

**MITIGATED NEGATIVE DECLARATION
OF THE
IVANHOE PUBLIC UTILITY DISTRICT**

**COUNTY CLERK
COUNTY OF TULARE**

The project hereafter described will, in our evaluation, have no significant effect on the environment provided the impact mitigation measures discussed below are implemented and does not, therefore, require the filing of an Environmental Impact Report.

Board of Directors
Ivanhoe Public Utility District

By: Carol Fina
Carol Fina, Secretary

Dated: 4-4-2022

Brief description of project:

Construct and operate Municipal Water Well No. 9 on the South side of Avenue 324, 1,320 feet West of Road 156 and a conveyance pipeline along portions of Avenue 324, Road 156 and Aspen Avenue, Ivanhoe, CA to provide potable water to the Ivanhoe Public Utility District customers.

Reason(s) for mitigated negative declaration finding:

The construction and operation of the municipal water well and conveyance pipeline will result in no adverse long-term environmental impacts. Potential short-term construction related impacts will be avoided or reduced to a less than significant level by use of defined mitigation measures and construction specifications.

Monitoring/avoidance measures:

Although no sensitive species were observed during the biological reconnaissance field survey conducted on July 2, 2021, a pre-construction survey is to be conducted prior to any ground disturbing activities to ensure that no sensitive species, such as ground nesting birds, have moved onto the site and could be potentially impacted by scheduled construction activities. Additional biological oversight procedures are incorporated to further monitor for the occurrence of these species on the Project site. A Monitoring and Reporting Program has been developed for the Project and contains the details of the oversight structure adopted for the Project.

Initial study prepared by:

Northgate Environmental Management, Inc.
428 13th Street, 4th Floor
Oakland, CA 94612
(510) 839-0688

Initial study available at:

Ivanhoe Public Utility District
15859 Azalea Avenue
Ivanhoe, California 93235

Mitigation Monitoring and Reporting Program

Introduction

The California Environmental Quality Act (CEQA) requires that when a public agency makes findings pursuant to Public Resource Code Section 21081 before approving a project that would result in one or more significant impacts on the environment, the agency must adopt a reporting or monitoring program for mitigation measures incorporated into a project or imposed as conditions of approval. The program must be designed to ensure compliance during project implementation (Public Resource Code Section 21081.6).

This Mitigation Monitoring and Reporting Plan (MMRP) for the Ivanhoe Public Utility District (PUD or District) Well No. 9 and Conveyance Pipeline Project (project) will be in place through all phases of the project, including design, construction, and operation, to help ensure that project's environmental commitments are implemented. As the CEQA Lead Agency, the District is responsible for verifying that the provisions of the MMRP as a whole are carried out, pursuant to Section 15097(a) of the CEQA Guidelines. The District may delegate reporting or monitoring responsibilities to a subsidiary public agency or to a private entity such as a project contractor who accepts the delegation; however, until mitigation measures have been completed, the District remains responsible for ensuring that mitigation measures are implemented in accordance with the MMRP. The District will ensure that monitoring is documented through periodic reports and that deficiencies are promptly corrected.

Format

Table 4-1 below lists all mitigation measures for the proposed project identified in the Initial Study by resource area. The components of the MMRP include:

Mitigation Measure: This column presents the mitigation measure identified in the Initial Study and Mitigated Negative Declaration.

Monitoring and Reporting Action(s): This column refers to the outcome from implementing the mitigation measure.

Implementation Responsibility: This column identifies the person/group responsible for implementation of the migration measure.

Monitoring Responsibility: This column contains an assignment of responsibility for the monitoring and reporting tasks.

Timing: The general schedule for conducting each mitigation task, identifying where appropriate both the timing and the frequency of the action.

Verification of Compliance: This column may be used by the lead agency to document the person who verified the implementation of the mitigation measure and the date on which this verification occurred.

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**Ivanhoe Public Utility District (PUD) Well No. 9 and Conveyance Pipeline Project
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Monitoring and Reporting Actions	Implementing Responsibility	Monitoring Responsibility	Timing	Compliance Verification
BIOLOGICAL RESOURCES					
<p>Mitigation Measure BIO-1: Conduct focused burrowing owl surveys to assess the presence/absence of the burrowing owl in accordance with the Staff Report on Burrowing Owl Mitigation (CDFG, 2012) and Burrowing Owl Survey Protocol and Mitigation Guidelines (CBOC, 1997). These involve conducting four pre-construction survey visits. If a burrowing owl or sign of burrowing owl use (e.g., feathers, guano, pellets) is detected on or within 500 feet of the Project area, and the qualified biologist determines that Project activities would disrupt the owl(s), a construction-free buffer, limited operating period, or passive relocation shall be implemented as determined in consultation with the CDFW.</p>	<p>A qualified biologist shall conduct four focused burrowing owl surveys at the Well No. 9 site prior to construction. If a burrowing owl or sign of burrowing owl use is detected, implement a construction-free buffer, limited operating period, or passive relocation in consultation with the CDFW.</p>	<p>Consulting biologist.</p>	<p>Ivanhoe PUD Project Manager.</p>	<p>Before any on-site construction activities begin.</p>	
<p>Mitigation Measure BIO-2: To the extent practicable, construction shall be scheduled to avoid the nesting season, which extends from February through August. If it is not possible to schedule construction between September and January, preconstruction surveys for nesting birds shall be conducted by a qualified</p>	<p>Schedule construction to avoid the nesting season, or a qualified biologist shall conduct</p>	<p>Consulting biologist.</p>	<p>Ivanhoe PUD Project Manager.</p>	<p>No more than 14 days prior to initiation of on-site construction activities.</p>	

Mitigation Measure	Monitoring and Reporting Actions	Implementing Responsibility	Monitoring Responsibility	Timing	Compliance Verification
<p>biologist to ensure that no active nests will be disturbed during the implementation of the Project. A pre-construction survey shall be conducted no more than 14 days prior to the initiation of construction activities. During this survey, the qualified biologist shall inspect all potential nest substrates in and immediately adjacent to the impact areas. If an active nest is found close enough to the construction area to be disturbed by these activities, the qualified biologist shall determine the extent of a construction-free buffer to be established around the nest. If work cannot proceed without disturbing the nesting birds, work may need to be halted or redirected to other areas until nesting and fledging are completed or the nest has otherwise failed for non-construction related reasons.</p>	<p>preconstruction surveys for nesting birds no more than 14 days prior to the initiation of construction activities. If an active nest is found, establish a construction-free buffer. If work cannot proceed without disturbing the nesting birds, work may need to be halted or redirected to other areas.</p>				