

RECEIVED WITH FILE
 RECEIPT# 15132055

FILED
 KERN COUNTY

NOTICE OF DETERMINATION

MAY 10 2016

TO:	Kern County Clerk 1115 Truxtun Avenue Bakersfield, CA 93301	FROM:	Indian Wells Valley Water District 500 West Ridgecrest Boulevard Ridgecrest, CA 93555 (760) 375-5086	MARY B. BEDARD AUDITOR-CONTROLLER-COUNTY CLERK BY <u>715</u> DEPUTY
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TO:	Office of Planning and Research P. O. Box 3044 Sacramento, CA 95812-3044
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SUBJECT: Filing of Notice of Determination in Compliance with Section 21152 of the Public Resources Code

Project Title: Solar Project		
State Clearinghouse Number (If submitted to SCH): 2016031055	Contact Person: Renée Morquecho Chief Engineer	Telephone Number: (760) 375-5086
Specific Project Location - Identify street address and cross street or attach a map showing project site (preferably a USGS 15' or 7 1/2' topographical map identified by quadrangle name): The Project sites include six sites containing existing Indian Wells Valley Water District (IWVWD) facilities: Wells 9A/10 and Arsenic Treatment Plant No. 2 site, Well 30 site, Well 31 site, Well 33 site, Well 34 site, and IWVWD Office site. Figures 1 through 8, copies of which are included with each copy of the Initial Study for the Project, depict the location of each Project site and the facilities proposed thereon. A copy of the Initial Study is available for review at IWVWD's office located at 500 West Ridgecrest Boulevard, Ridgecrest, California 93555 during regular business hours and on IWVWD's website at www.iwvwd.com/public-documents/public-reports/ .		
General Project Location (City and/or County): Ridgecrest, Kern County, California		
Project Description: The Solar Project (the Project) consists of construction and operation of fixed-tilt photovoltaic solar panel arrays and AC wire and conduit at six existing IWVWD sites. Project facilities will serve to provide solar-generated electrical power to existing IWVWD facilities. A more detailed description of the Project is included in the Project Initial Study, available at the locations cited above.		

This is to advise that the (Lead Agency or Responsible Agency) has approved the above described project on: May 9, 2016 and has made the following determinations regarding the above described project:


1.	<input type="checkbox"/> The project will have a significant effect on the environment.
	<input checked="" type="checkbox"/> The project will NOT have a significant effect on the environment
2.	<input type="checkbox"/> An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.
	<input type="checkbox"/> A Negative Declaration was prepared for this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.
	<input checked="" type="checkbox"/> A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.

3.	<input checked="" type="checkbox"/>	Mitigation measures were made a condition of the approval of the project.
	<input type="checkbox"/>	Mitigation measures were NOT made a condition of the approval of the project.
4.	<input checked="" type="checkbox"/>	A Mitigation Monitoring or Reporting Plan was adopted for this project.
	<input type="checkbox"/>	A Mitigation Monitoring or Reporting Plan was NOT adopted for this project.
5.	<input type="checkbox"/>	A Statement of Overriding Considerations was adopted for this project.
	<input checked="" type="checkbox"/>	A Statement of Overriding Considerations was NOT adopted for this project
6.	<input type="checkbox"/>	Findings were made pursuant to the provisions of CEQA.
	<input checked="" type="checkbox"/>	Findings were NOT made pursuant to the provisions of CEQA.

This certifies that the location and custodian of the documents which comprise the record of proceedings for the Mitigated Negative Declaration are available to the general public at the following location(s):

Indian Wells Valley Water District
500 West Ridgecrest Boulevard
Ridgecrest, CA 93555

Date: 10 May 2016

Signature: 
Don Zdeba
General Manager
INDIAN WELLS VALLEY WATER DISTRICT

Date Received for Filing: _____

Authority Cited: Section 21083, Public Resources Code.
Reference: Sections 21000-21174, Public Resources Code.

INDIAN WELLS VALLEY WATER DISTRICT SOLAR PROJECT

MITIGATED NEGATIVE DECLARATION

Project: The Solar Project (the Project) consists of construction and operation of fixed-tilt photovoltaic solar panel arrays and AC wire and conduit at six existing IWVWD sites. Project facilities will serve to provide solar-generated electrical power to existing IWVWD facilities. A more detailed description of the Project is included in the Project Initial Study. A copy of the Project Initial Study is available for review online and at IWVWD's office, located at the addresses referenced below.

Location: The Project sites include six sites containing existing IWVWD facilities: Wells 9A/10 and Arsenic Treatment Plant No. 2 site, Well 30 site, Well 31 site, Well 33 site, Well 34 site, and IWVWD Office site.

Figures 1 through 8, copies of which are included with each copy of the Initial Study for the Project, depict the location of each Project site and the facilities proposed thereon. A copy of the Initial Study is available for review at IWVWD's office located at 500 West Ridgecrest Boulevard, Ridgecrest, California 93555 during regular business hours or on IWVWD's website at www.iwvwd.com/public-documents/public-reports/.

Entity: Indian Wells Valley Water District

The Board of Directors, having conducted a careful and independent review of the Initial Study for the Project, having reviewed the written comments received prior to the public meeting of the Board, and having heard at a public meeting of the Board the comments of any and all concerned persons or entities, including the recommendation of IWVWD staff, does hereby find and declare that the Project will not have a significant effect on the environment. A brief statement of the reasons supporting the Board's findings is as follows:

Construction and operation of the Project as modified will not result in significant adverse impacts upon any threatened or endangered species of plants or animals, nor will it result in damage to or destruction of any significant examples of California history or prehistory. Potential impacts related to biological resources will be avoided or reduced by adhering to the terms of a Mitigation Monitoring and Reporting Program (see Exhibit A, attached, which is incorporated herein by reference) throughout construction and operation of the Project.

The Board of Directors hereby finds that the Mitigated Negative Declaration reflects its independent judgment. The Initial Study was prepared by David F. Scriven with Krieger & Stewart, the District's Consulting Engineer. The Initial Study may be viewed at the offices of Indian Wells Valley Water District, located at 500 West Ridgecrest Boulevard, Ridgecrest CA 93555.

DATED: 10 May 2016



Don Zdeba
General Manager
INDIAN WELLS VALLEY WATER DISTRICT

MITIGATION MONITORING AND REPORTING PROGRAM
EXHIBIT A TO THE MITIGATED NEGATIVE DECLARATION

Section I – Introduction

Section 21081.6 of the California Environmental Quality Act (CEQA) requires that a mitigation monitoring program be prepared prior to the approval of any project which incorporates mitigation measures as a condition of approval. Mitigation measures are generally adopted to reduce the potentially significant adverse environmental impacts of a project to a level that is less than significant. The mitigation monitoring program must ensure compliance with mitigation measures during project construction (and, if applicable, during project operation). Since the project considered by the Initial Study for Indian Wells Valley Water District's Solar Project (Project) incorporates mitigation measures as a condition of approval, this mitigation monitoring and reporting program has been prepared and incorporated into the Mitigated Negative Declaration for the Project.

Section II – Biological Resources Measures and Mitigation Monitoring and Reporting Program

As discussed in Issue IV of the Project Initial Study, there is a potential for special status species to be present on most of the Project sites. Without mitigation, the Project could potentially result in significant adverse impacts upon special status species present at the Project sites. This Mitigation Monitoring and Reporting Program is intended to reduce potential impacts by the Project upon biological resources, including special status species, by specifying methods and procedures for avoiding or reducing such impacts.

The following mitigation measures (**BIO-1** through **BIO-8**) will be implemented in order to ensure that construction and operation of Project facilities do not result in a significant adverse impact upon biological resources. Each measure is attended by a notation of the party responsible for its implementation and of the period for which it will be in effect.

BIO-1: Desert Tortoise

Prior to commencement of ground disturbance at the Wells 9A/10 and Arsenic Treatment Plant No. 2, Well 30, Well 31, Well 33, and Well 34 Project sites, IWVWD will acquire from CDFW a Section 2081 incidental take permit to authorize potential take of desert tortoise.

Preconstruction surveys will be conducted at each of the following Project sites: Wells 9A/10 and Arsenic Treatment Plant No. 2, Well 30, Well 31, Well 33, and Well 34 prior to ground disturbance. At each site, if no tortoise sign is found during the preconstruction survey, then tortoise exclusion fencing will be installed around the construction areas at these five sites. The tortoise exclusion fencing will consist of a metal mesh fence, either extending two feet below ground and two feet above ground, or having the lower portion of the fence folded outward to lay flat on the ground with said lower portion covered with sand. The tortoise exclusion fencing will be removed from each Project site upon completion of construction.

IWVWD will also perform any mitigation that may be required by the Section 2081 incidental take permit. Additionally, IWVWD will seek Technical Assistance from USFWS to confirm that protective measures can be implemented in lieu of a federal Section 10 incidental take permit.

Responsible Party: District Engineer

Implementation Period: Prior to and During Project Construction

BIO-2: Mohave Ground Squirrel

Prior to commencement of ground disturbance at the Wells 9A/10 and Arsenic Treatment Plant No. 2, Well 30, Well 31, Well 33, and Well 34 sites, IWVWD will acquire from CDFW a Section 2081 incidental take permit to authorize potential take of Mohave ground squirrel.

IWVWD anticipates that the Section 2081 incidental take permit will require dedication of habitat at a ratio of 3:1 for Mohave ground squirrel habitat taken as a result of the Project at the Well 30, Well 31, Well 33, and Well 34 sites; therefore, IWVWD would dedicate compensatory habitat ranging from approximately 19.5 to 21.0 acres in a nearby mitigation bank that has been accepted by CDFW as appropriate compensatory habitat.

Responsible Party: District Engineer

Implementation Period: Prior to and During Project Construction

BIO-3: Burrowing Owl

Within ten (10) calendar days prior to commencement of construction at the Well 30, Well 31, Well 33, and Well 34 Project sites, a qualified biologist will conduct a preconstruction survey for burrowing owls. If no burrowing owls are identified during the preconstruction surveys at each site, then ground-disturbing activities may commence without further mitigation for burrowing owls. If construction does not commence within ten (10) calendar days after the preconstruction survey, then an additional preconstruction survey will be conducted within ten (10) calendar days prior to commencement of construction.

If preconstruction surveys detect burrowing owls on or within 100 meters (approximately 328 feet) of the Project site, then a construction buffer area of approximately 100 meters will be established and demarcated around the perimeter of each burrow. Buffer areas will remain undisturbed during Project construction until a qualified biologist determines that the young have fledged and are no longer dependent upon the burrow for survival.

If it is not practicable to avoid the established buffer area during construction, then the burrowing owls may be passively relocated (excluded) by a qualified biologist during the nonbreeding season of September 1 through January 31. Passive relocation is prohibited during the breeding season of February 1 through August 31. In the event that passive relocation is necessary, a burrowing owl exclusion plan will first be prepared and submitted to CDFW for approval.

IWVWD will quantify the area of burrowing owl habitat that will be impacted by the Project and will provide compensatory mitigation land to compensate for Project impacts to burrowing owl individuals, burrows, and foraging habitat. IWVWD will consult with CDFW regarding the specific terms of the mitigation land.

Responsible Party: District Engineer

Implementation Period: Prior to and During Project Construction

BIO-4: LeConte's Thrasher and Other Nesting Bird Species

If practicable, vegetation removal and grading activities will not be conducted during the bird breeding season of February 1 through September 15. A qualified biologist will conduct a preconstruction nesting bird survey during the appropriate time of day, with the surveys ending no more than three days prior to site clearing or grading.

If no nesting birds are found during the surveys, then construction activities may commence. If any active nests are identified on or within close proximity (as determined by the qualified biologist) to the Project sites, then buffer areas of 250 feet will be established around active nests of any non-listed non-birds-of-prey, buffer areas of 500 feet will be established around nests of unlisted birds-of-prey species, and buffer areas of a half-mile will be established around nests of listed bird species. No construction activities will take place within the buffer areas until the breeding season of February 1 through September 15 has ended or until a qualified biologist determines that the young have fledged. The buffer distances may be reduced only as determined by a qualified biologist based on biological or ecological evidence.

Additionally, all solar mount poles, fencing poles, and any other hollow vertical structures will be capped immediately after installation to prevent bird entrapment and death.

Responsible Party: District Engineer

Implementation Period: Prior to Commencement of Project Construction

BIO-5: Silver Chollas

Prior to commencement of ground disturbing activities at the Well 30, Well 33, and Well 34 sites, all silver chollas at said sites shall be transplanted onto adjacent lands owned by IWVWD.

Responsible Party: District Engineer

Implementation Period: Prior to Commencement of Project Construction

BIO-6: Desert Kit Fox

Permanent perimeter fencing placed at the Well 31 site pursuant to the Project will be raised five to seven inches above the ground surface and knuckled under to allow desert kit foxes to move into and out of the Well 31 site.

Responsible Party: District Engineer

Implementation Period: During and After Project Construction

BIO-7: Construction Monitoring

A qualified biologist shall be onsite during all ground-disturbing activities at the Wells 9A/10 and Arsenic Treatment Plant No. 2 site and the Wells 30, 31, 33, and 34 sites. While onsite, the qualified biologist will aid construction crews in implementing mitigation measures avoiding or reducing impacts to biological resources and in satisfying take avoidance criteria.

The qualified biologist will also assist in minimizing adverse effects of construction activities on sensitive species and will document all pertinent information concerning impacts of construction.

Responsible Party: District Engineer

Implementation Period: Throughout Project Construction

BIO-8: Rodenticides

Use of rodenticides is prohibited on the Project sites. If rodenticide will be used during Project construction, IWWVD will contact CDFW in advance of such use.

Responsible Party: District Engineer

Implementation Period: Throughout Project Construction

CEQA
Transmittal Memorandum

FILED
KERN COUNTY

MAY 10 2016

This form must be completed and attached to each CEQA document filed with the County Clerk.

1) If notice requires F&W receipt, you must provide a minimum of 3 copies of the document.

2) If notice does not require F&W receipt, you must provide a minimum of 2 copies of the document.

MARY B. BEDARD
AUDITOR CONTROLLER-COUNTY CLERK
BY JB DEPUTY

TYPE OR PRINT CLEARLY

LEAD AGENCY Indian Wells Valley Water District

PROJECT TITLE Solar Project

PROJECT APPLICANT Indian Wells Valley Water District

PHONE NUMBER (760) 375-5086

PROJECT APPLICANT ADDRESS 500 West Ridgecrest Boulevard

CITY Ridgecrest STATE CA ZIP CODE 93555

WORK ORDER # _____ 30-Day Posting 35-Day Posting 45-Day Posting

CONTACT PERSON Renee Morquecho PHONE NUMBER (760) 384-5520

CHECK DOCUMENT BEING FILED:

Notice of Availability.....No Fee

Notice of Intent.....No Fee

Notice of Preparation.....No Fee

Notice of Public Hearing.....No Fee

Other Notice _____.....No Fee

Environmental Impact Report (EIR).....\$3070.00

Previously paid (must attach receipt) Receipt Number# _____

DFG No Effect Determination (F&W letter must be attached).....No Fee

County Administrative Fee.....\$50.00

Mitigated Negative Declaration or Negative Declaration.....\$2210.25

Previously paid (must attach receipt) Receipt Number# _____

DFG No Effect Determination (F&W letter must be attached).....No Fee

County Administrative Fee.....\$50.00

Notice of Exemption.....No Fee

County Administrative Fee.....\$50.00

TOTAL \$ 2260.25

*Additional copies to be returned to: _____

*Method of return: Hold for pick-up/Call # _____

Interoffice Mail

PAYMENT METHOD: ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING

Cash/Money Order JV - Dept _____ Fund _____ Expense Key _____

Check

Credit Card



2016 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (Rev. 12/15/15) Previously DFG 753.5a

RECEIPT NUMBER:
15 — 05102016 — 15132055
STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY INDIAN WELLS VALLEY WATER DISTRICT	LEAD AGENCY EMAIL	DATE 5/10/2016
COUNTY/STATE AGENCY OF FILING Kern	DOCUMENT NUMBER 5099	

PROJECT TITLE SOLAR PROJECT			
PROJECT APPLICANT NAME INDIAN WELLS VALLEY WATER DISTRICT	PROJECT APPLICANT EMAIL	PHONE NUMBER (760) 375-5086	
PROJECT APPLICANT ADDRESS 500 WEST RIDGECREST BOULEVARD	CITY RIDGECREST	STATE CA	ZIP CODE 93555

PROJECT APPLICANT (check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

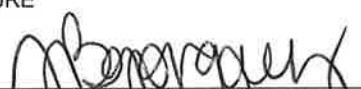
CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,070.00	\$	_____
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,210.25	\$	_____ 2,210.25
<input type="checkbox"/> Certified Regulatory Program document (CRP)	\$1,043.75	\$	_____ 0.00
<input type="checkbox"/> Exempt from fee			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	_____
<input checked="" type="checkbox"/> County documentary handling fee		\$	_____ 50.00
<input type="checkbox"/> Other _____		\$	_____

PAYMENT METHOD:

Cash
 Credit
 Check
 Other

TOTAL RECEIVED \$ _____ 2,260.25

SIGNATURE X 	AGENCY OF FILING PRINTED NAME AND TITLE Kern County Clerk, J. Bojorquez OST
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