

SECTION 5.0

MITIGATION MONITORING PROGRAM

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Mitigation Measures	Responsible for Implementation	Implementation/ Verification	Date Completed
B-3: Installation of the chain-link tortoise-proof fence shall be monitored full time by an authorized and/or Approved Biologist(s), as defined and designated by USFWS and CDFG.	IWWWD	The chain link desert tortoise-proof fence requirements shall be included in the bid specifications.	
B-4: After the chain-link tortoise-proof fence is installed, the Approved Biologist(s) shall conduct a 100 percent coverage survey within the fence to ensure that no desert tortoises have been trapped within the fenced area. If a tortoise is found within the fence then the Approved Biologist(s) shall monitor its activities and determine if it can exit the area on its own. If it cannot, then the fencing shall be removed/moved to allow the desert tortoise to move out of the area. Once the desert tortoise has moved out of the area, the fence shall be reinstalled.	IWWWD	Pre-construction surveys shall be conducted within the fence to ensure that no desert tortoises have been trapped inside the fenced area. The desert tortoise survey requirements shall be included in the bid specifications.	
B-5: After the chain-link tortoise-proof fence is installed, the fence shall be monitored at least weekly by designated personnel to ensure that there are no breaks in the fence or other means by which tortoises could enter the area.	IWWWD	Desert tortoise monitoring requirements shall be included in the bid specifications.	
B-6: Any desert tortoise burrow located within 100 feet of any construction activities shall be clearly marked by the Approved Biologist and shall be carefully monitored to ensure that the desert tortoise and its burrow are not taken. If the Approved Biologist(s) determines that this monitoring effort is insufficient to protect the desert tortoise, additional temporary fencing shall be placed between the burrow and the construction area in a manner that will direct the desert tortoise away from harm's way. The fence shall be installed by the contractor but under the direction of the Approved Biologist.	IWWWD	Desert tortoise monitoring requirements shall be included in the bid specifications.	

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B-7: Trenching and construction of the pipeline from Well 35 to the existing pipeline in Bowman Road that is located outside of the chain-link tortoise-proof fence shall be monitored full time by an Authorized and/or Approved Biologist, as defined and designated by USFWS and CDFG.	IWVWD	Desert tortoise monitoring requirements shall be included in the bid specifications.	
B-8: The Approved Biologist(s) shall maintain a log during each monitoring visit that includes a record of all desert tortoises that are encountered. The information collected shall include the locations of each occurrence, the general condition and health of each individual, diagnostic markings, and any actions undertaken. A post-construction compliance report shall be provided to the CDFG Palmdale office within 90 calendar days following project completion. The report shall document the effectiveness of the mitigation measures. The report will make recommendations for modifying or refining the above conditions to enhance desert tortoise protection. Unless otherwise determined, the CDFG regional representative shall be Ms. Rebecca Jones, Environmental Scientist, 36431 41 st Street East, Palmdale, CA 93552. (661) 285-5867.	IWVWD	All pre-construction survey and monitoring reporting shall be kept on file at IWVWD. A post-construction compliance report shall be submitted to CDFG Palmdale office within 90 days of project completion. Desert tortoise monitoring and reporting requirements shall be included in the bid specifications.	
B-9: Construction and maintenance vehicles shall not exceed a speed of 25 miles per hour on the site. Speed limit signs shall be installed along entrance roads.	IWVWD	Speed limits shall be posted on the site and included in the bid specifications.	
B-10: Project personnel shall carefully check under parked vehicles or equipment located outside of the tortoise-proof fence for desert tortoises before moving them. Desert tortoises found within the parking, traffic or construction areas outside of the fenced area shall be monitored until they move out of the area on their own.	IWVWD	Desert tortoise monitoring program requirements shall be included in the bid specifications.	
B-11: Upon discovery of a desert tortoise in a work area, all work in that area shall stop until the desert tortoise moves out of the area on its own.	IWVWD	Desert tortoise monitoring program requirements shall be included in the bid specifications.	

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<p>B-12: Open trenches, auger holes, or other excavations outside of the fenced area that may act as pitfall traps shall be inspected prior to working in or around the excavation and prior to backfilling. Other excavations outside of the fenced area that remain open overnight shall be covered to prevent them from becoming pitfall traps. Any animals found within the excavations shall be relocated by the Approved Biologist(s).</p>	IWWWD	Desert tortoise monitoring program requirements shall be included in the bid specifications.	
<p>B-13: All material areas, equipment storage areas, construction shacks, or other facilities related to the construction project must be within the fenced area. All construction activities shall be confined within the fenced area with exception of the construction of the pipeline from the fence line to the connection in Bowman Road.</p>	IWWWD	Desert tortoise fence requirements shall be included in the bid specifications.	
<p>B-14: If, in any event, a desert tortoise is injured as a result of project related activities during construction, it shall be immediately taken (by anyone or the Approved Biologist if present) to a veterinarian clinic with desert tortoise expertise. The veterinarian clinic in the vicinity is the VCA Crestwood Animal Hospital, 1131 Inyokern Road, Ridgecrest. Any veterinarian bills for such injured tortoises shall be paid by the District. The CDFG and USFWS shall be notified so they can determine the final disposition of the animal, if the injured tortoise recovers. Notification to the CDFG and the USFWS shall occur in writing, within five (5) calendar days of the incident. Notification shall include the date, time, location and circumstances of the incident.</p>	IWWWD	Injured desert tortoise protocol shall be included in the bid specification. Written notification to the CDFG and the USFWS shall occur within five calendar days of the incident.	
<p>B-15: If a tortoise is killed by project related activities during construction, or if a tortoise is otherwise found dead in the construction area, the CDFG and the USFWS shall be notified immediately and construction shall stop until otherwise notified by the the CDFG and USFWS. A written report shall be sent to the CDFG and the USFWS within five (5) calendar days. The report will include the</p>	IWWWD	Requirements for take of a desert tortoise shall be added to the bid specifications. Work shall stop and a written report shall be submitted to CDFG and USFWS within five calendar days of the incident.	

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date, time of the finding or incident (if known), location of the carcass and the circumstances (if known). Tortoise remains shall be collected and frozen as soon as possible. The CDFG and/or USFWS shall be contacted as to the ultimate disposition of the remains.			
B-16: No firearms or pets shall be allowed at the work area. Firearms carried by authorized security and law enforcement personnel are exempt from this term and condition.	IWWWD	No firearms or pets shall be allowed within the work area.	
B-17: The District shall notify the CDFG and USFWS fourteen (14) days before initiating ground-disturbing activities.	IWWWD	Written notification of ground-disturbing work shall be sent to CDFG and USFWS fourteen days before work starts.	
B-18: The District shall allow the CDFG and USFWS representatives access to the project site, subject to such reasonable restrictions at the District's requests.	IWWWD	CDFG and USFWS shall have access to the project site through coordination with IWWWD.	
B-19: A litter control program shall be instituted. The program includes the direction to all workers to eliminate food scraps, paper wrappers, food containers, cans, bottles, and other trash from the project area and to maintain covered trash containers that are regularly removed from the project site.	IWWWD	The litter control program shall be included in the bid specifications.	
B-20: Vegetation clearance and grading activities shall occur outside of the nesting season for burrowing owls (February 1 to August 31). In addition, focused surveys for burrowing owls shall be conducted prior to ground-disturbing activities at the well 35 site and any owls found shall be passively relocated outside of the nesting season according to approved protocols, such as the 1993 Burrowing Owl Consortium's Survey Protocol and Mitigation Guidelines and in coordination with CDFG.	IWWWD	Focused Pre-construction surveys shall occur within 30 days of initial ground disturbance. All pre-construction survey and monitoring reporting (if needed) shall be kept on file at IWWWD. Burrowing owls that are found will need to be relocated and protocols shall be included in the bid specifications.	

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<p>B-21: An Incidental Take Permit under Section 2081 of the California Fish and Game Code shall be required for the Mohave ground squirrel prior to ground-disturbing activities at the well 35 site. Mitigation required for this species at the project site shall be determined during the permit process. If possible, IWWWD shall amend an existing permit to authorize incidental take. IWWWD has already established a 120-acre mitigation bank that could be used for compensation. The Proposed Project would result in the loss of about 1.5 acres of potential Mohave ground squirrel habitat from construction of proposed Well 35, the loss of which is likely to be compensated for by credits in the existing mitigation bank.</p>	IWWWD	<p>The Incidental Take Permit requirements shall be included in the bid specifications. IWWWD shall compensate for lost Mohave ground squirrel habitat by establishing a mitigation bank.</p>	
CULTURAL AND PALEONTOLOGIC RESOURCES			
<p>CR-1: In the event that archaeological materials are encountered during ground-disturbing construction activities, these activities must be suspended in the vicinity of the find until the deposits are recorded and evaluated by a qualified archaeologist. If evaluated and determined eligible, the archaeological site must be avoided and preserved. If this is not feasible, an archaeological data recovery program shall be completed. The data recovery report will be submitted to the Indian Wells Valley Water District and filed with the Southern San Joaquin Valley Archaeological Information Center at CSU Bakersfield.</p> <p>If human remains of any kind are found during construction activities, all activities must cease immediately and the Kern County Coroner must be notified, as required by state law (Section 7050.5 of the Health and Safety Code). If the coroner determines the remains to be of Native American origin, he or she will notify the Native American Heritage Commission (NAHC). The NAHC will then identify the most likely descendant(s) (MLD) to be consulted regarding treatment and/or</p>	IWWWD	<p>The archaeological stop work clause shall be included in the bid specifications. Archaeological monitoring reports and data recovery reports (if required) shall be kept on file at IWWWD. The data recovery report (if required) shall also be submitted to the Southern San Joaquin Valley Archaeological Information Center at CSU Bakersfield.</p> <p>The Native American resources stop work clause shall be included in the bid specifications. Monitoring reports shall be kept on file at IWWWD.</p>	

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<p>reburial of the remains (Section 5097.98 of the Public Resources Code). Work can continue once the MLD's recommendations have been implemented or the remains have been reburied by the landowner if no agreement can be reached with the MLD (Section 5097.98 of the Public Resources Code).</p>			
<p>CR-2: Monitoring during the trenching for the pipeline from Well 35 to the existing pipeline in Bownman Road shall be conducted by a qualified vertebrate paleontologist. The monitor shall be equipped to recover fossils and sediment samples during excavation, and shall have the authority to temporarily halt or divert equipment to allow for recovery of large or numerous fossils. If any fossils are recovered, they shall be analyzed to a point of identification and curated at an established accredited museum repository with permanent retrievable paleontologic storage. A technical report of findings shall be prepared with an appended itemized inventory of identified specimens and submitted with the recovered specimens to the curation facility.</p>	IWWWD	<p>The paleontological monitoring and stop work clause shall be included in the bid specifications. A technical report of findings shall be prepared with any recovered specimens. Both the specimens and report should be sent to an accredited museum repository.</p>	
GEOLOGY AND SOILS			
<p>G-1: Proper construction, soil management, and storm water protection practices will prevent soil erosion and the loss of topsoil. Construction specifications will identify areas where soil excavation, grading, stockpiling, backfilling, or other disturbance may occur. The construction specifications will identify appropriate construction and soil management practices, such as stockpiling soils adjacent to the construction area, minimizing areas of disturbance, and appropriate slopes for excavations and backfill. The construction specifications will also identify the proper methods for protection of disturbed or exposed soils to prevent erosion.</p>	IWWWD	<p>Requirements for temporary excavations and backfill shall be added to the bid specifications.</p> <p>IWWWD will submit the Notice of Intent to comply with the general storm water permit for construction activities with the State Water Quality Control Board, Lahontan Region.</p> <p>The SWPPP shall be filed with the State Water Quality Control Board,</p>	

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<p>Prevention of soil erosion and loss of topsoil due to rainfall and storm water will be addressed through the preparation of a Storm Water Pollution Prevention Plan (SWPPP). IWWWD will file a Notice of Intent to comply with the general storm water permit for construction activities with the State Water Resources Control Board. The SWPPP will subsequently be prepared to identify site activities and conditions that may result in erosion or loss of topsoil due to storm water runoff. Appropriate best management practices (BMPs) for protection of disturbed areas and stockpiled soil will be identified. The SWPPP will also identify the applicable monitoring parameters and frequencies to be implemented in the case of storm events that occur during the construction period. The SWPPP will be submitted to the Lahontan Regional Water Quality Control Board and a copy must be maintained onsite during construction. The construction specifications will also include best management practices to prevent wind erosion, as specified by EKAPCD's Rule 402.</p> <p>The construction specifications will also address proper backfilling, compaction, and restoration requirements to prevent erosion of restored areas after construction is completed.</p>		Lahontan Region and maintained on the site during construction.	
HYDROLOGY AND WATER QUALITY			
<p>H-1: To evaluate whether the Proposed Project will have an incremental impact on individual wells, a mitigation monitoring program will be established. This mitigation monitoring program shall be in place for the life of Well 35. The mitigation monitoring program must be prepared by a California-licensed Certified Hydrogeologist or California-licensed Professional Engineer experienced with groundwater monitoring programs and procedures.</p>	IWWWD	See detailed monitoring and reporting program at the end of this table.	

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**MITIGATION MONITORING PROGRAM
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BIOLOGICAL RESOURCES			
<p>B-1: The District shall conduct an orientation program for all persons who will work on the well 35 site during construction. The program shall consist of a brief presentation from a person knowledgeable about the biology of the desert tortoise, FESA, and CESA. The education program shall include a discussion of the biology of the desert tortoise, the habitat needs of these species, their status under FESA and/or CESA, and the specific measures that are being implemented during construction to protect these species (See mitigation measures B-2 to B-19). In addition, they shall be advised as to the potential impact to tortoises and potential penalties (up to \$25,000 in fines per violation and one year in prison) for taking a threatened species. A fact sheet containing this information shall also be prepared and distributed. Upon completion of the orientation, employees shall sign a form stating that they attended the program and understand all protection measures. These forms shall be filed at the District office and at the construction office of the District's contractor and shall be made available to the CDFG and USFWS, upon request.</p>	IWVWD	The desert tortoise orientation program shall be included in the bid specifications. Employees will sign a form stating they understand all protection measures and forms will be filed at the IWVWD office, as well as the construction office of the contractor.	
<p>B-2: The well 35 site shall be surveyed for desert tortoise burrows within 24 hours prior to the onset of site disturbance. The inspections shall be conducted by the Approved Biologist(s), as defined and designated by USFWS and CDFG, and shall provide 100 percent coverage of the project disturbance areas. Tortoise occupancy of those burrows within the area of potential effect shall be determined by the Approved Biologist(s), as defined and designated by USFWS and CDFG. Occupied desert tortoise burrows shall be avoided.</p>	IWVWD	Pre-construction surveys shall be conducted within 24 hours prior to the onset of site disturbance. Occupied desert tortoise burrows shall be avoided.	

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<p>A detailed monitoring plan will be prepared that specifies field measurement procedures, the well locations to be included in the program, data collection and documentation procedures, and data analysis methods. The monitoring program will include a number of perimeter control wells, outside the area of influence of the Proposed Project, to document the baseline rate of water level decline over time. The monitoring program will also include any wells within two miles of new Well 35 for which the owners agree to participate in the program. It should be noted that non-participation in the monitoring program would make it extremely difficult if not impossible to evaluate whether or not the Proposed Project will have an effect on a specific individual well.</p> <p>Water levels will be measured semiannually in each well that is part of the program. The monitoring frequency and timing may be coordinated with monitoring that is currently conducted by KCWA to enhance the overall public knowledge of groundwater conditions in the valley. The monitoring data will also be provided to KCWA for inclusion in its public database of water levels in Indian Wells Valley. To help establish pre-Project conditions, the monitoring program should begin in 2012.</p> <p>Water level data from individual wells will be analyzed semiannually and compared with the data from the perimeter control wells. The data will be evaluated to determine whether the rate of water level decline in a well within two miles of new Well 35 starts to increase after Phase 2 of the Proposed Project is implemented relative to the baseline rate in the perimeter control wells. If a rate of decline greater than the baseline rate develops in any well in the monitoring program as a result of District activities, then a mitigation program will be developed for that well by IWWWD in cooperation with the well owner. The rate of decline must also be clearly correlated with activity related to the Proposed Project. For example, if</p>			

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<p>increased drawdown is occurring but new Well 35 has not been installed yet, or it is not pumped at a rate, in combination with other southwest well field wells (i.e. Wells 18, 33, and 34), that exceeds current pumping from those areas, then the increased drawdown cannot be attributed to the Proposed Project.</p> <p>The mitigation program will include an assessment of the time at which the water level decline may reduce the production rate of the well, such that the wells will not support land uses that existed at the time this EIR was certified. The mitigation must then be implemented prior to this determined water level decline, so that the well owner does not experience a loss of pre-Project land use. Potential mitigation options that may be considered include:</p> <ul style="list-style-type: none"> - Deepening an existing well; - Installing a different pump in an existing well; - Drilling a deeper well; or - Providing a hookup to IWWWD or another cooperative water system in the area. <p>The monitoring will be conducted by IWWWD. The mitigation options, if needed, may be installed by IWWWD or they may be funded by IWWWD and installed by the owner.</p> <p>Current depth to groundwater in the area of the Proposed Project is approximately 400 ft bgs. Drilling data from the 1993 U.S. Bureau of Reclamation study demonstrates that good quality groundwater is present to depths of at least 2,000 ft bgs in the Project vicinity. Even at a rate of decline of 2.6 feet per year, this mitigation approach will be effective for over 600 years. Thus, this mitigation measure will reduce potential impacts to groundwater levels to less than significant.</p>			

Mitigation Monitoring Program for Mitigation Measure H-1

This document describes the Mitigation Monitoring Program that will be implemented as part of Mitigation Measure H-1. Mitigation Measure H-1 was developed to address potentially significant impacts related to water level declines in private and cooperative wells located within two miles of new Well 35. The evaluations conducted for the EIR show that the impacts from pumping of Well 35 would not be measurable beyond a two-mile radius from that well. Well 35 would be installed as part of Phase 2 of the Water Supply Improvement Program (WSIP). Although Phase 2 is not anticipated to occur until 2015, at the earliest, the program described below will be initiated in 2012 to ensure that there is adequate lead time to identify appropriate wells, collect well-specific data, establish baseline trends, and identify the water-level depth at which a potentially significant impact may occur in pre-existing wells. Each of these components of the Mitigation Monitoring Program is described below.

As described in the EIR, the depth to groundwater in the area of new Well 35 is currently approximately 400 feet below ground surface (ft bgs). Data provided by Kern County Water Agency (KCWA) (included as Appendix F of the Draft EIR), indicates that from 1986 through 2007, groundwater levels in the southwest well field area were declining at the rate of approximately 1.6 feet per year, as shown on Figures 3.8-5 and 3.8-8 of the Draft EIR. This baseline rate of decline may change in the future due to factors such as changing patterns of water use and climatic conditions. The Mitigation Monitoring Program will identify the baseline rate of water level decline outside of the two-mile radius going forward in time, and compare this baseline rate with the rate that is occurring in wells within two miles of Well 35, once pumping of the new well commences.

The discussion below describes the specific actions and data interpretation methods that will be used for the Mitigation Monitoring Program for Mitigation Measure H-1.

Private and Cooperative Wells Within a 2-mile Radius of New Well 35

Records searches with the KCWA and Kern County Environmental Health Division, along with field reconnaissance surveys, will be conducted to identify wells located within two miles of the Well 35 location. Well owners will then be contacted with a request to participate in the Mitigation Monitoring Program. Participation is voluntary and will occur at no cost to the well owner. Lack of participation, however, would make it very difficult for a well owner to demonstrate an incremental future impact from pumping of Well 35 that requires mitigation. The detailed analysis to demonstrate such an impact outside of the Mitigation Monitoring Program would require a private party to obtain the services of a state-licensed Certified Hydrogeologist or Professional Engineer, in accordance with Department of Consumer Affairs, Board of Professional Engineers, Land Surveyors, and Geologists regulations and state law. As described in the EIR, the Mitigation Monitoring Program has been developed by and will be directed by an appropriately-licensed professional.

Participation in the Mitigation Monitoring Program will include allowing District and/or other agency staff (e.g. KCWA) to access the well to measure water levels on a routine basis, typically twice per year. In addition, the owner will provide any available records regarding the well, including water levels, well construction and pump information, drillers logs and well completion reports, and related information. The observations, measurements, well records, and other documentation will be used to identify the general condition of the well and pumping unit, and the water level at which an impact may occur, as described in more detail below. The water level data will be maintained by the District

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and provided to KCWA and the Indian Wells Valley Cooperative Groundwater Management Group. Evaluation of the data to identify if an impact may occur and the timing is discussed further below.

Perimeter Monitoring Wells

At least three perimeter monitoring wells will be identified at various locations at least two miles from Well 35. Existing wells may be used, or, if needed, new wells may be installed. The perimeter monitoring wells will be used to identify the baseline water level decline outside of the area of influence of Well 35. Tentative recommended locations include to the northwest, northeast, and to the east of the Well 35 location.

If needed, newly-installed perimeter monitoring wells will be drilled and installed under permit from and in compliance with the requirements of the Kern County Division of Environmental Health for monitoring wells. The perimeter monitoring wells should have at least 100 feet of screened interval, with the top of the screen at approximately the same elevation as the water table at the time the wells are installed.

Water levels will be measured at least twice per year in the perimeter monitoring wells, at the same time that the private and cooperative wells are measured. In addition, downhole pressure transducers and dataloggers may be installed in the perimeter monitoring wells to provide a continuous record of water levels at these locations. The water-level data from the perimeter monitoring wells will be used to establish the baseline rate of decline outside of the area of influence of Well 35, as discussed further below.

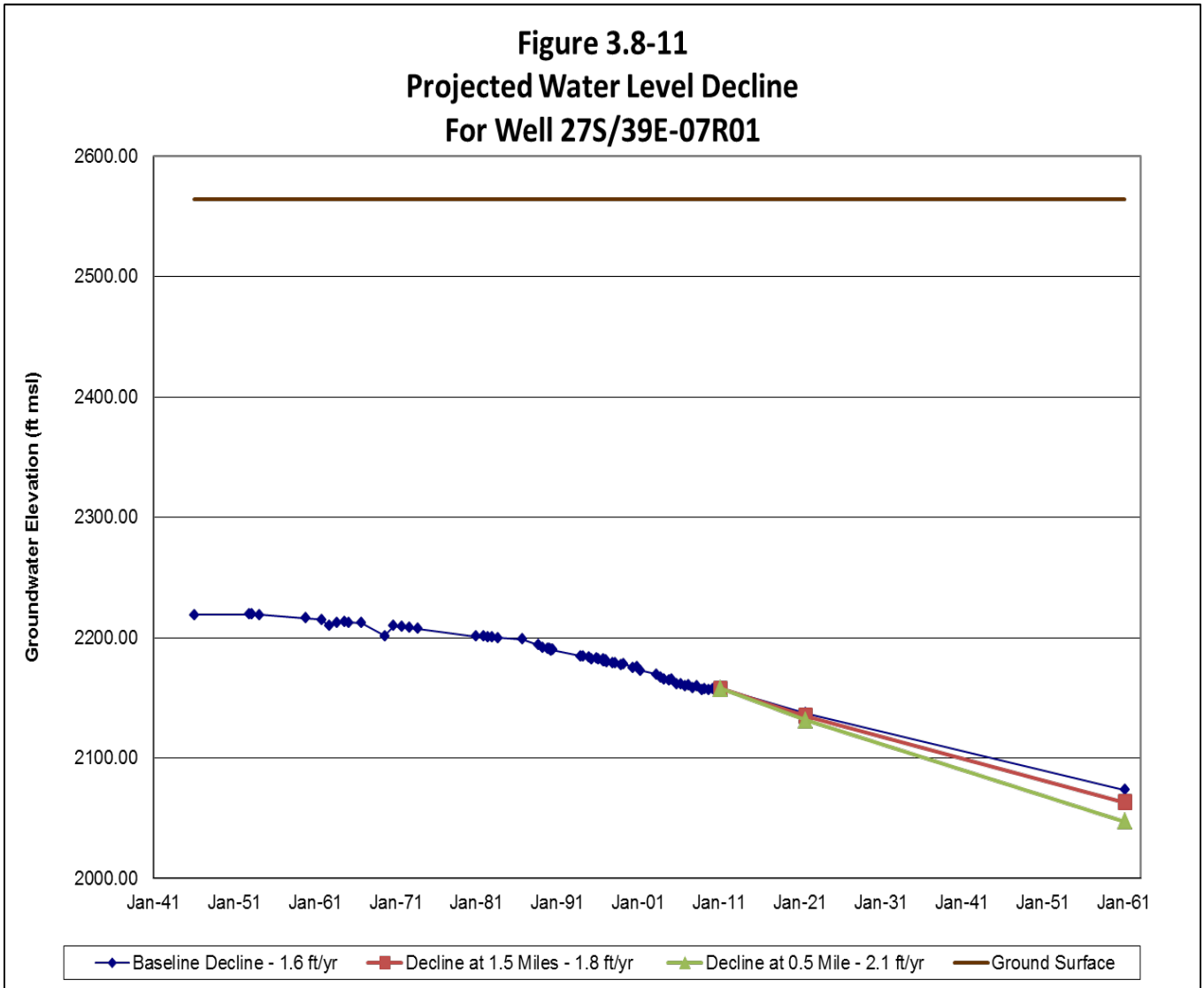
Calculation of Baseline Rate and Identification of the Timing of Potential Impacts

For each well that participates in the program, the observations, measurements, well records, and related information (if available) will be used to identify the general condition of the well and pumping unit, the current depth to groundwater at each well, the current height of the water column above the pump intake, and the depth to groundwater at which the production rate of the well will drop to the point where current land uses at the time the EIR was certified (i.e. 2012) can no longer be supported (referred to as the threshold level). Using the baseline data and a hydrograph such as that shown in Figure 3.8-11 of the EIR, and reproduced below (taking into account the existing condition of the well and pumping unit), the estimated date at which the production rate in an individual private or cooperative well may be affected by the existing baseline decline in water levels will be identified. Using Figure 3.8-11 as a hypothetical example, if the threshold level is 2100 feet above mean sea level (ft msl), then under current baseline conditions the threshold would be reached in the year 2044. If the mitigation monitoring indicates that, after pumping begins in Well 35, the threshold level will be reached sooner than 2044 in a well that is part of the Mitigation Monitoring Program, then one of the mitigation options for that well will need to be selected, installed, and operational prior to the date at which the groundwater elevation reaches the threshold level. The selected mitigation option, however, does not need to provide a permanent water supply. It only needs to sustain production in the affected well until the date at which the threshold level would have been reached under baseline conditions (e.g. in the hypothetical example, the year 2044).

It should be noted that the baseline rate of decline, as measured at the perimeter monitoring points outside the two-mile radius of influence, may change over time. To accommodate potential changes, the baseline rate of decline will be adjusted annually. Based on the existing trends in the KCWA

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database, the baseline rate of decline should be calculated based on the most recent moving compilation of 10 years of water level data using a best-fit linear trend. Therefore, the estimated time at which the threshold level in an individual well is projected to be reached may change each year. The timing of mitigation implementation will need to anticipate the potential for changes in the baseline rate to ensure that the mitigation option is selected, installed and operational prior to any threshold level being reached in individual private or cooperative wells.



Timing and Implementation of Mitigation

If the comparison of the rate of water level decline in any individual or cooperative well in the Mitigation Monitoring Program with the baseline rate in the perimeter monitoring wells demonstrates that the threshold level will be reached sooner than it would have if Well 35 would not have been installed and operated, then mitigation will need to be implemented. The first step in this process is to determine the timing at which the threshold level will be reached. In the hypothetical examples shown on Figure 3.8-11 (above), for the intermediate case (orange line with square symbols), the

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threshold level would be reached in approximately 2036, and for the lower case (green line with triangular symbols), the threshold level would be reached in 2031. Thus, in these two hypothetical examples, the threshold level would be reached eight years and 13 years sooner, respectively, than it would under baseline conditions. A measurable impact will hypothetically occur at these wells sooner than it would have without pumping at Well 35, so mitigation must be implemented to provide sufficient water to maintain current uses until the date that the threshold level would have been reached under baseline conditions. In the two hypothetical examples discussed in this paragraph, the selected mitigation option must provide sufficient water for eight years and 13 years, respectively

As described in the EIR, Mitigation Measure H-1, potential mitigation options include:

- Deepening an existing well;
- Installing a different pump in an existing well;
- Drilling a deeper well; or
- Providing a hookup to IWWWD or another cooperative water system in the area.

Other options may be considered at the time of implementation if they will also achieve the mitigation objectives. The final mitigation option to be installed will be selected based on agreement between the well owner(s) and the District. The selected mitigation option may be installed by the District, or it may be funded by the District and installed by the owner(s), at the owner(s) discretion. The mitigation option must be installed using properly-licensed contractors and only after applicable permits have been obtained.

In the hypothetical examples cited above, in this section, the need for mitigation will not occur for several decades into the future. The mitigation option does not need to be implemented as soon as the monitoring data indicate that an impact will occur. The District and the owner(s), however, will need to estimate how long it will take to implement the mitigation option, including obtaining the necessary permits, hiring appropriate contractors, installing the mitigation option, and testing the equipment. The mitigation option shall then be implemented with adequate lead time so that there is no risk of loss of well production adequate to support current land uses at the time the EIR was certified (i.e. 2012).

As discussed above, the timing of implementation may need to be adjusted to account for a change in the rate of baseline water-level declines in the perimeter monitoring wells. Therefore, if the Mitigation Monitoring Program indicates that mitigation is appropriate at some point in the future, the projected date at which the threshold level will be reached should be re-evaluated each year and the implementation timing, and required duration of the effectiveness of the mitigation option, revised accordingly.