner than Tier 2 engine emission specifications. Note that all off-road equipment must meet all applicable state and federal requirements. • Emissions from onsite construction equipment shall comply with NSAQMD Regulation II, Rule 202, Visible Emissions. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes when not in use (as required by California airborne toxics control measure Title 13, Section 2485 of CCR). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be 		<p>Activity: Ozone reduction measures</p> <p>Timing: During construction.</p> <p>Frequency: As needed during construction activities</p>	Contractor	NID		Mitigation Measure AQ-1 applies to both the proposed Project and Alternative Segment 1.

**NID E. George to Lake Wildwood Backbone Extension Pipeline 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>maintained and properly tuned in accordance with manufacturers' specifications.</p> <ul style="list-style-type: none"> Existing power sources (e.g., power poles) or clean fuel generators shall be utilized rather than temporary power generators (i.e. diesel generators), where feasible. 						
<p>BIO-1: Conduct a pre-construction nesting bird survey of all suitable habitat on the Project within 14 days prior to commencement of construction during the nesting season (February 1-August 31). Surveys should be conducted within 300 feet of the Project for nesting raptors, and 100 feet of the Project for nesting songbirds. If active nests are found, a no-disturbance buffer around the nest shall be established. The buffer distance shall be established by a biologist in consultation with CDFW or the CEQA lead agency. The buffer shall be maintained until the fledglings are capable of flight and become independent of the nest tree, to be determined by a qualified biologist. Once the young are independent of the nest, no further measures are</p>		<p>Activity: Conduct Pre-Construction Nesting Bird Surveys</p> <p>Timing: Prior to construction.</p> <p>Frequency: 14 days prior to each section of construction during the nesting season</p>	Project Biologists	NID		<p>Mitigation Measure BIO-1 applies to all segments of the proposed Project and Alternative 1.</p>

**NID E. George to Lake Wildwood Backbone Extension Pipeline 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>necessary. Pre-construction nesting surveys are not required for construction activity outside the nesting season.</p>						
<p>BIO-2: Surveys are valid three years for annual plant dominated communities and five years for tree and shrub dominated communities so multiple segments can be surveyed during one year to cover multiple years of construction.</p> <ul style="list-style-type: none"> • The Project Applicant shall retain a biologist to perform a special-status plant survey according to USFWS, CDFW, and CNPS protocol. Surveys should be timed according to the blooming period for target species and known reference populations, if available. • If no special-status plants are found, no further measures pertaining to special-status plants are necessary. • If special-status plant species are found, avoidance zones may be established around plants to clearly demarcate areas for avoidance. Avoidance measures and buffer 		<p>Activity: Conduct Special Plant Surveys</p> <p>Timing: Prior to construction.</p> <p>Frequency: Once (per area) prior to construction.</p>	<p>Project Biologists</p>	<p>NID</p>		<p>Mitigation Measures BIO-2 applies to construction activities within the future fire lane segment, the Non-Roadway Segment and PRV station improvement locations within the AGI areas.</p>

**NID E. George to Lake Wildwood Backbone Extension Pipeline 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>distances may vary between species and the specific avoidance zone distance will be determined in coordination with appropriate resource agencies (CDFW and/or USFWS).</p> <ul style="list-style-type: none"> • If special-status plant species are found and avoidance of the species is not possible, then additional measures such as seed collection and/or translocation may be developed in consultation with the appropriate agencies. • The USFWS generally considers plant survey results valid for approximately three years. Therefore, follow-up surveys may be necessary if Project implementation occurs after this three-year window. 						
<p>BIO-3: The following measures are recommended to minimize potential impacts to foothill yellow-legged frog and California red-legged frog:</p> <ul style="list-style-type: none"> • The Project Applicant shall retain a biologist to conduct a pre- 		<p>Activity: Conduct Special Status Amphibian Surveys</p> <p>Timing:</p>	Project Biologist	NID		Mitigation Measure BIO-3 applies to AGI areas 1, 2 and 5 and Creeks 1, 2 and 3 as shown

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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>construction survey of mapped aquatic resources within 72 hours of the start of construction activities adjacent to those resources. Surveys are only needed for aquatic resources that contain water when construction commences.</p> <ul style="list-style-type: none"> • If no special-status amphibians are detected during the surveys, no further measures are needed. • If special-status amphibians are detected, additional measures may be developed in consultation with CDFW to avoid impacts to this species. Measures may include preconstruction surveys and/or monitors present during construction activities in and adjacent to suitable aquatic habitat. <p>The installation of BMPs to prevent impacts to aquatic resources will also serve as a physical barrier to prevent the movement of these species into the construction area. The surveys for foothill yellow-legged frog, California red-legged frog, and northern western pond turtle can be conducted</p>		<p>Prior to construction (within 72 hours).</p> <p>Frequency: Once (per area) prior to construction.</p>				<p>on Figure 4-1 of the document.</p>

**NID E. George to Lake Wildwood Backbone Extension Pipeline 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
concurrently.						
<p>BIO-4: Provide workers with Worker Environmental Awareness Training (WEAP) to familiarize them with the biology of the species and environmental compliance measures related to their protection.</p>		<p>Activity: Worker Environmental Awareness Training</p> <p>Timing: Prior to construction activity.</p> <p>Frequency: Once prior to each construction season.</p>	Project Biologist	NID		Mitigation Measure BIO-4 applies to all segments of the proposed Project and Alternative 1.
<p>BIO-5: The following measure is recommended to minimize potential impacts to northern western pond turtle:</p> <ul style="list-style-type: none"> The Project Applicant shall retain a biologist to conduct a pre-construction survey of mapped aquatic resources within 72 hours the start of construction activities 		<p>Activity: Conduct Special Status Reptile Surveys</p> <p>Timing: Within 72 hours prior to</p>	Project Biologist	NID		Mitigation Measure BIO-5 applies to AGI areas 1, 2 and 5 and Creeks 1, 2 and 3 as shown on Figure 4-1 of the document.

**NID E. George to Lake Wildwood Backbone Extension Pipeline 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>adjacent to those resources. Surveys are only needed for aquatic resources that contain water when construction commences.</p> <ul style="list-style-type: none"> If no special-status reptiles are detected during the surveys, no further measures are needed. <p>If special-status amphibians are detected, additional measures may be developed in consultation with CDFW to avoid impacts to this species. Measures may include preconstruction surveys and/or monitors present during construction activities in and adjacent to suitable aquatic habitat</p> <p>The surveys for foothill yellow-legged frog, California red-legged frog, and northern western pond turtle can be conducted concurrently.</p>		<p>construction activity.</p> <p>Frequency:</p> <p>Once prior to construction within these areas.</p>				
<p>BIO-6: To the extent feasible, potential bat roosting habitat (e.g., tree) removal would occur outside of the maternity season, generally considered March 1 to September 30.</p> <ul style="list-style-type: none"> Trees proposed for trimming or 		<p>Activity:</p> <p>Special Status Bat Surveys</p> <p>Timing:</p> <p>Prior to tree</p>	<p>Project Biologists/ Contractor</p>	<p>NID</p>		<p>Mitigation Measure BIO-6 applies only to the non-roadway section when trees will be removed, or</p>

**NID E. George to Lake Wildwood Backbone Extension Pipeline 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>removal should be inspected for recent bat use by a qualified bat specialist no more than seven days prior to disturbance.</p> <ul style="list-style-type: none"> • If a maternity roost is located, whether solitary or colonial, that roost will remain undisturbed until September 15 or a qualified and approved biological monitor has determined the roost is no longer active. • Tree trimming/removal should occur in the late afternoon or evening when it is closer to the time that bats would normally arouse. • Prior to removal/trimming, each tree will be shaken gently and several minutes should pass before felling trees or limbs to allow bats time to arouse and leave the tree. • Trees will be removed in pieces rather than felling an entire tree. 		<p>removal or trimming</p> <p>Frequency: Prior to any tree removal or trimming</p>				<p>limbs will be trimmed or directly/physicaly disturbed by construction equipment.</p>
<p>BIO-7: (only if applicable) If for any reason it is determined that any Project work</p>		<p>Activity: Section 401, 404,</p>	<p>Regulatory Specialists/ NID</p>	<p>NID</p>		

**NID E. George to Lake Wildwood Backbone Extension Pipeline 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>will impact one or more aquatic features, the following measures are recommended to minimize potential impacts:</p> <ul style="list-style-type: none"> • A permit authorization to fill waters under Section 404 of the federal CWA (Section 404 Permit) must be obtained from USACE prior to discharging any dredged or fill materials into any Waters of the U.S. Mitigation measures will be developed as part of the Section 404 Permit to ensure no net loss of wetland function and values. Mitigation for impacts to Waters of the U.S. would be negotiated through the permitting process. • A Water Quality Certification or waiver pursuant to Section 401 of the CWA must be obtained for Section 404 permit actions. • If impacts to CDFW-jurisdictional features and riparian habitat are anticipated, a Notification shall be made to CDFW in order to obtain a 1602 Lake or Streambed Alteration Agreement prior to work being 		<p>and 1602</p> <p>Timing: Anytime</p> <p>Frequency: Only if applicable</p>				

**NID E. George to Lake Wildwood Backbone Extension Pipeline 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
conducted in those areas.						
<p>BIO-8: The following measures are recommended to minimize potential impacts to oak trees:</p> <ul style="list-style-type: none"> • Pursuant to Senate Bill 1334 (Oak Woodlands Protection Act), the Project should comply with the Nevada County Tree Ordinance. The Project should avoid impacts to oak trees where feasible. If oak trees will be removed, an arborist survey (of the non-roadway segment) will be prepared upon completion of detailed construction plans. Based on the arborists survey, an oak tree mitigation and restoration plan shall be developed that includes onsite enhancements and potential off-site mitigation alternatives to compensate for loss of oak trees. • Excavating and/or trenching within the drip-line of trees (or a distance of half the drip-line, outside of the drip-line) should be avoided whenever practicable. However, if 		<p>Activity: Oak Tree Mitigation</p> <p>Timing: During construction</p> <p>Frequency: As needed</p>	Arborists/ Contractor	NID		Mitigation Measure BIO-8 applies to the non-roadway segment of the project (approximately 830 feet between Riffle Box Way and Rough and Ready Road) as shown on Figure 2-2 (sheet 2) of the environmental document

**NID E. George to Lake Wildwood Backbone Extension Pipeline Project
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Mitigation Measure		Monitoring Activity/Timing/ Frequency/ Schedule	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Outside Agency Coordination	Comments
<p>unavoidable, any authorized cut or fill occurring within the drip-line of any preserved tree should be supervised by an ISA Certified Arborist.</p> <ul style="list-style-type: none"> Any and all exposed roots shall be covered with a protective material during construction. Native tree replacement shall be used to mitigate the removal of native trees within the area, subject to approval by the County. Procedures and protocols for tree preservation and protection shall comply with standards established by the County. Oak trees required to be planted as a condition of construction would be maintained after completion of construction as described in the Nevada County Tree Preservation and Protection Ordinance. 						
CUL-1: A consultant and construction worker tribal cultural resources awareness		Activity: Worker Awareness	Project Archaeologist	NID		Mitigation Measure CUL-1

**NID E. George to Lake Wildwood Backbone Extension Pipeline 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>brochure and training program for all personnel involved in ground-disturbing activities will be developed 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 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 archaeological resources or artifacts are encountered. The program will also 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.</p>		<p>Training</p> <p>Timing: Prior to construction</p> <p>Frequency: Once prior to each construction season.</p>				<p>applies to all segments of the proposed Project and Alternative 1.</p>
<p>CUL-2: If any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains are encountered</p>		<p>Activity: Human remains discovery protocol.</p>	<p>Contractor</p>	<p>NID</p>	<p>Possible Coordination with Nevada County</p>	<p>Mitigation Measure CUL-2 applies to all segments of the</p>

**NID E. George to Lake Wildwood Backbone Extension Pipeline 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>during the initial inspection or during any subsequent construction activities, work shall be suspended within 100 feet of the find, and the construction supervisor shall immediately notify the NID representative. If the find includes human remains, then the NID shall immediately notify the Nevada 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, the NID shall coordinate any necessary investigation of the discovery with a UAIC tribal representative and a qualified archaeologist approved by the District. As part of the site investigation and resource assessment, the NID shall consult with appropriate parties to develop, document, and implement appropriate management recommendations, should potential impacts to the resources be found by the NID to be significant. Nothing in this measure prohibits the District from considering any comments from other culturally-affiliated Native American tribes that volunteer information to the NID during its investigation. Possible</p>		<p>Timing: During construction.</p> <p>Frequency: As required.</p>			Coroner	proposed Project and Alternative 1.

**NID E. George to Lake Wildwood Backbone Extension Pipeline 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>management recommendations could include documentation, data recovery, or (if deemed feasible by the NID) preservation in place. The contractor shall implement any measures deemed by NID staff to be necessary and feasible to avoid, minimize, or mitigate significant effects to the cultural resources, such as the use of a Native American Monitor whenever work is occurring within 100 feet of the discovery of Native American resources, if deemed appropriate by the NID.</p>						
<p>GEO-1: In compliance with the requirements of the State General Construction Activity Storm Water Permit, NID shall obtain coverage under the current Construction General Permit (2009-0009-DWQ) and prepare a SWPPP that incorporates measures or comparable BMPs, which describes the site, erosion and sediment controls, means of waste disposal, implementation of approved local plans, control of postconstruction sediment and erosion control measures and maintenance responsibilities, and non-storm water management controls. NID shall require all</p>		<p>Activity: Sedimentation and erosion control</p> <p>Timing: Obtain permit prior to initiating construction. Implement during construction.</p> <p>Frequency: As required.</p>	<p>Contractor</p>	<p>NID</p>		<p>Mitigation Measure GEO-1 applies to all segments of the proposed Project and Alternative 1.</p>

**NID E. George to Lake Wildwood Backbone Extension Pipeline 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>construction contractors to retain a copy of the approved SWPPP at the Project site and implement the SWPPP. Additionally, the SWPPP shall ensure that all storm water discharges are in compliance with all current requirements of the Construction General Permit (2009-009-DWQ).</p>						
<p>PALEO-1: If any paleontological resources (i.e., fossils) are found during proposed Project construction, construction shall be halted immediately in the subject area and the resource will be isolated using orange or yellow fencing until NID is notified and a qualified paleontologist is 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.</p>		<p>Activity: Discovery of unknown resource</p> <p>Timing: During construction.</p> <p>Frequency: anytime</p>	<p>Contractor/ Paleontologists</p>	<p>NID</p>	<p>Possible coordination qualified paleontologists</p>	<p>Mitigation Measure PALEO-1 applies to all segments of the proposed Project and Alternative 1.</p>
<p>HAZ-1: If ultramafic rock is exposed to the air, then the following procedures must be</p>		<p>Activity:</p>	<p>Contractor</p>	<p>NID</p>		<p>Mitigation Measure NOA-1</p>

**NID E. George to Lake Wildwood Backbone Extension Pipeline 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>put into effect. Water support, in the form of a water truck or mobile storage tank, will be used in regular intervals to keep the open earth area wet and dust free. Proper signage noting the possibility of Naturally Occurring Asbestos and required PPE will be posted in the area. PPE including coveralls and respirators will be worn by all workers in the area. These procedures will be followed as long as ultramafic rock is exposed and can be unfollowed when the rock is again covered with fill.</p>		<p>Dust Control</p> <p>Timing: During Construction.</p> <p>Frequency: As needed.</p>				<p>applies to all segments of the proposed Project and Alternative 1.</p>

Tonia Herrera

From: Tonia Herrera
Sent: Thursday, June 20, 2019 3:58 PM
To: 'Totton, Gayle@NAHC'
Cc: Gary King; Chris Stabenfeldt; 'Amberly Morgan'
Subject: RE: SCH# 2019069025

Good afternoon Ms. Gayle,

Thank you for contacting NID regarding this project.

In regards to the Cultural Resources Report – please let us know specifically what information you are looking for and we can send you those relevant sections.

Thank you for bringing to our attention the errors in the document. We will note your comments and provide a response in the Final IS/MND in an attached errata page with the appropriate changes. We can send you a copy of the final with the response to your comment and errata sheet.

Thank you.
Tonia

From: Totton, Gayle@NAHC <Gayle.Totton@nahc.ca.gov>
Sent: Wednesday, June 19, 2019 2:09 PM
To: Tonia Herrera <herrera@nidwater.com>
Subject: SCH# 2019069025

Good afternoon Ms. Herrera,

I have reviewed the Mitigated Negative Declaration on the above referenced project. I wanted to request a copy of the Cultural Resources Report that was not made publicly available.

I also found some errors that can be corrected without a formal comments letter that I wanted to draw to your attention. In the Cultural Resources section (4.5), on page 4-42, under subsection c), the text should refer to Mitigation Measure CUL-2 instead of MM CUL-1. On page 4-43, MM CUL-2 is mislabeled as MM TCR-2 as it does not refer to tribal input for inadvertent discoveries of those resources. In the Tribal Cultural Resources section (4.18) I also noted that the mitigation measures you refer to for Tribal Cultural Resources are missing from the document. Can you please send me an updated copy of those 2 sections when you have made the changes?

Please let me know if you have any questions.

Sincerely,

Gayle Totton, M.A., Ph.D.
Associate Governmental Program Analyst
Native American Heritage Commission
(916) 373-3714



GAVIN NEWSOM
GOVERNOR

JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

28 June 2019

Tonia M Tabucchi Herrera
Nevada Irrigation District
1036 Main Street
Grass Valley, CA 95945

CERTIFIED MAIL
7017 2620 0001 1359 1137

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, NID E. GEORGE TO LAKE WILDWOOD BACKBONE EXTENSION PIPELINE PROJECT, SCH#2019069025, NEVADA COUNTY

Pursuant to the State Clearinghouse's 7 June 2019 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the NID E. George to Lake Wildwood Backbone Extension Pipeline Project, located in Nevada County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Waste Discharge Requirements – Discharges to Land

Pursuant to the State Board’s Onsite Wastewater Treatment Systems Policy, the regulation of the septic system may be regulated under the local agency’s management program.

For more information on waste discharges to land, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_land/index.shtml

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board

General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program.

There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/regulatory_information/for_growers/coalition_groups/ or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 11-100 acres are currently \$1,277 + \$8.53/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the

Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order.

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4812 or Jordan.Hensley@waterboards.ca.gov.



Jordan Hensley
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,
Sacramento

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.
CERTIFIED MAIL

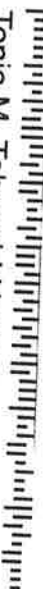


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RWQCB
11020 Sun Center Dr. #200
Rancho Cordova, CA 95670



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Tonia M. Tabucchi Herrera
Nevada Irrigation District
1036 Main Street
Grass Valley, CA 95945

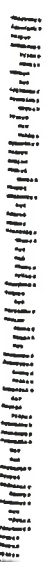
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COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
DEPARTMENT OF PUBLIC WORKS
950 MAIDU AVENUE, NEVADA CITY, CA 95959-8617
(530) 265-1411 FAX (530) 265-9849 www.mynevadacounty.com

Sean Powers
Community Development Agency Director

Trisha Tillotson
Director of Public Works

July 8, 2019

Kris Stepanian
1036 West Main Street
Grass Valley, CA 95945

VIA EMAIL: stepiank@nidwater.com

Re: E. George to Lake Wildwood Backbone Extension Project

Dear Ms. Stepanian:

Thank you for the opportunity to comment on NID's Draft Initial Study for the proposed E. George to Lake Wildwood Backbone Extension Project (Project). The Project is located on 5.6 miles of Rough and Ready Highway, a County-maintained road, and other nearby public and private roads. The Project includes the installation of approximately 5.6 miles of 16- or 20-inch underground water pipelines.

As noted in the Initial Study, an Encroachment Permit will be required from the Nevada County Public Works Department. Please be aware that the Encroachment Permit will not allow the storage of equipment or materials in the public right of way and will prohibit construction during federally and state-recognized holidays (page 2-6). BMP 16 (page 2-7) states that roads damaged by construction will be returned to pre-Project conditions "where feasible." The Encroachment Permit will require that County roads be returned to pre-Project conditions. The project contractor must contact Underground Service Alert (USA) in advance of construction, and will be required to pothole at wastewater line crossing locations to verify elevation and location of lines prior to any work in that area.

If you have any questions, please contact me at 265-1254 or Jessica.Hankins@co.nevada.ca.us.

Sincerely,



Jessica Hankins
Public Works Project Manager



Gavin Newsom
Governor

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



Kate Gordon
Director

July 9, 2019

Tonia M Tabucchi Herrera
Nevada Irrigation District
1036 West Main Street
Grass Valley, CA 95945

Subject: NID E. George to Lake Wildwood Backbone Extension Pipeline Project
SCH#: 2019069025

Dear Tonia M Tabucchi Herrera:

The State Clearinghouse submitted the above named MND to selected state agencies for review. The review period closed on 7/8/2019, and the comments from the responding agency (ies) is (are) available on the CEQA database for your retrieval and use. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

Check the CEQA database for submitted comments for use in preparing your final environmental document: <https://ceqanet.opr.ca.gov/2019069025/2> . Should you need more information or clarification of the comments, we recommend that you contact the commenting agency directly.

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 contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

cc: Resources Agency

RECEIVED

JUL 12 2019

ENGINEERING
NEVADA IRRIGATION DISTRICT

NID E. George to Lake Wildwood Backbone Extension Pipeline Project

Summary

SCH Number 2019069025
Lead Agency Nevada Irrigation District
Document Title NID E. George to Lake Wildwood Backbone Extension Pipeline Project
Document Type MND - Mitigated Negative Declaration
Received 6/6/2019
Project Applicant Nevada Irrigation District
Present Land Use Zoning: RA-3, CI, R2, AG-5. General Plan Designations: RC, RUR-5, NC, UMD, BP, PUB, RUR-10

Document Description The Project will install new pipeline located along the Rough and Ready Highway and other roads in Nevada County, California. The Project spans an approximately 5.6-mile linear alignment that begins on the east at the West Drive/Rough and Ready Highway intersection and extends westerly along Rough and Ready Highway and other local roads to the Lake Wildwood Drive/Chaparral Drive intersection on the west. The Project would be constructed within the existing County right-of-way/public roads of the following roadways: Rough and Ready Highway, Rough and Ready Road, Riffle Box Road, Minnow Lane, and Lake Wildwood Drive. Empty Diggins Lane and Bosa Drive are not County roads and will require easement acquisition. There are two non-roadway segments: one at the west end of Riffle Box Road and one just east of Minnow Lane (along a fire road) that will require an easement. Appurtenances such as fire hydrants, Pressure Reducing Valve Stations, and service lines and meter boxes would be placed on the shoulder of the road at the adjacent property lines. Stub-outs for future pipeline extensions would also be installed.

Contact Information Tonia M Tabucchi Herrera
 Nevada Irrigation District
 1036 West Main Street
 Grass Valley, CA 95945
 Phone : (530) 273-6185

Location

Cities [Rough and Ready](#)
Counties [Nevada](#)
Cross Streets Rough and Ready Hwy, Riffle Box Rd, Empty Diggins Ln, Bosa Dr, Minnow Way

Notice of Completion

Review Period Start 6/7/2019
Review Period End 7/8/2019
Project Issues [Aesthetic/Visual](#) [Agricultural Land](#) [Air Quality](#) [Archaeologic-Historic](#) [Biological Resources](#) [Drainage/Absorption](#) [Forest Land/Fire Hazard](#) [Geologic/Seismic](#) [Noise](#) [Population/Housing Balance](#) [Public Services](#) [Recreation/Parks](#) [Septic System](#) [Sewer Capacity](#) [Soil Erosion/Compaction/Grading](#) [Toxic/Hazardous](#) [Traffic/Circulation](#) [Vegetation](#) [Water Quality](#) [Water Supply](#) [Wetland/Riparian](#) [Growth Inducing](#) [Cumulative Effects](#)
Reviewing Agencies [Air Resources Board, Major Industrial Projects](#) [Cal Fire](#) [California Department of Parks and Recreation](#) [Caltrans, District 3](#) [Department of Conservation](#) [Department of Fish and Wildlife, Region 2](#) [Department of Toxic Substances Control](#) [Department of Water Resources](#) [Native American Heritage Commission](#) [Office of Historic Preservation](#) [Resources Agency](#) [State Water Resources Control Board, Division of Drinking Water](#) [Regional Water Quality Control Bd., Region 5 \(Sacramento\)](#)

Attachments

Environmental Document [DraR IS_MND_060419_WEB VERSION_Full PDF 49933 K](#) [summary form PDF 370 K](#)
NOC [noc PDF 1789 K](#)
State Comments [2019069025 rwcqb PDF 1200 K](#)

[Download CSV](#) [New Search](#)

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH# 2019069025

Project Title: NID E. George to Lake Wildwood Backbone Extension Pipeline Project

Lead Agency: Nevada Irrigation District Contact Person: Tonia M Tabucchi Herrera, Sr Eng
Mailing Address: 1036 Main Street Phone: (530) 273-6185
City: Grass Valley Zip: 95945 County: Nevada County

Project Location: County: Nevada County City/Nearest Community: Rough and Ready
Cross Streets: Rough and Ready Hwy, Riffle Box Rd, Empty Diggins Ln, Bosa Dr, Minnow Way Zip Code:
Longitude/Latitude (degrees, minutes and seconds): Section: Twp.: Range: Base:
Assessor's Parcel No.: Within 2 Miles: State Hwy #: Waterways:
Airports: Railways: Schools:

Document Type:

CEQA: [] NOP [] Draft EIR NEPA: [] NOI Other: [] Joint Document
[] Early Cons [] Supplement/Subsequent EIR [] EA [] Final Document
[] Neg Dec (Prior SCH No.) [] Draft EIS [] Other:
[X] Mit Neg Dec Other:

Local Action Type:

[] General Plan Update [] Specific Plan [] Rezone [] Annexation
[] General Plan Amendment [] Master Plan [] Prezone [] Redevelopment
[] General Plan Element [] Planned Unit Development [] Use Permit [] Coastal Permit
[] Community Plan [] Site Plan [] Land Division (Subdivision, etc.) [] Other:

Development Type:

[] Residential: Units Acres
[] Office: Sq.ft. Acres Employees
[] Commercial: Sq.ft. Acres Employees
[] Industrial: Sq.ft. Acres Employees
[] Educational:
[] Recreational:
[] Water Facilities: Type MGD
[] Transportation: Type
[] Mining: Mineral
[] Power: Type MW
[] Waste Treatment: Type MGD
[] Hazardous Waste: Type
[] Other:

Project Issues Discussed in Document:

[X] Aesthetic/Visual [] Fiscal [X] Recreation/Parks [X] Vegetation
[X] Agricultural Land [] Flood Plain/Flooding [] Schools/Universities [X] Water Quality
[X] Air Quality [X] Forest Land/Fire Hazard [X] Septic Systems [X] Water Supply/Groundwater
[X] Archeological/Historical [X] Geologic/Seismic [X] Sewer Capacity [X] Wetland/Riparian
[X] Biological Resources [] Minerals [X] Soil Erosion/Compaction/Grading [X] Growth Inducement
[] Coastal Zone [X] Noise [X] Solid Waste [] Land Use
[X] Drainage/Absorption [X] Population/Housing Balance [X] Toxic/Hazardous [X] Cumulative Effects
[] Economic/Jobs [X] Public Services/Facilities [X] Traffic/Circulation [] Other:

Present Land Use/Zoning/General Plan Designation:

Zoning: RA-3, C1, R2, AG-5. General Plan Designations: RC, RUR-5, NC, UMD, BP, PUB, RUR-10

Project Description: (please use a separate page if necessary)
Please see attached PD.

State Clearinghouse Contact: (916) 445-0613

State Review Began: 6 - 7 - 2019

SCH COMPLIANCE 7 - 8 - 2019

Project Sent to the following State Agencies

X Resources Cal EPA
Boating & Waterways ARB: Airport & Freight
Central Valley Flood Prot. ARB: Transportation Projects
Coastal Comm X ARB: Major Industrial/Energy
Colorado Rvr Bd Resources, Recycl. & Recovery
X Conservation X SWRCB: Div. of Drinking Water
X CDFW # 2 SWRCB: Div. Drinking Wtr #
X Cal Fire SWRCB: Div. Financial Assist.
X Historic Preservation SWRCB: Wtr Quality
X Parks & Rec SWRCB: Wtr Rights
Bay Cons & Dev Comm. X Reg. WQCB # 55
X DWR X Toxic Sub Ctrl-CTC

Yth/Adlt Corrections

Corrections

CalSTA

Aeronautics
CHP
X Caltrans# 3
Trans Planning

Other

Education
Food & Agriculture
HCD
OES
State/Consumer Svcs
General Services

Independent Comm

Delta Protection Comm
Delta Stewardship Council
Energy Commission
X NAHC
Public Utilities Comm
Santa Monica Bay Restoration
State Lands Comm
Tahoe Rgl Plan Agency
Conservancy
Other:

Please note State Clearinghouse Number (SCH#) on all Comments

SCH#: 2019069025

Please forward late comments directly to the Lead Agency

AQMD/APCD 21

(Resources: 6 / 8)

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

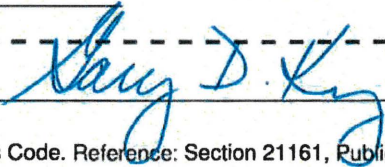
- | | |
|---|--|
| <input checked="" type="checkbox"/> Air Resources Board | <input checked="" type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input checked="" type="checkbox"/> Caltrans District #3 | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Regional WQCB #5 |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input checked="" type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region #2 | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | Other: _____ |
| <input type="checkbox"/> Health Services, Department of | Other: _____ |
| <input type="checkbox"/> Housing & Community Development | |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date June 7, 2019 Ending Date July 7, 2019

Lead Agency (Complete if applicable):

Consulting Firm: <u>Ecorp Consulting, Inc.</u>	Applicant: <u>Nevada Irrigation District</u>
Address: <u>2525 Warren Drive</u>	Address: <u>1036 West Main Street</u>
City/State/Zip: <u>Rocklin, CA 95677</u>	City/State/Zip: <u>Grass Valley, CA 95945</u>
Contact: <u>Chris Stabenfeldt</u>	Phone: <u>530-273-6185</u>
Phone: <u>916-782-9100</u>	

Signature of Lead Agency Representative:  **Date:** 6-4-19

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

SECTION 1.0 BACKGROUND

1.1 Summary

Project Title:	NID Elizabeth George to Lake Wildwood Backbone Extension Pipeline Project
Lead Agency Name and Address:	Nevada Irrigation District (NID) 1036 W Main St Grass Valley, CA 95945
Contact Person and Phone Number:	Tonia Herrera, Senior Engineer (916) 273-6185
Project Location:	The Project is generally located along 5.6 miles of Rough and Ready Highway in Nevada County, California. The proposed alignment begins on the east at the West Drive/Rough and Ready Highway intersection and extends westerly along Rough and Ready Highway and other local roads to the Lake Wildwood Drive/Chaparral Drive intersection on the west. The Project would be constructed within the existing right-of-way of the following roadways: Rough and Ready Highway, Rough and Ready Road, Riffle Box Road, Empty Diggins Lane, Bosa Drive, Minnow Lane, and Lake Wildwood Drive. There are two cross country segments: one at the west end of Riffle Box Road and one just east of Minnow Lane (along a fire road easement).
General Plan Designation:	Rural Commercial (RC), Rural 5 acre (RUR-5), Neighborhood Commercial (NC), Urban Medium Density Res (UMD), Business Park (BP), Public (PUB), Rural 10 acre (RUR-10)
Zoning:	Residential Agricultural – 3 acre minimum (RA-3), Neighborhood Commercial (C1), Medium Density (R2) General Agricultural – 5 acres (AG-5)

1.2 Introduction

NID is the CEQA Lead Agency for the Elizabeth George to Lake Wildwood Backbone Extension Pipeline Project (Proposed Project). This Initial Study has been prepared to identify and assess the anticipated environmental impacts of the Proposed Project. This document has been prepared to satisfy requirements of the California Environmental Quality Act (CEQA) (Pub. Res. Code, Section 21000 *et seq.*)

and State CEQA Guidelines (14 CCR 15000 *et seq.*). CEQA requires that all state and local government agencies consider the environmental consequences of Projects over which they have discretionary authority before acting on those Projects. A CEQA Initial Study (IS) is typically prepared to determine which CEQA document is appropriate for a Project (i.e., typically an IS leads to either a Negative Declaration [ND], Mitigated Negative Declaration [MND], or Environmental Impact Report [EIR]).

1.3 Environmental Setting

The proposed project is located in Nevada County which is situated in the Sierra Nevada Foothills, approximately 60 miles northeast of Sacramento. The climate is considered to be Mediterranean, with hot, dry summers and cool, rainy winters. The county lies within the Sacramento River watershed. The eastern most point of the Project alignment is at approximately 2,400 feet AMSL, while the western most point is at approximately 1,500 feet AMSL.

According to the Nevada County General Plan, land use is dominated by designated Forest and Rural lands. These make up over 80% of land in the county. While the Project would take place primarily within existing roadways, the majority of the surrounding lands are designated as Rural. (See Figure 1.3-2 Representative Photographs)

The source water used by the Lake Wildwood Water Treatment Plant (WTP) originates in Deer Creek and flows through the Scott's Flat and Lower Scott's Flat Reservoirs, then through the Newtown Canal to the Lake Wildwood WTP. Raw water diverted from the Newtown canal is conveyed through a pipeline to the raw water ponds at the WTP site, located on the west side of Lake Wildwood at 12622 Pleasant Valley Road (HDR, 2017). The project would provide a connection between the Elizabeth George Water Treatment Plant (E. George WTP) and the Lake Wildwood WTP and will serve as a backup water sources to the Lake Wildwood area. The E. George WTP is located northwest of the project on Banner Mountain (Nevada City) and has a capacity of 18 million gallons per day.

SECTION 2.0 PROJECT DESCRIPTION

2.1 Project Background Need and Objective

Background

NID is located in northern California with the northern boundary set by the Yuba River, the western boundary set by the Yuba/Nevada County Line, bound on the south by the cities of Lincoln and Auburn, and bound on the east by a line extending north from Rollins Reservoir Dam. The district supplies water for irrigation, municipal, domestic, and industrial uses through an extensive reservoir and canal system and network of water treatment plants. NID treated water service areas are located in and around Grass Valley and Nevada City, Banner Mountain, the Glenbrook Basin, Loma Rica, Alta Sierra, Lake of the Pines, Penn Valley, Lake Wildwood, Smartville, and north Auburn.

Lake Wildwood is currently served by the existing Lake Wildwood water treatment plant (WTP) that is the sole supply of drinking water to the community. The WTP was built in stages (with the oldest portion over 40 years old) and has (at times) been forced to run near maximum capacity (4 million gallons/day). According to the Lake Wildwood Water Treatment Plant Capacity Study and Options Analysis Final Report (HDR 2017) the WTP is reaching the end of its useful life and will not be able to meet future demands and many components will require upgrades or replacement in the near future.

Need

Water supply reliability is a key concern of the District and efforts have been made throughout NID's water system to intertie supply facilities, which greatly increases reliability and operational flexibility. These both provide for the ability to maintain a consistent service to the District's customers. This is the focus and main consideration of the Project.

Objective

The proposed Project entails constructing a new water transmission pipeline primarily within roadways to provide a connection between the E. George WTP located on Banner Mountain and the Lake Wildwood WTP and distribution system. The Project would provide a second and/or alternate sources of treated water in the event of a failure or raw water interruption at the Lake Wildwood WTP. This treated water service includes drinking, fire protection, and emergency supplies.

As described above, the pipeline would bring treated water from the Elizabeth George WTP to the Lake Wildwood community and surrounding areas for both supplemental and emergency needs. Pipeline construction would allow the NID to continue to utilize the existing Lake Wildwood WTP while planning for its future replacement. In addition, the pipeline would connect customers to the public water system who are not currently connected, while also increasing water supply reliability to new and existing customers.

The proposed Project would allow access to treated water services for properties along the route. Properties not immediately abutting the project alignment were also identified so that the pipeline

could be adequately sized to serve variance parcels or water line (pipeline) extension requests. A variance is a parcel that is not or will not be in the foreseeable future adjacent to a treated water line.

2.2 Project Characteristics

Alignment

The Project is located along the Rough and Ready Highway and other roads in Nevada County, CA. The project spans an approximately 5.6-mile linear alignment that has two sections where it deviates from the roadway right of way and extends across private land. Below is the total alignment and approximate section lengths:

- Along Rough and Ready Highway from West Drive (eastern most project boundary) to Rough and Ready Road (approximately 2.5 miles).
- From Rough and Ready Highway the project continues west along Rough and Ready Road to Riffle Box Road (approximately 1.75 miles).
- The project continues approximately 460 feet west along Riffle Box Road. At this point Riffle Box Road then makes a sharp turn north; however, the project alignment continues east cross country approximately 830 feet where it rejoins Rough and Ready Road.
- The project then continues west 209 feet where it turns south onto Empty Diggins Lane
- From the intersection of Rough and Ready Road and Empty Diggins Lane the project continues southwest along Empty Diggins Road to Bosa Drive (approximately 0.3 miles).
- The project then turns north on Bosa Drive and continues approximately 0.3 miles to a private driveway.
- The project follows the private driveway approximately 600 to where it joins Minnow Way. This area is currently an unimproved road owned by the Wildwood Homeowners Association.
- The project then follows Minnow Way approximately 475 feet west to Lake Wildwood Drive.
- At the intersection of Lake Wildwood and Minnow Way the project turns north along Lake Wildwood Drive.
- The project follows Lake Wildwood Drive approximately 0.3 miles north to Chaparral Drive where it ends (western most boundary).



RESOLUTION NO. 2019-26
OF THE BOARD OF DIRECTORS OF THE NEVADA IRRIGATION DISTRICT

**ADOPTING A MITIGATED NEGATIVE DECLARATION, AND APPROVING THE
PROJECT AND MITIGATION MONITORING AND REPORTING PROGRAM –
E. GEORGE TO LAKE WILDWOOD BACKBONE EXTENSION PIPELINE PROJECT**

WHEREAS, Nevada Irrigation District (“District”) has undertaken the review of a project to construction approximately 5.6 miles of pipeline from the E. George Treated Water System to the Lake Wildwood Treated Water System and all the necessary appurtenances (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 an Initial Study and Mitigated Negative Declaration for the proposed Project in accordance with the requirements of CEQA; and

WHEREAS, on June 7, 2019, a Notice of Intent to Adopt a Mitigated Negative Declaration for the Project was published in The Union newspaper, advising of the time and place of a public hearing on the Project; and

WHEREAS, on August 14, 2019, 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 including changes as presented in the staff report; 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, Nevada County and State Clearinghouse.

* * * *

PASSED AND ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting held on the 14th day of August, 2019 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