



MEMORANDUM

TO: Biola Community Services District Board of Directors
FROM: Gary D. Horn
DATE: September 19, 2019
RE: Environmental Review and Project Approval for SRF Water System Upgrade Project

BACKGROUND

The Biola Community Services District has received a Planning Grant from the State Revolving Fund (SRF) to prepare plans for improvements to the water system. The planning grant funded the preliminary engineering report, preparation of the construction plans and specifications and the environmental review.

There are adequate water sources of supply in the two existing wells. Deficiencies lie in the distribution system and storage for fire flow capability. The District will also benefit from adding an Automatic Meter Reading system to reduce labor costs, eliminate human meter reading errors and allow detection of leaks at customer locations. The following improvements are included in the project:

1. Construct additional 10-inch and 8-inch diameter water mains to provide fire-flow and complete looping of the distribution system. Replacement of water service lines in Tract No. 3681.
2. Construct a 500,000 gallon ground-level storage tank at Well No. 4 site with a SCADA system to monitor tank and well operations.
3. Install a cellular-based automatic meter reading system to collect meter data and leak detection.

The locations of the proposed work is shown on the attached plan.

The construction of the storage tank required approval by the County of Fresno of a Director Review & Approval and Variance applications. The County conducted an environmental review of the project utilizing the biological and cultural studies prepared by the district. The district is utilizing their work as the basis for the environmental review.

The cost estimate for the project is \$4.74 million.

Biola CSD has submitted an application for construction funding for the project, which is being reviewed by the State Water Board.

SITUATION

An environmental review of the proposed project has been conducted and a Mitigated Negative

16-311

Declaration was adopted by the County of Fresno as part of their approval of the project. The mitigation measures are contained in the attached Mitigation Monitoring and Reporting Program. The Biola CSD is referred to as the "Applicant."

The environmental documents consisting of the Initial Study, Biological Evaluation and Cultural Resources Survey and the mitigation measures have been reviewed and approved by the State Water Board. Because the State utilizes Federal Environmental Protection Agency funds, their review included required consultation with the U.S. Fish and Wildlife Service. The County's Evaluation of the Environmental Impacts (Initial Study) and resulting mitigation measures is attached.

The Water Board is also asking that the Board of Directors approve the project.

Following adoption of the recommended actions, the Water Board will conduct a final technical review. Once that is complete, then the project will be routed to their Contracts Department who will prepare the Funding Agreement. A timeline for these actions is not known.

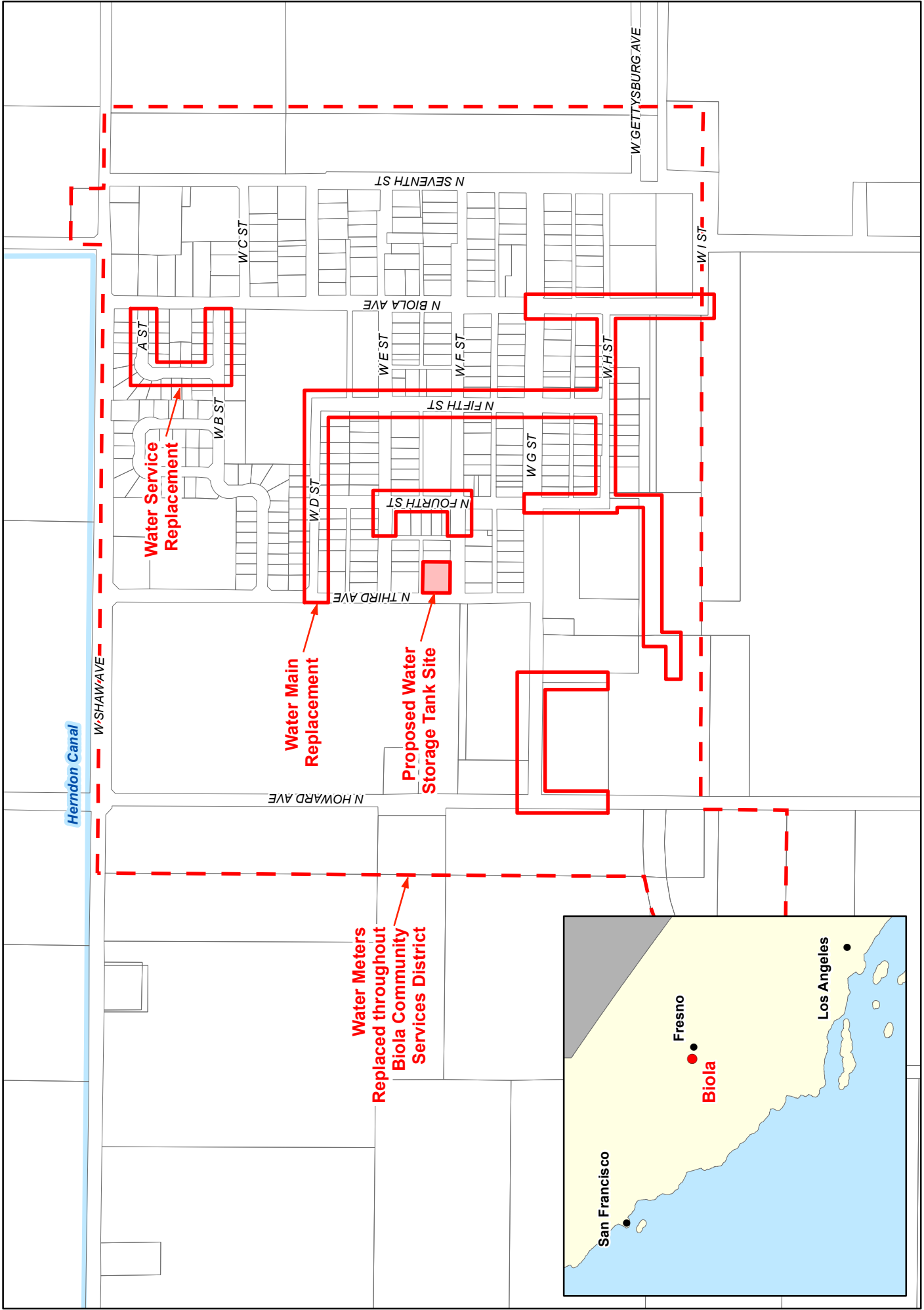
RECOMMENDATION

We recommend that the Board adopt the attached resolution taking the following actions:

1. Adopt the Initial Study/Mitigated Negative Declaration.
2. Adopt the Mitigation Monitoring and Reporting Plan
3. Approve the project.

ATTACHEMENTS

1. Project Vicinity Map
2. Mitigation Monitoring and Reporting Program
3. Evaluation of the Environmental Impacts
4. Resolution

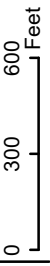
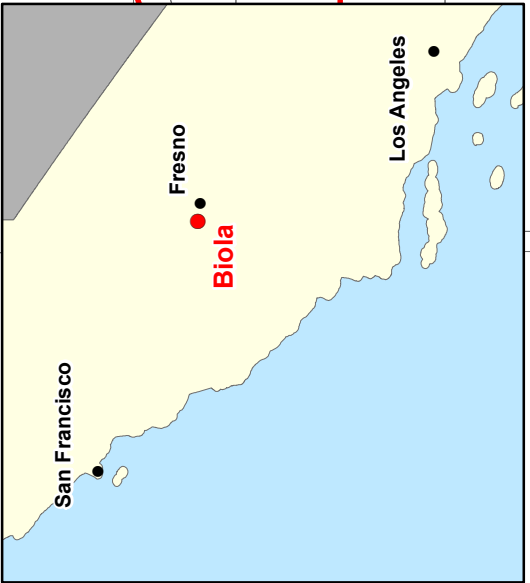


Water Meters
Replaced throughout
Biola Community
Services District

Water Service
Replacement

Water Main
Replacement

Proposed Water
Storage Tank Site



Water Main or Service Replacement
 Water Storage Tank Site
 Water Meter Replacement

Mitigation Monitoring and Reporting Program
Initial Study Application No. 7384/Director Review and Approval Application No. 4522/Variance Application No. 4050
(Including Conditions of Approval and Project Notes)

| Mitigation Measures | | | | | |
|-------------------------|----------------------|---|-------------------------------|--|----------------------------|
| Mitigation Measure No.* | Impact | Mitigation Measure Language | Implementation Responsibility | Monitoring Responsibility | Time Span |
| 1. | Aesthetics | Prior to final inspections, the Applicant shall install landscaping along the southern property line as indicated on the site plan, including native or drought-resistant trees. | Applicant | Applicant/Fresno County Department of Public Works and Planning (PW&P) | Prior to final inspections |
| 2. | Aesthetics | Prior to the operation of the water-storage tank, all outdoor lighting shall be hooded, directed, and permanently maintained as not to shine toward adjacent properties and public roads. | Applicant | Applicant/PW&P | Prior to operation |
| 3. | Biological Resources | <p>All Special Status and Protected Animal Species: Preconstruction habitat assessment surveys shall be conducted before any ground-disturbing activities are to begin. If the surveys detect the presence of habitat for listed or protected species or migratory birds, then the Project will be paused until the following measures or consultation with the California Department of Fish and Wildlife (CDFW) and/or U.S. Fish and Wildlife Service (USFWS) can occur:</p> <p>a. American Badger: A pre-construction survey for American badgers shall be conducted by a qualified biologist within 30 days of the onset of Project-related activities involving ground disturbance or heavy equipment use. Pre-construction surveys will be conducted in all suitable denning habitat of the Project area.</p> <p>b. Special Status Amphibians: A qualified biologist shall survey affected areas for Special Status amphibians within 30 days of the onset of land grading or other site disturbance. The biologist will look for individuals and eggs.</p> <p>c. Special Status Bat Species: If removal of buildings, structures and/or trees is to occur between April 1 and September 30 (general maternity bat roost season), then within 30 days prior to these activities, a qualified biologist shall survey affected buildings and trees for the presence of bats. The biologist will look for individuals, guano and staining, and will listen for bat vocalizations. If necessary,</p> | Applicant | Applicant/PW&P | Prior to construction |

| | | | | | |
|----|----------------------|---|-----------|----------------|-----------------------|
| | | <p>the biologist will wait for nighttime emergence of bats from roost sites.</p> <p>d. The United States Fish and Wildlife Service (USFWS)-approved preconstruction protocol-level surveys for San Joaquin kit fox shall be conducted no fewer than 14 days and no more than 30 days prior to the onset of any ground-disturbing activity. The Applicant/operator shall follow Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to and During Ground Disturbance (USFWS 1999). These surveys can also detect raptors, migratory songbirds and any other Special Status Species in the area and recommend any additional appropriate avoidance and minimization measures.</p> <p>e. If activities take place during avian nesting season (March 1 - August 1), a qualified biologist shall conduct nest surveys within a 500-foot radius of the construction site for neotropical migratory birds and 0.5 mile for Swainson's hawks. Appropriate measures shall be determined in consultation with the California Department of Fish and Wildlife (CDFW) in the event an active nest is located in an area subject to disturbance. No restrictions are required for avian species for construction activities that occur during the non-breeding season (September 1 through February 28) or after the young have fledged, which must be determined based on surveys by a qualified biologist.</p> | Applicant | Applicant/PW&P | Prior to construction |
| 4. | Biological Resources | <p>All Special Status Animal Species: If pre-construction surveys detect Special Status Species, the Applicant shall initiate informal consultation with the California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS), if applicable. The Applicant shall communicate with and coordinate activities with a CDFW/USFWS biologist who is specifically assigned to deal with these issues in Fresno County. That biologist shall identify measures for avoidance, minimization, and mitigation.</p> | Applicant | Applicant/PW&P | Prior to construction |
| 5. | Biological Resources | <p>All Special Status Animal Species: If pre-construction surveys detect listed or protected species, a biologist (monitor) shall be retained on site during construction to educate workers, monitor compliance with best management practices, and to identify and protect natural resources, including Special status species. The monitor will be responsible for ensuring that appropriate measures are taken to prevent disturbance of core avoidance areas. Any unauthorized take of Special Status</p> | Applicant | Applicant/PW&P | During construction |

| | | | | | |
|----|----------------------|---|-----------|----------------|---|
| 6. | Biological Resources | <p>Species will be immediately reported to CDFW by the monitor. The monitor will also notify the Project Coordinator who will stop work until corrective measures are implemented.</p> <p>The Applicant shall consult with CDFW/USFWS and shall perform the following measures as part of their permitting process with the agencies in order to help minimize impacts to kit foxes, raptors and other species:</p> <ul style="list-style-type: none"> a. Revegetate disturbed areas with trees and grass from on the site or adjacent areas; and b. Prior to the start of construction of each phase of Project development, the Applicant shall retain a qualified biologist to conduct a meeting to train all construction staff that will be involved with the Project on Special Status plant and animal species. This training will include a description of the Special Status Species and their habitat needs; a report of the occurrence of Special Status Species in the Project area; an explanation of the status of the Special Status Species and their protection under the Endangered Species Act; and a list of the measures being taken to reduce impacts to the Special Status Species during Project construction and implementation. | Applicant | Applicant/PW&P | Prior to construction |
| 7. | Cultural Resources | <p>In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.</p> | Applicant | Applicant/PW&P | During ground-disturbing activities |
| 8. | Noise | <p>The Applicant shall install a 6-foot masonry block wall along the eastern and southern property lines. Noise attenuation housing will be installed on the existing well pump motor and on the three proposed booster pump motors.</p> | Applicant | Applicant/PW&P | Prior to operation of the booster pumps |

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference recommended Conditions for the project.



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT:** Biola Community Services District
- APPLICATION NOS.:** Initial Study Application No. 7384, Director Review and Approval Application No. 4522, and Variance No. 4050
- DESCRIPTION:** The project consists of the construction of a 500,000-gallon water storage tank with boost pumps at the existing well site on the Assessor's Parcel Number 016-265-10T in the R-1 (Single Family Residential) Zone District. Site improvements will be necessary to accommodate the tank and pumps. The project also proposes to replace water services, install new 10-inch water mains to replace existing 6-inch and 8-inch water mains in selected areas of the District, and to replace all existing water meters throughout the District. A variance is required to allow 6-foot fencing and walls to be built within the front- and side-yard setbacks where the height is limited to three feet.
- LOCATION:** The 500,000-gallon water storage tank will be located on Assessor's Parcel Number 016-265-10T. The water main, service, and meter replacement will take place mostly in the public right-of-way, with the exception of a portion running across private property to the southwest of the intersection of West H Street and North Fourth Street. This portion crosses APNs 016-300-28ST, 016-190-28S, and 016-080-55S. The entirety of the project is located within the limits of the Biola Community Services District located in the unincorporated community of Biola. (Sup. Dist. 1)

I. AESTHETICS

- A. Would the project have a substantial adverse effect on a scenic vista; or
- B. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

FINDING: NO IMPACT:

According to Figures OS-1 and OS-2 of the Fresno County General Plan, there are no recreational trails, scenic or landscaped drives, or scenic highways near the project site.

- C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject parcel is located in the unincorporated community of Biola. This area is characterized by a cluster of residential uses surrounded by large agricultural parcels. The aboveground water storage tank will be located on the western edge of the community, with single-family residences to the north, east, and south and agricultural uses to the west. The site is currently developed with a pump house and a 10,000-gallon hydro-pneumatic tank. The major vegetative cover consists of residential-type trees. Houses to the east of the project site face F Street and a slatted chain-link fence provides some screening for the project site. Residences north of the project site face E street (away from the project site) and are separated from the project site by a wooden fence and an alley.

The house directly south of the project site has the greatest potential to be impacted by the installation of the water tank. This residence currently faces the existing water pump and 10,000-gallon tank. The site plan indicates that up to ten new trees will be placed in a landscaped strip of land along the southern and western edges of the property. With the installation of this landscaping and trees to screen the tank from this property, impacts to the existing visual character of the neighborhood will be less than significant.

* **Mitigation Measure**

1. *Prior to final inspections, the applicant shall install landscaping along the southern property line as indicated on the site plan, including native or drought-resistant trees.*

- D. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

This project involves the installation of ground-mounted lights and a light located atop the proposed tank. The applicant will be required to install all lighting such that it is hooded and pointed downward away from adjacent properties and public right-of-way. With adherence to this mitigation measure, impacts from the new sources of light on surrounding properties and nighttime views of the area will be less than significant.

* **Mitigation Measure**

2. *Prior to operation of the water-storage tank, all outdoor lights shall be hooded, directed, and permanently maintained so as not to shine toward adjacent properties and public roads.*

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of statewide importance to non-agricultural use?

FINDING: NO IMPACT:

The Fresno County Important Farmlands Map (2014) designates this parcel and the majority of the community of Biola as "Urban and Built-Up Land." Therefore, there will be no impacts to the conversion of prime or unique farmlands as a result of this project.

- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; or
- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production?

FINDING: NO IMPACT:

The subject parcel is not restricted by a Williamson Act Contract, nor has it been designated forestland or land zoned for Timberland Production.

- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural uses or conversion of forestland to non-forest use?

FINDING: NO IMPACT:

The installation of the water storage tank, new water mains, and replacement water services will not impact adjacent agricultural land. A portion of the water main to be replaced runs through land that is zoned for agricultural use but not restricted by a Williamson Act Contract. These improvements will not impact the agricultural use to the west of the parcel, as the tank will be placed completely within the boundaries of APN 016-265-10T. The subject parcel is designated by the Biola Community Plan Map (1976) as a recreation center; however, discussion in the plan itself indicates that this is an alternative site option. The parcel to the west is designated for limited industrial and medium density residential uses. The existing Limited Agricultural (AL) zoning designation is used to allow some light agricultural uses until final urban or industrial development can occur. Therefore, due to the industrial and residential designations in the vicinity of the subject parcel, there will be no impacts that would result in the conversion of farmland to non-agricultural uses or forestland to non-forest use.

III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project violate any air quality standard or contribute to an existing or projected air quality violation?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project is located within the San Joaquin Valley Air Basin. This area is in non-attainment for ozone, PM_{2.5} (particulate matter 2.5 microns and smaller), and carbon monoxide based on both state and national Air Quality Standards. The Basin is in non-attainment status for PM₁₀ (particulate matter 10 microns and smaller) based on state standards and is in attainment based on national standards.

Review of this project by the Air Pollution Control District determined that the project would not violate any air quality standards or contribute to existing air quality violations.

- C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard; or
- D. Would the project expose sensitive receptors to substantial pollutant concentrations; or
- E. Would the project create objectionable odors affecting a substantial number of people?

FINDING: NO IMPACT:

The San Joaquin Valley Air Pollution Control District did not identify a potential for this project to release substantial pollutant concentrations and did not recommend mitigation to reduce such impacts. This project is not anticipated to release substantial pollutant concentrations or contribute to an existing substantial concentration of pollutants. This type of project does not generate objectionable odors.

IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

A reconnaissance-level biological evaluation of potential impacts to sensitive and listed species was performed by Kamansky's Ecological Consulting for this project. Review of the site determined that there was little undisturbed vegetation or native plant communities present.

Forty-five (45) Special Status Species and habitats are known to occur in the vicinity of the proposed Project. Twenty-five (25) Special Status Animal species and seventeen (17) Special Status Plant species are known to occur in the general vicinity of the proposed Biola Water System Project (the action area). Field surveys conducted during the biological evaluation did not document the presence of any Special Status Animal or Plant species in the project impact footprint/Action Area, but kit foxes are known to den in the vicinity, badgers could occupy the site or move into the area prior to construction, and Swainson's hawks have been known to establish nests within 10 miles of the site. Other raptors such as white-tailed kite, red-tailed hawks, great-horned owls, barn owls, and bat species are all known to forage and nest in the vicinity. There is nesting, roosting, and foraging habitat nearby.

San Joaquin kit fox is a special status animal species, which is known to occur regionally. San Joaquin kit fox may occasionally pass through the site while foraging but, based on habitat characteristics and prey availability, this species would not be expected to den on the alignment/sites. The alignment/sites do not provide important intrinsic habitat values unique to the area. However, this species' absence cannot be ruled out at this time and if currently absent, kit foxes could move into the area prior to construction possibly occupying the sites, presenting a possible adverse impact. In order to reduce impacts to special status species, the following mitigation measures shall be implemented:

* **Mitigation Measures**

1. *All Special Status and Protected Animal Species: Preconstruction habitat assessment surveys shall be conducted before any ground-disturbing activities are to begin. If the surveys detect the presence of habitat for listed or protected species or migratory birds, then the Project will be paused until the following measures or consultation with the California Department of Fish and Wildlife (CDFW) and/or US Fish and Wildlife Service (USFWS) can occur:*
 - a. *American Badger: A pre-construction survey for American badgers shall be conducted by a qualified biologist within 30 days of the onset of Project-related activities involving ground disturbance or heavy equipment use. Pre-construction surveys will be conducted in all suitable denning habitat of the Project area.*
 - b. *Special Status Amphibians: A qualified biologist shall survey affected areas for Special Status amphibians within 30 days of the onset of land grading or other site disturbance. The biologist will look for individuals and eggs.*
 - c. *Special Status Bat Species: If removal of buildings, structures and/or trees is to occur between April 1 and September 30 (general maternity bat roost season), then within 30 days prior to these activities, a qualified biologist shall survey affected buildings and trees for the presence of bats. The biologist will look for individuals, guano and staining, and will listen for bat*

vocalizations. If necessary, the biologist will wait for nighttime emergence of bats from roost sites.

- d. *The United States Fish and Wildlife Service (USFWS)-approved preconstruction protocol-level surveys for San Joaquin kit fox shall be conducted no fewer than 14 days and no more than 30 days prior to the onset of any ground-disturbing activity. The applicant/operator shall follow Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to and During Ground Disturbance (USFWS 1999). These surveys can also detect raptors, migratory songbirds and any other Special Status Species in the area and recommend any additional appropriate avoidance and minimization measures.*
 - e. *If activities take place during avian nesting season (March 1 - August 1), a qualified biologist shall conduct nest surveys within a 500-foot radius of the construction site for neotropical migratory birds and 0.5 mile for Swainson's hawks. Appropriate measures shall be determined in consultation with the California Department of Fish and Wildlife (CDFW) in the event an active nest is located in an area subject to disturbance. No restrictions are required for avian species for construction activities that occur during the non-breeding season (September 1 through February 28) or after the young have fledged, which must be determined based on surveys by a qualified biologist.*
2. *All Special Status Animal Species: If pre-construction surveys detect special status species, the Applicant shall initiate informal consultation with the California Department of Fish and Wildlife (CDFW) and US Fish and Wildlife Service (USFWS), if applicable. The Applicant shall communicate with and coordinate its activities with a CDFW/USFWS biologist who is specifically assigned to deal with these issues in Fresno County. That biologist shall identify measures for avoidance, minimization, and mitigation.*
 3. *All Special Status Animal Species: If pre-construction surveys detect listed or protected species, a biologist (monitor) shall be retained onsite during construction to educate workers, monitor compliance with best management practices, and to identify and protect natural resources, including special status species. The monitor will be responsible for ensuring that appropriate measures are taken to prevent disturbance of core avoidance areas. Any unauthorized take of special status species will be immediately reported to the CDFW by the monitor. The monitor will also notify the Project Coordinator who will stop work until corrective measures are implemented.*
 4. *The applicant shall consult with CDFW/USFWS and shall perform the following measures as part of their permitting process with the agencies in order to help minimize impacts to the kit foxes, raptors and other species:*

- a. *Revegetate disturbed areas with trees and grass from on the site or adjacent areas; and*
- b. *Prior to the start of construction of each phase of Project development, the applicant shall retain a qualified biologist to conduct a meeting to train all construction staff that will be involved with the Project on special status plant and animal species. This training will include a description of the special status species and their habitat needs; a report of the occurrence of special status species in the Project area; an explanation of the status of the special status species and their protection under the Endangered Species Act; and a list of the measures being taken to reduce impacts to the special status species during Project construction and implementation.*

- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS)?

FINDING: NO IMPACT:

The field survey conducted in December 2017 did not identify any sensitive natural communities or riparian habitats at the tank site. There are no bodies of water, streams, or canals within or adjacent to the tank site and the water service improvements will be made within existing right-of-way.

- C. Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means; or
- D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

FINDING: NO IMPACT:

The project will not have a substantial adverse effect on federally protected wetlands. There are no wetlands on the site of the 500,000-gallon water storage tank. There are wetlands within the Biola Community Services District near the locations of the proposed water main, service line, and meter replacement but they will not be affected by the water main and service line replacement nor the district-wide water meter replacement. These portions of the project will occur within the public right-of-way and will not impact the wetlands.

- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

FINDING: NO IMPACT:

This project will not conflict with any local policies or ordinances protecting biological resources. The proposal involves the removal of non-native trees from the project site, which are not protected by ordinance.

- F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

FINDING: NO IMPACT:

There are no Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans in place in the project vicinity.

V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- D. Would the project disturb any human remains, including those interred outside of formal cemeteries; or
- E. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The tank site parcel is located in an area designated by the County of Fresno to be neither highly nor moderately sensitive to archeological finds. Some portions of the meter and main replacement are within an area designated to be highly sensitive to archeological finds. Due to the previously disturbed and paved ground in this area, it is unlikely that new discoveries will be made.

Under the provisions of Assembly Bill 52, staff contacted those tribes interested in consulting on projects: Table Mountain Rancheria, Santa Rosa Rancheria Tachi Yokut, Picayune Rancheria of Chukchansi Indians, and the Dumna Wo Wah Tribal Governments. Table Mountain declined consultation in a letter dated October 20, 2017; the Dumna Wo Wah Tribal Government requested consultation in a letter dated October 17, 2017; and the other two Tribes did not respond to the consultation request.

Yamabe and Horn Engineering requested a Sacred Lands File search from the Native American Heritage Commission (NAHC) and contacted each of the Tribes identified by the NAHC as having the potential to hold knowledge of specific resources near the project area. On October 2, 2018, Table Mountain Rancheria responded to the Applicant's letter with a request to consult on the project. Follow-up responses from Yamabe and Horn to Table Mountain to arrange a meeting were not answered. County staff reached out to Table Mountain Rancheria to discuss the conflicting responses between the County's AB 52 routing, where TMR declined to participate in consultation and the Applicant's routing where they indicated they had concerns. There was no response from Table Mountain. As Table Mountain declined participation when formally invited to consult, staff did not continue to follow up with the Tribal Chairman.

A copy of the Cultural Resources Study prepared by Applied EarthWorks, Inc., dated December 2017 was provided to the Dumna Wo Wah Tribal Government. Staff received no response following submission of that document and concluded consultation on March 29, 2018 with a determination that there were no known Tribal Cultural Resources on the project site. However, it cannot be determined with certainty that no previously unknown resources will be uncovered over the course of construction. Therefore, a mitigation measure describing the steps that must be taken in case of an inadvertent find will be included:

* **Mitigation Measures**

1. *In the event that cultural resources are unearthed during ground disturbing activities, all work shall be halted in the area of the find. An Archeologist should be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

VI. GEOLOGY AND SOILS

- A. Would the project expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:
 1. Rupture of a known earthquake?
 2. Strong seismic ground shaking?
 3. Seismic-related ground failure, including liquefaction?
 4. Landslides?

FINDING: NO IMPACT:

The community of Biola is not located near an active fault line based on the Department of Conservation's Regulatory Maps.

- B. Would the project result in substantial erosion or loss of topsoil; or
- C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

FINDING: LESS THAN SIGNIFICANT IMPACT:

While there is some increase of impermeable surfaces proposed with this application, development will be in compliance with all County Regulations, including those relating to the disposition of storm water and runoff. The site is proposed to connect to Biola's storm water drainage system. Landscaping and gravel cover will protect soil runoff. Figure 9-6 of the Fresno County General Plan Background Report (FCGPBR) indicates that the project site is outside the area of high landslide hazard.

- D. Would the project be located on expansive soils, creating substantial risks to life or property?

FINDING: NO IMPACT:

The subject parcels are not located in an area with soils that exhibit a moderately high to high expansion potential. Review of data from the Web Soil Survey of the Natural Resources Conservation indicates that the parcels contain primarily Hanford sandy loam soil, which does not have high shrink-swell potential.

- E. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative disposal systems where sewers are not available for wastewater disposal?

FINDING: NO IMPACT:

This project does not involve the installation or use of sewer or septic systems.

VII. GREENHOUSE GAS EMISSIONS

- A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- B. Would the project conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Potential impacts to greenhouse gas emissions may occur due to the operation of the generators at the site; however, review of this application by the San Joaquin Valley Air Pollution Control District determined that the proposal would not meet any thresholds requiring additional studies or monitoring to reduce impacts to less than significant.

VIII. HAZARDS AND HAZARDOUS MATERIALS

- A. Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials; or
- B. Would the project create a significant public hazard involving accidental release of hazardous materials into the environment?

FINDING: LESS THAN SIGNIFICANT IMPACT:

During construction, there will be routine use of diesel fuel, gasoline, oil, and lubricants for construction equipment. All construction machinery shall be in good working condition and free of fluid leaks. Due to the relatively small amounts of these materials to be used and safeguards required by existing regulation on construction equipment and storage devices to prevent release of these materials, the hazard to the public and the environment is considered less than significant.

- C. Would the project create hazardous emissions or utilize hazardous materials, substances or waste within one quarter-mile of a school?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The tank site is not located within one quarter-mile of a school; however, some of the water service and water main replacements will occur within that radius. Chlorine is currently stored at the tank site to be used as a disinfectant for the well. While chlorine may be considered a hazardous substance, the trace amounts used to disinfect water do not present a hazard to public health. Chlorine delivery trucks will come to the site about once every two to three months, which does not represent an increase to the baseline number of deliveries of chlorine to the project site. The chlorinated water that passes within the one quarter-mile radius of the school is provided to residences as potable drinking water and therefore will not create a hazard.

- D. Would the project be located on a hazardous materials site?

FINDING: NO IMPACT:

Review of Hazardous Waste sites (Resource Conservation and Recovery Act), Water Dischargers (National Pollutant Discharge Elimination System), Toxic Releases (Toxic Releases Inventory), Superfund sites (National Priorities List), Brownfields, and Toxic Substances Control Act sites did not identify any known contamination of the sites involved with this application. Two sites within Biola were identified as sites of toxic releases, but both sites were reported to be currently in compliance with existing

regulations. Similarly, the one site identified as having the potential to release polluted water is also listed as operating with a permit and has not reported a violation for the past three years. Due to the compliant status of potential hazardous releasers in the area and no history of hazardous waste spills on the project site, there would be no impacts from historical hazardous waste releases on the project site.

- E. Would a project located within an airport land use plan or, absent such a plan, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area; or
- F. Would a project located within the vicinity of a private airstrip result in a safety hazard for people residing or working in the project area?

FINDING: NO IMPACT:

Biola is not located in the vicinity of a public airstrip. Review of aerial photographs (Google Earth, August 7, 2017) indicates that there is a private airstrip approximately 1 mile northwest of the nearest parcel associated with this application. However, the project site will be generally unmanned following construction activities. The project will not create any new obstructions that would impact this airstrip, as all development standards relating to building height will be met. (The Variance associated with this application proposes to allow a 6-foot fence and well where the height is typically limited to 3 feet.) Further, the project's location within the community of Biola indicates that it will not result in a safety hazard as the operation of a private airstrip is restricted by its Use Permit so as not to cause adverse impacts on nearby residential uses, which are adjacent to the project site.

- G. Would the project impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan; or
- H. Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

FINDING: NO IMPACT:

The project site is not located in an area designated to be at high risk of damage from wildland fires. There are no changes to the existing roadways or evacuation paths and the project will not interfere with any Emergency Response Plan or Emergency Evacuation Plan. It is possible this project could have a positive impact on hazards associated with wildland fires, as the proposed pump will provide additional pressure to the main water supply.

IX. HYDROLOGY AND WATER QUALITY

- A. Would the project violate any water quality standards or waste discharge requirements or otherwise degrade water quality?

FINDING: NO IMPACT:

Approval of this project would not impact any water quality standards. Improved services and mains will positively impact the availability of water in an emergency, by making that water available. The tank will store the water, but not impact its quality.

- B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge so that there would be a net deficit in aquifer volume or a lowering of the local groundwater table?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Outside of water used in the course of construction, this project does not require the use of existing water supplies. The improvements to the system will allow the Biola Community Service District to serve water to the community of Biola more effectively. The tank will be used to store water in case there is a need for additional flow due to the failure of one of the existing wells. There is currently no back-up system in place.

- C. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site; or
- D. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in flooding on or off site; or
- E. Would the project create or contribute run-off which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off; or
- F. Would the project otherwise substantially degrade water quality?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The increase to impermeable surfaces at the tank site has the potential to alter drainage patterns; however, County regulations prohibit the discharge of runoff and the site is proposed to connect to the existing storm drainage system. With compliance to these existing regulations, the project will not have an adverse impact on drainage. There are no streams or rivers in the vicinity.

- G. Would the project place housing within a 100-year floodplain; or
- H. Would the project place structures within a 100-year flood hazard area that would impede or redirect flood flows?

FINDING: NO IMPACT:

According to FEMA FIRM Panel No. 06019C1525H, there are no special flood hazard areas within the project area, including the right-of-way where the service mains will be replaced.

- I. Would the project expose persons or structures to levee or dam failure?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The community of Biola is located in an area at risk of inundation by dam failure. The replacement of the water services and mains will not expose persons or structures to this potential failure because those improvements will generally be undergrounded. All improvements will be built to the standards identified in the Fresno County Flood Plain Management Ordinance. The design of drainage and flood control facilities in the County is governed by the Fresno County Drainage and Flood Control Design Standards, which is part of the Improvement Standards for Fresno County. This document contains criteria for storm design capacities for artificial surface drainage facilities, underground storm sewers, and roadway culverts, and specifies other criteria for natural drainage channels. With compliance to these regulations, the improvements will not have a significant impact on risks due to levee or dam failure.

- J. Would the project cause inundation by seiche, tsunami, or mudflow?

FINDING: NO IMPACT:

The project site is not located near a body of water large enough to cause seiche or tsunami. The site is similarly not located in an area of steep slopes, precluding the possibility of risk due to mudflow.

X. LAND USE AND PLANNING

- A. Will the project physically divide an established community?

FINDING: NO IMPACT:

This project relates to improvements within the Biola Community Services District; however, the majority of these improvements relate to upgraded water services and new, slightly larger, water mains. These improvements will be undergrounded and will not divide the community. The new tank will be installed at the edge of the District on a parcel roughly twice the size of a residential parcel in this neighborhood.

- B. Will the project conflict with any Land Use Plan, policy or regulation of an agency with jurisdiction over the project?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This Initial Study is being prepared for County of Fresno Director Review and Approval Application No. 4522, which if approved, would authorize the construction of the new water tank, installation of new water services, and replacement of the existing 8-inch mains with 10-inch mains. Existing property development standards prohibit walls or fences in excess of 3 feet within the front yard setbacks; however, the project involves the installation of 6-foot block walls along the eastern and southern property lines and a six-foot fence along the west and north. Approval of the variance will allow the wall and fence to be built to their proposed height along the full eastern property line and approximately 20 feet of the northern and southern property lines (consistent with the front-yard setbacks). There are no General Plan Policies specifically concerning these types of projects or setback variances. Therefore, as the applicant is pursuing a variance for the ways in which this project conflicts with existing zoning, impacts to local Land Use Plans, policies, and regulations will be less than significant.

- C. Will the project conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?

FINDING: NO IMPACT:

This project is not subject to any Habitat Conservation Plans or Natural Community Conservation Plans.

XI. MINERAL RESOURCES

- A. Would the project result in the loss of availability of a known mineral resource; or
- B. Would the project result in the loss of availability of a locally important mineral resource recovery site designated on a General Plan?

FINDING: NO IMPACT:

According to Figure 7-7 (FCGPBR), the community of Biola is not designated as a locally important mineral resource recovery site. The project will not result in the loss of availability of a known mineral resource. The scope is limited to the replacement and expansion of the existing water service system in the Biola Community Services District.

XII. NOISE

- A. Would the project result in exposure of people to severe noise levels; or
- B. Would the project result in exposure of people to or generate excessive ground-borne vibration or ground-borne noise levels; or
- C. Would the project cause a substantial permanent increase in ambient noise levels in the project vicinity; or

- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The proposed pump station associated with the 500,000-gallon water storage tank has the potential to exceed acceptable noise levels in the single-family residential zone district. Construction noises associated with other parts of the project will be temporary and will occur during normal construction hours. In order to address the potential for the pumps to adversely impact surrounding properties, the applicant shall install noise-attenuation housing on the well pump motor and a 6-foot masonry block wall will be constructed along the eastern and southern property lines.

* **Mitigation Measure**

1. *The applicant shall install a 6-foot masonry block wall along the eastern and southern property lines. Noise attenuation housing will be installed on the existing well pump motor and on the three proposed booster pump motors.*

- E. Would the project expose people to excessive noise levels associated with a location near an airport or a private airstrip; or
- F. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is not located near a public airstrip. There is a private airstrip approximately one mile northwest of the nearest parcel involved with the project site. Following construction, the project sites will be essentially unmanned, with the exception of a limited number of trips for maintenance and chlorine delivery. Noise levels at the project site due to the airstrip will be comparable to the residential uses in the area, which are less than significant.

XIII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth either directly or indirectly; or
- B. Would the project displace substantial numbers of existing housing; or
- C. Would the project displace substantial numbers of people, necessitating the construction of housing elsewhere?

FINDING: NO IMPACT:

This project will not induce population growth, as the improvements will serve existing residences. The upgrades are necessary to ensure that the community of Biola has

sufficient water flow in the event of a fire emergency. The tank site is primarily vacant with an existing water tank. The new water services and replacement mains will be installed throughout the District within the right-of-way and across a small strip of private land. No displacement of persons or housing will occur because of this project.

XIV. PUBLIC SERVICES

A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically-altered public facilities in the following areas:

1. Fire protection;
2. Police protection;
3. Schools;
4. Parks; or
5. Other public facilities?

FINDING: NO IMPACT:

This project represents an improvement to the existing water supply system of the community of Biola. It is not anticipated that improved water flow will result in adverse impacts to fire and police protection, schools, parks, or other public facilities. It is possible that approval of this project will improve such facilities, as there will be adequate water pressure to fight fires, even when one of the existing wells is out of service. Without this project, the District would not have sufficient flow with only one well in operation. There is no increase in population associated with this project and therefore no indirect impacts on public safety, parks, or other facilities. The development at the site will not present a new source of high-value objects which could attract criminal activity. This project was reviewed by the North Central Fire Department who identified certain conditions of development (existing regulations) but did not identify any specific concerns with the proposal in regard to the effectiveness of the system.

XV. RECREATION

- A. Would the project increase the use of existing neighborhood and regional parks; or
- B. Would the project require the construction of or expansion of recreational facilities?

FINDING: NO IMPACT:

This project will not increase the use of local parks, nor will it require the expansion of such facilities.

XVI. TRANSPORTATION/TRAFFIC

- A. Would the project conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation; or
- B. Would the project conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demands measures; or
- C. Would the project result in a change in air traffic patterns; or
- D. Would the project substantially increase traffic hazards due to design features; or
- E. Would the project result in inadequate emergency access; or
- F. Would the project conflict with adopted plans, policies or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities?

FINDING: NO IMPACT:

Following construction, traffic at the site will be limited to approximately three trips per month: two service trips and one chlorine delivery. Due to the limited amount of proposed operational traffic, there will be no impacts to emergency access, traffic congestion, or other performance measures of the circulation system.

XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements; or
- B. Would the project require construction of or the expansion of new water or wastewater treatment facilities?

FINDING: NO IMPACT:

This project relates to improvements to the existing water service system of the Biola Community Services District. It is not anticipated that this project will produce wastewater, as the system is the source of water for other sites.

- C. Would the project require or result in the construction or expansion of new storm water drainage facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The following storm water drainage facilities are proposed in the vicinity of the tank site: two 48-inch storm drain manholes, a storm drain grate inlet on site, a type 'D' storm drain inlet within the right-of-way, and new storm drain pipe to connect to the existing system. These improvements will ensure that the increase in impermeable surfaces at

this site do not cause run-off that could adversely impact surrounding properties. The improvements are designed to directly compensate for the project's improvements and no impacts to other sites are anticipated.

- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed?

FINDING: NO IMPACT:

The improvements associated with this application do not require additional water supply entitlements; they serve to provide water to sites with such entitlements.

- E. Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand; or
- F. Would the project be served by a landfill with sufficient permitted capacity; or
- G. Would the project comply with federal, state and local statutes and regulations related to solid waste?

FINDING: NO IMPACT:

Outside of water necessary for construction, this project will serve to deliver water to various sites and is not anticipated to generate wastewater. Following construction, there will be no solid waste generated. Such waste generated during construction activities will be disposed of in a manner consistent with Fresno County Regulations.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California prehistory or history?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

There is the potential for this project to impact special-status or endangered species in the vicinity of this project. With compliance to the mitigation measures noted above, which require habitat assessment surveys, and then biological presence surveys, impacts to such species can be mitigated to less than significant. Compliance to the mitigation measures noted in Section IV. Biological Resources, which require habitat-presence surveys and species-presence surveys and outlines steps to follow in the case of observation of a special-status species, will reduce adverse impacts on such species. Regarding the protection of cultural or historical resources which may be beneath the surface of the ground at the project site, mitigation has been incorporated

requiring that construction cease in the area of a find to allow additional investigation and the implementation of avoidance or other protective measures.

* **Mitigation Measures**

1. See Section IV. Biological Resources.
2. See Section V. Cultural Resources.

- B. Does the project have impacts that are individually limited, but cumulatively considerable?

FINDING: NO IMPACT:

This project may cause a small cumulative impact on noise in the community; however, it is not expected that additional similar facilities would be developed in this area, as only one water tank/pump site is necessary. Therefore, there are no cumulative impacts identified as part of this review.

- C. Does the project have environmental impacts which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

There is the potential for this project to have an adverse impact on surrounding properties; however, adherence to the noted mitigated measures regarding lighting and noise generation will reduce impacts to less than significant.

* **Mitigation Measures**

1. See Section I. Aesthetics.
2. See Section XII. Noise.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Director Review and Approval Application No. 4522 and Variance Application no. 4050, staff has concluded that the project will not have a significant effect on the environment.

It has been determined that there would be no impacts to Aesthetics, Mineral Resources, Population and Housing, Public Services, Recreation and Transportation/Traffic.

Potential impacts related to Agricultural and Forestry Resources, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Land Use and Planning, Hydrology and Water Quality, and Utilities and Service Systems have been determined to be less than significant.

Potential impacts relating to Biological Resources, Cultural Resources, Noise and Mandatory Findings of Significance have determined to be less than significant with compliance with the listed Mitigation Measures.

A Mitigated Negative Declaration/Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.

CMM

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