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Governor's Office of Planning & Research

JUN 17 2020

STATE CLEARINGHOUSE

Mitigated Negative Declaration Regarding Environmental Impact

Pursuant to: Division 13, Public Resources Code

1. **Notice is Hereby Given** that the project described below has been reviewed pursuant to the provisions of the California Environmental Quality Act of 1970 (Public Resources Code 21100, et seq.) and a determination has been made that it will not have a significant effect upon the environment.
2. **Project Name:** McCune-Midway Recovery Facility Project
3. **Description of Project:** The project will construct a turnout structure in the east bank of McCune Creek channel, immediately south of the Midway Road Bridge. The turnout structure will be connected to a low lift pump station that will connect and supply water to the District's existing Weyand Lateral 1-G and Lateral 4 Systems. In addition, 3,950 feet of pipe will be installed from the turnout structure east to Batavia Road into an existing water line (Figures 1 through 3).
4. **Location of Project:** The project site is located in the east half of Section 33, Township 7 North, Range 1 East. The project site is located in the southwestern outskirts of the City of Dixon.
5. **Name and Address of Project Proponents:**

Solano Irrigation District
810 Vaca Valley Parkway, Suite 201
Vacaville, CA 95688

6. Mitigation Measures:

AQ-1:

- Water all active construction sites as necessary.
- Haul trucks shall maintain at least 2 feet of freeboard.
- Cover all trucks hauling dirt, sand, or loose materials.
- Cover inactive storage piles.
- Sweep streets if visible soil material is carried out from the construction site.

BIO-1: Temporary construction staging areas and access roads will be strategically placed to avoid and/or minimize impacts. Environmentally Sensitive Area (ESA) fencing will be

installed in coordination with a biologist in order to minimize soil disturbance and erosion around the project area.

BIO-2: Erosion Control Measures must be implemented during construction. To minimize the mobilization of sediment to adjacent water bodies, the following erosion-control and sediment-control measures will be included in the construction specifications:

- Soil exposure must be minimized through the use of temporary BMPs, groundcover, and stabilization measures;
- The contractor must conduct periodic maintenance of erosion- and sediment-control measures.

BIO-3: Upon completion of construction activities, any barriers to surface water flow must be removed in a manner that would allow flow to resume with the least disturbance to the substrate.

BIO-5: Native fill will be utilized whenever possible.

BIO-6: Temporary staging areas, storage areas, and access roads involved with this project will take place, to the extent feasible, in the area of direct impact.

BIO-7: All hydroseed and plant mixes must consist of a biologist approved plant palette seed mix from native, locally adapted species.

BIO-8: All food-related trash must be disposed into closed containers and must be removed from the project area daily. Construction personnel must not feed or otherwise attract wildlife to the project area.

BIO-9: Prior to arrival at the project site and prior to leaving the project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds.

BIO-10: A protocol level pre-construction survey will be conducted for Swainson's hawk during nesting season between March 1 and September 15. This entails surveying all suitable nesting sites within a ¼ mile radius of the project area for evidence of Swainson's hawk activity according to the protocol survey methods recommended by the Swainson's Hawk Technical Advisory Committee. If active nesting is identified within the ¼ mile radius, coordination with CDFW is required. If "take" or adverse impacts to Swainson's hawk cannot be avoided, an incidental take permit from CDFW shall be obtained.

BIO-11: Before any activities begin on the project, the project biologist will conduct environmental awareness training for all construction personnel. At a minimum, the training will include a description of sensitive species with potential to occur, including Swainson's hawk and western pond turtle, their habitat, the project specific measures being implemented to conserve the species, and the boundaries within which the project may be accomplished.

BIO-12: If sensitive species are encountered during the course of construction, construction will temporarily stop within the area of discovery. The project biologist will be contacted immediately for further guidance. Work will not resume in the area of discovery until the project biologist has cleared the area or the animal has passively left the construction area unharmed.

BIO-13: If vegetation removal is to take place during the nesting season (February 15th–September 1st), a pre-construction nesting bird survey must be conducted within 7 days prior to vegetation removal. Within 2 weeks of the nesting bird survey, all vegetation cleared by the biologist will be removed by the contractor. A minimum 100 foot no-disturbance buffer will be established around any active nest of migratory birds and a minimum 300 foot no-disturbance buffer will be established around any nesting raptor species. The contractor must immediately stop work in the nesting area until the appropriate buffer is established and is prohibited from conducting work that could disturb the birds (as determined by the project biologist and in coordination with wildlife agencies) in the buffer area until a qualified biologist determines the young have fledged. A reduced buffer can be established if determined appropriate by the project biologist and approved by CDFW.

BIO-14: To avoid impacts to western pond turtles, the project biologist will conduct a pre-construction survey of McCune Creek and adjacent banks and upland habitats within the project area. Surveys will be conducted no more than 24 hours prior to onset of construction. During April-August the biologist should look specifically for nests within upland habitats including grasslands. During initial ground disturbing activities within McCune Creek, a qualified biologist will be present. If a turtle is located within the construction area, a qualified biologist will capture the turtle and relocate it to an appropriate habitat a safe distance from the construction site.

BIO-15: Temporary construction staging areas and access roads will be strategically placed to avoid and/or minimize impacts. Environmentally Sensitive Area (ESA) fencing will be installed in coordination with a biologist in order to minimize soil disturbance and erosion around the project area.

BIO-16: To conform to water quality requirements, the SWPPP must include the following:

- Vehicle maintenance, staging and storing equipment, materials, fuels, lubricants, solvents, and other possible contaminants must be a minimum of 100 feet from surface waters. Any necessary equipment washing must occur where the water cannot flow into surface waters. The Project specifications will require the contractor to operate under an approved spill prevention and clean-up plan;
- Construction equipment will not be operated in flowing water;
- Construction work must be conducted according to site-specific construction plans that minimize the potential for sediment input to surface waters;
- 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 shall be prevented from contaminating the soil or entering surface waters;
- Equipment used in and around surface waters must be in good working order and free of dripping or leaking contaminants; and
- Any concrete rubble, asphalt, or other debris from construction must be taken to an approved disposal site.
- The implementation of mulches, soil binders and erosion control blankets, silt fencing, fiber rolls, temporary berms, sediment de-silting basins, sediment traps and check dams will aid in reducing erosion and sedimentation during ground-disturbing activities.

CR-1: If previously unidentified cultural materials are unearthed during construction, work shall be halted in that area until a qualified archaeologist can assess the significance of the find and develop a plan for documentation and removal of resources if necessary. Additional

archaeological survey will be needed if project limits are extended beyond the present survey limits.

CR-2: Section 5097.94 of the Public Resources Code and Section 7050.5 of the California Health and Safety Code protect Native American burials, skeletal remains and grave goods, regardless of age and provide method and means for the appropriate handling of such remains. If human remains are encountered, work should halt in that vicinity and the county coroner should be notified immediately. At the same time, an archaeologist should be contacted to evaluate the situation. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within twenty-four hours of such identification. CEQA details steps to be taken if human burials are of Native American origin.

CR-3: Solano Irrigation District will invite Yocha Dehe Wintun Nation to a pre-construction meeting to address cultural sensitivity for construction crews excavating within the creek channels. In addition, Solano Irrigation District will inform the Yocha Dehe Wintun Nation of the construction schedule to ensure the tribe has an opportunity to monitor the initial ground disturbance within the creek channels.

GEO-1: To conform to water quality requirements, the SWPPP must include the following:

- Vehicle maintenance, staging and storing equipment, materials, fuels, lubricants, solvents, and other possible contaminants must be a minimum of 100 feet from surface waters. Any necessary equipment washing must occur where the water cannot flow into surface waters. The Project specifications will require the contractor to operate under an approved spill prevention and clean-up plan;
- Construction equipment will not be operated in flowing water;
- Construction work must be conducted according to site-specific construction plans that minimize the potential for sediment input to surface waters;
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- Any concrete rubble, asphalt, or other debris from construction must be taken to an approved disposal site.
- The implementation of mulches, soil binders and erosion control blankets, silt fencing, fiber rolls, temporary berms, sediment de-silting basins, sediment traps and check dams will aid in reducing erosion and sedimentation during ground-disturbing activities.

GEO-2: The proposed project would require a NPDES General Construction Permit for Discharges of storm water associated with construction activities (Construction General Permit 2012-0006-DWQ). A SWPPP would also be developed and implemented as part of the Construction General Permit.

GEO-3: The construction contractor shall adhere to the SWRCB Order No. 2012-0006-DWQ NPDES Permit pursuant to Section 402 of the CWA. This permit authorizes storm water and authorized non-storm water discharges from construction activities. As part of this Permit requirement, a SWPPP shall be prepared prior to construction consistent with the

requirements of the RWQCB. This SWPPP will incorporate all applicable BMPs to ensure that adequate measures are taken during construction to minimize impacts to water quality.

7. A copy of the initial study regarding the environmental effect of this project is on file at:

Solano Irrigation District
810 Vaca Valley Parkway, Suite 201
Vacaville, CA 95688

This study was:

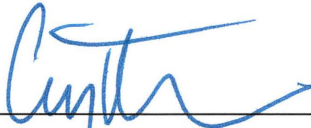
- ☒ Adopted as presented.
☐ Adopted with changes. Specific modifications and supporting reasons are attached.

8. **Determination:** On the basis of the Initial Study of Environmental Impact, comments received on the proposal and our own knowledge and independent research:

☐ We find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION is hereby adopted.

☒ We find that the project COULD have a significant effect on the environment but will not in this case, because of attached mitigation measures described in Item 6 above which are by this reference made of conditions of project approval. A MITIGATED NEGATIVE DECLARATION is hereby adopted.

Dated: 4/21/2024


Cary Keaten, General Manager
Solano Irrigation District

