

**MITIGATION MONITORING  
AND REPORTING PROGRAM**

**FOR THE**

**SOUTH YUBA COUNTY WATER AND WASTEWATER  
INFRASTRUCTURE IMPROVEMENT PROJECT**

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**OLIVEHURST PUBLIC UTILITY DISTRICT**

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## 1.1 PURPOSE OF THE MITIGATION MONITORING PROGRAM

Section 21081.6 of the California Public Resources Code requires that:

A public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. This mitigation monitoring program applies to mitigation measures adopted as part of EIRs or negative declarations.

The purpose of the Mitigation Monitoring and Reporting Program (MMRP) is to ensure that the mitigation measures included in the Initial Study/Mitigated Negative Declaration (IS/MND) for the South Yuba County Water and Wastewater Infrastructure Improvement project (State Clearinghouse # 2021020149) are implemented.

## 1.2 DESCRIPTION OF PROJECT

The Olivehurst Public Utility District (OPUD) is proposing to expand its wastewater collection system to provide capacity for wastewater from the City of Wheatland that will be received and treated at OPUD's Wastewater Treatment Plant (WWTP) to take advantage of unused treatment capacity at the WWTP consistent with State and local regionalization goals. Wheatland wastewater pipelines within the recently annexed South Yuba County Service Area would be oversized to accommodate planned urban development in this area. Separately, OPUD additionally proposes to extend the District's water service to the South County Service Area. The South Yuba County Water and Wastewater Infrastructure Improvement Project (South County Infrastructure Project) is intended to provide the water and sewer conveyance system improvements to meet these needs.

The proposed project would include improvements that will assist in the mitigation of sanitary sewer overflows (SSO) during significant rain events in its existing service area of historic (Old) Olivehurst. One of the new sewer pipelines for the project will be routed near areas that are subject to SSOs. Incrementally oversizing the new sewer pipelines to accommodate flow from the existing Old Olivehurst collection system was determined to be a cost-effective solution for SSO mitigation.

OPUD has identified this five-component project to meet these purposes. The five components would consist of:

- **Component 1.** Completion of SSO reduction measures to the existing wastewater collection system serving the existing community of Olivehurst;
- **Component 2.** Modification of the existing OPUD WWTP to accommodate increased wet weather flows and replace equipment within the WWTP that has reached the end of its operational life;
- **Component 3.** Expansion of OPUD's wastewater collection system to provide service to the recently annexed South County Service Area between Forty Mile Road and Rancho Road;
- **Component 4.** Construction and operation of a Water Plant and backbone treated water distribution pipelines within the General Plan growth area along Forty Mile Road and Rancho Road; and,
- **Component 5.** Construction and operation of a wastewater collection system to accept and treat City of Wheatland untreated wastewater at the existing OPUD WWTP.

In aggregate, these improvements are identified as the South County Infrastructure Project.

### 1.3 ORGANIZATION AND FORMAT

This program describes the requirements and procedures to be followed to ensure that all mitigation measures adopted as part of this project will be implemented as described in the IS/MND, and adopted by OPUD. This Mitigation Monitoring and Reporting Program contains the following chapters:

- **Chapter 2 - Inventory of Mitigation Measures.** This section contains a list of all mitigation measures included in the IS/MND as adopted by OPUD in numerical order.
- **Chapter 3 - Implementation Schedule and Monitoring Checklist.** This section contains a summary description of the required mitigation measures in checklist format. The timing of implementation of mitigation measures is indicated, in addition to implementation and monitoring responsibility.

### 1.4 IMPLEMENTATION OF THE MITIGATION MONITORING AND REPORTING PROGRAM

The OPUD General Manager shall assign staff or consultants to manage the South County Infrastructure Project MMRP under the District's responsibility.

Responsible staff shall have overall responsibility for ensuring implementation of measures under their jurisdiction and verification of such measures. Responsible staff may delegate duties to state or federal regulatory agencies, consultants, or other authorities as necessary and appropriate.

### 1.5 DOCUMENTATION

All mitigation measures will be included on the project construction plans as prepared by a qualified engineer and submitted to OPUD for review.

#### 1.5.1 IMPLEMENTATION SCHEDULE AND MONITORING CHECKLIST

Chapter 3 contains a mitigation measure implementation schedule and monitoring checklist. Responsible OPUD staff may use the checklist as a summary of measures to be implemented and the entities responsible for mitigation implementation and monitoring, and check off mitigation implementation as it is completed.

#### 1.5.2 MONITORING REPORTS

Responsible staff should prepare annual environmental monitoring reports summarizing the results of the program. The report may be based on the verification record sheets and information received from any person or agency regarding compliance. The monitoring report should include at least the following items:

1. Summary of implementation monitoring;
2. Analysis of deficiencies and actions taken to correct them, and;
3. Recommendations for future mitigation measures and other corrective actions needed.

## 2 INVENTORY OF MITIGATION MEASURES

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This section contains all of the required mitigation measures identified in the IS/MND for the South County Infrastructure Project. The mitigation measures are listed in numerical order. The corresponding section in the IS/MND is indicated in parentheses following the issue area.

### 2.1 AIR QUALITY AND ODORS (IS/MND SECTION III)

#### Mitigation Measure AQ-1

- A. Prior to construction, OPUD or its contractor shall obtain and implement a FRAQMD Dust Control Plan or Construction Notification form in compliance with Rule 3.16 Fugitive Dust.
- B. OPUD or its contractor shall obtain and implement an Authority to Construct (ATC) and Permit to Operate (PTO) for the proposed emergency generators above 50 horsepower in accordance with Regulation IV: Stationary Emission Sources Permit System and Registration.
- C. OPUD or its contractor additionally shall implement all applicable measures and requirements of FRAQMD Rules and Regulations as determined by the FRAQMD. Additional applicable FRAQMD Rules and Regulations may include: Rule 3.0: Visible Emissions, Rule 3:15: Architectural Coatings, and Rule 7:10: Indirect Source Fee.

#### Mitigation Measure AQ-2

OPUD will implement, or its construction contractors will implement, the following measures as established by the Standard Construction Mitigation Measures provided in the FRAQMD's Indirect Source Review Guidelines (2010) and FRAQMD Construction Phase Mitigation Measures (FRAQMD 2016) in order to reduce emissions during construction.

- A. Develop and submit a fugitive dust control plan to minimize fugitive dust emissions during project construction to FRAQMD for approval.
- B. Construction equipment exhaust emissions shall not exceed FRAQMD Regulation III, Rule 3.0, Visible Emissions limitations (40 percent opacity or Ringelmann 2.0).
- C. The contractor shall be responsible to ensure that all construction equipment is properly tuned and maintained prior to and for the duration of on-site operation.
- D. Limit idling time to five minutes
- E. Utilize existing power sources (e.g., line power) or clean fuel generators rather than temporary power generators.
- F. Develop a traffic plan to minimize traffic flow interference from construction activities. The plan may include advance public notice of routing, use of public transportation, and satellite parking areas with a shuttle service. Schedule operations affecting traffic for off-peak hours. Minimize obstruction of through-traffic lanes. Provide a flag person to guide traffic properly and ensure safety at construction sites.
- G. Portable engines and portable engine-driven equipment units used at the project work site, with the exception of on-road and off-road motor vehicles, may require California Air Resources Board (CARB) Portable Equipment Registration with the State or a local district permit. The owner/operator shall be responsible for arranging appropriate consultations with the CARB or FRAQMD to determine registration and permitting requirements prior to equipment operation at the site.

- H. All grading operations on a project should be suspended when winds exceed 20 miles per hour or when winds carry dust beyond the property line despite implementation of all feasible dust control measures.
- I. Work areas shall be watered or treated with Dust Suppressants as necessary to prevent fugitive dust violations.
- J. An operational water truck should be available at all times. Apply water to control dust as needed to prevent visible emissions violations and off-site dust impacts. Travel time to water sources should be considered and additional trucks used if needed.
- K. On-site dirt piles or other stockpiled material should be covered, wind breaks installed, and water and/or soil stabilizers employed to reduce wind-blown dust emissions. Incorporate the use of approved non-toxic soil stabilizers according to manufacturer's specifications to all inactive construction areas.
- L. All transfer processes involving a free fall of soil or other particulate matter shall be operated in such a manner as to minimize the free fall distance and fugitive dust emissions.
- M. Apply approved chemical soil stabilizers according to the manufacturers' specifications, to all- inactive construction areas (previously graded areas that remain inactive for 96 hours) including unpaved roads and employee/equipment parking areas.
- N. To prevent track-out, wheel washers should be installed where project vehicles and/or equipment exit onto paved streets from unpaved roads. Vehicles and/or equipment shall be washed prior to each trip. Alternatively, a gravel bed may be installed as appropriate at vehicle/equipment site exit points to effectively remove soil buildup on tires and tracks to prevent/diminish track-out.
- O. Paved streets shall be swept frequently (water sweeper with reclaimed water recommended; wet broom) if soil material has been carried onto adjacent paved, public thoroughfares from the project site.
- P. Provide temporary traffic control as needed during all phases of construction to improve traffic flow, as deemed appropriate by the Department of Public Works and/or Caltrans and to reduce vehicle dust emissions.
- Q. Reduce traffic speeds on all unpaved surfaces to 15 miles per hour or less and reduce unnecessary vehicle traffic by restricting access. Provide appropriate training, on-site enforcement, and signage.
- R. Reestablish ground cover on the construction site as soon as possible and prior to final occupancy, through seeding and watering.

### **Mitigation Measure AQ-3**

OPUD and its construction contractors shall implement the following measures to reduce, track, and offset construction-related project emissions, consistent with established FRAQMD Construction Phase Mitigation Measures (FRAQMD 2016).

- A. Prior to beginning construction activities, OPUD shall assemble a comprehensive inventory list (i.e., make, model, engine year, horsepower, emission rates) of all heavy-duty off-road (portable and mobile) equipment (50 horsepower and greater) that will be used an aggregate of 40 or more hours for the construction project.
- B. OPUD and its construction contractors shall provide a plan for approval by FRAQMD demonstrating that the heavy-duty (equal to or greater than 50 horsepower) off-road equipment to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 5 percent ROG reduction, 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average at time of construction. A Construction Mitigation Calculator (MS Excel) may be

downloaded from the SMAQMD website to perform the fleet average evaluation <http://www.airquality.org/ceqa/index.shtml>. Acceptable options for reducing emissions may include use of late model engines (Tier 4), CARB Approved low-emission diesel products, alternative fuels, engine retrofit technology (Carl Moyer Guidelines), after-treatment products, voluntary off-site mitigation projects, provide funds for air district off-site mitigation projects, and/or other options as they become available. The FRAQMD should be contacted to discuss alternative measures.

The results of the Construction Mitigation Calculator shall be submitted and approved by the FRAQMD prior to beginning work. OPUD and its construction contractors shall provide a monthly summary of heavy-duty off-road equipment usage to the FRAQMD throughout the construction of the project.

- C. OPUD may also contribute to the FRAQMD's Off-Site Mitigation Program to reduce project emissions to less than significant. OPUD shall compile a list of all construction emission sources and consult with the FRAQMD staff to implement this mitigation measure. The project contractors shall track emissions generated from equipment and vehicles throughout construction of the project. If determined necessary by the FRAQMD and before construction activities begin, OPUD shall pay a deposit to FRAQMD for contribution to the FRAQMD Off-site Mitigation Fund. This deposit will be held by FRAQMD and applied toward the final off-site mitigation amount to be paid after project construction is complete. Total construction emissions shall be calculated at the end of construction activities. Using these calculations, OPUD shall make a final payment to the FRAQMD Off-Site Mitigation Fund, if necessary, to further offset construction pollutant emissions that exceeded FRAQMD thresholds. (*Personal communications* with Sondra Spaethe, FRAQMD 2023)

## 2.2 BIOLOGICAL RESOURCES (IS/MND SECTION IV)

### Mitigation Measure BIO-1

Pre-construction special-status species plant surveys shall be conducted by OPUD or its contractor in all impact areas that provide potentially suitable habitat for special-status plants prior to initiating project construction activities. All surveys shall be conducted in accordance with agency-approved survey protocols during the appropriate blooming period. If no special-status species are identified in protocol surveys, no additional mitigation is required. If surveys determine that special-status species occur within impact areas, Mitigation Measure BIO-2 shall apply.

### Mitigation Measure BIO-2

If special-status plants are identified within project impact areas, one of the following measures shall apply:

- A. If feasible, the project shall be adjusted to avoid impacts to special-status plants. If modifications can be made to avoid special-status species, the installation of protective fencing may be necessary to prevent accidental encroachment. If adjustment of construction areas or methods is not feasible, Mitigation Measure BIO-2B shall apply.
- B. If there is no feasible alternative to avoid special-status plant species impacts, OPUD shall mitigate for impacts to special-status plants. A Mitigation Plan shall be prepared and implemented that provides for plant salvage, transplantation, seed collection and replanting,

and/or topsoil collection and replacement as appropriate for the species identified within the project impact area. Transplantation or seed placement shall be within suitable or restored habitat after completion of construction for temporary impacts, or within off-site habitat at a mitigation site for permanent impacts. The Mitigation Plan shall include monitoring requirements to ensure successful establishment of special-status plants, that established performance criteria are achieved, and that no net loss of special-status plants has occurred after the prescribed monitoring period.

### **Mitigation Measure BIO-3 (Both direct and indirect impacts)**

Section 7 Consultation with USFWS shall be conducted to analyze the direct and indirect effects on listed wildlife species and to obtain regulatory permits and authorizations for impacts to listed species and loss of habitat. Measures and requirements outlined in agency authorizations may supersede the following measures.

### **Mitigation Measure BIO-4 (Indirect impacts)**

Trench excavation and stockpiling for pipeline installation shall be entirely located within the paved roadway or disturbed shoulder on Rancho Road in areas where seasonally wet ditches and depressions were mapped adjacent to the roadway. Equipment staging and trench excavation in these areas will be limited to designated workspace areas in the paved roadway and shoulder. To reduce the potential for indirect impacts to seasonally inundated ditches and depressions in close proximity to construction activities, but where no direct impacts will occur, the following measures shall apply:

- A. Prior to the initiation of construction, crews shall attend an environmental Awareness Training Program that will include information regarding the potential presence of listed branchiopod species and the importance of avoiding impacts to these species and their habitat.
- B. All work shall be conducted during the dry season when potential habitat features on or near the proposed pipeline installation areas are dry.
- C. Fencing shall be placed and maintained to delineate the approved work areas and prevent encroachment on seasonally inundated ditch and depression features. A qualified biologist shall oversee the installation of fencing. Once fencing is installed, a biologist will inspect fencing weekly to ensure its integrity and effectiveness.
- D. All excavation, construction staging, and stockpiles shall be limited to paved roadways, disturbed shoulder, and approved work areas.
- E. Storm water BMPs (silt fencing and straw wattles) shall be placed around construction disturbance and dirt stockpiles to reduce potential for erosion and sedimentation into potential branchiopod habitat features.
- F. No application of water (e.g., dust suppression) shall occur in seasonally inundated ditch or depression features without additional measures (such as barriers and/or use of low flow water truck nozzles) in place to keep water out of potential or known VPB habitat features during the dry season.
- G. Any groundwater encountered within the trench excavation shall not be discharged to areas where seasonally inundated ditch or depression features are located.

### **Mitigation Measure BIO-5 (Direct impacts)**

If avoidance of habitat features as described in BIO-4 is not feasible and direct impacts (temporary or permanent) will occur to seasonally inundated ditch and depression features, compliance with one of the following mitigation measures (5A or 5B) shall be required:

- A. Prior to the initiation of construction, surveys conducted in accordance with USFWS protocols shall be conducted in all potentially suitable habitat to be impacted. If protocol surveys determine that the seasonally inundated ditch and depression features are not occupied by federally listed vernal pool branchiopod species, no further mitigation is required for impact to species habitat (mitigation for jurisdictional aquatic features consistent with Mitigation Measures BIO-1 and BIO-2 may still apply). If protocol surveys detect the presence of federally listed species, then the following measures shall be implemented:
1. Prior to the initiation of construction, construction crews shall attend an Environmental Awareness Training Program that will include information regarding the potential presence of listed vernal pool branchiopod species and the importance of avoiding impacts to these species and their habitat.
  2. All work shall be conducted during the dry season when potential habitat features on or near the proposed pipeline installation areas are dry.
  3. Fencing shall be placed and maintained around any avoided (preserved) seasonally inundated ditch and depression features to prevent encroachment. A qualified biologist shall oversee the installation of fencing. Once fencing is installed, a biologist will inspect fencing weekly to ensure its integrity and effectiveness.
  4. A USFWS approved biologist shall monitor construction activities in known or potential vernal pool branchiopod habitat that results in temporary or permanent impacts.
  5. For temporary impacts that will be restored after construction, a Site Restoration Plan outlining requirements for topsoil collection, preservation, and restoration will be prepared and approved by the USFWS. Implementation of the approved Plan shall include the following requirements at minimum. Prior to excavation in locations with potential or known vernal pool branchiopod habitat, the uppermost soil layer that may contain branchiopods eggs (cysts) shall be collected, labelled, and stored under appropriate climatic conditions until construction in temporary impact areas is complete. Once construction is complete, topsoil shall be placed back in the feature from which it was collected.
  6. For permanent impacts, loss of vernal pool branchiopod habitat shall be mitigated through the use of USFWS approved mitigation credits in accordance with mitigation ratios approved by the USFWS.
- B. If OPUD or its contractor chooses not to conduct protocol-level surveys, they may assume presence of listed vernal pool branchiopod species within seasonally inundated ditch and depression features that provide potentially suitable habitat. If presence of listed species is assumed, then measures BIO-5A (1) through (6) as set forth above shall apply to mitigate impacts to a less-than-significant level.

### **Mitigation Measure BIO-6**

- A. Prior to the initiation of construction, implement Mitigation Measure BIO-3. Measures and requirements outlined in agency authorizations may supersede the following measures.

- B. A 20-foot exclusion zone extending from the dripline of the shrub shall be maintained during construction in all directions away from the pavement. The exclusion zone will be reduced on the pavement side of the shrub to the edge of gravel roadway shoulder so that the fencing will not interfere with the roadway. Consistent with measures outlined by the USFWS to mitigate potential impacts to VELB, the following measures shall be implemented:
1. Fence and flag the elderberry shrub to be avoided and provide a minimum setback of at least 20 feet from the dripline of the elderberry plant for ground disturbance activities (e.g., trenching) to ensure that activities will not damage or kill the elderberry shrub. Due to its location at the edge of pavement on Forty Mile Road, the 20-foot setback will be adjusted (reduced) consistent with the edge of the gravel road shoulder so that fencing does not interfere with the paved roadway.
  2. Prior to the initiation of any construction, environmental training shall brief the contractors and key employees of the need to avoid any impacts to elderberry plants, and to advise them of penalties associated with damage or destruction of the plants. The work crew shall be instructed regarding the status of the VELB and the need to protect its elderberry host plant, and possible penalties for non-compliance with avoidance and minimization measures.
  3. A qualified biologist shall monitor the work area at project-appropriate intervals to assure that all avoidance and minimization measures are implemented. The amount and duration of monitoring will depend on the timing of project activities, and shall be determined in coordination with the USFWS biologist.
  4. As much as feasible, all activities within 165 feet of the elderberry shrub will be conducted outside the flight season of the VELB (March-July).
  5. No insecticides, herbicides, fertilizers, or other chemicals that might harm the VELB or its host plant shall be used within 100 feet of the elderberry plant with a stem measuring 1.0 inch or greater in diameter at ground level.
  6. Mechanical vegetation removal within the dripline of the elderberry shrub shall be limited to the season when adult VELB are not active (August-February) and shall avoid damaging the elderberry.
  7. Erosion control will be implemented, and the affected construction area shall be revegetated with appropriate native plants.

#### **Mitigation Measure BIO-7**

Implement the following measures:

- A. Prior to the initiation of construction, construction staff shall attend an Environmental Awareness Training Program that will include information regarding identification of giant gartersnake and its habitat, protection measures for the species, and procedures to follow if a giant gartersnake or unknown snake is observed.
- B. Construction of Lift Station 23 will occur when the rice field is inactive and has been dry for a minimum of 15 days.
- C. Construction of Lift Station 22, Lift Station 23, and the HDD installation of pipelines under Kimball Creek, including all activities within 200 feet of Kimball Creek and the rice field at Lift Station 23, shall be restricted to the period between May 1 and October 1. This is the active period for GGS when the potential for direct mortality is reduced because GGS can actively avoid disturbance.

- D. Prior to the start of the Kimball Creek HDD, construction of Lift Station 22, or the construction of Lift Station 23, a qualified biologist shall conduct a preconstruction survey for GGS at these locations prior to the initiation of disturbance. Exclusion fencing shall be installed, as directed by the qualified biologist, to isolate the workspace within 200 feet of suitable aquatic habitat and exclude snakes from the work areas. Exclusion fencing will be buried at the base to prevent snakes from moving under the fence into the construction area. Exclusion fencing shall be maintained for the duration of work in these areas and shall be routinely inspected by the qualified biologist to ensure the fencing is intact and effective. The workspace shall be inspected prior to the start of work each day to ensure that no snakes have entered the work area.
- E. If a GGS is observed, the USFWS and CDFW shall be notified immediately. Construction will be suspended in the area until the snake leaves the site of its own volition.
- F. All excavations within 200 feet of suitable GGS habitat shall be covered or have escape ramps installed to prevent entrapment prior to the end of work each day. These excavations shall be inspected by the qualified biologist prior to the start of work the following day.
- G. Erosion control materials shall consist of tightly woven fibers and netting to prevent entanglement of reptiles and amphibians. No monofilament materials will be allowed.
- H. For permanent impacts associated with construction of Lift Station 22 and Lift Station 23, loss of suitable GGS habitat shall be mitigated through the use of USFWS and CDFW approved mitigation credits or fee title acquisition with a conservation easement to protect managed marsh habitat in accordance with mitigation ratios approved by the USFWS and CDFW.

#### **Mitigation Measure BIO-8**

Implement the following measures:

- A. A preconstruction survey for western pond turtle shall be conducted no more than 48 hours prior to the start of construction within 150 feet of the drainages or other suitable wetland habitat. If no western pond turtles are observed, no further mitigation would be necessary.
- B. If a western pond turtle is observed within the project area, a qualified biologist shall relocate the individual to a suitable habitat location outside of the construction area.
- C. If a pond turtle nest is identified, exclusion fencing shall be placed a minimum of 25 feet around the nest and disturbance to the area will be avoided until the hatchlings have emerged. The nest will be monitored daily by the qualified biologist to ensure nestlings emerge to a suitable habitat area safely outside the construction zone.

#### **Mitigation Measure BIO-9 (Nest disturbance)**

- A. If construction or vegetation removal work occurs outside of Swainson's hawk nesting season (August 31 to Feb 1), impacts to the Swainson's hawk would be avoided. Surveys would not be required for work conducted during that part of the year, and no further mitigation for nest disturbance would be required.
- B. If project activities occur between February 1 to August 31, surveys shall be conducted by a qualified biologist for active Swainson's hawk nests. OPUD or its contractor shall conduct a protocol-level survey in conformance with the "Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley," Swainson's Hawk Technical Advisory Committee (<https://www.wildlife.ca.gov/conservation/survey-protocols#377281284-birds>) (May 31, 2000) hereby incorporated by reference. This protocol prescribes minimum standards for survey equipment, mode of survey, angle and distance to

tree, speed, visual and audible clues, distractions, notes and observations, and timing of surveys. If the surveys show that there are no active Swainson’s hawk nests within 0.25-mile of construction activities, no further mitigation for nest disturbance will be required. If active Swainson’s hawk nests are identified near the project area, a 0.25-mile nest protection buffer shall be identified, and the following measures shall be required:

1. Apply a nest protection buffer with a minimum distance of 0.25-mile from an active nest. Postpone project activities within the nest protection buffer until after the young have fledged and are no longer dependent on the nest tree. The minimum nest protection buffer may be reduced in coordination with CDFW if existing site conditions, habituation to disturbance, proposed disturbance levels, and nest concealment or barriers between the nest and activities indicate a reduced buffer would be effective.
  2. If it is not possible to postpone project activities within the minimum nest protection buffer, construction activities may proceed with CDFW approval and monitoring of the nest by a qualified raptor biologist. If the monitoring biologist observes signs of distress, they shall have the authority to stop construction work and coordinate with CDFW to establish additional protection measures to ensure avoidance of nest abandonment prior to the re-start of project activities.
- C. A written report summarizing the pre-construction survey results shall be provided to CDFW within 30 days of survey completion.

**Mitigation Measure BIO-10 (Foraging habitat)**

If nesting occurrences of Swainson’s hawks occur within 10 miles of the permanent impact areas (e.g., pump station, lift station, and WP sites) mitigation for loss of foraging habitat shall be required. Generally, CDFW requires mitigation for loss of Swainson’s hawk foraging habitat based on the presence of active nests within 10 miles of the project. If an active nest site occurs within ten miles of the project, OPUD or its contractor will be required by CDFW to provide off-site foraging habitat management lands at a specified Mitigation Ratio that is based on nest proximity to the project site, as follows:

<b>Distance from Project Boundary</b>	<b>Mitigation Acreage Ratio*</b>
Within 1 mile	1.00:1**
Between 1 and 5 miles	0.75:1
Between 5 and 10 miles	0.50:1
*Ratio means [acres of mitigation land] to [acres of foraging habitat impacted].	
**This ratio shall be 0.5:1 if the acquired lands can be actively managed for prey production.	

CDFW provides options for off-site habitat management by fee title acquisition or conservation easement acquisition with a CDFW-approved management plan, and by the acquisition of comparable habitat. Mitigation credits may be obtained through a CDFW-approved mitigation bank for Swainson’s hawk with a service area that covers the project site.

**Mitigation Measure BIO-11**

- A. A pre-construction survey of areas providing suitable burrowing owl habitat within 1,640 feet (500 meters) of construction at the WWTP shall be conducted by a qualified raptor biologist within 14 days prior to ground disturbance. Surveys shall follow guidelines outlined by CDFW in the Staff Report on Burrowing Owl Mitigation (CDFW 2012). If the required

pre-construction surveys show there are no active burrowing owl nests within the 1,640 feet (500 meters) of construction activities, no further mitigation for burrowing owl nest disturbance will be required.

- B. If an occupied burrow is discovered during pre-construction surveys, a protective buffer consistent with CDFW guidelines shall be established. Appropriate protective buffers depend on the type of burrowing owl occurrence (nesting or overwinter), level of project disturbance, and time of year that the disturbance occurs. Nest protective buffers consistent with CDFW guidelines are outlined below.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting Site	April 1 – Aug 15	200 m	500 m	500 m
Nesting Site	Aug 16 – Oct 15	200 m	200 m	500 m
Nesting Site	Oct 16 – March 31	50 m	100 m	500 m

A reduced buffer may be implemented upon CDFW approval and based upon site specific conditions, nesting phenology, and the recommendation of the qualified biologist.

- C. A written report summarizing the pre-construction survey results shall be provided to OPUD and CDFW within 30 days of survey completion.
- D. If occupied burrows cannot be avoided, OPUD or its contractor shall conduct a survey during the non-nesting season (September 30 through January 31) to identify occupied burrows within the disturbance footprint, exclude burrowing owls from burrows within the disturbance footprint, and then collapse the burrows in accordance with methodology outlined by the CDFW. Burrowing owl exclusion and burrow collapse must be conducted in coordination with CDFW and with the approval of CDFW.

**Mitigation Measure BIO-12**

- A. If construction or vegetation removal work occurs outside of nesting season (August 31 to Feb 1), impacts would be avoided. Surveys would not be required for work conducted during this part of the year, and no further mitigation for nest disturbance would be required.
- B. If vegetation removal or construction activities occur between February 1 to August 31, pre-construction surveys shall be conducted by a qualified biologist of suitable habitat within 500 feet of worksites and disturbance areas for passerines, and within 0.25-mile of worksites and disturbance areas for raptors. Pre-construction surveys shall be conducted within 14 days prior to the start of construction of vegetation removal. If nests are identified, a suitable nest protection buffer shall be recommended by the qualified biologist based on the species, nest phenology, and site-specific conditions. Construction activities shall be prohibited within the established buffer zones until the young have fledged. If a lapse in project-related activities occurs for 14 days or longer during the nesting season, another focused survey shall be conducted before construction activities can be reinitiated.
- C. A written report summarizing the pre-construction survey results shall be provided to OPUD and CDFW within 30 days of survey completion.

**Mitigation Measure BIO-13**

- A. Prior to the initiation of construction, OPUD or its contractor shall conduct a preliminary aquatic resource delineation of the project site to define the limits of jurisdictional areas and

determine the extent of project impacts. The delineation will be verified by the Corps. The verified delineation will provide OPUD with the impact acreage necessary for preparing a Waters of the US/Wetland Mitigation Plan and/or permit application if impacts to jurisdictional areas cannot be avoided. If the project can fully avoid delineated aquatic resources, no further mitigation would be required. If the project cannot fully avoid delineated aquatic resources, Mitigation Measure BIO-13 B will apply.

- B. If project impacts to federal and State jurisdictional areas are identified, OPUD shall obtain all necessary permits for impacts to Waters of the US and wetlands from the Corps and RWQCB and/or for potential impacts to stream features from CDFW prior to project implementation. Implementation of the project shall comply with all permit conditions. Compensatory mitigation must be consistent with the Corps' standards pertaining to mitigation type, location, and ratios, but will be accomplished with a minimum of 1:1 replacement ratio.

If compensatory mitigation is needed, OPUD may satisfy all or a portion of Waters of the US and wetlands mitigation through the purchase of "credits" at a mitigation bank approved by the Corps, RWQCB, and/or CDFW for compensatory mitigation of impacts to hydrologically similar Waters of the US, or through other means, such as on- or off-site wetland creation, conservation easement, contribution to approved in-lieu habitat fund, etc. The Mitigation Plan must be approved by the permitting agencies, and shall be implemented by OPUD subsequent to plan approval.

#### **Mitigation Measure BIO-14**

The proposed HDD installations under regulated drainages have a small potential to "frac out" or inadvertently release drilling muds to the surface during drilling operations. Because of the potential for a frac-out to impact waters and wetlands at the drainage crossings, OPUD or its contractor shall prepare and implement an Inadvertent Returns Contingency Plan that outlines the measures that will be taken to prevent inadvertent returns, and outlines the response measures to be employed and response equipment to be maintained on site for use in the unlikely event of an inadvertent return during drilling operations.

### **2.3 CULTURAL RESOURCES (IS/MND SECTION V)**

#### **Mitigation Measure CUL-1**

- A. If buried cultural resources such as chipped or ground stone, midden deposits, historic debris, building foundations, human bone, or paleontological resources are inadvertently discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified archaeologist or paleontologist can assess the significance of the find and, if necessary, develop responsible treatment measures in consultation with Yuba County and other appropriate agencies.
- B. If remains of Native American origin are discovered during proposed project construction, it shall be necessary to comply with state laws concerning the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (NAHC). If any human remains are discovered or recognized in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
- The County coroner has been informed and has determined that no investigation of the cause of death is required; and

- If the remains are of Native American origin:
    - √ The most likely descendants of the deceased Native Americans have made a recommendation to the landowner or person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC 5097.98; or
    - √ The NAHC has been unable to identify a descendant, or the descendant failed to make a recommendation within 24 hours after being notified.
- C. According to the California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the NAHC.

## **2.4 ENERGY (IS/MND SECTION VI)**

### **Mitigation Measure EN-1**

Implement Mitigation Measures AQ2 (b-f, and p) and AQ-3 (b and c).

## **2.5 GEOLOGY AND SOILS (IS/MND SECTION VII)**

### **Mitigation Measure GEO-1**

Implement Mitigation Measures HYD-1, HYD-2, and HYD-3.

### **Mitigation Measure GEO-2**

- A. In addition to civil drawing for the project, a final geotechnical engineering report for the proposed project shall be produced by a California Registered Civil Engineer or Geotechnical Engineer and submitted to Yuba County for review. The geotechnical engineering report measures shall address construction conditions, including but not limited to: excavation conditions, site clearing specifications, ground and subgrade preparation, general fill placement and compaction, dewatering, and foundations. Following approval in the geotechnical report by Yuba County, construction shall be completed in accordance with the geotechnical recommendations in the report, Yuba County Standard Specifications, and Cal OSHA requirements. Proof shall be provided for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the report. (Preliminary geotechnical recommendations are included in Appendix E of this Initial Study).
- B. The Contractor shall retain an engineer to evaluate the impact of construction traffic vibrations, actual soil conditions exposed in the open excavations, seepage and/or groundwater conditions, surcharges adjacent to excavations, proximity of excavations to existing structures, and other factors that may promote excavation wall instability or cause excavation related damage to existing facilities and improvements and adjust excavation sloping/shoring methods accordingly.

### **Mitigation Measure GEO-3**

Consistent with Yuba County 2030 General Plan policies, if potential paleontological resources are found during construction, work shall stop and consultation is required to avoid further

impacts. If potential paleontological resources are detected during construction, work shall stop and consultation shall be required to avoid further impacts. Actions after work stoppage will be designed to avoid significant impacts to the greatest extent feasible. These measures should include construction worker education, consultation with a qualified paleontologist, coordination with experts on resource recovery and curation of specimens, and/or other measures, as appropriate.

## **2.6 GREENHOUSE GAS EMISSIONS (IS/MND SECTION VIII)**

### **Mitigation Measure GHG-1**

Implement Mitigation Measures AQ-1, AQ-2, and AQ-3.

## **2.7 HAZARDS AND HAZARDOUS MATERIALS (IS/MND SECTION IX)**

### **Mitigation Measure HAZ-1**

- A. Prohibit or restrict equipment refueling, fluid leakage, equipment maintenance, and road surfacing activities near wetlands and other sensitive areas. Require placement of fuel storage and refueling sites in safe areas well away from wetlands and other sensitive habitats. Safe areas include paved or cleared roadbeds, within contained areas such as lined truck beds, or other appropriate fuel containment sites. Inspect equipment and vehicles for hydraulic and oil leaks regularly. Require the use of drip pans below equipment stored onsite. Require that vehicles and construction equipment are in good working condition, and that all necessary onsite servicing of equipment be conducted away from wetlands or other sensitive areas.
- B. Require all contractors to possess, and all vehicles to carry, emergency spill containment materials. Absorbent materials should be on hand at all times to absorb any minor leaks and spills.

### **Mitigation Measure HAZ-2**

The contractor shall conduct all grading operations in accordance with the Department of Toxic Substances, Caltrans Soil Management Agreement for Aerially Deposited Lead-Contaminated Soils (Agreement), June 30, 2016, and with the awareness that lead impacted soils are present on McGowan Parkway and Rancho Road. Construction project documents shall include a site-specific Health and Safety Plan and special Soil Management Plan (SMP) to address elevated levels of lead along McGowan Parkway and Rancho Road. The SMP shall be in accordance with all applicable Cal/OSHA requirements and, at a minimum, the SMP shall include measures to control worker exposure to soil, airborne dust, and control runoff along both McGowan Parkway and Rancho Road.

### **Mitigation Measure HAZ-3**

The contractor shall use general dust controls during paint striping removal on McGowan Parkway Road. In addition, the contractor shall include measures to minimize dust or debris leading to or near storm drains, waterways, and other sources of water during construction activities that include removal of paint striping.

### **Mitigation Measure HAZ-4**

Implement Mitigation Measure TRA-1.

## 2.8 HYDROLOGY, WATER QUALITY, AND SOIL EROSION (IS/MND SECTION X)

### Mitigation Measure HYD-1

- A. OPUD or its contractor shall submit Permit Registration Documents (PRD) for the Construction General Permit Order 2009-0009-DWQ to the State Water Resources Control Board, and comply with, and implement, all requirements of the permit. A Legally Responsible Person (LRP) shall electronically submit PRDs prior to commencement of construction activities in the Storm Water Multi-Application Report Tracking System. PRDs consist of the Notice of Intent, Risk Assessment, Post-Construction Calculations, a Site Map, the Storm Water Pollution Prevention Plan (SWPPP), a signed certification statement by the LRP, and the first annual fee. Following submittal of a Notice of Intent package and development of a SWPPP in accordance with the Construction General Permit, OPUD or its contractor will receive a Waste Discharge Identification Number from the SWRCB. All requirements of the site-specific SWPPP, including any revisions, shall be included in construction documents for the project. Prior to the initiation of any construction, proof of registration shall be submitted to the Yuba County Director of Public Works for review and approval and shall remain on the project site during all phases of construction.
- B. For those project components within the Olivehurst urban area, OPUD or its contractor will apply for and obtain an Erosion and Sediment Control Plan in accordance with Yuba County Department of Public Works Improvement Standards and Specifications, and implement all identified erosion control measures set forth in the Plan.

### Mitigation Measure HYD-2

Groundwater elevations were taken during the geotechnical exploration phase of the project design, and noted in the Geotechnical Data Report. However, groundwater elevations in the project areas will vary by season, and it is known that overall groundwater elevations in the South Yuba Basin are trending to rising slightly since surface water has been substituted for groundwater for agricultural use in the project area. OPUD or its contractor shall monitor groundwater and conduct construction operations in a manner intended to avoid pumping for groundwater control, using one or more of the following sub-measures:

- A. Monitor groundwater elevations on a seasonal basis, and construct improvements (for all project components, but specifically auger bores, pump and lift station wet wells, and pipelines) during those time periods when pumping for groundwater control can be avoided.
- B. If possible, given the depth of encountered groundwater, tremie concrete could be used in the bottom of pump and lift station wet wells, or
- C. In the event that groundwater pumping is to be pursued by OPUD or its contractor, OPUD or the contractor shall apply for and obtain a Low Threat Discharge Permit and any other permits necessary for such pumping. Permits that may be required include NPDES permit requirements and CVRWQCB requirements, which may include the approval of a Dewatering Permit. Appropriate groundwater handling and disposal would be ensured as part of the SWPPP for the project and would include collection and treatment measures prior to discharge.

### Mitigation Measure HYD-3

- A. Implement Mitigation Measure HYD-1 and include the proposed water well and its settling basin within the NPDES permit.

- B. In coordination with Yuba County, all construction activities shall implement stormwater pollution prevention Best Management Practices (BMP) designed to reduce potential impacts to water quality during construction of the water well, including, but not limited to:
1. Protecting adjacent properties and waterways from the discharge of sediment or other contaminants from the well construction site,
  2. Scheduling as much project work as possible during the dry season,
  3. Using other BMPs as necessary, including applying rainy season erosion controls, managing stockpiles, disposing of well development water properly, and correctly managing and disposing of construction wastes,
  4. Maintaining all Best Management Practices, and
  5. Stabilizing the site after construction is complete, including removing sediment from the settling basin.

## **2.9 NOISE (IS/MND SECTION XIII)**

### **Mitigation Measure NSE-1**

To reduce the effects of construction noise on affected residents, the project contractor shall implement the following measures for all project components:

- A. All work necessary to implement the project components will be performed between the hours of 7:00 a.m. and 7:00 p.m. Monday through Sunday.
- B. All equipment will be equipped with appropriate muffler devices to reduce the noise impacts of the construction operations.
- C. Prior to the initiation of construction, OPUD or its contractor shall consult with the Yuba County Community Development and Services Agency (CDSA) to determine whether proposed construction activities would require an exemption permit pursuant to Chapter 8.20.710 of the Yuba County Code. If it is determined that such a permit would be necessary or beneficial, OPUD or its contractor will submit a permit application to the CDSA and abide by the terms of the permit.

## **2.10 TRANSPORTATION (IS/MND SECTION XVII)**

### **Mitigation Measure TR-1**

Prior to the initiation of construction, OPUD or its contractor will obtain encroachment permits from Yuba County and Caltrans for work within the County and State rights of way. OPUD or its contractor will prepare a Traffic Control Plan/Plans that meets the requirements of Yuba County and Caltrans. For Yuba County, the TCP shall meet the current TCP Checklist and TCP Conditions of Acceptance requirements of Yuba County. The TCP shall include all required topics, including: traffic handling during each stage of construction, maintaining emergency service provider access by, if necessary, providing alternate routes, repositioning emergency equipment, or coordinating with nearby service providers for coverage during construction closures, and covering trenches during the evenings and weekends. A component of the TCP will involve public dissemination of construction-related information through notices to the nearby residences, press releases, and/or the use of changeable message signs. The project contractor will be required to notify all affected residents, post the construction impact schedule, and place articles and/or advertisements in appropriate local newspapers regarding construction impacts and schedules.

### 3 IMPLEMENTATION SCHEDULE AND CHECKLIST

This section contains an abbreviated description of each mitigation measure presented in tabular, checklist format. A complete description of each measure is contained in the preceding Chapter 2, *Inventory of Mitigation Measures*, contained within this document.

The mitigation measures to be implemented by the project applicant(s) and successors in interest are separated into the following phases:

- Prior to Construction
- During Construction
- Post Construction
- Prior to Operations
- Ongoing Operations

A summary of the checklist is presented below. Some measures have components that are to be implemented during several project phases. These measures are noted in each category. For mitigation measures that require implementation of a different mitigation measure required for the project, only the measure monitored is listed below.

Timing of Implementation of Measure	Mitigation Measure Number
Prior to Construction	AQ-1a, AQ-1b, AQ-1c, AQ-2, AQ-3, BIO-1, BIO-2, BIO-3, BIO-4, BIO-5A, BIO-5B, BIO-6, BIO-7, BIO-8A, BIO-8B, BIO-8C, BIO-9B, BIO-9C, BIO-10, BIO-11A, BIO-11B, BIO-11C, BIO-11D, BIO-12A, BIO-12B, BIO-12C, BIO-12D, BIO-13A, BIO-13B, BIO-14, ENR-1, GEO-1, GEO-2, GHG-1, HAZ-2, HAZ-4, HYD-1, HYD-2, HYD-3, NSE-1, TR-1
During Construction	AQ-1a, AQ-1b, AQ-1c, AQ-2, AQ-3, BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, BIO-7, BIO-8, BIO-9A, BIO-9B, BIO-9C, BIO-10, BIO-11B, BIO-11C, BIO-12A, BIO-12B, BIO-12C, BIO-12D, BIO-13B, BIO-14, CUL-1A, CUL-1B, CUL-1C, ENR-1, GEO-1, GEO-2, GEO-3, GHG-1, HAZ-1, HAZ-2, HAZ-3, HAZ-4, HYD-1, HYD-2, HYD-3, NSE-1, TR-1
Post Construction	AQ-3, BIO-2, BIO-3, BIO-5A, BIO-5B, BIO-6, BIO-10, BIO-13B, GEO-1, GEO-2, HYD-1, HYD-3,
Prior to Operations	AQ-1b, GHG-1
Ongoing Operations	AQ-1b, AQ-1c, GHG-1

**OPUD South Yuba County Water and Wastewater Infrastructure Improvement Project  
Mitigation Measure Implementation Schedule and Monitoring Checklist**

<b>Timing of Verification (To occur prior to or during the following actions)</b>	<b>Measure Complete? (check)</b>	<b>Mitigation Measures</b>	<b>Responsibility - Implementation</b>	<b>Responsibility - Monitoring</b>
Prior to Construction, During Construction		Mitigation Measure AQ-1a (Construction dust): Obtain and implement a FRAQMD approved Dust Control Plan or Construction Notification in compliance with Rule 3.1.6, Fugitive Dust.	Construction Manager, Construction Contractor	OPUD, FRAQMD
Prior to Construction, During Construction, Prior to Operations, Ongoing Operations		Mitigation Measure AQ-1b (Emergency generators): Obtain an Authority to Construct (ATC) and Permit to Operate (PTO) for the proposed emergency generators above 50 horsepower.	Construction Manager, Construction Contractor	OPUD, FRAQMD
Prior to Construction, During Construction, Ongoing Operations		Mitigation Measure AQ-1c (Compliance with FRAQMD rules): Coordinate with FRAQMD to confirm applicable FRAQMD rules. Implement all applicable rules.	Construction Manager, Construction Contractor	OPUD, FRAQMD
Prior to Construction, During Construction		Mitigation Measure AQ-2 (Compliance with FRAQMD construction rules): Coordinate with FRAQMD to confirm applicable construction-phase rules. Implement all applicable rules during construction.	Construction Manager, Construction Contractor	OPUD, FRAQMD
Prior to Construction, During Construction, Post Construction		Mitigation Measure AQ-3 (Compliance with FRAQMD construction phase mitigation measures): Compile construction fleet information; Achieve emissions reduction targets; Complete the Construction Emissions Calculator and provide results to FRAQMD; Provide FRAQMD with a monthly summary of fleet usage; Participate in FRAQMD's Off-site Mitigation Fund.	Construction Manager, Construction Contractor	OPUD, FRAQMD
Prior to Construction		Mitigation Measure BIO-1 (Special status plants): Complete pre-construction special status plant species surveys; If surveys identify the presence of plants, implement mitigation measure BIO-2.	Construction Manager, Construction Contractor	OPUD, CDFW
Prior to Construction, During Construction, Post Construction		Mitigation Measure BIO-2 (Special status plants): Modify project elements to avoid special status plant species. If this is not possible, prepare and implement a Mitigation Plan.	Construction Manager, Construction Contractor	OPUD, CDFW

**OPUD South Yuba County Water and Wastewater Infrastructure Improvement Project  
Mitigation Measure Implementation Schedule and Monitoring Checklist**

Timing of Verification (To occur prior to or during the following actions)	Measure Complete? (check)	Mitigation Measures	Responsibility - Implementation	Responsibility - Monitoring
Prior to Construction, During Construction, Post Construction		Mitigation Measure BIO-3 (Vernal pool invertebrates): Complete Section 7 Consultation. Implement all needed regulatory permits and authorizations.	Construction Manager, Construction Contractor	OPUD, USFWS, CDFW
Prior to Construction, During Construction		Mitigation Measure BIO-4 (Vernal pool invertebrates): Limit pipeline installation and equipment staging to paved roadways or disturbed shoulders.	Construction Manager, Construction Contractor	OPUD, USFWS, CDFW
Prior to Construction, During Construction		Mitigation Measure BIO-4A – G (Vernal pool invertebrates): Implement worker training and measures to reduce adverse effects, including dry season construction, oversight by a biologist, fencing, stormwater BMPs, water application limitations, and the discharge of groundwater	Construction Manager, Construction Contractor	OPUD, USFWS
Prior to Construction, During Construction		Mitigation Measure BIO-5A (Vernal pool invertebrates): Conduct protocol surveys to determine whether ditch and depression features are inhabited by special status vernal pool species. If no brachiopods are present, no further mitigation is required.	Construction Manager, Construction Contractor	OPUD, USFWS
Prior to Construction, During Construction, Post Construction		Mitigation Measure BIO-5A 1-6 (Vernal pool invertebrates): If surveys determine the presences of federally listed species, implement worker training and measures to reduce adverse effects, including dry season construction, oversight by a USFWS approved biologist, and fencing. Prepare and implement a Site Restoration Plan including collection of top soils. If impacts are permanent, obtain mitigation credits.	Construction Manager, Construction Contractor	OPUD, USFWS
Prior to Construction, During Construction, Post Construction		Mitigation Measure BIO-5B (Vernal pool invertebrates): Alternatively, OPUD or its contractor can assume presence of vernal pool invertebrates and implement measure BIO-5A 1-6.	Construction Manager, Construction Contractor	OPUD, USFWS
Prior to Construction, During Construction, Post Construction		Mitigation Measure BIO-6 (VELB): Implement Mitigation Measure BIO-3. Provide a 20-foot exclusion zone around the elderberry shrub. Implement working training and avoidance measures including fencing and flagging, monitoring by a biologist, limiting activities, minimizing the use of insecticides, herbicides, etc., limiting the use of removal equipment, and erosion control.	Construction Manager, Construction Contractor	OPUD, USFWS

**OPUD South Yuba County Water and Wastewater Infrastructure Improvement Project  
Mitigation Measure Implementation Schedule and Monitoring Checklist**

<b>Timing of Verification (To occur prior to or during the following actions)</b>	<b>Measure Complete? (check)</b>	<b>Mitigation Measures</b>	<b>Responsibility - Implementation</b>	<b>Responsibility - Monitoring</b>
Prior to Construction, During Construction		Mitigation Measure BIO-7 (Giant gartersnake): Implement worker training and the following measures - limitations on the timing of construction for LS-22, LS-23, adjacent rice fields and HDD activities near Kimball Creeks, completion of preconstruction and during-construction surveys, notification of USFWS and CDFW of the presence of giant gartersnake, installation of escape ramps, and use of proper erosion control materials.	Construction Manager, Construction Contractor	OPUD, USFWS, CDFW
Prior to Construction, During Construction		Mitigation Measure BIO-8A (Western pond turtle): complete time-limited preconstruction surveys if construction will occur near wetland habitat. If no turtles are identified, no further mitigation is necessary.	Construction Manager, Construction Contractor	OPUD, CDFW
Prior to Construction, During Construction		Mitigation Measures BIO-8B & C (Western pond turtle): If a pond turtle is revealed by surveys, relocate the turtle prior to the initiation of construction. If a pond turtle nest is identified, place exclusion fencing around the nest. A biologist shall monitor the nest on a daily basis until the young have safely relocated to an area outside of the construction zone.	Construction Manager, Construction Contractor	OPUD, CDFW
During Construction		Mitigation Measure BIO-9A (Swainson's hawk nest disturbance): For construction or removal of vegetation between August 31 and Feb. 1, no further mitigation would be required.	Construction Manager, Construction Contractor	OPUD, CDFW
Prior to Construction		Mitigation Measure BIO-9B & C (Swainson's hawk nest disturbance): Outside of the August/February period, conduct nesting surveys. If no hawks are nesting within 0.25 miles of construction activities, no additional mitigation would be necessary. Submit survey results to CDFW.	Construction Manager, Construction Contractor	OPUD, CDFW
Prior to Construction, During Construction		Mitigation Measure BIO-9B & C (Swainson's hawk nest disturbance): If hawks are nesting within 0.25 miles of construction activities, identify and implement a nest protection buffer or consult with CDFW to implement other protective measures. Submit survey results to CDFW.	Construction Manager, Construction Contractor	OPUD, CDFW
Prior to Construction, During Construction, Post Construction		Mitigation Measure BIO-10 (Swainson's hawk foraging habitat): Complete a preconstruction survey to determine if hawk nests are located within 10 miles of construction activities. If so, provide off-site foraging habitat management lands.	Construction Manager, Construction Contractor	OPUD, CDFW

**OPUD South Yuba County Water and Wastewater Infrastructure Improvement Project  
Mitigation Measure Implementation Schedule and Monitoring Checklist**

<b>Timing of Verification (To occur prior to or during the following actions)</b>	<b>Measure Complete? (check)</b>	<b>Mitigation Measures</b>	<b>Responsibility - Implementation</b>	<b>Responsibility - Monitoring</b>
Prior to Construction		Mitigation Measure BIO-11A & C (Burrowing Owl Habitat): Prior to construction at the WWTP, complete preconstruction surveys. Submit survey results to CDFW. If surveys indicate that no active burrowing owl nests within 1,640 feet of construction activities, no additional mitigation is required.	Construction Manager, Construction Contractor	OPUD, CDFW
Prior to Construction, During Construction		Mitigation Measure BIO-11B & C (Burrowing Owl Habitat): If the survey identifies an occupied burrow, establish and maintain a protective buffer within which no construction will occur pursuant to CDFW guidelines.	Construction Manager, Construction Contractor	OPUD, CDFW
Prior to Construction		Mitigation Measure BIO-11D (Burrowing Owl Habitat): If occupied burrows cannot be avoided, consult with CDFW to permit an exclusion and burrow collapse program.	Construction Manager, Construction Contractor	OPUD, CDFW
Prior to Construction, During Construction		Mitigation Measure BIO-12A & C (Nesting birds): For construction or removal of vegetation between August 31 and Feb. 1, no further mitigation would be required	Construction Manager, Construction Contractor	OPUD, CDFW, USFWS
Prior to Construction, During Construction		Mitigation Measure BIO-12B & C (Nesting birds): Outside of this period, conduct nesting surveys. If passerines are nesting within 500 feet or nesting raptors are nesting within 0.25 miles of construction activities, establish protection barriers within which no construction will occur prior to fledging. Submit survey results to CDFW.	Construction Manager, Construction Contractor	OPUD, CDFW, USFWS
Prior to Construction		Mitigation Measure BIO-13A (Aquatic resources): Conduct a preliminary aquatic resources delineation for verification by ACOE. Prepare and implement a Waters of the US/Wetland Mitigation Plan and/or permit application. If construction can fully avoid delineated aquatic resources, no further mitigation would be required.	Construction Manager, Construction Contractor	OPUD, ACOE, CVRWQCB, CDFW, USFWS
Prior to Construction, During Construction, Post Construction		Mitigation Measure BIO-13B (Aquatic resources): Conduct a preliminary aquatic resources delineation for verification by ACOE. If project impacts cannot be avoided, obtain all necessary federal and State permits, and implement all permit conditions, including compensatory mitigation.	Construction Manager, Construction Contractor	OPUD, ACOE, CVRWQCB, CDFW, USFWS

**OPUD South Yuba County Water and Wastewater Infrastructure Improvement Project  
Mitigation Measure Implementation Schedule and Monitoring Checklist**

<b>Timing of Verification (To occur prior to or during the following actions)</b>	<b>Measure Complete? (check)</b>	<b>Mitigation Measures</b>	<b>Responsibility - Implementation</b>	<b>Responsibility - Monitoring</b>
Prior to Construction, During Construction		Mitigation Measure BIO-14 (Frac out): Prepare and implement an Inadvertent Returns Contingency Plan for all locations where trenchless construction methods are being used.	Construction Manager, Construction Contractor	OPUD, ACOE, CVRWQCB, CDFW
During Construction		Mitigation Measure CUL-1A (Inadvertent discovery of cultural or historic resources): In the event of the discovery of buried cultural resources, stop work, and obtain a professional archaeologist or historian to evaluate the discovery and identify any needed treatment measures.	Construction Manager, Construction Contractor	OPUD
During Construction		Mitigation Measure CUL-1B & C (Inadvertent discovery of human remains): In the event of the discovery of human remains, stop work, and contact the County Coroner and the NAHC; comply with State laws for the treatment of Native American origin.	Construction Manager, Construction Contractor	OPUD, Yuba County Coroner, NAHC
Prior to Construction, During Construction		Mitigation Measure ENR-1: Implement Mitigation Measures AQ-2 (b-f, and p) and AQ-3 (b and c). See above.	Construction Manager, Construction Contractor	OPUD, FRAQMD
Prior to Construction, During Construction, Post Construction		Mitigation Measure GEO-1: Implement Mitigation Measures HYD-1, HYD-2, and HYD-3. See below.	Construction Manager, Construction Contractor	OPUD, CVRWQCB, Yuba County DPW
Prior to Construction, During Construction, Post Construction		Mitigation Measure GEO-2: Prepare a final geotechnical engineering report for all project elements. Ensure that all earthwork has been performed in conformity with recommendations contained in the report.	Construction Manager, Construction Contractor	OPUD
During Construction		Mitigation Measure GEO-3: If potential paleontological resources are found during construction, stop work and consult with a paleontologist to avoid further impacts.	Construction Manager, Construction Contractor	OPUD

**OPUD South Yuba County Water and Wastewater Infrastructure Improvement Project  
Mitigation Measure Implementation Schedule and Monitoring Checklist**

<b>Timing of Verification (To occur prior to or during the following actions)</b>	<b>Measure Complete? (check)</b>	<b>Mitigation Measures</b>	<b>Responsibility - Implementation</b>	<b>Responsibility - Monitoring</b>
Prior to Construction, During Construction, Prior to Operations, Ongoing Operations		Mitigation Measure GHG-1: Implement Mitigation Measures AQ-1, AQ-2, and AQ-3. See above	Construction Manager, Construction Contractor	OPUD, FRAQMD
During Construction		Mitigation Measure HAZ-1 (Construction fuels, fluids): Conduct equipment refueling, maintenance and similar activities in safe areas away from wetlands and other sensitive areas. Equip vehicles with emergency spill containment materials`	Construction Manager, Construction Contractor	OPUD
Prior to Construction, During Construction		Mitigation Measure HAZ-2 (Aerially deposited lead): Conduct all grading operations in accordance with Caltrans Soil Management Agreement for Aerially Deposited Lead-Contaminated Soils. Prepare and implement a Health and Safety Plan and special Soil Management Plan.	Construction Manager, Construction Contractor	OPUD, DTSC
During Construction		Mitigation Measure HAZ-3 (Paint stripping removal): Implement dust controls, including measures that minimize paint stripping dust from entering waterways and drainage infrastructure.	Construction Manager, Construction Contractor	OPUD, FRAQMD, DTSC
Prior to Construction, During Construction		Mitigation Measure HAZ-4 (Emergency Access): Implement Mitigation Measure TRA-1. See below.	Construction Manager, Construction Contractor	OPUD, Caltrans, Yuba County DPW
Prior to Construction, During Construction, Post Construction		Mitigation Measure HYD-1 (Construction water runoff and quality): Obtain and implement the provisions of a General Construction Activity Storm Water Permit and/or NPDES Permit from the SWRCB. Apply for and implement the requirements of a Yuba County Erosion and Sediment Control Plan.	Construction Manager, Construction Contractor	OPUD, SWRCB, Yuba County DPW
Prior to Construction, During Construction		Mitigation Measure HYD-2 (Groundwater management): Construct improvements when groundwater levels are below the work area; use tremie concrete at the bottom of wet wells; or obtain a Low Threat Discharge Permit or other necessary permits to allow the discharge of groundwater.	Construction Manager, Construction Contractor	OPUD, SWRCB, CVRWQCB, Yuba County DPW

**OPUD South Yuba County Water and Wastewater Infrastructure Improvement Project  
Mitigation Measure Implementation Schedule and Monitoring Checklist**

Timing of Verification (To occur prior to or during the following actions)	Measure Complete? (check)	Mitigation Measures	Responsibility - Implementation	Responsibility - Monitoring
Prior to Construction, During Construction, Post Construction		Mitigation Measure HYD-3 (Well development): Implement Mitigation Measure HYD-1, and include the well in the NPDES Permit. Coordinate with Yuba County. Implement stormwater pollution prevention BMPs, including stabilizing the site and removing sediment from the settling basin.	Construction Manager, Construction Contractor	OPUD, CVRWQCB, Yuba County DPW
Prior to Construction, During Construction		Mitigation Measure NSE-1 (Construction noise): Obtain an Exemption Permit if necessary from Yuba County. Implement County construction noise requirements, including construction time limitations and equipment mufflers.	Construction Manager, Construction Contractor	OPUD, Yuba County CDSA
Prior to Construction, During Construction		Mitigation Measure TR-1 (Traffic Management during construction): Obtain encroachment permits for all activities within the public right of way. Obtain and implement a Traffic Control Plan or Plans that meet Yuba County and Caltrans standards.	Construction Manager, Construction Contractor	OPUD, Caltrans Yuba County DPW