

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 that constitute the record of proceedings upon which the decision of the Board is based are located at the offices of the 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 the State Clearinghouse.

* * * * *

PASSED AND ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting held on the 26th day of June 2024, 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

NOTICE OF DETERMINATION**TO:****FROM:**Office of Planning and Research
1400 10th Street
Sacramento, California 95814Nevada Irrigation District
1036 West Main Street
Grass Valley, California 95945**SUBJECT:** Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code**PROJECT TITLE:** Combie and Ophir 2&3 Siphon Replacement Project**State Clearinghouse Number****Contact Person****Telephone Number**

2024040082

Adrian Schneider

530-271-6839

Project Approval

The Nevada Irrigation District (NID) adopted the Initial Study/Mitigated Negative Declaration and approved the Combie and Ophir 2&3 Siphon Replacement Project on June 26, 2024.

Project Location

The Project Site is located in Placer County, in the North Auburn area, primarily east of Highway 49 and north of Bell Road with siphon crossings of Orr Creek, Dry Creek and Rock Creek. The Project corresponds to a portion of Sections 9, 16, 21, 22, 28, and 29, Township 13 North, Range 8 East (Mount Diablo Base and Meridian) of the "Auburn, California" 7.5-minute quadrangle and is located within the Upper Coon-Upper Auburn Watershed (Hydrologic Unit Code [HUC] #18020161).

Summary Project Description

The Combie and Ophir 2&3 Siphon Replacement Project (Project) involves the replacement of three existing underground siphon pipelines. These siphons are each over fifty years old, are nearing the end of their useful life, and require resizing to address approved future flow needs. The siphons are part of NID's Combie & Ophir 2 and 3 raw water delivery system.

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

There is no substantial evidence that the Proposed Project will have a significant effect on the environment.

In accordance with the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration for the Proposed Project was prepared. The Mitigated Negative Declaration has been adopted by NID, which is the Lead Agency for the Proposed Project. The Mitigated Negative Declaration and

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record of project approval may be examined at the following website:
<https://www.nidwater.com/combie-and-ophir-siphons-2-3-replacement-project>.

Mitigation measures were required to be made a condition of approval of the Proposed Project;

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

A Mitigation Monitoring and Reporting Plan was adopted for the Proposed Project.

This is to certify that the Final Initial Study/Mitigated Negative Declaration including comments and responses, the mitigation monitoring and reporting plan, and record of Project approval is available to the general public at: <https://www.nidwater.com/combie-and-ophir-siphons-2-3-replacement-project>.

Jennifer Hanson, General Manager
Nevada Irrigation District

Date

Date Received for Filing at OPR: _____

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| <p>to surveys to confirm target species are evident and identifiable at the time of the survey.</p> <ul style="list-style-type: none"> • If no special-status plants are found, no further measures pertaining to special-status plants are necessary. • If special-status plants are identified onsite, the Project shall be modified to the extent feasible to prevent disturbance or loss of special-status plants. No-disturbance buffers shall be established around sensitive plant populations to be preserved in or adjacent to the Project Area. A 50-foot buffer should be maintained between project activities and sensitive plant populations, unless otherwise determined by a qualified biologist. Buffer distances may vary between species depending on listing status, rarity, and other factors. Buffer areas will be clearly demarcated in the field, and no construction or ground-disturbing activities will occur within the boundaries of the delineated area. • If a special-status plant species is found and avoidance is not feasible, additional measures may be developed in consultation with CDFW, USFWS and/or the CEQA Lead Agency. These measures may include restoration or permanent preservation of habitat for the special-status plant species or translocation (via seed collection and/or transplantation) from planned impact areas to unaffected suitable habitat. • If a state or federally listed threatened or endangered plant or a plant that is a candidate for state listing is found onsite, the applicant shall consult with CDFW and/or USFWS, as applicable, to determine appropriate avoidance and minimization measures. If the plants cannot be avoided, an incidental take permit and compensatory mitigation may be required. | | | | | |

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| <p>BIO-4: Conduct Preconstruction Survey for Sensitive Reptiles -Blainville’s horned lizard</p> <p>A qualified biologist shall determine if the Project Area contains suitable habitat for Blainville’s horned lizard. If suitable habitat is identified within the Project Area, a biologist will conduct surveys for Blainville’s horned lizard 48-hours prior to construction in areas of potential habitat. The surveys shall be conducted at the appropriate time of day to detect Blainville’s horned lizard. If Blainville’s horned lizard is found, a plan will be prepared, in consultation with CDFW, to potentially collect and relocate individual(s) to suitable habitat outside the Project Area.</p> | <p>Action: Preconstruction survey for the Blainville’s Horned Lizard.</p> <p>Timing: Prior to construction.</p> | <p>Construction Manager/ Project Biologists</p> <hr/> <p>Initials</p> <hr/> <p>Date</p> | <p>Construction Manager/ Project Biologists</p> <hr/> <p>Initials</p> <hr/> <p>Date</p> | <p>CDFW, if Blainville’s horned lizard is detected.</p> | |
| <p>BIO-5: Conduct Pre-Construction Northwestern Pond Turtle Surveys</p> <ul style="list-style-type: none"> • A Qualified Biologist will conduct a pre-construction northwestern pond turtle within 48 hours prior to the initiation of construction activities. The survey will occur within a minimum of 500 feet upstream and downstream of Project Activities, where accessible. • A qualified biologist will survey immediately prior to ground disturbing activities in suitable habitat. • If northwestern pond turtle is found, consultation with CDFW shall be required and a Qualified Biologist will develop and submit a relocation plan for northwestern pond turtle. | <p>Action: Preconstruction survey for the Northwestern Pond Turtle.</p> <p>Timing: Prior to construction (only during nesting season).</p> | <p>Construction Manager/ Project Biologists</p> <hr/> <p>Initials</p> | <p>Construction Manager/ Project Biologists</p> <hr/> <p>Initials</p> | <p>CDFW, if the Northwestern Pond Turtle is detected.</p> | |

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| <p>Other Special-Status Birds and Migratory Bird Treaty Act-Protected Birds</p> <ul style="list-style-type: none"> • During the nesting season, a preconstruction nesting bird survey shall be conducted within 14 days prior to the commencement of Project-related activities to identify active nests that could be impacted by construction. • The preconstruction nesting bird survey shall include accessible areas within 500 feet of the Project boundaries for raptors and 100 feet for other birds protected under the MBTA. • If active nests are found, a no-disturbance buffer shall be established around the nest. A qualified biologist, in consultation with the CDFW, shall establish a buffer distance. The buffer shall be maintained until the nestlings have fledged, to be determined by a qualified biologist. No further measures are necessary once the young are independent of the nest or the nest is otherwise no longer occupied. | | | | | |
| <p>BIO-7: Survey for Special Status Bats and if Found Implement Avoidance Measures</p> <p>To avoid and minimize significant impacts to special-status bats or roosting colonies, the following measures shall be implemented:</p> <ul style="list-style-type: none"> • At least 30 days prior to initiation of Project activities, a bat habitat assessment shall be conducted by a qualified bat biologist to examine trees and structures for suitable bat roosting habitat. High-quality habitat features (e.g., large tree cavities, basal hollows, loose or peeling bark, | <p>Action: Preconstruction bat survey.</p> <p>Timing: Prior to construction</p> | <p>Construction Manager/ Project Biologists</p> <hr/> <p>Initials</p> | <p>Construction Manager/ Project Biologists</p> <hr/> <p>Initials</p> | <p>CDFW if suitable bat roosting habitat is found.</p> | |

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| <p>enhancement of existing riparian habitat through removal of nonnative species, where appropriate; or, 2) purchase of CDFW approved mitigation credits.</p> <ul style="list-style-type: none"> • Monitoring and Reporting. Monitoring protocol, including a schedule for delivery of annual reports shall be addressed. Monitoring of restoration habitat shall occur for a minimum of three (3) years from installation, or until the success criteria identified in the approved mitigation plan has been met. • Performance Standards. Ecological performance standards for plantings, including the acceptable amount of dead woody vegetation gaps and bare ground, and survivorship shall be addressed in the ECRHRP. • Corrective measures. Should performance standards not be met, the ECRHRP shall allow for the purchase of riparian mitigation credits in an amount agreed to by CDFW as an alternative to meeting the prescribed success criteria. <p>Responsible Parties. Responsible parties for preparation of monitoring reports, and for verifying success or prescribing implementation or corrective actions shall be addressed in the ECRHRP.</p> | | | | | |
| <p>BIO-9: Obtain the necessary permits and Implement the Required Conditions. Prior to the start of construction activities, NID will obtain all necessary regulatory permits for this Project. These permits are expected to include a CWA Section 401 Water Quality Certification from the RWQCB, a CWA Section 402</p> | <p>Action: Obtaining all required regulatory permits.</p> <p>Timing: Prior to construction.</p> | <p>Construction Manager/Project Biologists</p> | <p>Construction Manager/Project Biologists</p> | | |

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| <p>NPDES Compliance Permit from the State Water Resources Control Board, a CWA Section 404 from the USACE, and a Fish and Game Code Section 1602 Streambed Alteration Agreement from the CDFW. The Project shall implement all the BMPs, and Mitigation Measures identified in the issued permits.</p> | | <p>Initials</p> <hr/> <p>Date</p> | <p>Initials</p> <hr/> <p>Date</p> | | |
| <p>BIO-10: Comply with the Placer County Tree Preservation Article</p> <p>To the extent feasible, Project construction shall avoid ground or vegetation disturbance within the dripline of protected trees subject to the Placer County Tree Preservation Article. If protected trees are to be impacted by Project activities the appropriate tree permits shall be obtained prior to initiation of impacting activities.</p> | <p>Action: Comply with Placer County Tree Preservation Requirements</p> <p>Timing: Prior and during construction</p> | <p>Construction Manager/Project Biologists</p> <hr/> <p>Initials</p> <hr/> <p>Date</p> | <p>Construction Manager/Project Biologists</p> <hr/> <p>Initials</p> <hr/> <p>Date</p> | | |

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| Hazards and Hazardous Materials | | | | | |
| <p>HAZ-1: Proper Handling of Hazardous Materials</p> <p>Construction documents shall identify materials that are considered hazardous. The Project contractor shall 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.</p> | <p>Action:</p> <p>Proper handling of hazardous materials</p> <p>Timing:</p> <p>Ongoing and as needed during construction activities.</p> | Construction Manager | Construction Manager / NID | | |
| | | Initials | Initials | | |
| | | Date | Date | | |
| <p>HAZ-2: Naturally Occurring Asbestos (NOA) Dust Control</p> <p>Should construction activities expose ultramafic rock, water support, in the form of a water truck or mobile storage tank, shall be used in regular intervals to keep the open earth area wet and dust free. Proper signage noting the possibility of NOA and required PPE shall be posted in the area. PPE including coveralls and respirators shall be worn by all workers in the area. These</p> | <p>Action:</p> <p>Provide dust control measures if expose ultramafic rock.</p> <p>Timing:</p> <p>Ongoing and as needed during construction activities.</p> | Construction Manager | Construction Manager / NID | | |
| | | Initials | Initials | | |

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| <p>procedures shall be followed as long as ultramafic rock is exposed and can be suspended once it has been reburied with soil.</p> | | <p>_____</p> <p>Date</p> | <p>_____</p> <p>Date</p> | | |
| Hydrology and Water Quality | | | | | |
| <p>HYD-1: Avoid and Minimize Disturbance of Surface Water/Creek Project Areas and Associated Aquatic Habitat and Restore all Temporary Disturbed Areas</p> <p>To the extent possible, NID and the contractor shall minimize impacts to surface waters and associated aquatic habitat by implementing the following:</p> <ul style="list-style-type: none"> • During construction NID and its contractor shall ensure the following: <ul style="list-style-type: none"> a. All heavy equipment shall be properly maintained by the contractor to prevent leaks of materials that if introduced into water could be deleterious to aquatic life. All heavy equipment shall be checked for leaks prior to operation within fifty feet of any flowing surface water. b. Vehicles that aren't required to be onsite shall be parked or stored within designated staging areas. | <p>Action:</p> <p>Avoidance and minimize disturbance of surface water/creek project areas and restore disturbed areas.</p> <p>Timing:</p> <p>Ongoing and as needed during construction activities. Post construction activities.</p> | <p>Construction Manager</p> <p>_____</p> <p>Initials</p> <p>_____</p> <p>Date</p> | <p>Construction Manager / NID</p> <p>_____</p> <p>Initials</p> <p>_____</p> <p>Date</p> | | |

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| <p>BMP-2: Install Construction Barrier Fencing to Protect Environmentally Sensitive Areas</p> <p>The Project contractor will install orange construction barrier fencing to identify site limits and environmentally sensitive areas. The fencing will be commercial-quality woven polypropylene, orange in color, and at least 4 feet high (Tensor Polygrid or equivalent). Environmentally sensitive areas in and adjacent to the construction area comprise mixed riparian forest, native oak trees greater than 4 inches diameter at breast height (DBH), wetland drainages, and any trees that support migratory bird or raptor nests. Prior to construction, a resource specialist shall identify the locations for barrier fencing and will place stakes around the ESAs to indicate these locations. The fencing will be installed by the contractor prior to construction activities and maintained by the contractor throughout the construction period. The following note will be included in the construction plans:</p> <p>“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 NID project manager.”</p> | <p>Action: Install Construction Barrier Fencing to Protect Environmentally Sensitive Areas.</p> <p>Timing: Prior to construction.</p> | <p>Construction Manager</p> <hr/> <p>Initials</p> <hr/> <p>Date</p> | <p>Construction Manager / NID</p> <hr/> <p>Initials</p> <hr/> <p>Date</p> | | |

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| <p>BMP-3: Avoid and Minimize Disturbance of Orr Creek, Dry Creek, Rock Creek and Other Aquatic Habitats and Restore all Temporarily Disturbed Areas</p> <p>To the extent possible, the NID and its contractor will minimize impacts to <i>Orr Creek, Dry Creek, Rock Creek and other Aquatic Habitats</i> by implementing the following:</p> <p>Contract specifications will include the following BMPs, where applicable, to reduce erosion during construction:</p> <ol style="list-style-type: none"> a. Prior to construction, the contractor shall develop and implement a spill prevention and countermeasure plan. This plan shall be developed consistent with applicable SWPPP requirements and address best management practices for: construction equipment and materials; staging areas; fuels, lubricants, and solvents; and use of sediment fences/erosion control for temporarily disturbed areas. b. Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life must be prevented from contaminating the soil or entering surface waters; and c. Prior to the start of construction activities, the Project limits in proximity to riparian/riverine | <p>Action: Avoid and minimize disturbance of Orr Creek, Dry Creek, Rock Creek and other aquatic habitats and restore all temporary disturbed areas.</p> <p>Timing: During and post construction.</p> | <p>Construction Manager</p> <hr/> <p>Initials</p> <hr/> <p>Date</p> | <p>Construction Manager / NID</p> <hr/> <p>Initials</p> <hr/> <p>Date</p> | | |

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| <p>BMP-4: Minimize Potential for the Long-Term Loss of Riparian Habitat</p> <p>To the extent possible, the NID 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. To the greatest extent feasible, disturbance or removal of vegetation will be minimized. Vegetation removal will occur 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. If tree removal is needed, the Project will comply with the Placer County Woodland Conservation Program (Chapter 19.50) and any applicable mitigation requirements from the issued environmental permits.</p> | <p>Action: Minimize potential for the long-term loss of riparian habitat.</p> <p>Timing: During and post construction.</p> | <p>Construction Manager</p> <hr/> <p>Initials</p> <hr/> <p>Date</p> | <p>Construction Manager / NID</p> <hr/> <p>Initials</p> <hr/> <p>Date</p> | | |

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| <p>BMP-5: Avoid the Introduction or Spread of Noxious Weeds in the Project Area</p> <p>To avoid the introduction or spread of noxious weeds into previously uninfected areas (especially within the riparian communities), NID will revegetate disturbed areas immediately after construction is complete using certified weed-free native and nonnative mixes.</p> | <p>Action: Avoid the introduction or spread of noxious weeds in the project area.</p> <p>Timing: During and post construction.</p> | <p>Construction Manager</p> <hr/> <p>Initials</p> <hr/> <p>Date</p> | <p>Construction Manager / NID</p> <hr/> <p>Initials</p> <hr/> <p>Date</p> | | |
| <p>BMP-6: Prepare and Implement a Fire Suppression and Control Plan</p> <p>NID will require the contractor to develop and implement a fire control plan 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.</p> | <p>Action: Prepare and Implement a Fire Suppression and Control Plan.</p> <p>Timing: Prior to construction.</p> | <p>Construction Manager</p> <hr/> <p>Initials</p> <hr/> <p>Date</p> | <p>Construction Manager / NID</p> <hr/> <p>Initials</p> <hr/> <p>Date</p> | | |
| <p>BMP-7: Prepare and Implement a Construction Traffic Management Plan</p> | <p>Action:</p> | <p>Construction Manager</p> | <p>Construction Manager / NID</p> | | |

