

**Rosedale - Rio Bravo Water Storage District
McCaslin/Bowling Pipeline Project
Bakersfield, California**

Zeiders Consulting
1655 Greely Road
Bakersfield, CA 93314
**ADDENDUM #1
June 3rd, 2024**

NOTICE TO CONTRACTORS FIGURING THIS WORK

BID DATE: Date: Thursday, June 13th, 2024
Time: 2:00 p.m.
Place: Rosedale – Rio Bravo WSD
849 Allen Road
Bakersfield, CA 93314

You are hereby notified of the following changes in the Plans and Specifications, which shall take precedence over anything contrary therein.

Addendum #1 RFI QUESTIONS:

RFI-01: Is a “good faith effort certification” required to be in compliance with the grant language in section 200.321?

Answer: This project is being funded in part by a grant from the WaterSMART Drought Response Program: Drought Resiliency Projects, which is being administered by the U.S. Bureau of Reclamation (Reclamation). The Contractor, its Subcontractors and Suppliers will be required to be familiar with and to comply with all applicable Federal requirements. Certain Federal Requirements were included within the Contract Documents, including section 200.321 (contained within Section B-17). Section 200.321(b) specifies those “affirmative steps” that the prime contract must take under section 200.321(a).

RFI-02: Clarification on the Bio Requirements/Training?

Answer: All personnel need to be trained before being on site. District recommends that awarded contractor does a pre-job meeting at the District office to handle all training at once. See the full CEC (Categorical exemption checklist) for the full set of bio requirements attached below.

RFI-03: How should the water supply be bid?

Answer: For the intent of the bid assume that your water supply will be coming from a well. At the McCaslin site assume the agricultural well will be used in the southeast corner of the property. For the Bowling site see the image below. The vertical flowmeter can be removed,

and a sump pump can be used to pull water off that pipeline which should be full, and will prevent constant use of the District's production wells. This is located at Sup-5 which is approximately a third of a mile to the west from the Bowling project site.



RFI-04: *What are the expectations for the cultural monitoring? Will they hamper the speed of work?*

Answer: There are no expectations that the cultural monitoring will slow anything down. That being said, if an artifact is found there are action steps that must be taken by the District to ensure that the tribal concerns are met before construction can continue.

RFI-05: *Is 30" ripping acceptable, as opposed to the specified 36"?*

Answer: Yes, the District will accept a 30" rip.

RFI-06: *Where is ripping required?*

Answer: Where compaction occurs in the pond bottoms, excluding an 8' wide strip over the top of pipe, centered on the pipe.

RFI-07: *Will a sealed envelope be supplied to the Contractors per B-1 of the Bid Docs?*

Answer: No...you guys are on your own on that one.



— BUREAU OF —
RECLAMATION

Categorical Exclusion Checklist

Rosedale Rio-Bravo Water Storage District – Groundwater Banking Recovery Project CEC-22-037

prepared by

LAYNE BRAZIER

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Layne Brazier
Natural Resources Specialist
South-Central California Area Office
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AMY BARNES

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Amy Barnes
Archaeologist
Interior Region 10 · California – Great Basin, Bureau of Reclamation
Concurrence with Extraordinary Circumstance 8

concurring by

**NED
GRUENHAGEN**

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Ned Gruenhagen, Ph.D.
Wildlife Biologist
South-Central California Area Office
Interior Region 10 · California – Great Basin, Bureau of Reclamation

approved by

for

DAVID HYATT

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Michael Jackson, P.E.
Area Manager
South-Central California Area Office
Interior Region 10 · California – Great Basin, Bureau of Reclamation

Proposed Action

The Bureau of Reclamation (Reclamation) proposes to grant Rosedale-Rio Bravo Water Storage District (District) \$2,000,000 under the WaterSMART Drought Response Program: Drought Resiliency Projects for Fiscal Year 2022 for the proposed Groundwater Banking Recovery project. The District proposes the construction of three extraction wells and necessary conveyance facilities that would occur at existing recharge basins for the recovery and distribution of previously stored water (Figure 1 and 2).

Along with the wells, a pipeline would be installed to connect into existing conveyance lines. Locations and names of the wells are as follows: McCaslin Well 1 - 35°22'21.58"N, 119°17'10.64"W; McCaslin Well 2 - 35°22'21.76"N, 119°16'27.96"W; Bowling Well 1 - 35°22'32.51"N, 119°13'35.06"W. (See Figures 3 and 4).

The wells would have an approximate depth of 650-850 feet with perforations from approximately 400-700 feet. At the first well at the McCaslin Recharge Basin a 15-inch diameter PVC line would run for 1,800 linear feet. After that the diameter would be upsized to 27 inches and run for 4,000 feet. Then the diameter would upsize one more time to a 30-inch diameter line and run for 700 linear feet where it would cross the Goose Lake Channel and discharge into the Rosedale No. 1. Rosedale No. 1 is an open channel canal RRBWSD uses for moving water north/south to and from the Cross Valley Canal. A trench would be dug across the Goose Lake Channel for pipe installation. At the Bowling Recharge Basin 1,200 linear feet of 15-inch diameter PVC line would be connected to the Central Intake Pipeline which routes into the Cross Valley Canal. An excavator with a small bucket would be used to trench out areas for pipe installation and a backhoe may be used to push the pipe pieces together. All pipes would be buried a minimum of 3.5 feet below ground and the diameter of the trench would range from 24-36 inches.

Included in the Proposed Action, is the requirement for the District to obtain all required permits, such as, a Clean Water Act (CWA; 33 U.S.C §§ 1251 *et seq.*) section 404 permit that may be required by the U.S. Army Corps of Engineers (Corps) which was identified as a Mitigation Measure in the Final Environmental Impact Report/Addenda ([Stockdale-Final-EIR-November-2015.reduce.pdf \(rrbwsd.com\)](#) / [Notices | Rosedale-Rio Bravo WSD \(rrbwsd.com\)](#)); FEIR).

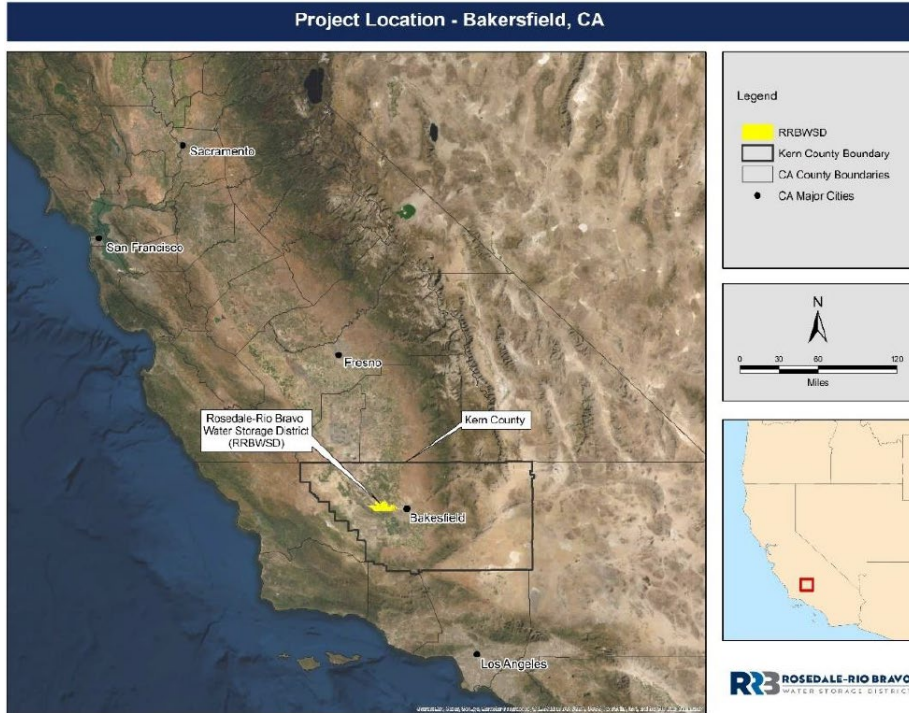


Figure 1. Groundwater Banking Recharge Project Location

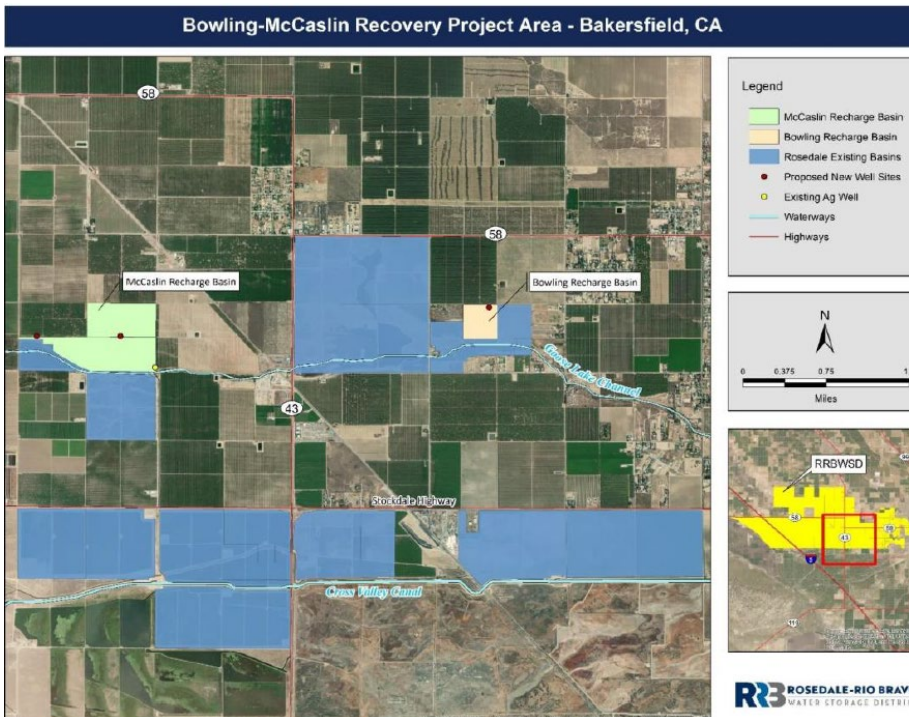


Figure 2. Groundwater Banking Recovery Project Area – Bowling and McCaslin

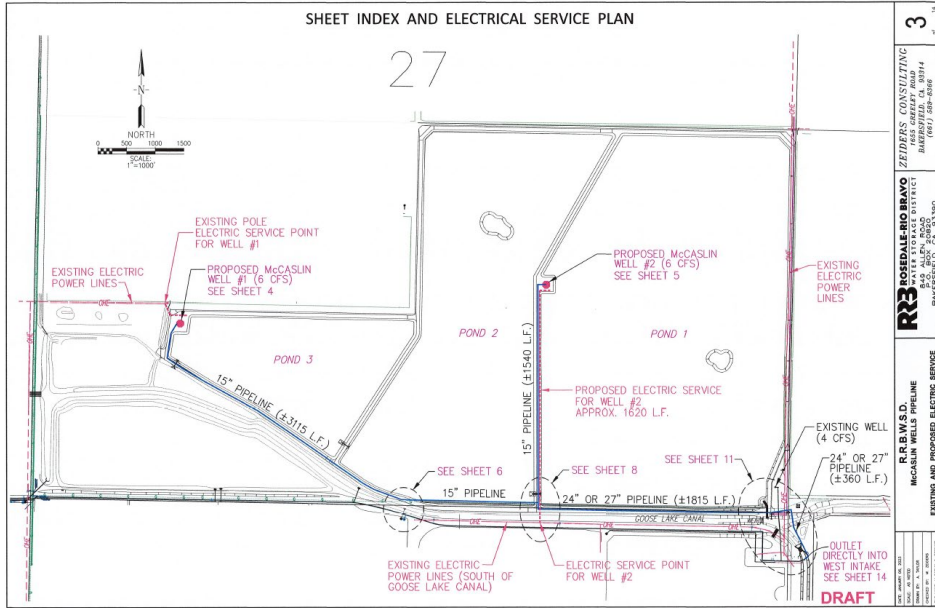


Figure 3. Pipeline Alignment and Well Locations for McCaslin Recharge Basin

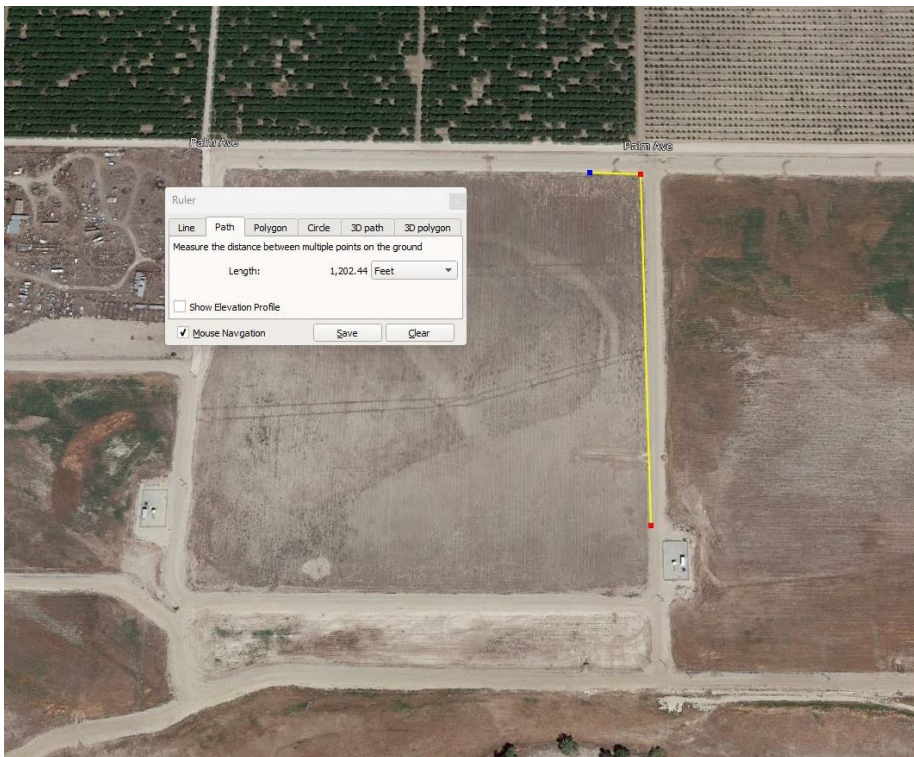


Figure 4. Pipeline Alignment and Well Location (Blue dot) for Bowling Recharge Basin

Environmental Commitments

RRBWS or its representatives shall implement the following environmental protection measures to avoid environmental consequences associated with the Proposed Action:

Hereafter, in this document, the “Service” refers to the U.S. Fish and Wildlife Service (USFWS) and/or the National Marine Fisheries Service (NMFS).

The “additional water supplies” made available by the Project must be used for existing purpose and there can be no land use change as result of deliveries of the additional water supplies unless and until further environmental review is completed, up to and including ESA consultation for effects to federally listed resources.

The District (or its agents or assigns) must implement the following environmental protection measures to avoid environmental consequences associated with the Proposed Action:

General Construction Measures

- Work (e.g., installation/construction) that requires deviation from said project description, such as ground disturbance outside of the described areas, or vegetation removal beyond that at pipelines or at well sites, etc., requires re-initiating the authorization process with Reclamation.
- Copy of the *Environmental Commitments* must be kept readily available at the work site by the foreperson or other responsible party whenever meter work is being conducted.
- The environmental resources compliance identified in the FEIR and any amendments for the larger described action, under which this current action is a component and is being taken, must be implemented, and complied with.
- To the extent possible, burrows should be avoided during construction (**also see requirements below**).
- Work at project sites would be conducted between sunrise and sunset whenever possible to minimize activity when nocturnal species would be active.
- Speed limit of vehicles shall adhere to posted or regulated speeds on public roadways and should not exceed 15 miles per hour on private drives/land. To the extent possible, vehicles should restrict travel to existing pathways or areas already disturbed by vehicles.
- All workers have the right to halt work to avoid take of species listed under the federal endangered species act (16 U.S.C. § 1531 *et seq.*).
- The RRBWSD retained biologist shall conduct a preliminary site survey at least 15 days and but more than 30 days before onset of construction to determine if species specific biological surveys need to be conducted before construction is to be initiated.
- A survey for SJKF following USFWS guidelines (USFWS 2014) shall be conducted for the Project.

Site Worker Handout

A handout (or fact sheet), with color images of the following Endangered Species Act (ESA) (16 U.S.C. §1631 *et seq.*) listed species: Buena Vista Lake Ornate Shrew (BVLOS; *Sorex ornatus relictus*), San Joaquin kit fox (SJKF; *Vulpes macrotis mutica*) and Tipton kangaroo rat (TKR; *Dipodomys nitratooides nitratooides*), Blunt-nosed Leopard Lizard (BNLL; *Gambelia silus*); Kern mallow (KMLW; *Eremalche kernensis*) and San Joaquin Woolly-threads (SJWT; *Monolopia (=Lembertia) congdonii*) and Burrowing owl (BOWL; *Athene cunicularia*) shall be provided by the District to all onsite construction workers. The Handouts must be available in alternative languages if needed. A simple list of the names of all persons working on the Project and the date they received the handout, must be maintained by the District Project manager.

The handout must provide:

- A written description of each of the above species, their key characteristic (i.e., body form, size, coloration patterns, etc.), and habitat requirements.
- The handouts will include the avoidance measures being implemented during Project work, along with the contact information for Reclamation biological staff.
- The handout will provide an explanation of the above species' ESA listing status, protections under the ESA, or other protections as well as penalties for violations of uncovered take of a protected species, including personal civil and or criminal liability.
- The handout also must note that the species listed above are protected under the ESA pr the Migratory Bird Treaty Act (MBTA; 16 U.S.C.§ 703-712) and that no "Take" of any such individual is permitted. The definition of "Take" and the penalties for illegal take under the ESA must be noted on the handout as follows:

Definition of "Take" under the Endangered Species Act (ESA) U.S.C. 16 §1531 et seq.

"Emphasis added"

*Section 9 of the ESA and Federal regulation pursuant to section 4(d) of the ESA prohibit the take of endangered and threatened species, respectively, without special exemption. **Take is defined as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. Harass is defined by the Service as an intentional or negligent act or omission which***

*creates the likelihood of injury to a listed species by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering. **Harm is defined** by the Service to include significant habitat modification or degradation that results in death or injury to listed species by impairing behavioral patterns including breeding, feeding, or sheltering. Incidental take is defined as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. Under the terms of section 7(b)(4) and section 7(o)(2), taking that is incidental to and not intended as part of the agency action is not considered to be prohibited taking under the ESA provided that such taking is in compliance with this Incidental Take Statement.*

Sections 7(b)(4) and 7(o)(2) of the ESA, which refer to terms and conditions and exemptions on taking listed fish and wildlife species, do not apply to listed plant species. However, section 9(a)(2) of the ESA prohibits removal, reduction to possession, and malicious damage or destruction of listed plant species from areas under Federal jurisdiction, as well as any act that would remove, cut, dig up, or damage or destroy any such species on any area in knowing violation of any State law or regulation, including the California Endangered Species Act, or in the course of any violation of a State criminal trespass law. Actions funded, authorized or implemented by a Federal agency that could incidentally result in the damage or destruction of such species on Federal lands are not a violation of the Act, provided the Service determines in a biological opinion that the actions are not likely to jeopardize the continued existence of the species.

Provisions against “take” under the MBTA of 1918 is similar that for ESA protected species except that there is no provision against harm. The definition under 16 U.S.C. §703 of the MBTA is that:

it is unlawful to pursue, hunt, take, capture, kill, attempt to transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export, any migratory bird, any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or in part, of any such bird or any part, nest, or egg thereof (<https://www.fedcenter.gov/Articles/index.cfm?id=2440>; accessed December 22, 2023).

Pipe installation Measures:

- Any pipe stored on site (e.g., including in staging areas) that is > 1-inch diameter shall be stored either at least 3 feet above ground level, or alternately, have the ends covered and unavailable to animals. Before moving pipe, it must be visually inspected for the presence of animals.
- Before ground disturbance or trenching is conducted, including across Goose Lake Channel, the area or trenching route and the adjacent area on each side of the prospective trench must be surveyed no more than 30 days and not less than 10 days from

commencing trenching to examine the site for the presence of potential protected species. If there is evidence of the presence of protected species, Reclamation must be contacted per directions.

- If biological surveys reveal the presence of water nearby and there is dense vegetative cover and at the Goose Lake Channel pipeline crossing when construction at the channel would occur, a biological survey must be performed for BVLOS. The survey should follow USFWS protocol (U.S. Fish and Wildlife Service [USFWS]. Undated; [Survey Protocol for Buena Vista Lake Ornate Shrew \(fws.gov\)](https://www.fws.gov/sites/default/files/documents/survey-protocols-for-the-buena-vista-lake-ornate-shrew.pdf), <https://www.fws.gov/sites/default/files/documents/survey-protocols-for-the-buena-vista-lake-ornate-shrew.pdf>). However, because recent research comparing surveying techniques for this species reportedly indicates that camera traps are most effective for detecting the species (Cypher et al., 2023, Unpubl.), Reclamation biological staff should be contacted to check and verify with the USFWS the protocol that should be used.
- To prevent inadvertent entrapment of protected species, all excavated, steep-walled holes or trenches (i.e., walls greater than or equal to a 45-degree slope, or greater than or equal to 3 feet deep, shall either be covered with a solid covering (e.g., plywood or other solid covering) or filled so that such areas do not remain open overnight and subject listed species risk of entrapment. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured special-status species is discovered, the District shall immediately contact the appropriate agency(ies) (e.g., USFWS and CDFW) with regulatory responsibility for the species to determine how to proceed.
- Any protected species present in piping or in an area of construction must be allowed to move volitionally to an area where they would not be disturbed, harmed, or otherwise adversely affected by the Proposed Action **and Reclamation shall be notified** (see Notification Procedures). If a listed species individual(s) is(are) unable to, or does(do) not leave volitionally, work shall not be conducted at that specific location and the California Department of Fish and Wildlife (CDFW) shall be contacted for assistance in dealing with the species at the site.
- If there is uncertainty concerning species identification, and the species present cannot be ruled out as a listed species (e.g., by the image), the protocol shall be to assume that a federally listed species is present.
- If a federally listed species is observed at a work site and is at risk of take, work shall be halted or deferred and the listed individual(s) shall be allowed to move away from the area of their own free will (i.e., volitionally). All listed species must be allowed to move freely and to where they would not be disturbed or otherwise affected by Project activities (either moving farther away and out of view, including underground,) before work may be initiated. If a listed species is unable or does not move away from the area on its own and may be at risk of take (e.g., including plants), work at the site must be deferred and not reinitiated until Reclamation is notified (see Notification Procedures) and a written notice to proceed has been received from Reclamation. Consultation with the Service may be required.

- After conferring with Reclamation, and after completion of any ESA section 7 consultation, all verified records of federally listed species shall be reported to the California Natural Diversity Database (CNDDDB) by the District.
- Information on the observed listed species should also be provided to the Service:

Deputy Field Supervisor, Sacramento Fish and Wildlife Office
Kim Turner
Sacramento Fish and Wildlife Office
2800 Cottage Way
Sacramento, CA 95825
Tel. (916) 414-6606

Notification Procedures:

- If a listed or similar species is observed, work at that specific project site shall be delayed and the following shall be implemented:
 - Project work at the project site shall immediately stop and the foreperson (or onsite individual in charge) shall contact: 1) the Project biologist and then 2) the District Project Manager and inform them of the species observation(s).
 - Confirmation of the message received and understood will be provided to the foreperson by both the Project biologist and the District Project Manager.
 - The Project biologist shall then be responsible to immediately communicate the information (see list below) to the Reclamation contacts below. Alternatively, if the Project biologist is unavailable the District Project Manager shall contact Reclamation. If the Project biologist and District Project Manager are both out of contact, the foreperson shall immediately contact and inform Reclamation of the observation(s).
 - Observation reporting to Reclamation shall be done as soon as possible, but no later than by the next customarily scheduled workday (i.e., Monday through Friday), excepting federal holidays.
 - Observation reporting shall include the following information: name(s) of the observer(s), the species, the number of individuals, date, time, location (preferably with GPS coordinates), and image if available, and other particulars, including environmental conditions during the observation.

- Work shall not proceed until a written notice to proceed has been received from Reclamation.

Reclamation’s Points of Contact:

Shalese Henderson, Water Conservation Specialist
sphenderson@usbr.gov
 (916) 978 - 5203 (office)

Ned Gruenhagen, Wildlife Biologist
ngruenhagen@usbr.gov
 (559) 262-0343 (office)
 (559) 284-2735 (cell)

David Hyatt, Resources Management Division Chief
dhyatt@usbr.gov
 (559) 262-0334 (office)
 (559) 905-0279 (cell)

Migratory Bird Treaty Act and Measures

Bird-nesting season typically runs from February through August. If work activities occur during the migratory bird breeding period, and nesting birds are within 50 feet of the work site and they respond by leaving their nest upon approach by workers, work must be deferred until a qualified biologist assesses conditions around the nest site and determines whether “take” of a migratory bird protected under the Migratory Bird Treaty Act (16 U.S.C. 703-712) would occur from work activity. The biologist must submit a written report to Reclamation of their determination of the effect of Project activity. If avoidance measures can be implemented that would avoid take, those measures shall be described and provided to Reclamation and the District. If measures are determined necessary to avoid take, the biologists’ recommendations must be implemented if the District wishes to continue activities at such time. Alternately, the District may choose to reschedule activity to after the nesting period when the young have fledged and are no longer dependent on the area for their development and survival or at times the nest is no longer occupied.

Unless otherwise determined, suitable burrowing owl burrows will be assumed occupied during the breeding season. An avoidance of activity zone for 250 feet from such burrows shall be maintained through the period of breeding or until young have fledged and departed from burrow(s).

- If BOWL are occupying a burrow prior to initiating construction, impacts will be minimized by establishing a buffer around the burrow of 160 feet during the non-breeding season (September 1 through January 31). During the breeding season (February 1 through August 31), impacts will be minimized by establishing a buffer around the burrow of 250 feet for all project-related construction activities until a qualified biologist confirms that the nest is no longer active, and CDFW concurs, or consultations with CDFW specifically allow certain construction activities to continue.

The size of the buffer may be adjusted if a qualified biologist and CDFW determine that the adjustment would not result in take. The size of the buffer may be adjusted similarly during the non-breeding season.

- Active nests will be monitored by a qualified biologist to determine when the young have fledged and are feeding on their own. CDFW will be consulted for clearance before construction activities resume within a no disturbance buffer. BOWL may also occupy burrows outside the breeding season.
- For construction outside the BOWL nesting season, the District retained biologist must conduct a survey of the Project area for the presence of BOWL. If burrows are present that are unoccupied at the time of the survey, but they may become occupied before construction reaches those burrows, and the burrows are within 50 feet of the construction activity, survey(s) must be conducted as necessary to ensure that provisions can be implemented to ensure that no take would occur.

Environmental consequences for resource areas assume the measures specified would be fully implemented.

Exclusion Category

43 CFR 46.210 (c): Routine financial transactions including such things as salaries and expenses, procurement contracts (e.g., in accordance with applicable procedures and Executive Orders for sustainable or green procurement), guarantees, financial assistance, income transfers, audits, fees, bonds, and royalties.

Extraordinary Circumstances

Below is documentation that Reclamation considered whether there were extraordinary circumstances associated with the action as required in 40 CFR 1501.4(b). The criteria reflect the Extraordinary Circumstances detailed in 43 CFR 46.215, the requirements of Executive Orders (EOs), and Reclamation policy on Indian Trust Assets (ITAs).

Extraordinary Circumstance	Yes, No, or Uncertain
(1) This action would have a significant effect on the quality of the human environment (40 CFR 1502.3)	No
(2) This action would have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA Section 102(2)(E) and 43 CFR 46.215(c)).	No
(3) This action would have significant impacts on public health or safety (43 CFR 46.215(a)).	No

Extraordinary Circumstance	Yes, No, or Uncertain
(4) This action would have significant impacts on such natural resources and unique geographical characteristics as historic or cultural resources; parks, recreation, and refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (EO 11990); flood plains (EO 11988); national monuments; migratory birds; and other ecologically significant or critical areas (43 CFR 46.215 (b)).	No
(5) This action would have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks (43 CFR 46.215(d)).	No
(6) This action would establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects (43 CFR 46.215 (e)).	No
(7) This action would have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects (43 CFR 46.215 (f)).	No
(8) This action would have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by Reclamation (LND 02-01) (43 CFR 46.215 (g)).	No
(9) This action would have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated critical habitat for these species (43 CFR 46.215 (h)).	No
(10) This action would violate a Federal, tribal, State, or local law or requirement imposed for protection of the environment (43 CFR 46.215 (i)).	No
(11) This action would affect ITAs (512 DM 2, Policy Memorandum dated December 15, 1993).	No
(12) This action would have a disproportionately high and adverse effect on low income or minority populations (EO 12898) (43 CFR 46.215 (j)).	No
(13) This action would limit access to, and ceremonial use of, Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007, 43 CFR 46.215 (k), and 512 DM 3)).	No

Extraordinary Circumstance	Yes, No, or Uncertain
(14) This action would contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act, EO 13112, and 43 CFR 46.215 (l)).	No

NEPA Action Recommended

This action is covered by the exclusion category and no extraordinary circumstances exist. The action is excluded from further documentation in an Environmental Assessment or Environmental Impact Statement.

End of Addendum #1