

Acquisition and Construction of Basin “AV”

Initial Study

July 9, 2019

Prepared by:
The Fresno Metropolitan Flood Control District

*Prepared pursuant to the California
Environmental Quality Act*



**Fresno Metropolitan
Flood Control District**

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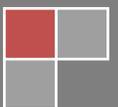


Table of Contents

ENVIRONMENTAL CHECKLIST FORM.....	3
Project Title	3
Lead Agency Name and Address	3
Contact Person.....	3
Project Location	3
Project Sponsor's Name and Address	3
General Plan Designation & Zoning	3
Description of Project.....	4
Surrounding Land Uses and Setting.....	4
Informal Consultation Period	4
Previous Analysis	4
Other Public Agencies Whose Approval Is Required	4
Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?	4
Figure 1: Regional Map.....	5
Figure 2: Drainage Area "AV" Basin Map	6
Figure 3: Proposed Basin "AV" Location.....	7
Environmental Factors Potentially Affected	8
Determination	9
Evaluation of Environmental Impacts	10
1. Aesthetics	11
2. Agriculture and Forestry Resources.....	12
3. Air Quality	14
4. Biological Resources	16
5. Cultural Resources	18
6. Energy.....	20
7. Geology and Soils	21
8. Greenhouse Gas Emissions.....	24
9. Hazards and Hazardous Materials	25
10. Hydrology and Water Quality.....	28
11. Land Use and Planning	30
12. Mineral Resources	31
13. Noise	32
14. Population and Housing.....	33
15. Public Services.....	34
16. Recreation	35
17. Transportation.....	36
18. Tribal Cultural Resources	38
19. Utilities and Service Systems.....	39
19. Wildfire	41
20. Mandatory Findings of Significance.....	42

Performance Standards 43
Mitigation Monitoring and Reporting Program for the Acquisition and Construction of
Basin "AV" 45
Appendix I: AB 52 Tribal Cultural Resources Consultation and Sacred Lands File Search 50
Appendix II: Informal Consultation Comments and Response..... 91

Environmental Checklist Form

Project Title

Acquisition and Construction of Basin "AV" (Fig Ave and Central Ave)

Lead Agency Name and Address

Fresno Metropolitan Flood Control District
5469 East Olive Avenue
Fresno, CA 93727
<http://www.fresnofloodcontrol.org>

Contact Person

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Josephd@fresnofloodcontrol.org

Project Location

The Fresno Metropolitan Flood Control District (District) encompasses the area generally located in the north-central portion of Fresno County between the San Joaquin and Kings rivers. The District's service area consists of approximately 400 square miles and extends from the agricultural lands west and south of Fresno eastward into the Sierra Nevada to an elevation of approximately 4,500 feet above sea level. The District's service area includes most of the Clovis - Fresno metropolitan area, and unincorporated lands to the east and northeast.

Drainage Area "AV" is in the southern portion of the District's service area on west and east sides of State Route 41. The proposed location for Basin "AV" is north of Central Avenue and south of North Avenue between Fig and Elm Avenues. The basin is proposed to be located on approximately 19.55 acres of the south half of APN 329-030-19. The Basin and Drainage Area is within the City of Fresno sphere of influence. The Drainage Area is an irregular shape mostly within the boundaries of the alignments Central Avenue, Fig Avenue, Annandale Avenue, and Cherry Avenue. See Figures 1 and 2 for Drainage Area and Basin "AV" locations. Figure 3 describes the previously studied Basin "AV" location and the proposed Basin "AV" location.

Project Sponsor's Name and Address

Fresno Metropolitan Flood Control District
5469 East Olive Avenue
Fresno, CA 93727

General Plan Designation & Zoning

Current Land Use: The proposed Basin "AV" location is in the County of Fresno, just south of City of Fresno city limits. It's zoned AE-20 and is planned for exclusive agricultural.

Future Land Use: The entire study area is within the Sphere of Influence of the City of Fresno. The City of Fresno 2035 General Plan lists the proposed Basin "AV" location as regional business park land use. The City of Fresno 2035 General Plan designates the Drainage Area "AV" land uses as a mix of heavy industrial, light industrial and regional business park.

Description of Project

This project is for the acquisition and construction of a stormwater basin. The proposed project includes acquiring parcels to develop a stormwater basin and the construction of the pipeline system and stormwater features throughout the drainage area. Basin "AV" will serve an approximately 798 acre drainage area and include a 19.55 acre basin site. The basin site will be developed by excavating approximately 61,000 cubic yards of dirt and constructing a perimeter fence, a pump station, and four outfall structures. Approximately 27,000 feet of pipelines will be constructed throughout the drainage area. The basin may include a reclaimed water system for basin irrigation. Full construction of the stormwater basin can take up to 10 to 20 years.

Surrounding Land Uses and Setting

Fresno County is located approximately in the center of the San Joaquin Valley, stretching approximately 100 miles from the Coastal Range foothills to the eastern slope of the Sierra Nevada.

The proposed location for Basin "AV" is currently vacant agricultural land. The surrounding land uses are agriculture.

Informal Consultation Period

The District distributed a Request for Informal Consultation for the proposed Basin "AV" project to responsible, trustee and other agencies that might have an interest in the project. The Request for Informal Consultation was also mailed to adjacent property owners of the proposed project. The Request for Informal Consultation provided an opportunity for the agencies to comment on the potential environmental effects of the project. These comments, where applicable, were incorporated into this Initial Study. A summary of the comments received during the consultation period can be found in Appendix II: Informal Consultation Comments and Response.

Previous Analysis

This Initial Study is tiered document from the District's 2016 District Services Plan Update Subsequent Environmental Impact Report (SEIR), certified December 13, 2017 (SCH# 19911132). The SEIR addresses many of environmental impacts regarding Drainage Area "AV" and Basin "AV". The drainage area remains unchanged from the SEIR. The Basin "AV" location being studied in this document is the parcel immediately north of the Basin "AV" location studied in the SEIR. See Figure 3 for the changed Basin "AV" location.

A copy of the SEIR can be found at our office and on our website at www.fresnofloodcontrol.org. Additionally, the SEIR can be downloaded at this link:

<http://www.fresnofloodcontrol.org/wp-content/uploads/2017/12/Final-Subsequent-EIR-12-20-17.pdf>

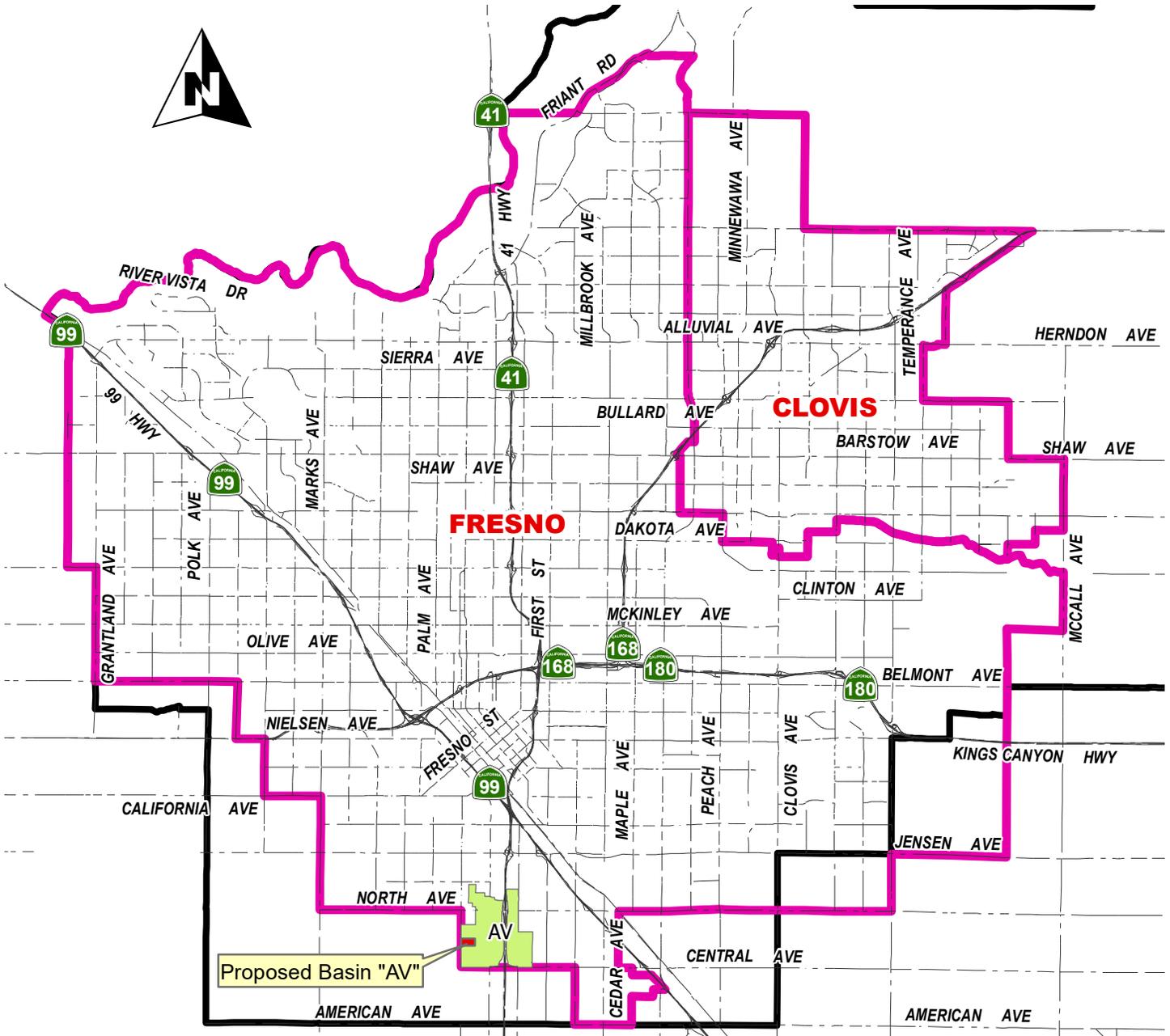
Other Public Agencies Whose Approval Is Required

None.

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

None.

NOTE: THIS MAP IS SCHEMATIC. DISTANCES, AMOUNT OF CREDITABLE FACILITIES, AND LOCATION OF INLET BOUNDARIES ARE APPROXIMATE.



LEGEND

-  Cities' Spheres
-  Drainage Area "AV"
-  Proposed Basin "AV"

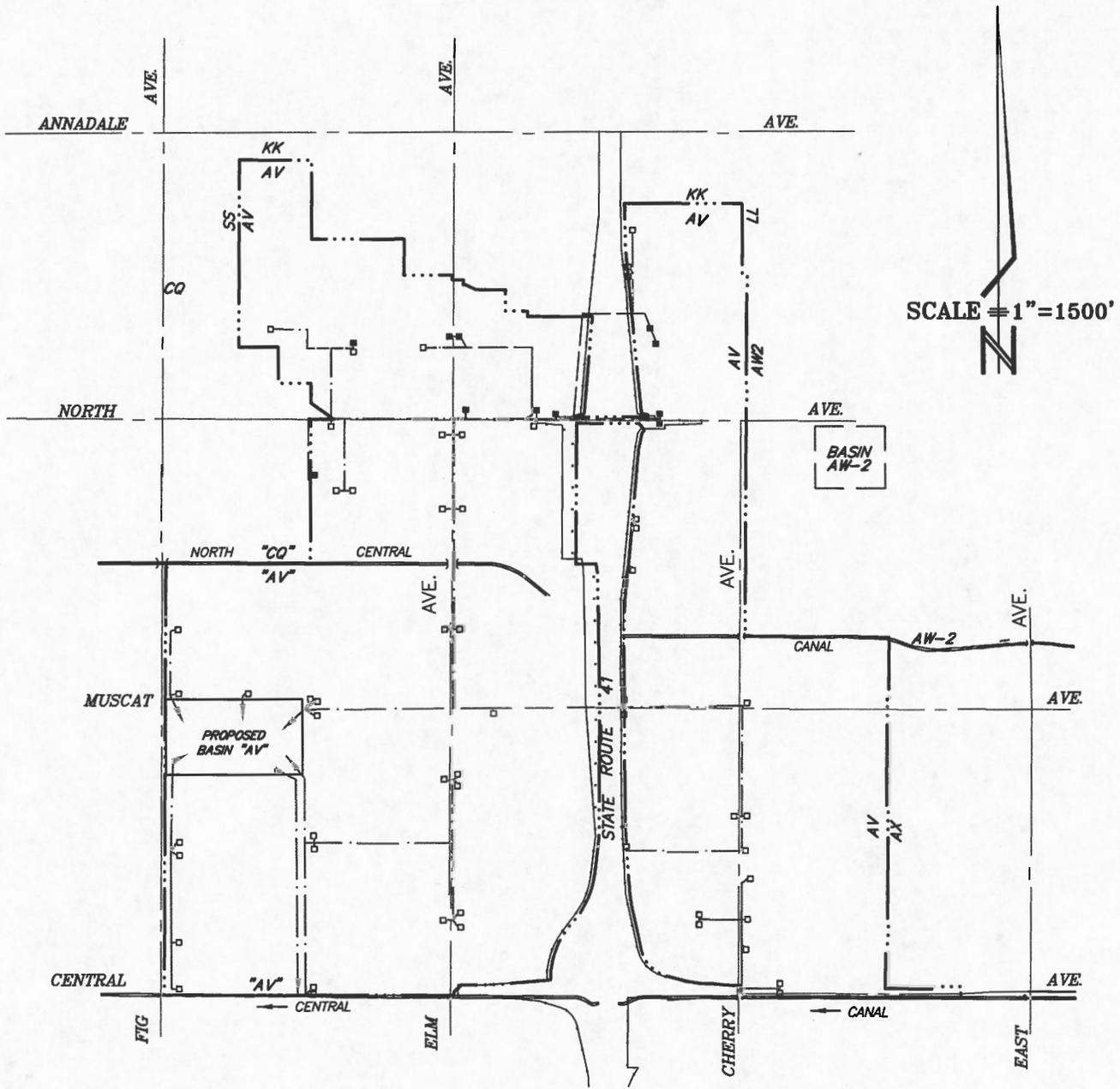
Regional Map

FIGURE 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT



NOTE:
THIS DRAWING IS SCHEMATIC,
DISTANCES ARE APPROXIMATE.



LEGEND

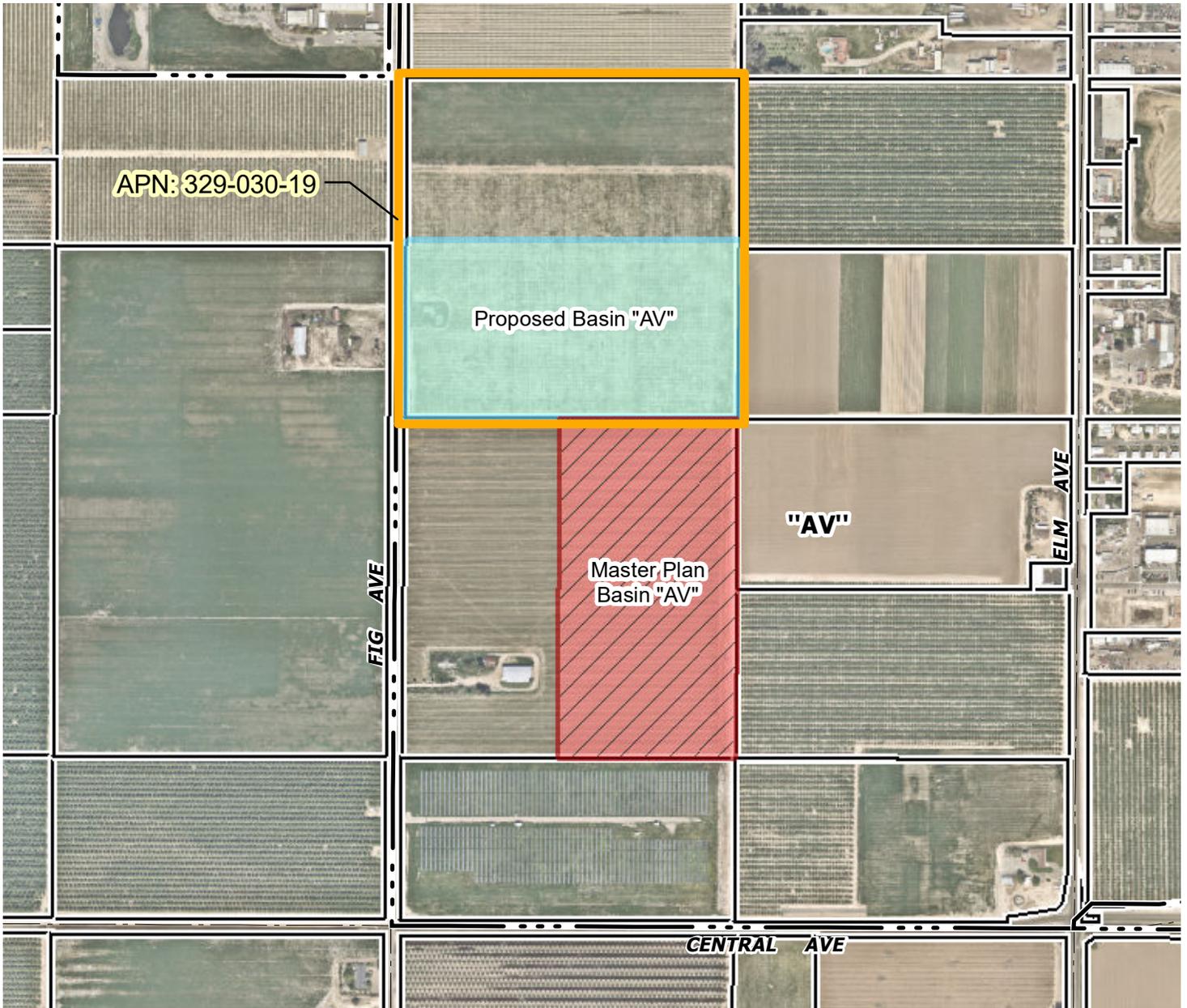
- FUTURE MASTER PLAN FACILITIES
- EXISTING MASTER PLAN FACILITIES
- ...— DRAINAGE AREA BOUNDARY

FIGURE 2

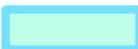
**PROPOSED
FACILITIES MAP
DRAINAGE AREA "AV"**

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

NOTE: THIS MAP IS SCHEMATIC.
DISTANCES, AMOUNT OF CREDITABLE
FACILITIES, AND LOCATION OF INLET
BOUNDARIES ARE APPROXIMATE.



LEGEND

-  Proposed Basin "AV" Location
-  Master Plan Basin "AV" Location (Not Adopted)
-  APN 329-030-19



1" = 600'

BASIN "AV" **LAND ACQUISITION**



FIGURE 3 FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Environmental Factors Potentially Affected

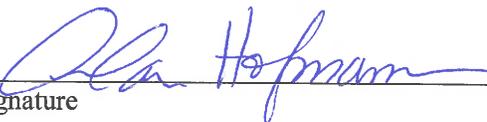
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or is "Less Than Significant with Mitigation", as indicated by the checklist on the following pages.

- | | |
|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Population/Housing |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Public Services |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Geology/Soils | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Wildfire |
| <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> None |

Determination

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Signature

7/10/19
Date

Alan Hofmann, General Manager-Secretary
Fresno Metropolitan Flood Control District

Evaluation of Environmental Impacts

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

1. Aesthetics

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Have a substantial adverse effect on a scenic vista?		X		
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?		X		
c. In non-urban areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?		X		
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?		X		

Performance Standards:

As necessary and possible, hours of operation for light-generating construction equipment would be restricted to the hours of 7:00 AM to 7:00 PM.

Discussion:

- a) **Less Than Significant Impact.** The project area is surrounded by agriculture. Future uses identified in the City of Fresno 2035 General Plan designate the area as regional business park. The project area would be excavated and operated as a stormwater basin. There are no scenic vistas or scenic resources in the area that would be blocked by the project. Most of the facilities will be below ground level other than pump stations and chain link fencing.
- b) **Less Than Significant Impact.** The project area is surrounded by agriculture. Future uses identified in the City of Fresno 2035 General Plan designate the area as regional business park. The project area would be excavated and operated as a stormwater basin. The proposed location of Basin "AV" is currently vacant agricultural land. There are no state scenic highways in the vicinity of the project. The visual character of the site would remain as open space when the project is completed.
- c) **Less Than Significant Impact.** The project area is vacant agricultural land. The vacant property would be excavated and operated as stormwater basin. The visual character of the site would remain as open space when the project is completed.
- d) **Less Than Significant Impact.** To prevent a possible temporary effect of a new source of light or a glare from construction equipment the performance standard listed above would be implemented during construction. After construction there will be no lighting on the site.

2. Agriculture and Forestry Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?		X		
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?		X		
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	X			
d. Result in the loss of forest land or conversion of forest land to non-forest use?	X			
e. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use?		X		

Discussion:

- a) **Less Than Significant Impact.** The proposed location of Basin "AV" is considered Prime Farmland. Page 4-7 of the Draft SEIR notes that the District bases its basin locations and drainage area boundaries on land use planning decisions adopted in general plans and other public policy documents. The City of Fresno 2035 General Plan, adopted December 14, 2014, designates the land uses of the "AV" drainage area as light industrial, heavy industrial and regional business park. The entire drainage area and basin location are within the sphere of influence of the City of Fresno. Any development and associated population growth has been previously accounted for in the City of Fresno 2035 General Plan. As the previous Basin "AV" location was also considered Prime Farmland, the environmental effects are adequately addressed in the District's SEIR.

Furthermore, while stormwater basins are not listed in the County of Fresno's General Plan as an appropriate non-agricultural use in an agricultural area, the stormwater basin will allow for groundwater recharge and will not interfere with the surrounding agricultural uses. Groundwater recharge will provide a positive impact on agricultural water supplies and existing crops.

When available or necessary, water will be transferred to the basins from canals to prevent flooding in the area and for groundwater recharge. The project will have a positive effect on the surrounding agricultural uses by recharging groundwater.

- b) **Less Than Significant Impact.** The proposed location of Basin "AV" has a current Williamson Act contract. The District will follow all necessary procedures listed in Government Code Sections 51290 – 51295 to acquire property under a Williamson Act contract.

FMFCD will not start construction on these basin sites until development has begun in the surrounding areas. While stormwater basins are not listed in the County of Fresno's General Plan as an appropriate non-agricultural use in an agricultural area, the stormwater management basin will allow for groundwater recharge and will not interfere with the surrounding agricultural uses. Groundwater recharge will provide a positive impact on agricultural water supplies and existing crops.

- c) **No Impact.** There is no forest land, timberland or timberland zoned Timberland Production within the project area, and therefore no impact will occur.
- d) **No Impact.** There is no forest land within the project area, therefore no impact will occur.
- e) **Less Than Significant Impact.** The development a stormwater basin will not cause surrounding land uses to change from farmland to other uses. Basins are compatible with agricultural use and even have a positive effect on the water supply when the basin is constructed and able to hold water for groundwater recharge. There are no forest lands in the area, so there will be no effect on forest land.

3. Air Quality

Where available, the significance criteria established by the applicable air quality management District or air pollution control district may be relied upon to make the following determinations. Would the project:

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?		X		
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?		X		
c. Expose sensitive receptors to substantial pollutant concentrations?		X		
e. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?		X		

Performance Standards:

- District contractors and dirt removal permittees would be required to provide dust control and cleanup of loose soils both within and outside of construction sites in accordance with San Joaquin Valley Air Pollution Control District Rule VIII for the control of fine particulate matter. Haul roads would be cleaned and swept as necessary during hauling operations.
- FMFCD would require of its contractors or permittees to properly maintain internal combustion engines used during construction activities. FMFCD would properly maintain all District owned and operated internal combustion engine machinery.
- Any maintenance activities that would cause or have the potential to cause fugitive emissions would be required to implement dust control measures in accordance with FMFCD’s comprehensive Dust Control Plan.
- If objectionable odors originate at a District facility, District staff would investigate the cause of the odor immediately. When the source of the odor is identified, it would be neutralized or removed and properly disposed of in accordance with local, state and federal requirements.
- The District will follow District Rule 9510 (Indirect Source Review).

Discussion:

- a) **Less Than Significant Impact.** The air quality impacts for the proposed Basin “AV” are adequately addressed in the Draft SEIR on page 4-10 to 4-23 and Appendix B: Air Quality Technical Study. This project proposes to change the Basin “AV” location to an adjacent north location as shown on Figure 3. The change in basin location will be approximately the same size as the previously studied location.

The SEIR found this impact to be less than significant. The SEIR used the CalEEMod emissions inventory computer model for both construction and operational phases of the project and evaluated the results against SJVAPCD’s significance thresholds identified in the SJVAPCD’s *Guide for Assessing and Mitigating Air Quality Impacts* (SJVAPCD, 2015). Emissions of ROG, CO, NOx, SOx, PM10, and PM2.5 were below SJVAPCD significance thresholds.

- b) **Less Than Significant Impact.** The air quality impacts for the proposed Basin "AV" are adequately addressed in the Draft SEIR on page 4-10 to 4-23 and Appendix B: Air Quality Technical Study. This project proposes to change the Basin "AV" location to an adjacent north location as shown on Figure 3. The change in basin location will be approximately the same size as the previously studied location.

The SEIR found this impact to be less than significant. The SEIR used the CalEEMod emissions inventory computer model for both construction and operational phases of the project and evaluated the results against SJVAPCD's significance thresholds identified in the SJVAPCD's *Guide for Assessing and Mitigating Air Quality Impacts* (SJVAPCD 2015). Emissions of ROG, CO, NO_x, Sox, PM₁₀, and PM_{2.5} were below SJVAPCD significance thresholds.

- c) **Less Than Significant Impact.** The San Joaquin Valley Air Pollution Control District defines a sensitive receptor as follows: For CEQA purposes, a sensitive receptor is generically defined as a location where human populations, especially children, seniors, and sick persons are found, and there is reasonable expectation of continuous human exposure according to the averaging period for the ambient air quality standard (e.g., 24-hour, 8-hour, 1-hour). These typically include residences, hospitals, and schools. There are no sensitive receptors in the project area.

The Draft SEIR on page 4-23 evaluated the project's impact on sensitive receptors and found that the impact would be less than significant. The SEIR identifies that the construction activities of the proposed project would emit Hazardous Air Pollutants (HAPs). The primary HAP of concern is diesel particulate matter produced by diesel-powered construction equipment. Construction of stormwater basins are often short-term events over a period of 10 to 20 years. The magnitude of project-related emissions would not result in a significant health risk.

- d) **Less Than Significant Impact.** The proposed project will construct a stormwater basin, which will not cause objectionable odors. If objectionable odors occur in the project area for any reason, District staff shall investigate the cause of the odor immediately. When the source of the odor is identified, it shall be neutralized or removed and properly disposed of in accordance with local, state, and federal requirements.

4. Biological Resources

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?			X	
b. Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Wildlife Service?	X			
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X		
d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X		
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional or state habitat conservation plan?		X		

Discussion:

- a) **Less than Significant With Mitigation.** The proposed project location consists of vacant agricultural land. Currently, no crops are present and the property appears to be disked at least once a year. The District's SEIR evaluated the biological resources of the adjacent Basin "AV" location shown on Figure 3. The previous Basin "AV" location studied under the SEIR was an actively farmed site. As a result, the proposed Basin "AV" location has the possibility to host a more active habitat given the lack of activity. The SEIR adopted multiple biological resource mitigation measures. During the SEIR environmental review period, the California Department of Fish and Wildlife (CDFW) provided recommendations to improve biological resource mitigation measures. These mitigation measures were incorporated into the Mitigation Monitoring and Reporting Program (MM&RP) for the SEIR.

The District recognizes CDFW's role as California's Trustee Agency for fish and wildlife resources. In a trustee capacity, CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife,

native plants, and habitat necessary for biologically sustainable populations of those species. The District respects CDFW's biological expertise during public agency environmental review efforts.

Sycamore trees on the property have the capability to house nesting birds like the Swainson's hawk and the dry grassland-like habitat may host other native special species. The construction of the project may result in potentially significant effects to biological resources unless mitigation measures are adopted. As a result, the District proposes to adopt the applicable SEIR mitigation measures for the proposed Basin "AV" project. A full description of the mitigation measures can be found in the Mitigation Monitoring and Reporting Program on page 45.

Mitigation measures to reduce potentially significant biological resources effects to less than significant:

BR-1: Conduct preconstruction survey for burrowing owl.

BR-2: Remove trees during nonbreeding season and conduct preconstruction survey for nesting birds.

BR-3: Swainson's hawk protection.

BR-4: Conduct preconstruction survey for special status species.

- b) **No Impact.** Wetlands or other sensitive natural communities identified in local and regional plans, policies, regulations, or by state and federal agencies are not present on the proposed project area. Therefore, the project would have no effect on such communities.
- c) **No Impact.** Wetlands or other sensitive natural communities identified in local and regional plans, policies, regulations, or by state and federal agencies are not present on the proposed project areas.
- d) **No Impact.** The site is not situated within a "movement corridor" for native wildlife. The proposed project will have no effect on regional wildlife movements.
- e) **No Impact.** No County ordinances protect the types of biological resources found on the project site. Therefore, the project will not be in conflict with Fresno County general plan policies or natural resource protection ordinances.
- f) **No Impact.** Fresno County does not have any habitat conservation plans of any kind. Therefore, the project will not conflict with any such plan.

5. Cultural Resources

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?			X	
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines Section 15064.5?			X	
c. Disturb any human remains, including those interred outside of formal cemeteries?			X	

Performance Standards:

- Prior to the start of construction, all FMFCD contractors and subcontractors for the project would be informed in writing of the potential for discover of important cultural or paleontological resources below the ground surface on the project site and legal consequences for damaging or destroying such resources. If any cultural or paleontological resources were found, FMFCD would stop work within the area in questions and a qualified consultant would be retained by FMFCD to evaluate the find and make recommendations for further action.

Discussion:

- a) **Less Than Significant With Mitigation.** A cultural and historical resources search was conducted for the previous Basin "AV" location in the SEIR. The SEIR did not identify any cultural or historic resources within a 0.5 mile radius of the previous Basin "AV" location. The proposed Basin "AV" location is directly adjacent to the SEIR Basin "AV" location and is within the 0.5 miles radius of the cultural and historical resources search.

A separate cultural and historical resources search was not performed on the proposed Basin "AV" location. Because the proposed Basin "AV" location was not surveyed for cultural or historical resources during this Initial Study and a building older than 45 years old is on the property, the District will implement Mitigation Measure CR-1: *Perform cultural and historical resources survey and move alignment if necessary to avoid effects on resources eligible for the CRHR (California Register of Historical Resources)*. Implementing Mitigation Measure CR-1 will mitigate any significant effects. Further details of the mitigation measure can be found in the Mitigation Monitoring and Reporting Program on Page 45.

- b) **Less Than Significant With Mitigation.** A cultural and historical resources search was conducted for the previously Basin "AV" location in the District's SEIR. The SEIR did not identify any cultural or historic resources within a 0.5 mile radius of the previous Basin "AV" location. The proposed Basin "AV" location is directly adjacent to the SEIR Basin "AV" location and is within the 0.5 miles radius of the cultural and historical resources search.

A separate cultural resources search was not performed on the proposed Basin "AV" location. Because the proposed Basin "AV" location was not surveyed for cultural resources during this Initial Study and a building older than 45 years old is on the property, the District will implement Mitigation Measure CR-1: *Perform cultural and historical resources survey and move alignment if necessary to avoid effects on resources eligible for the CRHR*. Because cultural and historical resources survey's only identify what is on the surface of the

property, and the District proposes to excavate approximately 30 foot below ground surface, there is a possibility of encountering cultural resources or tribal cultural resources. As a result, the District will implement *Mitigation Measure CR-2: Stop work and implement required measures if cultural resources or tribal cultural resource are found during construction*. Implementing Mitigation Measure CR-2 will mitigate any significant effects. Further details of the mitigation measure can be found in the Mitigation Monitoring and Reporting Program on page 45.

- c) **Less Than Significant With Mitigation.** No human remains are currently known to be onsite. However, there is always the possibility that ground-disturbing activities during construction may uncover previously unknown, buried remains. As a result, the District will implement Mitigation Measure CR-3: *Stop work and implement required measures if human remains are found during construction*. Implementing Mitigation Measure CR-3 will mitigate any significant effects. Further details of the mitigation measure can be found in the Mitigation Monitoring and Reporting Program on page 45.

6. Energy

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?		X		
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	X			

Discussion:

- a) **Less Than Significant Impact.** The proposed project is a stormwater basin. Full construction of a stormwater basin occurs over a 10 – 20 year period. During construction the basin is excavated based on demand for clean fill material. Construction is intermittent and not energy extensive. Once fully constructed, the stormwater basin will have a pump and other water facilities used for irrigation. These facilities would be used to transport water for groundwater recharge, storage capacity to prevent flooding, and reuse of surface water for irrigation. These uses would not result in a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources.
- b) **No Impact.** The proposed project is a stormwater basin and is does not propose to construct buildings or lighting. This project does not conflict with or obstruct any known state or local plan for renewable energy or energy efficiency.

7. Geology and Soils

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	X			
ii. Strong seismic ground shaking?	X			
iii. Seismic-related ground failure, including liquefaction?	X			
iv. Landslides?	X			
b. Result in substantial soil erosion or the loss of topsoil?		X		
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?		X		
d. Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?		X		
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	X			
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

Performance Standards:

- FMFCD would ensure that construction projects are controlled through standard specifications.. A "Removal of Borrow Material Permit" would be issued by FMFCD and signed by any one desiring to remove soil from a FMFCD facility. Applicable provisions of the contract and permit would ensure the contractor and permittee excavate per the approved design and quantities. Furthermore, the

“Removal of Borrow Material Permit” states that work shall stop immediately should a potential unique paleontological or geologic feature be discovered during excavation.

- Basin slopes would be graded and maintained to minimize erosion. Should soil erosion occur, the erosion material would be kept on-site, within the excavation area, and used to repair eroded areas.

Discussion:

- a) The proposed project will not expose people to substantial adverse effects because:
 - i. **No Impact.** The project area are not located in the vicinity of a known earthquake fault, as shown on the Alquist-Priolo Earthquake Fault Zoning Map. There are a number of active and potentially-active faults within and adjacent to Fresno County. Although most of Fresno County is situated within an area of relatively low seismic activity by comparison to other areas of the state, the faults and fault systems that lie along the eastern and western boundaries of the county, as well as other regional faults, have the potential to produce high-magnitude earthquakes throughout the county. The principle earthquake hazard is ground shaking.
 - ii. **No Impact.** No impacts related to seismic ground shaking are anticipated because the project will not include structures.
 - iii. **No Impact.** Liquefaction generally occurs in water saturated silts, sands, and gravels having low to medium density. Due to the depth of the groundwater table in this area and the soil types, which are either too coarse or too high in clay content, it is unlikely that liquefaction will occur.
 - iv. **No Impact.** There is no potential hazard due to landslides from the proposed project because the project area is flat. The stormwater management basin will be construction below ground level, so any potential erosion or movement of soil will be kept within the stormwater management basin.
- b) **Less Than Significant Impact.** During excavation of the basin sites topsoil will be removed under a “Removal of Borrow Material Permit” on an intermittent, as-needed basis by private contractors and interested citizens. This is considered less than significant because of the small size of the project areas.

Excavation of the basins will take place in native soils that have no or slight erosion hazard potential. Basin slopes will be exposed to wind and rainfall until turf or other vegetation is established. Because the basins will be excavated below natural grade, any erosion caused by rainfall would be contained on site. To ensure any potential impacts are less than significant, the performance standards listed above have been incorporated into the project.

- c) **Less Than Significant Impact.** The District 2004 Master Environmental Impact Report determined that the District’s service area is located on essentially flat land, thus, the potential for landslides is slight. It is anticipated that attenuation of seismic energy from distant faults in the region would likely result in minimal seismic effects in the District service area, and would not cause the soil or strata of the storm water management facilities to become unstable and result in structural damage.

- d) **Less Than Significant Impact.** The District's SEIR found that geological hazards associated with landslides, lateral spreading, subsidence, liquefaction, and expansive soils are primarily a concern when a project proposes structures or buildings for human use and/or habitation. The proposed project would provide facilities for stormwater conveyance and storage only and would not provide housing or other structures or buildings for human use and/or habitation. This impact is less than significant.
- e) **No Impact.** The proposed project does not consist of features that would involve the disposal of wastewater to septic systems. Therefore, no impact would occur.
- f) **Less Than Significant Impact.** The project includes the excavation of a stormwater basin up to 30 feet below ground surface. It is possible that a unique paleontological or geological resource may be discovered during excavation. The District has included in the project performance standards that any contractor excavating a basin stop work and contact District staff should a possible unique paleontological or geologic feature be discovered.

8. Greenhouse Gas Emissions

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?		X		
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?		X		

Discussion:

- a) **Less Than Significant Impact.** The District’s SEIR evaluated the potential effects of the District Services Plan update, which included Basin “AV”, on Greenhouse Gas (GHG) Emissions. Discussion of GHG emissions in the SEIR is on page 4-49 to 4-58 and in Appendix B. The SEIR used the guidance and methodologies recommended in the San Joaquin Valley Air Pollution Control District’s (SJVAPCD) *Guide for Assessing and Mitigating Air Quality Impacts*. Based on modeling using the CalEEMod emissions inventory, the construction and operational phase of the project would not have a significant impact on the environment.

- b) **Less Than Significant Impact.** Construction of the stormwater basin would require fuel combustion, which would generate GHG emissions. The SJVAPCD’s *Guidance for Valley Land Use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* (SJVAPCD, 2009) provides that projects complying with an approved GHG emissions reduction plan or mitigation program are determined to have a less than significant effect. The development of a stormwater basin, as described in the SEIR on page 4-54 to 4-58, would be part of a GHG mitigation program that would avoid or substantially reduce GHG emissions that may otherwise occur from addressing flood-related damage.

9. Hazards and Hazardous Materials

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		X		
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?		X		
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?		X		
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	X			
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	X			
f. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?		X		
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	X			

Performance Standards:

- FMFCD would conduct a Phase I Preliminary Site Assessment to determine the likelihood of any hazardous materials prior to land acquisition.
- FMFCD contractors would be required to notify FMFCD of certain specified conditions relating to hazardous waste, unexpected subsurface or latent conditions, or unknown physical conditions. FMFCD would promptly investigate any such conditions reported to it and take appropriate action to protect public and contractor health and safety.
- FMFCD would immediately begin the cleanup of spills or hazardous materials releases that may occur during construction. FMFCD would notify all applicable responsible agencies as required by law.
- FMFCD contractors would comply with the provisions of the Construction Safety Orders, Tunnel Safety Orders, confined and enclosed spaces and other dangerous atmospheres, and General Safety Orders adopted by

the State Division of Industrial Safety, as set forth in Title 8 of the CCR, and applicable worker safety portions of FMFCD or contractor standard specifications.

- Low-flow areas of basins would be designed to maintain ponded water depths that provide for mosquito fish predation on mosquito populations.
- FMFCD would work cooperatively with the Consolidated and Fresno Mosquito and Vector Control Districts to maintain flood control facilities in a manner that discourages mosquito and midge habitat.
- FMFCD would periodically inspect basin facilities to identify FMFCD features in need of repair (e.g., fences and pumping stations) and to ensure compliance with FMFCD ordinances prohibiting certain activities (e.g., swimming, fishing and golfing).
- FMFCD would implement the Standard Operating Procedures for Monitoring, Maintenance and Disposal of Stormwater Basin Sediment.

Discussion:

- a) **Less Than Significant Impact.** During project operation and construction oil, diesel, fuel, gasoline, hydraulic fluid, and other liquid hazardous materials may be used in the project areas. Maintenance of the proposed project could include the use of pumps, which would involve the use of diesel, oil, and grease. If spilled, these substances could pose a risk to the environment and to human health. To ensure any potential impacts are less than significant, the performance standards listed above have been incorporated into the project.

This proposed location does have a structure that will require demolition. A phase I environmental assessment and asbestos survey will be completed prior to demolition. The District will comply with federal and state regulations, policies, and laws regarding routine transport, use, disposal, and reasonably foreseeable accidental release of hazardous materials. Should the structure have an active rodent infestation, the infestation will be abated prior to demolition of the structure to prevent the spread of vectors to adjacent properties. Compliance with these regulations, policies, and laws and applicable District performance measures would ensure that the project would not create a significant hazard to the environment or public. Therefore, this impact would be less than significant.

- b) **Less Than Significant Impact.** During project operation and construction oil, diesel, fuel, gasoline, hydraulic fluid, and other liquid hazardous materials may be used in the project areas. Maintenance of the proposed project could include the use of pumps, which would involve the use of diesel, oil, and grease. If spilled, these substances could pose a risk to the environment and to human health. To ensure any potential impacts are less than significant, the performance standards listed above have been incorporated into the project.

This proposed location does have a structure that will require demolition. A phase I environmental assessment and asbestos survey will be completed prior to demolition. The District will comply with federal and state regulations, policies, and laws regarding routine transport, use, disposal, and reasonably foreseeable accidental release of hazardous materials. Compliance with these regulations, policies, and laws and applicable District performance measures would ensure that the project would not create a significant hazard to the environment or public. Therefore, this impact would be less than significant.

- c) **Less Than Significant Impact.** The proposed project location is not being constructed within a quarter mile of an existing school and the City of Fresno 2035 General Plan does not plan a school within a quarter mile on the proposed project location. The project has the potential to emit hazardous emissions of asbestos should the existing building have asbestos containing materials. The District will conduct an asbestos survey of the building and should the survey identify asbestos containing materials, the District will follow all federal, state, and local regulations governing the demolition of asbestos containing buildings. Therefore, this impact would be less than significant.

- d) **No Impact.** There is not a known hazardous material site located within the proposed project area.
- e) **No Impact.** The Fresno-Yosemite International Airport, Sierra Sky Park, and the Fresno-Chandler Downtown Airport are all outside of the project areas. The project will not result in a safety hazard for people residing or working in the project areas. No impacts would occur.
- f) **Less Than Significant Impact.** The project does not involve the construction or placement of barrier or structures resulting in the permanent blockage of any road or emergency response. Construction activities could potentially result in temporary and localized restrictions in traffic; however, construction traffic obstructions will be minimized with the implementation of performance measures such as the provision of appropriate traffic control measures, placement of signage, designated construction routes, and flagged controls. This impact is less than significant.
- g) **No Impact.** The project site is not in a wildlands area. As part of the regular maintenance of the basins, any weeds and other vegetation that could potentially cause a fire hazard will be controlled. No impacts would result.

10. Hydrology and Water Quality

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?		X		
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	X			
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surface, in a manner which would result in substantial erosion or siltation on- or off-site:			X	
(i) result in substantial erosion or siltation on- or off-site;				
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;				
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or				
(iv) impede or redirect flood flows?				
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?		X		
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?		X		

Performance Standards:

- FMFCD would file a Notice of Intent (NOI) for coverage under the National Pollutant Discharge Elimination System (NPDES) State General Construction Activity Storm Water Permit if necessary.
- FMFCD contractors would comply with the requirement of the NPDES State Construction General Permit, including implementing a stormwater pollution prevention plan if necessary.
- The maximum depth of any urban stormwater retention basin would provide a minimum 10 feet of vertical separation between the lowest floor of the basin and highest anticipated level of groundwater.

- FMFCD would periodically test and remove soils as generally described in FMFCD Services Plan and specified in FMFCD's Standard Operating Procedures for Monitoring, Maintenance and Disposal of Stormwater Basin Sediment. FMFCD would remove soils from accumulation areas as necessary to maintain less than FMFCD derived threshold concentrations of indicator contaminants and to ensure contaminant levels do not exceed hazardous waste levels, as defined in CCR Title 22. FMFCD would adjust the frequency of testing and cleaning as increased data provide improved knowledge of constituent accumulation concentrations and rates.

Discussion:

- a) **Less Than Significant Impact.** The proposed project will be used to store stormwater. Water will be held in the stormwater basin allowing pollutants to settle before returning to a canal and moving downstream. This project could improve the water quality depending on the amount of time it is allowed to remain in the stormwater basin. Water quality impacts from short-term construction operations would consist of the discharge of pollutants such as sediment from grading operations, oil and grease from equipment, trash from worker and construction activities and other pollutants. Stormwater discharges from urban runoff could deliver pollutants to the stormwater basin. The U.S. Geological Survey (1995) evaluated the potential for nonpoint source contamination of groundwater supply due to urban runoff in Fresno County. The Study concluded that urban contaminants are not reaching groundwater, not do they affect sediment-disposal considerations that are based on compliance with sediment quality criteria or standards.

The Discharge of pollutants into waters of the U.S. is regulated by the State Water Resources Control Board (SWRCB). Due to the nature of the proposed facilities, no short term or long term operational impact are anticipated. The District's SEIR concluded that construction related surface water quality impacts would be less than significant.

- b) **No Impact.** The proposed project will increase groundwater supplies by creating a stormwater basin that will recharge groundwater.
- c) **Less Than Significant Impact.** The purpose of the project is to provide new and improved storm drain facilities to adequately handle sources of storm water runoff throughout the Drainage Area "AV" area. The proposed project will alter the drainage pattern of the areas in a beneficial manner by providing additional storage for floodwaters and reduce the potential for flooding in the area. The stormwater basin will be below surface level which will prevent erosion or siltation off-site. If any erosion or siltation occurs, it will remain onsite within the stormwater basin and be repaired to prevent further problems.
- d) **No Impact.** The proposed project site is not within an area subject to inundation by a seiche, tsunami or mudflow.
- e) **No Impact.** The stormwater basin site will capture the stormwater and be used for groundwater recharge. The project will have a positive impact on the areas groundwater sustainability plans.

11. Land Use and Planning

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Physically divide an established community?	X			
b. Cause a significant environmental impact due to a conflict with an land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X

Discussion:

- a) **No Impact.** The project includes developing stormwater basin to contain possible floodwaters and will not physically divide an established community. No Impacts will occur.
- b) **No Impact.** The purpose of the proposed project is to provide flood control facilities for developed areas and areas planned for development by the local land use agencies. Therefore, the plans of the District are a necessary component of the agencies general plans and would not conflict with them. No impacts will occur.

12. Mineral Resources

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?		X		
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?		X		

Discussion:

- a) **Less Than Significant Impact.** The proposed project is not located in proximity to any of the mineral resources locations within the District service area. Therefore, the project would not result in the loss of availability of known mineral resources or mineral resource recovery sites. This impact would be less than significant.
- b) **Less Than Significant Impact.** The proposed project is not located in proximity to any of the mineral resources locations within the District service area. Therefore, the project would not result in the loss of availability of known mineral resources or mineral resource recovery sites. This impact would be less than significant.

13. Noise

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		
b. Generation of excessive groundborne vibration or groundborne noise levels?		X		
c. For a project located within the vicinity of a private airstrip or an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	X			

Performance Standards:

- As necessary, construction operations shall be limited to between 7:00 AM and 7:00 PM.
- All construction equipment would be properly maintained according to the manufacturers' specifications.
- All gas- or diesel-powered construction equipment would be equipped with required control technology.
- Routine maintenance and repair of construction equipment would not be allowed within 300 feet of a residence (except emergency repairs).
- Construction site access would be located away from residences to the extent consistent with traffic safety and efficient site circulation.

Discussion:

- Less Than Significant Impact.** The proposed project could cause intermittent and temporary increases in ambient noise levels in the project vicinity. Noise produced by construction activities could impact surrounding uses. Construction vehicle traffic traveling to the project locations would also generate an increase in noise. Due to implementation of the construction and operation performance standards and the short-term nature of construction activities, construction noise impacts would be considered less than significant. With implementation of the noise related performance standards, impacts related to noise will be less than significant.
- Less Than Significant Impact.** Groundborne noise is usually associated with construction activities such as extraordinary compaction and pile driving. The proposed project is not anticipated to include these types of construction. People will not be exposed to, and the project would not generate excessive groundborne vibration or groundborne noise.
- No Impact.** There are no private airstrips in the project areas. People will not be exposed to excessive noise levels within the vicinity of a private airstrip.

14. Population and Housing

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Induce substantial unplanned population growth either in an area, directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?		X		
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	X			

Discussion:

- a) **Less Than Significant Impact.** Development in the areas will be governed by the County of Fresno and the City of Fresno in conformance with their General Plans. This project will construct a stormwater basin to prevent possible flooding and to hold stormwater for recharge purposes. The project would not induce population growth because the basins are designed to hold current and planned flows. This is also not considered significant because drainage service alone will not support the development of land with urban uses in an agricultural area. Therefore, this impact is less than significant.
- b) **No Impact.** The project areas are located on agricultural land with no housing on the property, so it will not displace existing housing.

15. Public Services

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Fire protection?	X			
b. Police protection?	X			
c. Schools?	X			
d. Parks?	X			
e. Other public facilities?	X			

Discussion:

- a) **No Impact.** Since the project does not include the development of residential, commercial or industrial facilities the proposed project will not result in an increased need for fire protection services.
- b) **No Impact.** Since the project does not include the development of residential, commercial or industrial facilities the proposed project will not result in an increased need for police protection services.
- c) **No Impact.** Since the project does not include the development of residential, commercial or industrial facilities the proposed project will not result in an increased need for schools.
- d) **No Impact.** Since the project does not include the development of residential, commercial or industrial facilities the proposed project will not result in an increased need for park facilities.
- e) **No Impact.** Since the project does not include the development of residential, commercial or industrial facilities the proposed project will not result in an increased need for public facilities.

16. Recreation

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?				X

Discussion:

- a) **No Impact.** Since the project does not include the development of residential, commercial or industrial facilities the proposed project will not result in an increased use of existing neighborhood or regional parks or other recreational facilities.
- b) **No Impact.** No recreation facilities are proposed as part of this project. No Impact would occur.

17. Transportation

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?		X		
b. Conflict with an applicable congestions management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?		X		
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	X			
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?		X		
e. Result in inadequate emergency access?		X		
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	X			

Performance Standards:

- Appropriate traffic control measures, including flagged controls, designated construction traffic routes, and signage would be utilized during construction activities to provide a safe and smooth flow of traffic. Traffic obstructions would be minimized, and free passage of traffic would be maintained whenever possible. Closure of any intersecting streets or roads would only occur with the approval of the traffic authority of the governmental unit having jurisdiction. FMFCD contractors would notify the appropriate police and fire departments of the location of the work in advance of any road closing.
- As necessary, construction-related truck movement would be limited to between 7:00 AM and 7:00 PM, Monday through Saturday.
- Vehicle access would be provided and maintained in good condition for residences and businesses affected by construction activities. Pedestrian access to all properties along the line of work would be provided whenever possible and necessary, with construction fencing placed as necessary to provide pedestrian safety.
- FMFCD would perform pre- and post-construction visual inspections along haul routes of major projects to determine road conditions.

Discussion:

- Less Than Significant Impact.** The proposed project would result in short-term increase in traffic from construction-related trips. However, appropriate traffic safety controls and designated construction-related traffic routes would be utilized during construction activities to provide a safe and smooth flow of traffic.

As required by performance standards incorporated into the project, as necessary, construction-related truck movements would be limited between 7:00 a.m. and 7:00 p.m., Monday through Saturday. In addition, closure of any intersecting streets or roads would only occur with the approval of the traffic authority of the governmental unit having jurisdiction.

Operation and maintenance of particular elements of the proposed project would generate brief temporary increases in traffic from routine maintenance and site inspections. This project will not conflict with any plan, ordinance, and policy addressing the circulation system. Therefore, the impact would be considered less than significant.

- b) **Less Than Significant Impact.** The proposed project will not result in additional population within the project areas or additional businesses, so it would not conflict with the applicable congestions management program.
- c) **No Impact.** The proposed project will not involve air traffic or structures that would change air traffic. No changes would occur that would cause substantial safety risks.
- d) **Less Than Significant Impact.** The proposed project will not change transportation design features or create incompatible uses.
- e) **Less Than Significant Impact.** As required by performance standards incorporated into the project, the proposed project activities would not result in impacts to emergency access. Therefore, this impact would be considered to be less than significant.
- f) **No Impact.** The proposed project would not increase the existing population, and does not involve any elements that would conflict with adopted policies supporting alternative transportation. No impacts would occur.

18. Tribal Cultural Resources

Would the project cause a substantial adverse change in the significance of a tribal cultural resources, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?			X	
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X	

Discussion:

- a) **Less Than Significant With Mitigation.** A cultural and historical resources search was conducted for the previously Basin "AV" location in the District's SEIR. The SEIR did not identify any cultural or historic resources within a 0.5 mile radius of the previous Basin "AV" location. The proposed Basin "AV" location is directly adjacent to the SEIR Basin "AV" location and is within the 0.5 miles radius of the cultural and historical resources search.

A separate cultural and historical resources search was not performed on the proposed Basin "AV" location. Because the proposed Basin "AV" location was not surveyed for cultural or historical resources during this Initial Study, the District will implement Mitigation Measure CR-1: *Perform cultural and historical resources survey and move alignment if necessary to avoid effects on resources eligible for the CRHR* (California Register of Historical Resources). Implementing Mitigation Measure CR-1 will mitigate any significant effects.

The District requested a Sacred Lands File search for the project location to the Native American Heritage Commission (NAHC). The NAHC stated that the Sacred Lands File search was negative. See Appendix I: AB 52 Tribal Cultural Resources Consultation and Sacred Lands File Search.

- b) **Less Than Significant With Mitigation.** The District will implement Mitigation Measure CR-1: *Perform cultural and historical resources survey and move alignment if necessary to avoid effects on resources eligible for the CRHR* and Mitigation Measure CR-2: *Stop work and implement required measures if cultural resources or tribal cultural resource are found during construction*. Further details of these mitigation measures can be found in the Mitigation Monitoring and Reporting Program on page 45.

Furthermore, FMFCD followed its statutory requirement for under Public Resources Code Section 21080.3.1 (AB 52). FMFCD's AB 52 Tribal Cultural Resources consultation letters are in Appendix I: AB 52 Tribal Cultural Resources Consultation and Sacred Lands File Search.

19. Utilities and Service Systems

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	X			
b. Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	X			
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	X			
e. Result in a determination by the wastewater treatment provider, which services or may serve the project, that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	X			
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	X			
g. Comply with federal, state, and local statues and regulations related to solid waste?	X			

Discussion:

- a) **No Impact.** No wastewater will be generated by the proposed project. If heavy rains occur stormwater will be held on site temporarily to prevent flooding downstream.
- b) **No Impact.** No new water supply or wastewater treatment facility will be needed for this project.
- c) **Less Than Significant Impact.** The proposed project involves the construction of a stormwater basin to contain projected flood waters and storm water drainage for current and proposed land uses. The construction of new storm water drainage facilities or expansion of existing facilities would not cause significant environmental effects. This impact is less than significant.
- d) **No Impact.** The proposed project does not include the need for a water supply. Therefore, no impact on water supplies is anticipated.
- e) **No Impact.** The proposed project does include the need for a wastewater treatment provider. Therefore, no impact on wastewater treatment capacity is anticipated.

- f) **No Impact.** Soil excavated from the proposed project will be used as fill material for development projects. Therefore, no impact on solid waste disposal facilities is anticipated.
- g) **No Impact.** Soil excavated from the proposed project will be used as fill material for development projects. Soils will be tested occasionally to make sure levels of pollutants are below federal, state and local statues and regulations.

19. Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	X			
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?		X		
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel brakes, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d. Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

Discussion:

- No Impact.** The proposed project would not impair any emergency response plan or emergency evacuation plan. FMFCD is part of the Fresno County Multi-Hazard Mitigation Plan and will coordinate efforts in the event of an emergency. The proposed project location is not near or in a state responsibility area or land classified as a very high fire hazard severity zone. This effect would have no impact.
- No Impact.** The proposed project will not have any building or structures for project occupants. The proposed project location is not near or in a state responsibility area or land classified as a very high fire hazard severity zone. This effect would have no impact.
- No Impact.** The proposed project location is not near or in a state responsibility area or land classified as a very high fire hazard severity zone. This effect would have no impact.
- No Impact.** The proposed project is for a stormwater basin to prevent flooding and capture storm water drainage. This project will not expose people or structures to significant risks from wildfires. The proposed project location is not near or in a state responsibility area or land classified as a very high fire hazard severity zone. This effect would have no impact.

20. Mandatory Findings of Significance

	No Impact	Less Than Significant Impact	Less Than Significant With Mitigation	Potentially Significant Impact
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 history or prehistory?			X	
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X		
c. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

Discussion:

- a) **Less Than Significant With Mitigation.** Based on the information presented in this Initial Study, the project could have potentially significant effects on biological resources and cultural and tribal cultural resources. However, these effects would be less than significant with the incorporation of the mitigation measures provided.
- b) **Less Than Significant Impact.** Based on the information presented in this Initial Study, the proposed project will not result in any significant cumulative impacts.
- c) **Less Than Significant Impact.** Based on the information presented in this Initial Study, the proposed project will not result in substantial adverse environmental effects or effects on human beings.

Performance Standards

FMFCD has developed various performance standards that are routinely implemented during the construction and operation of FMFCD projects, as applicable. Therefore, the standards are considered to be part of the project, rather than mitigation measures. The performance standards that are applicable to the project are as follows:

- As necessary and possible, hours of operation for light-generating construction equipment would be restricted to between the hours of 7:00 AM to 7:00 PM.
- District contractors and dirt removal permittees would be required to provide dust control and cleanup of loose soils both within and outside of construction sites in accordance with San Joaquin Valley Air Pollution Control District Rule VIII for the control of fine particulate matter. Haul roads would be cleaned and swept as necessary during hauling operations.
- FMFCD would require of its contractors or permittees to properly maintain internal combustion engines used during construction activities. FMFCD would properly maintain all FMFCD owned and operated internal combustion engine machinery.
- Any maintenance activities that would cause or have the potential to cause fugitive emissions would be required to implement dust control measures in accordance with FMFCD's comprehensive Dust Control Plan.
- If objectionable odors originate at a FMFCD facility, FMFCD staff would investigate the cause of the odor immediately. When the source of the odor is identified, it would be neutralized or removed and properly disposed of in accordance with local, state and federal requirements.
- The District will follow District Rule 9510 (Indirect Source Review).
- Prior to the start of construction, all FMFCD contractors and subcontractors for the project would be informed in writing of the potential for discover of important cultural or paleontological resources below the ground surface on the project site and legal consequences for damaging or destroying such resources. If any cultural or paleontological resources were found, FMFCD would stop work within the area in questions and a qualified consultant would be retained by FMFCD to evaluate the find and make recommendations for further action.
- FMFCD would ensure that construction projects are controlled through standard specifications. A "Removal of Borrow Material Permit" would be issued by FMFCD and signed by any one desiring to remove soil from a FMFCD facility. Applicable provisions of the contract and permit would ensure the contractor and permittee excavate per the approved design and quantities. Furthermore, the "Removal of Borrow Material Permit" states that work shall stop immediately should a potential unique paleontological or geologic feature be discovered during excavation.
- Basin slopes would be graded and maintained to minimize erosion. Should soil erosion occur, the erosion material would be kept on-site, within the excavation area, and used to repair eroded areas.
- FMFCD would select and implement the most appropriate erosion control BMPs identified in the Construction Site Storm Water Quality Management Guidelines.
- FMFCD would conduct a Phase I Preliminary Site Assessment to determine the likelihood of any hazardous materials prior to land acquisition.
- FMFCD contractors would be required to notify FMFCD of certain specified conditions relating to hazardous waste, unexpected subsurface or latent conditions, or unknown physical conditions. FMFCD would promptly investigate any such conditions reported to it and take appropriate action to protect public and contractor health and safety.
- FMFCD would immediately begin the cleanup of spills or hazardous materials releases that may occur during construction. FMFCD would notify all applicable responsible agencies as required by law.
- FMFCD contractors would comply with the provisions of the Construction Safety Orders, Tunnel Safety Orders, confined and enclosed spaces and other dangerous atmospheres, and General Safety Orders adopted by the State Division of Industrial Safety, as set forth in Title 8 of the CCR, and applicable worker safety portions of FMFCD or contractor standard specifications.

- Low-flow areas of basins would be designed to maintain ponded water depths that provide for mosquito fish predation on mosquito populations.
- FMFCD would work cooperatively with the Consolidated and Fresno Mosquito and Vector Control Districts to maintain flood control facilities in a manner that discourages mosquito and midge habitat.
- FMFCD would periodically inspect basin facilities to identify FMFCD features in need of repair (e.g., fences and pumping stations) and to ensure compliance with FMFCD ordinances prohibiting certain activities (e.g., swimming, fishing and golfing).
- FMFCD would implement the Standard Operating Procedures for Monitoring, Maintenance and Disposal of Stormwater Basin Sediment.
- FMFCD would file a Notice of Intent (NOI) for coverage under the National Pollutant Discharge Elimination System (NPDES) State General Construction Activity Storm Water Permit, if necessary.
- FMFCD contractors would comply with the requirement of the NPDES State General Permit, including implementing a stormwater pollution prevention plan if necessary.
- The maximum depth of any urban stormwater retention basin would provide a minimum 10 feet of vertical separation between the lowest floor of the basin and highest anticipated level of groundwater.
- FMFCD would periodically test and remove soils as generally described in FMFCD Services Plan and specified in FMFCD's Standard Operating Procedures for Monitoring, Maintenance and Disposal of Stormwater Basin Sediment. FMFCD would remove soils from accumulation areas as necessary to maintain less than FMFCD Prescribed threshold concentrations of indicator contaminants and to ensure contaminant levels do not exceed hazardous waste levels, as defined in CCR Title 22. FMFCD would adjust the frequency of testing and cleaning as increased data provide improved knowledge of constituent accumulation concentrations and rates.
- All construction equipment would be properly maintained according to the manufacturers' specifications.
- All gas- or diesel-powered construction equipment would be equipped with required control technology.
- Routine maintenance and repair of construction equipment would not be allowed within 300 feet of a residence (except emergency repairs).
- Construction site access would be located away from residences to the extent consistent with traffic safety and efficient site circulation.
- Appropriate traffic control measures, including flagged controls, designated construction traffic routes, and signage would be utilized during construction activities to provide a safe and smooth flow of traffic. Traffic obstructions would be minimized, and free passage of traffic would be maintained whenever possible. Closure of any intersecting streets or roads would only occur with the approval of the traffic authority of the governmental unit having jurisdiction. FMFCD contractors would notify the appropriate police and fire departments of the location of the work in advance of any road closing.
- As necessary, construction-related truck movement would be limited to between 7:00 AM and 7:00 PM, Monday through Saturday.
- Vehicle access would be provided and maintained in good condition for residences and businesses affected by construction activities. Pedestrian access to all properties along the line of work would be provided whenever possible and necessary, with construction fencing placed as necessary to provide pedestrian safety.
- FMFCD would perform pre- and post-construction visual inspections along haul routes of major projects to determine road condition.

Mitigation Monitoring and Reporting Program for the Acquisition and Construction of Basin "AV"

In accordance with Section 21081.6 of the Public Resources Code and Section 15097 of the State CEQA Guidelines, this Mitigation Monitoring and Reporting Program ("MM&RP") is adopted by the FMFCD to ensure that the mitigation measures adopted for the project and the applicable performance standards are implemented.

Mitigation Monitoring and Reporting Coordinator

The FMFCD Environmental Resources Manager or his/her designee shall act as the Project Mitigation Monitoring and Reporting Coordinator ("Coordinator") for the project. The Coordinator shall be responsible for ensuring that the project mitigation measures and applicable performance standards are complied with during the project's development, operational, and maintenance phases.

Mitigation Monitoring and Reporting Procedures

The Coordinator shall provide a copy of the mitigation measures, performance standards and MM&RP to the project engineer and contractor for incorporation in the project plans, construction specifications, permits, and contracts, as appropriate.

Prior to commencement of construction activities, the Coordinator shall ensure that all mitigation measures under the FMFCD's control and applicable performance standards have been incorporated into the project plans, construction specifications, and contracts, as appropriate.

If the Coordinator notes any mitigation measure or performance standard that is not being followed, or if any responsible member of the public reports to the FMFCD that any measure or standard is not being followed, the General Manager-Secretary of the FMFCD shall be notified immediately. The General Manager-Secretary shall make a determination as to whether work shall cease and shall provide direction for compliance with the mitigation measure or performance standard.

Each mitigation measure is categorized by impact area and corresponding number, with an accompanying identification of:

- The enforcement agency and monitoring agency.
- The monitoring phase (i.e., the phase of the project during which the measure should be monitor) and monitoring frequency.
- The action indicating compliance with the mitigation measure.

Table 1. Mitigation Monitoring and Reporting Program

Mitigation Measures	Enforcement Agency/Monitor	Monitoring Phase/Monitoring Frequency	Compliance Action
Biological Resources			
<p>Mitigation Measure BR-1: Conduct preconstruction survey for burrowing owl. The District will conduct a burrowing owl pre-construction survey no more than 30 days before the beginning of ground disturbance over the entire project site and in areas within 150 meters (approximately 500 feet) of the project impact zones in accordance with the California Burrowing Owl Consortium’s Burrowing Owl Survey Protocol and Mitigation Guides.</p> <p>If an occupied burrow is discovered during the preconstruction survey the, occupied burrows shall be avoided and a buffer zone between site disturbance and the burrows shall be established by a biologist. In consultation with CDFW, a biologist may obtain approval from CDFW to preclude burrow occupation (i.e, passive relocation) if 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.</p>	The District or its designated agent.	Before earth disturbance/ once.	Preconstruction survey report.
<p>Mitigation Measure BR-2: Remove trees during nonbreeding season and conduct preconstruction survey for nesting birds.</p> <ul style="list-style-type: none"> • Trees scheduled to be removed during project implementation shall be removed during nonbreeding season (March 1st – September 30th). • Conduct a preconstruction survey for nesting birds no more than 15 days before grading, demolition, or site preparation activities. Activities taking place outside the breeding season (March 1st – September 30th) do not require a survey. If active raptor nests are present, construction activities will be avoided within 250 feet of the active nest. • To avoid impacts on common and special-status migratory birds pursuant to the Migratory Bird Treaty Act and the California Fish and Game Code, a nesting survey shall be conducted before construction activities if the work is schedule between March 1st and September 30th. If nesting birds are identified nesting within the construction zone, a 100-foot buffer around the 	The District or its designated agent.	Before earth disturbance/ until trees are removed.	Preconstruction survey report.

<p>nest shall be designated. No work shall occur within this buffer unless a qualified biologist determines that the young have fledged.</p>			
<p>Mitigation Measure BR-3: Swainson’s hawk protection. The District will conduct a pre-construction survey within a 500-foot radius of the property for nesting raptors no more than 15 days prior to ground disturbance if disturbance is to occur during the nesting period (March 1st – September 30th). If preconstruction surveys determine presence of nesting raptors within a 500-foot radius of the property, work areas will be avoided, as well as a suitable buffer by a qualified biologist in consultation with the CDFW.</p> <p>Trees scheduled for removal shall be surveyed whether they currently support or have previously supported nesting Swainson’s hawk. The District shall avoid nesting trees or if not feasible the trees shall be replaced with an appropriate native tree species, planted at a ratio of 3:1, in an area that will be protected in perpetuity.</p>	<p>The District or its designated agent.</p>	<p>Before earth disturbance/ until trees are removed.</p>	<p>Preconstruction survey report.</p>
<p>Mitigation Measure BR-4: Conduct preconstruction survey for special status species. Concurrent with the burrowing owl preconstruction survey, a survey will be conducted for special status species identified in the CDFW California Natural Diversity Database (CNDDDB) Basin “AV” Quad location and for which the project location hosts the required habitat. Should a special status species be identified during the preconstruction survey, CDFW will be consulted.</p>	<p>The District or its designated agent.</p>	<p>Before earth disturbance/ once.</p>	<p>Preconstruction survey report.</p>
<p>Cultural Resources</p>			
<p>Mitigation Measure CR-1: Perform cultural and historical resources survey and move alignment if necessary to avoid effects on resources eligible for the CRHR (California Register of Historical Resources). Before ground disturbance activities, a qualified professional archaeologist retained by the District shall perform a cultural resources survey of the area to determine whether cultural, tribal cultural, and historical resources are present. The testing shall be performed before the start of any construction.</p>	<p>The District or its designated agent.</p>	<p>During construction.</p>	<p>Preconstruction survey report.</p>
<p>Mitigation Measure CR-2: Stop work and implement required measures if cultural resources or tribal cultural resources are found during construction. In the event that buried cultural resources or tribal cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resources require further study. The qualified archeologist and shall make recommendations to the</p>	<p>The District or its designated agent.</p>	<p>Before earth disturbance/ once.</p>	<p>Contact qualified archeologist.</p>

<p>FMFCD on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines.</p>			
<p>Mitigation Measure CR-2: Stop work and implement required measures if human remains are found during construction. If human remains or bones of unknown origin are found during construction, all work shall stop in the vicinity of the find and the Fresno County coroner shall be contacted immediately. The NAHC shall notify the person considered to be the most likely descendant. The most likely descendant shall work with the District to develop a program for the reinterment of the human remains and any associated artifacts. No additional work shall take place within the immediate vicinity of the find until the identified appropriate actions have been completed.</p>	<p>The District or its designated agent.</p>	<p>During construction.</p>	<p>Notification of Fresno County Coroner.</p>

Names of Persons Who Prepared or Participated in the Initial Study/Environmental Checklist

FMFCD Staff

FMFCD staff that participated in preparing and reviewing the Initial Study/Environmental Checklist included:

Alan Hofmann, General Manager-Secretary

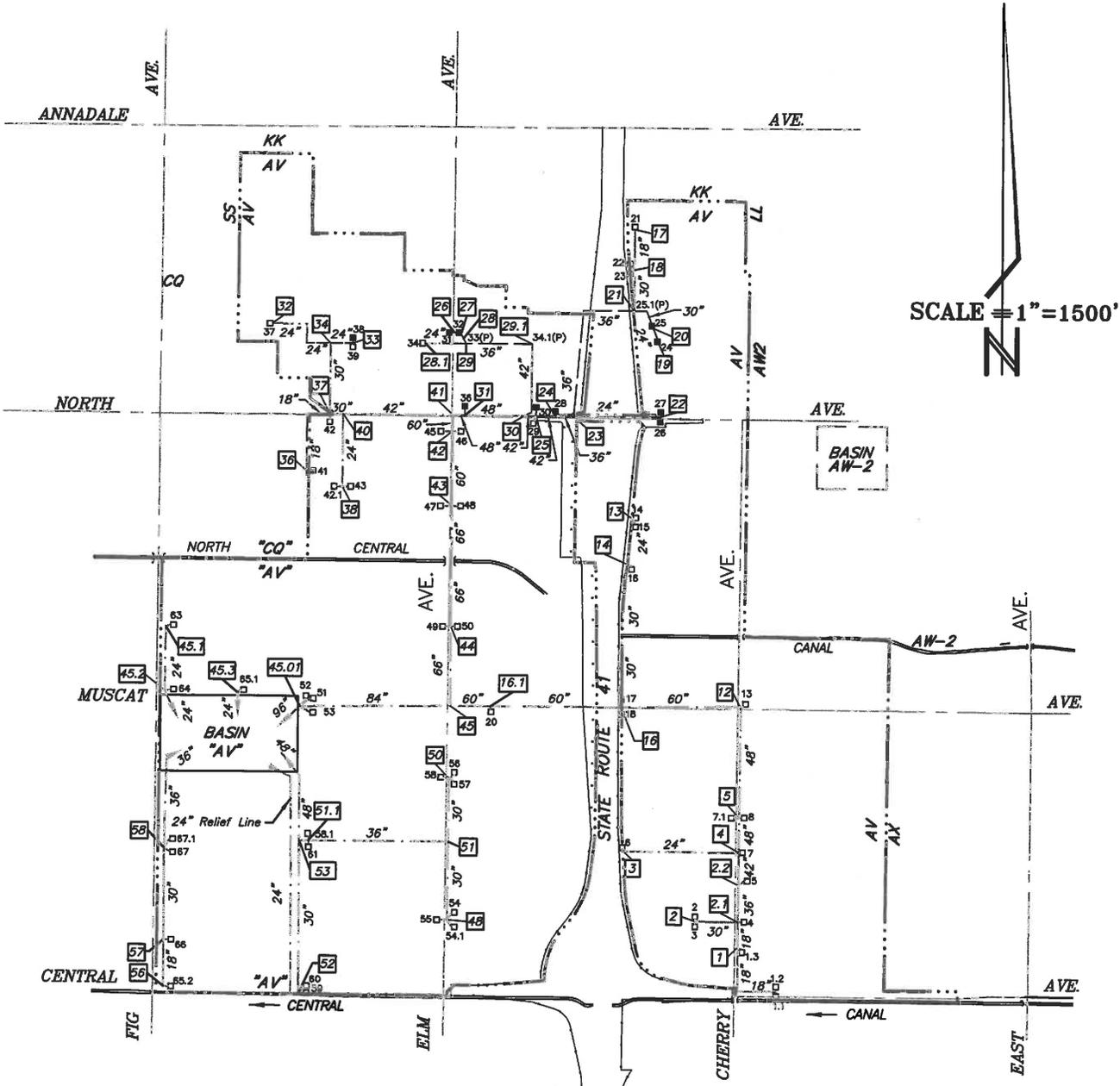
Berta Mims, Assistant **General** Manager-Administration

Jared Shuman, Environmental Resources Manager

Joseph Draper, Staff Analyst

Appendix I: AB 52 Tribal Cultural Resources Consultation and Sacred Lands File Search

NOTE:
THIS DRAWING IS SCHEMATIC,
DISTANCES ARE APPROXIMATE.



SCALE = 1" = 1500'
N

LEGEND

- FUTURE MASTER PLAN FACILITIES
- EXISTING MASTER PLAN FACILITIES
- DRAINAGE AREA BOUNDARY
- 52 STORM DRAIN JUNCTION NUMBER

ALTERNATE NO. 5

Drainage Area "AV"
Basin Site Area: 19.8 Acres
Average Pad: 272.0ft
Freeboard: 2.0ft

**PROPOSED
FACILITIES MAP
DRAINAGE AREA "AV"**

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

information regarding any cultural resources assessment that has been completed on the Area of Potential Effect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
 - A listing of any and all known cultural resources that have already been recorded or are adjacent to the APE, such as known archaeological sites;
 - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
 - Whether the records search indicates a low, moderate, or high probability that unrecorded cultural resources are located in the APE; and
 - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.
2. The results of any archaeological inventory survey that was conducted, including:
 - Any report that may contain site forms, site significance, and suggested mitigation measures.

All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code section 6254.10.
3. The result of the Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was negative.
4. Any ethnographic studies conducted for any area including all or part of the potential APE; and
5. Any geotechnical reports regarding all or part of the potential APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are not exhaustive or conclusive as to the presence of resources that may be tribal cultural resources. A negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we are able to assure that our consultation list remains current.

If you have any questions, please contact me at my email address: katy.sanchez@nahc.ca.gov

Sincerely,



KATY SANCHEZ

**Native American Heritage Commission
Tribal Consultation List
05/02/2019**

Dumna Wo-Wah Tribal Government
Robert Ledger Sr., Chairperson
2191 West Pico Ave.
Fresno, CA 93705
ledgerrobert@ymail.com
(559) 540-6346

Dumna/Foothill Yokut
Mono

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct.
Salinas, CA 93906
kwood8934@aol.com
(831) 443-9702

Foothill Yokuts
Mono
Wuksache

Kings River Choinumni Farm Tribe
Stan Alec
3515 East Fedora Avenue
Fresno, CA 93726
(559) 647-3227 Cell

Foothill Yokuts
Choinumni

Santa Rosa Rancheria Tachi Yokut Tribe
Rueben Barrios Sr., Chairperson
P.O. Box 8
Lemoore, CA 93245
(559) 924-1278

Tache
Tachi
Yokut

Table Mountain Rancheria
Leanne Walker-Grant, Chairperson
P.O. Box 410
Friant, CA 93626
rpennell@tmr.org
(559) 822-2587

Yokuts

Table Mountain Rancheria
Bob Pennell, Cultural Resources Director
P.O. Box 410
Friant, CA 93626
rpennell@tmr.org
(559) 325-0351
(559) 217-9718 - cell

Yokuts

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Public Resources Code Sections 21080.1, 21080.3.1, and 21080.3.2 for proposed: Acquisition and Construction of Basin "AV" Fresno County.



Fresno Metropolitan Flood Control District
Capturing Stormwater since 1956

File No. 560.20 "AV"

May 7, 2019

Santa Rosa Rancheria Tachi Yokut Tribe
Hector Franco
Director
PO Box 8
Lemoore, CA 93245

Dear Hector Franco,

**RE: Tribal Cultural Resources under the California Environmental Quality Act,
AB 52 (Gatto, 2014)**

Formal Notification of determination that a Project Application is Complete or Decision to Undertake a Project, and Notification of Consultation Opportunity, pursuant to Public Resources Code § 21080.3.1 (hereafter PRC).

The Fresno Metropolitan Flood Control District (District) has decided to undertake the following project: Acquisition and Construction of Basin "AV" and prepare a Negative Declaration or Mitigated Negative Declaration.

PROJECT LOCATION

The Fresno Metropolitan Flood Control District (District) encompasses the area generally located in the north-central portion of Fresno County between the San Joaquin and Kings rivers. The District's service area consists of approximately 400 square miles and extends from the agricultural lands west and south of Fresno eastward into the Sierra Nevada to an elevation of approximately 4,500 feet above sea level. The District's service area includes most of the Clovis – Fresno metropolitan area, and unincorporated lands to the east and northeast.

Drainage Area and Basin "AV"

Drainage Area "AV" is in the southern portion of the District's service area on west and east sides of State Route 41. The proposed location for Basin "AV" is north of Central Avenue and south of North Avenue between Fig and Elm Avenues. The basin is proposed to be located on approximately 21.7 acres of the south half of APN 329-030-19. This is in Section 28, Range 20E of Township 124S. The Basin and Drainage Area is within the City of Fresno sphere of influence. The Drainage Area is an irregular shape mostly within the boundaries of the Central Avenue alignment, Fig Avenue, Annandale Avenue, and Cherry Avenue. See Figures 1 and 2 for Drainage Area and Basin "AV" locations.

Basin "AV" AB52 Notification Letter

May 7, 2019

Page 2

PROJECT DESCRIPTION

This project is for the acquisition and construction of a stormwater basin. The proposed project includes acquiring parcels to develop stormwater basins and the construction of the pipeline system and stormwater features throughout the drainage area. Basin "AV" will serve an approximately 760.70 acre drainage area and include a 19.8 acre basin site. The total acquisition area will be 21.7 acres and the remaining approximately 1.9 acres not a basin will be designated for a future road. The basin site will be developed by excavating approximately 61,000 cubic yards of dirt and constructing a perimeter fence, a pump station, and four outfall structures. Full construction of the stormwater basin can take up to 10 to 20 years.

Pursuant to PRC § 21080.3.1 (b), you have 30 days from the receipt of this letter to request consultation, in writing, with the Fresno Metropolitan Flood Control District. Contact Joseph Draper at josephd@fresnofloodcontrol.org or (559) 456-3292 with your request.

Very truly yours,

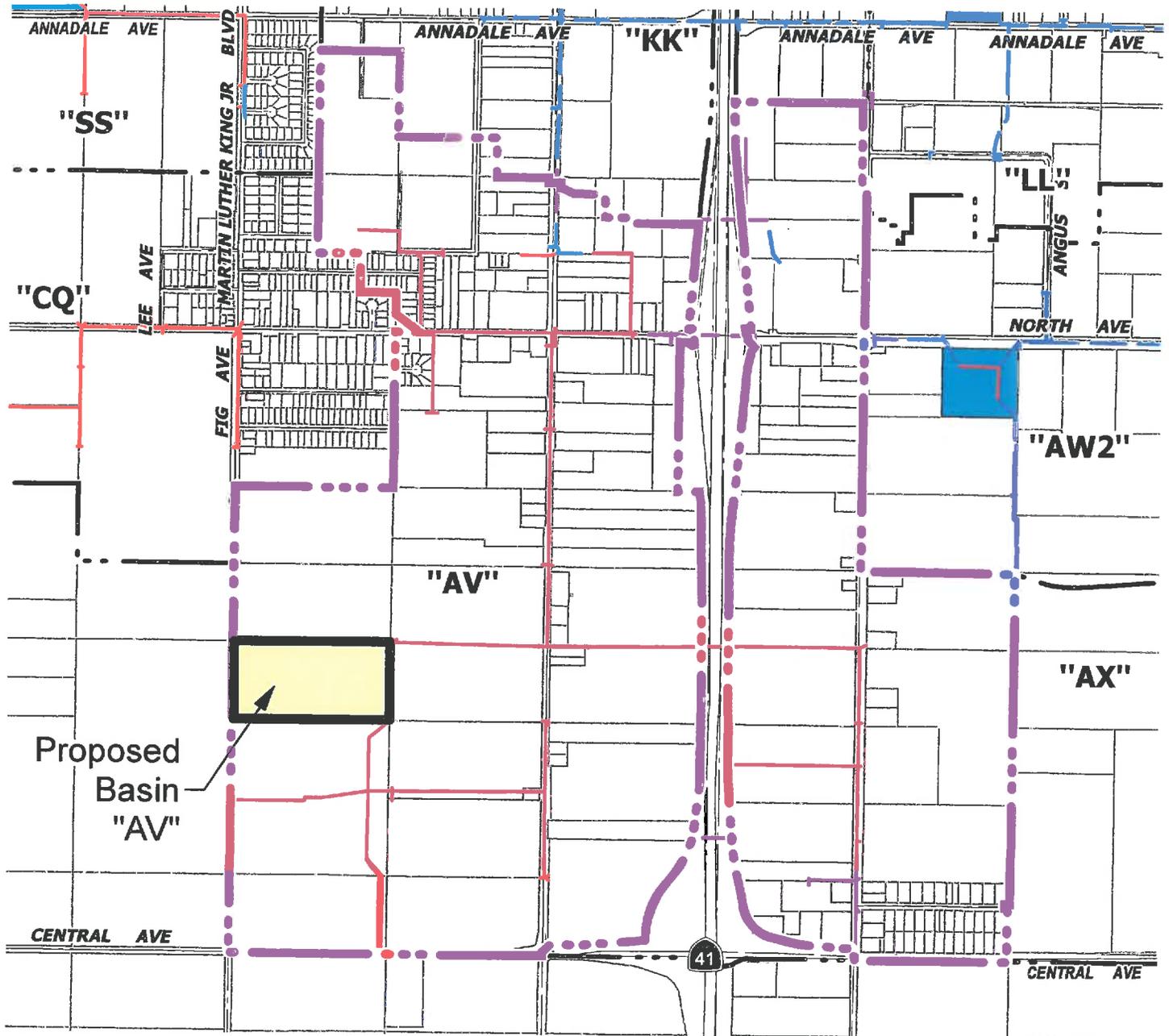


Joseph Draper
Staff Analyst I

JD/dm

Attachment

NOTE: THIS MAP IS SCHEMATIC. DISTANCES, AMOUNT OF CREDITABLE FACILITIES, AND LOCATION OF INLET BOUNDARIES ARE APPROXIMATE.



LEGEND

-  Future Master Plan Facilities
-  Existing Master Plan Facilities
-  Proposed Approximate Basin "AV" To Be Acquired
-  Drainage Area "AV" Boundary
-  Drainage Area Boundary



1" = 1300'

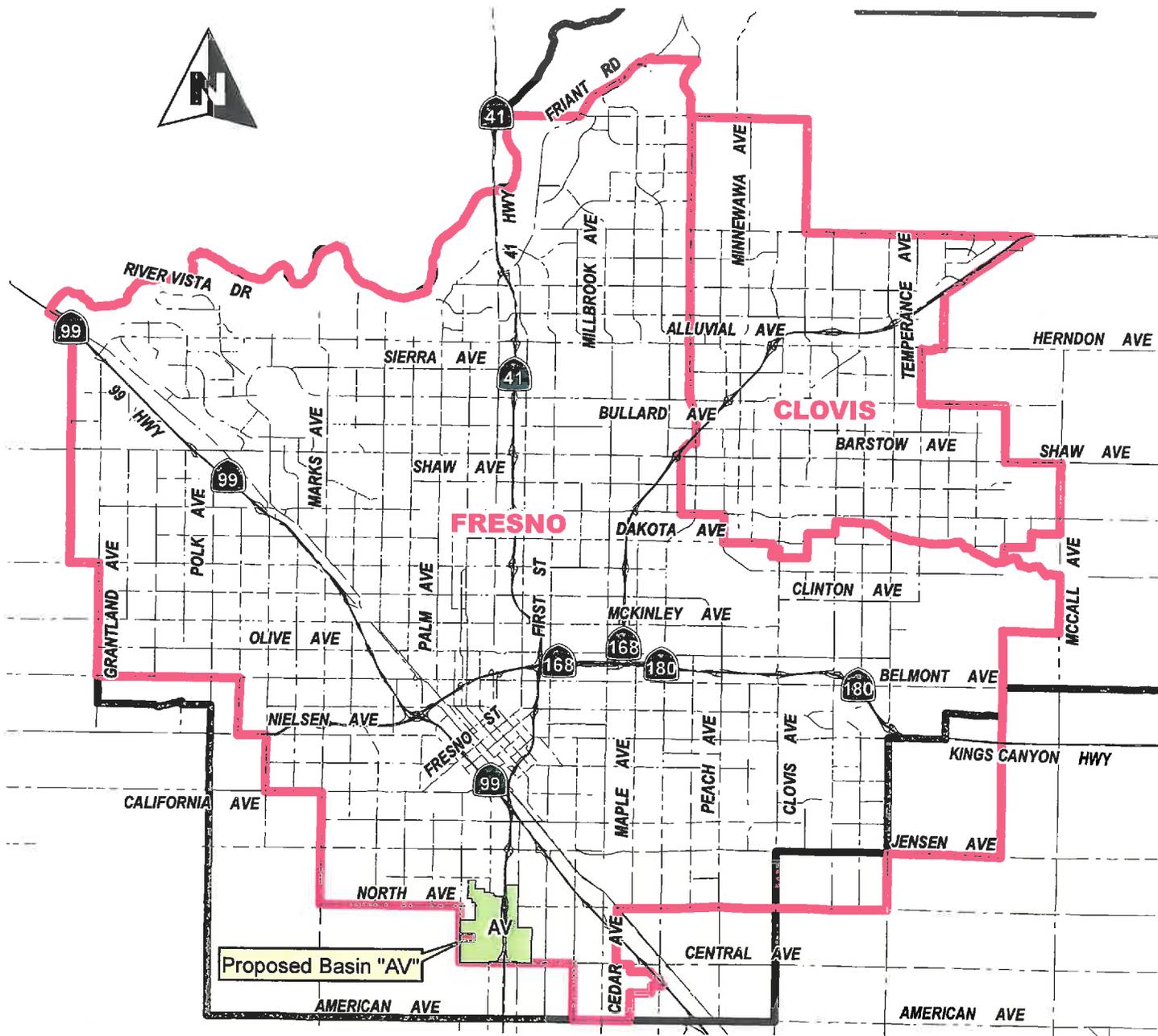
**DRAINAGE AREA "AV"
FACILITIES MAP**

FIGURE 2-1

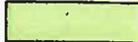
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT



NOTE: THIS MAP IS SCHEMATIC. DISTANCES, AMOUNT OF CREDITABLE FACILITIES, AND LOCATION OF INLET BOUNDARIES ARE APPROXIMATE.



LEGEND

-  City Sphere's
-  Proposed Drainage Area
-  Proposed Basin

Regional Map

FIGURE 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT





Fresno Metropolitan Flood Control District

Capturing Stormwater since 1956

File No. 560.20 "AV"

May 7, 2019

Santa Rosa Rancheria Tachi Yokut Tribe
Rueben Barrios SR
Chairperson
PO Box 8
Lemoore, CA 93245

Dear Rueben Barrios SR,

**RE: Tribal Cultural Resources under the California Environmental Quality Act,
AB 52 (Gatto, 2014)**

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Basin "AV" AB52 Notification Letter
May 7, 2019
Page 2

PROJECT DESCRIPTION

This project is for the acquisition and construction of a stormwater basin. The proposed project includes acquiring parcels to develop stormwater basins and the construction of the pipeline system and stormwater features throughout the drainage area. Basin "AV" will serve an approximately 760.70 acre drainage area and include a 19.8 acre basin site. The total acquisition area will be 21.7 acres and the remaining approximately 1.9 acres not a basin will be designated for a future road. The basin site will be developed by excavating approximately 61,000 cubic yards of dirt and constructing a perimeter fence, a pump station, and four outfall structures. Full construction of the stormwater basin can take up to 10 to 20 years.

Pursuant to PRC § 21080.3.1 (b), you have 30 days from the receipt of this letter to request consultation, in writing, with the Fresno Metropolitan Flood Control District. Contact Joseph Draper at josephd@fresnofloodcontrol.org or (559) 456-3292 with your request.

Very truly yours,

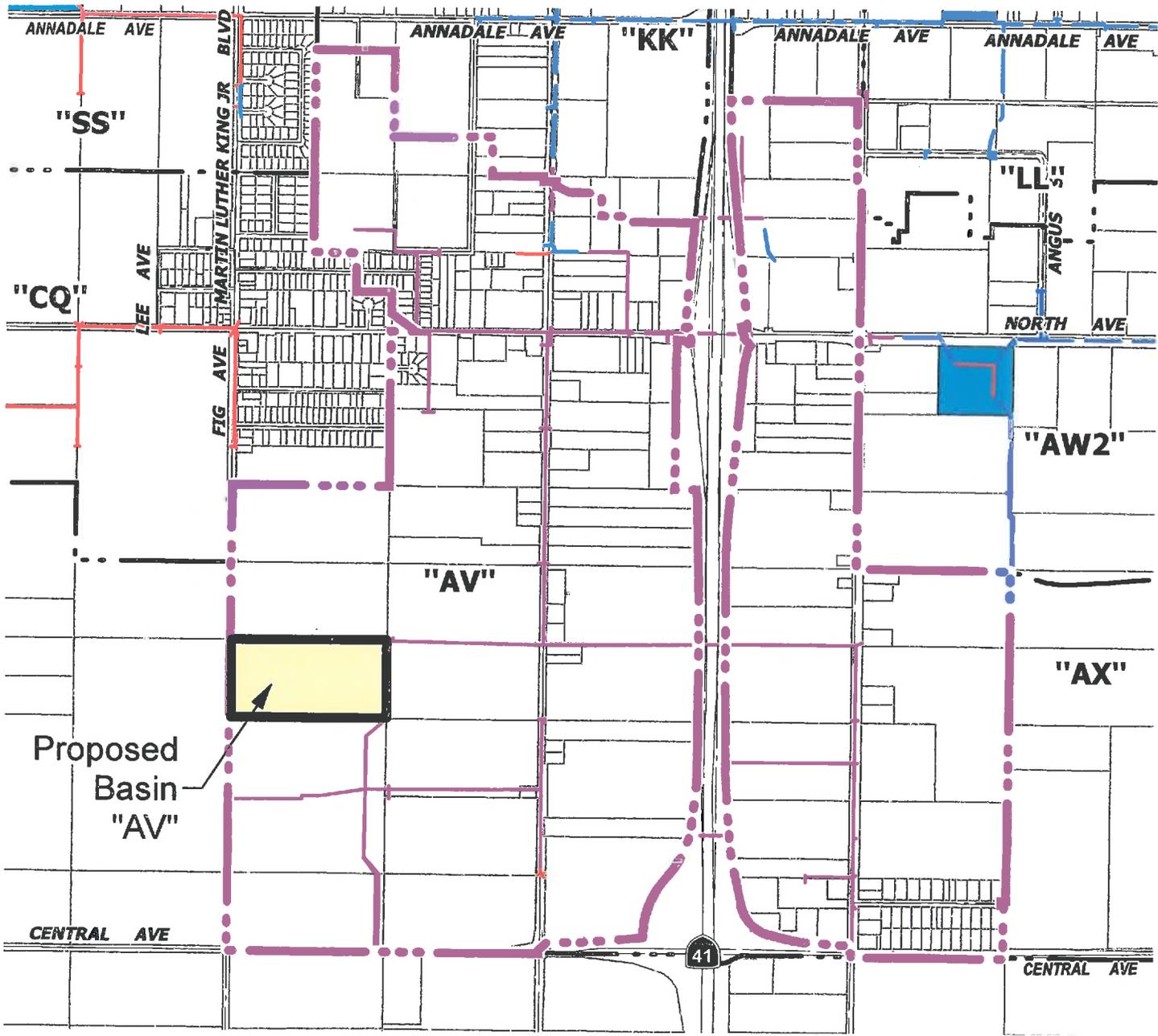


Joseph Draper
Staff Analyst I

JD/dm

Attachment

NOTE: THIS MAP IS SCHEMATIC. DISTANCES, AMOUNT OF CREDITABLE FACILITIES, AND LOCATION OF INLET BOUNDARIES ARE APPROXIMATE.



LEGEND

-  Future Master Plan Facilities
-  Existing Master Plan Facilities
-  Proposed Approximate Basin "AV" To Be Acquired
-  Drainage Area "AV" Boundary
-  Drainage Area Boundary



1" = 1300'

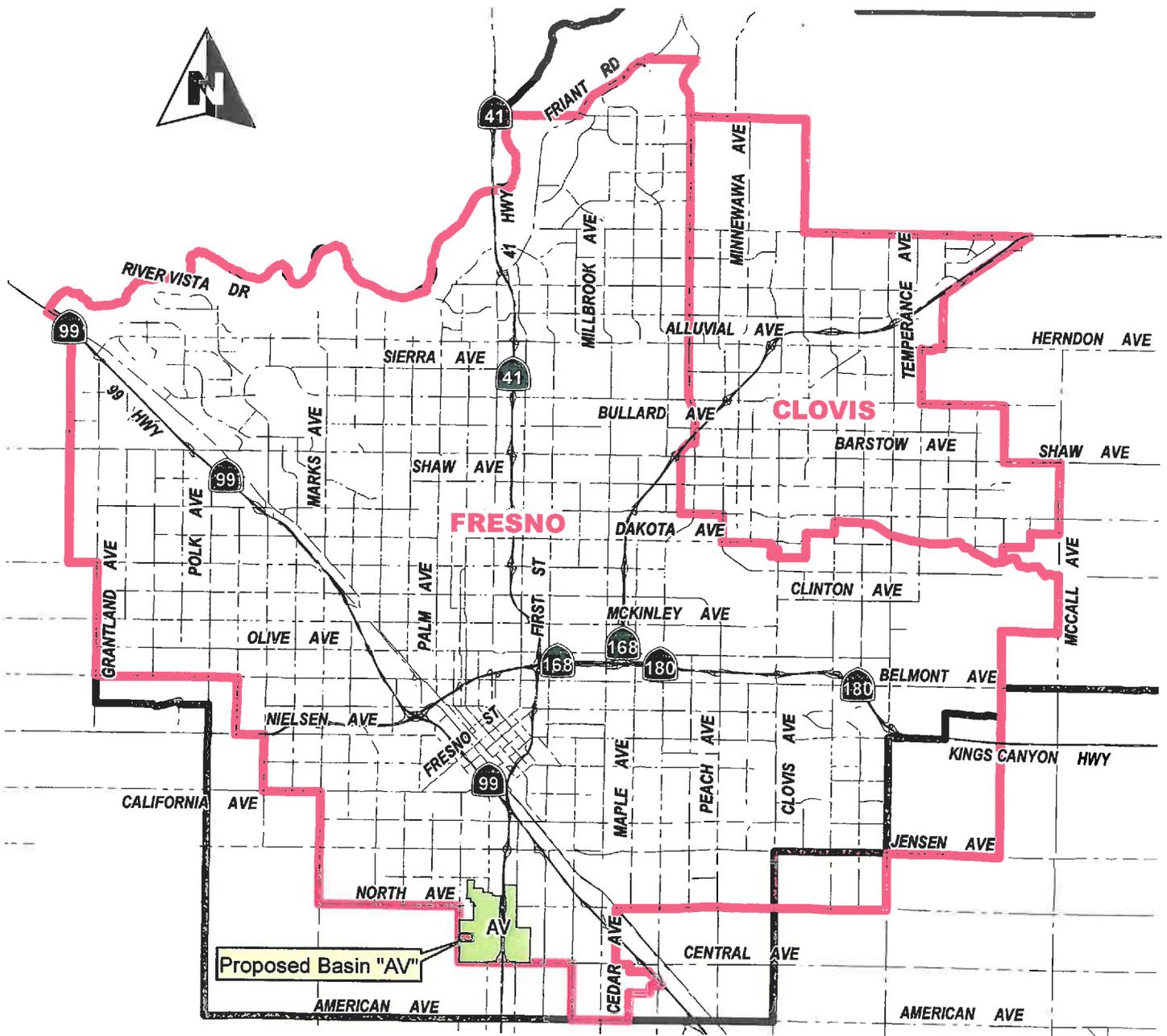
**DRAINAGE AREA "AV"
FACILITIES MAP**

FIGURE 2-1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT



NOTE: THIS MAP IS SCHEMATIC. DISTANCES, AMOUNT OF CREDITABLE FACILITIES, AND LOCATION OF INLET BOUNDARIES ARE APPROXIMATE.



LEGEND

- City Sphere's
- Proposed Drainage Area
- Proposed Basin

Regional Map

FIGURE 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT





Fresno Metropolitan Flood Control District

Capturing Stormwater since 1956

File No. 560.20 "AV"

May 7, 2019

Dumna Wo-Wah Tribal Government
Robert Ledger SR
Chairperson
2191 West Pico Ave
Fresno, CA 93705

Dear Robert Ledger SR,

**RE: Tribal Cultural Resources under the California Environmental Quality Act,
AB 52 (Gatto, 2014)**

Formal Notification of determination that a Project Application is Complete or Decision to Undertake a Project, and Notification of Consultation Opportunity, pursuant to Public Resources Code § 21080.3.1 (hereafter PRC).

The Fresno Metropolitan Flood Control District (District) has decided to undertake the following project: Acquisition and Construction of Basin "AV" and prepare a Negative Declaration or Mitigated Negative Declaration.

PROJECT LOCATION

The Fresno Metropolitan Flood Control District (District) encompasses the area generally located in the north-central portion of Fresno County between the San Joaquin and Kings rivers. The District's service area consists of approximately 400 square miles and extends from the agricultural lands west and south of Fresno eastward into the Sierra Nevada to an elevation of approximately 4,500 feet above sea level. The District's service area includes most of the Clovis – Fresno metropolitan area, and unincorporated lands to the east and northeast.

Drainage Area and Basin "AV"

Drainage Area "AV" is in the southern portion of the District's service area on west and east sides of State Route 41. The proposed location for Basin "AV" is north of Central Avenue and south of North Avenue between Fig and Elm Avenues. The basin is proposed to be located on approximately 21.7 acres of the south half of APN 329-030-19. This is in Section 28, Range 20E of Township 124S. The Basin and Drainage Area is within the City of Fresno sphere of influence. The Drainage Area is an irregular shape mostly within the boundaries of the Central Avenue alignment, Fig Avenue, Annandale Avenue, and Cherry Avenue. See Figures 1 and 2 for Drainage Area and Basin "AV" locations.

Basin "AV" AB52 Notification Letter
May 7, 2019
Page 2

PROJECT DESCRIPTION

This project is for the acquisition and construction of a stormwater basin. The proposed project includes acquiring parcels to develop stormwater basins and the construction of the pipeline system and stormwater features throughout the drainage area. Basin "AV" will serve an approximately 760.70 acre drainage area and include a 19.8 acre basin site. The total acquisition area will be 21.7 acres and the remaining approximately 1.9 acres not a basin will be designated for a future road. The basin site will be developed by excavating approximately 61,000 cubic yards of dirt and constructing a perimeter fence, a pump station, and four outfall structures. Full construction of the stormwater basin can take up to 10 to 20 years.

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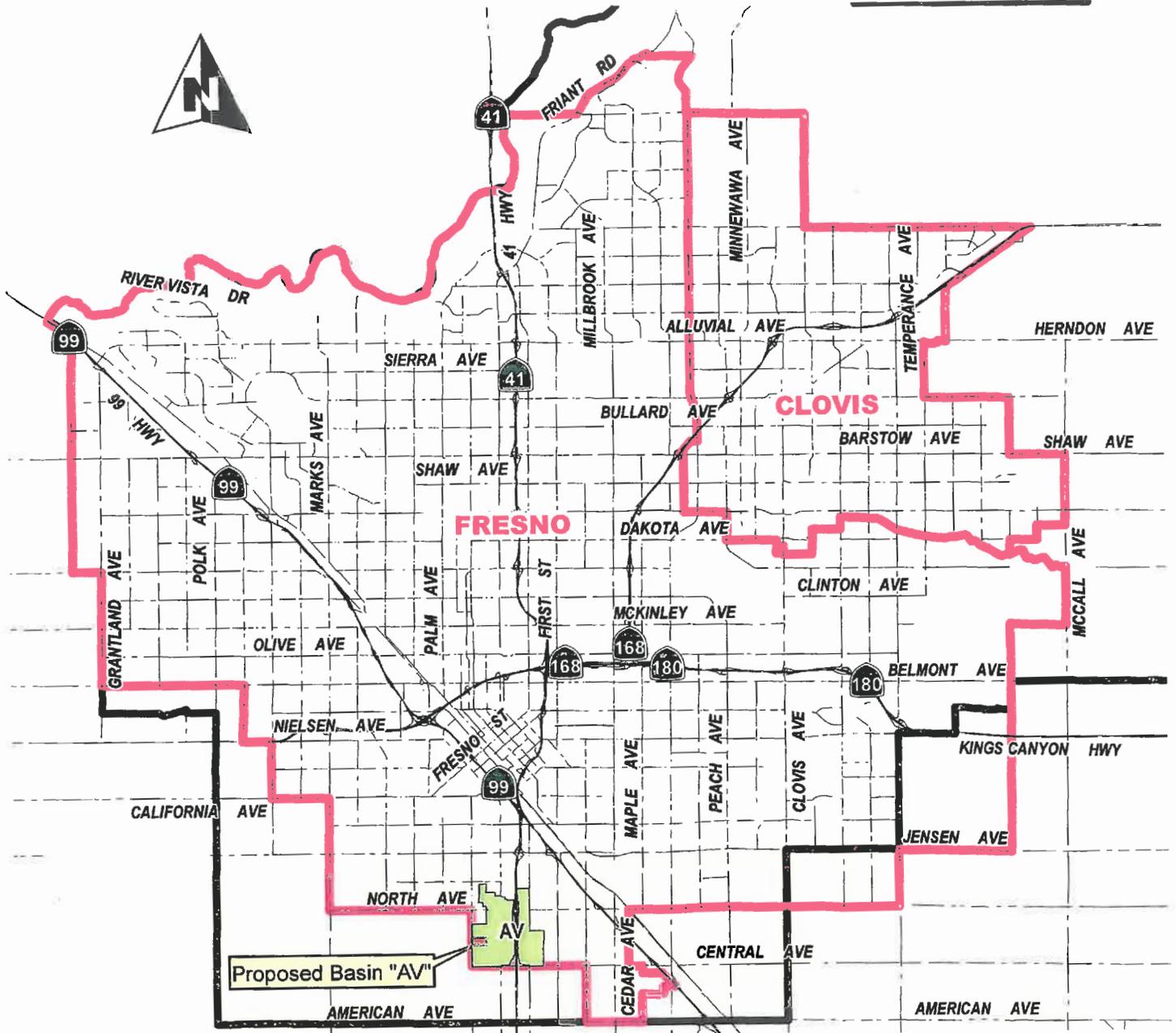


Joseph Draper
Staff Analyst I

JD/dm

Attachment

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 DISTANCES, AMOUNT OF CREDITABLE
 FACILITIES, AND LOCATION OF INLET
 BOUNDARIES ARE APPROXIMATE.



LEGEND

-  City Sphere's
-  Proposed Drainage Area
-  Proposed Basin

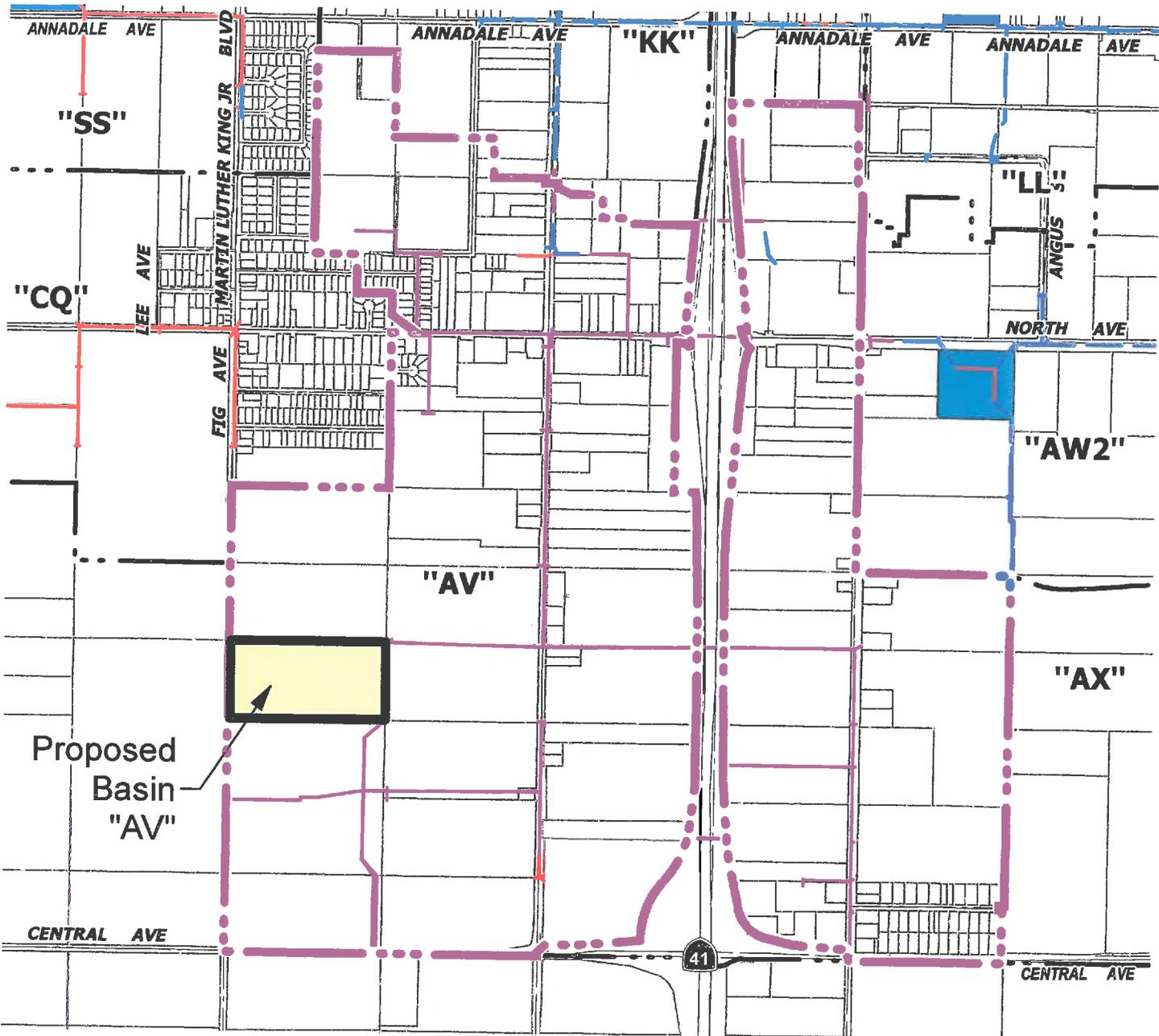
Regional Map

FIGURE 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT



NOTE: THIS MAP IS SCHEMATIC. DISTANCES, AMOUNT OF CREDITABLE FACILITIES, AND LOCATION OF INLET BOUNDARIES ARE APPROXIMATE.



LEGEND

- Future Master Plan Facilities
- Existing Master Plan Facilities
- Proposed Approximate Basin "AV" To Be Acquired
- - - - Drainage Area "AV" Boundary
- - - - Drainage Area Boundary



1" = 1300'

**DRAINAGE AREA "AV"
FACILITIES MAP**

FIGURE 2-1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT





Fresno Metropolitan Flood Control District

Capturing Stormwater since 1956

File No. 560.20 “AV”

May 7, 2019

Santa Rosa Rancheria Tachi Yokut Tribe
Shana Powers
Cultural Resources Specialist
PO Box 8
Lemoore, CA 93245

Dear Shana Powers,

**RE: Tribal Cultural Resources under the California Environmental Quality Act,
AB 52 (Gatto, 2014)**

Formal Notification of determination that a Project Application is Complete or Decision to Undertake a Project, and Notification of Consultation Opportunity, pursuant to Public Resources Code § 21080.3.1 (hereafter PRC).

The Fresno Metropolitan Flood Control District (District) has decided to undertake the following project: Acquisition and Construction of Basin “AV” and prepare a Negative Declaration or Mitigated Negative Declaration.

PROJECT LOCATION

The Fresno Metropolitan Flood Control District (District) encompasses the area generally located in the north-central portion of Fresno County between the San Joaquin and Kings rivers. The District’s service area consists of approximately 400 square miles and extends from the agricultural lands west and south of Fresno eastward into the Sierra Nevada to an elevation of approximately 4,500 feet above sea level. The District’s service area includes most of the Clovis – Fresno metropolitan area, and unincorporated lands to the east and northeast.

Drainage Area and Basin “AV”

Drainage Area “AV” is in the southern portion of the District’s service area on west and east sides of State Route 41. The proposed location for Basin “AV” is north of Central Avenue and south of North Avenue between Fig and Elm Avenues. The basin is proposed to be located on approximately 21.7 acres of the south half of APN 329-030-19. This is in Section 28, Range 20E of Township 124S. The Basin and Drainage Area is within the City of Fresno sphere of influence. The Drainage Area is an irregular shape mostly within the boundaries of the Central Avenue alignment, Fig Avenue, Annandale Avenue, and Cherry Avenue. See Figures 1 and 2 for Drainage Area and Basin “AV” locations.

Basin "AV" AB52 Notification Letter

May 7, 2019

Page 2

PROJECT DESCRIPTION

This project is for the acquisition and construction of a stormwater basin. The proposed project includes acquiring parcels to develop stormwater basins and the construction of the pipeline system and stormwater features throughout the drainage area. Basin "AV" will serve an approximately 760.70 acre drainage area and include a 19.8 acre basin site. The total acquisition area will be 21.7 acres and the remaining approximately 1.9 acres not a basin will be designated for a future road. The basin site will be developed by excavating approximately 61,000 cubic yards of dirt and constructing a perimeter fence, a pump station, and four outfall structures. Full construction of the stormwater basin can take up to 10 to 20 years.

Pursuant to PRC § 21080.3.1 (b), you have 30 days from the receipt of this letter to request consultation, in writing, with the Fresno Metropolitan Flood Control District. Contact Joseph Draper at josephd@fresnofloodcontrol.org or (559) 456-3292 with your request.

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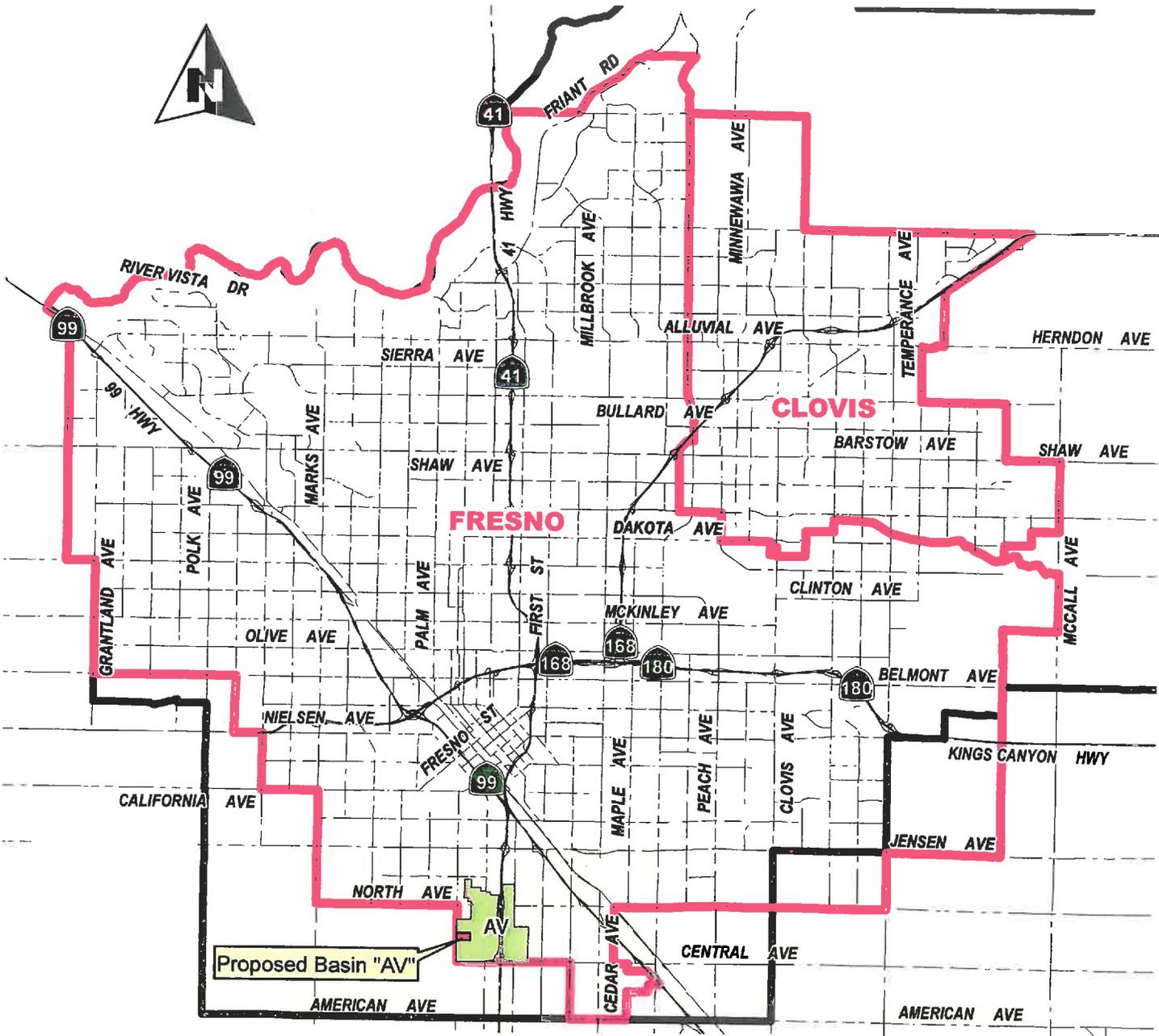


Joseph Draper
Staff Analyst I

JD/dm

Attachment

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LEGEND

- City Sphere's
- Proposed Drainage Area
- Proposed Basin

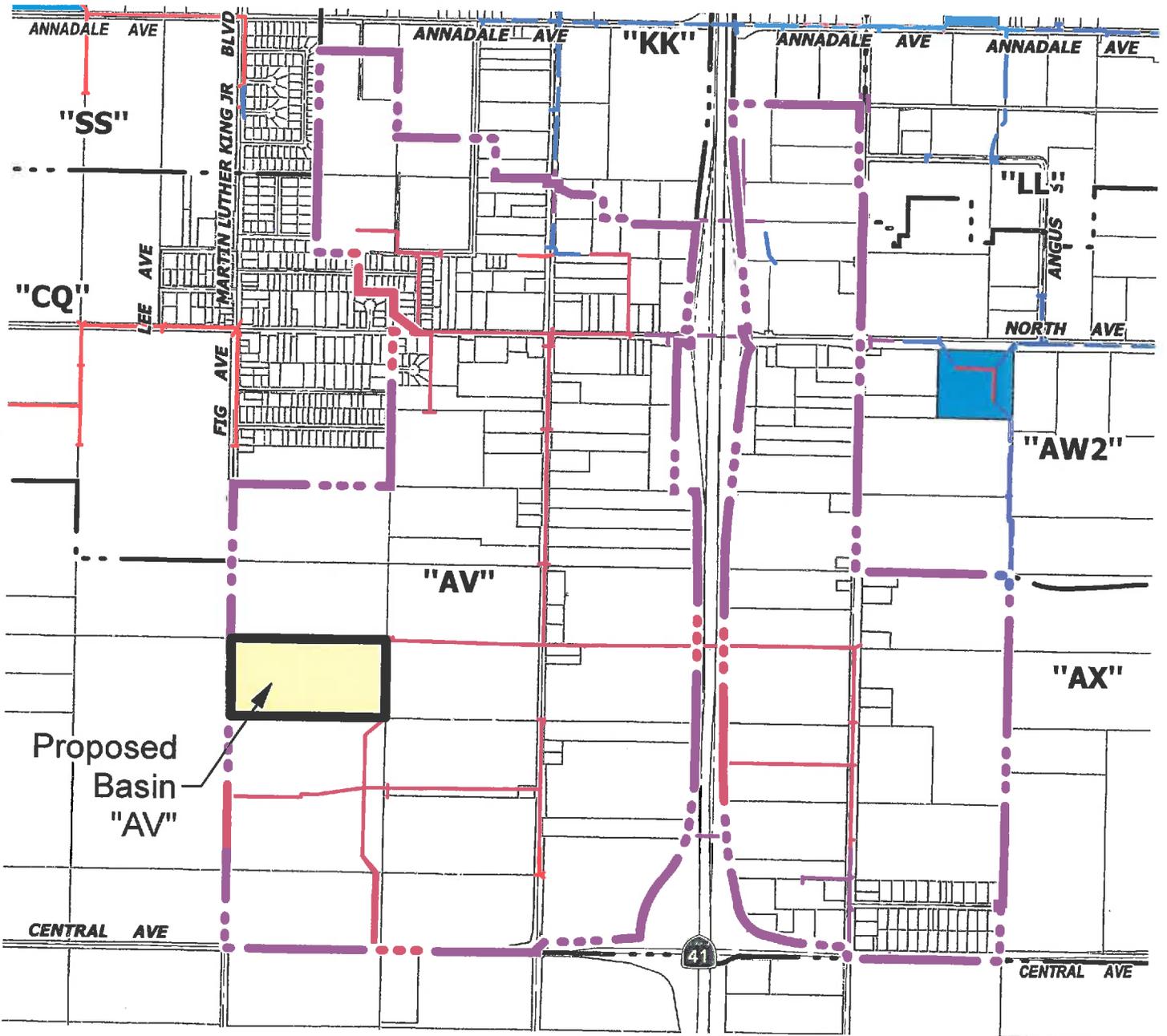
Regional Map

FIGURE 1

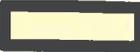
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT



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LEGEND

-  Future Master Plan Facilities
-  Existing Master Plan Facilities
-  Proposed Approximate Basin "AV" To Be Acquired
-  Drainage Area "AV" Boundary
-  Drainage Area Boundary



1" = 1300'

DRAINAGE AREA "AV"
FACILITIES MAP

FIGURE 2-1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT





Fresno Metropolitan Flood Control District

Capturing Stormwater since 1956

File No. 560.20 "AV"

May 7, 2019

Kings River Choinumni Farm Tribe
Stan Alec
3515 East Fedora Ave
Fresno, CA 93726

Dear Stan Alec,

**RE: Tribal Cultural Resources under the California Environmental Quality Act,
AB 52 (Gatto, 2014)**

Formal Notification of determination that a Project Application is Complete or Decision to Undertake a Project, and Notification of Consultation Opportunity, pursuant to Public Resources Code § 21080.3.1 (hereafter PRC).

The Fresno Metropolitan Flood Control District (District) has decided to undertake the following project: Acquisition and Construction of Basin "AV" and prepare a Negative Declaration or Mitigated Negative Declaration.

PROJECT LOCATION

The Fresno Metropolitan Flood Control District (District) encompasses the area generally located in the north-central portion of Fresno County between the San Joaquin and Kings rivers. The District's service area consists of approximately 400 square miles and extends from the agricultural lands west and south of Fresno eastward into the Sierra Nevada to an elevation of approximately 4,500 feet above sea level. The District's service area includes most of the Clovis – Fresno metropolitan area, and unincorporated lands to the east and northeast.

Drainage Area and Basin "AV"

Drainage Area "AV" is in the southern portion of the District's service area on west and east sides of State Route 41. The proposed location for Basin "AV" is north of Central Avenue and south of North Avenue between Fig and Elm Avenues. The basin is proposed to be located on approximately 21.7 acres of the south half of APN 329-030-19. This is in Section 28, Range 20E of Township 124S. The Basin and Drainage Area is within the City of Fresno sphere of influence. The Drainage Area is an irregular shape mostly within the boundaries of the Central Avenue alignment, Fig Avenue, Annandale Avenue, and Cherry Avenue. See Figures 1 and 2 for Drainage Area and Basin "AV" locations.

Basin "AV" AB52 Notification Letter
May 7, 2019
Page 2

PROJECT DESCRIPTION

This project is for the acquisition and construction of a stormwater basin. The proposed project includes acquiring parcels to develop stormwater basins and the construction of the pipeline system and stormwater features throughout the drainage area. Basin "AV" will serve an approximately 760.70 acre drainage area and include a 19.8 acre basin site. The total acquisition area will be 21.7 acres and the remaining approximately 1.9 acres not a basin will be designated for a future road. The basin site will be developed by excavating approximately 61,000 cubic yards of dirt and constructing a perimeter fence, a pump station, and four outfall structures. Full construction of the stormwater basin can take up to 10 to 20 years.

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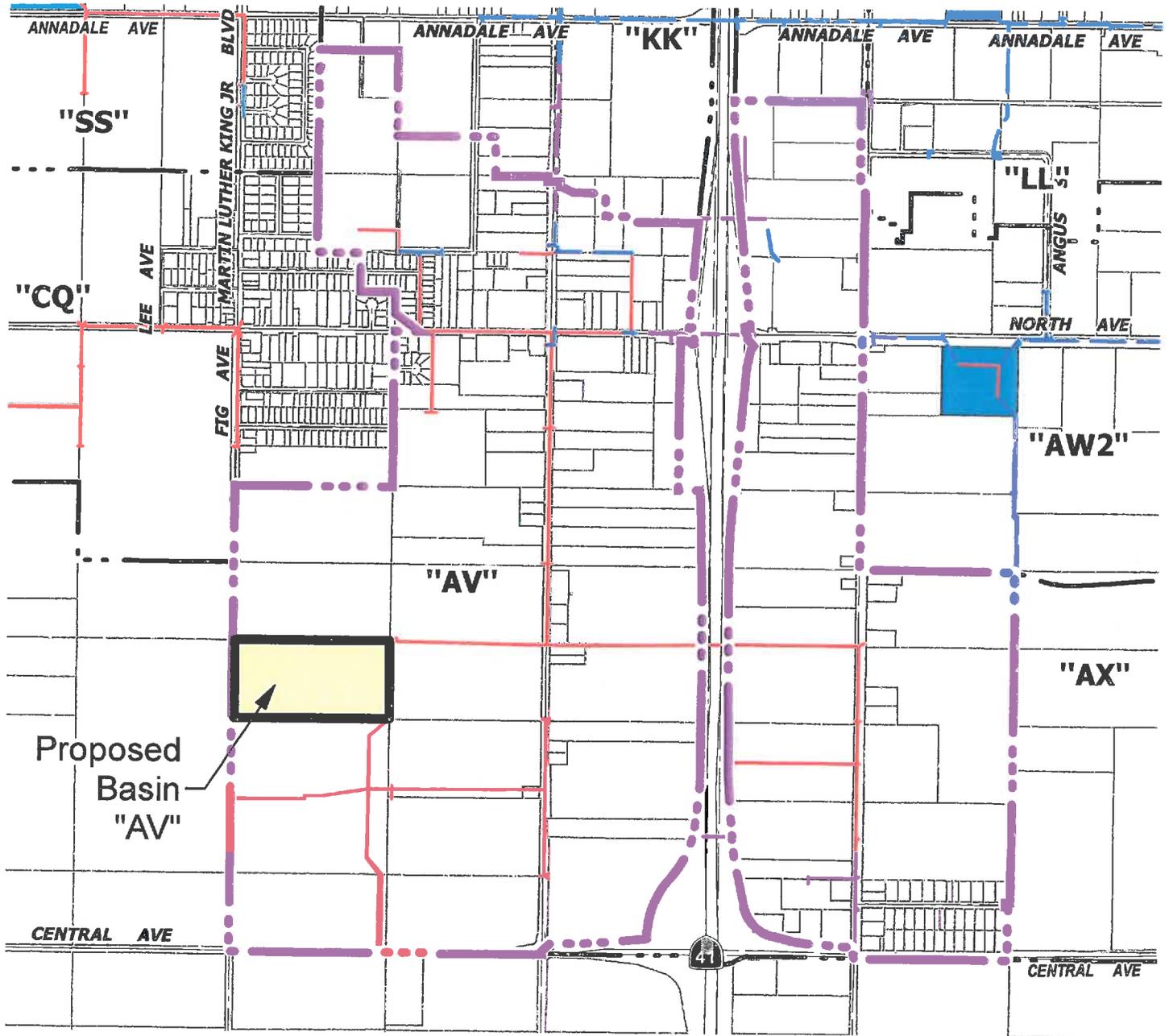


Joseph Draper
Staff Analyst I

JD/dm

Attachment

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 DISTANCES, AMOUNT OF CREDITABLE
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LEGEND

-  Future Master Plan Facilities
-  Existing Master Plan Facilities
-  Proposed Approximate Basin "AV" To Be Acquired
-  Drainage Area "AV" Boundary
-  Drainage Area Boundary



1" = 1300'

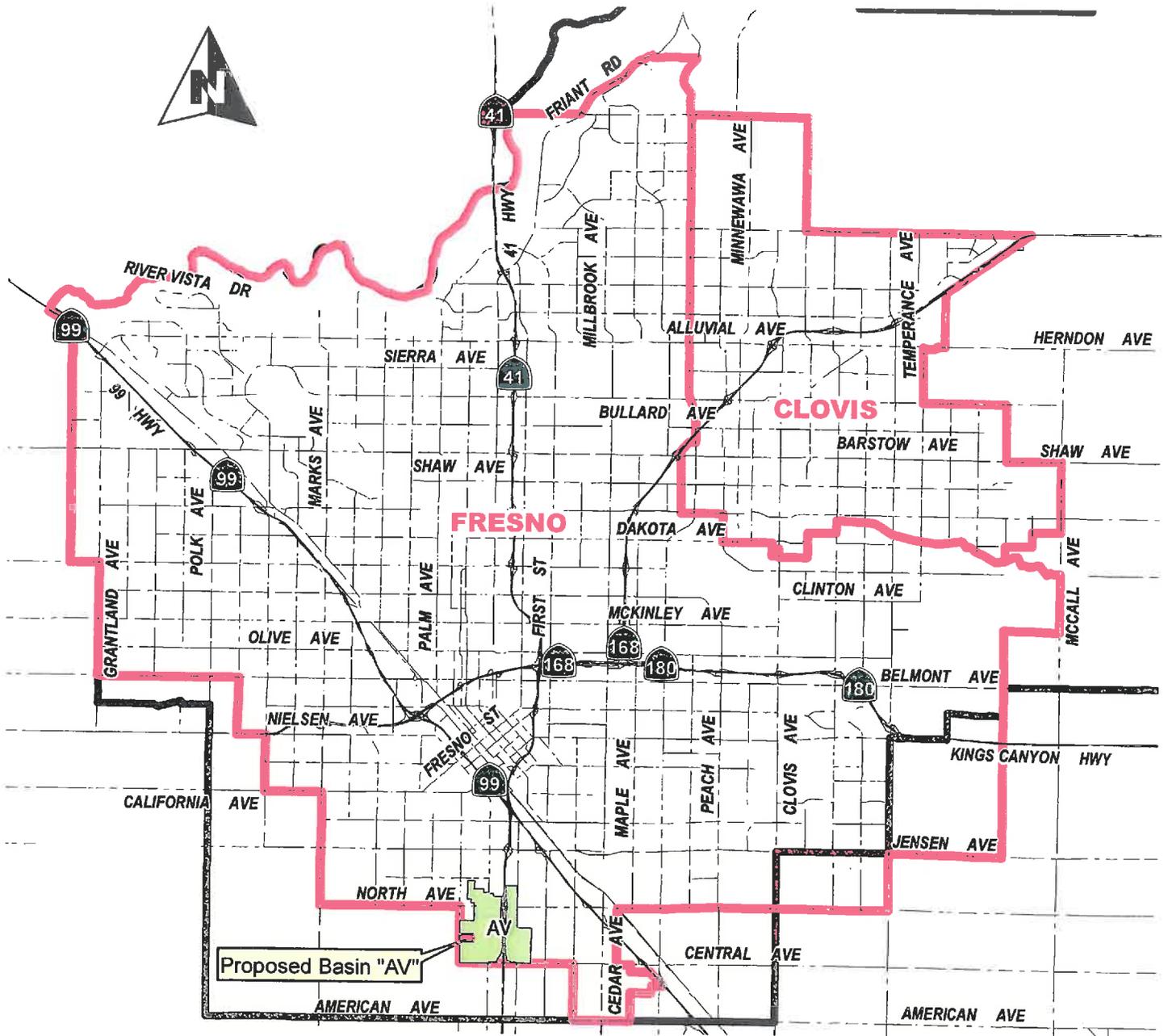
**DRAINAGE AREA "AV"
 FACILITIES MAP**

FIGURE 2-1



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

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LEGEND

- City Sphere's
- Proposed Drainage Area
- Proposed Basin

Regional Map

FIGURE 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT





Fresno Metropolitan Flood Control District

Capturing Stormwater since 1956

File No. 560.20 "AV"

May 7, 2019

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow
Chairperson
1179 Rock Haven Ct.
Salinas, CA 93906

Dear Kenneth Woodrow,

**RE: Tribal Cultural Resources under the California Environmental Quality Act,
AB 52 (Gatto, 2014)**

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Basin "AV" AB52 Notification Letter
May 7, 2019
Page 2

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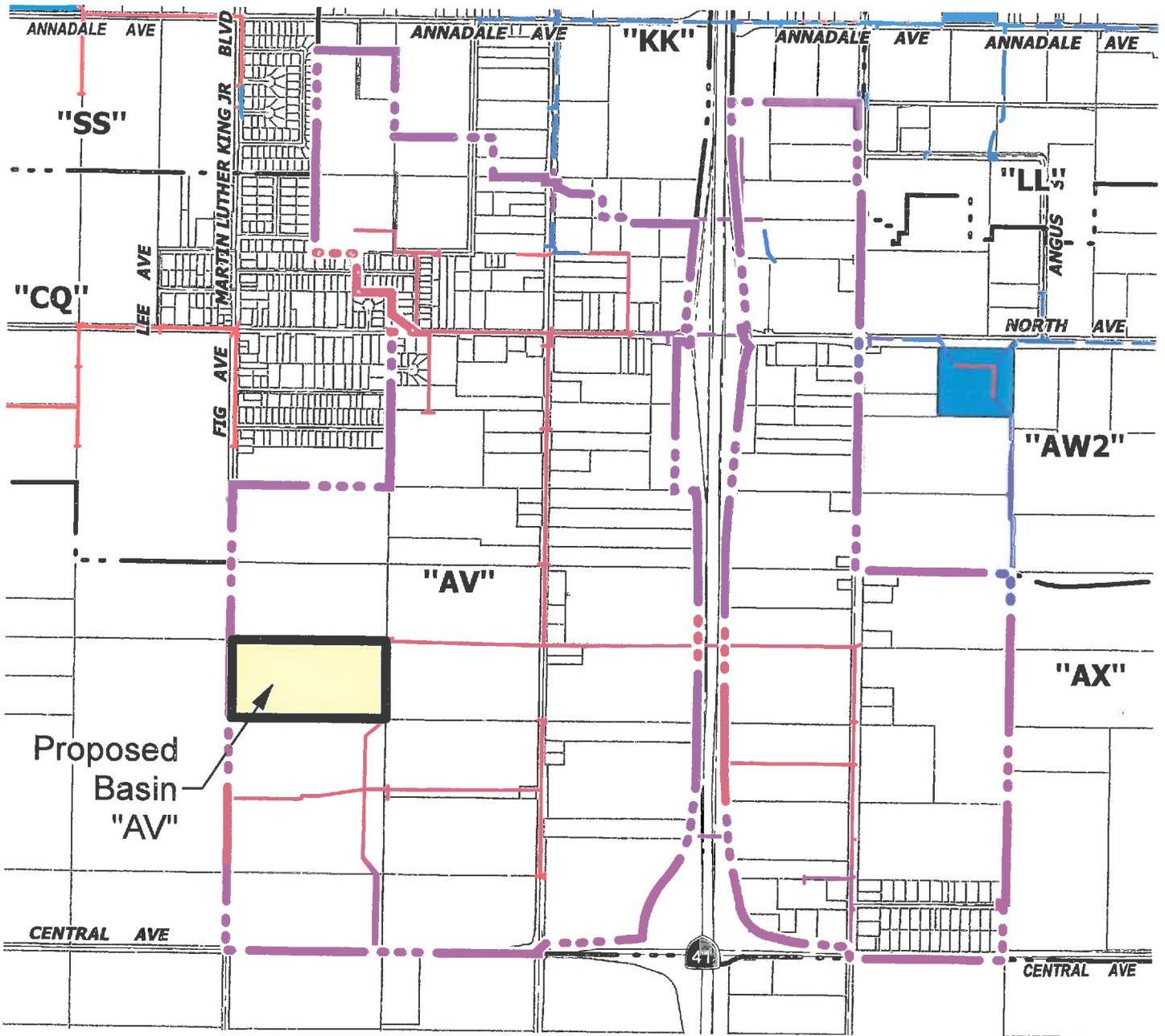


Joseph Draper
Staff Analyst I

JD/dm

Attachment

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LEGEND

-  Future Master Plan Facilities
-  Existing Master Plan Facilities
-  Proposed Approximate Basin "AV" To Be Acquired
-  Drainage Area "AV" Boundary
-  Drainage Area Boundary



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DRAINAGE AREA "AV"
FACILITIES MAP

FIGURE 2-1

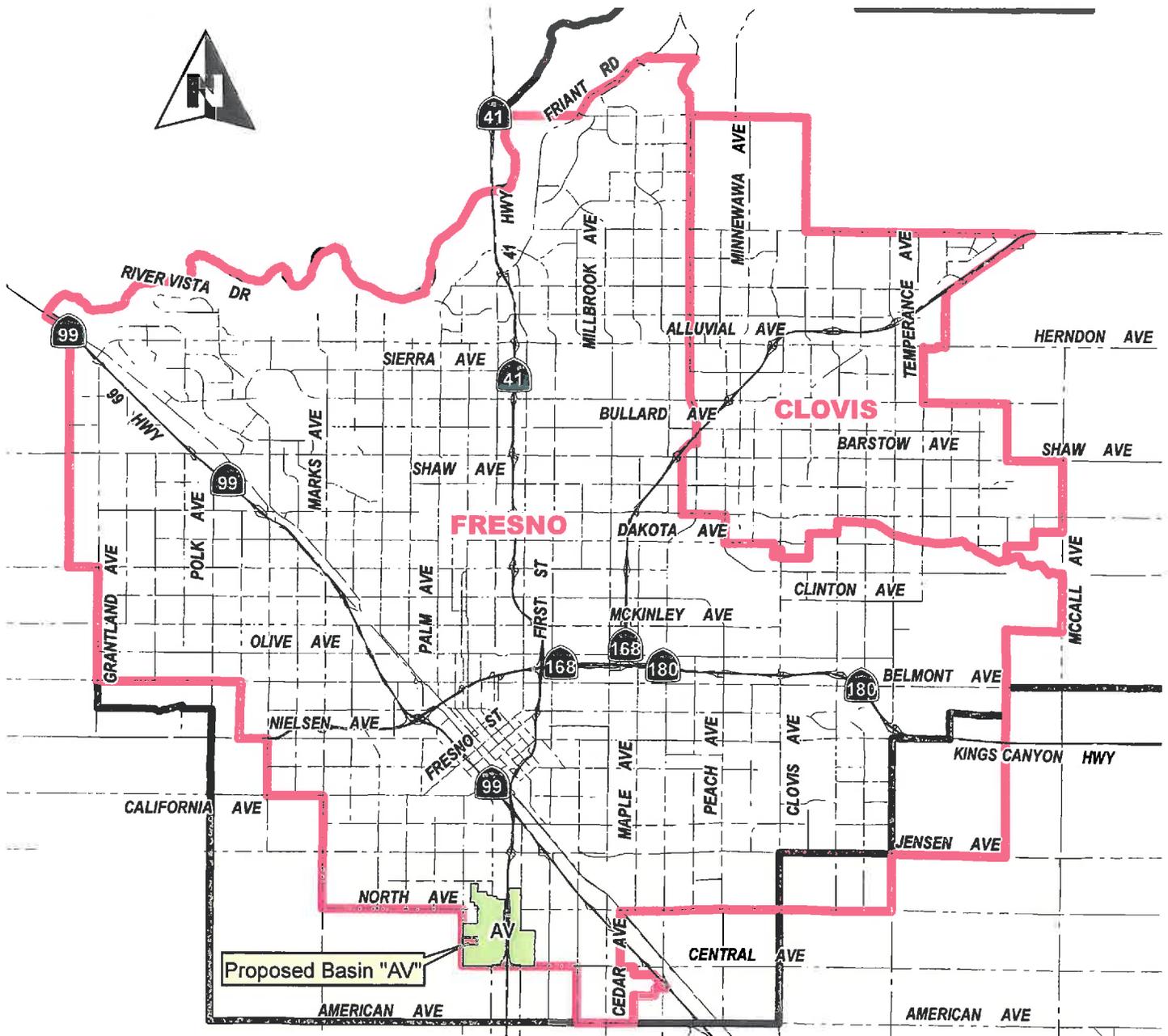
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Prepared by: danielg
Date: 4/15/2019

Path: K:\Autocad\DWGS\0EXHIBIT\LAND ACQUISITION\AV Figure 2-1.mxd



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LEGEND

-  City Sphere's
-  Proposed Drainage Area
-  Proposed Basin

Regional Map

FIGURE 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Prepared by: danielg
 Date: 4/15/2019

Path: K:\Autocad\DWGS\0EXHIBIT\LAND ACQUISITION\AV Figure 1.mxd





Fresno Metropolitan Flood Control District

Capturing Stormwater since 1956

File No. 560.20 "AV"

May 7, 2019

Table Mountain Rancheria
Bob Pennell
Cultural Resources Director
PO Box 410
Friant, CA 93626

Dear Bob Pennell,

**RE: Tribal Cultural Resources under the California Environmental Quality Act,
AB 52 (Gatto, 2014)**

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Basin "AV" AB52 Notification Letter
May 7, 2019
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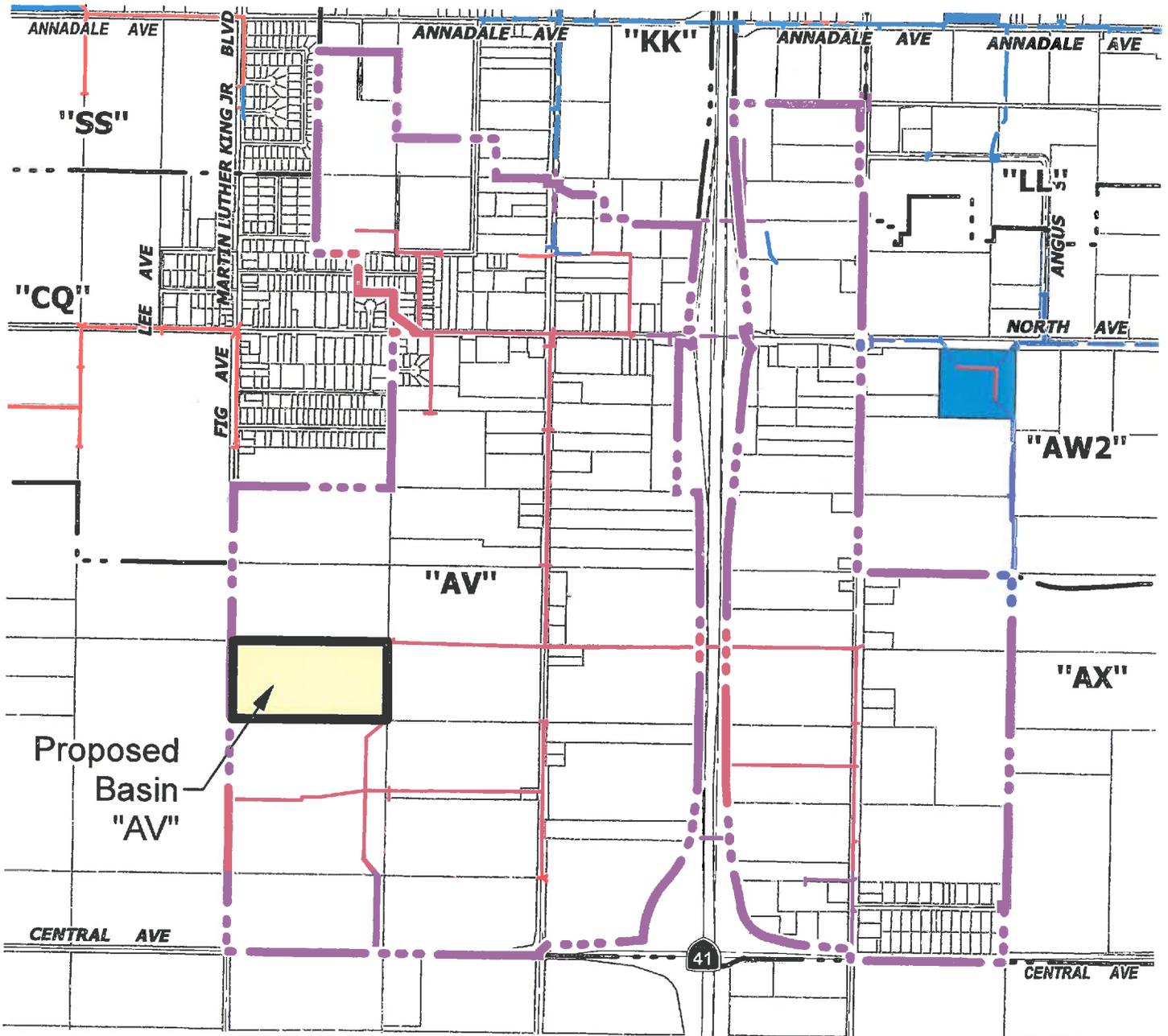


Joseph Draper
Staff Analyst I

JD/dm

Attachment

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LEGEND

-  Future Master Plan Facilities
-  Existing Master Plan Facilities
-  Proposed Approximate Basin "AV" To Be Acquired
-  Drainage Area "AV" Boundary
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**DRAINAGE AREA "AV"
FACILITIES MAP**

FIGURE 2-1

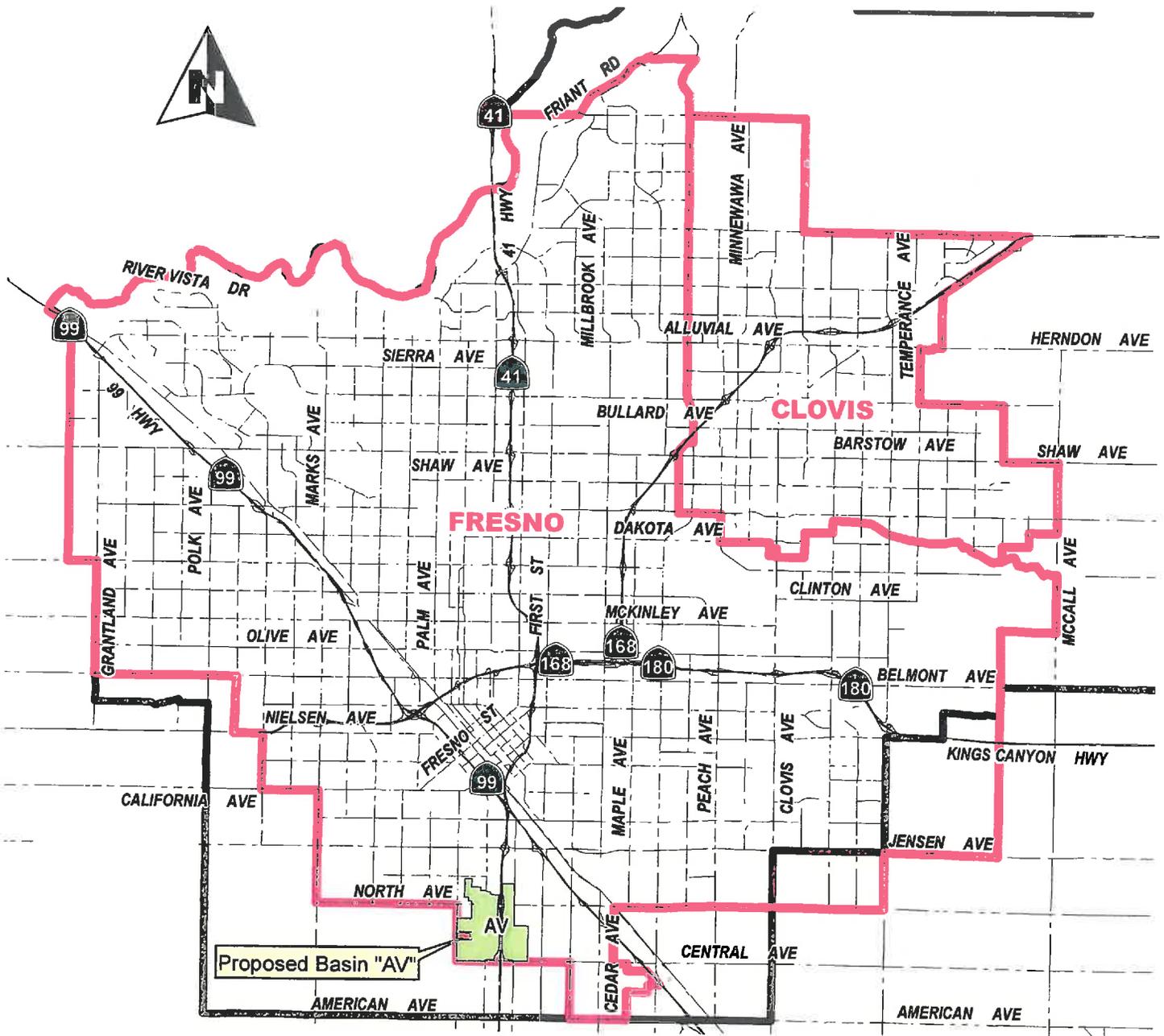
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Prepared by: danielg

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LEGEND

-  City Sphere's
-  Proposed Drainage Area
-  Proposed Basin

Regional Map

FIGURE 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT





Fresno Metropolitan Flood Control District

Capturing Stormwater since 1956

File No. 560.20 "AV"

May 7, 2019

Table Mountain Rancheria
Leanne Walker-Grant
Chairperson
PO Box 410
Friant, CA 93626

Dear Leanne Walker-Grant,

**RE: Tribal Cultural Resources under the California Environmental Quality Act,
AB 52 (Gatto, 2014)**

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5469 E. Olive Avenue • Fresno, CA 93727 • (559) 456-3292 • FAX (559) 456-3194

www.fresnofloodcontrol.org

Basin "AV" AB52 Notification Letter
May 7, 2019
Page 2

PROJECT DESCRIPTION

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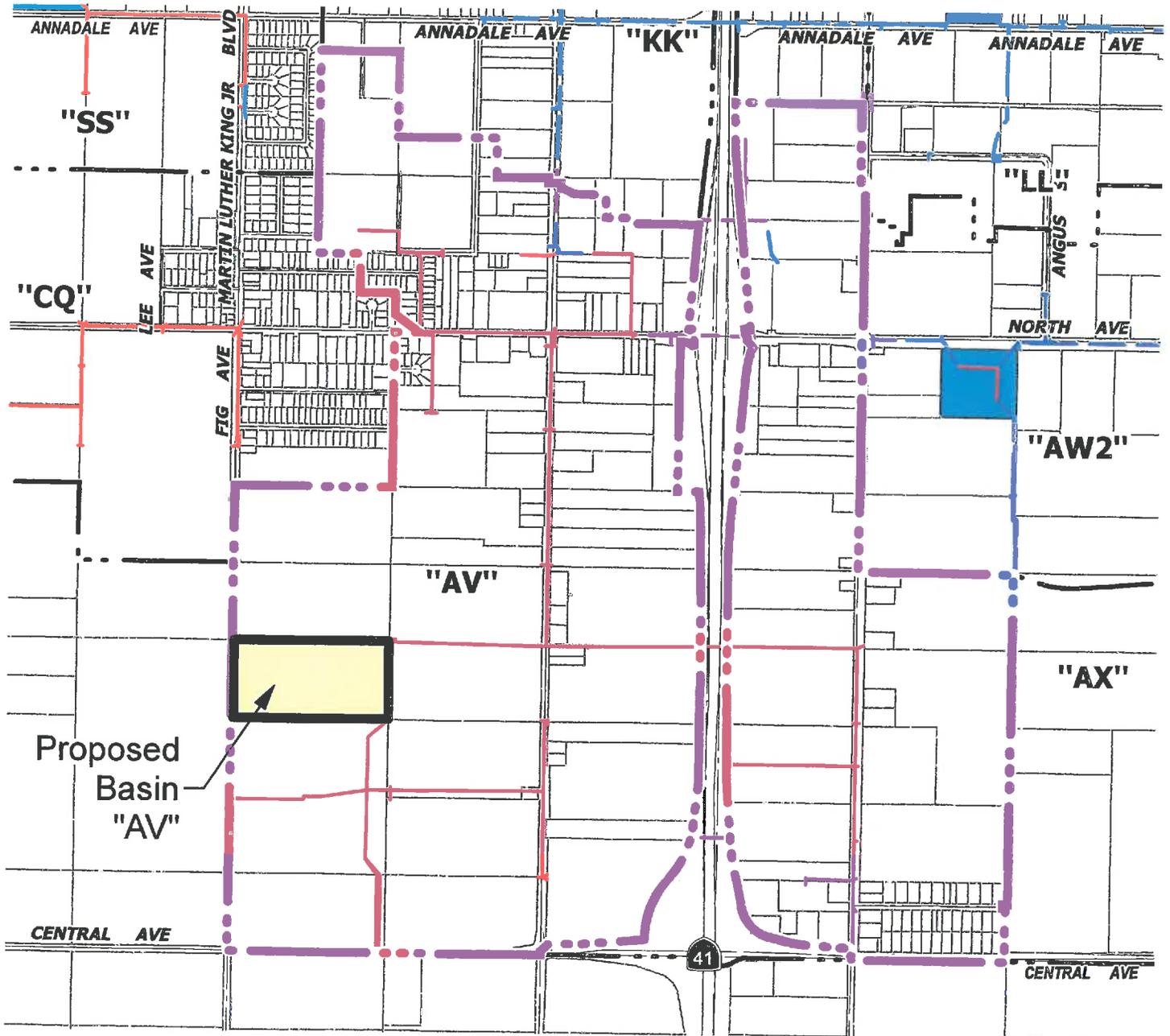


Joseph Draper
Staff Analyst I

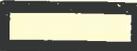
JD/dm

Attachment

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LEGEND

-  Future Master Plan Facilities
-  Existing Master Plan Facilities
-  Proposed Approximate Basin "AV" To Be Acquired
-  Drainage Area "AV" Boundary
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1" = 1300'

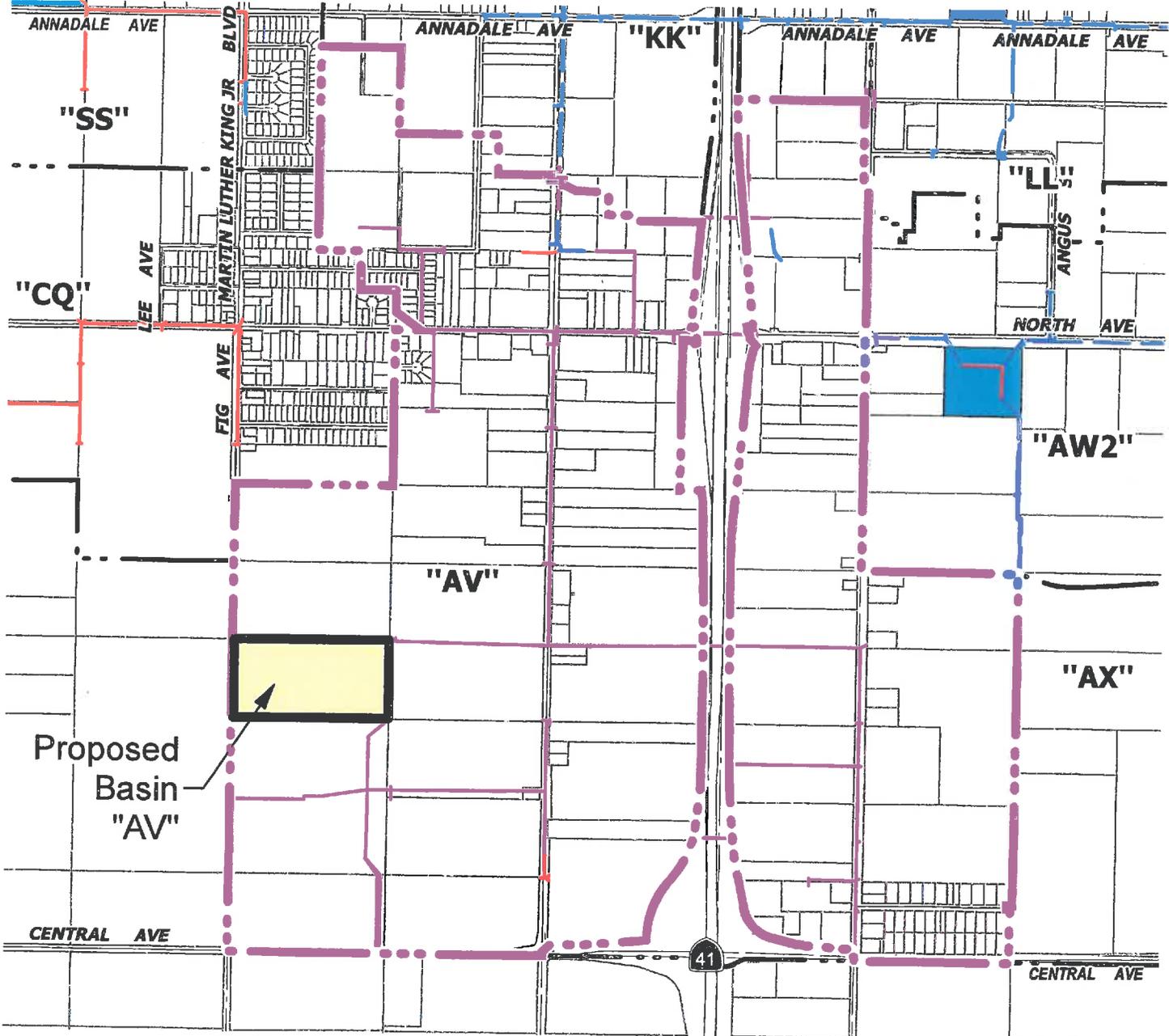
**DRAINAGE AREA "AV"
 FACILITIES MAP**

FIGURE 2-1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT



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LEGEND

- Future Master Plan Facilities
- Existing Master Plan Facilities
- Proposed Approximate Basin "AV" To Be Acquired
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**DRAINAGE AREA "AV"
FACILITIES MAP**

FIGURE 2-1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT



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Robert Ledger, Sr.
2191 W. Pico Ave.
Fresno CA 93705



9590 9402 3553 7305 1049 72

2. Article Number (Transfer from service label)

7019 0140 0000 8123 0574

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X *[Signature]* Agent Addressee

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5/9/19

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Leanne Walker - Grant
P.O. Box 410
Friant, CA 93626



9590 9402 3553 7305 1049 41

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7019 0140 0000 8123 0512

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Lisa Roser

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1. Article Addressed to:

Bob Pennell
P.O. Box 410
Friant CA 93626



9590 9402 3553 7305 1049 34

2. Article Number (Transfer from service label)

7019 0140 0000 8123 0529

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LISA PENNELL

C. Date of Delivery

5/9/19

D. Is delivery address different from item 1? Yes
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3. Service Type

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<p>1. Article Addressed to:</p> <p>Shana Powers P.O. Box 8 Lemoore CA 93245</p>  <p>9590 9402 3553 7305 1049 58</p>	<p>B. Received by (Printed Name) Veronica Varela</p>	<p>C. Date of Delivery 5-10-19</p>																
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<p>1. Article Addressed to:</p> <p>Kenneth Woodrow 1179 Rock Haven Ct. Salinas, CA 93906</p>  <p>9590 9402 3553 7305 1049 96</p>	<p>B. Received by (Printed Name)</p>	<p>C. Date of Delivery 5-10-19</p>																
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1. Article Addressed to:

Ruben Barrios, SR
 P.O. Box 8
 Lemoore CA 93245



9590 9402 3553 7305 1033 88

2. Article Number (Transfer from service label)

7019 0140 0000 8123 0536

PS Form 3811, July 2015 PSN 7530-02-000-9053

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X *Vm Va*

- Agent
- Addressee

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Veronica Varela

C. Date of Delivery

5.10.19

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1. Article Addressed to:

Hector Franco
 P.O. Box 8
 Lemoore CA 93245



9590 9402 3553 7305 1049 65

2. Article Number (Transfer from service label)

7019 0140 0000 8123 0543

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X *Vm Va*

- Agent
- Addressee

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Veronica Varela

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Appendix II: Informal Consultation Comments and Response



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

REQUEST FOR INFORMAL CONSULTATION COMMENTS AND RESPONSE

Acquisition and Construction of Basin “AV”

The District distributed a Request for Informal Consultation for the proposed Basin “AV” project to responsible, trustee and other agencies that might have an interest in the project. The Request for Informal Consultation was also mailed to adjacent property owners. The Request for Informal Consultation provided an opportunity for the agencies to comment on the potential environmental effects of the project. These comments were considered and incorporated into the Initial Study. Where applicable, the District has provided a response to the comments. The comment letters are attached for reference.

Comments received during Request for Informal Consultation:

Mr. Chan, Adjacent Property Owner – Response attached

County of Fresno, Department of Public Health – No response necessary

County of Fresno, Department of Public Works and Planning – No response necessary

Fresno Irrigation District – No response necessary

San Joaquin Valley Air Pollution Control District – No response necessary



July 9, 2019

Nicholas Chan
3593 S. Elm Ave
Fresno, CA 93706

Dear Mr. Chan:

**Acquisition and Construction of Basin "AV"
Request for Informal Consultation Comments**

Thank you for responding to the Fresno Metropolitan Flood Control District's (District) Request for Informal Consultation for the Acquisition and Construction of Basin "AV" project. Basin "AV" is proposed to be located on Fig Avenue between North Avenue and Central Avenue as described in Figure 1 attached.

On June 6, 2019, you met with District staff at the District's offices to discuss the placement of Basin "AV". Subsequently, you e-mailed your comments which are also attached. This letter addresses your comments about the Acquisition and Construction of Basin "AV" project.

1. You commented that you did not receive any noticing regarding the 2016 District Services Plan Update Subsequent Environmental Impact Report (2016 SEIR) which had Basin "AV" on the property immediately south from the proposed Basin "AV" location. The Basin "AV" location proposed in the 2016 SEIR is identified as APN 329-030-13. As owner of APN 329-030-14 & 15, you are an adjacent property owner to both the 2016 SEIR Basin "AV" location and the proposed Basin "AV" location. As such, the Draft 2016 SEIR was circulated for a 45-day public review period beginning on August 17, 2017 and closing September 30, 2017. The mailing list included all adjacent property owners, including your properties at APN 329-030-14 & 15. In addition, the notice of the Draft 2016 SEIR was posted on the District's website, the Fresno Bee, and the County Clerk's Office.
2. You asked for the reasons for changing the Basin "AV" location from the 2016 SEIR location, APN 329-030-13, to the proposed Basin "AV" location at APN 329-030-19. In addition, you asked for reasons why the original Basin "AV" location, encompassing APN 329-030-05 and 329-030-21, was changed to the Basin "AV" location in the 2016 SEIR. The initial Master

Planned Basin “AV” location was on the northeast corner of Central Avenue and Elm Avenue, on APN’s 329-030-05 and 329-030-21, as described in your comment. However, the District’s Board of Directors at the time of approval indicated that they preferred to coordinate with the Fresno Irrigation District (FID) and jointly utilize the FID basin on Elm Avenue immediately west of Freeway 41 as a storm water basin. Ultimately, the District and FID determined that it was not in the best interest of either FID or the District to use FID’s basin as both a recharge facility and storm drainage facility. Subsequently, the City of Fresno updated their general plan, most recently on December 18, 2014, which modified the land uses in the drainage area and affected the drainage area and basin design. As a result, staff proposed the Basin “AV” location in the 2016 SEIR as it is located in the lowest topographical location in the drainage area. The 2016 SEIR went to the Board of Directors on December 13, 2017 for consideration and, after considering various factors, including public testimony, the Board of Directors did not approve of the Basin “AV” location. At a subsequent Board of Directors meeting on January 24, 2019, the Board of Directors directed staff to appraise and negotiate for the proposed Basin “AV” location on APN 329-030-19.

3. You commented that Figure 2-1 of the Request for Informal Consultation show a 36” drainage pipe running across your property at APN 329-030-15 and that this is not acceptable. You also commented that the drainage pipe be placed on the boundary line and that Figure 2-1 be revised. All figures, including Figure 2-1, are diagrammatic and approximate. It is planned that the 36” drainage pipe running east to west will be placed along the boundary line. Figure 1 attached is the updated version of Figure 2-1 from the Request for Informal Consultation.
4. You asked if there will be an easement on your property and how wide the easement will be. In addition, you asked where the access roads to the basin will be placed. There are two possible locations where easements will come through your property. For your northern property, APN 329-030-14, there is a proposed 84” diameter drainage pipe that is to run east to west. This drainage pipe will likely be placed in the Right-of-Way of Muscat Avenue as depicted on the City of Fresno general plan. For your southern property, APN 329-030-15, a 36” drainage pipe is planned, along the southern boundary line (see Response 3). An easement, should it be required, for the 36” drainage pipe would be at least 20 feet wide. Access to Basin “AV” will be on Fig Avenue.
5. You commented that for a large EIR evaluation, a second viable design alternative should be included in the study. The 2016 SEIR studies the environmental effects of the District’s operations including the placement of stormwater basins. The District’s Master Planning Department does engineering studies on the drainage area to determine the optimal basin location and design of the drainage area. Typically, this location is in the lowest topographical location of the drainage area. In the case of Basin “AV”, the District’s Board of Directors directed staff to study APN 329-030-19 out of five other basin alternatives.

6. You commented that the District should upsize existing basins in other areas and reduce the depth and size of Basin “AV”. Specifically, you said taking water from the north side of North Ave and directing it to Basin “CQ”. The District utilizes Master Planning standards for designing drainage areas and determining basin locations. The District uses a standard depth for industrial basins to minimize the basin foot print. If the District determined to decrease the basin’s depth then additional land would be required to provide the necessary storage. In regards to re-routing storm flows from the north area of drainage area “AV” to Basin “CQ”, Drainage Area “CQ” would have increased pipe sizes that affect drainage fees. The District uses Master Planning standards to design drainage areas and basins that will provide the most effective drainage service. After considering various factors, the Board of Directors directed that the proposed Basin “AV” basin location be studied. Currently, an environmental study is being completed as to the environmental effects of changing the basin location.
7. You commented that an alternative should include placing a basin on the east side of Freeway 41. As described in Response 6, the District uses Master Planning standards to design drainage areas and basins in the most effective way to provide drainage service. The District's engineers have concluded that splitting the drainage area would not provide for the most effective drainage service to area residents. The current environmental study only includes evaluating the environmental effects of changing the Basin “AV” location identified in the 2016 SEIR to the Basin “AV” location in Figure 1 attached.
8. In your comment you are concerned with pollution and contamination that will affect the groundwater well and pump. You further asked how the District can ensure the basin is free of hazardous waste and contamination. The District owns and operate the Municipal Separate Storm Sewer System (MS4) in the Fresno-Clovis metropolitan area. Discharge for MS4’s is regulated though a National Pollutant Detection and Elimination System (NPDES) Permit and Waste Discharge Requirements (WDR) from the Central Valley Regional Water Quality Control Board. The District maintains through this Permit a Stormwater Quality Management Plan (SWQMP) designed to mitigate the effects of pollution and contamination of urban runoff. Furthermore, studies how shown, particularly a 1995 U.S. Geological Survey study entitled: Potential for Chemical Transport Beneath a Storm-Runoff Recharge (Retention) Basin for an Industrial Catchment in Fresno, California, that a majority of pollutants from urban runoff are trapped in the top of the soil. Based on this study, the District has designed a Basin Soil Management Program to mitigate any effects of accumulated pollutants. The District’s 2016 SEIR found that the effect of water quality from the District’s storm water basins are less than significant.
9. Your final comment asks if the environmental impact report considers the potential of any adverse economic impact to adjacent properties to the basin. The District’s environmental review under the California Environmental Quality Act (CEQA), pursuant to the District’s 2009 CEQA Guidelines and Procedural Handbook and the State CEQA Guidelines, does not consider adverse economic impact to adjacent properties.

Nicholas Chan
July 9, 2019
Page 4

Thank you for your comments. The issues you raised will be included in the Initial Study and provided to the District's Board of Directors prior to the public hearing to discuss Basin "AV". This hearing is scheduled for August 28, 2019 at 6:00 pm.

If you have any questions please feel free to call me at 456-3292.

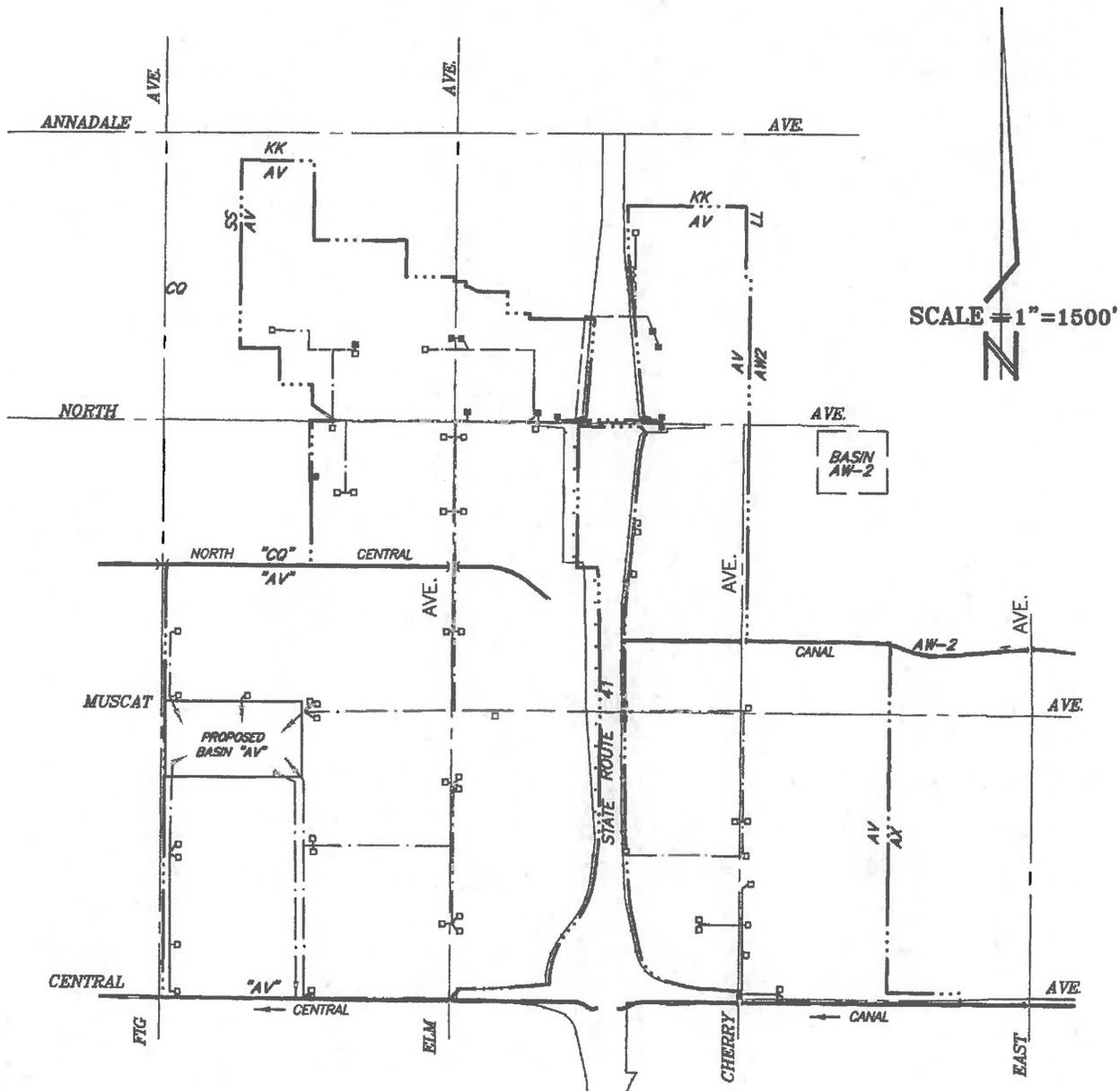
Very Truly Yours,

A handwritten signature in black ink that reads "Joseph Draper". The signature is written in a cursive, flowing style.

Joseph Draper
Staff Analyst

JD/dm

NOTE:
THIS DRAWING IS SCHEMATIC.
DISTANCES ARE APPROXIMATE.



LEGEND

- - - - - FUTURE MASTER PLAN FACILITIES
- - - - - EXISTING MASTER PLAN FACILITIES
- ··· - DRAINAGE AREA BOUNDARY

FIGURE 1

**PROPOSED
FACILITIES MAP
DRAINAGE AREA "AV"**

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT



REQUEST FOR INFORMAL CONSULTATION

DATE: May 7, 2019
TO: Responsible and Trustee Agencies, and Interested Parties
FROM: Fresno Metropolitan Flood Control District
SUBJECT: Request for Informal Consultation
PROJECT TITLE: Acquisition and Construction of Basin “AV” (Fig Ave and Central Ave)

As Lead Agency, the Fresno Metropolitan Flood Control District (District) has determined that an Initial Study is required for the Acquisition and Construction of Basin “AV” (Project).

The Initial Study will determine whether the proposed project may have a significant effect on the environment. If the Initial Study shows that the project will not have a significant effect, a Negative Declaration will be prepared. If potential significant effects are shown, but the project is modified such that the effects are rendered insignificant or if mitigation measures are required, a Mitigated Negative Declaration will be prepared. If the Initial Study shows that the project may have one or more significant effects, an Environmental Impact Report will be prepared.

Basin “AV” was previously studied at an adjacent location in the District’s 2017 Subsequent Environmental Impact Report (SEIR) for the 2016 District Services Plan Update. The Initial Study will be tiered from the District’s SEIR. The SEIR can be found on the District’s website at:

<http://www.fresnofloodcontrol.org/wp-content/uploads/2017/12/Final-Subsequent-EIR-12-20-17.pdf>

The District welcomes responsible, trustee, and interested agency participation. Specifically, your input is requested as to the resources that may be affected by the proposed project.

Please submit your comments by June 7, 2019. Your comments may be submitted by email at: josephd@fresnofloodcontrol.org, or by mail at:

Joseph Draper
Fresno Metropolitan Flood Control District
5469 E. Olive Avenue
Fresno, CA 93727

Request for Informal Consultation

May 7, 2019

Page 2

PROJECT LOCATION

The Fresno Metropolitan Flood Control District (District) encompasses the area generally located in the north-central portion of Fresno County between the San Joaquin and Kings rivers. The District's service area consists of approximately 400 square miles and extends from the agricultural lands west and south of Fresno eastward into the Sierra Nevada to an elevation of approximately 4,500 feet above sea level. The District's service area includes most of the Clovis – Fresno metropolitan area, and unincorporated lands to the east and northeast.

Basin and Drainage Area "AV"

Drainage Area "AV" is in the southern portion of the District's service area on west and east sides of State Route 41. The proposed location for Basin "AV" is north of Central Avenue and south of North Avenue between Fig and Elm Avenues. The basin is proposed to be located on approximately 21.7 acres of the south half of APN 329-030-19. The Basin and Drainage Area is within the City of Fresno sphere of influence. The Drainage Area is an irregular shape mostly within the boundaries of the alignments Central Avenue, Fig Avenue, Annandale Avenue, and Cherry Avenue. See Figures 1 and 2 for Drainage Area and Basin "AV" locations.

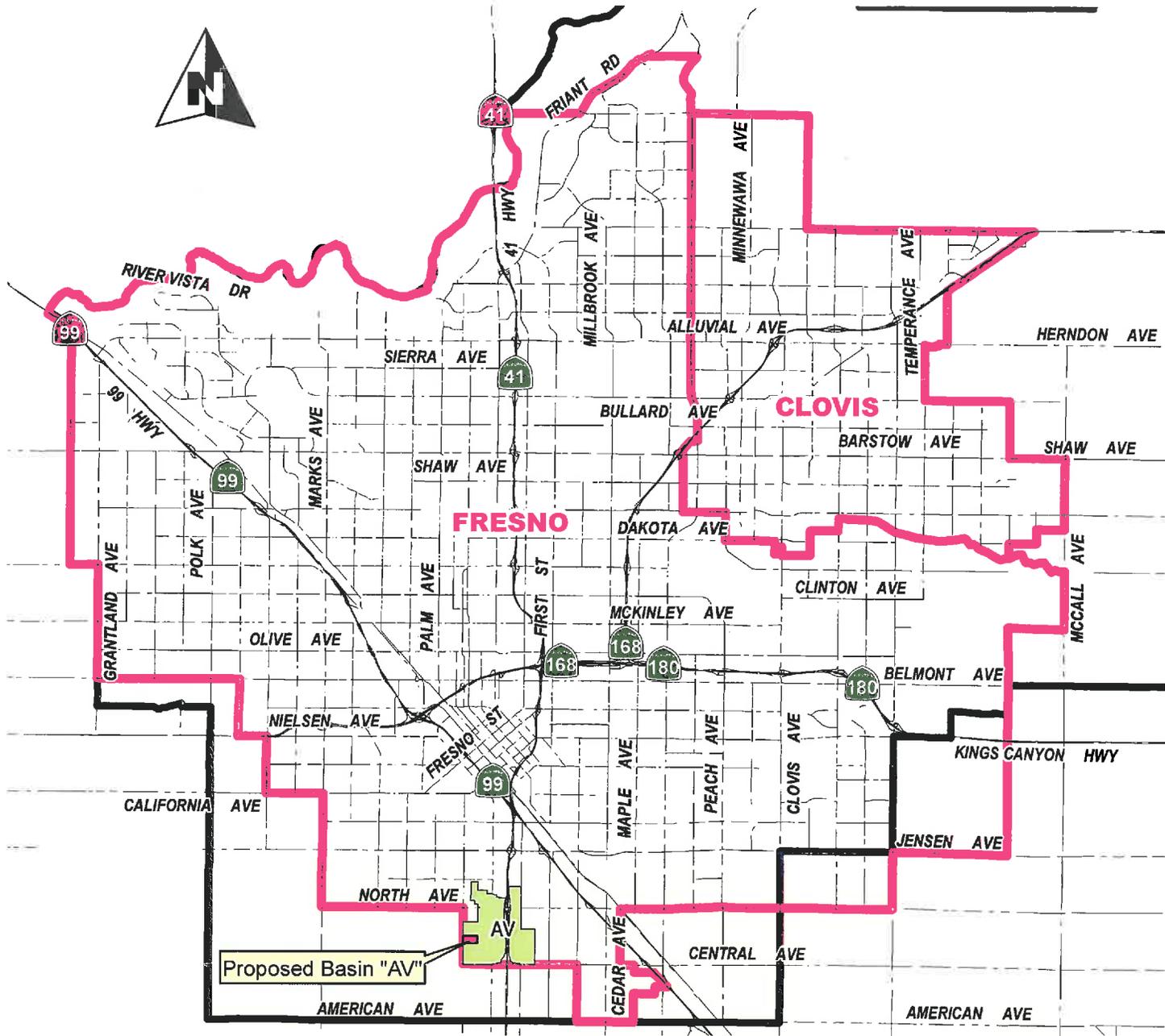
PROJECT DESCRIPTION

This project is for the acquisition and construction of a stormwater basin. The proposed project includes acquiring parcels to develop stormwater basins and the construction of the pipeline system and stormwater features throughout the drainage area. Basin "AV" will serve an approximately 760.70 acre drainage area and include a 19.8 acre basin site. The total acquisition area will be 21.7 acres and the remaining approximately 1.9 acres will be designated for a future road. The basin site will be developed by excavating 61,000 cubic yards of dirt and constructing a perimeter fence, a pump station, and four outfall structures. Approximately of 27,000 feet of pipelines will be constructed throughout the drainage area. Full construction of the stormwater basin can take up to 10 to 20 years.

FUTHER INFORMATION

If you need further information on the project, please contact Joseph Draper, Staff Analyst, FMFCD at (559) 456-3292 or josephd@fresnofloodcontrol.org

NOTE: THIS MAP IS SCHEMATIC. DISTANCES, AMOUNT OF CREDITABLE FACILITIES, AND LOCATION OF INLET BOUNDARIES ARE APPROXIMATE.



LEGEND

-  City Sphere's
-  Proposed Drainage Area
-  Proposed Basin

Regional Map

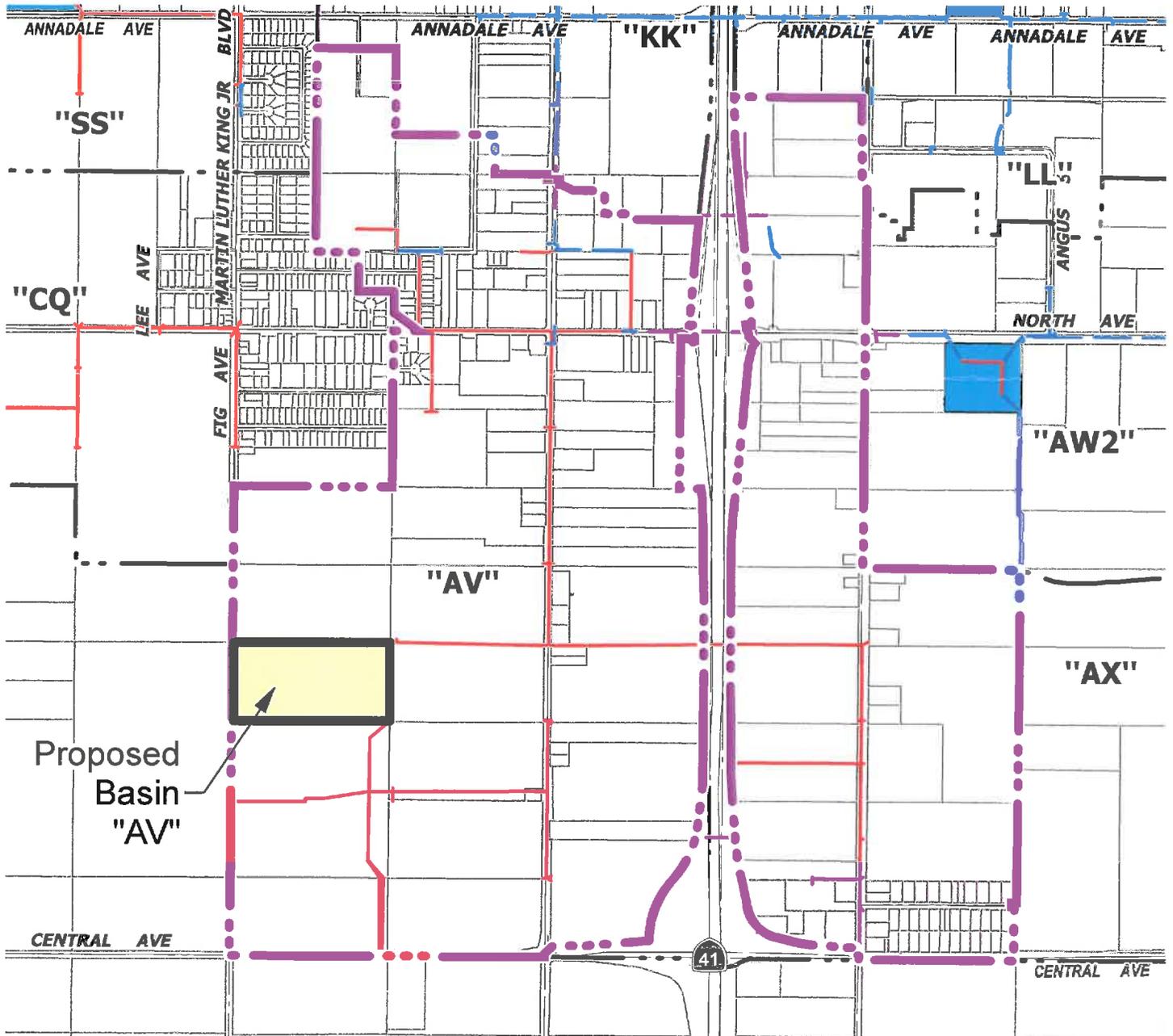
FIGURE 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Prepared by: danielg
 Date: 4/15/2019
 Path: K:\Autocad\DWGS\0EXHIBIT\LAND ACQUISITION\AV Figure 1.mxd



NOTE: THIS MAP IS SCHEMATIC. DISTANCES, AMOUNT OF CREDITABLE FACILITIES, AND LOCATION OF INLET BOUNDARIES ARE APPROXIMATE.



LEGEND

-  Future Master Plan Facilities
-  Existing Master Plan Facilities
-  Proposed Approximate Basin "AV" To Be Acquired
-  Drainage Area "AV" Boundary
-  Drainage Area Boundary



1" = 1300'

**DRAINAGE AREA "AV"
FACILITIES MAP**

FIGURE 2-1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT



Michael Prandini
Building Industry Association of Fresno and Madera
Counties
420 Bullard Ave., Ste. 105
Clovis, CA 93612

David Bunn
California Department of Conservation
Division of Land Resource Protection
801 K Street, MS 14-15
Sacramento, CA 95814-3528

Julie Vance
California Department of Fish and Wildlife
1234 East Shaw Avenue
Fresno, CA 93710

Jose Robledo
State Water Resources Control Board
Division of Drinking Water
265 W Bullard Ave, Suite 101
Fresno, CA 93704

California Department of Toxic Substances
1515 Tollhouse Road
Clovis, CA 93611-0522

Sharri Bender Ehlert
California Department of Transportation
PO Box 12616
Fresno, CA 93778-2616

Scott Hatton
California Regional Water Quality Control Board
Central Valley Region
1685 E Street
Fresno, CA 93706

James Herota, Sr.
Central Valley Flood Protection Board
3310 El Camino Ave, Room 151
Sacramento, CA 95821

Wilma Quan-Schecter
City of Fresno - City Manager
2600 Fresno Street, Room 2064
Fresno, CA 93721

Jennifer Clark
City of Fresno - Development and Resource
Management Director
2600 Fresno Street, Room 3065
Fresno, CA 93721

Scott Mozier
City of Fresno - Public Works
2600 Fresno Street
Fresno, CA 93721-3604

Tony Boren
Fresno Council of Governments
2035 Tulare St, Suite 201
Fresno, CA 93721

County of Fresno - Agriculture Commissioner
1730 S. Maple Ave
Fresno, CA 93702

David Pomaville
County of Fresno - Department of Public Health
1221 Fulton Street
Fresno, CA 93721

Bernard Jimenez
County of Fresno - Public Works & Planning
2220 Tulare Street, Suite 600
Fresno, CA 93721

Steven White
County of Fresno - Public Works & Planning
2220 Tulare Street, Suite 600
Fresno, CA 93721

Ryan Jacobsen
Fresno County Farm Bureau
1274 West Hedges
Fresno, CA 93728

Bill Stretch
Fresno Irrigation District
2907 North Maple Avenue
Fresno, CA 93706

David E. Fey, AICP
Fresno LAFCo
2607 Fresno Street, Suite B
Fresno, CA 93721

Ryan McNeil
Fresno Mosquito & Vector Control District
2338 E. McKinley Ave
Fresno, CA 93703

Paul Peschel
Kings River Conservation District
4886 East Jensen Avenue
Fresno, CA 93725

California Native American Heritage Commission
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691

Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

San Joaquin Valley Air Pollution Control District
1990 East Gettysburg Avenue
Fresno, CA 93726

Michael Jackson
US Bureau of Reclamation
1243 "N" Street
Fresno, CA 93727

David Durham
Natural Resources Conservation Service
4625 West Jennifer, Suite 125
Fresno, CA 93722

Stan Alec
Kings River Choinumni Farm Tribe
3515 East Fedora Ave
Fresno, CA 93726

Robert Ledger SR
Dumna Wo-Wah Tribal Government
2191 West Pico Ave
Fresno, CA 93705

Rueben Barrios SR
Santa Rosa Rancheria Tachi Yokut Tribe
PO Box 8
Lemoore, CA 93245

Hector Franco
Santa Rosa Rancheria Tachi Yokut Tribe
PO Box 8
Lemoore, CA 93245

Shana Powers
Santa Rosa Rancheria Tachi Yokut Tribe
PO Box 8
Lemoore, CA 93245

Leanne Walker-Grant
Table Mountain Rancheria
PO Box 410
Friant, CA 93626

Bob Pennell
Table Mountain Rancheria
PO Box 410
Friant, CA 93626

Kenneth Woodrow
Wuksache Indian Tribe/Eshom Valley Band
1179 Rock Haven Ct.
Salinas, CA 93906

Steven Hansen
APN: 329-030-19
3450 S. Fig Ave
Fresno, CA 93706

Steven Hansen
APN: 329-030-19
1431 W. Pinedale Ave
Fresno, CA 93711

Dennis Roth & Teresa Roth
APN: 329-020-05
6650 N. Forkner Ave
Fresno, CA 93711

Duane Urbanek & Sheila Urbanek
APN: 329-020-23
6244 N. Handover Ave
Fresno, CA 93722

Lieng Lay & Nicholas Chan
APN: 329-030-14
3593 S. Elm Ave
Fresno, CA 93706

Nicholas Chan
APN: 329-030-15
3593 S. Elm Ave
Fresno, CA 93706

Esther Lima & The Lima Family Trust
APN: 329-030-03
3650 S. Fig Ave
Fresno, CA 93706

Esther Lima & The Lima Family Trust
APN: 329-030-03
PO Box 1524
Fresno, CA 93716

Steven Hansen
APN: 329-030-20
1431 W. Pinedale Ave
Fresno, CA 93711

Parnagian Enterprises
APN: 329-020-04
8570 S. Cedar Ave
Fresno, CA 93725

Sandip Kaur
APN: 329-020-62
3259 S. Elm Ave
Fresno, CA 93706

Joseph Riley & Ramona Riley
APN: 329-020-63
3261 S. Elm Ave
Fresno, CA 93706

Beef Packers Inc
APN: 329-020-69
511 W. North Ave
Fresno, CA 93706

From: [Jared B. Shuman](#)
To: [Joseph G. Draper](#)
Subject: FW: Basin "AV" adjacent property owner
Date: Thursday, June 6, 2019 3:48:15 PM

FYI. Please include in the comments for this project.

From: nicholas chan <poh3388@sbcglobal.net>
Sent: Thursday, June 6, 2019 3:37 PM
To: Jared B. Shuman <jareds@fresnofloodcontrol.org>; Amjad M. Qader <amjadq@fresnofloodcontrol.org>
Subject: Re: Basin "AV" adjacent property owner

Jared and Amjad,

My property is adjoining to the east side of the proposed Basin AV, APN 329-030-19. Below are my comments on the Request for Informal Consultant SEIR to the proposed new Basin AV location.

1. We did not receive any notice regarding the 2016 EIR that had the proposed Basin AV on the east corner of Mr.Lima property, APN 329-030-13.
2. What is the reason for the change in locations of the basin from APN 329-030-13 to APN 329-030-19. There had been several proposal on the proposed basin location since 2001. What is the reason for the changes from the original NE corner of Central to APN 329-030-05 (2001 Design), from APN 329-030-05 to APN 329-030-13, and from APN-030-13-329-030-19?
3. Figure 2-1 and Exhibit No. 1 shows the proposed drainage 36" pipe running across inside my property at APN 329-030-15. This is not acceptable. Shouldn't the pipe be placed on the boundary line? Will Figure 2-1 be revised for this change.
4. Will there be an easement on my property and how wide and where are the access roads to the basin?
5. For such a large EIR evaluation , a second viable Design Alternative should be included in the study.
6. Alternative should also include upsizing existing basins in the other area, such as taking water from the north side of North Ave and pipe it along North Ave to Basin CQ, there by eliminating some of the piping along Elm Ave and reducing the depth and size of the proposed Basin AV, thus improve safety.
7. Alternative should also include placing a basin on the east side of Freeway 41.
8. I am concern about pollution and contamination that will affect the ground water on well and pump. How to ensure the basin is free of hazardous waste and contamination?
9. Does your EIR consider the potential of any adverse economic impact to adjacent properties to the ponding basin?

Thank you for taking the time to meet with me this morning. Thanks

Nicholas Chan
Property Owner

Nicholas Chan
Property Owner



County of Fresno

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

June 7, 2019

Joseph Draper
Fresno Metropolitan Flood Control District
5469 E. Olive Avenue
Fresno, CA 93727

SUBJECT: Fresno Metropolitan Flood Control District (FMFCD) OAR - Acquisition and Construction of Basin "AV"

Dear Mr. Draper:

The County of Fresno appreciates the opportunity to review and comment on the subject Acquisition and Construction of Basin "AV" project that is proposing to acquire parcels to develop storm water basins, and the construction of a pipeline system and storm water features throughout the drainage area. Basin "AV" will serve an approximately 760.70-acre drainage area and include a 19.8-acre drainage site. Per a Board-adopted Resolution, the matter of future planning objectives relating to FMFCD, including an established procedure by which consideration of basins and other infrastructure outside existing city spheres of influence were to be presented to the Board of Supervisors for approval. Since the facility is located within the sphere of influence boundary, Board review of the proposal is unnecessary. The Department of Public Health, Environmental Health Division has provided comments on the project, a copy of which has been enclosed for your review. The Building and Safety Section of the Department of Public Works and Planning states that plans, permits, and inspections will be required for buildings and electrical for pumps.

The Development Engineering Section of the Department of Public Works and Planning offers the following comments:

1. FMFCD is to prepare and submit engineered grading and drainage plans, and street improvement/utility plans, to the Development Engineering Section for review and permitting. Appropriate grading and encroachment permits will be required for work proposed.
2. Right-of-way dedications/irrevocable offers of dedications and storm drain easements are to be made as necessary for the installation and development of the future storm drain systems.
3. All work should conform to the City of Fresno Standard Plans and Specifications as applicable in addition to FMFCD Standard Plans and Specification.

The Road Maintenance and Operations Division (RMO) of the Department of Public Works and Planning offers the following comments:

1. Fig Avenue is classified as a Collector road in the County's General Plan, requiring an ultimate road right-of-way of 84 feet, 43 feet each side of the section line. Currently, there is 60 feet of road right-of-way on Fig, 30 feet each side of the section line. An

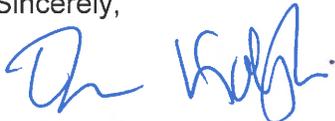
additional 12 feet of road right-of-way should be granted to the County of Fresno in conjunction with development of the basin.

2. Any gate associated with fencing the basin should be set back an additional 30 feet from the ultimate road right-of-way to allow for staging of a vehicle outside of the right-of-way when stopped to open the gate.
3. Curb, gutter, and pave-out should be provided across the frontage of the parcel; however, given the absence of curb and gutter in the immediate area, RMO would support a deferment of construction agreement until such time that adjacent areas are provided with curb and gutter improvements.
4. Any road improvements or drive approach improvements will require that the applicant first obtain an encroachment permit from the County.

Additionally, the subject 39.10-acre parcel is enrolled in the Williamson Act Program under Contract No. 3066. Pursuant to Land Conservation Act (Williamson Act) Program (Program) Guidelines, the use of land enrolled in the Program is limited to commercial agricultural operations and other compatible uses adopted by the Board of Supervisors. The proposed storm water basin is not considered a compatible use on land enrolled in the Program. Further, since the remaining acreage would not qualify to remain enrolled in the Williamson Act Program, the entire 39-acre parcel must be removed from the Program. Since FMFCD is considered a public utility agency, if they are acquiring the subject parcel by eminent domain or in lieu of eminent domain, they will need to work with the Department of Conservation (DOC) according to Government Code Section 51290-51295 to remove the entire parcel from the program. However, if they are purchasing the parcel from a willing seller, then they need to go through the cancellation process with the County of Fresno. If Cancellation is required by the County of Fresno, cancellation of the subject parcel shall be completed prior to issuance of any permits for grading or construction of the proposed storm water basin. Enclosed are comments from the Policy Planning Section and handouts with information and filing requirements for Cancellation and Non-Renewal. If there are any questions regarding the Williamson Act Contract or process for cancellation, please contact the Policy Planning Section at (559)600-4205.

If you have any questions, you may e-mail me at TKobayashi@FresnoCountyCA.gov or contact me at (559) 600-4224.

Sincerely,



Thomas Kobayashi, Planner
Development Services and Capital Projects Division

TK:ksn

G:\4360Devs&PIn\PROJSEC\PROJDOCS\Environmental\OAR\FMFCD\Acquisition and Construction of Basin AV\FMFCD AV Basin Comment Letter.docx

cc. Bernard Jimenez, Assistant Director
William M. Kettler, Development Services and Capital Projects Division
Chris Motta, Development Services and Capital Projects Division



County of Fresno

DEPARTMENT OF PUBLIC HEALTH

David Pomaville, Director
Dr. Sara Goldgraben, Health Officer

May 30, 2019

Joseph Draper
Staff Analyst
Fresno Metropolitan Flood Control District
5469 East Olive Avenue
Fresno, California 93727

LU0020048
2600

Dear Mr. Draper:

Subject: Fresno Metropolitan Flood Control District proposed stormwater basin "AV",
Subsequent Environmental Impact Report.

Project Description: Proposed acquisition of 21.7 acres for the construction of a stormwater basin "AV". The basin site will be developed by excavating 61,000 cubic yards of dirt and construct a perimeter fence, a pump station and four outfall structures.

The following are project comments for the proposed stormwater basin:

- Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
- As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.

Prior to destruction of agricultural wells, a sample of the upper most fluid in the water well column should be sampled for lubricating oil. The presence of oil staining around the water well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements.

- The proposed construction project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code.

The following comments pertain to the demolition of existing structure:

Promotion, preservation and protection of the community's health

1221 Fulton Street, Fresno Ca. 93721/P. O. Box 11867, Fresno, CA 93775
(559) 600-3357 • FAX (559) 600-7629

The County of Fresno is an Equal Employment Opportunity Employer
www.co.fresno.ca.us • www.fcdph.org

Joseph Draper
Fresno Metropolitan Flood Control District
Stormwater basin "AV"
May 30, 2019
Page 2 of 2

- Should the structure have an active rodent or insect infestation, the infestation should be abated prior to demolition of the structure in order to prevent the spread of vectors to adjacent properties.
- In the process of demolition the existing structure, the contractor may encounter asbestos containing construction materials and materials coated with lead based paints.
- If asbestos containing materials are encountered, contact the San Joaquin Valley Air Pollution Control District at (559) 230-6000 for more information.
- If the structure was constructed prior to 1979 or if lead-based paint is suspected to have been used in these structure, then prior to remodel work the contractor should contact the following agencies for current regulations and requirements:
 - California Department of Public Health, Childhood Lead Poisoning Prevention Branch, at (510) 620-5600.
 - United States Environmental Protection Agency, Region 9, at (415) 947-8000.
 - State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) at (559) 454-5302.
- Any construction materials deemed hazardous as identified in the demolition process must be characterized and disposed of in accordance with current federal, state, and local requirements.

If there are any questions, feel free to contact me at (559) 600-3271.

Sincerely,



Deep Sidhu, R.E.H.S.
Environmental Health Specialist III
Environmental Health Division

DS



Inter Office Memo

DATE: June 6, 2019

TO: Thomas Kobayashi, Planner
Development Services and Capital Projects Division, Current Planning Unit

FROM: Derek Chambers, Planner *DC*
Development Services and Capital Projects Division, Policy Planning Unit

SUBJECT: Outside Agency Review (OAR) – Fresno Metropolitan Flood Control District (FMFCD) Acquisition and Construction of Basin “AV” (APN 329-030-19)

The Fresno Metropolitan Flood Control District (FMFCD) proposes to acquire a 21.7-acre portion of a 39.10-acre parcel (APN 329-030-19) in order to develop and operate a 19.8-acre stormwater basin (proposed FMFCD Basin “AV”).

The subject parcel is designated as Agricultural in the County General Plan, is zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size), and is located within the City of Fresno Sphere-of-Influence (SOI).

Williamson Act:

The subject parcel is enrolled in the Williamson Act Program under Contract No. 3066.

Pursuant to Land Conservation Act (Williamson Act) Program (Program) Guidelines, the use of land enrolled in the Program is limited to commercial agricultural operations and other compatible uses adopted by the Board of Supervisors. The proposed stormwater basin is not considered a compatible use on land enrolled in the Program. Further, since the remaining acreage would not qualify to remain enrolled in the Williamson Act Program, the entire 39-acre parcel must be removed from the Program.

Since FMFCD is considered a public utility agency, if they are acquiring the subject parcel by eminent domain or in lieu of eminent domain, they need to work with DOC according to Government Code Section 51290-51295 to remove the entire parcel from the Program. However, if they are purchasing the parcel from a willing seller, then they need to go through the cancellation process with the County of Fresno.

Enclosed are handouts with information and filing requirements for Cancellation and Non-Renewal.

The Cancellation of the subject parcel shall be completed prior to issuance of any permits for grading or construction of the proposed stormwater basin, if Cancellation is required to be issued by the County of Fresno.

General Plan Policies:

Policy PF-C.4: The County shall support efforts to expand groundwater and/or surface water storage that benefits Fresno County.

Policy PF-E.1: The County shall coordinate with the agencies responsible for flood control or storm drainage to assure that construction and acquisition of flood control and drainage facilities are adequate for future urban growth authorized by the County General Plan and city general plans.

Policy PF-E.3: The County shall encourage the Fresno Metropolitan Flood Control District (FMFCD) to spread the cost of construction and acquisition of flood control and drainage facilities in the most equitable manner consistent with the growth and needs of this area.

Policy PF-E.4: The County shall encourage the local agencies responsible for flood control or storm drainage to require that storm drainage systems be developed and expanded to meet the needs of existing and planned development.

Policy PF-E.14: The County shall encourage the use of retention-recharge basins for the conservation of water and the recharging of the groundwater supply.

Policy PF-E.15: The County should require that retention-recharge basins be suitably landscaped to complement adjacent areas and should, wherever possible, be made available to the community to augment open space and recreation needs.

Policy PF-E.22: The County shall encourage the local agencies responsible for flood control or storm drainage to control obnoxious odors or mosquito breeding conditions connected with any agency facility by appropriate measures.

Policy LU-G.1: The County acknowledges that the cities have primary responsibility for planning within their LAFCo-adopted spheres of influence and are responsible for urban development and the provision of urban services within their spheres of influence.

If you have any questions, please email me at dchambers@fresnocountyca.gov or call me at (559) 600-4205.

Enclosure



County of Fresno

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

CANCELLATION OF A WILLIAMSON ACT CONTRACT

The California Land Conservation Act (Williamson Act) was enacted in 1965. The purpose of the Williamson Act Program is to preserve agricultural and qualified open space lands by discouraging premature and unnecessary conversion to urban uses. The Williamson Act provides for private property owners to contract with Fresno County if they wish to voluntarily restrict their land to agricultural and qualified open space uses.

A request for full or partial Contract cancellation must meet legal requirements contained in Government Code Section 51280 et. seq. The full or partial cancellation of the Contract **may only be permitted** when the following five Findings under Government Code Section 51282(a) can be made by the Fresno County Board of Supervisors (Board).

- (1) The cancellation is for land on which a Notice of Non-Renewal has been filed.
- (2) Cancellation is not likely to result in the removal of adjacent lands from agricultural use.
- (3) Cancellation is for an alternate use that is consistent with the adopted General Plan.
- (4) Cancellation will not result in discontinuous patterns of urban development.
- (5) That there is no proximate non-contracted land which is both available and suitable for the use to which it is proposed the contracted land be put or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land.

In considering the above five Findings, the Board will consider all comments offered by the California Department of Conservation (DOC) and the recommendation from the Fresno County Agricultural Land Conservation Committee (ALCC). The DOC advises local governments on the provisions and enforcement of Williamson Act and restrictions and the ALCC is advisory to the Board on Contract cancellation matters.

The applicant shall provide:

- A completed Williamson Act application form for Non-Renewal of the property (or portion thereof) to be cancelled (white form). Staff prepares the Notice of Non-Renewal and will provide you with the application form (white form). Staff will contact you once the Notice has been prepared. The Notice must be signed by all property owners and must be notarized prior to recordation;
- A completed application form for cancellation (or partial cancellation). Staff will provide you with the application form (green form);
- Written responses to the five Findings;

- A copy of the recorded Grant Deed with clear legal description of the property that is subject to the Contract;
- A legal description prepared, stamped, and signed by a licensed land surveyor for that portion of the property that is proposed to be removed from the Contract;
- Information about the historical agricultural operation/usage of the parcel including specific crop type and yields for the last ten years (if no agricultural operation in the last ten years, specify when land was last in agricultural use); and
- Information identifying the source of water for the subject parcel (surface water from irrigation district, individual well(s), and conjunctive system). If the source of water is via district delivery, the applicant shall submit information documenting the allocations received from the irrigation district and the actual disposition of the water (i.e. utilized on-site or moved to other locations) for the last ten years. If groundwater is used for irrigation, provide production capacity of each well, water quality data and data regarding the existing water table depth; and
- Identify (with supporting data) the current soil type and mapping units of the parcel pursuant to the standards of the California State Department of Conservation and the Natural Resources Conservation Service; and
- The Filing Fee, which is currently \$3,290.00.

In addition to the above application materials, per the California Environmental Quality Act (CEQA), your project must be reviewed to determine potential environmental impacts from the proposed Williamson Act cancellation. Prior to submitting an application, you should discuss your project with Policy Planning staff, who will then determine what level of environmental review will be required and what additional application materials and fees will be required.

If the cancellation request is approved, a Certificate of Tentative Cancellation is issued and recorded. The Certificate of Tentative Cancellation will cite all Conditions that must be satisfied in order for the Certificate of Cancellation to be recorded. One Condition of Approval will require that the Cancellation Fee, determined by the County Assessor and equal to 12.5% of the fair market value of the property, be paid in full within one year from the date that the Certificate of Tentative Cancellation is recorded. If the Fee is not paid within that time frame, the Fee shall be recomputed by the County Assessor, and certified by the Board of Supervisors. The Cancellation Fee shall be paid and a Certificate of Cancellation issued prior to commencement of any discretionary permit [Conditional Use Permit (CUP), Director Review and Approval (DRA)] or issuance of any Grading or Construction Permits. The full Cancellation Fee is forwarded to the State of California by the County Auditor.

Please be advised that the decision of the Cancellation request is made by the Board of Supervisors at a public hearing. The foregoing information pertains only to regulations and procedures that apply to Williamson Act Contracts. Your proposal must also adhere to all applicable codes, rules, ordinances, and requirements. For Zoning Ordinance requirements, please contact the Department's Zoning and Permit Assistance at (559) 600-4540. For information regarding land division requirements, please contact the Development Engineering Unit at (559) 600-4022.

If the mapping application is subsequently approved, the approval letter and any required map will contain the following note:

The use of the subject parcels, including the division of land, shall be subject to all restrictions and conditions of the Williamson Act Interim Guidelines adopted by the Board of Supervisors on May 25, 2004, the Williamson Act permitted uses, compatible uses, and conditioned compatible uses adopted by Resolution of the Board of Supervisors dated March 13, 2012, and the conditions and restrictions set forth in Resolution No. 12-126 and the Exhibits thereto, dated March 13, 2012.

Any proposed improvement, including any residential use on the subject parcels must be incidental to a commercial agricultural use.

Failure to adhere to the terms of the Contract and applicable Government Code Sections, including Section 51200 et seq., Section 51243 et seq., and Section 66474 et. seq., may be determined to constitute Breach of Contract or a Material Breach as described in the Government Code at Section 51250 et. seq., resulting in removal of structures or the levying of a penalty equal to 25 percent of the fair market value of the parcels created and the structures found to be in Material Breach.

Please be advised that any residential structure subsequently proposed for construction on any of the resulting parcels must be incidental to the agricultural use of that parcel, and approval of a Building Permit may be subject to guidelines in effect at the time of the determination. Such guidelines may require factual specificity necessary to be provided for staff to determine that the residential structure is incidental to the commercial agricultural use of the Contracted land. Further, even if the County subsequently approves a Building Permit for a residential structure that exceeds 2,500 square feet on the basis that it is incidental to the agricultural use, the owners may be subject to substantial penalties if the approval is thereafter challenged and found invalid or void. If it is determined that the structure is not incidental to the agricultural use, or otherwise constitutes a Material Breach of the Contract, the owners may be subject to the penalties provided in Government Code Section 51250 resulting in removal of the structure(s) or the levying of a penalty equal to 25% of the unrestricted fair market value of the land plus 25% of the value of the improvements constituting the Material Breach.

If you have any questions regarding any information in this handout, please contact the Policy Planning Unit at (559) 600-4230.

G:\4360Devs&Pin\PLANNING\AG\ALL UPDATE DOCUMENTS\Final Word Handouts\Cancellation Handout 4-12-19.doc



Fresno County Department of Public Works and Planning

Mailing Address:
Department of Public Works & Planning
Development Services Division
2220 Tulare Street, 6th Floor, Fresno, CA 93721

Location:
Southwest corner of Tulare & "M" Street, Suite B
Courtyard Level
Fresno Phone: (559) 600-4022

WILLIAMSON ACT APPLICATION

Ag Contract: _____

APN: _____

APN: _____

APN: _____

APN: _____

_____ Nonrenewal (check below if Partial)

_____ Declaration for Building Permits

_____ Partial Nonrenewal

_____ Review of Mapping Application

Location of Property: Street Address _____

_____ side of _____
between _____ and _____

*Owner(s)/Applicant(s) (Print or Type)	Address	City	Zip	Phone
--	---------	------	-----	-------

Representative (Print or Type)	Address	City	Zip	Phone
--------------------------------	---------	------	-----	-------

Please attach the following:

A copy of your grant deed or current ownership documentation.

A complete legal description with the areas which will be affected.

_____ A notarized Statement of Intended Use if applying for a Declaration for Building Permit

_____ *If owner(s) or applicant(s) is under partnership, trust, corporation, etc., documentation needs to be provided showing individual names and titles.

I/We, _____ (print), declare that I/we own, or represent the owner, of the above described property and that the application and attached documents are in all respects true and correct to the best of my knowledge.

Signature

Date

Date Received: _____

OFFICE USE ONLY

Received by: _____

_____ Deed or current ownership information

_____ Legal Description (current)

_____ Statement of Intent



County of Fresno

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

WILLIAMSON ACT CONTRACT NOTICE OF NONRENEWAL

The California Land Conservation Act – commonly referred to as the Williamson Act – was enacted in 1965. The purpose of the Williamson Act Program is to preserve agricultural and qualified open space lands by discouraging premature and unnecessary conversion to urban uses.

The Williamson Act contract is a voluntary contract between the County of Fresno and landowners who wish to restrict their land to commercial agricultural and qualified open space uses. In return, the property owners receive property tax assessments that are lower than normal because the assessments are based on farming and qualified open space uses rather than full market value. The initial term of the contract is a minimum of ten years and is automatically renewed each year on January 1st unless a notice of non-renewal has been filed.

If a property owner wishes to not renew the Contract, an application for non-renewal of the Contract must be filed with Fresno County. The following information is provided to assist you in the non-renewal process:

1. When does the Non-Renewal period begin?

The non-renewal must be recorded a minimum of **90 days prior to the annual renewal date** which is January 1st. Therefore, a Notice must be **recorded prior to October 1st** of any given year in order for the Notice to be effective on January 1st of the upcoming calendar year. A Notice that is recorded after October 1st will **not** take effect until January 1st of the following year (12-15 months later depending on the date it is recorded).

NOTE: Once recorded, an owner-initiated Notice of Non-Renewal cannot be withdrawn.

2. When does the Notice of Non-Renewal need to be submitted?

A request for Notice of Non-Renewal (Notice) may be filed with Fresno County at any time. However, please be advised that in order to record the Notice by October 1st, the signed and notarized Notice should be submitted to County staff by the 2nd Friday in September. County staff will provide you with an application that must be completed. Along with the completed application form, you must also submit a copy of the grant deed clearly identifying the legal description of the property. If the Notice applies to a portion of a parcel, a legal description of the portion of the parcel subject to non-renewal prepared, stamped, and signed

by a licensed land surveyor must be provided. Staff will then prepare the Notice for you.

3. Who must sign a Notice of Non-Renewal?

A Notice must be signed by all owners of interest in the property. Signatures must be notarized **exactly** as printed in the Notice. Signature blocks for representatives of corporations/trusts/partnerships must include the name of the entity above each signature and the name and title of the signer below. In the case of a trust, staff will provide you with a certification that identifies who is authorized to sign on behalf of the trust. The certification must also be completed and notarized. This certification will be recorded.

4. Must a Notice of Non-Renewal be filed on all property subject to a single contract?

No. A **Notice of Partial Non-Renewal** may be filed on a portion of the property held under a Williamson Act Contract provided that the portion to remain under Contract complies with the minimum size requirement stated in the Williamson Act Interim Guidelines adopted by the Board of Supervisors on May 25, 2004. If the notice of partial non-renewal is to be filed, along with the application, the owner must also provide a legal description of the area that will be subject to non-renewal. As previously noted, the legal description must be prepared, stamped, and signed by a licensed land surveyor.

5. Do restrictions remain after a Notice of Non-Renewal has been filed?

All Agricultural Land Conservation Contract restrictions remain in full force and effect after a Notice is filed until the expiration of the Contract.

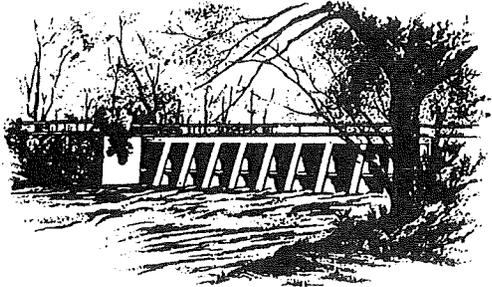
6. When does the Contract expire after the Notice of Non-Renewal is recorded?

If the Notice is recorded prior to October 1st, effective January 1st, there are nine years left on the Contract.

7. Can a notice of non-renewal be withdrawn?

NOTE: Once recorded, an owner-initiated Notice of Non-Renewal cannot be withdrawn.

If you have any questions regarding information in this handout, please contact the Policy Planning Unit of the Department of Public Works and Planning at (559) 600-4230.



YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF
FRESNO
IRRIGATION DISTRICT

TELEPHONE (559) 233-7161
FAX (559) 233-8227
2907 S. MAPLE AVENUE
FRESNO, CALIFORNIA 93725-2208

June 5, 2019

Mr. Joseph Draper
Fresno Metropolitan Flood Control District
5469 E. Olive Avenue
Fresno, CA 93727

RE: FMFCD Initial Study for the Acquisition and Construction – Basin AV
N/E Central and Fig avenues

Dear Mr. Draper:

The Fresno Irrigation District (FID) has reviewed the Fresno Metropolitan Flood Control District (FMFCD) request for Informal Consultation of FID facilities around the proposed Basin AV, for an initial study for acquisition and construction of Basin AV. FID has the following comments:

1. FID does not own, operate or maintain any facilities located in the subject area, as shown on the attached FID exhibit map.
2. For informational purposes, FID's North Central No. 26 runs westerly and crosses Elm Avenue approximately 1,800 feet northeast of the subject property, and crosses Fig Avenue approximately 1,300 feet north of the subject property, as shown on the attached FID exhibit map. Should this project include any street and or utility improvements along Elm Avenue, Fig Avenue, or in the vicinity of this canal, FID requires it review and approve all plans.
3. For informational purposes, FID's Central No. 23 runs westerly and crosses Elm Avenue approximately 2,300 feet southeast of the subject property, and crosses Fig Avenue approximately 1,800 feet south of the subject property, as shown on the attached FID exhibit map. Should this project include any street and or utility improvements along Elm Avenue, Fig Avenue, or in the vicinity of this canal, FID requires it review and approve all plans.
4. For informational purposes, a privately owned canal known as the Toffs No. 315 runs southerly, crosses Fig Avenue approximately 300 feet north of the subject property and continues southerly along the west side of Fig Avenue, as shown on the attached FID exhibit map. FID does not own, operate or maintain the private facility. FID's records indicate that the facility is active and will need to be treated as such. FID can supply FMFCD a list of known users upon request.

Mr. Joseph Draper
RE: Basin AV Utility request.
June 5, 2019
Page 2 of 2

5. Should the proposed basin be used to recharge surface water taken from an FID canal or needed to discharge stormwater to an FID canal, FID must be contacted so that the potential impacts can be evaluated. FID will then be able to determine what can be allowed and provide the corresponding requirements.

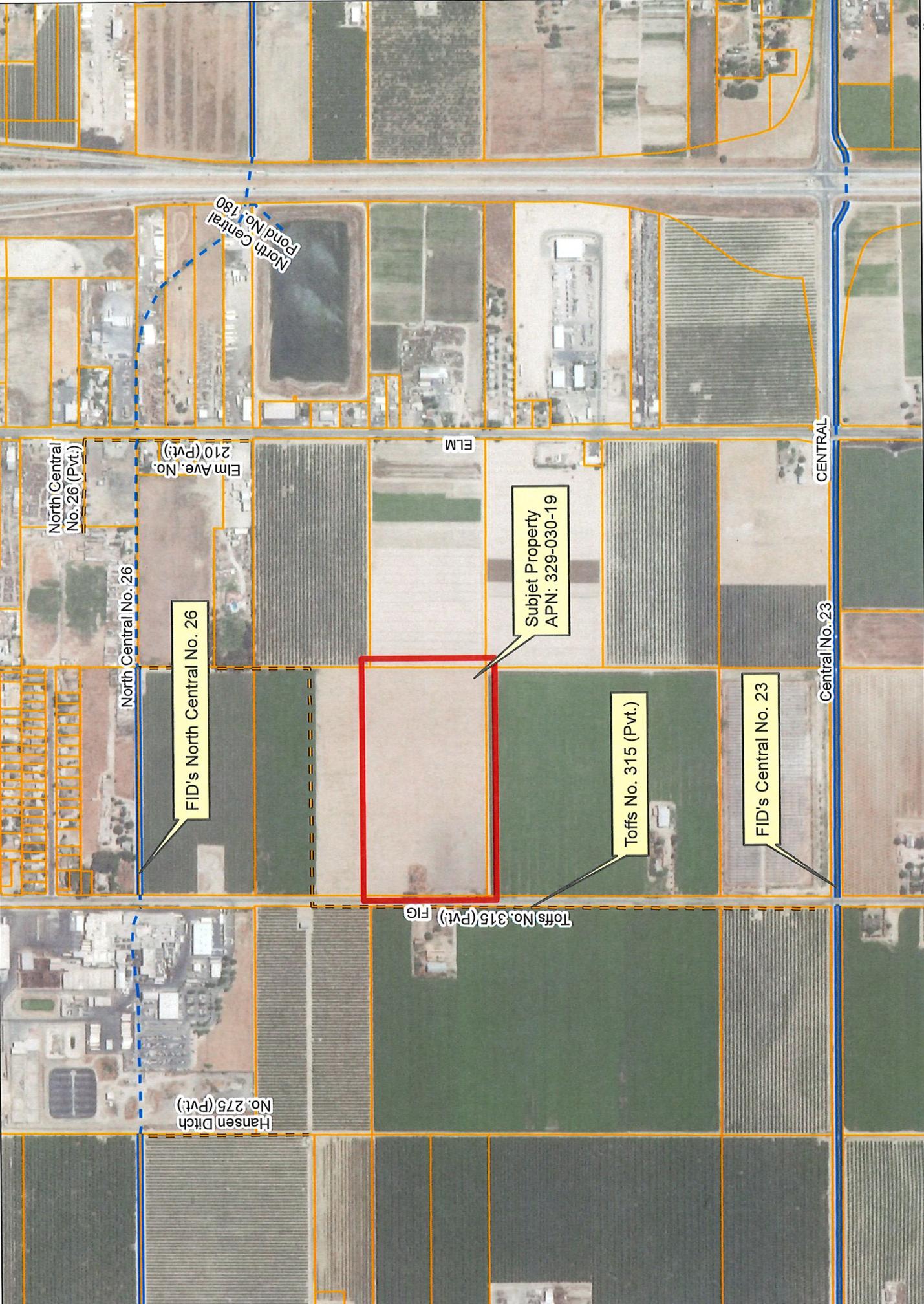
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or jlandrith@fresnoirrigation.com.

Sincerely,



Laurence Kimura, P.E.
Chief Engineer

Attachment



FID's North Central No. 26

Subject Property
APN: 329-030-19

Toff's No. 315 (Pvt.)

FID's Central No. 23

North Central No. 26 (Pvt.)

Elm Ave. No. 210 (Pvt.)

North Central No. 26

ELM

CENTRAL

Central No. 23

Hansen Ditch No. 275 (Pvt.)

Toff's No. 315 (Pvt.) FIG

North Central No. 180

This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale, accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown are in their approximate location. Please contact the FID Engineering Dept. at (559) 283-7161 for further information on FID facilities.



Legend

- FID Canal
- FID Pipeline
- Private Canal
- Abandoned Canal
- Stream Group
- Other-Creek/River
- Other-Pipeline
- FID Boundary
- Railroad
- Streets & Hwys
- FMFCD Aquired Basins
- FMFCD Proposed Basins

0 350 700 Feet

1 inch = 699.68 feet

Date Saved: 05/22/2019 3:43:44 PM
Path: G:\FigData\20190522 Master.mxd



JUN 03 2019

Joseph G. Draper
Fresno Metropolitan Flood Control District
5469 East Olive Avenue
Fresno, CA 93727

Project: Acquisition and Construction of Basin "AV" (Fig Ave and Central Ave)

District CEQA Reference No: 20190582

Dear Mr. Draper:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of acquiring a 21.7-acre parcel to develop stormwater basin (Basin "AV") and the construction of the pipeline system and stormwater features throughout the drainage area (Project), located north of Central Avenue and south of North Avenue between Fig and Elm Avenues (APN# 329-030-19), in Fresno, CA. The District offers the following comments:

1. Based on information provided to the District, Project specific annual emissions of criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5). Therefore, the District concludes that the Project would have a less than significant impact on air quality when compared to the above-listed annual criteria pollutant emissions significance thresholds.
2. District Rule 9510 (Indirect Source Review) is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site fees. The proposed Project is subject to District Rule 9510 (Indirect Source Review) if (1) it has or will receive a project-level discretionary approval from a public agency and will equal or exceed 9,000 square feet of other space, or (2) if it has or will receive a project-level approval from a public agency and will equal or exceed 45,000 square feet of other space. If subject to the rule, an Air Impact Assessment (AIA) application is required prior to applying for project-level approval from a public agency. In this

Samir Sheikh

Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

case, if not already done, please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510.

In the case the Project is subject to District Rule 9510 an AIA application is required and the District recommends that demonstration of compliance with District Rule 9510, before issuance of the first building permit, be made a condition of Project approval. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>. The AIA application form can be found online at: <http://www.valleyair.org/ISR/ISRFormsAndApplications.htm>.

3. The proposed Project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this Project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.
4. The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please call Sharla Yang at (559) 230-5934.

Sincerely,

Arnaud Marjollet
Director of Permit Services



BC: Brian Clements
Program Manager

AM: sy