

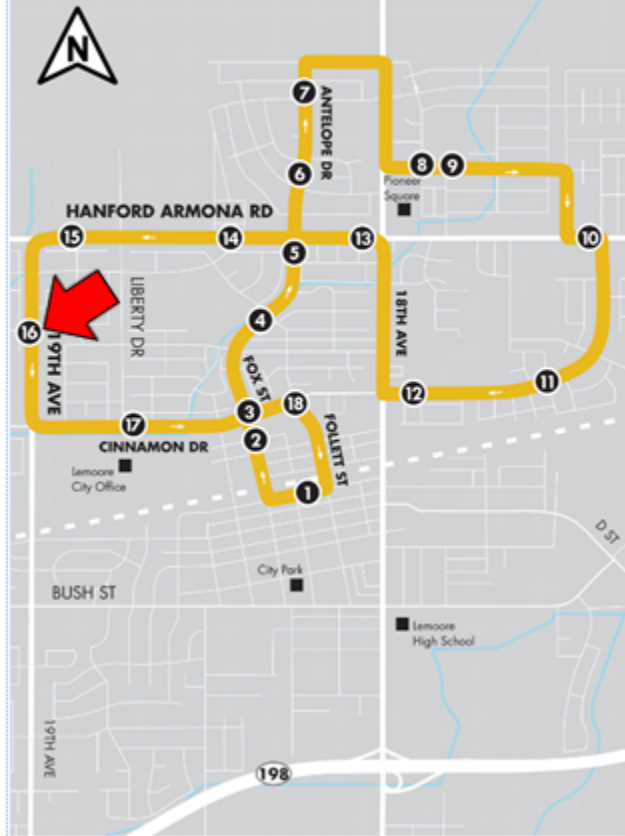
9/04/18
City Council Meeting

**Handouts received after
agenda posted**

MICROTRANSIT

Stop ID# /Detener ID#
4052

19th & Noble
Lemoore Route 30



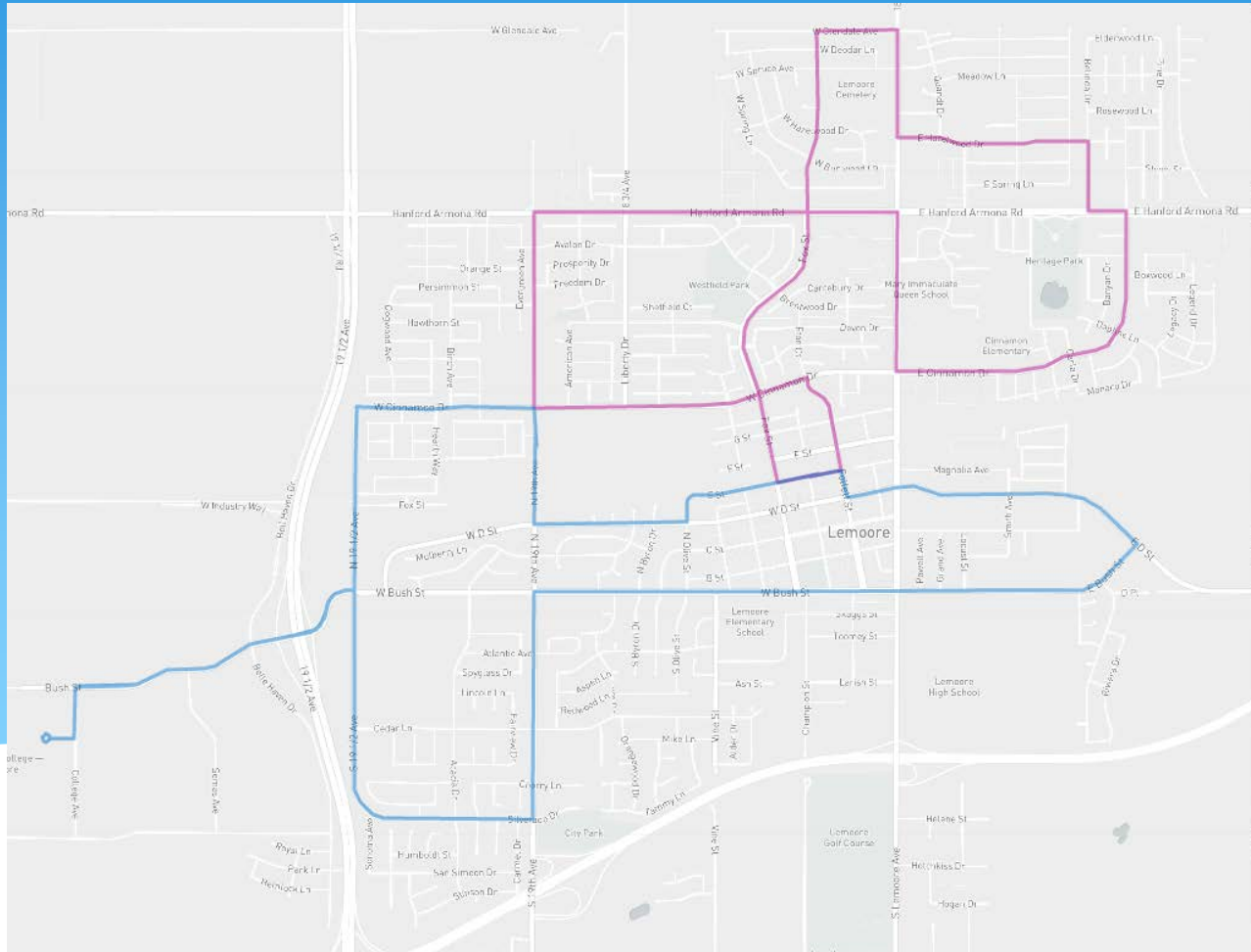
- 7:15 AM
- 8:15 AM
- 9:15 AM
- 10:15 AM
- 11:15 AM
- 12:15 PM
- 1:15 PM
- 2:15 PM
- 3:15 PM
- 4:15 PM
- 5:15 PM
- 6:15 PM

Hora estimada de llegada del autobús

Bus estimated arrival time

Flex Route
Ruta flexible

Coverage- Frequency



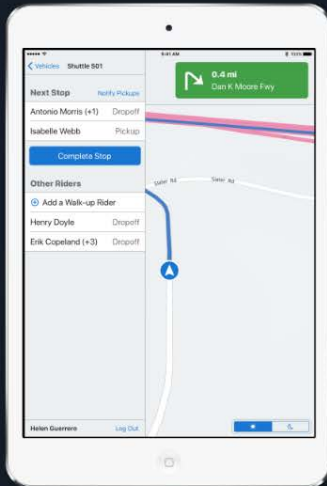
MICROTRANSIT



MICROTRANSIT



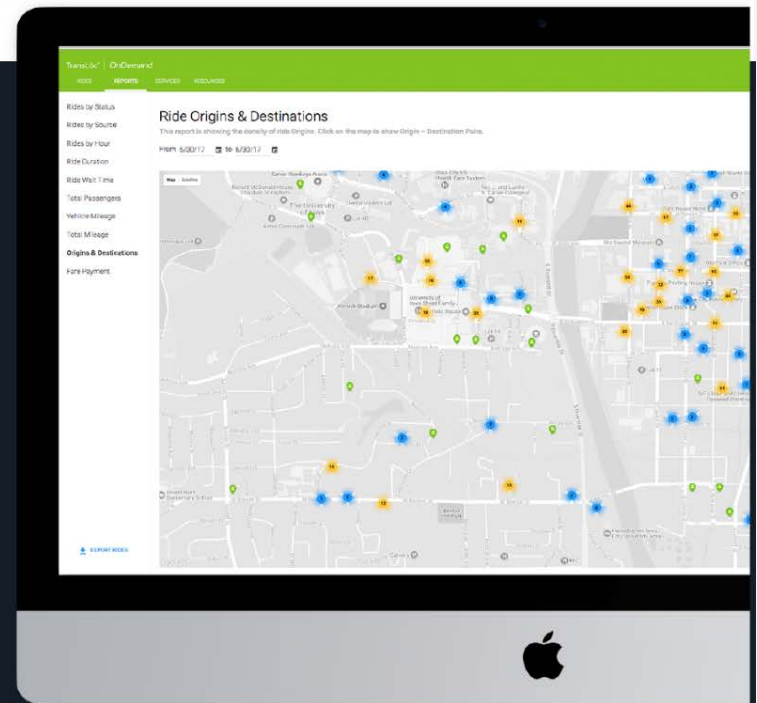
MICROTRANSIT



The driver-facing app provides operators with turn-by-turn navigation.



The rider-facing mobile web app is intuitive, easy-to-use, and available on any mobile device to keep passengers informed on the go.

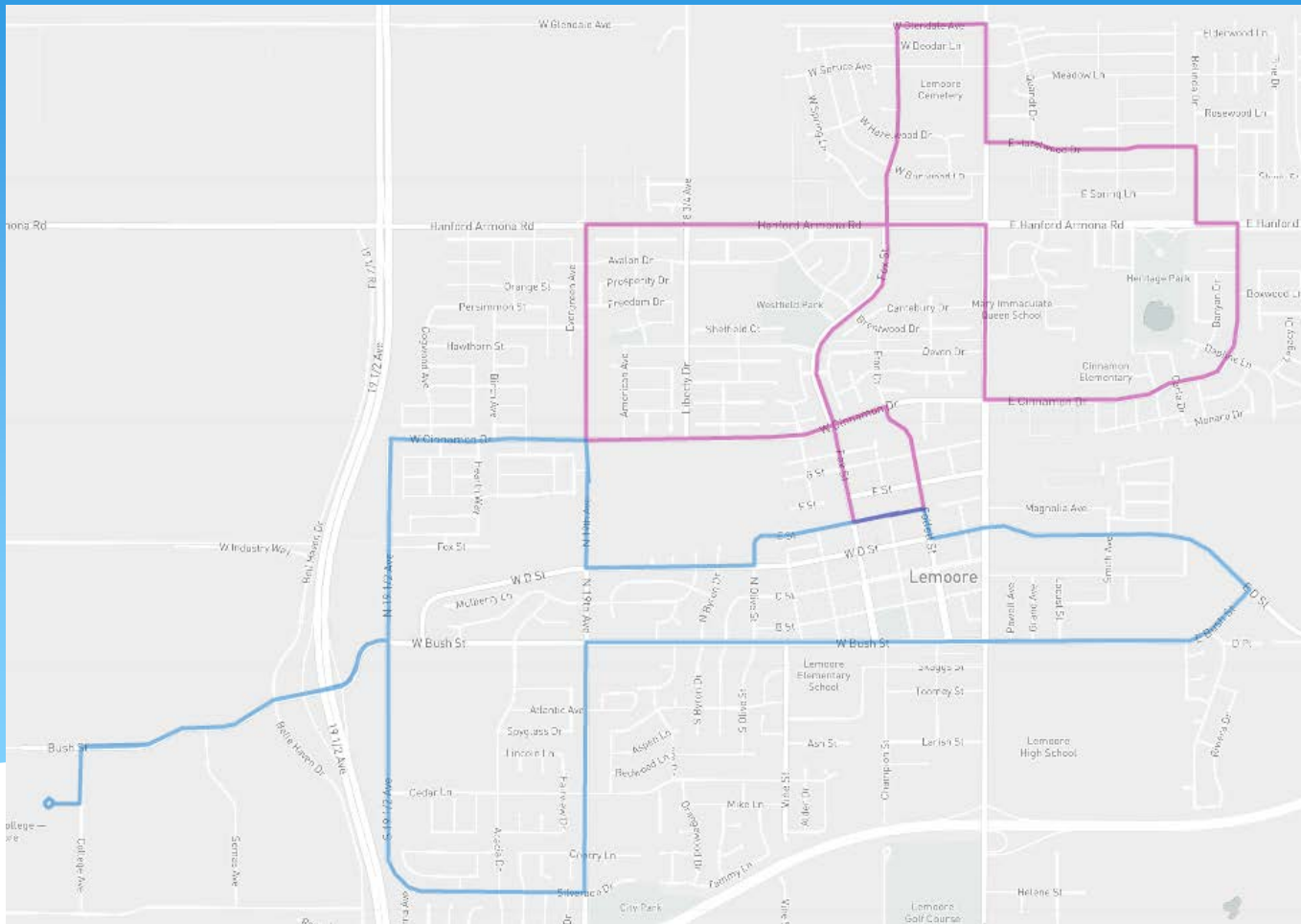


MICROTRANSIT

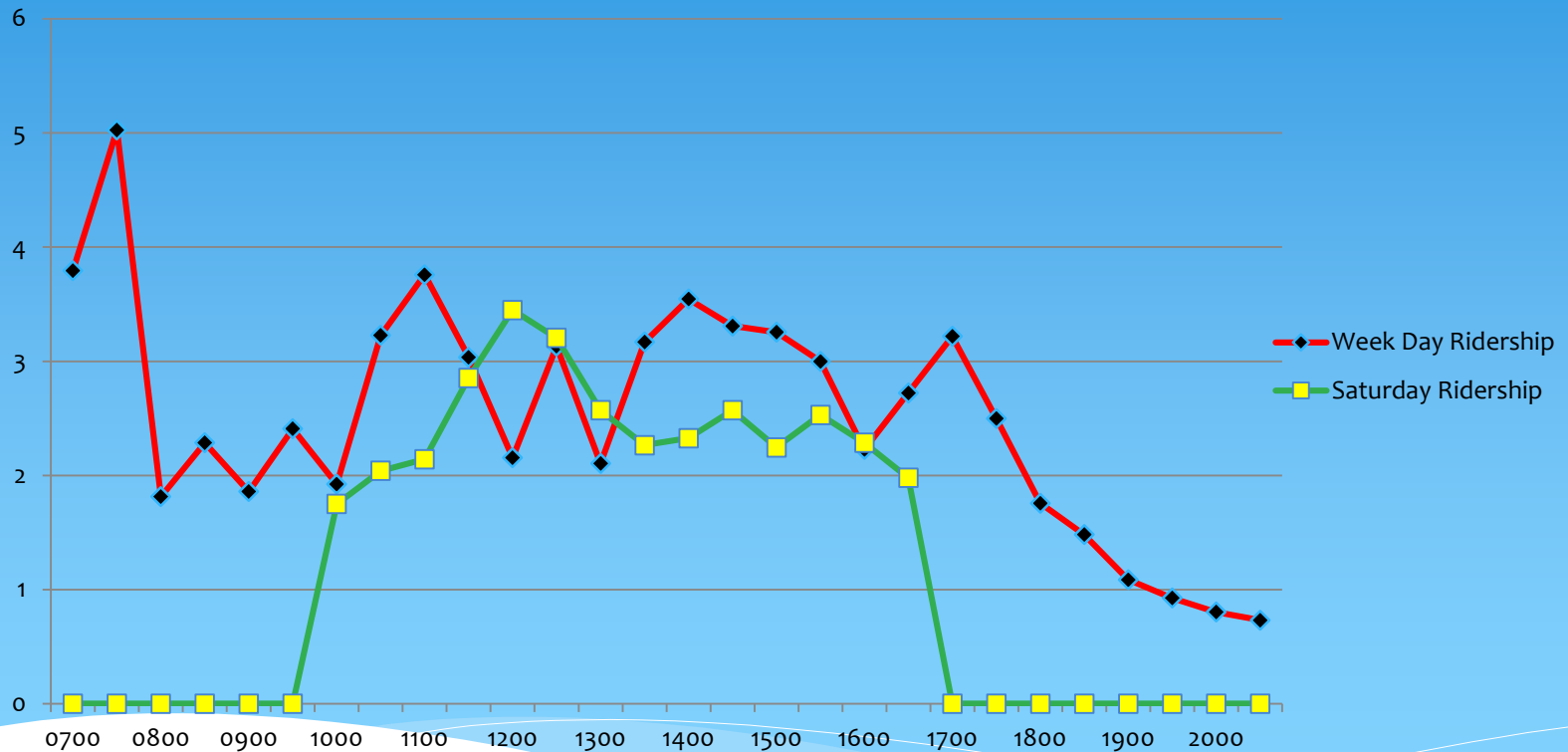
- Replacing or modifying underperforming fixed-routes
- Serving underserved and/or transit deserts

FLEX ROUTE

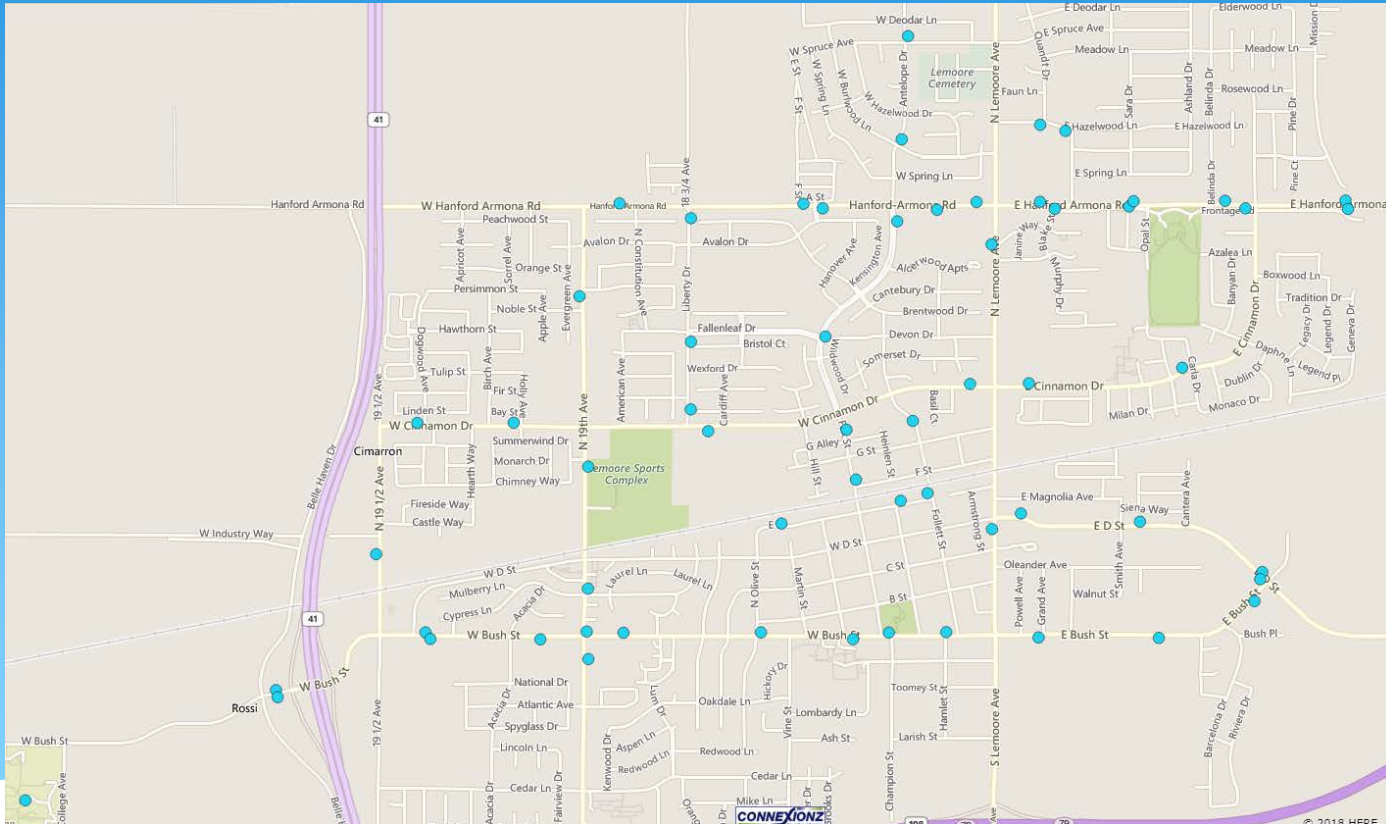
Lemoore Routes 30 & 31



Average Daily Ridership



FLEX ROUTE PILOT



CONNEXIONZ

© 2018 HRF ©

FLEX ROUTE PILOT

- Download the app
- Create a login
- Schedule a ride

FLEX ROUTE PILOT

Real-Time Rider Communications & Tracking

Riders can request a ride through a mobile app—making selecting pick-up and drop-off locations a breeze. Riders can watch their vehicle live, receive notifications as it approaches, and change or cancel their request directly in the app.



FLEX ROUTE PILOT

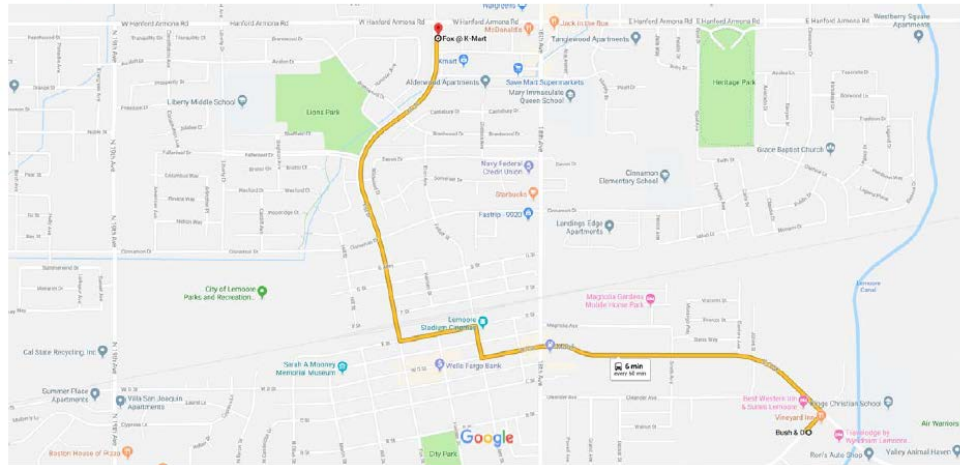
9/4/2018

Bush & D to Fox @ K-Mart, Lemoore, CA 93245 - Google Maps

Google Maps

Bush & D to Fox @ K-Mart, Lemoore, CA 93245

12:56 PM - 1:02 PM (6 min)



12:56 PM ○ Bush & D

12:56 PM ○ Bush & D

31 Lemoore
4 min (4 stops) - Stop ID: 1136
Service run by Kings Area Rural Transit
Ticket information

Continue on the same vehicle

30 Lemoore
2 min (4 stops)
Service run by Kings Area Rural Transit
Ticket information

1:02 PM ○ Fox @ K-Mart

1:02 PM ○ Fox @ K-Mart

FLEX ROUTE PILOT

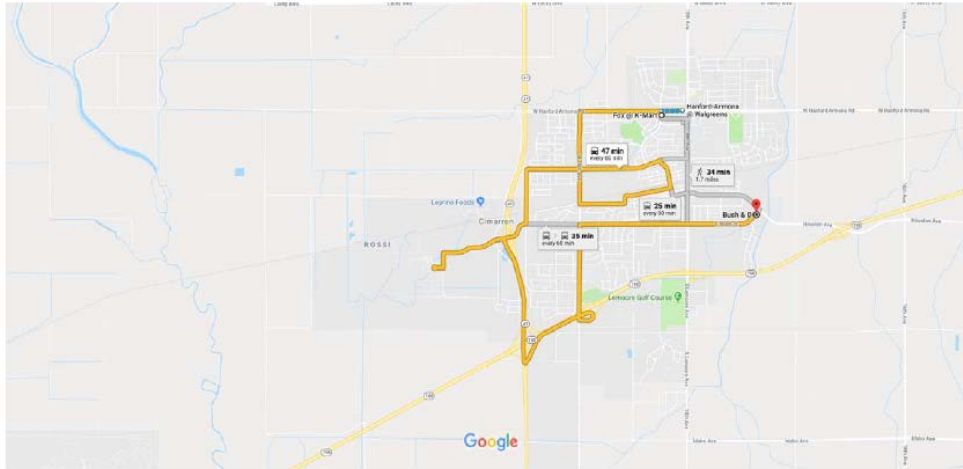
9/4/2018

Fox @ K-Mart, Lemoore, CA 93245 to Bush & D - Google Maps

Google Maps

Fox @ K-Mart, Lemoore, CA 93245 to Bush & D

1:09 PM - 1:56 PM (47 min)



1:09 PM ○ Fox @ K-Mart

🚶 Walk

About 5 min, 0.2 mi

⚠ Use caution - may involve errors or sections not suited for walking

↑ Head north on Fox St toward W Hanford Armona Rd

↗ Turn right onto W Hanford Armona Rd

📍 Destination will be on the left

207 ft

0.2 mi

1:14 PM ○ Hanford-Armona @ Walgreens

🚌 30 Lemoore

16 min (6 stops) - Stop ID: 1121
Service run by Kings Area Rural Transit
Ticket information

Continue on the same vehicle

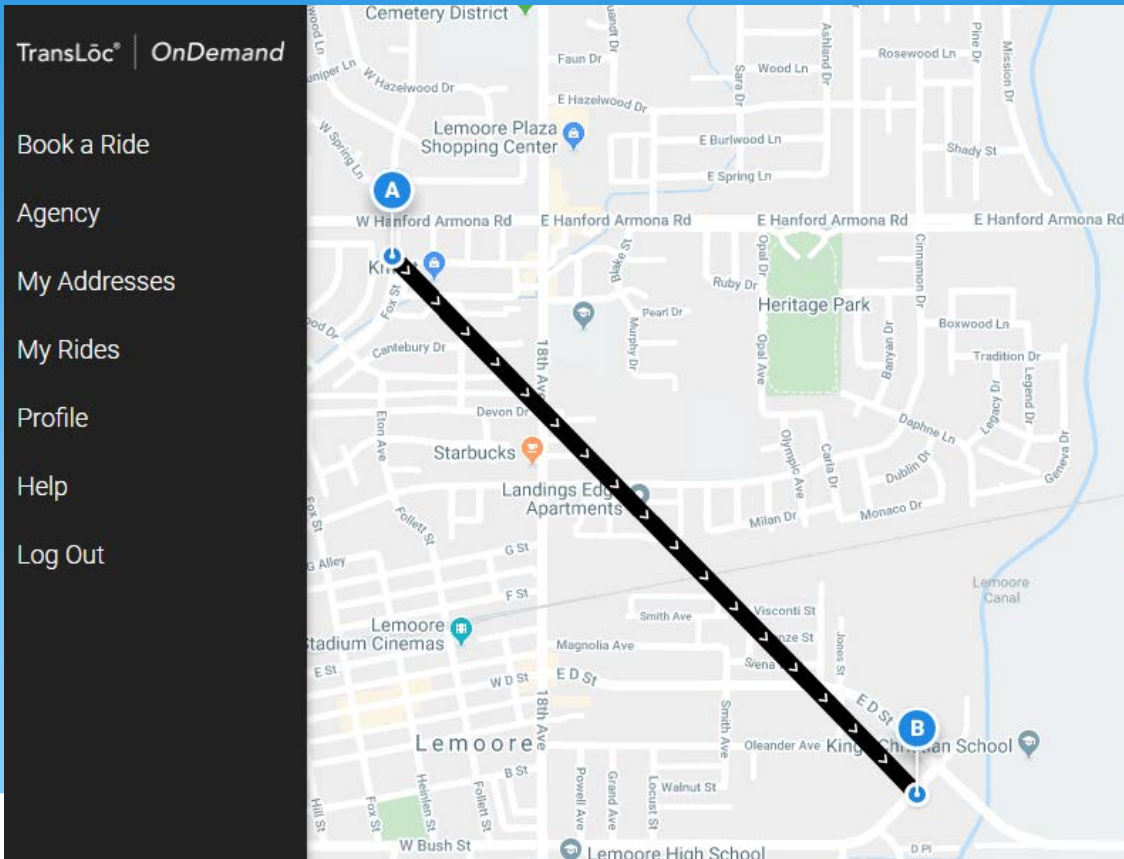
🚌 31 Lemoore

26 min (14 stops)
Service run by Kings Area Rural Transit
Ticket information

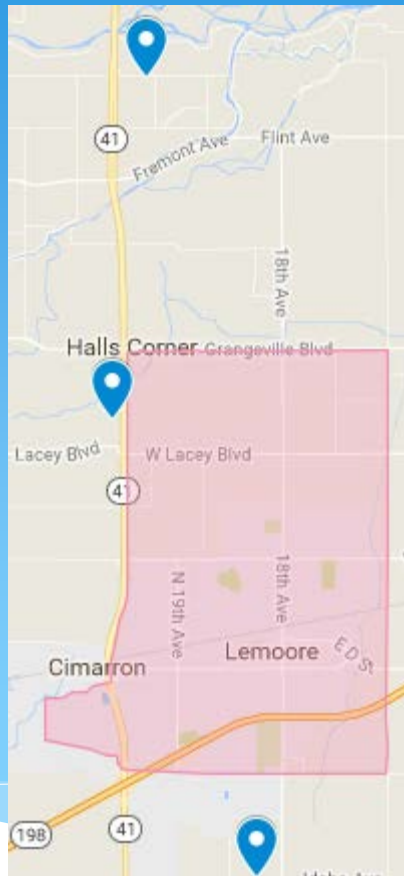
1:56 PM ○ Bush & D

1:56 PM ● Bush & D

FLEX ROUTE PILOT








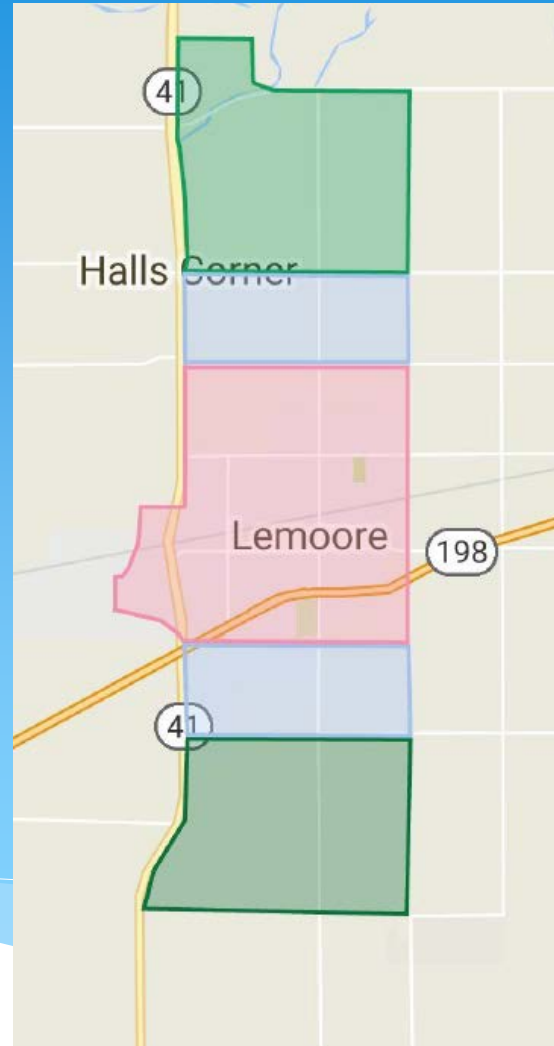
FLEX ROUTE PILOT



FLEX ROUTE PILOT

Untitled layer

-  Zone 1 Flex Route \$1.25
-  Zone 2 Flex Route \$5.00
-  Zone 2 Flex Route \$5.00
-  Zone 3 Flex Route \$7.00
-  Zone 3 Flex Route \$7.00



LEMOORE FLEX ROUTE PILOT

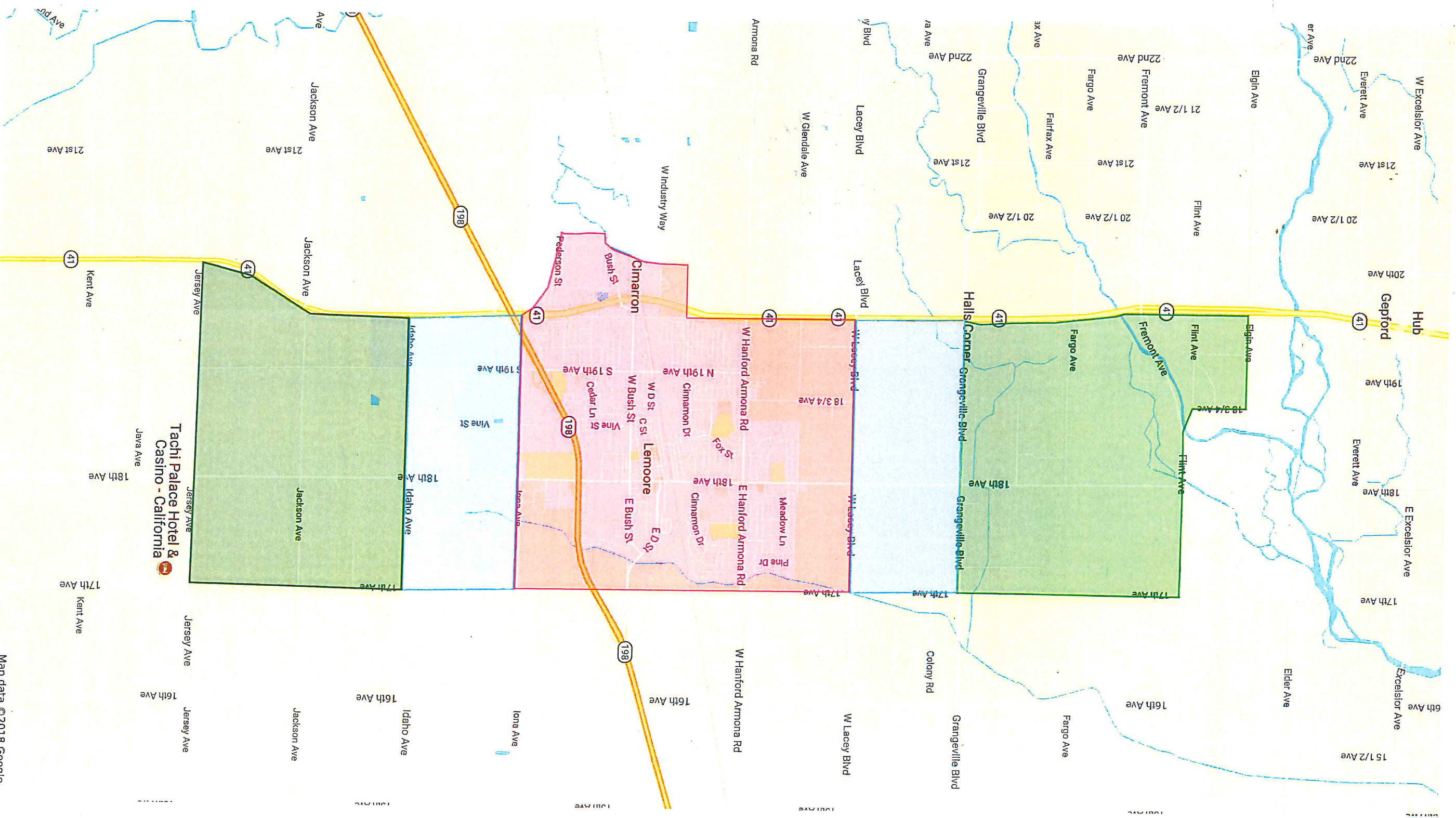
QUESTIONS

?

Lemoore Flex Route Service Area

Untitled layer

- Zone 1 Flex Route \$1.25
- Zone 2 Flex Route \$5.00
- Zone 3 Flex Route \$5.00
- Zone 3 Flex Route \$7.00
- Zone 3 Flex Route \$7.00



Ref Public Comment

Thomas Reed

1060 Par Avenue, Lemoore

817-7234

Mayor, Council Members:

Letter from a Dreamer

Dear Dad,

It's me again. I forgot to ask you a few things in my last letter, so I'll ask them now.

First, could you get some books on the Corvette and some color samples for me?

Second, please send me the price of insurance for the Corvette. If you'd let me put it on your policy it would cut my insurance in half, on that car or any car. And, I'll pay the premium.

Well, that's all for now. Please give me an answer on these things. I'm depriving myself of a lot things so I can purchase this car, so please help.

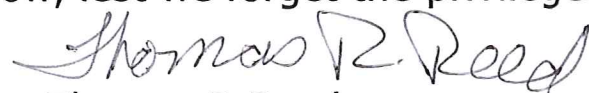
That's all I ask, and when I turn 21, I'll sign everything over to my name, and I turn 21 in January. You know you can't get hurt because I'll be sure to have the money. And, I've already saved a lot just in case I don't get a good job right away.

Bye for now, your son Danny.

P.S.: Just received a letter from you with the amount in my account. Does that include the money I sent this month? Write and tell me soon, OK?

Two days later on March 12, 1967, Army Specialist 4th Class Danny Rhoads, son of Lemoore resident Speed Rhoads, was killed in action while saving members of his unit. For his actions that day he was awarded the Bronze Star with V for Valor.

Just thought you might like to know, lest we forget the privileges we have today.



Thomas R Reed

**CITY OF LEMOORE
CONSULTANT SERVICES AGREEMENT**

This Consultant Services Agreement ("Agreement") is entered into between the City of Lemoore, a California municipal corporation ("City") and Carollo Engineers, Inc., a Delaware corporation ("Consultant") with respect to the following recitals, which are a substantive part of this Agreement. This Agreement shall be effective on the date signed by City, which shall occur after execution by Consultant ("Effective Date").

RECITALS

A. City desires to obtain services for the Water Treatment Plant Project, as further set forth in the scope of work attached as **Exhibit A** and incorporated herein by reference ("Services"). If there is a conflict between the terms of the scope of work and this Agreement, this Agreement shall control.

B. Consultant is engaged in the business of furnishing the Services and hereby warrants and represents that it is qualified, licensed, and professionally capable of performing the Services.

C. City desires to retain Consultant, and Consultant desires to provide the City with the Services, on the terms and conditions as set forth in this Agreement.

NOW, THEREFORE, in consideration of the promises and mutual agreements herein, City and Consultant agree as follows:

AGREEMENT

1. **Scope of Services.** Consultant shall perform the Services described in **Exhibit A**. The Services have been divided into two phases (project management and preliminary design), with several tasks assigned to each phase. Prior to the completion of the second phase, the parties shall amend the scope of work to incorporate subsequent phase(s) as may be deemed appropriate depending on the construction delivery method selected. Alternatively, either party may terminate this Agreement in accordance with Section 16.

Time is of the essence in this Agreement. The Services shall be provided in accordance with City's milestone and completion deadline requirements as follows:

- Draft Basis of Design Report (BODR) - 70 calendar days from Notice to Proceed*.
- Final BODR - 100 calendar days from Notice to Proceed*.
- Delivery Method Recommendation: 100 calendar days from Notice to Proceed*.

* The above noted milestone and completion deadline requirements are based upon the following assumptions:

- 1) Preliminary treatment equipment selection will be complete and the initial equipment layout will be available at the time of Notice to Proceed.
- 2) Schematic design will be performed based on existing geotechnical information and traditional structural design approaches for all three (3) sites. Once completed, if the

project geotechnical report differs from the initial assumptions, Consultant will require additional time to complete the Basis of Design Report.

- 3) Plant capacities and project budget will be defined by the City at the kickoff meeting and recorded in the Project Decision Log.
- 4) The City and the Department of Drinking Water will complete their respective reviews of the Draft BODR in one (1) week.
- 5) Consultant will track project schedule and notify the City of schedule impacts outside of Consultant's control and adjustments to milestone and completion deadlines requirements will be made accordingly.

The Parties understand that the state regulators have imposed a deadline of June 30, 2020, to complete the Water Treatment Plant Project. Failure to complete the Services by the milestone and completion deadline requirements may subject the City to substantial penalties and fines. These milestone and completion deadline requirements will be supplemented prior to completion of the second phase and may be amended by mutual written agreement.

2. Commencement of Services; Term of Agreement. Consultant shall commence the Services upon City's issuance of a written "Notice to Proceed" and shall continue with the Services until Consultant, as determined by City, has satisfactorily performed and completed the Services, or until such time as the Agreement is terminated by either party pursuant to Section 16 herein, whichever is earlier.

3. Payment for Services. City shall pay Consultant a sum not to exceed the total set forth in **Exhibit B** for the Services performed pursuant to this Agreement. Consultant shall submit monthly invoices to City containing detailed billing information regarding the Services provided and unless otherwise specified in **Exhibit B**, City shall tender payment to Consultant within thirty (30) days after receipt of invoice. At a minimum the invoices shall be accompanied by all necessary documentation, list all activities performed itemized by task, and for each activity performed list the person performing it and the person's rate of compensation. Consultant will seek written direction from City before performing Services in excess of the proposed cost for a particular task. Failure to seek written direction from City prior to exceeding the proposed cost of a particular task may result in the rejection of Consultant's subsequent invoices. Consultant acknowledges that the not to exceed amount for each phase as set forth in **Exhibit B** includes contingency compensation in the event that more time and costs than originally anticipated may be necessary to complete a particular phase.

4. Independent Contractor Status. Consultant and its subcontractors shall perform the Services as independent contractors and not as officers, employees, agents or volunteers of City. Nothing contained in this Agreement shall be deemed to create any contractual relationship between City and Consultant's employees or subcontractors, nor shall anything contained in this Agreement be deemed to give any third party, including but not limited to Consultant's employees or subcontractors, any claim or right of action against City.

5. Standard of Care. Consultant expressly represents it is qualified in the field for which Services are being provided under this Agreement and that to the extent Consultant utilizes subcontractors, employees, volunteers or agents, such subcontractors, employees, volunteers or agents are, and will be, qualified in their fields. Consultant also expressly represents that both

Consultant and its subcontractors, employees, volunteers or agents, if any, are now, and will be throughout their performance of the Services under this Agreement, properly licensed or otherwise qualified and authorized to perform the Services required and contemplated by this Agreement. Consultant and its subcontractors, if any, shall utilize the standard of care and skill customarily exercised by members of their profession, shall use reasonable diligence and best judgment while performing the Services, and shall comply with all applicable laws and regulations.

6. Identity of Subcontractors and Sub-Consultants. Consultant shall, before commencing any work under this Agreement, provide to City in writing: (a) the identity of all subcontractors and sub-consultants (collectively referred to as "subcontractors"), if any, Consultant intends to utilize in Consultant's performance of this Agreement; and (b) a detailed description of the full scope of work to be provided by such subcontractors. Consultant shall only employ subcontractors pre-approved by City and in no event shall Consultant replace an approved subcontractor without the advance written permission of City, with the understanding that City's permission will not be unreasonably withheld. Notwithstanding any other provisions in this Agreement, Consultant shall be liable to City for the performance of Consultant's subcontractors.

7. Subcontractor Provisions. Consultant shall include in its written agreements with its subcontractors, if any, provisions which: (a) impose upon the subcontractors the obligation to provide to City the same insurance and indemnity obligations that Consultant owes to City; (b) make clear that City intends to rely upon the reports, opinions, conclusions and other work product prepared and performed by subcontractors for Consultant; and (c) entitle City to impose upon subcontractors the assignment rights found elsewhere in this Agreement.

8. Power to Act on Behalf of City. Consultant shall not have any right, power, or authority to create any obligation, express or implied, or make representations on behalf of City except as may be expressly authorized in advance in writing from time to time by City and then only to the extent of such authorization.

9. Record Keeping; Reports. Consultant shall keep complete records showing the type of Services performed. Consultant shall be responsible and shall require its subcontractors to keep similar records. City shall be given reasonable access to the records of Consultant and its subcontractors for inspection and audit purposes. Consultant shall provide City with a working draft of all reports and five (5) copies of all final reports prepared by Consultant under this Agreement.

10. Ownership and Inspection of Documents. All data, tests, reports, documents, conclusions, opinions, recommendations and other work product generated by or produced for Consultant or its subcontractors, employees, volunteers or agents in connection with the Services, regardless of the medium, including written proposals and materials recorded on computer discs ("Work Product"), shall be and remain the property of City. City shall have the right to use, copy, modify, and reuse the Work Product as it sees fit. Upon City's request, Consultant shall make available for inspection and copying all such Work Product and all Work Product shall be turned over to City promptly at City's request or upon termination of this Agreement, whichever occurs first. This obligation shall survive termination of this Agreement and shall survive for four (4) years from the date of expiration or termination of this Agreement.

11. Confidentiality. All data, reports, conclusions, opinions, recommendations and other Work Product prepared and performed by and on behalf of Consultant in connection with the Services performed pursuant to this Agreement shall be kept confidential and shall be disclosed only to City, unless otherwise provided by law or expressly authorized by City. Consultant shall not disclose or permit the disclosure of any confidential information acquired during performance of the Services, except to its agents, employees and subcontractors who need such confidential information in order to properly perform their duties relative to this Agreement. Consultant shall also require its subcontractors, employees, volunteers or agents to be bound to these confidentiality provisions.

12. City Name and Logo. Consultant shall not use City's name or insignia, photographs relating to the City projects for which Consultant's services are rendered, or any publicity pertaining to the Consultant's services under this Agreement in any magazine, trade paper, newspaper, television or radio production or other similar medium without the prior written consent of City.

13. Conflicts of Interest. Consultant warrants that neither Consultant nor any of its employees have an interest, present or contemplated, in the Services. Consultant further warrants that neither Consultant nor any of its employees have real property, business interests or income that will be affected by the Services. Consultant covenants that no person having any such interest, whether an employee or subcontractor, shall perform the Services under this Agreement. During the performance of the Services, Consultant shall not employ or retain the services of any person who is employed by the City or a member of any City Board or Commission.

14. Non-liability of Officers and Employees. No officer or employee of City shall be personally liable to Consultant, or any successors in interest, in the event of a default or breach by City for any amount which may become due Consultant or its successor, or for any breach of any obligation under the terms of this Agreement.

15. City Right to Employ Other Consultants. This Agreement is non-exclusive with Consultant. City reserves the right to employ other consultants in connection with the Services.

16. Termination of Agreement. This Agreement shall terminate upon completion of the Services, or earlier pursuant to the following.

a. Termination by City: Without Cause. This Agreement may be terminated by City at its discretion upon seven (7) days prior written notice to Consultant.

b. Termination by City or Consultant: For Cause. Either party may terminate this Agreement upon fourteen (14) days prior written notice to the other party of a material breach, and a failure to cure within that time period.

c. Compensation to Consultant Upon Termination. In the event termination is not due to fault attributable to Consultant, and provided all other conditions for payment have been met, Consultant shall be paid compensation for services satisfactorily performed prior to notice of termination. As to any phase partially performed but for which the applicable portion of Consultant's compensation has not become due, Consultant shall be paid the reasonable value of its services provided. However, in no event shall such payment when added to any other payment due under the applicable part of the work exceed the total compensation of such part as specified in

Section 3 herein. In the event of termination due to Consultant's failure to perform in accordance with the terms of this Agreement through no fault of City, City may withhold an amount that would otherwise be payable as an offset to City's damages caused by such failure.

d. Effect of Termination. Upon receipt of a termination notice (or completion of this Agreement), Consultant shall: (i) promptly discontinue all Services affected (unless the notice directs otherwise); and (ii) deliver or otherwise make available to the City, without additional compensation, all data, documents, procedures, reports, estimates, summaries, and such other information and materials as may have been accumulated by the Consultant in performing this Agreement, whether completed or in process. Following the termination of this Agreement for any reason whatsoever, City shall have the right to utilize such information and other documents, or any other works of authorship fixed in any tangible medium of expression, including but not limited to physical drawings, data magnetically or otherwise recorded on computer disks, or other writings prepared or caused to be prepared under this Agreement by Consultant. Consultant may not refuse to provide such writings or materials for any reason whatsoever.

17. Insurance. Consultant shall satisfy the insurance requirements set forth in **Exhibit C**.

18. Indemnity and Defense. Consultant hereby agrees to indemnify, defend and hold the City, City Council members, employees, volunteers, agents and city officials harmless from and against all claims, demands, causes of action, actions, damages, losses, expenses, and other liabilities (including without limitation reasonable attorney fees and costs of litigation) to the extent caused by actual negligent acts, errors, or omissions Consultant or its subcontractors, employees, volunteers or agents relating to the performance of Services described herein. In the event the subject action alleges negligence on the part of Consultant and/or the City, or any third party not under contract with Consultant, Consultant's obligations regarding the City's defense under this paragraph shall be limited to the Consultant's proportionate share of liability, in accordance with California Civil Code section 2782.8. Notwithstanding the foregoing, in the event that one or more defendants named in such a claim is unable to pay its share of defense costs due to bankruptcy or dissolution of the defendant's business, Consultant shall meet and confer with other parties to the claim regarding unpaid defense costs. Consultant and City agree that said indemnity and defense obligations shall survive the expiration or termination of this Agreement for any items specified herein that arose or occurred during the term of this Agreement.

Consultant shall not be responsible for acts and decisions of third parties, including governmental agencies, other than Consultant's subconsultants, that impact project completion and/or success.

19. Assignment. Neither this Agreement nor any duties or obligations hereunder shall be assignable by Consultant without the prior written consent of City. In the event of an assignment to which City has consented, the assignee shall agree in writing to personally assume and perform the covenants, obligations, and agreements herein contained. In addition, Consultant shall not assign the payment of any monies due Consultant from City under the terms of this Agreement to any other individual, corporation or entity. City retains the right to pay any and all monies due Consultant directly to Consultant.

20. Form and Service of Notices. Any and all notices or other communications required or permitted by this Agreement or by law to be delivered to, served upon, or given to either party to this Agreement by the other party shall be in writing and shall be deemed properly delivered, served or given by one of the following methods:

a. Personally delivered to the party to whom it is directed. Service shall be deemed the date of delivery.

b. Delivered by e-mail to a known address of the party to whom it is directed, provided the e-mail is accompanied by a written acknowledgment of receipt by the other party. Service shall be deemed the date of written acknowledgment.

c. Delivery by a reliable overnight delivery service, ex., Federal Express, receipted, addressed to the addressees set forth below the signatories to this Agreement. Service shall be deemed the date of delivery.

d. Delivery by deposit in the United States mail, first class postage prepaid. Service shall be deemed delivered seventy-two (72) hours after deposit.

21. Entire Agreement. This Agreement, including the attachments, represents the entire Agreement between City and Consultant and supersedes all prior negotiations, representations or agreements, either written or oral, with respect to the subject matter herein. This Agreement may be amended only by written instrument signed by both City and Consultant.

22. Successors and Assigns. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

23. Authority. The signatories to this Agreement warrant and represent that they have the legal right, power, and authority to execute this Agreement and bind their respective entities.

24. Severability. In the event any term or provision of this Agreement is declared to be invalid or illegal for any reason, this Agreement will remain in full force and effect and will be interpreted as though such invalid or illegal provision were not a part of this Agreement. The remaining provisions will be construed to preserve the intent and purpose of this Agreement and the parties will negotiate in good faith to modify any invalidated provisions to preserve each party's anticipated benefits.

25. Applicable Law and Interpretation and Venue. This Agreement shall be interpreted in accordance with the laws of the State of California. The language of all parts of this Agreement shall, in all cases, be construed as a whole, according to its fair meaning, and not strictly for or against either party. This Agreement is entered into by City and Consultant in the County of Kings, California. Thus, in the event of litigation, the parties agree venue shall only lie with the appropriate state or federal court in Kings County.

26. Amendments and Waiver. This Agreement shall not be modified or amended in any way, and no provision shall be waived, except in writing signed by the parties hereto. No waiver of any provision of this Agreement shall be deemed, or shall constitute, a waiver of any other provision,

whether or not similar, nor shall any such waiver constitute a continuing or subsequent waiver of the same provision. Failure of either party to enforce any provision of this Agreement shall not constitute a waiver of the right to compel enforcement of the remaining provisions of this Agreement.

27. Third Party Beneficiaries. Nothing in this Agreement shall be construed to confer any rights upon any party not a signatory to this Agreement. The services to be performed by Consultant are intended solely for the benefit of the City. No person or entity not a signatory to this Agreement shall be entitled to rely on Consultant's performance of its services hereunder, and no right to assert a claim against Consultant by assignment of indemnity rights or otherwise shall accrue to a third party as a result of this Agreement or the performance of Consultant's services hereunder.

28. Execution in Counterparts. This Agreement may be executed in counterparts such that the signatures may appear on separate signature pages. A copy or an original, with all signatures appended together, shall be deemed a fully executed Agreement.

29. Alternative Dispute Resolution. If a dispute arises out of or relating to this Agreement, or the alleged breach thereof, and if said dispute cannot be settled through negotiation, the parties agree first to try in good faith to settle the dispute by non-binding mediation before resorting to litigation or some other dispute resolution procedure, unless the parties mutually agree otherwise. The mediator shall be mutually selected by the parties, but in case of disagreement, the mediator shall be selected by lot from among two nominations provided by each party. All costs and fees required by the mediator shall be split equally by the parties; otherwise, each party shall bear its own costs of mediation. If mediation fails to resolve the dispute within thirty (30) days, either party may pursue litigation to resolve the dispute.

Demand for mediation shall be in writing and delivered to the other party to this Agreement. A demand for mediation shall be made within reasonable time after the claim, dispute or other matter in question has arisen. In no event shall the demand for mediation be made after the date when institution of legal or equitable proceedings based on such a claim, dispute or other matter in question would be barred by California statutes of limitations.

30. Non-Discrimination. Consultant shall not discriminate on the basis of any protected class under federal or State law in the provision of the Services or with respect to any Consultant employees or applicants for employment. Consultant shall ensure that any subcontractors are bound to this provision. A protected class includes, but is not necessarily limited to, race, color, national origin, ancestry, religion, age, sex, sexual orientation, marital status, and disability.

31. City-Provided Information and Services. The City shall furnish Consultant available studies, reports and other data pertinent to Consultant's services; obtain or authorize Consultant to obtain or provide additional reports and data as required; furnish to Consultant services of others required for the performance of Consultant's services hereunder, and Consultant shall be entitled to use and rely upon all such information and services provided by the City or others in performing Consultant's services under this Agreement, in accordance with the standard of care delineated in Section 5 hereunder.

32. Estimates and Projections. In providing opinions of cost, financial analyses, economic feasibility projections, and schedules for potential projects, Consultant has no control over cost or price of labor and material; unknown or latent conditions of existing equipment or structures that may affect operation and maintenance costs; competitive bidding procedures and market conditions; time or quality of performance of third parties; quality, type, management, or direction of operating personnel; and other economic and operational factors that may materially affect the ultimate project cost or schedule. Therefore, Consultant makes no warranty that the City's actual project costs, financial aspects, economic feasibility, or schedules will not vary from Consultant's opinions, analyses, projections, or estimates.

33. Access. The City shall arrange for access to and make all provisions for Consultant to enter upon public and private property as required for Consultant to perform services hereunder.

34. Services During Construction. The parties agree that, in the City's contract with the construction contractor, Consultant shall be indemnified to the fullest extent permitted by law for all claims, damages, losses and expense including attorney's fees arising out of or resulting from the construction contractor's performance of work including injury to any worker on the job site. Additionally, Consultant shall be named as additional primary insured(s) by the construction contractor's General Liability and Builders All Risk insurance policies without offset and be included in any waivers of subrogation, and all contract documents and insurance certificates shall include wording acceptable to the parties herein with reference to such provisions.

Consultant shall not be responsible for the means, methods, techniques, sequences, or procedures of construction selected by construction contractors or the safety precautions and programs incident to the work of construction contractors and will not be responsible for construction contractors' failure to carry out work in accordance with the contract documents.

NOW, THEREFORE, the City and Consultant have executed this Agreement on the date(s) set forth below.

CAROLLO ENGINEERS, INC.

CITY OF LEMOORE

By: _____

By: _____
Nathan Olson, City Manager

Date: _____

Date: _____

By: _____

Date: _____

Party Identification and Contact Information:

Carollo Engineers, Inc.
Attn: Penny Carlo
710 West Pinedale Avenue
Fresno, CA 93711
pcarlo@carollo.com
(559) 436-6616

City of Lemoore
Attn: Nathan Olson, City Manager
119 Fox Street
Lemoore, CA 93245
nolson@lemoore.com
(559) 924-6700

J:\wdocs\01943\001\agf\00390269.DOC

EXHIBIT A
CONSULTANT'S SCOPE OF WORK

See attached.

EXHIBIT B
CONSULTANT'S COST OF WORK

See attached.

EXHIBIT C

INSURANCE REQUIREMENTS

Prior to commencement of the Services, Consultant shall take out and maintain, at its own expense, and shall cause any subcontractor with whom Consultant contracts for the performance of Services pursuant to this Agreement to take out and maintain, the following insurance until completion of the Services or termination of this Agreement, whichever is earlier, except as otherwise required by subsection (d) below. All insurance shall be placed with insurance companies that are licensed and admitted to conduct business in the State of California and are rated at a minimum with an "A" by A.M. Best Company.

a. Minimum Limits of Insurance. Consultant shall maintain limits no less than:

(i) Professional Liability Insurance in an amount not less than \$1,000,000.00 per occurrence. Said insurance shall be maintained at all times during Consultant's performance of Services under this Agreement, and for a period of five years following completion of Consultant's Services under this Agreement or termination of this Agreement.

(ii) General Liability Insurance (including operations, products and completed operations coverages) in an amount not less than \$2,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

(iii) Worker's Compensation Insurance as required by the State of California.

(iv) Business Automobile Liability Insurance in an amount not less than \$1,000,000 per accident for bodily injury and property damage.

If Consultant maintains higher limits than the minimums shown above, the City shall be entitled to coverage at the higher limits maintained.

b. Other Insurance Provisions. The general liability policy is to contain, or be endorsed to contain, the following provisions:

(i) The City, City Council members, employees, volunteers, agents and city officials are to be covered as insureds with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the Consultant; and with respect to general liability arising out of work or operations performed by or on behalf of the Consultant including materials, parts or equipment furnished in connection with such work or operations. General liability coverage can be provided with two endorsement forms: 1) in the form of an additional insured endorsement to the Consultant's insurance, or as a separate owner's policy (CG 20 10 11 85 or its equivalent language) and 2) a CG 20 37 10 01 endorsement form or its equivalent language. A later edition of the CG 20 10 form along with the CG 20 37 coverage form will give some protection to the entity for specific locations.

(ii) For any claims related to the Services performed pursuant to this Agreement, the Consultant's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees, agents, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, agents or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.

(iii) Each insurance policy required by this section shall be endorsed to state that the City shall receive written notice at least thirty (30) days prior to the cancellation, non-renewal, or reduction of the coverages required herein.

(iv) Coverage shall not extend to any indemnity coverage for the active negligence of the City in any case where an agreement to indemnify the City would be invalid under Subdivision (b) of Section 2782 of the Civil Code.

c. Evidence of Coverage. Consultant shall deliver to City written evidence of the above insurance coverages, including the required endorsements prior to commencing Services under this Agreement; and the production of such written evidence shall be an express condition precedent, notwithstanding anything to the contrary in this Agreement, to Consultant's right to be paid any compensation under this Agreement. City's failure, at any time, to object to Consultant's failure to provide the specified insurance or written evidence thereof (either as to the type or amount of such insurance), shall not be deemed a waiver of City's right to insist upon such insurance later.

d. Maintenance of Insurance. If Consultant fails to furnish and maintain the insurance required by this section, City may (but is not required to) purchase such insurance on behalf of Consultant, and the Consultant shall pay the cost thereof to City upon demand, and City shall furnish Consultant with any information needed to obtain such insurance. Moreover, at its discretion, City may pay for such insurance with funds otherwise due Consultant under this Agreement.

Consultant shall maintain all of the foregoing insurance coverages during the term of this Agreement, except as to (a) the products and completed operations coverage under the General Liability Insurance which shall also be maintained for a period of ten (10) years following completion of the Services by Consultant or termination of this Agreement, whichever is earlier; and (b) Professional Liability Insurance, which shall be maintained for a period of five (5) years following completion of the Services by Consultant or termination of this Agreement, whichever is earlier.

e. Indemnity and Defense. Except as otherwise expressly provided, the insurance requirements in this section shall not in any way limit, in either scope or amount, the indemnity and defense obligations separately owed by Consultant to City under this Agreement.



LEMOORE CITY COUNCIL
COUNCIL CHAMBER
429 C STREET
September 4, 2018

AGENDA

Please silence all electronic devices as a courtesy to those in attendance. Thank you.

PUBLIC COMMENT

This time is reserved for members of the audience to address the City Council on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Council. It is recommended that speakers limit their comments to 3 minutes each and it is requested that no comments be made during this period on items on the Agenda. The Council is prohibited by law from taking any action on matters discussed that are not on the Agenda. Prior to addressing the Council, any handouts for Council will be provided to the City Clerk for distribution to the Council and appropriate staff.

5:30 pm STUDY SESSION

SS-1 Kings Area Rural Transportation (Speer)

CLOSED SESSION

This item has been set aside for the City Council to meet in a closed session to discuss matters pursuant to Government Code Section 54956.9(d)(4). The Mayor will provide an oral report regarding the Closed Session at the beginning of the next regular City Council meeting.

1. Conference with Legal Counsel – Anticipated Litigation
Government Code Section 54956.9
Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9
One Case
2. Conference with Real Property Negotiators
Government Code Section 54956.8
Property: Approximately 3.9 acres North of Kings Lions Complex, APN 023-290-030
Agency Negotiator: Nathan Olson, City Manager
Negotiating Parties: Octavio Hurtado
Under Negotiation: Price and Terms
3. Conference with Real Property Negotiators
Government Code Section 54956.8
Property: Four parcels of approximately 2.3 acres located on the South East Corner of 19th Avenue and Cinnamon Drive, APN's 023-430-006, 023-430-007, 023-430-008 and 023-430-009
Agency Negotiator: Nathan Olson, City Manager
Negotiating Parties: Sarah Hill and the Trust of Naoaki and Gladys Sano
Under Negotiation: Price and Terms

In the event that all the items on the closed session agenda have not been deliberated in the time provided, the City Council may continue the closed session at the end of the regularly scheduled Council Meeting.

7:30 pm REGULAR SESSION

- a. CALL TO ORDER
- b. PLEDGE OF ALLEGIANCE
- c. INVOCATION
- d. AGENDA APPROVAL, ADDITIONS, AND/OR DELETIONS

PUBLIC COMMENT

This time is reserved for members of the audience to address the City Council on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Council. It is recommended that speakers limit their comments to 3 minutes each and it is requested that no comments be made during this period on items on the Agenda. The Council is prohibited by law from taking any action on matters discussed that are not on the Agenda. Prior to addressing the Council, any handouts for Council will be provided to the City Clerk for distribution to the Council and appropriate staff.

CEREMONIAL / PRESENTATION – Section 1

No Ceremonial / Presentations

DEPARTMENT AND CITY MANAGER REPORTS – Section 2

2-1 Department & City Manager Reports

CONSENT CALENDAR – Section 3

Items considered routine in nature are placed on the Consent Calendar. They will all be considered and voted upon in one vote as one item unless a Council member or member of the public requests individual consideration.

- 3-1 Approval – Minutes – Regular Meeting – August 21, 2018
- 3-2 Approval – Budget Amendment – Landscape and Lighting Maintenance District (LLMD) No. 1 Zone 3
- 3-3 Approval – Resolution 2018-43 in Support of the California Proposition 3 Water Supply and Water Quality Bond Act of 2018
- 3-4 Approval – Employment Agreement for Chief of Police

PUBLIC HEARINGS – Section 4

Report, discussion and/or other Council action will be taken.

- 4-1 Adoption of Mitigated Negative Declaration and Mitigated Monitoring and Reporting Plan for the City of Lemoore/Leprino Foods Combined Effluent/Recycled Water Discharge for Stone Ranch (Brandt)
- 4-2 First Reading – Ordinance 2018-07 Amending Article A of Chapter 7 of the City of Lemoore Municipal Code Relating to Water Use and Service (Corder)

NEW BUSINESS – Section 5

Report, discussion and/or other Council/Successor Agency action will be taken.

- 5-1 Report and Recommendation – Agreement with Carollo for Water Treatment Plan Project Preliminary Design (Olson)
- 5-2 Report and Recommendation – Approval of the Recommended City Positions for the 2018 League of California Cities Annual Conference Resolutions (Olson)

CITY COUNCIL REPORTS AND REQUESTS – Section 6

6-1 City Council Reports / Requests

ADJOURNMENT

Upcoming Council Meetings

- City Council Regular Meeting, Tuesday, September 18, 2018
- City Council Regular Meeting, Tuesday, October 2, 2018

Agendas for all City Council meetings are posted at least 72 hours prior to the meeting at the City Hall, 119 Fox St., Written communications from the public for the agenda must be received by the City Clerk's Office no less than seven (7) days prior to the meeting date. The City of Lemoore complies with the Americans with Disabilities Act (ADA of 1990). The Council Chamber is accessible to the physically disabled. Should you need special assistance, please call (559) 924-6705, at least 4 business days prior to the meeting.

PUBLIC NOTIFICATION

I, Mary J. Venegas, City Clerk for the City of Lemoore, declare under penalty of perjury that I posted the above City Council Amended Agenda for the meeting of August 30, 2018 at City Hall, 119 Fox Street, Lemoore, CA on September 4, 2018.

//s//

Mary J. Venegas, City Clerk



711 West Cinnamon Drive • Lemoore, California 93245 • (559) 924-6700 • Fax (559) 924-6708

Staff Report

Item No: SS-1

To: Lemoore City Council

From: Michelle Speer, Assistant City Manager

Date: August 28, 2018

Meeting Date: September 4, 2018

Subject: Kings Area Rural Transit Update

Strategic Initiative:

- | | |
|--|--|
| <input type="checkbox"/> Safe & Vibrant Community | <input type="checkbox"/> Growing & Dynamic Economy |
| <input type="checkbox"/> Fiscally Sound Government | <input type="checkbox"/> Operational Excellence |
| <input type="checkbox"/> Community & Neighborhood Livability | <input type="checkbox"/> Not Applicable |

Proposed Motion:

Information only.

Subject/Discussion:

Angie Dow, the Executive Director of KART, will be updating Council on the current services KART provides to the citizens of Lemoore.

Financial Consideration(s):

Not Applicable.

Alternatives or Pros/Cons:

Not Applicable.

Commission/Board Recommendation:

Not Applicable.

Staff Recommendation:

Information Only.

Attachments:

Review:

Date:

"In God We Trust"

- Resolution:
 - Ordinance:
 - Map
 - Contract
 - Other
- List:

- Asst. City Manager
- City Attorney 08/29/18
- City Clerk 08/30/18
- City Manger 08/29/18
- Finance 08/29/18

**August 21, 2018 Minutes
Study Session
City Council Meeting**

CALL TO ORDER:

At 5:30 p.m., the meeting was called to order.

ROLL CALL: Mayor: MADRIGAL
Mayor Pro Tem: NEAL
Council Members: BLAIR, BROWN, CHEDESTER

City Staff and contract employees present: City Manager Olson; Assistant City Manager Speer; City Attorney Van Bindsbergen; City Clerk Venegas; Administrative Assistant Avalos.

CLOSED SESSION PUBLIC COMMENT

There was no Closed Session Public Comment.

At 5:31 p.m., Council adjourned to Closed Session.

5:30 pm CLOSED SESSION

1. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(d)(1)
Griswold, LaSalle, Cobb, Dowd & Gin, L.L.P. v. City of Lemoore
Case. No. 18C-0007
2. Conference with Legal Counsel – Anticipated Litigation
Government code Section 54956.9
Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of
Section 54956.9
Two Cases
3. Conference with Legal Counsel – Anticipated Litigation
Government Code Section 54956.9
Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9
(Deciding Whether to Initiate Litigation)
One Case

ADJOURNMENT

At 6:37 p.m., Council adjourned.

**August 21, 2018 Minutes
Lemoore City Council
Regular City Council Meeting**

CALL TO ORDER:

At 7:31 p.m., the meeting was called to order.

ROLL CALL: Mayor: MADRIGAL
Mayor Pro Tem: NEAL
Council Members: BLAIR, BROWN, CHEDESTER

City Staff and contract employees present: City Manager Olson; Assistant City Manager Speer; City Attorney Van Bindsbergen; Public Works Director Rivera; Community Development Director Holwell; Police Chief Smith; Parks and Recreation Director Glick; Finance Director Corder; City Clerk Venegas; Superintendent Carrillo; Maintenance Coordinator Banuelos; Management Analyst Beyersdorf; QK Engineer Joyner.

AGENDA APPROVAL, ADDITIONS, AND/OR DELETIONS

- 4-1 Adoption of Mitigated Negative Declaration for the Combined Effluent/Recycled Water Discharge to Stone Ranch Project and Adoption of the Mitigation Monitoring and Reporting Program (Brandt)

Item continued to September 4, 2018

- 4-2 Disposition and Development Agreement with Kashian

Item continued to October 2, 2018

Motion by Council Member Brown, seconded by Council Member Neal, to continue Public Hearing Items 4-1 and 4-2.

Ayes: Brown, Neal, Chedester, Blair, Madrigal

CLOSED SESSION REPORT OUT

1. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(d)(1)
Griswold, LaSalle, Cobb, Dowd & Gin, L.L.P. v. City of Lemoore
Case. No. 18C-0007

Motion by Council Member Chedester, seconded by Council Member Neal to approve the Global Settlement Agreement in the case of Griswold, LaSalle, Cobb, Dowd & Gin vs the City of Lemoore, et al Case No. 18-C-0007, wherein the CSJVRMA will pay plaintiff \$7,500 to resolve all claims and other parties providing releases and authorize the City Manager to sign and approve.

Ayes: Chedester, Neal, Brown, Blair, Madrigal

PUBLIC COMMENT

Tom Reed read a prepared statement regarding the last City Council meeting in the view of a high school student assignment.

Amy Ward, Lemoore Chamber of Commerce CEO, stated last week was the first ever Kings County Mega Mixer and there were close to 200 people in attendance. Mega Mixer was a partnership between many entities. The Salute to Ag Banquet is September 7, 2018. The Agriculturalist of the Year is Mr. Pete Hanse and the Ag Supporter of the Year is Kings County Farm Bureau. Tickets are still available. Also, thank you to the Lemoore Police Department. A workshop was held at LPD and able to tell attendees about the partnerships in the community as well as participate in MILO training.

Ed Rogers thanked everyone for attending tonight and thanked the Council for what they do.

CEREMONIAL / PRESENTATION – Section 1

1-1 Recognition of Lemoore Volunteer in Policing

Chief Smith recognized Jazmin Gomez as a distinguished Lemoore Volunteer in Policing for her contribution to the Lemoore Police Department Lip Sync Challenge as the videographer. Ms. Gomez was presented with a plaque and shadow box. Assembly Member Rudy Salas' office presented Ms. Gomez a certificate as well.

DEPARTMENT AND CITY MANAGER REPORTS – Section 2

2-1 Department & City Manager Reports

Parks and Recreation Director Glick provided a list of upcoming fall events for the Parks and Recreation Department.

Community Development Director Holwell provided preliminary unemployment rates for July 2018 for Lemoore 5.9%, Kings County 7.5%, the State of California 4.4%, Fresno 7.2%, Kern County 8.2%, Madera 7.0%, Merced 8.0% and Tulare County 9.3%. Information posted at www.labormarketinfo.edd.ca.gov.

City Manager Olson spent time at NAS Lemoore learning about the IGSA service agreements. The 80 acre development agreement will go to Planning Commission and then to Council.

Received consensus by Council to allow monthly dinners with alcohol at the Lemoore Volunteer Fire Department. Volunteers designated to be on duty will forgo dinner and only go to the Station if called upon. Once call is over, equipment will be returned.

CONSENT CALENDAR – Section 3

- 3-1 Approval – Minutes – Regular Meeting – August 7, 2018
- 3-2 Approval – Agreement with Self-Help Enterprises (SHE) for Affordable Housing Loan Portfolio Management Services
- 3-3 Approval – Relinquishment (State Highway) Agreement for Parcels along State Route 198 and 19th Avenue
- 3-4 Approval – Real Property License Agreement with Bush Construction for Portions of APN 024-052-075 and APN 024-052-076

- 3-5 Approval – Appointment of Downtown Merchants Advisory Member
- 3-6 Approval – Investment Report for the Month Ended June 30, 2018
- 3-7 Approval – Budget Amendment – Landscape and Lighting Maintenance District (LLMD) No. 1 Zone 9
- 3-8 Approval – Acceptance of Subdivision Agreement, Noise and Odor Easement and Final Map – Tract 839 – Energy Homes, Inc. dba G.J. Gardner Homes

Council Member Neal pulled Item 3-1 for separate consideration.

Council Member Blair pulled Items 3-2, 3-4, 3-5 and 3-8 for separate consideration.

Motion by Council Member Brown, seconded by Council Member Chedester, to approve the Consent Calendar, excluding Items 3-1, 3-2, 3-4, 3-5 and 3-8.

Ayes: Brown, Chedester, Neal, Blair, Madrigal

- 3-1 Approval – Minutes – Regular Meeting – August 7, 2018

Motion by Council Member Chedester, seconded by Council Member Brown, to approve the Consent Calendar Item 3-1 as amended.

Ayes: Chedester, Brown, Blair, Neal, Madrigal

- 3-2 Approval – Agreement with Self-Help Enterprises (SHE) for Affordable Housing Loan Portfolio Management Services

Motion by Council Member Chedester, seconded by Council Member Brown, to approve the Consent Calendar Item 3-2.

Ayes: Chedester, Brown, Blair, Neal, Madrigal

- 3-4 Approval – Real Property License Agreement with Bush Construction for Portions of APN 024-052-075 and APN 024-052-076

Motion by Council Member Blair, seconded by Council Member Brown, to approve the Consent Calendar Item 3-4.

Ayes: Blair, Brown, Chedester, Neal, Madrigal

- 3-5 Approval – Appointment of Downtown Merchants Advisory Member

Council Member Chedester and Council Member Brown concurred with recommendation to appoint Thomas Nix to the Downtown Merchants Advisory Committee.

- 3-8 Approval – Acceptance of Subdivision Agreement, Noise and Odor Easement and Final Map – Tract 839 – Energy Homes, Inc. dba G.J. Gardner Homes

James Collins spoke.

Motion by Council Member Chedester, seconded by Council Member Neal, to approve the Consent Calendar Item 3-8.

Ayes: Chedester, Neal, Brown, Blair, Madrigal

PUBLIC HEARINGS – Section 4

- 4-1 Adoption of Mitigated Negative Declaration for the Combined Effluent/Recycled Water Discharge to Stone Ranch Project and Adoption of the Mitigation Monitoring and Reporting Program (Brandt)

Item continued to September 4, 2018

- 4-2 Disposition and Development Agreement with Kashian

Item continued to October 2, 2018

NEW BUSINESS – Section 5

- 5-1 Report and Recommendation – Budget Amendment – Refuse Position Allocation

Motion by Council Member Blair, seconded by Council Member Brown, to approve a refuse department position allocation amendment for a Maintenance Worker I or II and allow the City Manager to approve the necessary budget amendment.

Ayes: Blair, Brown, Chedester, Neal, Madrigal

- 5-2 Report and Recommendation – Request for Censure – Resolution 2018-42

*Spoke: Connie Wlaschin
Ed Rogers
Kristen Cursio*

Letter from Joe Carasco, California Correctional Peace Officer Association (CCPOA)

Council Member Blair read a prepared statement.

Motion by Council Member Brown, seconded by Council Member Chedester, to approve Resolution 2018-42 entitled “A Resolution of the City Council of the City of Lemoore Approving Public Censure of Council Member Holy Andradè Blair”.

Ayes: Brown, Chedester, Neal, Madrigal

Noes: Blair

CITY COUNCIL REPORTS AND REQUESTS – Section 6

- 6-1 City Council Reports / Requests

Council Member Brown attended the Kings EDC meeting on Monday. Tomorrow will attend the KART meeting at 3:30pm and the KKAG meeting right after.

Mayor Pro Tem Neal is happy Mr. Reed read his statement. Would be good to get franchises in Lemoore. Lemoore is growing.

Mayor Madrigal was invited and attended the West Hills College District Chancellors Address on Thursday, August 9th. Dr. Stuart Van Horn made a great presentation about what is happening on both campuses. West Hills College Lemoore is a gem of the City and need to partner with them. Thank you to city staff for making the assisting Champions Recovery in making the process

go as smoothly as possible. They will be bringing a restaurant to the previous Blue Door Massage location.

City Manager Olson stated a staff member has been redirected to spend 75% of their time on Economic Development. Walked the downtown and compiled a list of vacant properties. Recently met with a local business owner and put in contact with a vacant building. Met with Kings EDC and Lemoore is looking to be a pilot program for a 14 week Entrepreneur program. Thank staff for all time and effort. We are working.

Mayor Pro Tem Neal asked if the \$1.3 million CrisCom brought to Lemoore was all dispatch. Chief Smith stated \$939,000 was dispatch center and the remainder was federal earmarked money for the Narcotics Task Force. Mayor Pro Tem thanked City Manager Olson.

Mayor Madrigal said thank you to staff. Focus on the non-traditional objects of Economic Development. Stay the course and with the Strategic Initiatives and it will happen. Developers listen to what is being said on the dais. We are on the verge of some big things.

ADJOURNMENT

At 8:49p.m., the meeting adjourned.

Approved the 4th day of September 2018.

ATTEST:

APPROVED:

Mary J. Venegas
City Clerk

Ray Madrigal
Mayor



711 West Cinnamon Drive • Lemoore, California 93245 • (559) 924-6700 • Fax (559) 924-6708

Staff Report

Item No: 3-2

To: Lemoore City Council

From: Frank Rivera, Public Works Director

Date: August 22, 2018

Meeting Date: September 4, 2018

Subject: Budget Amendment – Landscape and Lighting Maintenance District (LLMD) No. 1 Zone 3

Strategic Initiative:

- | | |
|---|--|
| <input type="checkbox"/> Safe & Vibrant Community | <input type="checkbox"/> Growing & Dynamic Economy |
| <input checked="" type="checkbox"/> Fiscally Sound Government | <input type="checkbox"/> Operational Excellence |
| <input type="checkbox"/> Community & Neighborhood Livability | <input type="checkbox"/> Not Applicable |

Proposed Motion:

Approve a budget amendment of \$850 from LLMD Zone 3 reserves to repair damage on the block wall by the PG&E meter.

Subject/Discussion:

In LLMD Zone 3 on the south side of Silverado Drive between Sonoma Avenue and Marin Drive there is a PG&E meter that was set in the block wall. This area of the block wall has been deteriorating over time. There is some cracking on the Silverado Drive side of the block wall; however, the larger damage is on the side of the wall that is in the back yard of the resident at 686 Monterey Lane. The wall in the yard has broken off and there are exposed wires showing. See Exhibit A for photos.

Staff would like to use LLMD Zone 3 reserve funds to repair this block wall.

Financial Consideration(s):

Due to water rate increases of 30% each year, LLMD Zone 3 is unable to finance this project with its current budget. Staff is requesting that the \$850 come from the reserves of LLMD Zone 3.

Alternatives or Pros/Cons:

“In God We Trust”

Pros:

- Repair block wall and eliminate the electrical hazard.

Cons:

- Additional cost was not budgeted for fiscal year 2018-2019

Commission/Board Recommendation:

Not applicable.

Staff Recommendation:

Staff recommends that City Council approve a budget amendment in the amount of \$850.

Attachments:

- Resolution:
- Ordinance:
- Map
- Contract
- Other
 - List: Photos
 - Budget Amendment
 - Estimate

Review:

- Asst. City Manager
- City Attorney
- City Clerk
- City Manger
- Finance

Date:

- 08/29/18
- 08/30/18
- 08/29/18
- 08/29/18

Exhibit A



Block wall in resident's yard on Monterey Lane



Block wall on Silverado Drive



CITY OF LEMOORE BUDGET AMENDMENT FORM

Date:	9/4/2018	Request By:	Frank Rivera
Requesting Department: LLMD Zone 3			

TYPE OF BUDGET AMENDMENT REQUEST:

- Appropriation Transfer within Budget Unit
- All other appropriations (Attach Council approved Staff Report)

FROM:

Fund	Budget Unit	Account	Current Budget	Proposed Increase/Decrease:	Proposed New Budget
203		1010	\$ 18,659.79	\$ (850.00)	\$ 17,809.79

TO:

Fund	Budget Unit	Account	Current Budget	Proposed Increase/Decrease:	Proposed New Budget
203	4853	4350	\$ 520.00	\$ 850.00	\$ 1,370.00

JUSTIFICATION FOR CHANGE/FUNDING SOURCE:

Repair of block wall

APPROVALS:

Department Head:	Date:
City Manager:	Date:
Completed By:	Date:

DS Masonry

DANIEL A. SANDOVAL, Owner
State Contractor's License No. 488257

2723 W. CLINTON COURT
VISALIA, CA 93291-3148
CELLPHONE 559-901-6314
Email: dsmasonry1@aol.com

PROPOSAL

To: Chris Banuelos
City of Lemoore
711 W. Cinnamon Drive
Lemoore, CA 93245
Cell 423-3618
Email: cbanuelos@lemoore.com

Job: Block Wall Repair
686 Monterey Lane
Lemoore, CA

BLOCK WALL REPAIR:

- Approximately 20 sq. ft. of repair on block wall around electrical box and meter on Silverado and backside of wall at 686 Monterey

TOTAL LABOR AND MATERIAL **\$850.00**

Payment to be made as follows: Full and final payment due upon completion of masonry project.

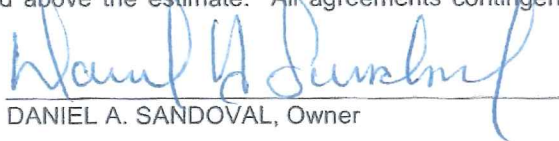
In the State of California: Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a contractor may be referred to the Registrar of the board whose address is:

Contractors' State License Board
P. O. Box 26000
Sacramento, CA 95826

We Propose hereby to furnish material and labor complete in accordance with above specifications.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control.

Date: July 11, 2018



DANIEL A. SANDOVAL, Owner

Note: This proposal may be withdrawn by us if not accepted within ninety (90) days.

Acceptance of Proposal: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature: _____

Date: _____



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Staff Report

Item No: 3-3

To: Lemoore City Council

From: Nathan Olson, City Manager

Date: August 27, 2018

Meeting Date: September 4, 2018

Subject: Resolution 2018-43 in Support of Proposition 3, "Water Supply and Water Quality Act of 2018"

Strategic Initiative:

- | | |
|---|--|
| <input type="checkbox"/> Safe & Vibrant Community | <input type="checkbox"/> Growing & Dynamic Economy |
| <input type="checkbox"/> Fiscally Sound Government | <input type="checkbox"/> Operational Excellence |
| <input checked="" type="checkbox"/> Community & Neighborhood Livability | <input type="checkbox"/> Not Applicable |

Proposed Motion:

Approve Resolution 2018-43 in support of California Proposition 3 Water Supply and Water Quality Bond Act of 2018 as requested by the League of California Cities.

Subject/Discussion:

The Water Supply and Water Quality Act of 2018 will appear as Proposition 3 on California's Nov. 6 ballot. If passed, Proposition 3 would make available \$8.9 billion in general obligation bonds to fund projects for water supply and quality, watershed restoration, fish and wildlife protection, sustainable groundwater management and repair of existing dams and canals. Proposition 3 funds would augment \$1.6 billion for water-related projects already approved by the voters on June 5 with the passage of Proposition 68.

Although many projects can benefit from Proposition 3, Lemoore could potentially benefit in the area for funding for the Sustainable Groundwater Management Act (SGMA) and wastewater recycling projects.

Financial Consideration(s):

"In God We Trust"

None.

Alternatives or Pros/Cons:

Council may choose to not approve the attached resolution in support of Proposition 3.

Commission/Board Recommendation:

Not Applicable.

Staff Recommendation:

Staff recommends that Council approve the attached resolution.

Attachments:

- Resolution: 2018-43
- Ordinance:
- Map
- Contract
- Other

List: Action Alert
FAQs

Review:

- Asst. City Manager
- City Attorney
- City Clerk
- City Manger
- Finance

Date:

08/29/18
08/30/18
08/27/18
08/29/18

RESOLUTION 2018-43

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMOORE
IN SUPPORT OF PROPOSITION 3, THE “WATER SUPPLY AND
WATER QUALITY ACT OF 2018.”**

WHEREAS, the Water Supply and Water Quality Act of 2018 has qualified for the November California Statewide ballot as Proposition 3; and

WHEREAS, The City of Lemoore, like many other cities across the state seeks to improve the reliability and sustainability of its water supply; and

WHEREAS, in many instances the water challenges faced by the City of Lemoore are of regional and statewide interest; and

WHEREAS, the Water Supply and Water Quality Act includes important funding for SGMA implementation, groundwater/brackish desalination, storm water treatment, wastewater recycling, watershed restoration, water conservation, infrastructure repair, in addition to other funds of importance to our city and other local agencies.

WHEREAS, these grant funds would result in significant cost savings for cities and ratepayers, healthier watersheds, and improvements in both water supply and quality for urban areas.

THEREFORE, it be resolved that the City Council of the City of Lemoore endorses Proposition 3, and urges residents of the City of Lemoore to vote for the measure in November.

PASSED AND ADOPTED by the City Council of the City of Lemoore at a regular meeting held on the 4th day of September 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary J. Venegas
City Clerk

Ray Madrigal
Mayor

ACTION ALERT!!

**California Proposition 3
Water Supply and Water Quality Bond Act of 2018
SUPPORT**

BACKGROUND

The Water Supply and Water Quality Act of 2018 will appear as Proposition 3 on California’s Nov. 6 ballot. If passed, Proposition 3 would make available \$8.9 billion in general obligation bonds to fund projects for water supply and quality, watershed restoration, fish and wildlife protection, sustainable groundwater management and repair of existing dams and canals. Proposition 3 funds would augment \$1.6 billion for water-related projects already approved by the voters on June 5 with the passage of Proposition 68.

MAJOR PROGRAMS TO BE FUNDED BY PROP. 3

Safe drinking water and wastewater treatment for disadvantaged communities. \$750 million. Provides safe drinking water and wastewater treatment for disadvantaged communities
Wastewater recycling. \$400 million. Recycles wastewater mainly for landscaping and industrial uses
Groundwater desalination. \$400 million. Converts salty groundwater to usable water supply.
Urban water conservation. \$300 million. Leak detection, toilet replacement, landscape conversion.
Agricultural water conservation. \$50 million. Improves inefficient irrigation systems, increasing river flows to Delta
Groundwater. \$675 million. Implements the Sustainable Groundwater Management Act., stabilizing groundwater levels in overdraft groundwater basins.
Central valley flood management, including flood plain restoration. \$100 million. Makes farms and communities more flood safe, and makes flood plains for habitat friendly. Additional \$50 million for retrofit of a reservoir (probably Bullard’s Bar) for better flood management.
San Francisco Bay Wetlands and flood improvements. \$200 million. Improves wetlands in San Francisco Bay to provide flood protection and mitigate sea level rise.
Flood Control. 100 million
Data management. \$60 million. Better data collection and management: streamflow, etc.
Stormwater management \$600 million for a variety of state agencies. Capture and treatment of stormwater flows improved river and ocean water quality and increasing water supplies
Watershed Restoration \$2.355 billion to a wide variety of state agencies. Pays for better management of watersheds throughout the state to improve water quality and water supply.
Land Management for Water Yield. \$100 million. Removal of invasive weeds which use excessive amounts of surface and groundwater such as tamarisk, yellow starthistle, and Arundo. Estimates of water savings are in excess of one million acre feet per year.
Central Valley Fisheries restoration. \$400 million. Restoring fish habitat. Supplements necessary streamflows.
Water and specific habitat improvements for fisheries. \$350 million. Purchase of water for fish and waterfowl.

Salmon/steelhead restoration. \$300 million
Waterfowl habitat. \$280 million. Helps acquire and restore waterfowl habitat.
Bay Area Regional Reliability. \$250 million. Improves interconnections between Bay Area water agencies, making it easier to survive droughts.
Improvement to Friant Kern Canal and other Friant water interconnections. \$750 million. Restores lost capacity to Friant Kern Canal, pays for groundwater recharge programs, water conservation and possibly new water conveyance in the Friant area.
Oroville Dam Spillway Repair. \$200 million. Makes Oroville Dam more flood safe.

The initiative also allows state and federal water contractors to recover the funds they pay in climate change charges due to implementation of AB 32, and use those funds in their own systems for water and energy conservation to reduce greenhouse gas emissions. These water/energy conservation projects must meet AB32 standards for emissions mitigation.

More information about Proposition 3 is available online at www.waterbond.org.

ACTION:

This proposition will be voted on by the electorate in November. The League is asking cities to consider adopting a city resolution (attached) to endorse the Water Supply and Water Quality Act of 2018.

Send copies of adopted city resolutions to:
cityletters@cacities.org.

FAQ's on Proposition 3, the November Water Bond



What is Proposition 3?

Proposition 3, the Water Supply and Water Quality Act of 2018, is an \$8.877 billion water bond organized through a citizen's initiative for the November, 2018 ballot. California has a long history of using general obligation bonds to fund water projects in the state, with 23 water bonds passed in the last 50 years.

Why Proposition 3 this year?

The most recent water bond, Proposition 1, has been almost completely allocated. State agencies estimate the funding will be full expended in 2019, at which point these state agencies will lack the necessary resources to make grants for water supply, water quality, and watershed restoration projects. Proposition 68, a parks and water bond, passed on the June 2018 ballot provided some water funding, but there is relatively little overlap between the two measures.

Speaking of 68, why two water bonds in the same year?

Proposition 68 was a critical measure for open spaces, urban parks, climate resiliency, and water. Unfortunately given the legislature's cap on bonds, Prop 68 only included around \$1.5 billion for water projects, nowhere near enough to meet the state's need. California has a history of multiple water bonds in the same year, and all have passed.

What is in Proposition 3?

Proposition 3 includes numerous funding areas for grant programs and projects, with benefits to every region of the state. Please see our "Summary of Main Programs" for further details, but Prop 3 includes funding for: safe drinking water, wastewater recycling, stormwater, water conservation, groundwater management, groundwater desalination, infrastructure repair, watershed restoration, fish and wildlife habitat, and flood control.

Can we afford another water bond?

Yes. The state's fiscal health and debt rating was recently upgraded from "stable" to positive. Our debt-service ratio is currently below 4%, well below the 6% marker for debt-service health.

Who supports Proposition 3?

Proposition 3 is supported by several hundred organizations from numerous sectors, including conservation, environmental justice, local government, agriculture, business, and other individuals who appreciate the need to invest in our state's water system.

How will cities, counties, and other local agencies benefit from Proposition 3?

All of these groups are eligible for the vast majority of funding categories. These grant funds will help local agencies and cities lower the cost of proposed projects, and pursue projects they otherwise would not be able to afford or would have to delay. Proposition 3 also includes significant funding to help cities and other local agencies meet state and federal water quality mandates. Many of these state grant programs are only funded through state water bonds, and so without Proposition 3 local organizations will have to fund projects solely through taxes and ratepayer fees.

Does Proposition 3 raise taxes?

No.

How can I help with Proposition 3?

Please visit their website, www.waterbond.org, for further information and to contact the campaign. You can also make a contribution at <https://donate.democracyengine.com/Californianscleanwater/contribute>. For specific questions or speaking requests, please contact Endorse.waterbond@gmail.com.



711 West Cinnamon Drive • Lemoore, California 93245 • (559) 924-6700 • Fax (559) 924-6708

Staff Report

Item No: 3-4

To: Lemoore City Council

From: Nathan Olson

Date: August 17, 2018

Meeting Date: August 21, 2018

Subject: Employment Agreement for Chief of Police

Strategic Initiative:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Safe & Vibrant Community | <input type="checkbox"/> Growing & Dynamic Economy |
| <input type="checkbox"/> Fiscally Sound Government | <input type="checkbox"/> Operational Excellence |
| <input type="checkbox"/> Community & Neighborhood Livability | <input type="checkbox"/> Not Applicable |

Proposed Motion:

Ratify the Employment Agreement between the city of Lemoore and current Police Chief, Darrell Smith.

Subject/Discussion:

Darrell Smith, Police Chief of Lemoore Police Department is currently on a 5-year contract with the city of Lemoore. Current employment agreement is set to expire on February 4, 2019. The contract renewal is for a period of one (1) year ending on February 4, 2020 with the option to extend month to month for one (1) additional year at the discretion of the City Manager. If the agreement extends past February 4, 2020 and goes month to month, the Police Chief will give 30 days' written notice to the city with the intent to terminate employment.

Financial Consideration(s):

It is budgeted in the Fiscal Year 2018-19 budget. Annual salary is \$144,548 plus benefits similar to management employees.

Staff Recommendation:

Ratify the Employment Agreement between the city of Lemoore and current Police Chief, Darrell Smith.

Attachments:

- Resolution:
- Ordinance:
- Map
- Contract
- Other
List: Employment Agreement

Review:

- Asst. City Manager
- City Attorney
- City Clerk
- City Manger
- Finance

Date:

- 08/29/18
- 08/30/18
- 08/17/18
- 08/29/18

EMPLOYMENT AGREEMENT

THIS EMPLOYMENT AGREEMENT (“Agreement”) is made and entered into by and between the City of Lemoore, a municipal corporation of the State of California, hereinafter referred to as the “City” and Darrell Smith, hereinafter referred to as the “Police Chief.”

In consideration of the mutual covenants contained herein, the sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. Purpose. The purpose of this Agreement is to provide for the employment of Darrell Smith as the Chief of Police of the City as provided by the laws of the State of California and the ordinances and Municipal Code of the City of Lemoore, California.

2. Duties. The City hereby agrees to employ Darrell Smith as the Chief of Police of the City to perform and carry out the duties, responsibilities, and functions of the Police Chief for the City as specified in the Municipal Code of the City of Lemoore, other Ordinances of the City, the Government, Penal, Health and Safety and other codes of the State of California and to perform such other legally permissible and proper duties and functions as the City Manager may from time to time assign. The Police Chief agrees that to the best of his ability and experience he will at all times loyally, conscientiously, and diligently perform all of the duties and obligations required of him either expressly or implicitly by the Municipal Code and other ordinances of the City, the City Manager, and the terms of this Agreement. The Police Chief shall be subject to the control and direction of the City Manager.

3. Term of Employment and Termination. The Police Chief agrees to commence the performance of his duties under the terms of this Agreement on February 5, 2019, and shall continue for a term of one (1) year until February 4, 2020, or upon City Manager’s approval for month to month extension of said contract for up to one additional year ending February 4, 2021, or until his employment is terminated pursuant to the terms of this Agreement. It is expressly understood and agreed that the Police Chief serves as an at-will employee of the City, and that subject to the provisions set out below, he may be terminated at any time by the City Manager with or without cause. In terminating the employment of the Police Chief, the City Manager may use his or her uncontrolled discretion and his or her action shall be final regardless of whether the Police Chief is terminated pursuant to Section 3(a)(1) or 3(a)(2). By agreeing to the provisions of this paragraph 3, the Police Chief understands and acknowledges that he is knowingly waiving any and all rights he may otherwise have under Public Safety Officers Procedure Bill of Rights (Government Code §§ 3300-3312) and other applicable State law, to a hearing and/or an appeal and/or any proof of misconduct.

a. Termination of Agreement and Severance.

1. Without Cause. The City Manager may terminate this Agreement at any time without cause by providing at least thirty (30) days' written notice to Police Chief. In the event of termination without cause, Police Chief shall be entitled to severance compensation for the balance of the term of this Agreement, or nine (9) months whichever is less. Severance shall be paid in one lump sum and shall include payment of salary as set forth in section 4(a) and, in addition, payment of the value of health insurance benefits only, as described in section 4(e) hereof.

2. With Cause. City Manager may terminate the Police Chief for cause at any time by delivering written notice of intent to terminate for cause. Police Chief shall be immediately placed on paid administrative leave while the City Manager determines whether cause exists. Upon a determination that cause exists, the Police Chief may be terminated immediately. "Cause" for the purpose of this agreement is defined as:

- i. Fraud, misappropriation or embezzlement.
- ii. Negligent or willful misconduct which has caused damage to public property or use of public property for other than a public purpose.
- iii. Any intentional or grossly negligent action or inaction that materially and substantially:
 - (a) impedes or disrupts the operations of the City or its organizational units;
 - (b) is detrimental to employee or public safety;
 - (c) violates properly established rules or procedures of the City causing a material and substantial adverse effect on the City's interests.
- iv. Violation of the City's policies regarding discrimination or harassment.
- v. Repeated and protracted unexcused absences from the Police Chief's office and duties.
- vi. Continued abuse of drugs or alcohol that materially affects the performance of the Police Chief's duties.
- vii. Violation of the Police Chief's duties under this Agreement.

viii. Failure to disclose pertinent information to the City Manager or City Council.

ix. Failure to follow direction given by the City Manager.

Pursuant to Government Code Sections 53243 and 53243.2, if the Police Chief is convicted of a crime involving abuse of his office or position, all amounts paid for leave pending an investigation and any amounts paid out as severance pay shall be fully reimbursed by the Police Chief to the City.

Following termination under Section 9A., if the Police Chief is convicted of a crime, proof of which would have justified termination for cause under Section 3(a)(2), all amounts paid for leave pending an investigation and any amounts paid out as severance pay shall be fully reimbursed by the Police Chief to the City.

b. Renewal. On or before February 4, 2019, the City Manager is authorized to grant an extension in monthly increments for up to one year ending February 4, 2020. If no notice of renewal is approved by the City Council within 1 month of the expiration of the term of any extended term, it shall be presumed that the employment contract will be permitted to expire at the end of the term. No severance pay is due if the contract expires. If the Agreement is extended, then on or before the month which is one full year prior to the expiration of the extended term, the parties shall follow the procedure set forth in this paragraph to determine whether the Police Chief's employment contract will be renewed or renegotiated.

c. Commitment by Police Chief. The Police Chief understands the City's need for continuity and strong leadership in the Police Department and acknowledges that the consideration given by City under this Agreement is, in part, given in exchange for Police Chief's pledge to remain as Police Chief of the City of Lemoore for a term of one (1) year. Police Chief acknowledges and agrees that he will be liable to the City for damages in the event of early termination.

4. Compensation.

a. Salary. The City shall pay the Police Chief for his services an annual salary of \$141,548.00 payable in installments at the same time and in the same manner as other employees of the City.

b. Overtime. The Police Chief shall be an exempt managerial employee and not subject to the overtime compensation provisions of State law and the Fair Labor Standards Act.

c. Compensation Adjustments. Under this Agreement, the Police Chief shall be eligible for the same cost of living salary adjustments granted to other public safety

employees. The Police Chief shall also be subject to any employee concessions taken by other public safety employees.

d. Retirement Contributions. City agrees to enroll Police Chief in the City's retirement system and provide the same benefit that is provided to other management employees of the City.

e. Health and Other Insurance. City agrees to provide Police Chief with the same health, dental, vision, and life insurance that is provided to other management employees; provided, however, that City will pay up to \$853.00 per pay period toward Police Chief's employee share of health insurance costs. Police Chief is solely responsible for the employee share of health insurance to the extent the cost exceeds \$853.000 per pay period.

f. Paid Vacation Leave. The Police Chief shall earn vacation time each month in the same manner as other management employees of the City and shall be subject to the City's ordinances, rules, and policies pertaining to all management employees with regard to accrual, use, and conversion (to cash) of vacation time. The Police Chief will accrual vacation at 12.67 hours per month with a maximum accrual of 304 hours.

g. Administrative Leave. The Police Chief shall be entitled to eighty (80) hours of paid administrative leave per year which must be used during the fiscal year. Administrative leave hours may not be accumulated or converted into cash.

h. Sick Leave. The Police Chief shall accrue sick leave in the same manner as other management employees of the City, and shall be subject to the City's ordinances, rules, and policies pertaining to all management employees with regard to accrual, and use of sick leave.

5. Vehicle. The City shall provide a vehicle to be used by the Police Chief for official City business. The Police Chief shall be permitted to drive said vehicle to and from his home in Kings County to work. In the event the Police Chief uses a private vehicle for City business, he shall be reimbursed for mileage in accordance with City policies.

6. Professional Development. Subject to available funds in the budget, the City agrees to pay the professional dues, subscriptions, travel and other business expenses of the Police Chief reasonably necessary for his continued and full participation in national, state, and local associations, professional organizations, governmental groups and committees thereof for the good of the City in accordance with the approved budget.

7. Reimbursement of Expenses. The City will reimburse the Police Chief for all sums necessarily incurred and paid by him in the performance of his duties. The Police Chief shall submit a claim form to the City in the form and manner required by City policies.

8. Bonding. The City shall bear the full cost of any fidelity or other bonds required of the Police Chief under any law or ordinance.

9. Office and Time Spent. The Police Chief shall maintain an office in the Police Department and shall spend time in the performance of his duties for the City as is necessary or as may be required from time to time by the City Manager. The Police Chief is expected to devote necessary time outside normal office hours to the business of the City. The Police Chief shall not engage in outside employment without prior approval of the City Manager. Any such approvals given may be withdrawn at any time by the City Manager.

10. Performance Evaluations. The City Manager shall annually evaluate the performance of the Police Chief. The City Manager shall provide the Police Chief adequate opportunity to discuss his evaluation with the City Manager.

11. Other Terms and Conditions of Employment.

a. Other Employment Terms and Conditions. The City Manager, in consultation with the Police Chief, shall fix any other terms and conditions of employment as he or she may determine from time to time, relating to the performance of the Police Chief provided such terms and conditions are not in conflict with the provisions of this Agreement of City Ordinances.

b. Applicability. All provisions of the City Ordinances, Administrative Code, and rules and regulations pertaining to City Personnel shall apply to the Police Chief as they would to other management employees of the City except as herein expressly modified.

c. Indemnity. The City shall defend, indemnify and hold harmless the Police Chief from all claims and actions arising out of the Police Chief's employment which pertains to actions of the Chief of Police within the course and scope of his employment by the City. All provisions of this section shall survive the termination of this Agreement, and shall remaining effect after termination of the Police Chief's employment at the City.

12. General Provisions.

a. Notice. Any notice required or desired to be given pursuant to this Agreement shall be given in writing by personal delivery or sent by certified mail, return receipt requested, postage prepaid to the parties hereto at their last known address. Notice shall be deemed given as of the date of personal service or as of the date five (5) day following deposit of such notice in the United States mail.

b. Entire Agreement. This Agreement contains the entire agreement concerning the employment arrangements of the Police Chief and shall supersede any prior agreements, promises, inducements, representations, or warranties made by either

party pertaining to the employment of the Police Chief except as may be set forth in the Ordinances of the City of Lemoore. Any modifications of this Agreement will be effective only if made in writing and signed by both the Police Chief and the City.

c. Binding Effect. This Agreement shall be binding upon the parties hereto and their respective heirs, personal representatives, and successors in interest. The Police Chief's rights and interest arising under this Agreement are personal and may not be assigned.

d. Governing Law. This Agreement shall be governed by the laws of the State of California.

e. Severability. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of the Agreement or portion thereof shall be deemed severable and shall not be affected and shall remain in full force and effect.

f. Amendment. This Agreement shall not be amended except in writing signed by the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the 4th day of September 2018.

Nathan Olson, City Manager

Darrell Smith

ATTEST:

Mary J. Venegas, City Clerk



711 West Cinnamon Drive • Lemoore, California 93245 • (559) 924-6700 • Fax (559) 924-6708

Staff Report

Item No: 4-1

To: Lemoore City Council

From: Steve Brandt, City Planner

Date: August 15, 2018

Meeting Date: September 4, 2018

Subject: Adoption of Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the City of Lemoore/Leprino Foods Combined Effluent/Recycled Water Discharge to Stone Ranch.

Strategic Initiative:

- | | |
|---|--|
| <input type="checkbox"/> Safe & Vibrant Community | <input type="checkbox"/> Growing & Dynamic Economy |
| <input type="checkbox"/> Fiscally Sound Government | <input type="checkbox"/> Operational Excellence |
| <input checked="" type="checkbox"/> Community & Neighborhood Livability | <input type="checkbox"/> Not Applicable |

Proposed Motion:

Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the City of Lemoore/Leprino Foods combined Effluent/Recycled Water Discharge to Stone Ranch and authorizing the City Manager to issues letters of support for the project upon review and approval of City Attorney.

Subject/Discussion:

Leprino Foods operates two manufacturing facilities in Lemoore. Together, these facilities generate approximately 2.75 million gallons of wastewater per day, which is treated at Leprino's wastewater treatment facility at 1250 S. 19th Avenue in Lemoore (the "Leprino WWTF"). This treated wastewater is referred to as "Leprino Water".

The City of Lemoore ("City") treats approximately 1.25 million gallons of wastewater from other (non-Leprino) sources at the City's wastewater treatment facility at 1145 S. 18 1/2 Avenue in Lemoore (the "City WWTF"), which is adjacent to the Leprino WWTF. This treated wastewater is referred to as "City Water." Leprino Foods conveys the Leprino Water to the adjacent City WWTF, where the City combines it with the City Water. This combination is referred to as the "Discharge Water."

Leprino Foods has entered into an agreement with Sandridge, entitled the 2018 Water Conveyance, Acceptance, Release, Pipeline Construction and Farm Lease Agreement dated January 11, 2018 (the “Leprino Sandridge Agreement”). This agreement provides that Westlake and Sandridge will continue to take the combined City and Leprino wastewater in exchange for certain promises including Leprino’s agreement to manage the water and lease land owned by Sandridge, which will become the new discharge property.

Due to the fact that the process for approvals to make the discharge location identified in the Leprino Sandridge Agreement have not been finalized with the regulatory agencies, the City and Leprino believe it is prudent to identify alternate locations for the discharge of the wastewater or for wastewater overflow should it become necessary. An alternative cite has been identified. The specific pipeline alignment has now been determined and the potential environmental impacts of the pipeline have been analyzed in accordance with the California Environmental Quality Act (CEQA). Based on the analysis, City staff has prepared a Mitigated Negative Declaration and accompanying Mitigation Monitoring and Reporting Plan, which are attached.

The City of Lemoore, as lead agency, is responsible to adopt the Mitigated Negative Declaration and accompanying Mitigation Monitoring and Reporting Plan. The document has been circulated to responsible and trustee agencies and noticed in accordance with CEQA Guidelines. The Environmental Assessment found no impacts which could not be mitigated to less than a significant level. The Mitigation Monitoring and Reporting Plan lists and schedules the implementation of recommended mitigation measures and designates the responsibility for such implementation or its surveillance.

Financial Consideration(s):

Financial impacts continue to be estimated per the March 18, 2018, agreement.

Alternatives or Pros/Cons:

Adoption of an environmental document for the project in accordance with CEQA is required by State law.

Commission/Board Recommendation:

None

Staff Recommendation:

City staff recommends that the Council adopt, by motion, the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the City of Lemoore/Leprino Foods combined Effluent/Recycled Water Discharge to Stone Ranch.

Attachments:

- Resolution:
- Ordinance:
- Map
- Contract
- Other

List: Mitigated Negation Declaration
Mitigation Monitoring and Reporting Plan

Review:

- Asst. City Manager
- City Attorney
- City Clerk
- City Manger
- Finance

Date:

- 08/30/18
- 08/30/18
- 08/29/18
- 08/29/18

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

Introduction

State and local agencies are required by Section 21081.6 of the California Public Resources Code and CEQA Guidelines Section 15097 to adopt a mitigation measure monitoring and reporting program when CEQA findings require mitigation.

Lead agencies are given broad latitude in developing programs to meet the requirements of Public Resources Code Section 21081.6. The mitigation monitoring and reporting program (MMRP) outlined in this document is based upon guidance issued by the Governor's Office of Planning and Research.

This MMRP establishes monitoring and reporting processes for mitigation measures identified in the Mitigated Negative Declaration (MND) for the City of Lemoore/Leprino Foods Combined Effluent Discharge to the Stone Ranch. The MMRP lists the significant impacts identified in the MND, the adopted mitigation measures that reduce each significant impact, the person or agency responsible for implementing the measures, and the agency or agencies responsible for monitoring and reporting on the implementation of the mitigation measures.

The MMRP

The City of Lemoore will ensure that MND facilities are implemented with the recommended mitigation measures. The MMRP is presented herewith.

Mitigation Monitoring and Reporting Program

Impact	Mitigation Measures	Implementation	Monitoring	Timing
Biological Resources				
<p>Impact #3.4.4a – Would the Project 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 Wildlife or U.S. Fish and Wildlife Service?</p>	<p>MM BIO-1: Prior to construction activities in the Valley Sink Scrub habitat, a pre-construction survey for the San Joaquin woollythreads and the California jewelflower shall be performed. The survey shall occur during the appropriate flowering period for these species. If these species are found to occur and cannot be avoided by the Project, then CDFW and/or USFWS shall be notified within 10 days prior to construction activities to allow CDFW and/or USFWS to perform a salvage operation.</p> <p>The Project footprint shall be reduced to the minimum area possible to allow the pipeline (and pump station) to be installed, and the topsoil from the trench (the top 6-inches) shall be removed and stockpiled separately from the remaining soil removed from the trench. The topsoil shall be covered during storage. Once the trench has been backfilled, the topsoil shall be distributed over the top of the backfilled trench and compacted. This process will allow for any seedbank present in the topsoil to be retained in the uppermost soil.</p> <p>MM BIO-2:</p> <ul style="list-style-type: none"> a. A pre-construction survey of potential giant garter snake habitat shall be completed by a qualified biologist no more than 24 hours prior to ground disturbance activities. A qualified biological monitor shall be onsite during vegetation removal in potential giant garter snake habitat and within 200 feet of potential giant garter snake habitat. This habitat is limited to the vegetated drainage ditch near its crossing of State Route 198 and the area south of Jackson Avenue. b. Vegetation removal within 200 feet of suitable giant garter snake aquatic habitat shall be confined to the minimal area necessary to allow for the installation of the pipeline (and pump station). Movement of heavy 	<p>Project contractor</p>	<p>City of Lemoore Public Works Department</p>	<p>During project construction</p>

Impact	Mitigation Measures	Implementation	Monitoring	Timing
	<p>equipment shall be confined to existing roadways or temporary construction access roads established during construction.</p> <p>c. If a giant garter snake is observed in the construction area, all activities shall cease, and qualified biologist shall be notified immediately. The snake shall be allowed to leave on its own and activities shall not resume until the snake has moved out of the area on its own. If the snake does not vacate the area on its own, activities must be suspended and USFWS and CDFW shall be contacted. If a giant garter snake is found and cannot be avoided, Incidental Take Permits may need to be acquired. USFWS and CDFW shall be notified by telephone or email within 24 hours of a giant garter snake observation.</p> <p>MM BIO-3:</p> <p>a. A survey for the western pond turtle shall be conducted by a qualified biologist within 14 days prior to beginning of construction. This may be combined with other pre-construction surveys.</p> <p>b. A biological monitor shall be on-site during all vegetation removal activities within 200 feet of habitat capable of supporting the western pond turtle. If any turtles are encountered in the Project during construction, construction shall halt until the qualified biologist determines the species of turtle. If it is not a western pond turtle, work may continue.</p> <p>c. If a western pond turtle is found, all work within 100 feet of the turtle shall stop until the turtle vacates the area of its own accord or the area where the turtle occurs can be protected using exclusion fencing. If the installation of exclusion fencing is not practical, then the turtle may be relocated away from the construction site, into nearby suitable habitat, by a qualified biologist.</p>			

Impact	Mitigation Measures	Implementation	Monitoring	Timing
	<p>MM BIO-4: A pre-construction survey shall be conducted for the western burrowing owl within 14 days of the start of construction. If any burrowing owl burrows are observed during the preconstruction survey, avoidance measures shall be consistent with those included in the CDFW staff report on burrowing owl mitigation (CDFG 2012). If occupied burrowing owl burrows are observed outside of the breeding season (September 1 through January 31) and within 500 feet of proposed construction activities, a passive relocation effort may be instituted in accordance with the guidelines established by the <i>Burrowing Owl Survey Protocol and Mitigation Guidelines</i> (California Burrowing Owl Consortium 1993) and the <i>Staff Report on Burrowing Owl Mitigation</i> (CDFW 2012). During the breeding season (February 1 through August 31), a 250-foot (minimum) buffer zone shall be maintained unless a qualified biologist verifies through noninvasive methods that either the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival. If necessary, passive relocation may be conducted to remove burrowing owls from the Project site, but only after approval has been obtained from the California Department of Fish and Wildlife. Passive relocation would only be conducted by a qualified biologist.</p> <p>MM Bio-5: A pre-construction survey shall be conducted for the San Joaquin kit fox within 14 to 30 days of the start of construction. The project proponent shall follow the <i>USFWS Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance</i>.</p> <p>If any San Joaquin kit fox dens are found during preconstruction surveys, the status of the dens shall be evaluated prior to project ground disturbance. Provided that no evidence of kit fox occupation is observed, potential dens shall be marked, and a 50-foot avoidance buffer delineated using stakes and flagging or other similar material to prevent inadvertent damage to the potential den. If a potential den cannot be avoided, it may be hand-excavated following United States Fish and Wildlife Service</p>			

Impact	Mitigation Measures	Implementation	Monitoring	Timing
	<p>standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance. If kit fox activity is observed at a den, the den status shall change to “known” per United States Fish and Wildlife Service guidelines (1999) and the buffer distance shall be increased to 100 feet. Absolutely no excavation of San Joaquin kit fox known or pupping dens shall occur without prior authorization from the United States Fish and Wildlife Service and California Department of Fish and Wildlife.</p> <p>MM BIO-6: The measures listed below shall be implemented during construction and operation of the Project to protect the American badger and San Joaquin kit fox.</p> <ul style="list-style-type: none"> a. Project-related vehicles shall observe a 20-mph speed limit in all Project areas, except on County roads and State and Federal highways; this is particularly important at night when kit foxes and badgers are most active. Nighttime construction shall be avoided, unless the construction area is appropriately fenced to exclude badgers kit foxes. The area within any such fence must be determined to be uninhabited by San Joaquin Kit foxes or American badgers prior to initiation of construction. Off-road traffic outside of designated Project areas shall be prohibited. b. To prevent inadvertent entrapment of kit foxes, badgers, or other animals during the construction phase of the Project, all excavated, steep-walled holes or trenches more than 2 feet deep shall be covered prior to the end of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the qualified biologist, USFWS and CDFW shall be contacted for advice. 			

Impact	Mitigation Measures	Implementation	Monitoring	Timing
	<p>c. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipe, becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in anyway. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity, until the fox has escaped.</p> <p>d. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers and removed at least once a week from a construction or Project site.</p> <p>e. No pets shall be permitted on the Project site.</p> <p>f. Use of rodenticides and herbicides in Project areas shall be restricted. This is necessary to prevent primary or secondary poisoning of kit fox and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and federal legislation, as well as additional Project-related restrictions deemed necessary by the USFWS. If rodent control must be conducted, zinc phosphide shall be used because of a proven lower risk to kit fox.</p> <p>g. No plants or wildlife shall be collected, taken, or removed from the construction areas or areas of offsite improvements, except as necessary for Project-related vegetation removal or wildlife relocation. Salvage of</p>			

Impact	Mitigation Measures	Implementation	Monitoring	Timing
	<p>native vegetation to be removed from construction areas is encouraged but shall only be performed by qualified biologists and with written approval from the CDFW.</p> <p>h. A representative shall be appointed by the Project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox, or who finds a dead, injured or entrapped individual. The representative's name and telephone number shall be provided to the USFWS and CDFW.</p> <p>i. In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape, or the USFWS and CDFW shall be contacted for advice.</p> <p>j. Any contractor, employee(s), or military or agency personnel who inadvertently kills or injures a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFW immediately in the case of a dead, injured or entrapped kit fox. The CDFW contact for immediate assistance is State Dispatch at (916) 445-0045. They would contact the local warden or qualified biologist.</p> <p>k. The USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during Project-related activities. Notification shall include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information.</p> <p>l. The above listed measures would also protect American badgers.</p> <p>MM BIO-7: If Project construction takes place entirely between September 16 and February 28, it would avoid the breeding season of Swainson's hawk and no measures would need to be</p>			

Impact	Mitigation Measures	Implementation	Monitoring	Timing
	<p>implemented. If any portion of Project construction takes place between March 1 and September 15, protocol-level Swainson's hawk surveys shall be conducted. The two Swainson's hawk survey periods immediately prior to beginning of construction shall be conducted following the <i>Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley</i> (Swainson's Hawk Technical Advisory Committee 2000). If an active Swainson's hawk nest is discovered within half a mile of the Project, construction shall be delayed until the CDFW is contacted for guidance and a qualified biologist shall monitor the nest on a weekly basis during construction activities to determine nesting activity and document any nest abandonment. Because neither foraging habitat or potential nesting trees will be removed or degraded as part of this Project, compensatory mitigation shall not be required.</p> <p>MM BIO-8: Prior to ground disturbance activities at the Project site and as needed during construction activities, all workers on the Project shall attend a Construction Worker Environmental Awareness Training and Education Program, developed and presented by a qualified biologist.</p> <p>The Construction Worker Environmental Awareness Training and Education Program would be presented by the biologist and shall include information on the life history of wildlife and plant species that may be encountered during construction activities, their legal protections, the definition of "take" under the Endangered Species Act, measures the Project operator is implementing to protect the San Joaquin kit fox and other species, reporting requirements, specific measures that each worker would employ to avoid take of the wildlife species, and penalties for violation of the Act. Identification and information regarding sensitive or other special status plant species shall also be provided to construction personnel.</p> <p>a. An acknowledgement form signed by each worker indicating that environmental training has been completed.</p>			

Impact	Mitigation Measures	Implementation	Monitoring	Timing
	<ul style="list-style-type: none"> b. A sticker that shall be placed on hard hats indicating that the worker has completed the environmental training. Construction workers shall not be permitted to operate equipment within the construction area unless they have attended the training and are wearing hard hats with the required sticker; c. A copy of the training transcript and/or training video/CD, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgement forms shall be maintained on site for the duration of construction activities. d. The construction crews and contractor(s) would be responsible for unauthorized impacts from construction activities to sensitive biological resources that are outside the areas defined as subject to impacts by Project permits. 			
Impact #3.4.4b – Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Implementation of MM BIO-1 through MM BIO-8.	Project contractor	City of Lemoore Public Works Department	During project construction
Impact #3.4.4c – Would the Project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.)	MM BIO-9: Prior to initial impacting State Waters, the project proponent shall: <ul style="list-style-type: none"> a. A wetland delineation shall be completed to Army Corps of Engineers' (ACOE) standards, which satisfies requirements of the RWQCB. 	Project contractor	City of Lemoore Public Works Department	During project construction

Impact	Mitigation Measures	Implementation	Monitoring	Timing
through direct removal, filling, hydrological interruption, or other means?	<p>b. The Project proponent shall obtain a Streambed Alteration Agreement from the CDFW and if necessary, a Waters Quality Certification pursuant to Section 401 of the CWA from the RWQCB, prior to impacting any State Waters. A formal concurrence with the findings of the delineation of wetlands and waters shall be obtained from the ACOE.</p>			
Cultural Resources				
Impact #3.4.5a – Would the Project cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?	<p>MM CUL-1: If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation.</p> <p>The qualified archaeologist shall determine 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 §15064.5 of the CEQA Guidelines. Mitigation measures may include avoidance, preservation in-place, recordation, additional archaeological testing, and data recovery, among other options. Any previously undiscovered resources found during construction within the Project area shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance. No further ground disturbance shall occur in the immediate vicinity of the discovery until approved by the qualified archaeologist.</p>	Project contractor	City of Lemoore Public Works Department	During project construction
Impact #3.4.5b – Would the Project cause a substantial adverse change in the	Implement Mitigation Measure MM CUL-1.	Project contractor	City of Lemoore	During project construction

Impact	Mitigation Measures	Implementation	Monitoring	Timing
significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?			Public Works Department	
Impact #3.4.5c – Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<p>MM CUL-2: During grading and site preparation activities, if paleontological resources are encountered, all work within 50 feet of the find shall halt until a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards can evaluate the find and make recommendations. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. If the qualified paleontologist determines that the discovery represents a potentially significant paleontological resource, additional investigations and fossil recovery may be required to mitigate adverse impacts from project implementation. The paleontologist shall notify the appropriate representative at the County of Kings, who shall coordinate with the paleontologist as to any necessary investigation of the find. If the find is determined to be significant under CEQA, the County shall implement mitigation measures, which may include avoidance, preservation in place, or other appropriate measures, as outlined in PRC Section 21083.2.</p>	Project contractor	City of Lemoore Public Works Department	During project construction
Impact #3.4.5d – Would the Project disturb any human remains, including those interred outside of formal cemeteries?	<p>MM CUL-3: If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the county coroner.</p>	Project contractor	City of Lemoore Public Works Department	During project construction

Impact	Mitigation Measures	Implementation	Monitoring	Timing
Geology and Soils				
Impact #3.4.6b – Would the Project result in substantial soil erosion or the loss of topsoil?	Implementation of HYD-1.	Project contractor	City of Lemoore Public Works Department	During project construction
Hydrology and Water Quality				
Impact #3.4.9a – Would the Project violate any water quality standards or waste discharge requirements?	<p>MM HYD-1: Prior to ground-disturbing activities, the project proponent shall prepare and implement a Linear Underground Project Stormwater Pollution Prevention Plan (LUP SWPPP) that specifies best management practices, with the intent of keeping all products of erosion from moving offsite. Additionally, the LUP SWPPP shall contain a visual monitoring program and a chemical monitoring program for non-visible pollutants to be implemented (if there is a failure of best management practices). The requirements of the SWPPP shall be incorporated into design specifications and construction contracts. Recommended best management practices for the construction phase may include the following:</p> <ul style="list-style-type: none"> • Stockpiling and disposing of demolition debris, concrete, and soil properly; • Implementing erosion controls; • Properly managing construction materials; and • Managing waste, aggressively controlling litter, and implementing sediment controls. 	Project contractor	City of Lemoore Public Works Department	During project construction
Impact #3.4.9c – Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?	Implementation of MM BIO-9.	Project contractor	City of Lemoore Public Works Department	During project construction

Impact	Mitigation Measures	Implementation	Monitoring	Timing
Impact #3.4.9d – Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on site or off site?	Implementation of MM BIO-9.	Project contractor	City of Lemoore Public Works Department	During project construction
Impact #3.4.9e – Would the Project create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	Implementation of MM HYD-1.	Project contractor	City of Lemoore Public Works Department	During project construction
Impact #3.4.9f - Otherwise substantially degrade water quality?	Implementation of MM HYD-1.	Project contractor	City of Lemoore Public Works Department	During project construction
Tribal Cultural Resources				
Impact #3.14.17a(i) – Would the project cause a substantial adverse change in the significance of a tribal cultural resource, 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	Implementation of MM CUL-1 through MM CUL-3.	Project contractor	City of Lemoore Public Works Department	During project construction

Impact	Mitigation Measures	Implementation	Monitoring	Timing
<p>the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is 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)?</p>				
<p>Impact #3.14.17a(ii) - Would the project cause a substantial adverse change in the significance of a tribal cultural resource, 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 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 Resource Code Section</p>	<p>Implementation of MM CUL-1 through MM CUL-3.</p>	<p>Project contractor</p>	<p>City of Lemoore Public Works Department</p>	<p>During project construction</p>

Impact	Mitigation Measures	Implementation	Monitoring	Timing
5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?				
Utilities and Service Systems				
Impact #3.4.18c – Would the Project 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?	Implementation of MM HYD-1.	Project contractor	City of Lemoore Public Works Department	During project construction

**INITIAL STUDY AND
MITIGATED NEGATIVE DECLARATION**

**CITY OF LEMOORE
COMBINED EFFLUENT/
RECYCLED WATER DISCHARGE TO
THE STONE RANCH**

JULY 2018



Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Combined Effluent/Recycled Water Discharge to Stone Ranch

Lead Agency: City of Lemoore

Contact Person: Nathan Olson

Mailing Address: 119 Fox Street

Phone: 559-924-6700

City: Lemoore

Zip: 93245

County: Kings

Project Location: County: Kings

City/Nearest Community: Lemoore

Cross Streets: State Route 198, Avenal Cutoff

Zip Code: 93245

Longitude/Latitude (degrees, minutes and seconds): _____ ° _____ ' _____ " N / _____ ° _____ ' _____ " W Total Acres: _____

Assessor's Parcel No.: _____ Section: 2,3,11,1: Twp.: 19S Range: 19E Base: MDB&M

Within 2 Miles: State Hwy #: 198 Waterways: Kings River

Airports: _____ Railways: _____ Schools: _____

Document Type:

CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) _____ Draft EIS Other: _____
 Mit Neg Dec Other: _____

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: city project

Development Type:

Residential: Units _____ Acres _____
 Office: Sq.ft. _____ Acres _____ Employees _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____
 Educational: _____
 Recreational: _____
 Water Facilities: Type pump st. & pipeline MGD 5.0
 Transportation: Type pump station and pipeline
 Mining: Mineral _____
 Power: Type _____ MW
 Waste Treatment: Type _____ MGD
 Hazardous Waste: Type _____
 Other: _____

Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement
 Coastal Zone Noise Solid Waste Land Use
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Economic/Jobs Public Services/Facilities Traffic/Circulation Other: _____

Present Land Use/Zoning/General Plan Designation:

Zoning: AG 20 General Plan: Exclusive Agriculture

Project Description: (please use a separate page if necessary)

Construction and operation of a 4.5-mile pipeline and pump station for the beneficial use of treated wastewater effluent, recycled water for agricultural irrigation of fodder crops.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X". If you have already sent your document to the agency please denote that with an "S".

<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input checked="" type="checkbox"/> Caltrans District #6	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input checked="" type="checkbox"/> Regional WQCB #Central
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input checked="" type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input checked="" type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input checked="" type="checkbox"/> Fish & Game Region #4	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input checked="" type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Housing & Community Development	
<input checked="" type="checkbox"/> Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date July 18, 2018 Ending Date August 16, 2018

Lead Agency (Complete if applicable):

Consulting Firm: <u>QK Inc</u>	Applicant: <u>City of Lemoore</u>
Address: <u>901 E. Main Street</u>	Address: <u>119 Fox Street</u>
City/State/Zip: <u>Visalia, CA 93277</u>	City/State/Zip: <u>Lemoore, CA 93245</u>
Contact: <u>Harry Tow</u>	Phone: <u>Nathan Olson</u>
Phone: <u>559-449-2400</u>	

Signature of Lead Agency Representative: _____ /s/ _____ Date: July 16, 2018

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

July 18, 2018

RE: Public Notice of Availability Initial Study/ Mitigated Negative Declaration

This is to advise that the City of Lemoore has prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the project identified below. As mandated by State law, the minimum public review period for this document is 30 days. The document and documents referenced in the IS/MND are available for review at the Kings County Library – 457 C Street, Lemoore, California 93245.

Due to the limits mandated by State law, your response must be received by **Thursday, August 16, 2018 at 5:00 P.M.**

Project Title: Combined Effluent/Recycled Water Discharge to the Stone Ranch Project

Project Location: This linear Project crosses State Route (SR) 198 north of Jackson Avenue and runs approximately 4.5 miles in a generally north-south direction through Sections 2, 11, 12, 13, 24, and 25, in the eastern portion of Township 19 South, Range 19 East, Mount Diablo Base and Meridian. The northern terminus of the Project is in the southwest quarter of the northwest quarter of Section 2, and the southern terminus is in the northwest quarter of the northeast corner of Section 25. The Project is in both the southeast quarter of the Lemoore United States Geological Survey (USGS) 7.5-minute topographical quadrangle and the southwest corner of the Vanguard USGS topographical quadrangle.

Project Description: The Project is the construction and operation of a 100 feet x 100 feet pump station and pipeline to an agricultural irrigation recycled water reuse area, the Stone Ranch. It will make beneficial reuse of treated combined effluent from Leprino Foods' two facilities and the City's WWTP by using it for agricultural irrigation of feed and fodder crops. Leprino and Lemoore propose to discharge up to 5.0 mgd of treated combined effluent that will be conveyed via pipeline to the Ranch. The combined effluent will be blended with groundwater within the existing Stone Ranch irrigation canal system, and the blended water supply will be directly used for irrigation.

The Stone Ranch has operated as an agricultural enterprise since 1984. The existing infrastructure at the site consists of irrigation ditches, subsurface interceptor drains, evaporation basins, a subsurface drainage system, irrigation wells, and tailwater ditches.

Pipeline transport to the Ranch will be by a 24-inch pressure pipe connected by a 30-inch line to an existing 30-inch City/Leprino effluent pipeline in Jackson Avenue just west of the Kings River. A pump station to be located just north of Jackson Avenue and south of State Route 198 will transmit the combined effluent through the new 24-inch pipeline. The pipeline will be drilled under State Route 198, laid under an existing little-used drainage ditch, west to a gravel-surfaced and unsurfaced road leading north to the Ranch (about 4 miles). The pipeline will be several feet under the existing road surfaces.

Lead Agency: City of Lemoore
119 Fox Street
Lemoore, California 93245

Lead Agency Contact: Nathan Olson, City Manager

These documents are available for public review during normal business hours at the following location:

Kings County Library –
457 C Street, Lemoore, California 93245

City of Lemoore
City Manager's Office
119 Fox Street
Lemoore, California 93245

Public Review Period: Begins: Thursday, July 18, 2018. Ends: Thursday, August 16, 2018

Anyone interested in this matter is invited to comment on the document by written response by Thursday, August 16, 2018. The public review period for this document shall be 30 days. The public review period will begin Thursday, July 18, 2018, and ends on Thursday, August 16, 2018. For further information, please contact Mr. Nathan Olson at (559) 924-6700 or Mr. Harry Tow at (559) 733-0440.

**INITIAL STUDY AND
MITIGATED NEGATIVE DECLARATION**

**COMBINED EFFLUENT/RECYCLED WATER
DISCHARGE TO THE STONE RANCH**

Prepared for:

City of Lemoore
119 Fox Street
Lemoore, CA 93245
Contact Person: Nathan Olson, City Manager
Phone: (559) 924-6700

Consultant:



901 East Main Street
Visalia, CA 93292
Contact: Harry A. Tow, PE
Phone: (559) 733-0440
Fax: (559) 733-7821

July 2018

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NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

This is to advise that the City of Lemoore has prepared a Mitigated Negative Declaration for the Project identified below.

PLEASE BE ADVISED that the City Council will consider adopting the Mitigated Negative Declaration at its meeting to be held at 7:30 p.m., August 21, 2018. The meeting will be held at the City Council Chambers at 429 C Street, Lemoore, California.

Project Name

Combined Effluent/Recycled Water Discharge to the Stone Ranch

Project Location

This linear Project crosses State Route (SR) 198 north of Jackson Avenue and runs approximately 4.5 miles in a generally north-south direction through Sections 2, 11, 12, 13, 24, and 25, in the eastern portion of Township 19 South, Range 19 East, Mount Diablo Base and Meridian. The northern terminus of the Project is in the southwest quarter of the northwest quarter of Section 2, and the southern terminus is in the northwest quarter of the northeast corner of Section 25. The Project is in both the southeast quarter of the Lemoore United States Geological Survey (USGS) 7.5-minute topographical quadrangle and the southwest corner of the Vanguard USGS topographical quadrangle.

Project Description

The Project is the construction and operation of a 100 feet x 100 feet pump station and pipeline to an agricultural irrigation recycled water reuse area, the Stone Ranch. It will make beneficial reuse of treated combined effluent from Leprino Foods' two facilities and the City's WWTP by using it for agricultural irrigation of feed and fodder crops. Leprino and Lemoore propose to discharge up to 5.0 mgd of treated combined effluent that will be conveyed via pipeline to the Ranch. The combined effluent will be blended with groundwater within the existing Stone Ranch irrigation canal system, and the blended water supply will be directly used for irrigation.

The Stone Ranch has operated as an agricultural enterprise since 1984. The existing infrastructure at the site consists of irrigation ditches, subsurface interceptor drains, evaporation basins, a subsurface drainage system, irrigation wells, and tailwater ditches.

Pipeline transport to the Ranch will be by a 24-inch pressure pipe connected by a 30-inch line to an existing 30-inch City/Leprino effluent pipeline in Jackson Avenue just west of the Kings River. A pump station to be located just north of Jackson Avenue and south of State Route 198 will transmit the combined effluent through the new 24-inch pipeline. The pipeline will be drilled under State Route 198, laid under an existing little-used drainage ditch, west to a gravel-surfaced and unsurfaced road leading north to the Ranch (about 4 miles). The pipeline will be several feet under the existing road surfaces.

Notice of Intent to Adopt a Mitigated Negative Declaration

The environmental analysis of the project includes the pump station and the total pipeline length. Environmental analysis does not include the environmental “baseline,” which is the existing Ranch irrigation system and operations, as these will be unchanged, except that some current well water will be replaced by the combined effluent.

Figure 1 depicts the Project (pump station and pipelines) location; Figures 2, 3, 4, and 5 show the local regional pump station location and related piping; Figure 6 shows the Stone Ranch agricultural reuse area at the northern terminus of the Project.

Notice of Intent to Adopt a Mitigated Negative Declaration



Figure 1
Project Location



Figure 2
Site Overview



Figure 3
Pump Station Area





Figure 4
NASL Area Pipeline



Figure 5
Private Land Area Pipeline

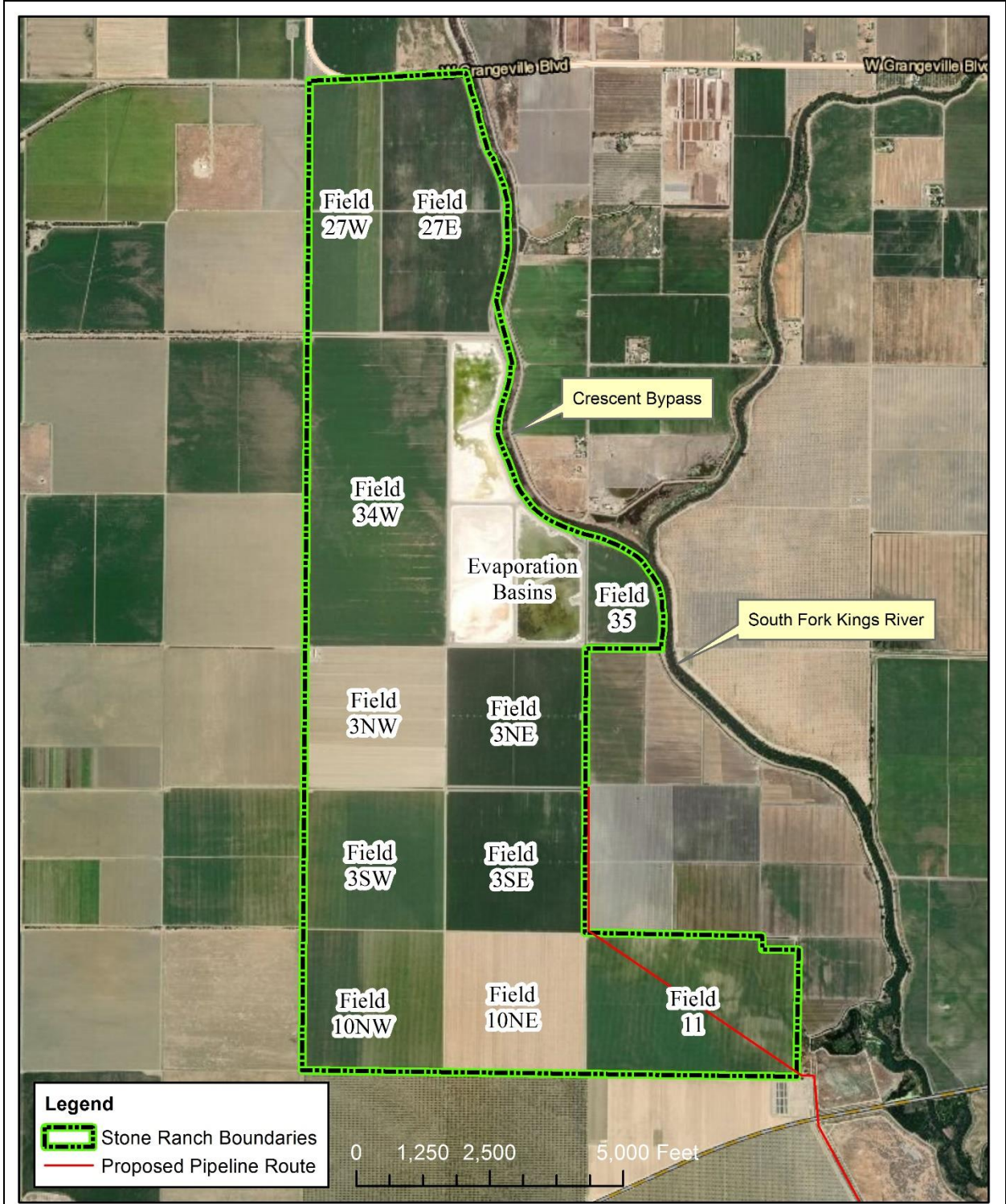


Figure 6
Recycled Water Agricultural Irrigation Reuse Area (Stone Ranch)

MITIGATED NEGATIVE DECLARATION

As Lead Agency under the California Environmental Quality Act (CEQA), the City of Lemoore reviewed the Project described below to determine whether it could have a significant effect on the environment because of its development. In accordance with CEQA Guidelines Section 15382, “[s]ignificant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

Project Name, Location and Description

Combined Effluent/Recycled Water Discharge to the Stone Ranch

Five miles west of Lemoore, east of Naval Air Station Lemoore.

The Project is the construction and operation of a pump station and pipeline to an agricultural irrigation recycled water reuse area, the Stone Ranch (Ranch). It will make beneficial reuse of treated combined effluent from Leprino Foods’ two facilities and the City of Lemoore’s (City) WWTP by using it for agricultural irrigation of feed and fodder crops. Leprino and the City propose to discharge up to 5.0 mgd of treated combined effluent that will be conveyed via pipeline to the Ranch. The combined effluent will be blended with groundwater within the existing Stone Ranch irrigation canal system, and the blended water supply will be directly used for irrigation.

The Stone Ranch has operated as an agricultural enterprise since 1984. The existing infrastructure at the site consists of irrigation ditches, subsurface interceptor drains, evaporation basins, a subsurface drainage system, irrigation wells, and tailwater ditches.

Pipeline transport to the Ranch will be a 24-inch pressure pipe connected from a 30-inch City/Leprino effluent pipeline in Jackson Avenue just west of the Kings River. A pump station to be located just north of Jackson Avenue and south of State Route 198 will transmit the combined effluent through the new pipeline. The pipeline will be directionally drilled under State Route 198 and laid under an existing little-used drainage ditch west to a gravel surfaced and partially unsurfaced private road leading north to the Ranch (about 4 miles). The last mile, approximately, of the road is not surfaced. The pipeline will be several feet under existing road surfaces.

The environmental analysis of the project includes the pump station and the total pipeline length. Environmental analysis does not include the environmental “baseline,” which is the existing Ranch irrigation system and operations, as these will be unchanged, except that some current well water will be replaced by the combined effluent.

Mailing Address and Phone Number of Contact Persons

Nathan Olson, City Manager
City of Lemoore
119 Fox Street
Lemoore, California 93245
(559) 924-6700

Harry A. Tow, PE
QK
901 East Main Street
Visalia, California 93292
(559) 733-0440

Findings

As Lead Agency, the City of Lemoore finds that the Project will not have a significant effect on the environment. The Environmental Checklist (CEQA Guidelines Appendix G) or Initial Study (IS) (see *Section 3 - Environmental Checklist*) identified one or more potentially significant effects on the environment, but revisions of the Project have been made before the release of this Mitigated Negative Declaration (MND) or mitigation measures adopted that reduce all potentially significant impacts to less-than-significant levels. The Lead Agency thus finds that there is no substantial evidence that this Project has had or will have a significant effect on the environment.

Mitigation Measures Included in the Project to Avoid Potentially Significant Effects

MM BIO-1: Prior to construction activities in the Valley Sink Scrub habitat, a pre-construction survey for the San Joaquin woollythreads and the California jewelflower shall be performed. The survey shall occur during the appropriate flowering period for these species. If these species are found to occur and cannot be avoided by the Project, then CDFW and/or USFWS shall be notified within 10 days prior to construction activities to allow CDFW and/or USFWS to perform a salvage operation.

The Project footprint shall be reduced to the minimum area possible to allow the pipeline (and pump station) to be installed, and the topsoil from the trench (the top 6-inches) shall be removed and stockpiled separately from the remaining soil removed from the trench. The topsoil shall be covered during storage. Once the trench has been backfilled, the topsoil shall be distributed over the top of the backfilled trench and compacted. This process will allow for any seedbank present in the topsoil to be retained in the uppermost soil.

MM BIO-2:

- a. A pre-construction survey of potential giant garter snake habitat shall be completed by a qualified biologist no more than 24 hours prior to ground disturbance activities. A qualified biological monitor shall be onsite during vegetation removal in potential giant garter snake habitat and within 200 feet of potential giant garter snake habitat. This habitat is limited to the vegetated drainage ditch near its crossing of State Route 198 and the area south of Jackson Avenue.

- b. Vegetation removal within 200 feet of suitable giant garter snake aquatic habitat shall be confined to the minimal area necessary to allow for the installation of the pipeline (and pump station). Movement of heavy equipment shall be confined to existing roadways or temporary construction access roads established during construction.
- c. If a giant garter snake is observed in the construction area, all activities shall cease, and qualified biologist shall be notified immediately. The snake shall be allowed to leave on its own and activities shall not resume until the snake has moved out of the area on its own. If the snake does not vacate the area on its own, activities must be suspended and USFWS and CDFW shall be contacted. If a giant garter snake is found and cannot be avoided, Incidental Take Permits may need to be acquired. USFWS and CDFW shall be notified by telephone or email within 24 hours of a giant garter snake observation.

MM BIO-3:

- a. A survey for the western pond turtle shall be conducted by a qualified biologist within 14 days prior to beginning of construction. This may be combined with other pre-construction surveys.
- b. A biological monitor shall be on-site during all vegetation removal activities within 200 feet of habitat capable of supporting the western pond turtle. If any turtles are encountered in the Project during construction, construction shall halt until the qualified biologist determines the species of turtle. If it is not a western pond turtle, work may continue.
- c. If a western pond turtle is found, all work within 100 feet of the turtle shall stop until the turtle vacates the area of its own accord or the area where the turtle occurs can be protected using exclusion fencing. If the installation of exclusion fencing is not practical, then the turtle may be relocated away from the construction site, into nearby suitable habitat, by a qualified biologist.

MM BIO-4: A pre-construction survey shall be conducted for the western burrowing owl within 14 days of the start of construction. If any burrowing owl burrows are observed during the preconstruction survey, avoidance measures shall be consistent with those included in the CDFW staff report on burrowing owl mitigation (CDFG 2012). If occupied burrowing owl burrows are observed outside of the breeding season (September 1 through January 31) and within 500 feet of proposed construction activities, a passive relocation effort may be instituted in accordance with the guidelines established by the *Burrowing Owl Survey Protocol and Mitigation Guidelines* (California Burrowing Owl Consortium 1993) and the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012). During the breeding season (February 1 through August 31), a 250-foot (minimum) buffer zone shall be maintained unless a qualified biologist verifies through noninvasive methods that either the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival. If necessary, passive relocation may be conducted to remove burrowing owls from the Project site, but only after

approval has been obtained from the California Department of Fish and Wildlife. Passive relocation would only be conducted by a qualified biologist.

MM Bio-5: A pre-construction survey shall be conducted for the San Joaquin kit fox within 14 to 30 days of the start of construction. The project proponent shall follow the *USFWS Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance*.

If any San Joaquin kit fox dens are found during preconstruction surveys, the status of the dens shall be evaluated prior to project ground disturbance. Provided that no evidence of kit fox occupation is observed, potential dens shall be marked, and a 50-foot avoidance buffer delineated using stakes and flagging or other similar material to prevent inadvertent damage to the potential den. If a potential den cannot be avoided, it may be hand-excavated following United States Fish and Wildlife Service standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance. If kit fox activity is observed at a den, the den status shall change to “known” per United States Fish and Wildlife Service guidelines (1999) and the buffer distance shall be increased to 100 feet. Absolutely no excavation of San Joaquin kit fox known or pupping dens shall occur without prior authorization from the United States Fish and Wildlife Service and California Department of Fish and Wildlife.

MM BIO-6: The measures listed below shall be implemented during construction and operation of the Project to protect the American badger and San Joaquin kit fox.

- a. Project-related vehicles shall observe a 20-mph speed limit in all Project areas, except on County roads and State and Federal highways; this is particularly important at night when kit foxes and badgers are most active. Nighttime construction shall be avoided, unless the construction area is appropriately fenced to exclude badgers kit foxes. The area within any such fence must be determined to be uninhabited by San Joaquin Kit foxes or American badgers prior to initiation of construction. Off-road traffic outside of designated Project areas shall be prohibited.
- b. To prevent inadvertent entrapment of kit foxes, badgers, or other animals during the construction phase of the Project, all excavated, steep-walled holes or trenches more than 2 feet deep shall be covered prior to the end of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the qualified biologist, USFWS and CDFW shall be contacted for advice.
- c. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipe, becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in anyway. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the

pipe may be moved once to remove it from the path of construction activity, until the fox has escaped.

- d. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers and removed at least once a week from a construction or Project site.
- e. No pets shall be permitted on the Project site.
- f. Use of rodenticides and herbicides in Project areas shall be restricted. This is necessary to prevent primary or secondary poisoning of kit fox and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and federal legislation, as well as additional Project-related restrictions deemed necessary by the USFWS. If rodent control must be conducted, zinc phosphide shall be used because of a proven lower risk to kit fox.
- g. No plants or wildlife shall be collected, taken, or removed from the construction areas or areas of offsite improvements, except as necessary for Project-related vegetation removal or wildlife relocation. Salvage of native vegetation to be removed from construction areas is encouraged but shall only be performed by qualified biologists and with written approval from the CDFW.
- h. A representative shall be appointed by the Project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox, or who finds a dead, injured or entrapped individual. The representative's name and telephone number shall be provided to the USFWS and CDFW.
- i. In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape, or the USFWS and CDFW shall be contacted for advice.
- j. Any contractor, employee(s), or military or agency personnel who inadvertently kills or injures a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFW immediately in the case of a dead, injured or entrapped kit fox. The CDFW contact for immediate assistance is State Dispatch at (916) 445-0045. They would contact the local warden or qualified biologist.
- k. The USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during Project-related activities. Notification shall include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information.
- l. The above listed measures would also protect American badgers.

MM BIO-7: If Project construction takes place entirely between September 16 and February 28, it would avoid the breeding season of Swainson's hawk and no measures would need to be implemented. If any portion of Project construction takes place between March 1 and September 15, protocol-level Swainson's hawk surveys shall be conducted. The two

Swainson's hawk survey periods immediately prior to beginning of construction shall be conducted following the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (Swainson's Hawk Technical Advisory Committee 2000). If an active Swainson's hawk nest is discovered within half a mile of the Project, construction shall be delayed until the CDFW is contacted for guidance and a qualified biologist shall monitor the nest on a weekly basis during construction activities to determine nesting activity and document any nest abandonment. Because neither foraging habitat or potential nesting trees will be removed or degraded as part of this Project, compensatory mitigation shall not be required.

MM BIO-8: Prior to ground disturbance activities at the Project site and as needed during construction activities, all workers on the Project shall attend a Construction Worker Environmental Awareness Training and Education Program, developed and presented by a qualified biologist.

The Construction Worker Environmental Awareness Training and Education Program would be presented by the biologist and shall include information on the life history of wildlife and plant species that may be encountered during construction activities, their legal protections, the definition of "take" under the Endangered Species Act, measures the Project operator is implementing to protect the San Joaquin kit fox and other species, reporting requirements, specific measures that each worker would employ to avoid take of the wildlife species, and penalties for violation of the Act. Identification and information regarding sensitive or other special status plant species shall also be provided to construction personnel.

- a. An acknowledgement form signed by each worker indicating that environmental training has been completed.
- b. A sticker that shall be placed on hard hats indicating that the worker has completed the environmental training. Construction workers shall not be permitted to operate equipment within the construction area unless they have attended the training and are wearing hard hats with the required sticker;
- c. A copy of the training transcript and/or training video/CD, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgement forms shall be maintained on site for the duration of construction activities.
- d. The construction crews and contractor(s) would be responsible for unauthorized impacts from construction activities to sensitive biological resources that are outside the areas defined as subject to impacts by Project permits.

MM BIO-9: Prior to initial impacting State Waters, the project proponent shall:

- a. A wetland delineation shall be completed to Army Corps of Engineers' (ACOE) standards, which satisfies requirements of the RWQCB.

- b. The Project proponent shall obtain a Streambed Alteration Agreement from the CDFW and if necessary, a Waters Quality Certification pursuant to Section 401 of the CWA from the RWQCB, prior to impacting any State Waters. A formal concurrence with the findings of the delineation of wetlands and waters shall be obtained from the ACOE.

MM CUL-1: If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation.

The qualified archaeologist shall determine 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 §15064.5 of the CEQA Guidelines. Mitigation measures may include avoidance, preservation in-place, recordation, additional archaeological testing, and data recovery, among other options. Any previously undiscovered resources found during construction within the Project area shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance. No further ground disturbance shall occur in the immediate vicinity of the discovery until approved by the qualified archaeologist.

MM CUL-2: During grading and site preparation activities, if paleontological resources are encountered, all work within 50 feet of the find shall halt until a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards can evaluate the find and make recommendations. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. If the qualified paleontologist determines that the discovery represents a potentially significant paleontological resource, additional investigations and fossil recovery may be required to mitigate adverse impacts from project implementation. The paleontologist shall notify the appropriate representative at the County of Kings, who shall coordinate with the paleontologist as to any necessary investigation of the find. If the find is determined to be significant under CEQA, the County shall implement mitigation measures, which may include avoidance, preservation in place, or other appropriate measures, as outlined in PRC Section 21083.2.

MM CUL-3: If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American

involvement, in the event of discovery of human remains, at the direction of the county coroner.

MM HYD-1: Prior to ground-disturbing activities, the project proponent shall prepare and implement a Linear Underground Project Stormwater Pollution Prevention Plan (LUP SWPPP) that specifies best management practices, with the intent of keeping all products of erosion from moving offsite. Additionally, the LUP SWPPP shall contain a visual monitoring program and a chemical monitoring program for non-visible pollutants to be implemented (if there is a failure of best management practices). The requirements of the SWPPP shall be incorporated into design specifications and construction contracts. Recommended best management practices for the construction phase may include the following:

- Stockpiling and disposing of demolition debris, concrete, and soil properly;
- Implementing erosion controls;
- Properly managing construction materials; and
- Managing waste, aggressively controlling litter, and implementing sediment controls.

SECTION 1 - INTRODUCTION

1.1 - Overview

The Project is the construction and operation of a pump station and pipeline to an agricultural irrigation recycled water reuse area, the Stone Ranch. It will make beneficial reuse of treated combined effluent from Leprino Foods' two facilities and the City's WWTP by using it for agricultural irrigation of feed and fodder crops at Stone Ranch, a privately-owned farm outside of Lemoore. Leprino and the City of Lemoore propose to discharge up to 5.0 mgd of treated combined effluent that will be conveyed via pipeline to the Ranch. The combined effluent will be blended with groundwater within the existing Stone Ranch irrigation canal system, and the blended water supply will be directly used for irrigation.

1.2 - California Environmental Quality Act

The City of Lemoore (City) is the Lead Agency for this Project pursuant to the CEQA Guidelines (Public Resources Code Section 15000 et seq.). The City consulted with the County of Kings and it was agreed that although portions of the Project are within unincorporated Kings County, the City would be Lead Agency under CEQA. The Environmental Checklist (CEQA Guidelines Appendix G) provides analysis guidelines for examination of the potential environmental effects of the construction and operation of the Project. Section 15063 of the CEQA Guidelines requires the Lead Agency to prepare an IS to determine whether a discretionary project will have a significant effect on the environment. A Negative Declaration (ND) is appropriate when an IS has been prepared and a determination can be made that no significant environmental effects will occur or revisions to the Project have been made or mitigation measures adopted that reduce all potentially significant impacts to less-than-significant levels.

Based on the IS, the Lead Agency has determined that the environmental review for the proposed application can be completed with a Mitigated Negative Declaration.

1.3 - Impact Terminology

The following terminology is used to describe the level of significance of impacts.

- A finding of "no impact" is appropriate if the analysis concludes that the project would not affect a topic area in any way.
- An impact is considered "less than significant" if the analysis concludes that it would cause no substantial adverse change to the environment and requires no mitigation.
- An impact is considered "less than significant with mitigation incorporated" if the analysis concludes that it would cause no substantial adverse change to the environment with the inclusion of environmental commitments that have been agreed to by an applicant.
- An impact is considered "potentially significant" if the analysis concludes that it could have a substantial adverse effect on the environment.

1.4 - Document Organization and Contents

The content and format of this IS/MND meets the requirements of CEQA. The report contains the following sections:

- *Section 1 – Introduction:* This section provides an overview of CEQA requirements, describes the intended uses of the IS/MND, describes document organization, and lists any regulations that have been incorporated by reference.
- *Section 2– Project Description:* This section describes the Project and the Project site’s location.
- *Section 3 – Environmental Checklist:* This section contains the evaluation of the environmental resource factors contained in Appendix G of the CEQA Guidelines. Each factor is analyzed to determine whether the proposed Project would have an impact. One of four findings must be made: no impact, less-than-significant impact, less than significant with mitigation, or significant and unavoidable.
- *Section 4 – List of Preparers:* This chapter identifies the individuals who prepared the IS/MND.

1.5 - Incorporation by Reference

The following documents and/or regulations are incorporated into this IS/MND by reference:

- General Plan and Zoning Ordinance, County of Kings, and General Plan EIR (on file, Public Works Department, County of Kings, 1400 West Lacey Boulevard, Hanford, California).

SECTION 2 - PROJECT DESCRIPTION

2.1 - Project Location

The Project is located in unincorporated Kings County, approximately 5 miles west of Lemoore, east of Naval Air Station Lemoore (Township 19S Range 19E, Mount Diablo Base Map and Meridian) . See Figures 2-1, 2-1, 2-3, 2-4, 2-5 and 2-6, depicting the Project location and the Project, and the location of the recycled water agricultural reuse (Stone Ranch) which lies at the northerly termination of the Project.

2.2 - Surrounding Land Uses

The Project site is abutted by agricultural land to the north; Naval Air Station Lemoore (NASL) to the west, agriculture and fallow land to the south, and the Kings River to the east.



Figure 2-1
Project Location



Figure 2-2
Site Overview



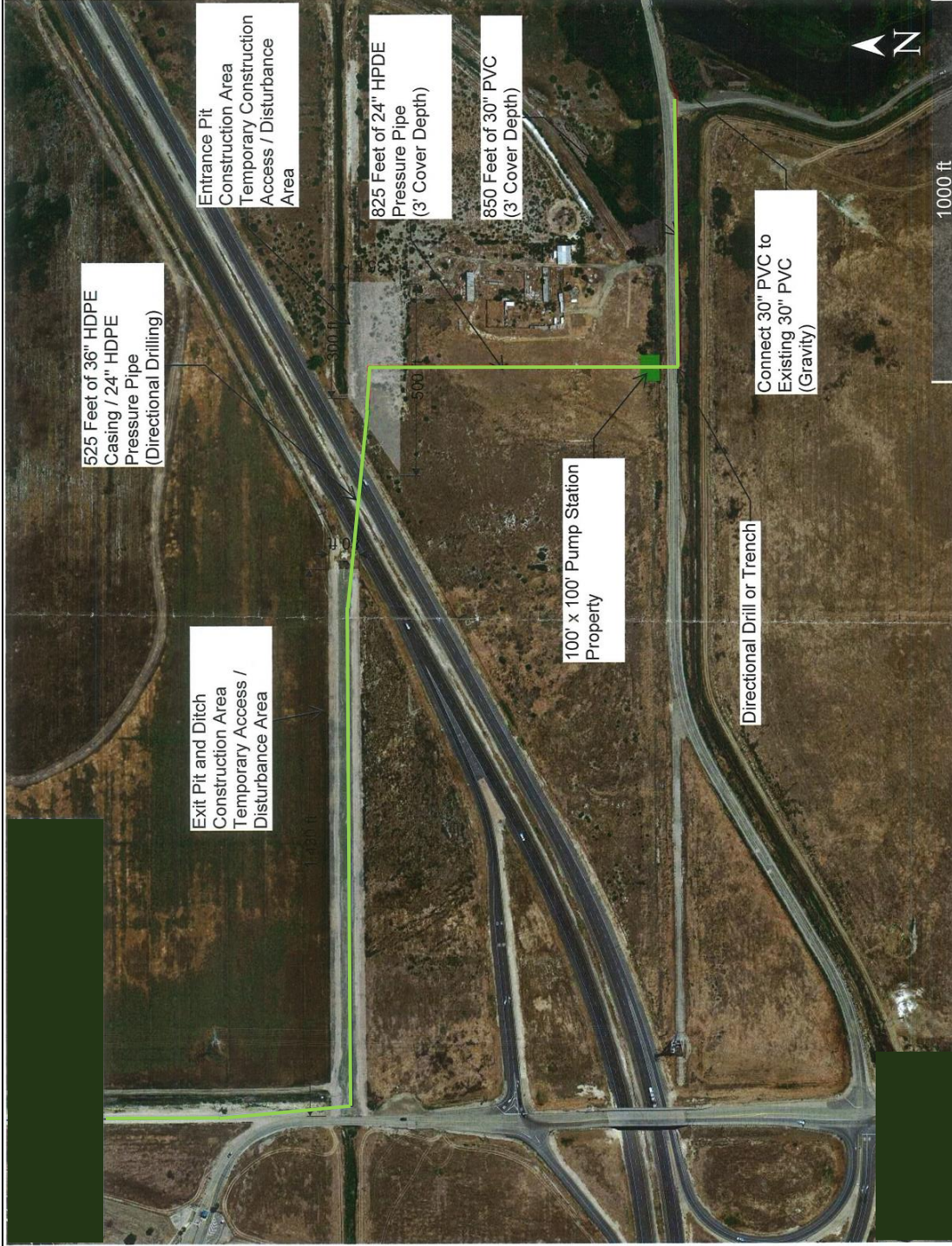


Figure 2-3
Pump Station Area

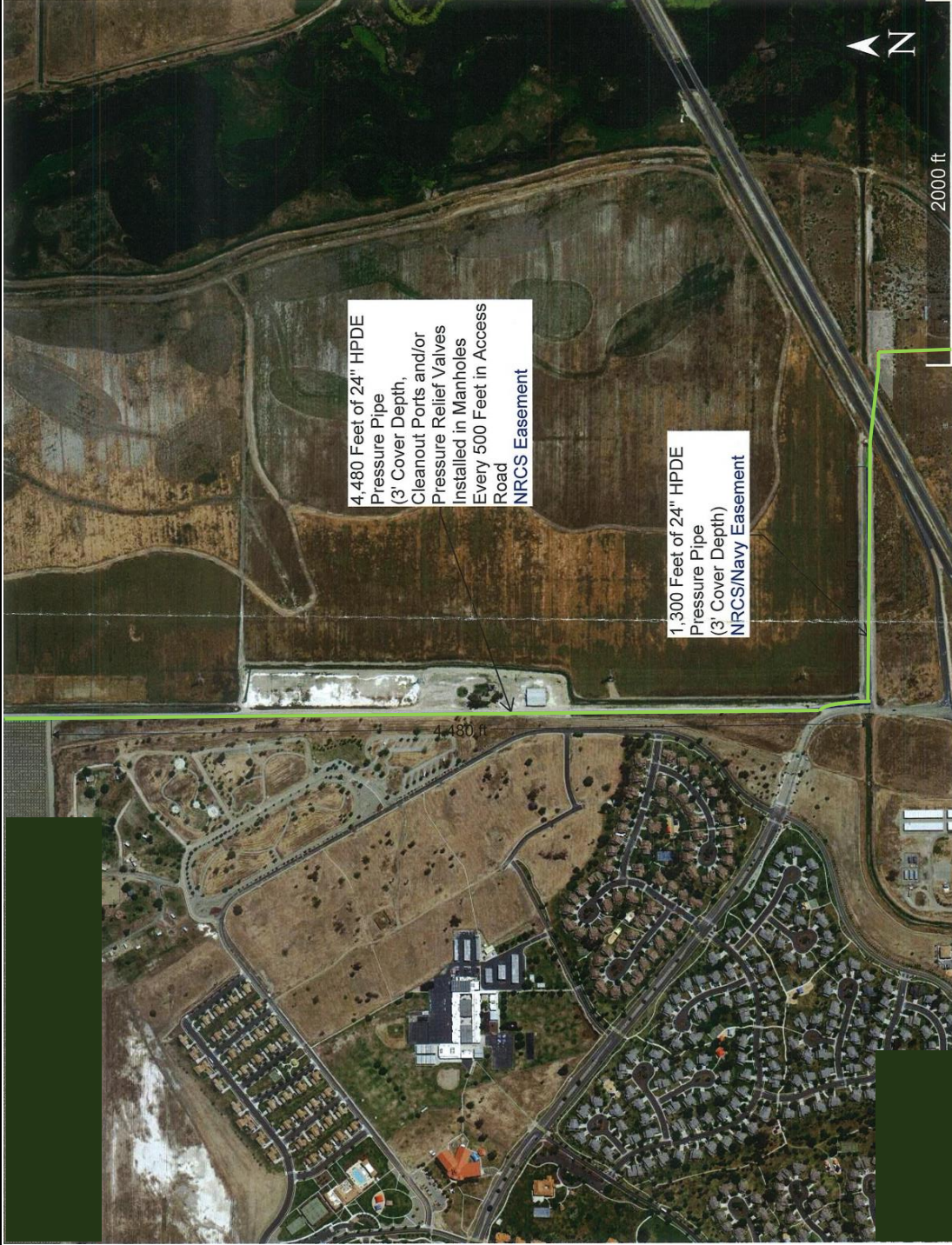


Figure 2-4
NASL Area Pipeline

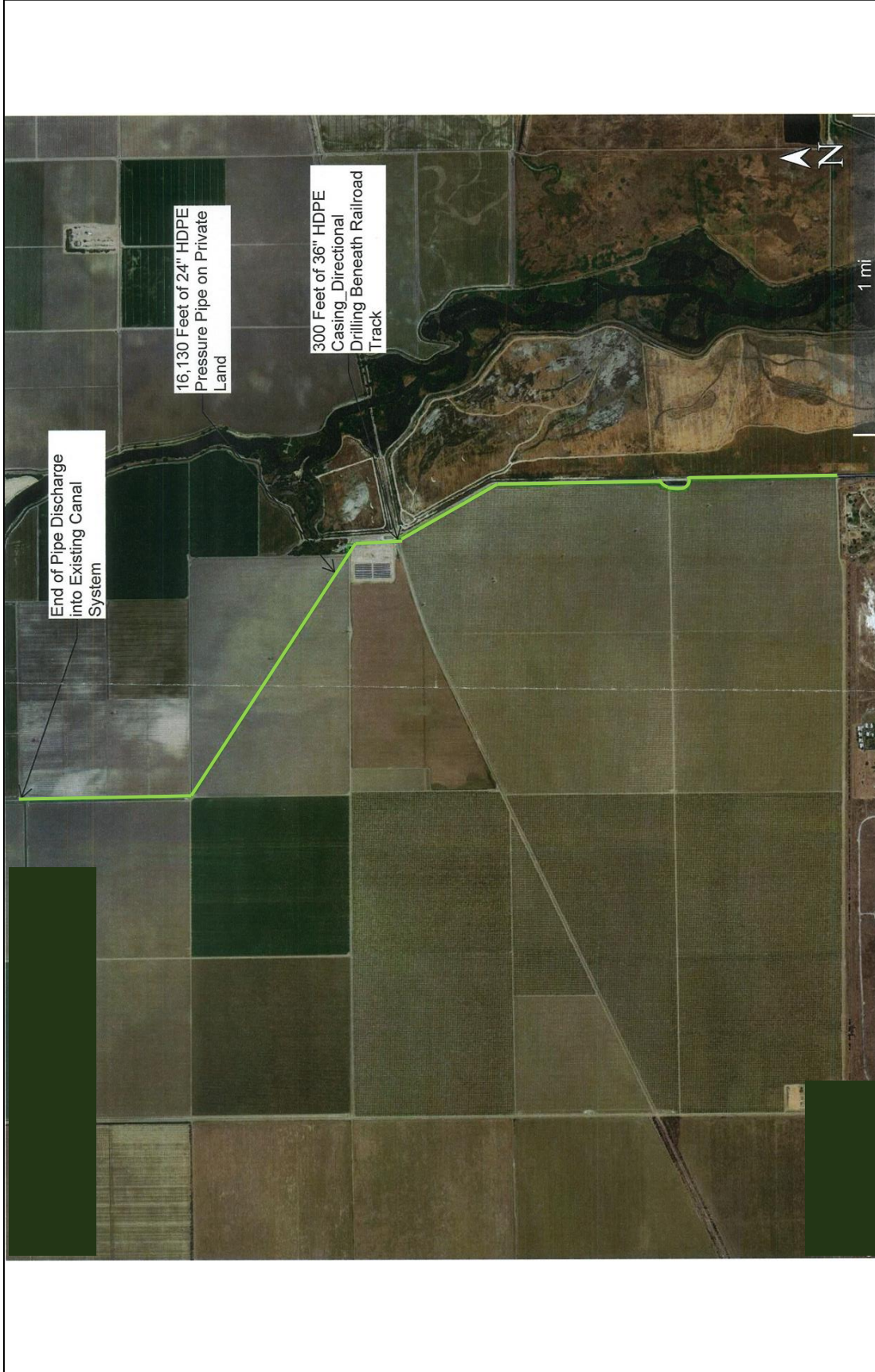


Figure 2-5
Private Land Area

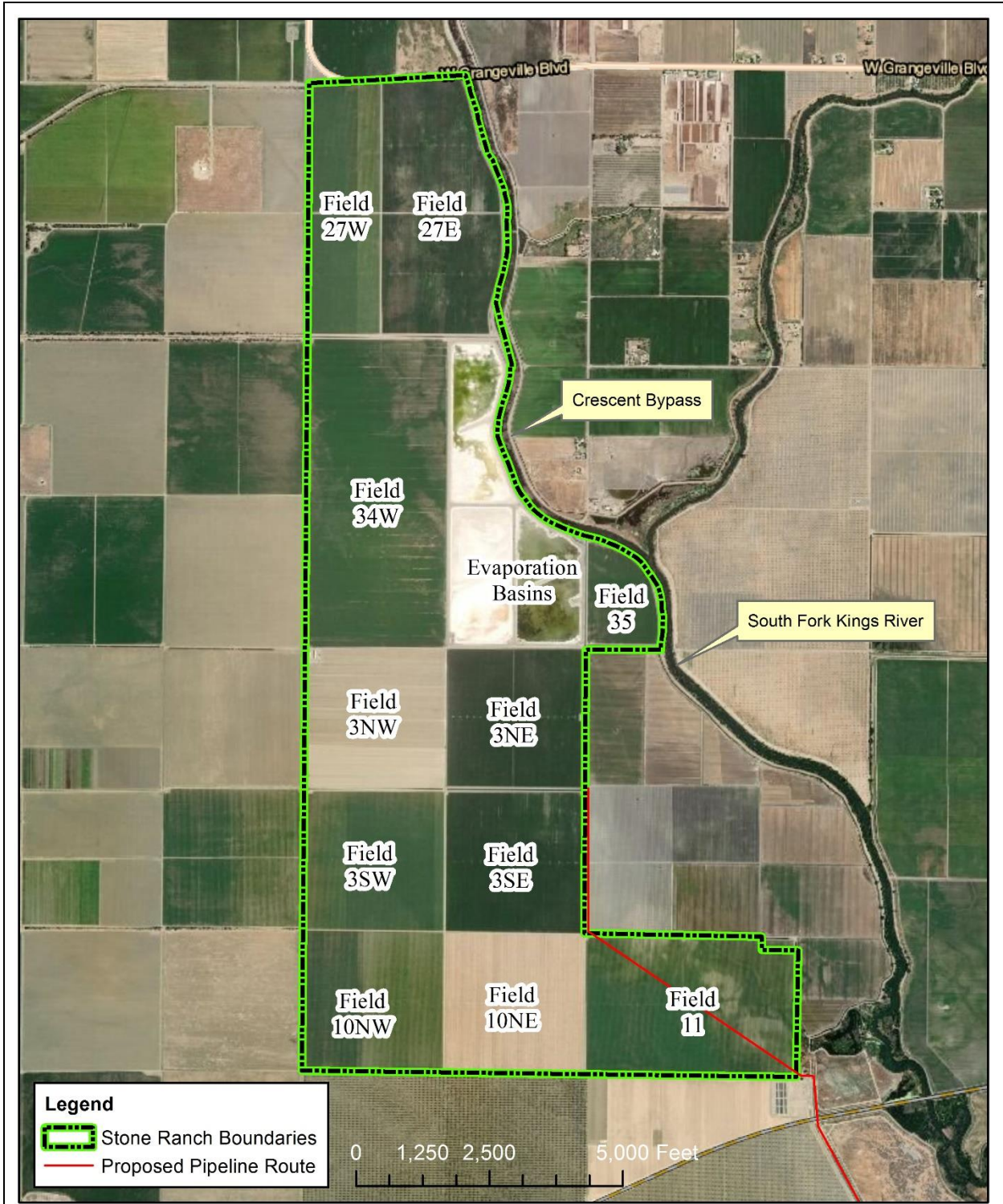


Figure 2-6
Recycled Water Agricultural Irrigation Reuse Area (Stone Ranch)



SECTION 3 - INITIAL STUDY

3.1 - Environmental Checklist

1. Project Title:

Combined Effluent/Recycled Water Discharge to the Stone Ranch

2. Lead Agency Name and Address:

City of Lemoore
119 Fox Street
Lemoore, CA 93245

3. Contact Person and Phone Number:

Nathan Olson, City Manager
(559) 924-6700

4. Project Location:

Five miles west of Lemoore, east of Naval Air Station Lemoore.

5. Project Sponsor's Name and Address

City of Lemoore
119 Fox Street
Lemoore, CA 93245

6. General Plan Designations:

General Agriculture, 40 acres (County of Kings)

7. Zoning:

AG 40 (County of Kings)

8. Description of the Project:

The Project is the construction and operation of a pump station and pipeline to an agricultural irrigation recycled water reuse area, the Stone Ranch. It will make beneficial reuse of treated combined effluent from Leprino Foods' two facilities and the City's WWTP by using it for agricultural irrigation of feed and fodder crops at 'the Stone Ranch'. Leprino and Lemoore propose to discharge up to 5.0 mgd of treated combined effluent that will be conveyed via pipeline to the Ranch. The combined effluent will be blended with groundwater within the existing Stone Ranch irrigation canal system, and the blended water supply will be directly used for irrigation.

9. Surrounding Land Uses:

The Project site is abutted by agricultural land to the north; Naval Air Station Lemoore to the west, agriculture and fallow land to the south, and the Kings River to the east.

10. Other Public Agencies Whose Approval May be Required:

- United States Naval Air Station Lemoore;
- US Army Corps of Engineers (ACOE)
- US Fish and Wildlife Service (USFWS);
- California Department of Fish and Wildlife (CDFW);
- Central Valley Regional Water Quality Control Board (RWQCB);
- United States Department of Agricultural Natural Resources Conservation Service (NRCS); and
- Caltrans District 6.

11. 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, has consultation begun?

California Native American tribes traditionally and culturally affiliated with the project area have provided their contact information to the City (Lead Agency) requesting consultation regarding proposed projects pursuant to AB 52, Public Resources Code (PRC) Section 21080.3.1.

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

3.2 - Environmental Factors Potentially Affected

The environmental factors below would be potentially affected by this project.

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology and Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Hydrology and Water Quality |
| <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation and Traffic | <input type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Utilities and Service Systems |
| | <input type="checkbox"/> Mandatory Findings of Significance | |

3.3 - 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 (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENT 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.

Harry A. Tow
Signature

7/16/18
Date

Harry A. Tow
Printed Name

For

3.4 - 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" applies where the incorporation of mitigation in the Project design has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact."
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).
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 significant.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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3.4.1 - AESTHETICS

Would the project:

a.	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d.	Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

Impact #3.4.1a – Would the Project have a substantial adverse effect on a scenic vista?

The County of Kings 2035 General Plan does not identify any scenic vistas within the project area. The visual characteristics of the project site and the surrounding areas include primarily agricultural, dairy and rural residential land uses. A scenic vista is generally considered a view of an area that has remarkable scenery or a resource that is indigenous to the area.

The project site itself does not impact a visual resource that would be considered a scenic vista. The project consists of the pipelines and pump station that are similar in visual character to the adjacent agricultural operations in the vicinity and is not unique to the surrounding visual setting. Neither the project area nor any surrounding land use contains features typically associated with scenic vistas (e.g., ridgelines, peaks, overlooks). Therefore, the project’s activities will not obscure or impact views of scenic vistas.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have *no impact*.

Impact #3.4.1b– Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

There are no State designated scenic highways within the immediate proximity of the project site (California Department of Transportation, 2011). In addition, no scenic highways or roadways are listed within the project area in the County of Kings 2035 General Plan. The project site is in a generally rural, undeveloped area of unincorporated eastern Kings County, approximately 5 miles west of Lemoore, east of Naval Air Station Lemoore. The area is predominantly characterized as having cultivated and undeveloped farmland, agriculturally-related commercial businesses, dairies and sparse residential dwellings. State Route 198 adjacent to the site is not a state scenic highway. The pipelines will be underground and have no scenic impact.

Based on the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR) and Kings County General Plan, no historic buildings exist on the project site; the nearest buildings on the NRHP and CRHR are over six miles northwest of the project in the City of Hanford. Construction of the project would not require removal of any existing trees or rock outcroppings. Minor grading and some trenching is anticipated but will not substantially change the topography or change the current visual character of the project location. Therefore, the project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have *no impact*.

Impact #3.4.1c – Would the Project substantially degrade the existing visual character or quality of the site and its surroundings?

The proposed project will consist of the pipelines and a pump station. These features will not be readily visible and would blend into the generally rural, agricultural character of the surrounding visual setting. The facility's appearance would not change or degrade the visual character of the project site. Therefore, the project would not result in a substantial impact to the visual quality of the area.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The project would have a *less than significant impact*.

Impact #3.4.1d – Would the Project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Construction of the proposed project would generally occur during daytime hours, typically from 7:00 a.m. to 6:00 p.m. Once operational, no lighting would be required. Impacts would be minimal and temporary.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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3.4.2 - 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 Department 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 forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

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 nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Conflict with existing zoning for agricultural use or a Williamson Act Contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

Impact #3.4.2a – Would the Project 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 nonagricultural use?

The project site runs along existing roads that are adjacent to land designated as Rural Residential, Grazing and Farmland of Statewide Importance by the Department of

Conservation's (DOC) Farmland Mapping and Monitoring Program (FMMP) (CA Department of Conservation, 2016). The pump station is located on land designated as Vacant/Disturbed land. Once constructed, the Project would allow for the irrigation of crops and would enhance the continued agricultural activities on the site. The Project would not convert any farmlands to a non-agricultural use. Therefore, the impact of the project would be considered less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The project would have a *less than significant impact*.

Impact #3.4.2b: Would the Project conflict with existing zoning for agricultural use or a Williamson Act Contract?

The Project pump station is on land that is not utilized for agriculture or subject to a land use contract. The pipeline route runs along properties that are subject to a Farmland Security Zone land use contract. However, the County's Uniform Rules Section B (7) identifies irrigation facilities as a compatible use (County of Kings, 2013). The Project pipeline would be considered a compatible use with land subject to a land use contract, and therefore does not conflict.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The project would have a *less than significant impact*.

Impact #3.4.2c – Would the Project 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))?

There is no forest or timberland on the project site or surrounding area, and the Project site and surrounding area is zoned General Agricultural-20 District (AG20). The Project will have no impact on land designated for forest land use

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.2d – Would the Project result in the loss of forest land or conversion of forest land to non-forest use?

As noted in Impact #3.3.2(c), above, there is no designated forest or timberland on the project site or surrounding area, and the project site and surrounding area is zoned General Agricultural-20 (AG20). The project will not convert land designated for forest land use.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.2e – Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

The Project site and surrounding area is zoned General Agricultural-40 District (AG 40). As noted in Impact #3.3.2(a), the Project will allow for the beneficial use of recycled water to augment and replace the use of groundwater. This use will enhance the existing agricultural operations.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The project would have a *less than significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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3.4.3 - AIR QUALITY

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

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. | Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. | Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. | 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. | Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. | Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The following analysis is based primarily on the Air Quality Impact Analysis (AQIA) pursuant to the San Joaquin Valley Air Pollution Control District (SJVAPCD) Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI), and the California Environmental Quality Act (CEQA) Statute and Guidelines, prepared for this Project by Castle Environmental Consultants (Castle Environmental, 2018), included as Appendix A in this document. The Project area is located within the San Joaquin Valley Air Basin (SJVAB) in Kings County and is included among the eight counties that comprise the SJVAPCD. The SJVAPCD acts as the regulatory agency for air pollution control in the Basin and is the local agency empowered to regulate air pollutant emissions for the plan area.

Discussion

Impacts #3.4.3a, #3.4.3b, and #3.4.3c – Would the Project conflict with or obstruct implementation of the applicable air quality plan; violate any air quality standard or contribute substantially to an existing or projected air quality violation; or 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

The construction and operation of the proposed project would be subject to SJVAPCD rules and requirements, including any applicable permitting requirements. These rules and regulations may include compliance with the SJVAPCD's Regulation VIII (Fugitive PM10 Prohibitions), Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 4002 (National Emissions Standards for Hazardous Air Pollutants), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations), and other applicable regulations.

The SJVAPCD GAMAQI thresholds are designed to implement the general criteria for air quality emissions as required in the CEQA Guidelines, Appendix G, Paragraph III (Title 14 of the California Code of Regulations §15064.7) and CEQA (California Public Resources Code §21000 et. al). SJVAPCD's specific CEQA air quality thresholds are presented in Table 3-1.

Table 3-1
SJVAPCD Pollutant Thresholds of Significance

Criteria Pollutant	Significance Level	
	Construction (tons/year)	Operational (tons/year)
CO	100 tons/yr	100
NO _x	10	10
ROG	10	10
SO _x	27	27
PM ₁₀	15	15
PM _{2.5}	15	15

Source: Castle Environmental, 2018

Air quality impacts from proposed projects within Kings County are controlled through policies and provisions of the SJVAPCD and the 2035 Kings County General Plan (County of Kings, 2010). In order to demonstrate that a proposed project would not cause further air quality degradation in either of the SJVAPCD's plan to improve air quality within the air basin or federal requirements to meet certain air quality compliance goals, each project should also demonstrate consistency with the SJVAPCD's adopted Air Quality Attainment Plans (AQAP) for O₃ and PM₁₀. The California Clean Air Act (CCAA) requires air pollution control districts with severe or extreme air quality problems to provide for a 5% reduction in non-attainment emissions per year.

The Kings County Association of Governments (KCAG) Air Quality Conformity Analysis (Kings County Association of Governments, 2016) demonstrates that the 2017 Federal Transportation Improvement Program (2017 FTIP) and 2014 Regional Transportation Plan (2014 RTP) in Kings County would not hinder the efforts set out in the CARB's SIP for each area's non-attainment pollutants (CO, O₃, PM₁₀ and PM_{2.5}).

Under current policies, only after a General Plan Amendment (GPA) is approved, can housing and employment assumptions be updated to reflect the capacity changes. Since the proposed development does not require a GPA and zone change, the existing growth forecast will not

be modified to reflect these changes. In order to determine whether the forecasted growth for the project area is sufficient to account for the projected increases in employment, an analysis based on KCAG regional forecast was conducted. Employment forecast for the analysis area appear to be sufficient to account for 100% of the planned employment growth attributed to the proposed project. In order to be considered “consistent” and, therefore, in conformance with the AQAP, these increases would need to occur over the same time as the adopted growth forecast. According to Table 2-2 of KCAG’s Air Quality Conformity Analysis there is a projected employee increase of 7,988 in Kings County between 2010 and 2020 (Kings County Association of Governments , 2016). The proposed Project would result in approximately no new employees. Construction crews would come from local employers and once operational, existing staff would monitor the pipeline and pump station as necessary. Stationary source emissions from the water pump are anticipated to be negligible based on similar projects that have been construction and permitted within the SJVAPCD. Based on the above analysis presented, the project is anticipated to be consistent with the AQAP, RTP, and KCAG Air Quality Conformity Analysis.

As discussed above, the proposed Project would pose no impact on regional O₃ and PM₁₀ formation. Because the regional contribution to these cumulative impacts would be negligible, the Project would not be considered cumulatively considerable in its contribution to regional O₃ and PM₁₀ impacts.

Table 3-2 presents the annual criteria pollutant emissions associated with proposed Project construction. The total emissions (all construction activities) and their comparisons to the SJVAPCD significance thresholds are shown at the bottom of the table. The table shows that all emissions are well below the adopted significance thresholds. Therefore, the proposed Project’s impact on air quality planning efforts for criteria pollutants would be less than significant.

When assessing the significance of project-related impacts on air quality, the SJVAPCD states that the impacts may be significant when on-site emission increases from construction activities or operational activities exceed a 100 pounds per day screening level of any criteria pollutant after implementation of all enforceable mitigation measures. Under such circumstance, the SJVAPCD recommends that an ambient air quality analysis (AAQA), using air dispersion modeling, be performed (Castle Environmental, 2018).

In accordance with GAMAQI guidance, Table 3-3 shows the proposed Project’s estimated construction emissions converted to daily emission rates based on a 120-working day duration. The emission rates are well below the 100 lb/day AAQA screening level for all pollutants. Therefore, the proposed Project’s impact on local ambient air pollutant levels would be less than significant.

**Table 3-2
Criteria Pollutant Emissions Associated with Proposed Project Construction**

Activity	Emission Rate (ton/yr) ^{a,b}					
	CO	NO _x	ROG	SO _x	PM ₁₀	PM _{2.5}
<i>Pipeline Installation</i>						
Fugitive Dust	0.000	0.000	0.000	0.000	0.003	0.000
Off-Road Equipment	0.515	0.734	0.071	0.001	0.033	0.030
On-Road Vehicles	0.035	0.034	0.005	0.000	1.449	0.146
<i>Subtotal - Pipeline Installation</i>	<i>0.55</i>	<i>0.77</i>	<i>0.076</i>	<i>0.001</i>	<i>1.48</i>	<i>0.18</i>
<i>Trench Resurfacing</i>						
Fugitive Dust	0.000	0.000	0.000	0.000	0.000	0.000
Off-Road Equipment	0.032	0.048	0.005	0.000	0.002	0.002
On-Road Vehicles	0.005	0.021	0.001	0.000	0.222	0.023
<i>Subtotal - Trench Resurfacing</i>	<i>0.04</i>	<i>0.07</i>	<i>0.006</i>	<i>0.000</i>	<i>0.22</i>	<i>0.02</i>
<i>Pump Station Installation</i>						
Fugitive Dust	0.000	0.000	0.000	0.000	0.000	0.000
Off-Road Equipment	0.210	0.336	0.032	0.001	0.014	0.013
On-Road Vehicles	0.007	0.006	0.001	0.000	0.002	0.000
<i>Subtotal - Pump Station Installation</i>	<i>0.22</i>	<i>0.34</i>	<i>0.032</i>	<i>0.001</i>	<i>0.02</i>	<i>0.01</i>
Total Construction Emissions for CEQA <small>c,d</small>	0.8	1.2	0.1	0.002	1.7	0.2
Total Construction Emissions for NEPA <small>c,e</small>	0.6	0.8	0.08	0.001	1.7	0.2
SJVAPCD Significance Thresholds	100	10	10	27	15	15
CEQA Significant?	No	No	No	No	No	No
NEPA Significant?	No	No	No	No	No	No

Notes:

- Source: Castle Environmental, 2018 (Appendix A)
- Emissions are conservatively calculated without emission controls even though SJVAPCD Regulation VIII would require controls on fugitive dust.
- Total construction emissions will take place within one rolling 12-month period (approximately 120 working days).
- Emissions include all construction activities (Pipeline Installation, Trench Resurfacing, and Pump Station Installation).

When assessing the significance of project-related impacts on air quality, the SJVAPCD states that the impacts may be significant when on-site emission increases from construction activities or operational activities exceed a 100 pounds per day screening level of any criteria pollutant after implementation of all enforceable mitigation measures. Under such circumstance, the SJVAPCD recommends that an ambient air quality analysis (AAQA), using air dispersion modeling, be performed (Castle Environmental, 2018).

In accordance with GAMAQI guidance, Table 3-3 shows the proposed Project's estimated construction emissions converted to daily emission rates based on a 120-working day duration. The emission rates are well below the 100 lb/day AAQA screening level for all pollutants. Therefore, the proposed Project's impact on local ambient air pollutant levels would be less than significant.

**Table 3-3
Ambient Air Quality Analysis Applicability Determination**

Pollutant	Construction Duration (work days)	Daily	AAQA Threshold (lb/day)	AAQA Required?
		Construction Emission Rate (lb/day)		
CO		13.4	100	No
NO _x		19.6	100	No
ROG	120	1.9	100	No
SO _x		0.03	100	No
PM ₁₀		28.7	100	No
PM _{2.5}		3.6	100	No

Source: Castle Environmental, 2018

CEQA defines cumulative impacts as two or more individual effects which, when considered together, are either significant or “cumulatively considerable”, meaning they add considerably to a significant environmental impact. As shown in Table 3-2, the criteria pollutant emissions during proposed Project construction would be well below the SJVAPCD’s significance thresholds. Therefore, the proposed Project would not produce a cumulatively considerable contribution to a significant cumulative criteria pollutant impact. Impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*.

Impact #3.4.3d – Would the Project expose sensitive receptors to substantial pollutant concentrations? There are no sensitive receptors adjacent to the pump station. The closest receptors to the pump include the Lemoore Naval Health Clinic, which is located approximately 1.25 miles west, and Kaweah Hospital, located approximately 2.7 miles east of the pump station. The closest receptors to the pipeline are residences approximately 150 feet and Akers Elementary School approximately one-third of a mile away from a portion of the pipeline to be installed in the gravel-surfaced north-south roadway. Emissions of criteria pollutants during construction will be temporary, and once operational, emissions will be minimal.

The primary source of toxic air contaminant (TAC) emissions during proposed Project construction would be diesel particulate matter (DPM) emissions from construction equipment. CARB classifies DPM as a carcinogen (Castle Environmental, 2018). Cancer risks associated with proposed Project construction are not expected to be an issue of concern for the following reasons: (1) the duration of exposure to construction emissions would be brief

(less than one year) compared to a 30-year exposure period assumed for the assessment of cancer risk for residential receptors; (2) proposed Project construction would involve a relatively small number of diesel equipment, therefore producing relatively low levels of DPM emissions; and (3) the construction emissions would be spread out and diluted over the 4.5-pipeline route, resulting in relatively small exposures at any given receptor location. Therefore, the proposed Project would not expose sensitive receptors to substantial concentrations of TACs.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The project would have a *less than significant impact*.

Impact #3.4.3e – Would the Project create objectionable odors affecting a substantial number of people?

SJVAPCD identifies some common types of facilities that have been known to produce odors in the SJVAB (San Joaquin Valley Air Pollution Control District, 2015). These can be used as a screening tool to qualitatively assess a project’s potential to adversely affect area receptors. Because the operations of the project are not expected to cause a public nuisance due to odor and the anticipated project site is not listed in the GAMAQI as a source that would create objectionable odors, the project is not expected to be a source of objectionable odors.

Based on the provisions of the GAMAQI, the proposed Project would not exceed any screening trigger levels to be considered a source of objectionable odors or odorous compounds. Furthermore, there does not appear to be any significant source of objectionable odors in close proximity that may adversely impact the project site when it is in operation. Additionally, the Project emission estimates indicate that the proposed project would not be expected to adversely impact surrounding receptors. As such, the proposed Project would not be a source of any odorous compounds nor would it likely be impacted by any odorous source

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The project would have a *less than significant impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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3.4.4 - BIOLOGICAL RESOURCES

Would the project:

- | | | | | | |
|----|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 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 Wildlife or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. | Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. | Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. | Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. | Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. | Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

A biological reconnaissance survey was conducted to determine whether there are sensitive biological resources that might be adversely affected by the proposed Project. The evaluation

is based upon existing site conditions, the potential for sensitive biological resources to occur on and in the vicinity of the Project site, and any respective impacts that could potentially occur.

In addition to providing an evaluation of the Project's impacts to biological resources, the report includes a detailed description of the regulatory environment as it relates to biological resources.

A literature search of the California Department of Fish and Wildlife's California Natural Diversity Database (CNDDDB) (CNDDDB 2018), California Native Plant Society (CNPS 2018), and United States Fish and Wildlife Service Endangered Species List (USFWS 2018) was conducted to identify special-status plant and wildlife species with the potential to occur within the Project site and vicinity (the surrounding nine quads and a 10-mile radius). The results of the database inquiry were subsequently reviewed to evaluate the potential for occurrence of special-status species on or near the Project site prior to conducting the biological reconnaissance survey.

QK biologists conducted a biological reconnaissance survey of the Project site and a 500-foot buffer area, where feasible, on June 14, 2018 (QK, 2018). The purpose of the survey was to determine the locations and extent of potential plant communities and sensitive habitats, and the potential for occurrence of special-status plant and animal species within the Project site and surrounding buffer area. Survey methodologies included two methodologies. Meandering 100-foot transects were used on natural, ruderal or undeveloped lands. The survey intensity was increased in less disturbed areas of more natural habitats and in other areas that were better suited to support listed species. A "windshield" survey was conducted in areas dominated by cultivated, recently disked, and developed land. Photographs were taken to document the existing landscape of the Project site and adjacent land uses; detailed notes on observed plant and wildlife species and site conditions were taken while conducting the survey.

QK biologists also conducted a partial waters and wetlands delineation concurrently with the field survey on June 14, 2018. A drainage ditch within Project boundaries, an irrigation ditch adjacent to the Project, and three wetlands/riparian areas within the Project buffer were delineated to United States Army Corps of Engineers (ACOE) standards using an iPad combined with an EOS Arrow 100 GNSS GPS Receiver that is capable of sub-meter spatial accuracy. Additional irrigation ditches near the Project were mapped by digitizing boundaries from aerial photography. The delineation efforts were sufficient for an evaluation of Project impacts, but additional on-site work may be needed to meet ACOE standards for those features that were digitized from aerial photographs. The of the survey results was used as the basis for the analysis below and can be found in Appendix B of this document.

Impact #3.4.4a – Would the Project 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 Wildlife or U.S. Fish and Wildlife Service?

The Project site is dominated by intensive agriculture areas. There are nearby low-density rural residential and military housing. The Project crosses through approximately 200 feet of Valley Sink Scrub habitat, which is a sensitive natural community. That area is south of SR 198, west of the Kings River, and north of Jackson Avenue.

Sensitive Habitats and Special-Status Species

SPECIAL-STATUS PLANTS

No special-status plant species were identified on or near the Project during the reconnaissance-level field survey (see Appendix B). There are seven special-status plant species that could occur in the southernmost portion of the Project, in that area vegetated with Valley Sink Scrub habitat. Two of the plant species are endangered; the California jewelflower (*Caulanthus californicus*) and the San Joaquin woollythreads (*Monolopia congdonii*).

There is habitat on the Project site to support the seven species with the potential to occur. All but one of these plant species would only be present in the small, approximately 200-foot-long, area of Valley Sink Scrub that occurs on the Project site. It is unlikely that any of these species occur in that limited area. The other species that could be present would occur in wetted areas of dirt-lined canals and ditches, but that species would be unlikely to occur because of the routine maintenance that occurs in those areas

SPECIAL-STATUS WILDLIFE

Twenty-four special-status wildlife species were identified in the CNDDDB and USFWS database queries within the twelve USGS 7.5-minute quadrangles that encompass the Project (QK, 2016). These included five invertebrates, one fish, three amphibians, five reptiles, three birds, and seven mammals. There is suitable habitat on or near the Project site for fourteen of these species, but there are only ten of these special-status wildlife species have the potential to be affected by the Project. There was a sighting of an additional special-status species, loggerhead shrike (*Lanius ludovicianus*), that did not show up in the records search. The 11 species include one amphibian, three reptiles, four birds, and two mammals (see Appendix B, Table 5-2). It is unlikely that the Project will result in impacts to these species.

A possible San Joaquin Kit Fox den was observed near the intersection of the Project and State Route 198. No other special-status species were observed during this survey. There were no other special-status species observed on or near the Project site but there are nine other species with the potential to occur. These other species have a low potential to occur on the Project site and are unlikely to be affected by the Project. The special-status wildlife species with a potential to occur on the Project site include the western spadefoot (*Spea hammondi*), San Joaquin coachwhip (*Masticophis flagellum ruddocki*), giant garter snake (*Thamnophis gigas*), western pond turtle (*Emys marmorata*), tri-colored blackbird (*Agelaius tricolor*), western burrowing owl (*Athene cunicularia*), Swainson's hawk (*Buteo swainsoni*), yellow-headed blackbird (*Xanthocephalus xanthocephalus*), and American

badger (*Taxidea taxus*). The evaluation of the potential for these species to occur on the Project site are provided in Appendix B.

CONCLUSION

Project construction activities have the potential to impact two special status plant species-California jewelflower and the San Joaquin woollythreads, as well as 11 special-status wildlife species, including the western spadefoot, San Joaquin coachwhip, giant garter snake, western pond turtle, tri-colored blackbird, western burrowing owl, Swainson's hawk, yellow-headed blackbird, loggerhead shrike, American badger, and San Joaquin kit fox. Impacts are expected to be minimal due to the temporary and focused nature of the Project. Direct and indirect impacts are unlikely to occur, which will be avoided or minimized with the implementation of measures listed below. No measures would be needed to avoid and minimize impacts to the western spadefoot or San Joaquin coachwhip because Project impacts to those species would be less than significant; potential Project impacts would not reduce any existing populations to below self-sustaining levels or substantially reduce or restrict the range of these species.

MITIGATION MEASURE(S)

MM BIO-1: Prior to construction activities in the Valley Sink Scrub habitat, a pre-construction survey for the San Joaquin woollythreads and the California jewelflower shall be performed. The survey shall occur during the appropriate flowering period for these species. If these species are found to occur and cannot be avoided by the Project, then CDFW and/or USFWS shall be notified within 10 days prior to construction activities to allow CDFW and/or USFWS to perform a salvage operation.

The Project footprint shall be reduced to the minimum area possible to allow the pipeline (and pump station) to be installed, and the topsoil from the trench (the top 6-inches) shall be removed and stockpiled separately from the remaining soil removed from the trench. The topsoil shall be covered during storage. Once the trench has been backfilled, the topsoil shall be distributed over the top of the backfilled trench and compacted. This process will allow for any seedbank present in the topsoil to be retained in the uppermost soil.

MM BIO-2:

- a. A pre-construction survey of potential giant garter snake habitat shall be completed by a qualified biologist no more than 24 hours prior to ground disturbance activities. A qualified biological monitor shall be onsite during vegetation removal in potential giant garter snake habitat and within 200 feet of potential giant garter snake habitat. This habitat is limited to the vegetated drainage ditch near its crossing of State Route 198 and the area south of Jackson Avenue.
- b. Vegetation removal within 200 feet of suitable giant garter snake aquatic habitat shall be confined to the minimal area necessary to allow for the installation of the pipeline

(and pump station). Movement of heavy equipment shall be confined to existing roadways or temporary construction access roads established during construction.

- c. If a giant garter snake is observed in the construction area, all activities shall cease, and qualified biologist shall be notified immediately. The snake shall be allowed to leave on its own and activities shall not resume until the snake has moved out of the area on its own. If the snake does not vacate the area on its own, activities must be suspended and USFWS and CDFW shall be contacted. If a giant garter snake is found and cannot be avoided, Incidental Take Permits may need to be acquired. USFWS and CDFW shall be notified by telephone or email within 24 hours of a giant garter snake observation.

MM BIO-3:

- a. A survey for the western pond turtle shall be conducted by a qualified biologist within 14 days prior to beginning of construction. This may be combined with other pre-construction surveys.
- b. A biological monitor shall be on-site during all vegetation removal activities within 200 feet of habitat capable of supporting the western pond turtle. If any turtles are encountered in the Project during construction, construction shall halt until the qualified biologist determines the species of turtle. If it is not a western pond turtle, work may continue.
- c. If a western pond turtle is found, all work within 100 feet of the turtle shall stop until the turtle vacates the area of its own accord or the area where the turtle occurs can be protected using exclusion fencing. If the installation of exclusion fencing is not practical, then the turtle may be relocated away from the construction site, into nearby suitable habitat, by a qualified biologist.

MM BIO-4: A pre-construction survey shall be conducted for the western burrowing owl within 14 days of the start of construction. If any burrowing owl burrows are observed during the preconstruction survey, avoidance measures shall be consistent with those included in the CDFW staff report on burrowing owl mitigation (CDFG 2012). If occupied burrowing owl burrows are observed outside of the breeding season (September 1 through January 31) and within 500 feet of proposed construction activities, a passive relocation effort may be instituted in accordance with the guidelines established by the *Burrowing Owl Survey Protocol and Mitigation Guidelines* (California Burrowing Owl Consortium 1993) and the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012). During the breeding season (February 1 through August 31), a 250-foot (minimum) buffer zone shall be maintained unless a qualified biologist verifies through noninvasive methods that either the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival. If necessary, passive relocation may be conducted to remove burrowing owls from the Project site, but only after approval has been obtained from the California Department of Fish and Wildlife. Passive relocation would only be conducted by a qualified biologist.

MM Bio-5: A pre-construction survey shall be conducted for the San Joaquin kit fox within 14 to 30 days of the start of construction. The project proponent shall follow the *USFWS Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance*.

If any San Joaquin kit fox dens are found during preconstruction surveys, the status of the dens shall be evaluated prior to project ground disturbance. Provided that no evidence of kit fox occupation is observed, potential dens shall be marked, and a 50-foot avoidance buffer delineated using stakes and flagging or other similar material to prevent inadvertent damage to the potential den. If a potential den cannot be avoided, it may be hand-excavated following United States Fish and Wildlife Service standardized recommendations for protection of the San Joaquin kit fox prior to or during ground disturbance. If kit fox activity is observed at a den, the den status shall change to “known” per United States Fish and Wildlife Service guidelines (1999) and the buffer distance shall be increased to 100 feet. Absolutely no excavation of San Joaquin kit fox known or pupping dens shall occur without prior authorization from the United States Fish and Wildlife Service and California Department of Fish and Wildlife.

MM BIO-6: The measures listed below shall be implemented during construction and operation of the Project to protect the American badger and San Joaquin kit fox.

- a. Project-related vehicles shall observe a 20-mph speed limit in all Project areas, except on County roads and State and Federal highways; this is particularly important at night when kit foxes and badgers are most active. Nighttime construction shall be avoided, unless the construction area is appropriately fenced to exclude badgers kit foxes. The area within any such fence must be determined to be uninhabited by San Joaquin Kit foxes or American badgers prior to initiation of construction. Off-road traffic outside of designated Project areas shall be prohibited.
- b. To prevent inadvertent entrapment of kit foxes, badgers, or other animals during the construction phase of the Project, all excavated, steep-walled holes or trenches more than 2 feet deep shall be covered prior to the end of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the qualified biologist, USFWS and CDFW shall be contacted for advice.
- c. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipe, becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in anyway. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity, until the fox has escaped.

- d. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers and removed at least once a week from a construction or Project site.
- e. No pets shall be permitted on the Project site.
- f. Use of rodenticides and herbicides in Project areas shall be restricted. This is necessary to prevent primary or secondary poisoning of kit fox and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and federal legislation, as well as additional Project-related restrictions deemed necessary by the USFWS. If rodent control must be conducted, zinc phosphide shall be used because of a proven lower risk to kit fox.
- g. No plants or wildlife shall be collected, taken, or removed from the construction areas or areas of offsite improvements, except as necessary for Project-related vegetation removal or wildlife relocation. Salvage of native vegetation to be removed from construction areas is encouraged but shall only be performed by qualified biologists and with written approval from the CDFW.
- h. A representative shall be appointed by the Project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox, or who finds a dead, injured or entrapped individual. The representative's name and telephone number shall be provided to the USFWS and CDFW.
- i. In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape, or the USFWS and CDFW shall be contacted for advice.
- j. Any contractor, employee(s), or military or agency personnel who inadvertently kills or injures a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFW immediately in the case of a dead, injured or entrapped kit fox. The CDFW contact for immediate assistance is State Dispatch at (916) 445-0045. They would contact the local warden or qualified biologist.
- k. The USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during Project-related activities. Notification shall include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information.
- l. The above listed measures would also protect American badgers.

MM BIO-7: If Project construction takes place entirely between September 16 and February 28, it would avoid the breeding season of Swainson's hawk and no measures would need to be implemented. If any portion of Project construction takes place between March 1 and September 15, protocol-level Swainson's hawk surveys shall be conducted. The two Swainson's hawk survey periods immediately prior to beginning of construction shall be conducted following the *Recommended Timing and Methodology for Swainson's Hawk*

Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000). If an active Swainson's hawk nest is discovered within half a mile of the Project, construction shall be delayed until the CDFW is contacted for guidance and a qualified biologist shall monitor the nest on a weekly basis during construction activities to determine nesting activity and document any nest abandonment. Because neither foraging habitat or potential nesting trees will be removed or degraded as part of this Project, compensatory mitigation shall not be required.

MM BIO-8: Prior to ground disturbance activities at the Project site and as needed during construction activities, all workers on the Project shall attend a Construction Worker Environmental Awareness Training and Education Program, developed and presented by a qualified biologist.

The Construction Worker Environmental Awareness Training and Education Program would be presented by the biologist and shall include information on the life history of wildlife and plant species that may be encountered during construction activities, their legal protections, the definition of "take" under the Endangered Species Act, measures the Project operator is implementing to protect the San Joaquin kit fox and other species, reporting requirements, specific measures that each worker would employ to avoid take of the wildlife species, and penalties for violation of the Act. Identification and information regarding sensitive or other special status plant species shall also be provided to construction personnel.

- a. An acknowledgement form signed by each worker indicating that environmental training has been completed.
- b. A sticker that shall be placed on hard hats indicating that the worker has completed the environmental training. Construction workers shall not be permitted to operate equipment within the construction area unless they have attended the training and are wearing hard hats with the required sticker;
- c. A copy of the training transcript and/or training video/CD, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgement forms shall be maintained on site for the duration of construction activities.
- d. The construction crews and contractor(s) would be responsible for unauthorized impacts from construction activities to sensitive biological resources that are outside the areas defined as subject to impacts by Project permits.

LEVEL OF SIGNIFICANCE

The project would have a *less than significant impact with mitigation incorporated*

Impact #3.4.4b – Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Riparian habitat is defined as lands that are influenced by a river, specifically the land area that encompasses the river channel and its current or potential floodplain. There is no riparian habitat that would be impacted by the Project. There is approximately 200 feet of the Project that traverses through Valley Sink Scrub habitat, which is a sensitive natural community, resulting in up to 0.06 acres of temporary disturbance. The limited disturbance to this habitat will not substantially degrade the environment, result in substantial habitat reduction for a fish or wildlife species, or result in a substantial elimination of a plant or animal community. With implementation of MM BIO-1 through MM BIO-8, impacts to this small amount of Valley Sink Scrub habitat will be temporary and less than significant.

MITIGATION MEASURE(S)

Implementation of MM BIO-1 through MM BIO-8.

LEVEL OF SIGNIFICANCE

The project would have a *less than significant impact with mitigation incorporated*.

Impact #3.4.4c – Would the Project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Wetlands, streams, reservoirs, sloughs, and ponds typically meet the criteria for federal jurisdiction under Section 404 of the Clean Water Act (CWA) and State jurisdiction under the Porter-Cologne Water Quality Control Act. Streams and ponds typically meet the criteria for State jurisdiction under Section 1602 of the California Fish and Game Code.

The United States Army Corps of Engineers (USACE) has regulatory authority over the CWA, as provided for by the EPA. The USACE has established specific criteria for the determination of wetlands based upon the presence of wetland hydrology, hydric soils, and hydrophilic vegetation. There are no federally-protected wetlands or vernal pools that occur within the Project site. No waters of the U.S., including wetlands were observed on the project site. Therefore, the project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the CWA. There would be no impact to federally protected wetlands or waterways as a result of the proposed project. Therefore, impacts would be considered less than significant

However, the pipeline will cross four existing irrigation drainages or ditches totaling 1.137 acres (QK, 2018). These drainages are not expected to be considered Waters of the US but may be Waters of the State. The Project will result in impacts to State Waters, but those impacts are limited to the four ditches that occur along the pipeline route. All wetlands and riparian vegetation are outside of the Project footprint and will not be affected by the Project. As required by MM BIO-9, prior to commencement of pipeline construction, a delineation of the drainage would be conducted to determine if the drainage is considered Waters of the US or Waters of the State, identify the bed and bank, and determine the amount of

disturbance area that would be required. Applications for the appropriate permits would be obtained prior to any construction activities. Implementation of MM BIO-9 would reduce impacts to less than significant.

Impacts to State regulated Waters would not result in substantial degradation of the environment or result in substantial habitat reduction for a fish or wildlife species. However, implementation of MM BIO-9, and would therefore be a less than significant impact.

MITIGATION MEASURE(S)

MM BIO-9: Prior to initial impacting State Waters, the project proponent shall:

- a. A wetland delineation shall be completed to Army Corps of Engineers' (ACOE) standards, which satisfies requirements of the RWQCB.
- b. The Project proponent shall obtain a Streambed Alteration Agreement from the CDFW and if necessary, a Waters Quality Certification pursuant to Section 401 of the CWA from the RWQCB, prior to impacting any State Waters. A formal concurrence with the findings of the delineation of wetlands and waters shall be obtained from the ACOE.

LEVEL OF SIGNIFICANCE

The project would have a *less than significant impact with mitigation incorporated*

Impact #3.4.4d – Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The Project will not impact fish or wildlife movement corridors, linkages, nursery sites, or critical habitat, as none of these areas are found in or near the Project. No avoidance or mitigation measures are warranted.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The project would have a *less than significant impact*

Impact #3.4.4e – Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The project site is located within unincorporated Kings County and complies with provisions contained in the 2035 Kings County General Plan. The General Plan includes goals, objectives and policies (III. Resource Conservation Policies D and E) to address the protection of

special-status wildlife and their habitats (County of Kings, 2010). The project would not conflict with any local policies or ordinances protecting biological resources. Implementation of the proposed project would have no impact related to policies or ordinances protecting biological resources.

LEVEL OF SIGNIFICANCE

The Project would have *no impact*.

MITIGATION MEASURE(S)

No mitigation is required.

Impact #3.4.4f – Would the Project conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?

No applicable Habitat Conservation Plan or Natural Community Conservation plan exists in Kings County. Critical Habitat for the federally endangered Buena Vista Lake ornate shrew exists approximately one mile to the east of the Project. However, there are no known observations of the shrew within 10 miles of the Project, and the Critical Habitat area will not be impacted by the Project. The Buena Vista Lake ornate shrew is included in the comprehensive 1998 Recovery Plan for Upland Species of the San Joaquin Valley (US Fish and Wildlife Service, 1998). The Project will not conflict with this recovery plan nor will it impact critical habitat, and therefore no impact will occur.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have *no impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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3.4.5 - CULTURAL RESOURCES

Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a. Cause a substantial adverse change in the significance of a tribal cultural resource, or historical resource as defined in CEQA Guidelines Section 15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion

The analysis presented in this section is based on a cultural resources records (RS# 18-277) search conducted for the proposed project by QK archaeologist Robert Parr, MA, RPA at the Southern San Joaquin Valley Information Center (SSJVIC), a part of the California Historical Resources Information System (Parr, R.E., 2018). The Lead Agency requested a records search of the Sacred Land File (SLF) by the Native American Heritage Commission (NAHC). The report references and response from NAHC are included in this document as Appendix C.

Impact #3.4.5a – Would the Project cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?

The 2035 Kings County General Plan Resource Conservation Element states that the County has a number of historical sites, four of which are included on the National Register of Historic Places, three are designated as California Historical Landmarks, and the remaining are identified as being historic sites of local importance (Kings County, 2010). The proposed Project is located within a predominantly agricultural area and does not contain any listed historic resources, nor is it located within an identified historic district. The Project would have no impact on registered historic resources.

A cultural resources records search (RS # 18-2777) was conducted at the Southern San Joaquin Valley Information Center, California State University- Bakersfield, for the Project. The records search covered an area within one half mile of the pipeline route and included a

review of the National Register of Historic Places (NRHP), California Points of Historical Interest (CPHI), California Registry of Historic Resources (CRHR), California Historical Landmarks (CHL), California State Historic Resources Inventory (CSHRI), and a review of cultural resource reports on file.

The records search indicated that six cultural resource surveys previously had been conducted on or adjacent to portions of the alignment. These include five linear surveys that intersected with the alignment at various points and one that was conducted immediately adjacent to and east of a three-mile segment of the alignment (Parr, R.E., 2018). No additional cultural resource surveys have been performed within a half mile of the proposed pipeline alignment.

Nine cultural resource properties have been recorded within a half mile of the pipeline. These consist of five historical sites, including three buildings associated with the nearby Naval Air Station Lemoore, and a PG&E transmission line and tower. Prehistoric resources include two flaked stone scatters and two isolated artifacts. No additional cultural resources have been recorded within a half mile of the alignment. The historic and prehistoric resources have been previously analyzed and determined not NRHP/CRHR eligible.

California Native American tribes traditionally and culturally affiliated with the project area have provided a request to the Lead Agency for consultation on proposed projects pursuant to AB 52, Public Resources Code (PRC) Section 21080.3.1.

Although considered unlikely, since there is no recorded evidence or surface evidence of historical or archaeological resources within the project area or temporary staging area, there is the potential for project-related excavation and construction to potentially damage or destroy previously undiscovered cultural resources. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. This is considered a potentially significant impact. Mitigation is proposed requiring implementation of standard inadvertent discovery procedures to reduce impacts to previously undiscovered subsurface historical resources.

MITIGATION MEASURE(S)

MM CUL-1: If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from project implementation.

The qualified archaeologist shall determine 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 §15064.5 of the CEQA Guidelines. Mitigation measures may include avoidance, preservation in-place, recordation, additional archaeological testing, and data recovery, among other options. Any previously undiscovered resources found during construction within the Project area shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance. No further ground disturbance shall occur in the immediate vicinity of the discovery until approved by the qualified archaeologist.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.5b – Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?

See discussion in Impact #3.4.5a, above. Although considered unlikely since there is no indication of any prehistoric resources on the project site, subsurface construction activities associated with the proposed project could potentially damage or destroy previously undiscovered archaeological resources. Mitigation is proposed requiring implementation of standard inadvertent discovery procedures to reduce potential impacts to previously undiscovered subsurface historic and archaeological resources.

MITIGATION MEASURE(S)

Implement Mitigation Measure MM CUL-1.

LEVEL OF SIGNIFICANCE

The Project would have a *less than significant impact with mitigation incorporated*.

Impact #3.4.5c – Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

There are no unique geological features or known fossil-bearing sediments in the vicinity of the project site. The only known paleontological resource noted in the 2035 Kings County General Plan (Kings County, 2010) is the Kettleman Hills fossil beds, which are approximately 17 miles southwest of the project.

However, there remains the possibility for previously unknown, buried, paleontological resources or unique geological sites to be uncovered during subsurface construction activities. Therefore, this would be a potentially significant impact. Mitigation is proposed requiring standard inadvertent discovery procedures to be implemented to reduce this impact to a level of less than significant.

MITIGATION MEASURE(S)

MM CUL-2: During grading and site preparation activities, if paleontological resources are encountered, all work within 50 feet of the find shall halt until a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards can evaluate the find and make recommendations. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. If the qualified paleontologist determines that the discovery represents a potentially significant paleontological resource, additional investigations and fossil recovery may be required to mitigate adverse impacts from project implementation. The paleontologist shall notify the appropriate representative at the County of Kings, who shall coordinate with the paleontologist as to any necessary investigation of the find. If the find is determined to be significant under CEQA, the County shall implement mitigation measures, which may include avoidance, preservation in place, or other appropriate measures, as outlined in PRC Section 21083.2.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.5d – Would the Project disturb any human remains, including those interred outside of formal cemeteries?

As previously noted, a requested search of the California NAHC Sacred Lands File search has not revealed no records of known sensitive cultural resources in the vicinity of the project area. Human remains are not known to exist within the project area. However, construction would involve earth-disturbing activities, and it is still possible that human remains may be discovered, possibly in association with archaeological sites. MM CUL-3 has been included in the unlikely event that human remains are found during ground-disturbing activities. Implementation of MM CUL-1 would further reduce impacts to cultural resources. Impacts would be less than significant with implementation of mitigation.

MITIGATION MEASURE(S)

MM CUL-3: If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the county coroner.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant with mitigation incorporated*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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3.4.6 - GEOLOGY AND SOILS

Would the project:

- | | | | | | |
|------|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a. | Expose people or structures to 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. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii. | Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii. | Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv. | Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. | Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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 offsite landslide, lateral spreading, subsidence, liquefaction, or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. | Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. | Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

Impact #3.4.6a(i), (ii), (iii), (iv): Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving 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; expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking; expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction; or expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone. Per the Department of Conservation, California Geologic Survey Regulatory Maps (Department of Conservation, 2015), the nearest fault is the Nunez fault, which lies in the Alcalde Hills 7.5-minute quadrangle, northwest of Coalinga in Fresno County. According to the 2035 Kings County General Plan, there are no known major fault systems within Kings County. The greatest potential for geologic disaster in Kings County is posed by the San Andres Fault, which is located approximately 40 miles west of project (Kings County, 2010). The distance from the nearest active faults precludes the possibility of fault rupture on the project site.

The Project site is located within an area designated as Zone V1 or Valley Zone 1, which is identified as the area of least expected seismic shaking (see Figure HS-2 on page HS-10 of the Health and Safety Element of the 2035 Kings County General Plan). The potential for ground shaking is discussed in terms of the percent probability of exceeding peak ground acceleration (% g) in the next 50 years (Kings County, 2010). The Project site's exceedance probability in the next 50 years is between 20-30%, which is the lowest within the county. Although the Project area could potentially experience ground shaking, the magnitude of the hazard would not be severe as indicated by the Health and Safety Element of the 2035 Kings County General Plan. Therefore, a less than significant impact would occur.

Liquefaction could result in local areas during a strong earthquake or seismic ground shaking where unconsolidated sediments and a high-water table coincide. The Project site is noted in Figure HS-2 Seismic Safety Map of the 2035 Kings County General Plan as an area not subject to potential liquefaction. The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure including liquefaction.

The Project site currently undeveloped and is essentially flat. Similarly, the surrounding area is predominately cultivated or uncultivated cropland, which experiences frequent disking. The site's topography would not change substantially as a result of project development. The Project site is located in an area as having "Low" (less than 1.5 percent of area involved) for landslide incidents (see Figure HS-3 California Landslide Hazards Map, 2035 Kings County General Plan) Since the site is essentially flat in nature from the existing agricultural activities with no surrounding slopes and it is not considered to be prone to landslides the

project would not expose people or structures to potential substantial adverse effects from landslides.

Based on this analysis, a less than significant impact would occur related to impacts from seismic ground shaking, liquefaction, earthquakes and landslides.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*.

Impact #3.4.6b – Would the Project result in substantial soil erosion or the loss of topsoil?

Soils underlying the Project consist almost entirely of Lethent Clay Loam, with small sections of Gepford Clay on the northern and southern ends of the Project and a small section of Tulare Clay at the extreme southeastern tip (Figure 3-1).

The proposed Project site components are 10,000 square foot, ground-level pad-supported pump station and a buried pipeline in an existing road right-of-way (Jackson Avenue), under a drainage ditch, and under a gravel-surfaced or unsurfaced access road. The development of the proposed facilities is not expected to subject the site to any extreme erosion problems.

As is noted in Impact #3.4.9 (a), the State Water Resources Control Board's (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit (No. 2012-0006-DWQ) for stormwater discharges associated with construction and land disturbance activities, the project proponent must develop and implement a Linear Underground Project Stormwater Pollution Prevision Plan (LUP SWPPP) that specifies best management practices (BMPs) to prevent construction pollutants, including erosion of soils (such as topsoil), from moving offsite. MM HYD-1 below requires the preparation and implementation of a SWPPP to comply with the Construction General Permit requirements. Therefore, with implementation of MM HYD-1, the project would have a less-than-significant impact on soil erosion and loss of topsoil.

MITIGATION MEASURE(S)

Implementation of HYD-1.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.6c – Would the Project 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 offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?

As previously discussed, the site soils are considered stable in that there is not a potential of on- or offsite landslides, lateral spreading, subsidence, liquefaction or collapse. The project is not located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project. Therefore, impacts would be less than significant.

MITIGATION MEASURES

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*.

Impact #3.4.6d – Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

The Project site and alignment are located in an area with clay loams, an expansive soil (see Figure 3-1). Expansive clay soils are subject to shrinking and swelling due to changes in moisture content over the seasons. These changes can cause damage or failure of foundations, utilities, and pavements. During periods of high moisture content, expansive soils under foundations can heave and result in structures lifting. In dry periods, the same soils can collapse and result in settlement of structures. According to the 2035 Kings County General Plan Health and Safety Element (see figure HS-4), the site is within the area identified as having expansive soil (County of Kings, 2010).

The on-grade pump station will be designed by qualified civil/structural engineers to resist pad deformity or failures. Compliance with the policies of the Kings County General Plan, Development Code, and the CBC would reduce potential site-specific impacts to less than significant levels. The pipeline poses no construction or operational hazards because of soil clay content.

MITIGATION MEASURES

No mitigation is required

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*.

Impact #3.4.6e – Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?

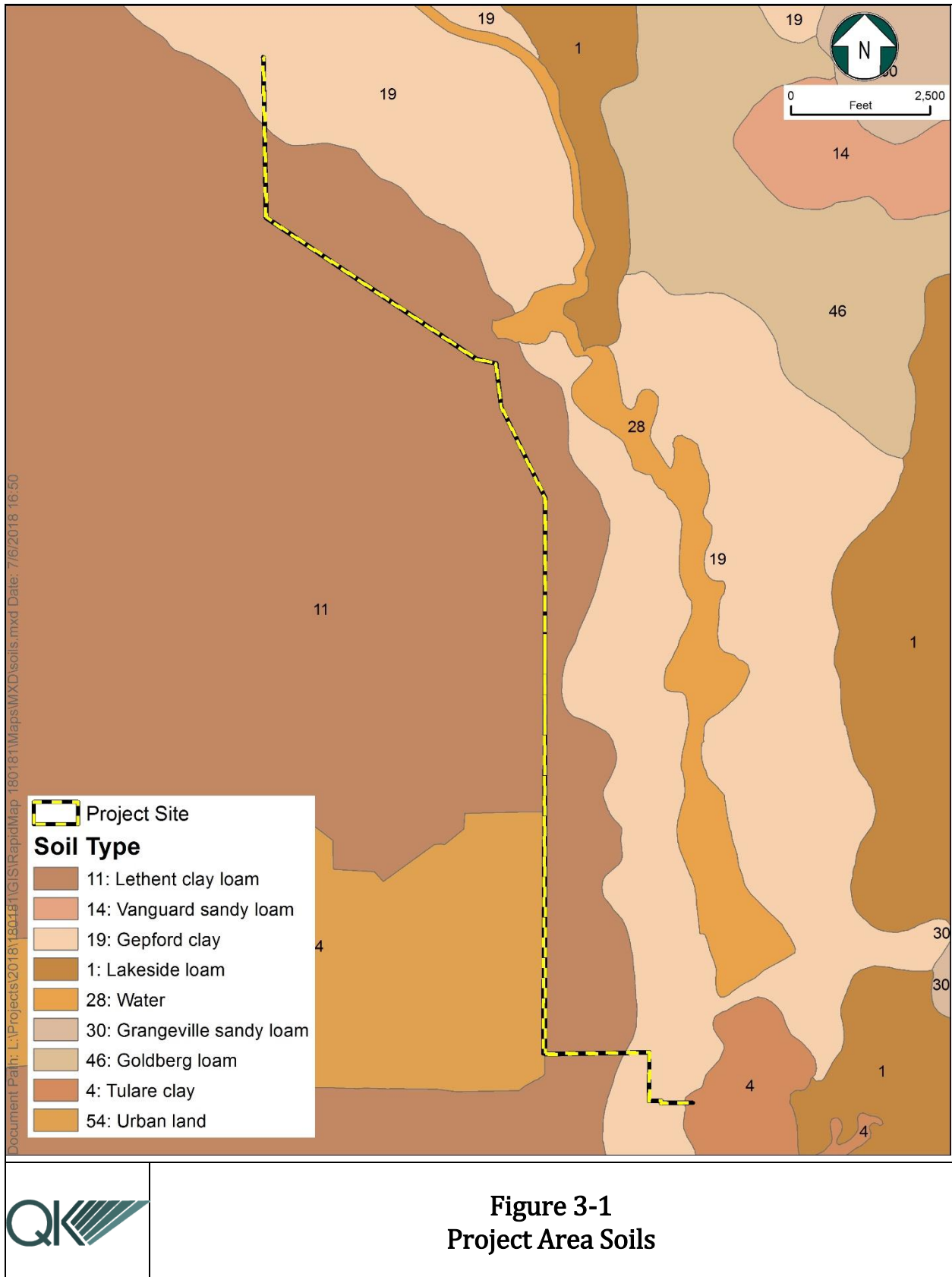
The Project does not include the installation or use of a septic system or alternative wastewater disposal system. Portable toilets will be provided to construction crews during construction activities. Once operational, maintenance staff will come from other existing facilities to do routine maintenance activities. Therefore, there would be no impact.

MITIGATION MEASURES

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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3.4.7 - GREENHOUSE GAS EMISSIONS

Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

The following analysis is based primarily on the Air Quality Impact Analysis (AQIA) prepared for this Project by Castle Environmental Consultants (Castle Environmental, 2018), included as Appendix A in this document.

Impact #3.4.7a and #3.4.7b – Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

There have been significant legislative and regulatory activities that directly and indirectly affect climate change and GHGs in California. The primary climate change legislation in California is AB 32, the California Global Warming Solutions Act of 2006. AB 32 focuses on reducing GHG emissions in California. GHGs, as defined under AB 32, include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and nitrogen trifluoride. AB 32 requires that GHGs emitted in California be reduced to 1990 levels by the year 2020. The California Air Resources Board (ARB) is the state agency charged with monitoring and regulating sources of emissions of GHGs that cause global warming in order to reduce emissions of GHGs. SB 32 was signed by the Governor in 2016, which would require the state board to ensure that statewide greenhouse gas emissions are reduced to 40% below the 1990 level by 2030.

One key element of the Scoping Plan is the Cap-and-Trade Program. It sets a statewide limit on sources responsible for 85 percent of California’s GHG emissions, and establishes a price signal needed to drive long-term investment in cleaner fuels and more efficient use of energy. The program is designed to provide covered entities the flexibility to seek out and implement the lowest cost options to reduce emissions. The program, which covers about 450 entities, started in 2013 for electricity generators and large industrial facilities emitting 25,000

metric tons (MT) CO₂e or more annually. It started in 2015 for distributors of transportation, natural gas, and other fuels. The Cap was set in 2013 at about 2 percent below the emissions level forecast for 2012. It declined about 2 percent in 2014, and will decline about 3 percent annually from 2015 to 2020 (Castle Environmental, 2018).

The proposed Project would produce emissions of GHGs during construction as a result of off-road equipment and on-road vehicle exhaust. The GHG emissions associated with proposed Project construction were calculated by CalEEMod and are presented in Table 3-4.

The proposed Project would also produce indirect emissions of GHGs during operation as a result of pump station electricity consumption. The GHG emissions associated with proposed Project operation are presented in Table 3-5. The emissions were calculated using CalEEMod-supplied emission factors for PG&E, the anticipated utility provider for the pump station.

Table 3-4
GHG Emissions Associated with Proposed Project Construction

Activity	Emission Rate (MT/yr) ^a			
	CO ₂	CH ₄	N ₂ O	CO ₂ e ^b
<i>Pipeline Installation</i>				
Fugitive Dust	0.0	0.000	0.000	0.0
Off-Road Equipment	108.2	0.034	0.000	109.1
On-Road Vehicles	11.4	0.001	0.000	11.5
<i>Subtotal - Pipeline Installation</i>	<i>119.7</i>	<i>0.035</i>	<i>0.000</i>	<i>120.5</i>
<i>Trench Resurfacing</i>				
Fugitive Dust	0.0	0.000	0.000	0.0
Off-Road Equipment	7.3	0.002	0.000	7.4
On-Road Vehicles	5.7	0.000	0.000	5.7
<i>Subtotal - Trench Resurfacing</i>	<i>13.0</i>	<i>0.003</i>	<i>0.000</i>	<i>13.1</i>
<i>Pump Station Installation</i>				
Fugitive Dust	0.0	0.000	0.000	0.0
Off-Road Equipment	47.5	0.015	0.000	47.9
On-Road Vehicles	2.1	0.000	0.000	2.1
<i>Subtotal - Pump Station Installation</i>	<i>49.6</i>	<i>0.015</i>	<i>0.000</i>	<i>50.0</i>
Total Construction Emissions^c	182.3	0.05	0.00	183.6

Notes:

a. Source: Castle Environmental, 2018. MT = metric ton = 1,000 kilograms = 1.1 tons.

b. CO₂e is carbon dioxide equivalent, calculated using global warming potentials (GWPs) from the 2007 IPCC's Fourth Assessment Report (AR4) and consistent with CalEEMod.2016.3.2. The GWPs for CH₄ and N₂O are 25 and 298, respectively.

c. Total construction emissions will take place within one rolling 12-month period (approximately 120 working days).

**Table 3-5
GHG Emissions Associated with Proposed Project Operations**

Source	Emission Rate (MT/yr) ^a			
	CO ₂	CH ₄	N ₂ O	CO _{2e} ^b
Pump Station Electricity Consumption (CEQA)	285.2	0.01	0.003	286.3

Notes:

a. Source: Castle Environmental, 2018. MT = metric ton = 1,000 kilograms = 1.1 tons.

b. CO_{2e} is carbon dioxide equivalent, calculated using global warming potentials (GWPs) from the 2007 IPCC's Fourth Assessment Report (AR4) and consistent with CalEEMod.2016.3.2. The GWPs for CH₄ and N₂O are 25 and 298, respectively

The SJVAPCD developed its significance criteria for GHG impacts (Castle Environmental, 2018). This document states that a Project's individual and cumulative GHG emissions impact would be considered less than significant if the Project complies with an approved GHG emission reduction plan or GHG mitigation program that avoids or substantially reduces GHG emissions within the geographic area in which the Project is located (Castle Environmental, 2018). In a discussion regarding the proposed Project, SJVAPCD staff agreed that the proposed Project would satisfy this criterion because the utility provider, PG&E, participates in the Cap-and-Trade program and therefore complies with the AB 32 Scoping Plan (Castle Environmental, 2018).

Therefore, under CEQA, the proposed Project's impact on GHG emission reduction planning efforts would be less than significant. Moreover, the proposed Project's GHG emissions impact would be less than significant both individually and cumulatively.

The strategies currently being implemented by CARB may help in reducing the Project's GHG emissions and are summarized in Table 3-6, below.

Additionally, the Project will help meet the 2030 Kings County General Plan Air Quality Element Air Quality/Greenhouse Gas policies AQ Policy E1.1.1. through AQ Policy E1.1.4 to promote and sustain ongoing efforts encourage the most efficient use of water and enhance agricultural activities (Kings County, 2010).

CEQA Guidelines §15130 notes that sometimes the only feasible mitigation for cumulative impacts may involve the adoption of ordinances or regulations rather than the imposition of conditions on a project-by-project basis. Global climate change is this type of issue. The causes and effects may not be just regional or statewide, they may also be worldwide. Given the uncertainties in identifying, let alone quantifying the impact of any single project on global warming and climate change, and the efforts made to reduce emissions of GHGs from the Project through design, in accordance with CEQA Section 15130, any further feasible emissions reductions would be accomplished through CARB regulations adopted pursuant to AB32. The majority of operational GHG emission increases associated with this Project result indirectly from electrical usage (99.5%) delivered from a supplier subject to the Cap-and-Trade regulation. Therefore, consistent with SJVAPCD Policies APR 2005 and APR 2025, the GHG emissions increases associated with this Project would have a less than significant individual and cumulative impact on global climate change.

**Table 3-6
CARB Strategies**

Strategy	Description of Strategy
Vehicle Climate Change Standards	AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by CARB in Sept. 2004.
Diesel Anti-Idling	In July 2004, CARB adopted a measure to limit diesel-fueled retail motor vehicle idling.
Other Light-Duty Vehicle Technology	New standards would be adopted to phase in beginning in the 2017 model year.
Alternative Fuels: Biodiesel Blends	CARB would develop regulations to require the use of 1% to 4% Biodiesel displacement of California diesel fuel.
Alternative Fuels: Ethanol	Increased use of ethanol fuel.
Heavy-Duty Vehicle Emission Reduction Measures	Increased efficiency in the design of heavy-duty vehicles and an educational program for the heavy-duty vehicle sector.

MITIGATION MEASURES

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.8 - HAZARDS AND HAZARDOUS MATERIALS				
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion**Impact #3.4.8a – Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

Project construction-related activities may involve the use and transport of hazardous materials. These materials may include fuels, oils, mechanical fluids, and other chemicals used during construction-related activities. As such, these materials are not anticipated to expose human health or the environment to undue risks associated with their use and no significant impacts will occur during construction activities.

Transportation, storage, use, and disposal of hazardous materials during construction activities will be required to comply with applicable federal, State, and local statutes and regulations. Transportation of hazardous materials is regulated by Department of Transportation and Caltrans. Together, federal and State agencies determine driver-training requirements, load labeling procedures, and container specifications designed to minimize the risk of accidental release. In addition, Cal/OSHA is responsible for developing and enforcing workplace safety standards, including the handling and use of hazardous materials. Compliance of applicable federal, State and local regulations would reduce impacts during temporary construction activities to less than significant levels.

Once operational, the Project would not require the transport or disposal of hazardous materials.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*.

Impact #3.4.8b – Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Kings County Department of Environmental Health Services is the Certified Unified Program Agency (CUPA) for the County. The CUPA unifies and consolidates the various requirements for businesses handling hazardous materials, generating or treating hazardous wastes, or operating aboveground or underground storage tanks, under one roof.

Construction and operational activities will also be required to comply with the California fire code to reduce the risk of potential fire hazards. All Project plans would comply with State and local codes and regulation. The Kings County and/or the City of Lemoore Fire Departments will be responsible for enforcing provisions of the fire code.

The proposed Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment and would therefore result in a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*.

Impact #3.4.8c – Would the Project emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The Project site is not located within a one-quarter mile of an existing school, as Akers Elementary School lies approximately 0.33 miles from the site. As previously discussed, all hazardous materials would be properly handled in accordance with applicable regulations. The proposed project would not emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Therefore, there would be no impact

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.8d – Would Project Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

An on-line search was conducted on March 5, 2018, of the California Environmental Protection Agency (CAL EPA) website for Cortese Act locations on or near the project site (Cal EPA, n.d.). The Department of Toxic Substances Control (DTSC) website indicated that there are no hazardous or toxic sites in the vicinity (within one mile) of the project site (Department of Toxic Substances Control, 2015). The State Water Resources Control Board GeoTracker indicated that there are no Permitted Underground Storage Tanks, Leaking Underground Storage Tanks, or any other cleanup sites on or in the vicinity (within one mile) of the project site (California Water Resources Board, n.d.). The project is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would not create a significant hazard to the public or the

environment. The project site is not within the immediate vicinity of a hazardous materials site and would not impact a listed site. Therefore, there would be no impact.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

MITIGATION MEASURE(S)

No mitigation is required.

Impact #3.4.8e – 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, result in a safety hazard for people residing or working in the project area?

The Project site is not located within the Kings County Airport Land Use Compatibility Plan (ALUCP) (County of Kings, 1994), is not within two miles of a public airport or public use airport and would not result in a safety hazard for people residing or working in the project area. The public airports covered under the ALUCP are the Hanford Municipal Airport, located approximately 13 miles northeast of the site and the Corcoran Airport, which is located approximately 21 miles southeast of the project. Therefore, there would be no impact.

The Project is located within the Naval Air Station Lemoore's (NASL) Joint Land Use Plan (JLUP) area (Naval Air Station Lemoore, 2011). The JLUP ensures that land use within the NAS Plan boundaries are compatible and do not conflict with ongoing military operation to protect public safety. The Project is outside the identified Accident Potential Zone I and Zone II (see JLUP Figure 2-4, page 2-7), and does not propose to construct any tall structures or install any equipment that might pose a threat to military flights or operations. As such, the Project would be a compatible use with the JLUP and would not constitute a safety hazard for people residing in the area nor military personnel.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.8f – For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

The Project is not located near a private airstrip. The nearest private air strips to the Project site are Jones Farms Airport and Stone Airstrip, located approximately four miles southeast and four miles northeast, respectively.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

MITIGATION MEASURE(S)

No mitigation is required.

Impact #3.4.8g –Would the Project impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?

Kings County has in place an emergency plan to cope with natural disasters that are statewide or happen locally. The County Fire Department and locally stationed California Department of Forestry (CDF) are well prepared to fight fires locally as well as statewide.

According to the Evacuation Routes identified within the Health and Safety Element of the 2035 Kings County General Plan (Figure HS-20, page HS-33), the proposed project is not located along a State Highway or designated arterial, which is used as an emergency evacuation route. The nearest designated primary evacuation route is SR 41, located approximately 3.5 mile east of the Project site. The proposed pipeline route runs near secondary emergency route SR 198.

The proposed Project does not involve a change to any emergency response plan. Access to the site is via Jackson Avenue. The pump station will be located just north of Jackson Avenue and south of SR 198. Construction of the proposed Project would not create an obstruction to surrounding roadways or other access routes used by emergency response units. The proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Therefore, no impact would occur.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.8h – Would the Project Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

The proposed Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. The Project site is located in an area identified by the 2035 Kings County General Plan Health and Safety Element (see Figure HS-9), as within 2400 m of a high or moderate threat (County of Kings,

2010), and is located within a Local Responsibility Area (LRA) and classified as being LRA unzoned (Cal Fire, 2012). Therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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3.4.9 - HYDROLOGY AND WATER QUALITY

Would the project:

a.	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on site or off site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.	Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f.	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g.	Place housing within a 100-year flood hazard area as mapped on a federal flood hazard boundary or flood insurance rate map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h.	Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| i. | Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j. | Contribute to inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

Impact #3.4.9a – Would the Project violate any water quality standards or waste discharge requirements?

Project construction would cause ground disturbance that could result in soil erosion or siltation and subsequent water quality degradation offsite, which is a potentially significant impact. Construction-related activities would also involve the use of materials such as vehicle fuels, lubricating fluids, solvents, and other materials that could result in polluted runoff, which is also a potentially significant impact. However, the potential consequences of any spill or release of these types of materials are generally small due to the localized, short-term nature of such releases during construction. The volume of any spills would likely be relatively small because the volume in any single vehicle or container would generally be anticipated to be less than 50 gallons.

As required by the State Water Resources Control Board’s (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit (No. 2012-0006-DWQ) for stormwater discharges associated with construction and land disturbance activities of linear, underground projects, a Linear Underground Project Stormwater Pollution Prevision Plan (LUP SWPPP) that specifies best management practices (BMPs) to prevent construction pollutants from contacting stormwater, with the intent of keeping all products of erosion from moving offsite must be developed and implemented. The project proponent is required to comply with the Construction General Permit because project-related construction activities result in soil disturbances of least one acre of total land area. MM HYD-1 below requires the preparation and implementation of a LUP SWPPP to comply with the Construction General Permit requirements.

Once constructed, the Project would assist in prevention of violation of any water quality standards or waste discharge requirements by providing treated wastewater access to a Regional Water Quality Control Board-approved recycled water agricultural irrigation reuse area.

With implementation of MM HYD-1, the project would not violate any water quality standards or waste discharge requirements (WDRs) during the construction period, and impacts would be less than significant.

MITIGATION MEASURE(S)

MM HYD-1: Prior to ground-disturbing activities, the project proponent shall prepare and implement a Linear Underground Project Stormwater Pollution Prevention Plan (LUP SWPPP) that specifies best management practices, with the intent of keeping all products of erosion from moving offsite. Additionally, the LUP SWPPP shall contain a visual monitoring program and a chemical monitoring program for non-visible pollutants to be implemented (if there is a failure of best management practices). The requirements of the SWPPP shall be incorporated into design specifications and construction contracts. Recommended best management practices for the construction phase may include the following:

- Stockpiling and disposing of demolition debris, concrete, and soil properly;
- Implementing erosion controls;
- Properly managing construction materials; and
- Managing waste, aggressively controlling litter, and implementing sediment controls.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.9b – Would the Project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?

The Tulare Lake Subbasin underlies the project site and it is estimated that 17 million acre-feet of groundwater is found within this Subbasin to a depth of 300 feet below ground surface (Department of Water Resources, 2003). This subbasin as identified as being critically overdrafted and subject to Sustainable Groundwater Management Act (SGMA) requirements and the newly formed Groundwater Sustainability Agencies. SGMA consists of three legislative bills and the legislation provides a framework for a long-term sustainable groundwater management across California. Local stakeholders have until 2020 to develop, prepare, and begin to implement the plan. GSAs will then have the responsibility to achieve groundwater sustainability. However, at this time, no additional requirements or implementation measures are applicable since a GSP has not been adopted within the subbasin.

During construction, a minimal amount of water will be used to control fugitive dust. Once operational, the Project would reduce the ongoing depletion of the groundwater resource by supplementing well water usage with recycled water to irrigate cultivated farmland. The project's construction would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. When implemented, the Project will provide a beneficial use of recycled water, which could potentially allow for the increase of the groundwater water table. Impacts would be less than significant

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*.

Impact #3.4.9c – Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?

As noted previously, the pipelines will cross several existing irrigation drainages or canals. As proposed, the pipeline will be installed under the drainages, however impacts are limited to four ditches that occur on the Project site, totaling 1.137 acres.

Implementation of MM BIO-9 would require a delineation of the bed and bank of the drainages prior to commencement of pipeline construction. Applications for the appropriate permits would be obtained prior to any construction activities. Implementation of MM BIO-9 would reduce impacts including the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or offsite to less than significant

MITIGATION MEASURE(S)

Implementation of MM BIO-9.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.9d – Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on site or off site?

Please see Response (c) above.

MITIGATION MEASURE(S)

Implementation of MM BIO-9.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.9e – Would the Project create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Please see response (a) above. Therefore, the project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. With implementation of MM HYD-1, impacts would be less than significant.

MITIGATION MEASURE(S)

Implementation of MM HYD-1.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant with mitigation incorporated.*

Impact #3.4.9f - Otherwise substantially degrade water quality?

The Project will improve rather than degrade water quality. As noted in Response (a) above, the Project would not otherwise substantially degrade water quality. With implementation of MM HYD-1, impacts would be less than significant.

MITIGATION MEASURE(S)

Implementation of MM HYD-1.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant with mitigation incorporated.*

Impact #3.4.9g – Would the Project place housing within a 100-year flood hazard area as mapped on a federal flood hazard boundary or flood insurance rate map or other flood hazard delineation map?

Almost all of the Project is situated within a Federal Emergency Management Agency (FEMA) area of minimal flood hazard (Figure 3-2). Small sections in the extreme north and south ends of the Project fall within FEMA areas of 0.2% and 1% annual chance of flood hazard. However, the pipeline will be placed underground and would not impede or affect floodwaters.

The Project does not include the placement within a 100-year flood hazard area of either housing or structures which would impede required flood flows. It does not expose any people or structures to a significant loss, injury or death as a result of a failure of a levee or dam; it involves no resident workers who would require such housing.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.9h – Would the Project place within a 100-year flood hazard area structures that would impede or redirect flood flows?

See response to Impact (g) above. The only proposed structure is a small, 100 feet by 100 feet pump station housing enclosure located approximately 400 feet west of the Kings River flood flow channel and outside of the 100-year flood hazard zone.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

MITIGATION MEASURE(S)

No mitigation is required.

Impact #3.4.9i – Would the Project expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?

According to the *2035 Kings County General Plan Health and Safety Element Flood Hazards Area map* (Figure HS-7, page HS-16), the Project site is located just outside the Pine Flat Dam inundation zone (Kings County, 2010). If Pine Flat Dam failed while at full capacity, floodwaters would arrive in Kings County within approximately five hours (Kings County, 2010). This would give any employee who happened to be on site ample time to reach an area away from the inundation zone. The pumphouse structure could be easily repaired and would not pose a significant risk. Therefore, the project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding because of the failure of a levee or dam. Impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*.

Impact #3.4.9j – Would the Project contribute to inundation by seiche, tsunami, or mudflow?

The project site is not located near the ocean or a steep topographic feature (i.e., mountain, hill, bluff, etc.). Therefore, there is no potential for the site to be inundated by tsunami or mudflow. Additionally, there is no body of water within the vicinity of the project site. There is no potential for inundation of the project site by seiche¹.

Therefore, the project would not contribute to inundation by seiche, tsunami, or mudflow. There would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

¹ A seiche is a standing wave in an enclosed or partially enclosed body of water that is often generated due to a significant seismic event.

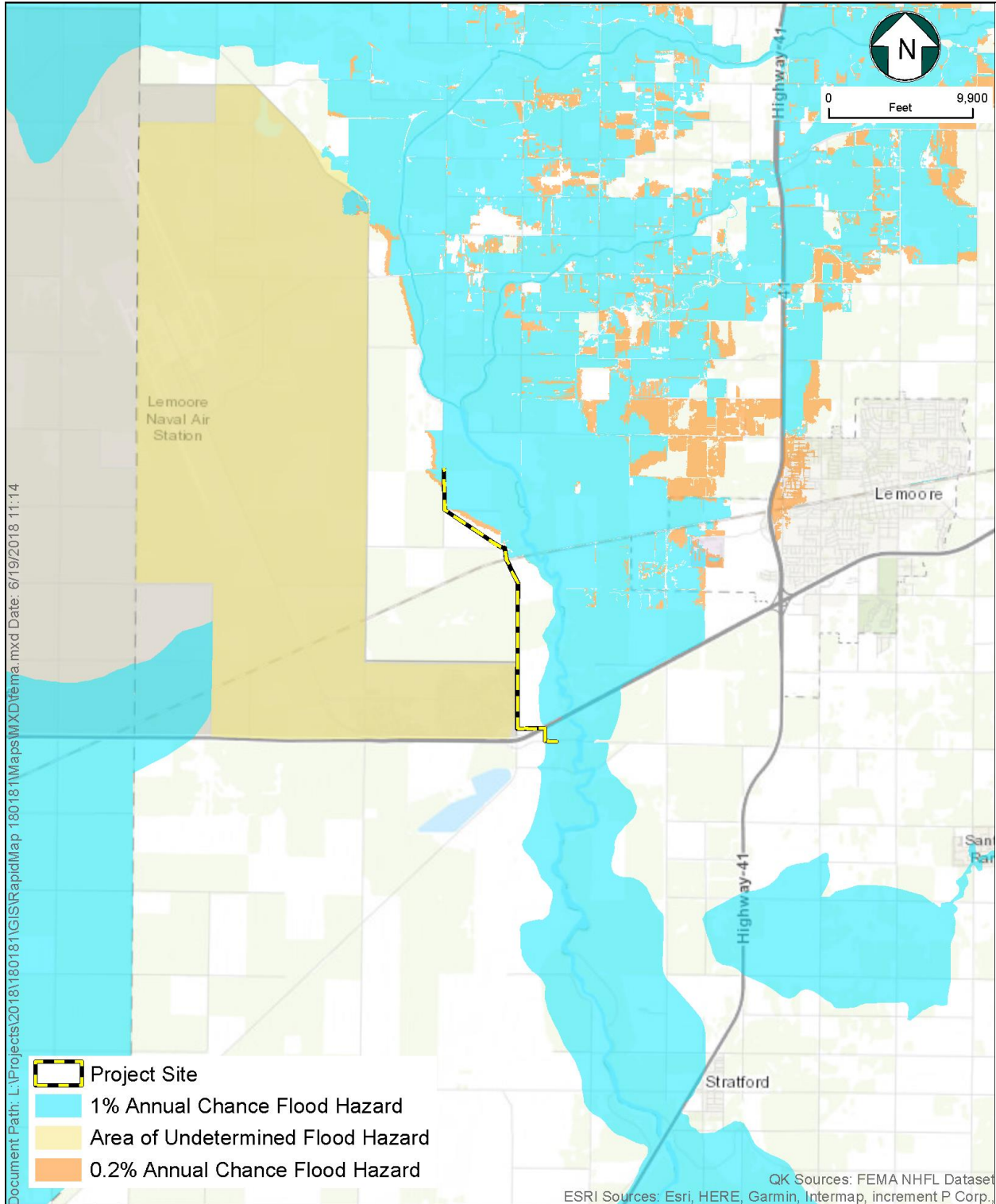


Figure 3-2
FEMA Flood Zones

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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3.4.10 - LAND USE AND PLANNING

Would the project:

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. | Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. | Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal Program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. | Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

Impact #3.4.10a – Would the Project physically divide an established community?

The project is in a rural area with predominately cultivated fields and other agriculturally related operations. There is a small community that houses NAS- Lemoore personnel to the west of the Project.

The Project proposed to construct and operate a water pipeline and pumping station on a small portion of undeveloped land; pipelines would be constructed within existing road rights of way or on private property. The Project does not include the construction of roads or any other physical barrier that would divide a community. The Project would not result in any surrounding land use change; therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.10b – Would the Project Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The Project site has a General Plan land use designation of General Agriculture (AG20) and is zoned General Agriculture-20 District (AG20) According to Section 407. Land Use Regulations- Table 4-1 of the Kings County Development Code, irrigation, flood control and drainage facilities, groundwater evaporation ponds are permitted within the AG-20 (General Agriculture-20) Zone District. Therefore, the facility would be consistent with applicable land use policies and regulations and impacts would be less than significant. The proposed Project would not conflict with an applicable land use plan, policy, or regulation of Kings County.

However, the Project property owner has a private conservation agreement with the US Department of Agricultural National Resources Conservation Service (NRCS) to protect agricultural soils on a portion of the Project area (Figure 3-3). The agreement may require modification in order to accommodate the proposed Project, which would allow for a pipeline and pumping station to bring recycled water for irrigation and recharge purposes. As proposed, the Project is consistent with NRCS goals to protect and enhance agricultural operations, reduce soil erosion, enhance water supplies and water quality, and while supporting crop production (US Department of Agriculture, 2018).

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*.

Impact #3.4.10c – Would the Project Conflict with any applicable habitat conservation plan or natural community conservation plan?

The Project site is not within the boundaries of an adopted habitat or natural community conservation plan. Therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

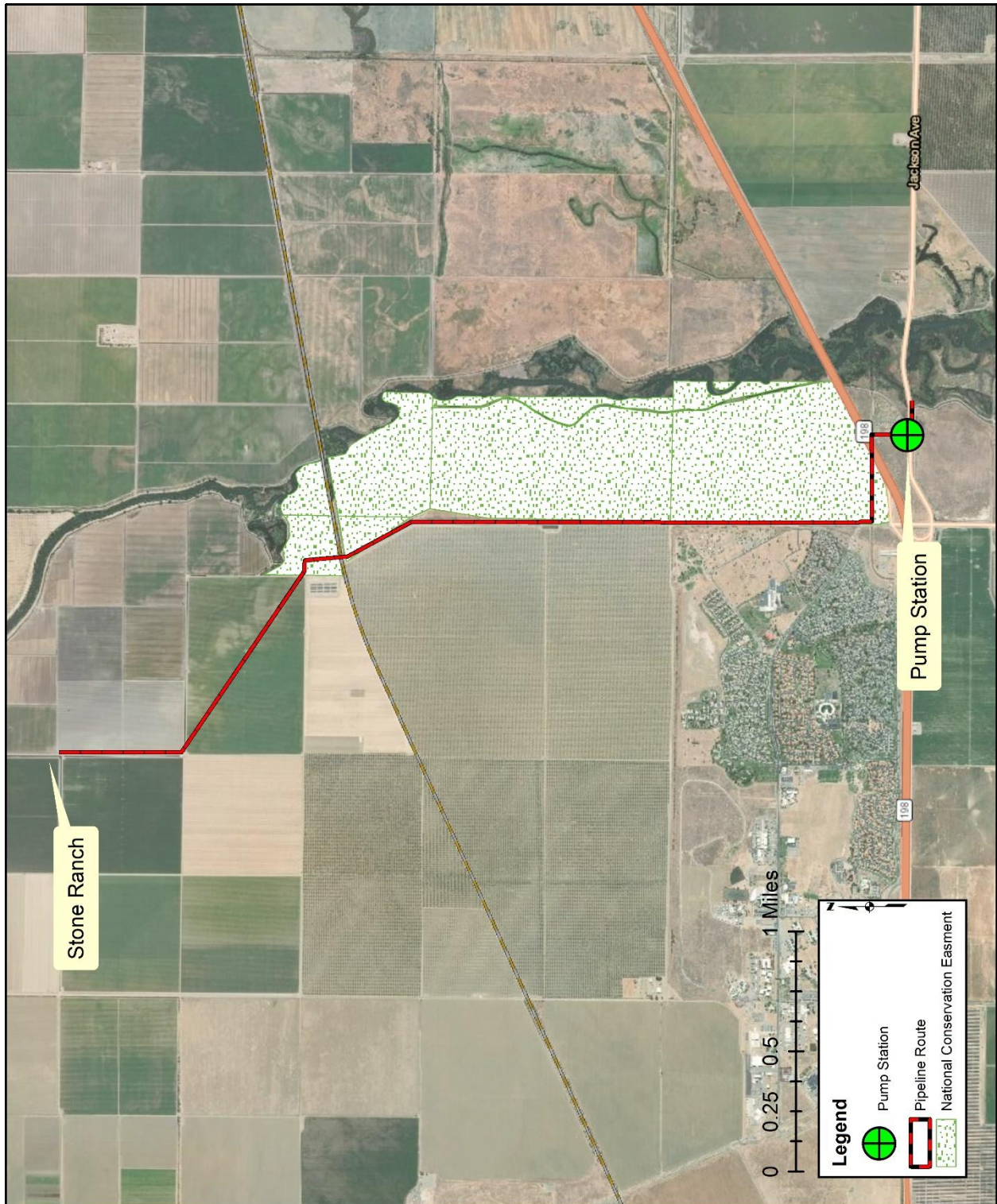


Figure 3-3
NRCS Conservation Agreement – Project Pipeline Relationship

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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3.4.11 - MINERAL RESOURCES

Would the project:

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

Impact #3.4.11a – Would the Project 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?

Neither the project site nor the surrounding area is designated as a Mineral Resources Zone by the State Mining and Geology Board (SMGB), the 2035 Kings County General Plan, nor is it currently being utilized for mineral extraction. The project is associated with existing agricultural purposes and the project design does not include mineral extraction. The project would not 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 and would therefore have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.11b – Would the Project 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?

The 2035 Kings County General Plan states that few commercial mining and mineral extraction activities occur in the county and currently, only limited excavation of soil, sand and some gravel is used for commercial purposes (Kings County, 2010). Additionally, the general plan does not designate the site for mineral and petroleum resources activities. The

project site and surrounding lands are zoned for agriculture uses. No mining occurs in the project area or in the nearby vicinity and there are no anticipated mineral extraction activities to be conducted in the future as a result of the project. The project would not 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 and would therefore have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.12 - NOISE				
Would the project result in:				
a. Exposure of persons to, or generate, noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generate excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

Impact #3.4.12a – Would the Project result in exposure of persons to, or generate, noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?

Few sensitive land uses are present within the surrounding project area. Land uses deemed sensitive by the State of California include schools, hospitals, rest homes, and long-term care and mental care facilities, which are considered to be more sensitive to ambient noise levels than others. The nearest residential land uses include houses located approximately 150 feet west from the pipeline route and 900 feet west of the pump station. The Project site is near established farmland and agriculturally related businesses, as well as military operations

from nearby NAS- Lemoore. The noise generated by these uses are considered baseline. The surrounding residential developments are most likely utilized by military personnel, who are accustomed to agricultural and military-related noise generated in the area.

The Project will involve short term construction noise associated with pipeline trenching and installation, trench compaction and gravel-surface replacement over the trench. Such noise emanation will be of relatively brief duration.

Construction equipment may create noise levels in the order of 90 dBA at 50 feet; resulting noise levels would be significantly less at the affected residences (all of which endure 70 dBA ground-level jet noise). The cumulative period of construction noise exposure for such residences during pipeline trenching, trench compaction, and surfacing replacement will be four or five days.

Once operational, the Project noise generated would include sporadic maintenance vehicles and the operation of the stationary pump motors within the pump station structure. Operation of pipelines would not result in any discernible noise.

The 2035 Kings County General Plan identifies that there are numerous active agricultural uses within the County protected by the County's Right-to-Farm Ordinance, which recognizes that "...agricultural activities and operations, including, but not limited to, equipment and animal noise...are conducted on a 24-hour a day, seven days a week basis..." in agricultural areas of the County (Kings County, 2010). The General Plan concludes that normal and usual agricultural operation creating elevated sound levels are not normally considered a nuisance. However, the Noise Element of the General Plan focuses on two goals to control fixed-source noise issues. These goals are to prevent the introduction of new noise-producing uses in noise-sensitive areas, and to prevent encroachment of noise-sensitive uses upon existing noise-producing facilities. Table N-8 of the Noise Element provides non-transportation noise standards.

This generated noise is consistent with the County's General Plan Noise Element and Right-to-Farm Ordinance. Operation of the facility would not generate noise levels above the existing levels in the project area as minimal equipment would be utilized and the project is within an area of similar and compatible agricultural uses.

There are no specific construction noise measures established by Kings County. However, the construction of the proposed project would be temporary and would generally occur between 7:00 a.m. to 6:00 p.m., five (5) days a week for approximately four to five months. Additional hours may be necessary to make up schedule deficiencies, or to complete critical construction activities. Construction of the proposed expansion will mostly consist of site preparation, site excavation, grading, and installation of the pump station. Pipeline installation will require trenching and compaction activities. No demolition or pile-driving will occur during the construction phase of the Project.

Given the existing agricultural nature of surrounding facility operations, noise levels are not anticipated to increase beyond a perceptible level by sensitive receptors. Therefore, these

increases in ambient noise are considered less than significant and consistent with applicable standards.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*.

Impact #3.4.12b – Would the Project result in exposure of persons to or generate excessive groundborne vibration or groundborne noise levels?

The proposed project is expected to create temporary ground-borne vibration as a result of the construction activities (during site preparation and grading). According to the U.S. Department of Transportation, Federal Railroad Administration, vibration is sound radiated through the ground. The rumbling sound caused by the vibration is called ground-borne noise. The ground motion caused by vibration is measured as particle velocity in inches per second and is referenced as vibration decibels (VdB). The background vibration velocity level in residential areas is usually around 50 VdB. A list of typical vibration-generating equipment is shown in Table 3-7.

**Table 3-7
Different Levels of Ground-borne Vibration**

Vibration Velocity Level	Equipment Type
104 VdB	Pile Driver (impact), typical
93 VdB	Pile Driver (sonic), typical
94 VdB	Vibratory roller
87 VdB	Large bulldozer
87 VdB	Caisson drilling
86 VdB	Loaded trucks
79 VdB	Jackhammer
58 VdB	Small bulldozer

Source: (Federal Transit Administration , 2006)

Note: 25 feet from the corresponding equipment.

The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity level of 75 VdB is the approximately dividing line between barely perceptible and distinctly perceptible levels for many people.

Typical outdoor sources of perceptible ground-borne vibration are construction equipment and traffic on rough roads. For example, if a roadway is smooth, the ground-borne vibration from traffic is rarely perceptible.

Typically, ground-borne vibration generated by construction activity attenuates rapidly with distance from the source of the vibration. Therefore, vibration issues are generally confined to distances of less than 500 feet (U.S. Department of Transportation, 2005). Residences are located within 150 feet of the proposed Project pipeline and approximately 900 feet from the pump station site. Potential sources of temporary vibration during construction of the proposed project would be minimal and would include transportation of equipment to the site, and operation of equipment during short term construction of the pump station and pipeline.

Construction activity would include various site preparation, grading, in fabrication, and site cleanup work. Construction would not involve the use of equipment that would cause high ground-borne vibration levels such as pile-driving or blasting. Once constructed, the proposed Project would not have any components that would generate high vibration levels. Thus, construction and operation of the proposed Project would not result in any vibration and impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*.

Impact #3.4.12c – Would the Project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

As discussed in Impact #3.4.12(a) above, operation of the facility would not generate permanent ambient noise levels above the existing levels in the project area as minimal equipment would be utilized and the project is within an area of similar and compatible agricultural uses. Therefore, the impact would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*.

Impact #3.4.12d – Would the Project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Please see Response (a), above.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*

Impact #3.4.12e – Would the Project result in 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 expose people residing or working in the project area to excessive noise levels?

The Project site is not located within the Kings County Airport Land Use Compatibility Plan (ALUCP) (County of Kings, 1994), is not within two miles of a public airport or public use airport and would not result in a safety hazard for people residing or working in the project area. The public airports covered under the ALUCP are the Hanford Municipal Airport, located approximately 13 miles northeast of the site and the Corcoran Airport, which is located approximately 21 miles southeast of the project. Therefore, there would be no impact.

The Project is located within the Naval Air Station Lemoore's (NASL) Joint Land Use Plan (JLUP) area (Naval Air Station Lemoore, 2011). The JLUP ensures that land use within the NAS Plan boundaries are compatible and do not conflict with ongoing military operation to protect public safety. The Project is outside the identified Accident Potential Zone I and Zone II (see JLUP Figure 2-4, page 2-7), and does not propose to construct any tall structures or install any equipment that might pose a threat to military flights or operations. As such, the Project would be a compatible use with the JLUP and would not constitute a safety hazard for people residing in the area nor military personnel.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.12f – Would the Project result in for a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

The Project is not located near a private airstrip. The nearest private air strips to the Project site are Jones Farms Airport and Stone Airstrip, located approximately four miles southeast and four miles northeast, respectively.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less- than Significant Impact	No Impact
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3.4.13 - POPULATION AND HOUSING

Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

Impact #3.4.13a – Would the Project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Construction of the Project is on existing roadways, private farmland and a small undeveloped portion of property. No demolition of existing structures is required. Construction will be of short duration, and existing local construction staff will be utilized to the extent possible.

During operation, the proposed Project requires no permanent on-site staff. Operations will be monitored remotely, and existing maintenance staff would be dispatched to the site on an as-needed basis during operation. No increase in on-site employees is required for the proposed expansion. The project would not induce substantial population growth in the area, either directly or indirectly and would therefore result in a less than significant impact.

MITIGATION MEASURE(S)

No mitigation is required

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.13b – Would the Project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

As discussed above, operations and maintenance would be conducted on an as-need basis by existing staff. The project will not require demolition of housing or encourage population growth. The proposed project would not displace substantial numbers of existing housing and would therefore result in no impact.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

MITIGATION MEASURE(S)

No mitigation is required.

Impact #3.4.13c – Would the Project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Please see Responses #3.4.13 (a) and (b), above.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

MITIGATION MEASURE(S)

No mitigation is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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3.4.14 - PUBLIC SERVICES

Would the project:

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

i.	Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii.	Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii.	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv.	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v.	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

Impact #3.4.14a(i), (ii), (iii), (iv), (v) – Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services?

The Project's construction is of short term duration (approximately 3 to 4 months). Construction and operation of the proposed Project would not be expected to result in an increase in demand of fire or police protection services leading to the construction of new or physically altered facilities.

The proposed Project would not increase the number of residents in the County, since the project does not include residential units and construction staff will come from the area. Therefore, the Project would have no impact on existing parks or other public facilities.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.15 - RECREATION				
Would the project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

Impact #3.4.15a – Would the Project Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

The Project’s construction is of short duration (approximately 3 to 4 months), and it is anticipated that construction workers will come from the existing workforce in the area. Thus, it would not generate an additional need for new recreation facilities; construction workers would not move or resettle for a project of this limited length. Project operation will require no new personnel.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.15b – Would the Project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment: Please see response to Impact #3.4.15a.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

MITIGATION MEASURE(S)

No mitigation is required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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3.4.16 - TRANSPORTATION AND TRAFFIC

Would the project:

a.	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Conflict with an applicable congestion 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

Impact #3.4.16a – Would the Project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking

into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

The proposed project is located in a rural, sparsely populated area that does not have high traffic volume. As proposed, the Project does not include the construction of new intersections, streets, highways and freeways, pedestrian and bicycle paths, or mass transit, nor would the project impact or degrade the existing transit infrastructure of the area.

Construction of the proposed Project is temporary and would take approximately 3-4 months to complete and would typically be scheduled between 7 a.m. and 6 p.m., Monday through Friday. The workforce required for construction is expected to be drawn from local or regional labor pools. It is assumed that the average construction workforce would be between approximately 10 to 12 persons, that averages about 5-6 ADT.

It is also anticipated there will be parts, materials and equipment delivered to the job site throughout construction, made by large heavy-haul transport trucks during the workdays. There is assumed to be one to two trucks per day during the peak construction period.

Once operational, there will be no permanent staff at the facility. Routine maintenance and operations activities will be conducted by one staffperson who will make sporadic visits to the pump station to maintain equipment.

The Circulation Element of the 2035 Kings County General Plan designates a peak-hour Level of Service (LOS) of "D" as the threshold for acceptable traffic operations for the Kings County road network (Kings County, 2010). The Project site would be accessed from SR 198 at Jackson Highway. Construction and operational traffic would use Jackson Highway, a minor arterial, and the majority of traffic to the site would use SR 198 and SR 41. According to the Circulation Element Figure C6, SR 198 Jackson Highway has a daily volume of 7,700 vehicles and SR 198 has an ADT of 18,500.

The minimal increase of 7-11 daily trips anticipated by the proposed Project during construction and the infrequent employees trips for maintenance of the pump equipment would not interrupt the flow of traffic or degrade the existing LOS condition.

The proposed Project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system. The proposed project is consistent with the Kings County General Plan Circulation Element (County of Kings, 2010) and Kings County Regional Transportation Plan (LSC, 2015); therefore, the proposed project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*

Impact #3.4.16b – Would the Project conflict with an applicable congestion 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?

As discussed in Response 3.4.16 (a), the proposed Project would not result in degrading the current LOS condition. There would be a slight increase in ADT during short-term construction and a negligible increase in ADT for operations activities. This increase is considered nominal as it would not result in a lower LOS for the surrounding roadway system. The proposed Project would not conflict with an applicable congestion management program or other standards established by the county congestion management agency for designated roads or highways. Therefore, the impact would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*

Impact #3.4.16c – Would the Project 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?

According to the Circulation Element of the 2035 General Plan, the proposed Project is not within the vicinity of any private or public airport and would therefore not result in a change in air traffic patterns (Kings County, 2010). Therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.16d – Would the Project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The Project would utilize existing roadways and no new roads are being proposed as part of the project design. Therefore, the Project would not substantially increase hazards due to a design feature or incompatible uses and would have no impact. Please see also Response #3.4.16 (a), above.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.16e – Would the Project result in inadequate emergency access?

Construction and operation of the proposed project would not interfere with emergency access for emergency vehicles or nearby uses as all activities would be conducted on the site and would not interfere with the adjacent street traffic. The Project's design and construction contract specifications will incorporate all essential provision for construction timing and controls to minimize to less than significant any potential impacts on traffic usage of Jackson Highway, and traffic access from State Route 198 and the 198/Avenal cutoff interchange to the Naval Air Station Lemoore east entrance, including pipeline location east of the travel lanes and work hour/work term limitations and pipeline directional boring under Jackson Avenue and State Route 198.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project would have a *less than significant impact*.

Impact #3.4.16f – Would the Project Conflict with adopted policies, plans, or Programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

No new facilities are proposed that would increase hazards or create barriers for transit systems, pedestrians or bicyclists. The Project site is located in a rural, agricultural area in Kings County, which does not contain active transportation facilities nor is it located adjacent to more urbanized areas that would promote active transportation. The Project would not conflict with adopted policies, plans, or Programs regarding existing or planned public transit, bicycle, or pedestrian facilities, including the Circulation Element of the 2035 Kings County General Plan (Kings County, 2010), the 2011 Kings County Regional Bicycle Plan (KCAG, 2011), or the 2015 Kings County Transit Development Plan (LSC, 2015), or otherwise decrease the performance or safety of such facilities. As such, the Kings County General Plan does not include any planned or future public transit or non-motorized transportation facilities along the streets adjacent to the project area. Therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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3.4.17 - TRIBAL CULTURAL RESOURCES

Would the project:

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, 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:

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| i. 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), or | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ii. 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion

Impact #3.4.17a(i) – Would the project cause a substantial adverse change in the significance of a tribal cultural resource, 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 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)?

Please see response to Impact #3.4.5(a). above. The lead agency has not yet received a response from a tribal group requesting notice regarding City projects or indicated that the

Project would impact tribal cultural resources. With implementation of Mitigation Measures MM CUL-1 and MM CUL-3, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources.

MITIGATION MEASURE(S)

Implementation of MM CUL-1 through MM CUL-3.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant with mitigation incorporated*.

Impact #3.14.17a(ii) - Would the project cause a substantial adverse change in the significance of a tribal cultural resource, 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 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Please see response to Impact #3.4.5(a) above. With implementation of Mitigation Measures MM CUL-1 and MM CUL-3, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is 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.

MITIGATION MEASURE(S)

Implementation of MM CUL-1 through MM CUL-3.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant with mitigation incorporated*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
3.4.18 - UTILITIES AND SERVICE SYSTEMS				
Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in a determination by the wastewater treatment provider that serves 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

Impact #3.4.18a – Would the Project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

The Project proposes a new treated wastewater conveyance facility that will permit Leprino Foods and the City of Lemoore to maintain continued compliance with Regional Water

Quality Control Board requirements. See also Impact #3.4.9-*Hydrology and Water Quality* for a discussion of wastewater disposal and compliance with RWQCB requirements. The Project would not necessitate the RWQCB to expand their facilities and would not exceed wastewater treatment requirements of the applicable RWQCB.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*.

Impact #3.4.18b – Would the Project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects:

The Project will not require the construction of new water or wastewater treatment facilities. The Project will require up to 10 employees during temporary construction-related activities, and no permanent onsite employees will be required during day-to-day operations.

During construction, temporary, portable toilet facilities will be provided for construction-workers and disposed of at an approved site in compliance with Kings County Environmental Health Department policies. The applicant will contract with a local service provider to dispose of the wastewater at an approved wastewater treatment plant. It is estimated that there would be one portable toilet with a 50-gallon tank at the project site during construction-related activities. Please see also Response #3.4.18 (a).

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SERVICE

The Project impacts would be *less than significant*.

Impact #3.4.18c – Would the Project 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?

The increase in onsite stormwater runoff from the proposed Project will be minimal and is the result of a small increase in impervious surfaces from the pump station. The pipeline will be unpaved and therefore allows for water to percolate back into the ground.

The site engineering and design plans for the proposed Project would be required to implement BMPs, comply with applicable local regulations, development standards and

compliance with the NPDES General Permit. Implementation of MM HYD-1 would reduce impacts on to less than significant.

MITIGATION MEASURE(S)

Implementation of MM HYD-1.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant within mitigation incorporated*.

Impact #3.4.18d – Would the Project have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed?

The Project will use minimal water during construction for dust control. Once operational, the Project would reduce existing demand for groundwater pumping by augmenting with recycled water for the irrigation of fodder crops.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.18e – Would the Project result in a determination by the wastewater treatment provider that serves 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?

Construction of the project would generate a minimal volume of wastewater. During construction activity, wastewater would be contained within portable toilet facilities and disposed of at an approved disposal site. The Kings County Environmental Health Department is responsible for monitoring the use of portable toilet facilities, and a condition of approval would require the project proponent to provide documentation of a portable toilet pumping contract. No offsite sewage or disposal connections to a municipal sewer system exist or are proposed, and impacts would be less than significant.

The proposed project does not include the construction of a septic system. Once operational no permanent staff will be on site. The proposed project impacts would be considered less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*

Impact #3.4.18f – Would the Project be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?

The proposed Project is not expected to generate a substantial amount of waste that would exceed the capacity of local landfills. Materials brought to the project site would be used to construct facilities, and few residual materials are expected. Non-hazardous construction refuse and solid waste would be either collected and recycled or disposed of at a local landfill. Any hazardous waste generated during construction would be disposed of at an approved location.

The Kings Waste and Recycling Authority (KWRA) manages the materials recovery facility located off of SR 43, approximately 16 miles northeast of the Project. The KWRA facility continues to implement efforts to recycle and re-use material to divert waste from entering the landfills.

According to the 2035 Kings County General Plan Program EIR, the B-17 landfill can accommodate up to 2,000 tons/day of solid waste. The increase in solid waste generated by the project is minimal, and would not exceed the daily permitted capacity of B-17 landfill. Currently, the B-17 landfill has a maximum permitted capacity of 18,400,000 cubic yards with a remaining capacity of 17,468,595 cubic yards (CalRecycle, 2017). As such, adequate landfill capacity is available to serve the additional development that could occur throughout majority of the life of the 2035 General Plan, up to the year 2030.

Construction of the proposed project would produce little solid waste because no demolition activities would take place. Instead, materials would be brought to the site and used for construction of the Project. The small amounts of residual refuse and debris, as well as any discarded materials, would be taken to the Kings Waste and Recycling Authority (KWRA) landfill for disposal. Because the proposed project would generate only a minimal amount of waste, it would not be expected to affect nearby County landfills significantly. KWRA manages the materials recovery facility located east of State Route 43, just south of Hanford Armona Road. The KWRA facility continues to implement efforts to recycle and re-use material to divert waste from entering the landfills.

Other solid waste generated would be typical items associated with agricultural activities and rural residential use. The KWRA provides services through multiple individual providers to the project site and the available solid waste facilities within Kings County. Impacts would be less than significant

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*.

Impact #3.4.18g – Would the Project comply with federal, state, and local statutes and regulations related to solid waste?

The proposed project would not generate solid waste during construction and operation, and would not require a waste reduction and recycling measure. The 1989 California Integrated Waste Management Act (AB 939) requires Kings County to attain specific waste diversion goals. In addition, the California Solid Waste Reuse and Recycling Access Act of 1991, as amended, requires expanded or new development projects to incorporate storage areas for recycling bins into the proposed project design. The project would comply with the 1989 California Integrated Waste Management Act and the 1991 California Solid Waste Reuse and Recycling Access of 1991, as amended, as well as the rules of the contracted waste franchise, which is the Kings Waste and Recycling Authority. The project is also subject to Chapter 13 of the Kings County Municipal Code that regulates all solid waste activities from disposal, sorting and recycling of materials.

According to CalRecycle, the implementation of the local requirements has led to Kings County meeting their required diversion and disposal targets. Therefore, the implementation and compliance with the local regulations would lead to a less than significant impact for the project (California Department of Resources Recycling and Recovery, 2017). The proposed project would be required to comply with all federal, State, and local statutes and regulations related to the handling and disposal of solid waste. Therefore, implementation of the proposed project would result in less than significant impacts.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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3.4.19 - MANDATORY FINDINGS OF SIGNIFICANCE

a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Does the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

Impact #3.4.19a – 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, substantially 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?

As evaluated in this IS/MND, the proposed Project would not substantially 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 an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory. Mitigation measures have been included to lessen the significance of

potential impacts. Similar mitigation measures would be expected of other projects in the surrounding area, most of which share similar cultural paleontological and biological resources. Consequently, the incremental effects of the proposed Project, after mitigation, would not contribute to an adverse cumulative impact on these resources. Therefore, the project would have a less-than-significant impact with mitigation incorporated.

MITIGATION MEASURE(S)

Implementation of MM BIO-1 through MM BIO-9, MM CUL-1 through MM CUL-3, and MM HYD-1.

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.19b - Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

As described in the impact analyses in Sections 3.4.1 through 3.4.18 of this IS/MND, any potentially significant impacts of the proposed Project would be reduced to a less-than-significant level following incorporation of the mitigation measures listed in the *Mitigation Monitoring and Reporting Program*. All planned projects in the vicinity of the proposed project would be subject to review in separate environmental documents and required to conform to the 2035 Kings County General Plan, the Kings County Development Code, mitigate for project-specific impacts, and provide appropriate engineering to ensure the project meets all applicable federal, State and local regulations and codes.

As currently designed, and with compliance of the recommended mitigation measures, the proposed Project would not contribute to a cumulative impact. Thus, the cumulative impacts of past, present, and reasonably foreseeable future projects would be less than cumulatively considerable.

MITIGATION MEASURE(S)

Implementation of MM BIO-1 through MM BIO-9, MM CUL-1 through MM CUL-3, and MM HYD-1

LEVEL OF SIGNIFICANCE

The Project impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.19c - Does the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?

The ways in which people can be subject to substantial adverse effects from projects include: potential exposure to significant levels of local air pollutants; potential exposure to seismic and flooding hazards; potential exposure to contamination from hazardous materials; potential exposure to traffic hazards; and potential exposure to excessive noise levels. The risks from these potential hazards would be avoided or reduced to less than significant levels through compliance with existing laws, regulations, or requirements. All of the Project's impacts, both direct and indirect, that are attributable to the Project were identified and mitigated to a less than significant level. As shown in the *Mitigation Monitoring and Reporting Program*, the project proponent has agreed to implement mitigation substantially reducing or eliminating impacts of the project.

Therefore, the proposed project would not either directly or indirectly cause substantial adverse effects on human beings because all potentially adverse direct impacts of the proposed project are identified as having no impact, less than significant impact, or less than significant impact with mitigation incorporated.

MITIGATION MEASURE(S)

Implementation of MM BIO-1 through MM BIO-9, MM CUL-1 through MM CUL-3, and MM HYD-1

LEVEL OF SIGNIFICANCE

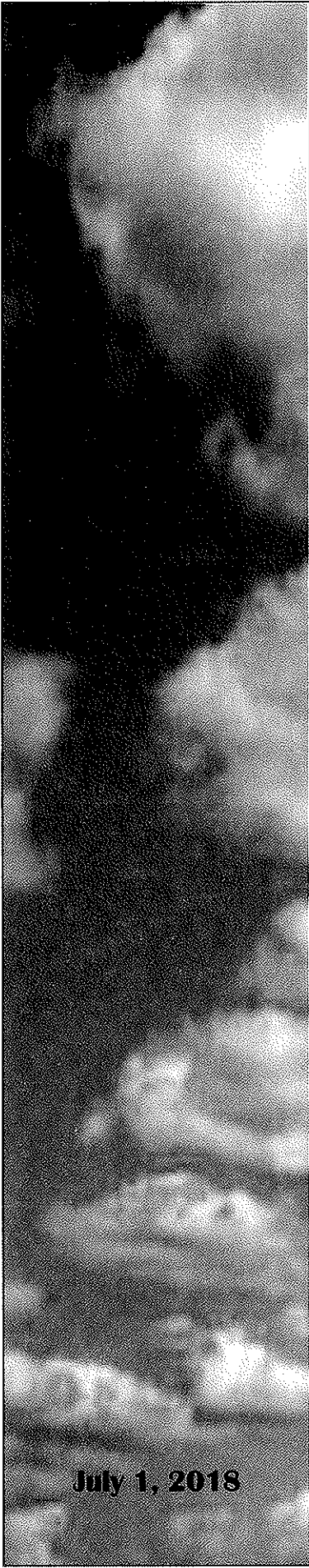
The Project impacts would be *less than significant with mitigation incorporated*.

SECTION 4 - REFERENCES

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APPENDIX A
AIR QUALITY IMPACTS STUDY



Air Quality Impacts of the Stone Ranch Pipeline Project

Prepared for:



**901 East Main Street
Visalia, CA 93292**

Prepared by:



July 1, 2018

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Appendix A. Proposed Project Activity Data

Appendix B. CalEEMod Output for Proposed Project Construction

 B1. Pipeline Installation and Trench Resurfacing

 B2. Pump Station Installation

Appendix C. GHG Emission Calculations for Proposed Project Operation

1. Introduction

This report evaluates the potential air quality and greenhouse gas (GHG) impacts associated with the proposed Stone Ranch Pipeline project in Kings County, California. It is intended to support an Initial Study (IS) under the California Environmental Quality Act (CEQA) and an Environmental Assessment (EA) under the National Environmental Policy Act (NEPA).

2. Project Description

The proposed Project would construct and operate a 4.5-mile pipeline and pump station. The new pipeline would connect to an existing pipeline 5 miles southwest of the City of Lemoore and terminate at an open canal system at the Stone Land Corporation's Stone Ranch property 6 miles west of Lemoore. The Project would convey up to 5 million gallons per day (MGD) of treated combined effluent from the Leprino Foods Company's two cheese production facilities in Lemoore and the City of Lemoore's wastewater treatment plant. The pipeline discharge would be used for agricultural irrigation of feed and fodder crops at the Stone Ranch. The proposed pipeline route and pump station area are shown in Figures 2-1 and 2-2, respectively.

The anticipated construction duration for the entire project is 120 working days. The pipeline would be installed mostly along unpaved agricultural roads and ditches. Approximately 3.9 miles of the pipeline would be installed below grade; the remaining 0.6 miles would be above grade. Trenched areas would be resurfaced with 4 inches of gravel. Once operational, the new pump station would use two 150-horsepower (hp) electric pumps, only one of which would operate at a time.

During construction, the proposed Project would be subject to Regulation VIII (Fugitive PM₁₀ Prohibition) of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The purpose of Regulation VIII is to reduce ambient concentrations of fine particulate matter (PM₁₀) by requiring actions to prevent, reduce or mitigate anthropogenic fugitive dust emissions. Regulation VIII would require fugitive dust emission controls at the construction site such as water application, dust suppressants, reduced vehicle speeds on unpaved roads, and/or trackout prevention and removal (SJVAPCD, 2018a).

Under CEQA, this report evaluates potential air quality impacts associated with the entire proposed Project as described in this section. Under NEPA, this report evaluates only the proposed pipeline construction and associated trench resurfacing. Construction and operation of the pump station would not involve any Federal action and therefore is excluded from the NEPA analysis.

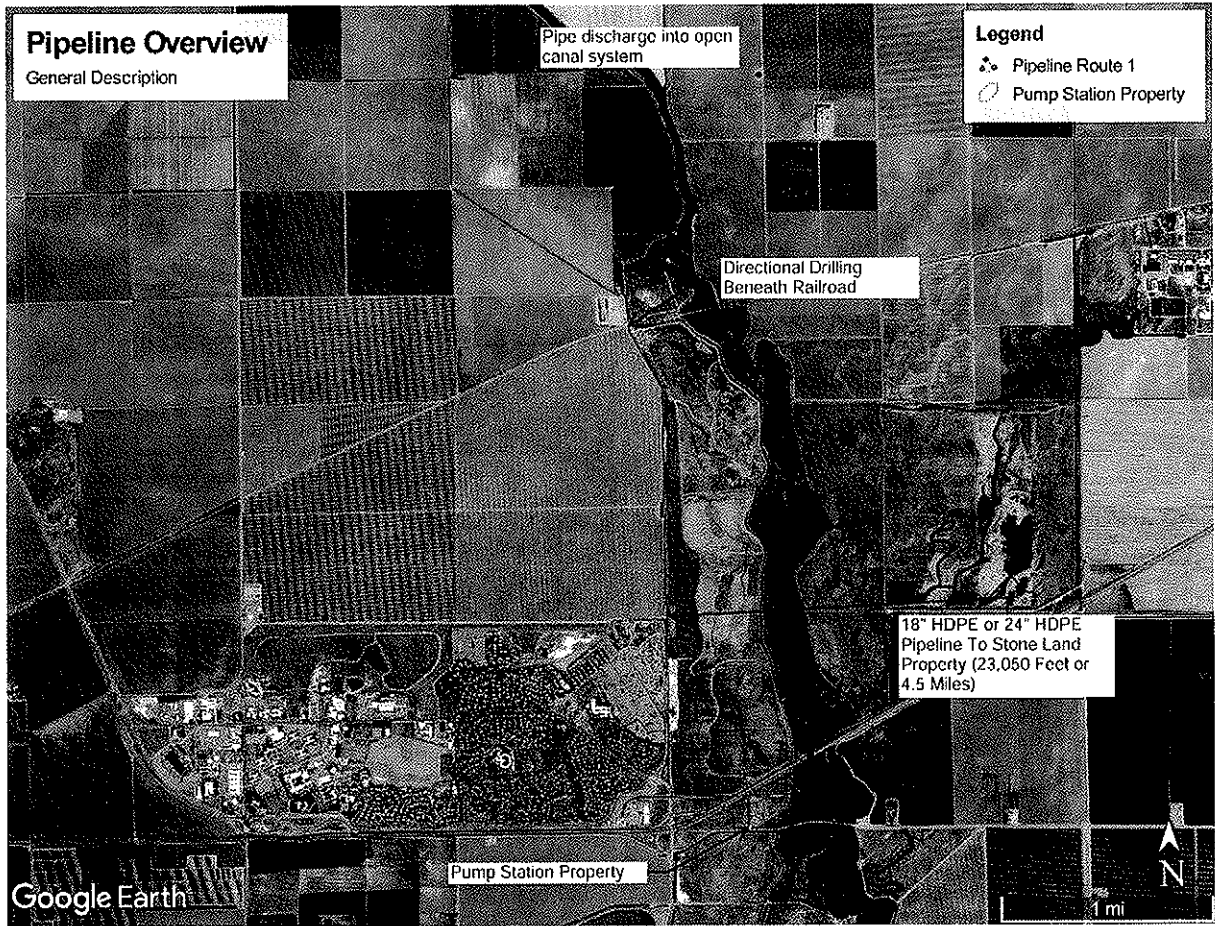


Figure 2-1. Proposed Pipeline Route

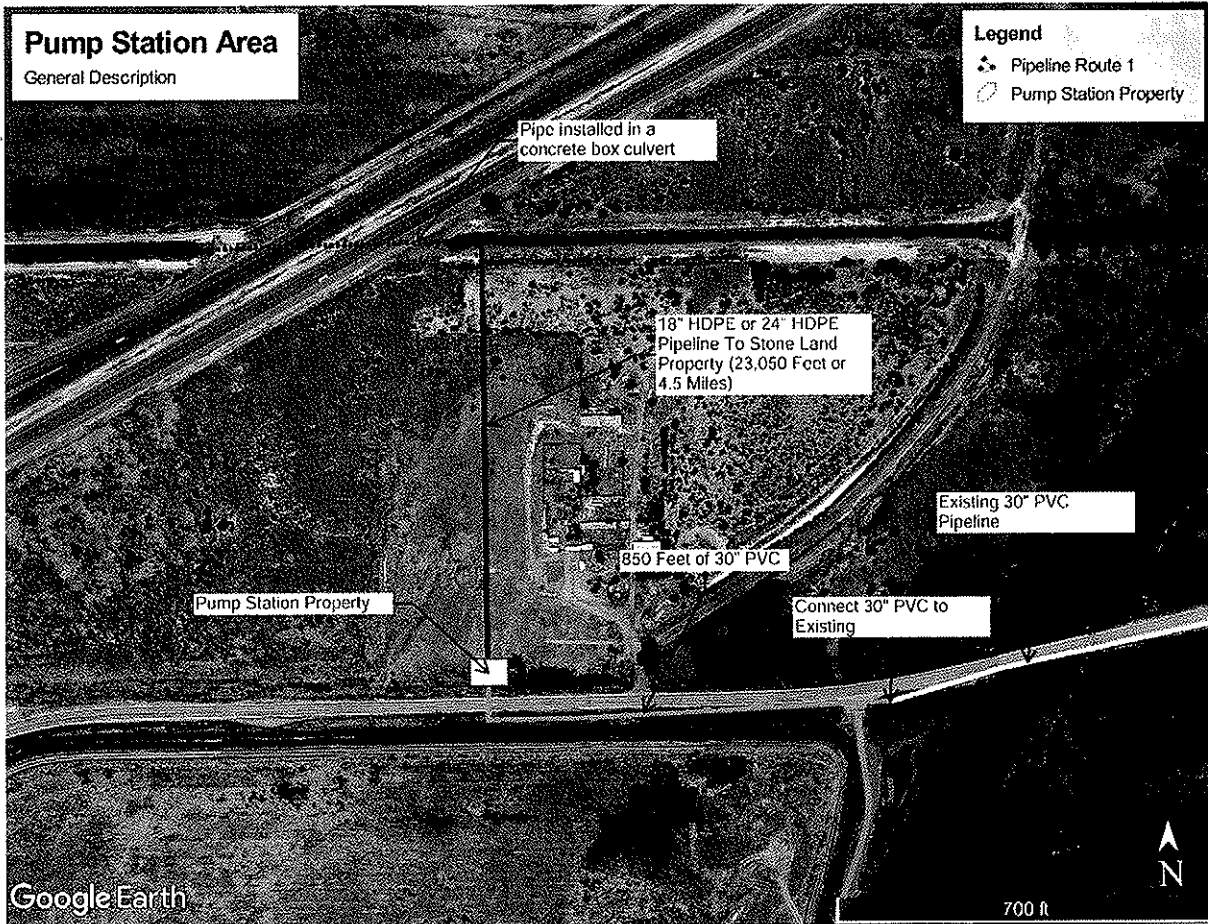


Figure 2-2. Proposed Pump Station Area

3. Existing Setting

The proposed Project site is in Kings County, in the San Joaquin Valley Air Basin (SJVAB). The topography and meteorology of the SJVAB provide ideal conditions for trapping air pollution for long periods of time and producing harmful levels of air pollutants, including ozone and particulate matter. Low precipitation levels, cloudless days, high temperatures, and light winds during the summer in the SJVAB are conducive to high ozone levels resulting from the photochemical reaction of nitrogen oxides (NO_x) and reactive organic gases (ROG). Inversion layers in the atmosphere during the winter can trap emissions of directly emitted PM_{2.5} (particulate matter that is 2.5 microns or less in diameter) and PM_{2.5} precursors (such as NO_x and sulfur dioxide [SO₂]) within the SJVAB for several days, accumulating to unhealthy levels (SJVAPCD, 2015).

Criteria Pollutants

The U.S. Environmental Protection Agency (EPA) sets National Ambient Air Quality Standards (NAAQS) for six common air pollutants, known as “criteria pollutants”. They are particulate matter (PM), ground-level ozone, carbon monoxide (CO), sulfur oxides (SO_x), NO_x, and lead. Table 3-1 describes the criteria pollutants and their precursors. The California Air Resources Board (CARB) also established its own California Ambient Air Quality Standards (CAAQS) for the criteria pollutants and several others.

Geographic areas are deemed "attainment" if the NAAQS and CAAQS are met or nonattainment if they are not met. Nonattainment status is classified by the severity of the nonattainment problem, with marginal, moderate, serious, severe, and extreme nonattainment classifications for ozone. Nonattainment classifications for PM range from moderate to serious (SJVAPCD, 2015). Table 3-2 shows the federal and state attainment designations for the SJVAB. The SJVAB is nonattainment of the NAAQS for ozone and PM_{2.5}, and nonattainment of the CAAQS for ozone, PM₁₀, and PM_{2.5}.

Areas with air quality exceeding the NAAQS are required to prepare an air quality control plan referred to as the State Implementation Plan (SIP). The SIP contains the strategies and control measures that states will use to attain the NAAQS. Air Districts with air quality exceeding the CAAQS are required to prepare an air quality attainment plan that lays out a program to attain the CAAQS (SJVAPCD, 2015).

Table 3-1. Criteria Pollutant Descriptions

Air Pollutant	Description ^a
Ozone	Ozone is a reactive gas consisting of three atoms of oxygen. In the troposphere, it is a product of the photochemical process involving the sun's energy. It is a secondary pollutant that is formed when NO _x and reactive organic gases (ROG) react in the presence of sunlight. Ozone at the earth's surface causes numerous adverse health effects and is a criteria pollutant. It is a major component of smog. In the stratosphere, ozone exists naturally and shields Earth from harmful incoming ultraviolet radiation. High concentrations of ground level ozone can adversely affect the human respiratory system and aggravate cardiovascular disease and many respiratory ailments. Ozone also damages natural ecosystems such as forests and foothill communities, agricultural crops, and some man-made materials, such as rubber, paint, and plastics.
Carbon Monoxide (CO)	CO is an odorless, colorless gas that is highly toxic. It is formed by the incomplete combustion of fuels and is emitted directly into the air (unlike ozone). The main source of CO in the San Joaquin Valley is on-road motor vehicles. Other CO sources in the Valley include other mobile sources, miscellaneous processes, and fuel combustion from stationary sources. Because of the local nature of CO problems, ARB and EPA designate urban areas as CO nonattainment areas instead of the entire basin as with ozone and PM ₁₀ . Motor vehicles are by far the largest source of CO emissions. Emissions from motor vehicles have been declining since 1985, despite increases in vehicle miles traveled (VMT), with the introduction of new automotive emission controls and fleet turnover.
Oxides of Nitrogen (NO _x) (ozone and PM precursor)	NO _x is a family of gaseous nitrogen compounds and is a precursor to the formation of ozone (described in the following paragraph) and particulate matter. The major component of NO _x , nitrogen dioxide (NO ₂), is a reddish-brown gas that is toxic at high concentrations. NO _x results primarily from the combustion of fossil fuels under high temperature and pressure. On-road and off-road motor vehicles and fuel combustion are the major sources of this air pollutant. Ozone is a reactive gas consisting of three atoms of oxygen. In the troposphere, it is a product of the photochemical process involving the sun's energy. It is a secondary pollutant that is formed when NO _x and ROG react in the presence of sunlight. Ozone at the earth's surface causes numerous adverse health effects and is a criteria

	<p>pollutant. It is a major component of smog. In the stratosphere, ozone exists naturally and shields Earth from harmful incoming ultraviolet radiation. High concentrations of ground level ozone can adversely affect the human respiratory system and aggravate cardiovascular disease and many respiratory ailments. Ozone also damages natural ecosystems such as forests and foothill communities, agricultural crops, and some man-made materials, such as rubber, paint, and plastics.</p>
Reactive Organic Gas (ROG) (ozone and PM precursor)	<p>A reactive chemical gas composed of hydrocarbon compounds that may contribute to the formation of ozone by their involvement in atmospheric chemical reactions. No separate health standards exist for ROG as a group. Because some compounds that make up ROG are also toxic, like the carcinogen benzene, they are often evaluated as part of a toxic risk assessment.</p>
Sulfur Oxides (SO _x) (PM precursor)	<p>Sulfur dioxide (SO₂) is a colorless, irritating gas with a "rotten egg" smell formed primarily by the combustion of sulfur-containing fossil fuels. The SJVAB is in attainment of both the Federal and California standards for SO₂. However, like airborne NO_x, suspended SO_x particles contribute to the poor visibility that sometimes occurs in the Valley. These SO_x particles can also combine with other pollutants to form PM_{2.5}. The prevalence of low-sulfur fuel use in the Valley has minimized problems from this pollutant.</p>
Particulate Matter Less than 10 Microns (PM ₁₀) and Particulate Matter less than 2.5 Microns (PM _{2.5})	<p>Particulate matter (PM), also known as particle pollution, is a complex mixture of extremely small particles and liquid droplets. Particle pollution is made up of a number of components, including acids (such as nitrates and sulfates), organic chemicals, metals, and soil or dust particles. The size of particles is directly linked to their potential for causing health problems. EPA is concerned about particles that are 10 micrometers in diameter or smaller because those are the particles that generally pass through the throat and nose and enter the lungs. Once inhaled, these particles can affect the heart and lungs and cause serious health effects. Acute and chronic health effects associated with high particulate levels include the aggravation of chronic respiratory diseases, heart and lung disease, coughing, bronchitis, and respiratory illnesses in children.</p> <p>Inhalable coarse particles (PM_{2.5-10}), such as those found near roadways and dusty industries, are between 2.5 and 10 micrometers in diameter. PM_{2.5-10} is deposited in the thoracic region of the lungs. Fine particles (PM_{2.5}), such as those found in smoke and haze, are 2.5 micrometers in diameter and smaller. These particles can be directly emitted from sources such as forest fires, or they can form when gases emitted from power plants, industries and automobiles react in the air. They penetrate deeply into the thoracic and alveolar regions of the lungs. PM₁₀ and PM_{2.5} include primary pollutants (emitted directly to the atmosphere) as well as secondary pollutants (formed in the atmosphere by chemical reactions among precursors). Generally speaking, PM_{2.5} is emitted by combustion sources like vehicles, power generation, industrial processes, and wood burning, while PM₁₀ sources include these same sources plus roads and farming activities. Fugitive windblown dust and other area sources also represent a source of airborne dust in the Valley.</p>
Lead	<p>Lead is a metal that is a natural constituent of air, water, and the biosphere. Lead is neither created nor destroyed in the environment, so it essentially persists forever. The health effects of lead poisoning include loss of appetite, weakness, apathy, and miscarriage; it can also cause lesions of the neuromuscular system, circulatory system, brain, and gastrointestinal tract. Gasoline-powered automobile engines were a major source of airborne lead through the use of leaded fuels. The use of leaded fuel has been mostly phased out, with the result that ambient concentrations of lead have dropped dramatically. Lead concentrations were last systematically measured in the SJVAB in 1989, when the average concentrations were approximately five percent of the State lead standard. Lead levels remain well below applicable standards.</p>

Notes:

^a Source: GAMAQI (SJVAPCD, 2015).

Table 3-2. SJVAB Attainment Designations

Pollutant	Designation/Classification ^a	
	Federal Standards	State Standards
Ozone	Nonattainment/Extreme	Nonattainment/Severe
PM ₁₀	Attainment/Maintenance	Nonattainment
PM _{2.5}	Nonattainment/Moderate	Nonattainment
CO	Attainment/Unclassified	Attainment/Unclassified
NO ₂	Attainment/Unclassified	Attainment
SO ₂	Attainment/Unclassified	Attainment
Lead	No Designation/Classification	Attainment

Notes:

^a Source: SJVAPCD, 2018b.

Greenhouse Gases

Greenhouse gases (GHGs) are gases that absorb and emit radiation within the thermal infrared range, trapping heat in the earth’s atmosphere. There are no “attainment” concentration standards established by the Federal or State government for greenhouse gases. In fact, GHGs are not generally thought of as traditional air pollutants because greenhouse gases, and their impacts, are global in nature, while air pollutants affect the health of people and other living things at ground level, in the general region of their release to the atmosphere. Some greenhouse gases occur naturally and are emitted into the atmosphere through both natural processes and human activities. Other GHGs are created and emitted solely through human activities (SJVAPCD, 2015). The GHGs evaluated in this report for the proposed Project are carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O).

The global warming potentials (GWPs) of the various GHGs are measures of their relative average global radiative forcing effect, the potential of a gas or aerosol to trap heat in the atmosphere. Individual GHG species have varying GWPs and atmospheric lifetimes. The carbon dioxide equivalent (CO₂e) is a consistent methodology for comparing GHG emissions since it normalizes various GHG emissions to a single metric. The reference gas for GWP is carbon dioxide with a GWP of one and GWP weighted emissions are measured in terms of CO₂e (SJVAPCD, 2009).

In 2006, the California State Legislature adopted Assembly Bill (AB) 32 – The California Global Warming Solutions Act. AB 32 directs the State to reduce California GHG emissions to 1990 levels by 2020. It instructs CARB to establish a program of regulatory and market mechanisms to achieve GHG reductions and to implement a mandatory GHG reporting and verification program. In accordance with AB 32, the Climate Change Scoping Plan (Scoping Plan) outlines California’s strategy for achieving the 2020 GHG emissions limit outlined under the law. The Scoping Plan was updated in 2013 and 2017 with new strategies to achieve the 2020 State target, and to achieve a new target of 40 percent below 1990 emissions levels by 2030 (CARB, 2018a).

One key element of the Scoping Plan is the Cap-and-Trade Program. It sets a statewide limit on sources responsible for 85 percent of California’s GHG emissions, and establishes a price signal needed to drive long-term investment in cleaner fuels and more efficient use of energy. The program is designed to provide covered entities the flexibility to seek out and implement the lowest cost options to reduce emissions. The program, which covers about 450 entities, started

in 2013 for electricity generators and large industrial facilities emitting 25,000 metric tons (MT) CO₂e or more annually. It started in 2015 for distributors of transportation, natural gas, and other fuels. The Cap was set in 2013 at about 2 percent below the emissions level forecast for 2012. It declined about 2 percent in 2014, and will decline about 3 percent annually from 2015 to 2020 (CARB, 2018b).

4. Approach for Assessing Impacts

This analysis evaluated the potential air quality impacts of the proposed Project in accordance with the SJVAPCD's *Guidance for Assessing and Mitigating Air Quality Impacts* (GAMAQI) (SJVAPCD, 2015). The analysis addressed impacts from the proposed Project's criteria pollutant and GHG emissions.

To evaluate Project impacts, this report, consistent with GAMAQI, addresses the following five air quality-related Initial Study questions listed in Appendix G of the CEQA Guidelines (California Natural Resources Agency, 2018). Would the project:

AQ-A: Conflict with or obstruct implementation of the applicable air quality plan?

AQ-B: Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

AQ-C: 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

AQ-D: Expose sensitive receptors to substantial pollutant concentrations?

AQ-E: Create objectionable odors affecting a substantial number of people?

For each impact, a significance determination is made for CEQA and, where applicable, NEPA. A federal general conformity statement is included under Impact AQ-A. GHG impacts are also discussed under Impact AQ-A.

5. Air Quality Impacts

Impact AQ-A.

The proposed Project would not conflict with or obstruct implementation of the applicable air quality plan.

Criteria Pollutants

For assessing project-level air quality impacts, the SJVAPCD has established thresholds of significance for criteria pollutant emissions. The thresholds are based on the SJVAPCD's New

Source Review (NSR) offset requirements for stationary sources, which are a major component of the SJVAPCD’s air quality plans. Thus, projects with emissions below the thresholds of significance for criteria pollutants would be determined to “not conflict or obstruct implementation of the District’s air quality plan” (SJVAPCD, 2015).

The SJVAPCD’s thresholds of significance for construction emissions are presented in Table 5-1. The operational thresholds were not used for the proposed Project because the only notable source of operational emissions would be the electric pumps at the pump station, which would generate indirect emissions at the contributing power generation stations.¹ Because power generation stations are dispersed over a large geographical area covering multiple air basins, only GHGs, which are global in nature, are considered operational pollutants of concern for the proposed Project.

Table 5-1. SJVAPCD Air Quality Significance Thresholds for Construction Emissions

Pollutant/Precursor	Construction Emissions Threshold (ton/yr)
CO	100
NO _x	10
ROG	10
SO _x	27
PM ₁₀	15
PM _{2.5}	15

Source: GAMAQI (SJVAPCD, 2015).

During construction, the proposed Project would produce criteria pollutant emissions, primarily in the form of fugitive dust from earthmoving and vehicular travel over unpaved surfaces, and engine exhaust from off-road equipment and on-road vehicles. Construction emissions were estimated with the California Emissions Estimator Model (CalEEMod), version 2016.3.2 (CAPCOA, 2017).

The following key project-specific activity data formed the basis of the user inputs into CalEEMod:

Pipeline Installation

- The phase duration was set to 120 working days, starting October 2018. (Any delay in the construction timeline would result in lower estimated emissions due to assumed cleaner emission factors).
- Off-road construction equipment would consist of 1 excavator, 1 forklift, and 1 off-highway truck, all operating 8 hours per day.
- On-road vehicle trips would consist of 960 worker trips (assumes 4 person crew, each making one daily round trip), and 480 vendor trips (assumes 1 water truck and 1 material delivery truck per day).

¹ A single maintenance vehicle would periodically visit the pump station and pipeline during operation to observe the equipment condition. The associated emissions would be negligible and were not quantified.

- The average travel distance by on-road vehicles on unpaved roads would be 1.5 miles per one-way trip.
- During trenching, 12,241 cubic yards of soil would be excavated and then re-placed in the trench and on adjacent land.

Trench Resurfacing

- The phase duration was set to 10 working days in 2019, coinciding with the end of the overall 120 working day construction timeline.
- Off-road construction equipment would consist of 1 loader and 1 off-highway truck, all operating 8 hours per day.
- On-road vehicle trips would consist of 80 worker trips (assumes 4 person crew, each making one daily round trip), 20 vendor trips (assumes 1 water truck per day), and 130 haul truck trips (assumes 647 cubic yards of gravel delivery by a 10 cubic yard capacity truck).
- The average travel distance by on-road vehicles on unpaved roads would be 1.5 miles per one-way trip.

Pump Station Installation

- The phase duration was set to 30 working days in 2018, coinciding with the beginning of the overall 120 working day construction timeline.
- Off-road construction equipment would consist of 1 excavator, 1 loader, and 2 off-highway trucks, all operating 8 hours per day.
- On-road vehicle trips would consist of 180 worker trips (assumes 3 person crew, each making one daily round trip), 64 vendor trips (assumes 1 water truck per day and a total of 2 material delivery trucks), and 8 haul truck trips (assumes 39 cubic yards of gravel delivery by a 10 cubic yard capacity truck for site resurfacing).
- The average travel distance by on-road vehicles on unpaved roads would be 40 feet per one-way trip.
- During site excavation, 37 cubic yards of soil would be excavated and then re-placed on-site or on adjacent land.

Additional details on the activity assumptions for proposed Project construction are included in Appendix A. The CalEEMOD output tables for proposed Project construction are included in Appendix B.

Table 5-2 presents the annual criteria pollutant emissions associated with proposed Project construction. The total emissions for CEQA (all construction activities) and NEPA (pipeline installation and trench resurfacing only) and their comparisons to the SJVAPCD significance thresholds are shown at the bottom of the table. The table shows that all emissions are well below the significance thresholds for both CEQA and NEPA. Therefore, under both CEQA and

NEPA, the proposed Project’s impact on air quality planning efforts for criteria pollutants would be less than significant. Mitigation is not required.

Table 5-2. Criteria Pollutant Emissions Associated with Proposed Project Construction

Activity	Emission Rate (ton/yr) ^{a,b}					
	CO	NO _x	ROG	SO _x	PM ₁₀	PM _{2.5}
Pipeline Installation						
Fugitive Dust	0.000	0.000	0.000	0.000	0.003	0.000
Off-Road Equipment	0.515	0.734	0.071	0.001	0.033	0.030
On-Road Vehicles	0.035	0.034	0.005	0.000	1.449	0.146
Subtotal - Pipeline Installation	0.55	0.77	0.076	0.001	1.48	0.18
Trench Resurfacing						
Fugitive Dust	0.000	0.000	0.000	0.000	0.000	0.000
Off-Road Equipment	0.032	0.048	0.005	0.000	0.002	0.002
On-Road Vehicles	0.005	0.021	0.001	0.000	0.222	0.023
Subtotal - Trench Resurfacing	0.04	0.07	0.006	0.000	0.22	0.02
Pump Station Installation						
Fugitive Dust	0.000	0.000	0.000	0.000	0.000	0.000
Off-Road Equipment	0.210	0.336	0.032	0.001	0.014	0.013
On-Road Vehicles	0.007	0.006	0.001	0.000	0.002	0.000
Subtotal - Pump Station Installation	0.22	0.34	0.032	0.001	0.02	0.01
Total Construction Emissions for CEQA ^{c,d}	0.8	1.2	0.1	0.002	1.7	0.2
Total Construction Emissions for NEPA ^{c,e}	0.6	0.8	0.08	0.001	1.7	0.2
SJVAPCD Significance Thresholds	100	10	10	27	15	15
CEQA Significant?	No	No	No	No	No	No
NEPA Significant?	No	No	No	No	No	No

Notes:

- a. Source: CalEEMod.2016.3.2
- b. Emissions are conservatively calculated without emission controls even though SJVAPCD Regulation VIII would require controls on fugitive dust.
- c. Total construction emissions will take place within one rolling 12-month period (approximately 120 working days).
- d. CEQA emissions include all construction activities (Pipeline Installation, Trench Resurfacing, and Pump Station Installation).
- e. NEPA emissions include Pipeline Installation and Trench Resurfacing only.

General Conformity

The General Conformity rule (EPA, 1993; EPA, 2010) establishes the process by which Federal agencies ensure that a proposed Project that is federally funded or requires Federal approval would not cause or contribute to new violations of air quality standards, exacerbate existing violations, or interfere with timely attainment or required interim emissions reductions towards attainment. A general conformity determination is required if a Federal action in a nonattainment or maintenance area would cause an increase in emissions of the relevant criteria pollutants and precursor pollutants that are equal to or exceed certain *de minimis* thresholds.

The *de minimis* thresholds for general conformity depend on the degree of Federal nonattainment (EPA, 2018). The SJVAB is an extreme nonattainment area for ozone; therefore, the *de minimis*

threshold for each ozone precursor (NO_x and ROG) is 10 tons per year. The SJVAB is a maintenance area for PM₁₀; therefore, the *de minimis* threshold for PM₁₀ is 100 tons per year. The SJVAB is a moderate nonattainment area for PM_{2.5}; therefore, the *de minimis* threshold for PM_{2.5} (which, for conformity purposes, is the combined direct emissions and its precursors: SO₂, NO_x, ROG, and ammonia) is 100 tons per year (EPA, 2018).

In the case of the proposed Project, the Federal action would be the pipeline installation and trench resurfacing. Construction and operation of the pump station would require no Federal funding or approval and therefore is not part of the Federal action. Table 5-3 shows the construction emissions associated with the proposed Federal action and compares the emissions to the *de minimis* levels. The tables shows that all emissions are well below the *de minimis* levels. Therefore, a general conformity determination is not required for the proposed Federal action.

Table 5-3. General Conformity Applicability Determination

Federal Action	Emission Rate (ton/yr) ^{a,b}			
	NO _x	ROG	PM ₁₀	PM _{2.5} ^c
Pipeline Installation				
Fugitive Dust	0.000	0.000	0.003	0.000
Off-Road Equipment	0.734	0.071	0.033	0.837
On-Road Vehicles	0.034	0.005	1.449	0.185
Subtotal - Pipeline Installation	0.77	0.076	1.48	1.02
Trench Resurfacing				
Fugitive Dust	0.000	0.000	0.000	0.000
Off-Road Equipment	0.048	0.005	0.002	0.054
On-Road Vehicles	0.021	0.001	0.222	0.044
Subtotal - Trench Resurfacing	0.07	0.006	0.22	0.10
Total Emissions^d	0.8	0.08	1.7	1.1
Conformity <i>De Minimis</i> Thresholds	10	10	100	100
Conformity Analysis Required?	No	No	No	No

Notes:

- Source: CalEEMod.2016.3.2
- Emissions are conservatively calculated without emission controls even though SJVAPCD Regulation VIII would require controls on fugitive dust.
- Per EPA guidance, PM_{2.5} emissions also include its precursors: SO₂, NO_x, and ROG.
- Total construction emissions will take place within one rolling 12-month period (approximately 120 working days).

Greenhouse Gases

The proposed Project would produce emissions of GHGs during construction as a result of off-road equipment and on-road vehicle exhaust. The GHG emissions associated with proposed Project construction were calculated by CalEEMod and are presented in Table 5-4. The CalEEMod output files are provided in Appendix B.

The proposed Project would also produce indirect emissions of GHGs during operation as a result of pump station electricity consumption. The GHG emissions associated with proposed Project operation are presented in Table 5-5. The emissions were calculated using CalEEMod-

supplied emission factors for PG&E, the anticipated utility provider for the pump station. The operational emission calculations are provided in Appendix C.

The SJVAPCD developed its significance criteria for GHG impacts in the 2009 document, *Addressing Greenhouse Gas Emissions Impacts Under the California Environmental Quality Act* (SJVAPCD, 2009). This document states that a Project’s individual and cumulative GHG emissions impact would be considered less than significant if the Project complies with an approved GHG emission reduction plan or GHG mitigation program that avoids or substantially reduces GHG emissions within the geographic area in which the project is located (SJVAPCD, 2009). In a discussion regarding the proposed Project, SJVAPCD staff agreed that the proposed Project would satisfy this criterion because the utility provider, PG&E, participates in the Cap-and-Trade program and therefore complies with the AB 32 Scoping Plan (SJVAPCD, 2018c).

Therefore, under CEQA, the proposed Project’s impact on GHG emission reduction planning efforts would be less than significant. Moreover, the proposed Project’s GHG emissions impact would be less than significant both individually and cumulatively. Mitigation is not required.

Table 5-4. GHG Emissions Associated with Proposed Project Construction

Activity	Emission Rate (MT/yr) ^a			
	CO ₂	CH ₄	N ₂ O	CO ₂ e ^b
Pipeline Installation				
Fugitive Dust	0.0	0.000	0.000	0.0
Off-Road Equipment	108.2	0.034	0.000	109.1
On-Road Vehicles	11.4	0.001	0.000	11.5
Subtotal - Pipeline Installation	119.7	0.035	0.000	120.5
Trench Resurfacing				
Fugitive Dust	0.0	0.000	0.000	0.0
Off-Road Equipment	7.3	0.002	0.000	7.4
On-Road Vehicles	5.7	0.000	0.000	5.7
Subtotal - Trench Resurfacing	13.0	0.003	0.000	13.1
Pump Station Installation				
Fugitive Dust	0.0	0.000	0.000	0.0
Off-Road Equipment	47.5	0.015	0.000	47.9
On-Road Vehicles	2.1	0.000	0.000	2.1
Subtotal - Pump Station Installation	49.6	0.015	0.000	50.0
Total Construction Emissions for CEQA^{c,d}	182.3	0.05	0.00	183.6
Total Construction Emissions for NEPA^{c,e}	132.7	0.04	0.00	133.6

Notes:

- a. Source: CalEEMod.2016.3.2. MT = metric ton = 1,000 kilograms = 1.1 tons.
- b. CO₂e is carbon dioxide equivalent, calculated using global warming potentials (GWPs) from the 2007 IPCC’s Fourth Assessment Report (AR4) and consistent with CalEEMod.2016.3.2. The GWPs for CH₄ and N₂O are 25 and 298, respectively.
- c. Total construction emissions will take place within one rolling 12-month period (approximately 120 working days).
- d. CEQA emissions include all construction activities (Pipeline Installation, Trench Resurfacing, and Pump Station Installation).
- e. NEPA emissions include Pipeline Installation and Trench Resurfacing only.

Table 5-5. GHG Emissions Associated with Proposed Project Operation

Source	Emission Rate (MT/yr) ^a			
	CO ₂	CH ₄	N ₂ O	CO ₂ e ^b
Pump Station Electricity Consumption (CEQA) ^c	285.2	0.01	0.003	286.3

Notes:

- a. MT = metric ton = 1,000 kilograms = 1.1 tons.
- b. CO₂e is carbon dioxide equivalent, calculated using global warming potentials (GWPs) from the 2007 IPCC's Fourth Assessment Report (AR4) and consistent with CalEEMod.2016.3.2. The GWPs for CH₄ and N₂O are 25 and 298, respectively.
- c. The pump station would not be part of the proposed Federal Action; therefore, the operational GHG emissions are subject only to CEQA.

Impact AQ-B.

The proposed Project would not violate an air quality standard or contribute substantially to an existing or projected air quality violation.

Determination of whether project emissions would violate any ambient air quality standard is largely a function of air quality dispersion modeling. If project emissions would not exceed State and Federal ambient air quality standards at the project's property boundaries, the project would be considered to not violate any air quality standard or contribute substantially to an existing or projected air quality violation. When assessing the significance of project-related impacts on air quality, the SJVAPCD states that the impacts may be significant when on-site emission increases from construction activities or operational activities exceed a 100 pounds per day screening level of any criteria pollutant after implementation of all enforceable mitigation measures. Under such circumstance, the SJVAPCD recommends that an ambient air quality analysis (AAQA), using air dispersion modeling, be performed (SJVAPCD, 2015).

In accordance with GAMAQI guidance, Table 5-6 shows the proposed Project's estimated construction emissions converted to daily emission rates based on a 120-working day duration. The emission rates are well below the 100 lb/day AAQA screening level for all pollutants. Therefore, under both CEQA and NEPA, the proposed Project's impact on local ambient air pollutant levels would be less than significant. Mitigation is not required.

Table 5-6. Ambient Air Quality Analysis Applicability Determination

Pollutant	Construction Duration (work days)	Daily Construction Emission Rate (lb/day) ^a	AAQA Threshold (lb/day)	AAQA Required?
CO	120	13.4	100	No
NO _x		19.6	100	No
ROG		1.9	100	No
SO _x		0.03	100	No
PM ₁₀		28.7	100	No
PM _{2.5}		3.6	100	No

Notes:

- a. The emission rates are derived from CalEEMod.2016.3.2 annual emission calculations.

Impact AQ-C.

The proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment.

CEQA defines cumulative impacts as two or more individual effects which, when considered together, are either significant or “cumulatively considerable”, meaning they add considerably to a significant environmental impact. An adequate cumulative impact analysis considers a project over time and in conjunction with other past, present, and reasonably foreseeable future projects whose impacts might compound those of the project being assessed. By its very nature, air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development. Future attainment of State and Federal ambient air quality standards is a function of successful implementation of the SJVAPCD’s attainment plans. Consequently, the SJVAPCD’s application of thresholds of significance for criteria pollutants (in Impact AQ-A) is relevant to the determination of whether a Project’s individual emissions would have a cumulatively significant impact on air quality (SJVAPCD, 2015).

As shown in Table 5-2 of Impact AQ-A, the criteria pollutant emissions during proposed Project construction would be well below the SJVAPCD’s significance thresholds for both CEQA and NEPA. Therefore, under both CEQA and NEPA, the proposed Project would not produce a cumulatively considerable contribution to a significant cumulative criteria pollutant impact. Mitigation is not required.

Impact AQ-D.

The proposed project would not expose sensitive receptors to substantial pollutant concentrations.

Determination of whether a Project would expose sensitive receptors to substantial pollutant concentrations is a function of assessing potential health risks from toxic air contaminant (TAC) emissions. Sensitive receptors are facilities that house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Hospitals, schools, convalescent facilities, and residential areas are examples of sensitive receptors. (SJVAPCD, 2015). The nearest sensitive receptors to the proposed Project are residences in Lemoore Station, approximately 200 feet west of the proposed pipeline route at their closest. The nearest school to the proposed Project is Akers Elementary School, in Lemoore Station, approximately 1,200 feet west of the proposed pipeline route.

TACs as defined by the California Health & Safety Code (CH&SC) §44321 are listed in Appendices AI and AII in the AB 2588 Air Toxic “Hot Spots” and Assessment Act’s Emissions Inventory Criteria and Guideline Regulation document (CARB, 2007). Potential health impacts from TACs are generally categorized into two groups: carcinogenic (cancer causing) and non-carcinogenic (non-cancer causing). The non-carcinogenic effects can be further divided into long-term (chronic) health effects such as birth defects, neurological damage, or genetic damage; and short-term (acute) effects such as eye irritation, respiratory irritation, and nausea. The potential for a Project to produce significant health risks to sensitive receptors depends on the nature of the TAC emissions, the proximity between the emitting facility and sensitive receptors, the direction of prevailing winds, and local topography (SJVAPCD, 2015).

The primary source of TAC emissions during proposed Project construction would be diesel particulate matter (DPM) emissions from construction equipment. CARB classifies DPM as a carcinogen (CARB, 2017). Cancer risks associated with proposed Project construction are not expected to be an issue of concern for the following reasons: (1) the duration of exposure to construction emissions would be brief (less than one year) compared to a 30-year exposure period assumed for the assessment of cancer risk for residential receptors (OEHHA, 2015); (2) proposed Project construction would involve a relatively small number of diesel equipment, therefore producing relatively low levels of DPM emissions; and (3) the construction emissions would be spread out and diluted over the 4.5-pipeline route, resulting in relatively small exposures at any given receptor location. Therefore, under both CEQA and NEPA, the proposed project would not expose sensitive receptors to substantial concentrations of TACs. Mitigation is not required.

Impact AQ-E.

The proposed project would not create objectionable odors affecting a substantial number of people.

Due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources, there are no quantitative or formulaic methodologies to determine the presence of a significant odor impact. Rather, the

SJVAPCD recommends that odor analyses strive to fully disclose all pertinent information. The intensity of an odor source's operations and its proximity to sensitive receptors influences the potential significance of odor emissions (SJVAPCD, 2015).

In Table 6 of the GAMAQI, the SJVAPCD lists some common types of facilities that have been known to produce odors in the San Joaquin Valley. The proposed project not one of those types and is not a land use generally associated with substantial odors. During construction, odors from diesel construction equipment exhaust may be noticeable under certain meteorological conditions near the construction site. The odors would be relatively small in magnitude and duration, and would quickly disperse into the atmosphere before reaching populated areas. Therefore, under both CEQA and NEPA, the proposed Project is not expected to create objectionable odors affecting a substantial number of people. Mitigation is not required.

6. References

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Appendix A

Proposed Project Activity Data

Table A-1. Pipeline Installation Activity Data

Pipe Diam (in)	Pipe Length (ft)	Disturbed Corridor Width (ft)	Disturbed Corridor Area (ft ²)	Total Disturbed Corridor Area (acres)	Total Working Days	Average Active Disturbed Area (acres)	Trench Length (ft) ^a	Trench Width (ft)	Trench Depth (ft)	Trench Volume (cy)	Soil Cut (cy)	Soil Fill (cy) ^b
30	850	30	25,500	0.6			850	5	7	1,102		
24	23,050	30	691,500	15.9			20,050	3	5	11,139		
Total				16.5	120	0.14				12,241	12,241	12,241

^a Approximately 3,000 feet of the pipeline will be above ground (i.e., no trenching).

^b Assume all cut soil will be filled back in the trench or on adjacent land via dump truck. No soil will be imported or exported.

Table A-2. Pipeline Trench Resurfacing Activity Data

Pipe Diam (in)	Resurfaced Trench Length (ft) ^a	Trench Width (ft)	Gravel Depth for Trench Resurface (inches)	Gravel Import for Trench Resurface (cy)	Gravel Truck Trips for Trench Resurface ^b	Total Working Days
30	850	5	4	52		
24	16,040	3	4	594		
Total				647	130	10

^a Assume all of the 30-inch pipe trench and 80 percent of the 24-inch pipe trench will be resurfaced with 4 inches of gravel.

^b Assume a gravel truck capacity of 10 cy.

Table A-3. Pump Station Installation Activity Data

Site Area (Acres) ^a	Soil Cut (cy) ^b	Gravel Depth for Site Resurface (inches)	Gravel Import for Site Resurface (cy)	Soil and Gravel Fill (cy) ^c	Gravel Truck Trips for Site Resurface ^d	Total Working Days
0.07	37	4	39	76	8	30

^a Site area is approximately 70' x 45', measured from the site map.

^b Assume an area 10' x 10' x 10' will be excavated.

^c Assume all cut soil will be filled back in the excavated area or on adjacent land via dump truck. No soil will be imported or exported.

^d Assume a gravel truck capacity of 10 cy.

Table A-4. Equipment List for Pipeline Installation

Equipment Type	Quantity	Operation (hr/day)
Excavator	1	8
Water Truck	1	8
Forklift	1	8

Table A-5. Equipment List for Trench Resurfacing

Equipment Type	Quantity	Operation (hr/day)
Loader	1	8
Water Truck	1	8

Table A-6. Equipment List for Pump Station Installation

Equipment Type	Quantity	Operation (hr/day)
Excavator	1	8
Loader	1	8
Water Truck	1	8
Dump Truck	1	8

Table A-7. Vehicle Trips for Pipeline Installation

Trip Type	Vehicle Class ^a	Avg. Trips/Day ^b	Total Trips ^b
Worker ^c	LDA, LDT1, LDT2	8	960
Vendor ^d	HHDT, MHDT	4	480
Hauling	HHDT	0	0

^a Vehicle classes are CalEEMod defaults.

^b Trips are one-way trips.

^c Assume 4-person crew, each making one daily round trip.

^d Assume 1 water truck (CalEEMod classifies as a vendor) and 1 construction material delivery truck per day.

Table A-8. Vehicle Trips for Trench Resurfacing

Trip Type	Vehicle Class ^a	Avg. Trips/Day ^b	Total Trips ^{b,f}
Worker ^c	LDA, LDT1, LDT2	8	80
Vendor ^d	HHDT, MHDT	2	20
Hauling ^e	HHDT	13	130

^a Vehicle classes are CalEEMod defaults.

^b Trips are one-way trips.

^c Assume 4-person crew, each making one daily round trip.

^d Assume 1 water truck (CalEEMod classifies as a vendor) per day.

^e Gravel delivery trucks.

^f Assume a total of 10 working days.

Table A-9. Vehicle Trips for Pump Station Installation

Trip Type	Vehicle Class ^a	Avg. Trips/Day ^b	Total Trips ^{b,f}
Worker ^c	LDA, LDT1, LDT2	6	180
Vendor ^d	HHDT, MHDT	2.13	64
Hauling ^e	HHDT	0.27	8

^a Vehicle classes are CalEEMod defaults.

^b Trips are one-way trips.

^c Assume 3-person crew, each making one daily round trip.

^d Assume 1 water truck (CalEEMod classifies as a vendor) per day, and 2 construction material delivery trucks total.

^e Gravel delivery trucks.

^f Assume a total of 30 working days.

Table A-10. Determine Percent of Trips on Paved Roads for Pipeline Installation and Trench Resurfacing

Trip Type	CalEEMod Default Trip Length (mi)	Average Distance on Unpaved Road (mi) ^{a,b}	Percent of Trip on Paved Road
Worker	16.8	1.5	91%
Vendor	6.6	1.5	77%
Hauling	20.0	1.5	93%

^a The average travel distance from the construction site to a paved road was measured in Google Earth by measuring at 1 km intervals along the entire pipeline length.

^b Approximately 80 percent of the unpaved roads are gravel; 20 percent are dirt.

Table A-11. Determine Percent of Trips on Paved Roads for Pump Station Installation

Trip Type	CalEEMod Default Trip Length (mi)	Average Distance on Unpaved Road (mi) ^{a,b}	Percent of Trip on Paved Road
Worker	16.8	0.0076	99.95%
Vendor	6.6	0.0076	99.89%
Hauling	20.0	0.0076	99.96%

^a The average travel distance from the construction site to a paved road is 40 feet.

Appendix B

CalEEMod Output for Proposed Project Construction

Appendix B1

CalEEMod Output for Proposed Project Construction

Pipeline Installation and Trench Resurfacing

Leprino-Lemoore Stone Ranch Effluent Discharge_Pipeline - Kings County, Annual

Leprino-Lemoore Stone Ranch Effluent Discharge_Pipeline
Kings County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
User Defined Industrial	1.00	User Defined Unit	0.14	0.00	0

1.2 Other Project Characteristics

Urbanization	Rural	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	37
Climate Zone	3			Operational Year	2019

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Utility Company Pacific Gas & Electric Company

CO2 Intensity (lb/MW/hr)	641.35	CH4 Intensity (lb/MW/hr)	0.029	N2O Intensity (lb/MW/hr)	0.006
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1.3 User Entered Comments & Non-Default Data

Leprino-Lemoore Stone Ranch Effluent Discharge_Pipeline - Kings County, Annual

Project Characteristics -

Land Use - User defined unit = 1 pipeline. Average active disturbance area is 0.14 acres, based on the average progress each day.

Construction Phase - Total working days were provided by QK: 120 days for pipeline installation. Assume 10 days for trench resurfacing.

Off-road Equipment -

Off-road Equipment - QK provided the equipment list: 1 excavator, 1 water truck (used for watering and compaction), and 1 forklift. Conservatively assume 8 hr/day each.

Off-road Equipment - Trench resurfacing: assume 1 loader and 1 water truck.

Trips and VMT - QK provided # of workers: 4 for the pipeline. Assume 2 trips/day per worker. Assume 4 vendor trips per day (water truck, pipeline delivery). Haul trips equal to number of gravel delivery trucks.

On-road Fugitive Dust - Average portion of trip on unpaved road is 1.5 mile. The unpaved roads are 80 percent gravel and 20 percent dirt.

Grading - Material exported equals the trench excavation material. Material imported equals the replaced trench excavation material, some of which is spread to adjacent land, and resurfacing gravel.

Vehicle Trips -

Road Dust -

Energy Use -

Construction Off-road Equipment Mitigation -

Stationary Sources - Emergency Generators and Fire Pumps -

Table Name	Column Name	Default Value	New Value
tblConstDustMitigation	WaterUnpavedRoadMoistureContent	0	0.5
tblConstDustMitigation	WaterUnpavedRoadVehiclesSpeed	0	40
tblConstructionPhase	NumDays	2.00	10.00
tblConstructionPhase	NumDays	1.00	120.00
tblGrading	MaterialExported	0.00	12,241.00
tblGrading	MaterialImported	0.00	647.00
tblGrading	MaterialImported	0.00	12,241.00
tblLandUse	LotAcreage	0.00	0.14
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00

Leprino-Lemoore Stone Ranch Effluent Discharge_Pipeline - Kings County, Annual

tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	2.00	1.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	0.00	1.00
tblOffRoadEquipment	PhaseName		Trench Resurfacing
tblOffRoadEquipment	PhaseName		Trench Resurfacing
tblOffRoadEquipment	UsageHours	6.00	8.00
tblOffRoadEquipment	UsageHours	8.00	6.00
tblOnRoadDust	HaulingPercentPave	100.00	93.00
tblOnRoadDust	HaulingPercentPave	100.00	93.00
tblOnRoadDust	VendorPercentPave	100.00	77.00
tblOnRoadDust	VendorPercentPave	100.00	77.00
tblOnRoadDust	WorkerPercentPave	100.00	91.00
tblOnRoadDust	WorkerPercentPave	100.00	91.00
tblProjectCharacteristics	UrbanizationLevel	Urban	Rural
tblTripsAndVMT	Hauling TripNumber	3,060.00	0.00
tblTripsAndVMT	Hauling TripNumber	81.00	130.00
tblTripsAndVMT	Vendor TripNumber	0.00	4.00
tblTripsAndVMT	Vendor TripNumber	0.00	2.00
tblTripsAndVMT	Worker TripNumber	5.00	8.00

2.0 Emissions Summary

Leprino-Lemoore Stone Ranch Effluent Discharge_Pipeline - Kings County, Annual

2.1 Overall Construction

Unmitigated Construction

Year	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
2018	0.0437	0.4482	0.3068	7.3000e-004	0.7980	0.0193	0.8173	0.0803	0.0177	0.0981	0.0000	66.3078	66.3078	0.0192	0.0000	66.7884
2019	0.0381	0.3885	0.2792	7.3000e-004	0.8752	0.0158	0.8910	0.0882	0.0146	0.1028	0.0000	66.3745	66.3745	0.0185	0.0000	66.8363
Maximum	0.0437	0.4482	0.3068	7.3000e-004	0.8752	0.0193	0.8910	0.0882	0.0177	0.1028	0.0000	66.3745	66.3745	0.0192	0.0000	66.8363

Mitigated Construction

Year	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
2018	0.0437	0.4482	0.3068	7.3000e-004	0.7980	0.0193	0.8173	0.0803	0.0177	0.0981	0.0000	66.3077	66.3077	0.0192	0.0000	66.7883
2019	0.0381	0.3885	0.2792	7.3000e-004	0.8752	0.0158	0.8910	0.0882	0.0146	0.1028	0.0000	66.3744	66.3744	0.0185	0.0000	66.8362
Maximum	0.0437	0.4482	0.3068	7.3000e-004	0.8752	0.0193	0.8910	0.0882	0.0177	0.1028	0.0000	66.3744	66.3744	0.0192	0.0000	66.8362

Percent Reduction	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Leprino-Lemoore Stone Ranch Effluent Discharge_Pipeline - Kings County, Annual

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	10-1-2018	12-31-2018	0.4901	0.4901
2	1-1-2019	3-31-2019	0.4089	0.4089
		Highest	0.4901	0.4901

2.2 Overall Operational

Unmitigated Operational

Category	tons/yr										MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bi-co CO2	NBio CO2	Total CO2	CH4	N2O	CO2e
Area	0.0000	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	2.0000e-005
Energy	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Mobile	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Waste						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Water						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	2.0000e-005

Leprino-Lemoore Stone Ranch Effluent Discharge_Pipeline - Kings County, Annual

2.2 Overall Operational

Mitigated Operational

Category	tons/yr											MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Area	0.0000	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	0.0000	2.0000e-005
Energy	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Mobile	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Waste					0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Water					0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	0.0000	2.0000e-005

Percent Reduction	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Pipeline Installation	Site Preparation	10/1/2018	3/15/2019	5	120	
2	Trench Resurfacing	Grading	3/4/2019	3/15/2019	5	10	

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Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 0

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Pipeline Installation	Concrete/Industrial Saws	0	8.00	81	0.73
Pipeline Installation	Excavators	1	8.00	158	0.38
Pipeline Installation	Forklifts	1	8.00	89	0.20
Pipeline Installation	Graders	0	8.00	187	0.41
Pipeline Installation	Off-Highway Trucks	1	8.00	402	0.38
Pipeline Installation	Rubber Tired Dozers	0	1.00	247	0.40
Pipeline Installation	Tractors/Loaders/Backhoes	0	6.00	97	0.37
Trench Resurfacing	Concrete/Industrial Saws	0	8.00	81	0.73
Trench Resurfacing	Graders	0	8.00	187	0.41
Trench Resurfacing	Off-Highway Trucks	1	8.00	402	0.38
Trench Resurfacing	Rubber Tired Dozers	0	1.00	247	0.40
Trench Resurfacing	Tractors/Loaders/Backhoes	1	8.00	97	0.37

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Pipeline Installation	3	8.00	4.00	0.00	16.80	6.80	20.00	LD_Mix	HDT_Mix	HHDT
Trench Resurfacing	2	8.00	2.00	130.00	16.80	6.80	20.00	LD_Mix	HDT_Mix	HHDT

Leprino-Lemoore Stone Ranch Effluent Discharge_Pipeline - Kings County, Annual

3.1 Mitigation Measures Construction

3.2 Pipeline Installation - 2018
Unmitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
tons/yr																
Fugitive Dust					1.3800e-003	0.0000	1.3800e-003	2.1000e-004	0.0000	2.1000e-004	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0409	0.4289	0.2867	6.8000e-004		0.0191	0.0191		0.0176	0.0176	0.0000	59.9637	59.9637	0.0187	0.0000	60.4304
Total	0.0409	0.4289	0.2867	6.8000e-004	1.3800e-003	0.0191	0.0205	2.1000e-004	0.0176	0.0178	0.0000	59.9637	59.9637	0.0187	0.0000	60.4304
MT/yr																

Unmitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
tons/yr																
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	6.9000e-004	0.0176	3.9700e-003	4.0000e-005	0.2657	1.3000e-004	0.2658	0.0266	1.2000e-004	0.0268	0.0000	3.3991	3.3991	4.3000e-004	0.0000	3.4097
Worker	2.0200e-003	1.7800e-003	0.0161	3.0000e-005	0.5309	2.0000e-005	0.5310	0.0535	2.0000e-005	0.0535	0.0000	2.9450	2.9450	1.3000e-004	0.0000	2.9483
Total	2.7100e-003	0.0194	0.0201	7.0000e-005	0.7966	1.5000e-004	0.7968	0.0801	1.4000e-004	0.0803	0.0000	6.3441	6.3441	5.6000e-004	0.0000	6.3581
MT/yr																

Leprino-Lemoore Stone Ranch Effluent Discharge_Pipeline - Kings County, Annual

3.2 Pipeline Installation - 2018

Mitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
tons/yr																
Fugitive Dust					1.3800e-003	0.0000	1.3800e-003	2.1000e-004	0.0000	2.1000e-004	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0409	0.4289	0.2867	6.6000e-004	0.0191	0.0191	0.0191	0.0176	0.0176	0.0176	0.0000	59.9636	59.9636	0.0187	0.0000	60.4303
Total	0.0409	0.4289	0.2867	6.6000e-004	1.3800e-003	0.0191	0.0205	2.1000e-004	0.0176	0.0178	0.0000	59.9636	59.9636	0.0187	0.0000	60.4303
MT/yr																

Mitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
tons/yr																
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	6.9000e-004	0.0176	3.9700e-003	4.0000e-005	0.2657	1.3000e-004	0.2658	0.0266	1.2000e-004	0.0268	0.0000	3.3991	3.3991	4.3000e-004	0.0000	3.4097
Worker	2.0200e-003	1.7800e-003	0.0161	3.0000e-005	0.5309	2.0000e-005	0.5310	0.0535	2.0000e-005	0.0535	0.0000	2.9450	2.9450	1.3000e-004	0.0000	2.9483
Total	2.7100e-003	0.0194	0.0201	7.0000e-005	0.7966	1.5000e-004	0.7968	0.0801	1.4000e-004	0.0803	0.0000	6.3441	6.3441	5.6000e-004	0.0000	6.3581
MT/yr																

Leprino-Lemoore Stone Ranch Effluent Discharge Pipeline - Kings County, Annual

3.2 Pipeline Installation - 2019

Unmitigated Construction On-Site

Category	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Fugitive Dust					1.3800e-003	0.0000	1.3800e-003	2.1000e-004	0.0000	2.1000e-004	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0305	0.3051	0.2283	5.4000e-004		0.0135	0.0135		0.0125	0.0125	0.0000	48.2575	48.2575	0.0153	0.0000	48.6392
Total	0.0305	0.3051	0.2283	5.4000e-004	1.3800e-003	0.0135	0.0149	2.1000e-004	0.0125	0.0127	0.0000	48.2575	48.2575	0.0153	0.0000	48.6392

Unmitigated Construction Off-Site

Category	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	5.0000e-004	0.0136	2.9000e-003	3.0000e-005	0.2174	9.0000e-005	0.2175	0.0218	9.0000e-005	0.0219	0.0000	2.7568	2.7568	3.4000e-004	0.0000	2.7653
Worker	1.4800e-003	1.2600e-003	0.0115	3.0000e-005	0.4344	2.0000e-005	0.4344	0.0438	2.0000e-005	0.0438	0.0000	2.3375	2.3375	9.0000e-005	0.0000	2.3399
Total	1.9800e-003	0.0149	0.0144	6.0000e-005	0.6518	1.1000e-004	0.6519	0.0656	1.1000e-004	0.0657	0.0000	5.0943	5.0943	4.3000e-004	0.0000	5.1052

Leprino-Lemoore Stone Ranch Effluent Discharge Pipeline - Kings County, Annual

3.2 Pipeline Installation - 2019
Mitigated Construction On-Site

Category	tons/yr										MT/yr						
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Fugitive Dust					1.3800e-003	0.0000	1.3800e-003	2.1000e-004	0.0000	2.1000e-004	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0305	0.3051	0.2283	5.4000e-004		0.0135	0.0135	0.0125	0.0125	0.0125	0.0000	48.2575	48.2575	0.0153	0.0000	48.6392	
Total	0.0305	0.3051	0.2283	5.4000e-004	1.3800e-003	0.0135	0.0149	2.1000e-004	0.0125	0.0127	0.0000	48.2575	48.2575	0.0153	0.0000	48.6392	

Mitigated Construction Off-Site

Category	tons/yr										MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	5.0000e-004	0.0136	2.9000e-003	3.0000e-005	0.2174	9.0000e-005	0.2175	9.0000e-005	9.0000e-005	0.0219	0.0000	2.7568	2.7568	3.4000e-004	0.0000	2.7663
Worker	1.4800e-003	1.2600e-003	0.0115	3.0000e-005	0.4344	2.0000e-005	0.4344	2.0000e-005	2.0000e-005	0.0438	0.0000	2.3375	2.3375	9.0000e-005	0.0000	2.3399
Total	1.9800e-003	0.0149	0.0144	6.0000e-005	0.6518	1.1000e-004	0.6519	1.1000e-004	1.1000e-004	0.0657	0.0000	5.0943	5.0943	4.3000e-004	0.0000	5.1052

Leprino-Lemoore Stone Ranch Effluent Discharge_Pipeline - Kings County, Annual

3.3 Trench Resurfacing - 2019
Unmitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
tons/yr																
Fugitive Dust					4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	4.7100e-003	0.0476	0.0315	8.0000e-005	2.0900e-003	2.0900e-003	2.0900e-003	1.9200e-003	1.9200e-003	1.9200e-003	0.0000	7.3268	7.3268	2.3200e-003	0.0000	7.3847
Total	4.7100e-003	0.0476	0.0315	8.0000e-005	4.0000e-005	2.0900e-003	2.1300e-003	1.0000e-005	1.9200e-003	1.9300e-003	0.0000	7.3268	7.3268	2.3200e-003	0.0000	7.3847
MT/yr																

Unmitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
tons/yr																
Hauling	5.7000e-004	0.0194	2.6300e-003	5.0000e-005	0.1214	7.0000e-005	0.1215	0.0123	7.0000e-005	0.0124	0.0000	5.0078	5.0078	4.0000e-004	0.0000	5.0178
Vendor	5.0000e-005	1.2600e-003	2.7000e-004	0.0000	0.0201	1.0000e-005	0.0201	2.0200e-003	1.0000e-005	2.0300e-003	0.0000	0.2553	0.2553	3.0000e-005	0.0000	0.2561
Worker	2.7000e-004	2.3000e-004	2.1400e-003	0.0000	0.0805	0.0000	0.0805	8.1000e-003	0.0000	8.1000e-003	0.0000	0.4329	0.4329	2.0000e-005	0.0000	0.4333
Total	8.9000e-004	0.0209	5.0400e-003	5.0000e-005	0.2220	8.0000e-005	0.2221	0.0224	8.0000e-005	0.0225	0.0000	5.6959	5.6959	4.5000e-004	0.0000	5.7072
MT/yr																

Leprino-Lemoore Stone Ranch Effluent Discharge Pipeline - Kings County, Annual

3.3 Trench Resurfacing - 2019

Mitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
tons/yr																
Fugitive Dust					4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	4.7100e-003	0.0476	0.0315	8.0000e-005	2.0900e-003	2.0900e-003	2.0900e-003	1.9200e-003	1.9200e-003	1.9200e-003	0.0000	7.3268	7.3268	2.3200e-003	0.0000	7.3847
Total	4.7100e-003	0.0476	0.0315	8.0000e-005	4.0000e-005	2.0900e-003	2.1300e-003	1.9200e-003	1.9200e-003	1.9300e-003	0.0000	7.3268	7.3268	2.3200e-003	0.0000	7.3847
MT/yr																

Mitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
tons/yr																
Hauling	5.7000e-004	0.0194	2.6300e-003	5.0000e-005	0.1214	7.0000e-005	0.1215	0.0123	7.0000e-005	0.0124	0.0000	5.0078	5.0078	4.0000e-004	0.0000	5.0178
Vendor	5.0000e-005	1.2600e-003	2.7000e-004	0.0000	0.0201	1.0000e-005	0.0201	2.0200e-003	1.0000e-005	2.0300e-003	0.0000	0.2553	0.2553	3.0000e-005	0.0000	0.2561
Worker	2.7000e-004	2.3000e-004	2.1400e-003	0.0000	0.0805	0.0000	0.0805	8.1000e-003	0.0000	8.1000e-003	0.0000	0.4329	0.4329	2.0000e-005	0.0000	0.4333
Total	8.9000e-004	0.0209	5.0400e-003	5.0000e-005	0.2220	8.0000e-005	0.2221	0.0224	8.0000e-005	0.0225	0.0000	5.6959	5.6959	4.5000e-004	0.0000	5.7072
MT/yr																

4.0 Operational Detail - Mobile

Leprino-Lemoore Stone Ranch Effluent Discharge_Pipeline - Kings County, Annual

4.1 Mitigation Measures Mobile

Category	tons/yr													MT/yr			
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e	
Mitigated	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	
Unmitigated	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated Annual VMT	Mitigated Annual VMT
	Weekday	Saturday	Sunday		
User Defined Industrial	0.00	0.00	0.00		
Total	0.00	0.00	0.00		

4.3 Trip Type Information

Land Use	Miles				Trip %				Trip Purpose %			
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by			
User Defined Industrial	14.70	6.60	6.60	0.00	0.00	0.00	0	0	0			

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
User Defined Industrial	0.480541	0.029898	0.145962	0.133853	0.023791	0.005025	0.012238	0.156969	0.001786	0.002002	0.006069	0.001023	0.000844

Leprino-Lemoore Stone Ranch Effluent Discharge_Pipeline - Kings County, Annual

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

Category	tons/yr										MT/yr						
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
NaturalGas Mitigated	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
NaturalGas Unmitigated	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

Leprino-Lemoore Stone Ranch Effluent Discharge Pipeline - Kings County, Annual

5.2 Energy by Land Use - NaturalGas

Unmitigated

Land Use	NaturalGas Use kBtu/yr	tons/yr										MT/yr						
		ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000		0.0000		0.0000		0.0000		0.0000		0.0000		0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000		0.0000		0.0000		0.0000		0.0000		0.0000		0.0000	0.0000

Mitigated

Land Use	NaturalGas Use kBtu/yr	tons/yr										MT/yr						
		ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000		0.0000		0.0000		0.0000		0.0000		0.0000		0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000		0.0000		0.0000		0.0000		0.0000		0.0000		0.0000	0.0000

Leprino-Lemoore Stone Ranch Effluent Discharge_Pipeline - Kings County, Annual

5.3 Energy by Land Use - Electricity

Unmitigated

Land Use	Electricity Use kWh/yr	Total CO2	CH4	N2O	CO2e
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

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Mitigated

Land Use	Electricity Use kWh/yr	Total CO2	CH4	N2O	CO2e
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

6.0 Area Detail

6.1 Mitigation Measures Area

Leprino-Lemoore Stone Ranch Effluent Discharge Pipeline - Kings County, Annual

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
tons/yr																	
Mitigated	0.0000	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	0.0000	2.0000e-005
Unmitigated	0.0000	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	0.0000	2.0000e-005
MT/yr																	

6.2 Area by SubCategory

Unmitigated

SubCategory	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
tons/yr																
Architectural Coating	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.0000	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	2.0000e-005
Total	0.0000	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	2.0000e-005
MT/yr																

Leprino-Lemoore Stone Ranch Effluent Discharge_Pipeline - Kings County, Annual

6.2 Area by SubCategory

Mitigated

SubCategory	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
tons/yr																	
Architectural Coating	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.0000	0.0000	1.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	2.0000e-005	2.0000e-005	2.0000e-005	0.0000	0.0000	2.0000e-005	2.0000e-005
Total	0.0000	0.0000	1.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	2.0000e-005	2.0000e-005	2.0000e-005	0.0000	0.0000	2.0000e-005	2.0000e-005
MT/yr																	

7.0 Water Detail

7.1 Mitigation Measures Water

Leprino-Lemoore Stone Ranch Effluent Discharge_Pipeline - Kings County, Annual

Category	Total CO2e			
	Total CO2	CH4	N2O	CO2e
Mitigated	0.0000	0.0000	0.0000	0.0000
Unmitigated	0.0000	0.0000	0.0000	0.0000

7.2 Water by Land Use

Unmitigated

Land Use	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
	Mgal	MT/yr			
User Defined Industrial	0 / 0	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

Leprino-Lemoore Stone Ranch Effluent Discharge_Pipeline - Kings County, Annual

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
User Defined Industrial	0 / 0	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	0.0000	0.0000	0.0000	0.0000
Unmitigated	0.0000	0.0000	0.0000	0.0000

Leprino-Lemoore Stone Ranch Effluent Discharge_Pipeline - Kings County, Annual

8.2 Waste by Land Use

Unmitigated

Land Use	Waste Disposed tons	Total CO2	CH4	N2O	CO2e
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

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Mitigated

Land Use	Waste Disposed tons	Total CO2	CH4	N2O	CO2e
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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User Defined Equipment

Equipment Type	Number
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11.0 Vegetation

Appendix B2

CalEEMod Output for Proposed Project Construction

Pump Station Installation

Leprino-Lemoore Stone Ranch Effluent Discharge_Pump Station - Kings County, Annual

Leprino-Lemoore Stone Ranch Effluent Discharge_Pump Station
Kings County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
User Defined Industrial	1.00	User Defined Unit	0.07	0.00	0

1.2 Other Project Characteristics

Urbanization	Rural	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	37
Climate Zone	3			Operational Year	2019

Utility Company Pacific Gas & Electric Company

CO2 Intensity (lb/MW/hr)	641.35	CH4 Intensity (lb/MW/hr)	0.029	N2O Intensity (lb/MW/hr)	0.006
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1.3 User Entered Comments & Non-Default Data

Leprino-Lemoore Stone Ranch Effluent Discharge_Pump Station - Kings County, Annual

Project Characteristics -

Land Use - User defined unit = 1 pump station

Construction Phase - Total working days were provided by QK: 30 days for pump station installation.

Off-road Equipment -

Off-road Equipment - QK provided the equipment list: 1 excavator, 1 front end loader, 1 dump truck (bottom dump or regular), and 1 water truck.
Trips and VMT - QK provided # of workers: 3 for the pump station. Plus water truck and material deliveries (vendors), and gravel delivery (hauling).

On-road Fugitive Dust - 40 feet of the trip is on unpaved surface.

Grading - 37 cy excavated; 76 cy replaced (including soil and top layer of gravel).

Vehicle Trips -

Road Dust -

Energy Use - 150 hp pump x 0.746 kW/hp x 8,760 hr/yr = 980,244 kWh/yr

Construction Off-road Equipment Mitigation -

Stationary Sources - Emergency Generators and Fire Pumps -

Leprino-Lemoore Stone Ranch Effluent Discharge_Pump Station - Kings County, Annual

Table Name	Column Name	Default Value	New Value
tblConstDustMitigation	WaterUnpavedRoadMoistureContent	0	0.5
tblConstDustMitigation	WaterUnpavedRoadVehicleSpeed	0	40
tblConstructionPhase	NumDays	1.00	30.00
tblEnergyUse	NT24E	0.00	980,244.00
tblGrading	MaterialExported	0.00	37.00
tblGrading	MaterialImported	0.00	76.00
tblLandUse	LotAcreage	0.00	0.07
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	0.00
tblOnRoadDust	VendorPercentPave	100.00	99.90
tblProjectCharacteristics	UrbanizationLevel	Urban	Rural
tblTripsAndVMT	HaulingTripNumber	14.00	8.00
tblTripsAndVMT	VendorTripNumber	0.00	2.00
tblTripsAndVMT	WorkerTripNumber	10.00	6.00

2.0 Emissions Summary

Leprino-Lemoore Stone Ranch Effluent Discharge_Pump Station - Kings County, Annual

2.1 Overall Construction

Unmitigated Construction

Year	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
2018	0.0324	0.3415	0.2168	5.4000e-004	1.6400e-003	0.0142	0.0159	4.0000e-004	0.0131	0.0135	0.0000	49.6009	49.6009	0.0150	0.0000	49.9749
Maximum	0.0324	0.3415	0.2168	5.4000e-004	1.6400e-003	0.0142	0.0159	4.0000e-004	0.0131	0.0135	0.0000	49.6009	49.6009	0.0150	0.0000	49.9749

Mitigated Construction

Year	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
2018	0.0324	0.3415	0.2168	5.4000e-004	1.6400e-003	0.0142	0.0159	4.0000e-004	0.0131	0.0135	0.0000	49.6009	49.6009	0.0150	0.0000	49.9748
Maximum	0.0324	0.3415	0.2168	5.4000e-004	1.6400e-003	0.0142	0.0159	4.0000e-004	0.0131	0.0135	0.0000	49.6009	49.6009	0.0150	0.0000	49.9748

Percent Reduction	tons/yr											MT/yr				
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Leprino-Lemoore Stone Ranch Effluent Discharge_Pump Station - Kings County, Annual

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
		Highest		

**2.2 Overall Operational
Unmitigated Operational**

Category	tons/yr										MT/yr						
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Area	0.0000	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	0.0000	2.0000e-005
Energy	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Mobile	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Waste						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Water						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	0.0000	2.0000e-005

Leprino-Lemoore Stone Ranch Effluent Discharge_Pump Station - Kings County, Annual

2.2 Overall Operational

Mitigated Operational

Category	tons/yr											MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e	
Area	0.0000	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	0.0000	2.0000e-005
Energy	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Mobile	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Waste					0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Water					0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	0.0000	2.0000e-005

Percent Reduction	ROG		NOx		CO		SO2		PM10		PM2.5		Bio-CO2		NBio-CO2		Total CO2		CH4		N2O		CO2e		
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Pump Station Installation	Site Preparation	10/1/2018	11/9/2018	5	30	

Acres of Grading (Site Preparation Phase): 0

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Acres of Grading (Grading Phase): 0

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating - sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Pump Station Installation	Concrete/Industrial Saws	0	8.00	81	0.73
Pump Station Installation	Excavators	1	8.00	158	0.38
Pump Station Installation	Graders	0	8.00	187	0.41
Pump Station Installation	Off-Highway Trucks	2	8.00	402	0.38
Pump Station Installation	Rubber Tired Dozers	0	1.00	247	0.40
Pump Station Installation	Tractors/Loaders/Backhoes	1	8.00	97	0.37

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Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Pump Station Installation	4	6.00	2.00	8.00	16.80	6.60	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Leprino-Lemoore Stone Ranch Effluent Discharge_Pump Station - Kings County, Annual

3.2 Pump Station Installation - 2018

Unmitigated Construction On-Site

Category	tons/yr										MT/yr						
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Fugitive Dust					1.0000e-005	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0315	0.3356	0.2102	5.2000e-004		0.0142	0.0142	0.0130	0.0130	0.0130	0.0000	47.5128	47.5128	0.0148	0.0000	47.8826	
Total	0.0315	0.3356	0.2102	5.2000e-004	1.0000e-005	0.0142	0.0142	0.0130	0.0130	0.0130	0.0000	47.5128	47.5128	0.0148	0.0000	47.8826	

Unmitigated Construction Off-Site

Category	tons/yr										MT/yr					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Hauling	4.0000e-005	1.2600e-003	1.7000e-004	0.0000	7.0000e-005	1.0000e-005	7.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.3116	0.3116	3.0000e-005	0.0000	0.3123
Vendor	1.6000e-004	4.0000e-003	9.0000e-004	1.6000e-005	4.4000e-004	3.0000e-005	4.7000e-004	8.0000e-005	3.0000e-005	1.1000e-004	0.0000	0.7725	0.7725	1.0000e-004	0.0000	0.7749
Worker	6.9000e-004	6.1000e-003	5.5000e-003	1.0000e-005	1.1200e-003	1.0000e-005	1.1300e-003	3.0000e-004	1.0000e-005	3.1000e-004	0.0000	1.0040	1.0040	4.0000e-005	0.0000	1.0051
Total	8.9000e-004	5.8700e-003	5.5700e-003	2.0000e-005	1.6300e-003	5.0000e-005	1.6700e-003	4.0000e-004	4.0000e-005	4.4000e-004	0.0000	2.0881	2.0881	1.7000e-004	0.0000	2.0923

Leprino-Lemoore Stone Ranch Effluent Discharge_Pump Station - Kings County, Annual

3.2 Pump Station Installation - 2018

Mitigated Construction On-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
	tons/yr																
	MT/yr																
Fugitive Dust					1.0000e-005	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0315	0.3356	0.2102	5.2000e-004		0.0142	0.0142	0.0130	0.0130	0.0130	0.0000	47.5127	47.5127	0.0148	0.0000	47.8825	
Total	0.0315	0.3356	0.2102	5.2000e-004	1.0000e-005	0.0142	0.0142	0.0130	0.0130	0.0130	0.0000	47.5127	47.5127	0.0148	0.0000	47.8825	

Mitigated Construction Off-Site

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
	tons/yr															
	MT/yr															
Hauling	4.0000e-005	1.2800e-003	1.7000e-004	0.0000	7.0000e-005	1.0000e-005	7.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.3116	0.3116	3.0000e-005	0.0000	0.3123
Vendor	1.6000e-004	4.0000e-003	9.0000e-004	1.0000e-005	4.4000e-004	3.0000e-005	4.7000e-004	3.0000e-005	3.0000e-005	1.1000e-004	0.0000	0.7725	0.7725	1.0000e-004	0.0000	0.7749
Worker	6.9000e-004	6.1000e-004	5.5000e-003	1.0000e-005	1.1200e-003	1.0000e-005	1.1300e-003	3.0000e-004	1.0000e-005	3.1000e-004	0.0000	1.0040	1.0040	4.0000e-005	0.0000	1.0051
Total	8.9000e-004	5.8700e-003	6.5700e-003	2.0000e-005	1.6300e-003	5.0000e-005	1.6700e-003	4.0000e-004	4.0000e-005	4.4000e-004	0.0000	2.0881	2.0881	1.7000e-004	0.0000	2.0923

4.0 Operational Detail - Mobile

Leprino-Lemoore Stone Ranch Effluent Discharge_Pump Station - Kings County, Annual

4.1 Mitigation Measures Mobile

Category	tons/yr										MT/yr					
	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Mitigated	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Unmitigated	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

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4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated Annual VMT	Mitigated Annual VMT
	Weekday	Saturday	Sunday		
User Defined Industrial	0.00	0.00	0.00		
Total	0.00	0.00	0.00		

4.3 Trip Type Information

Land Use	Miles					Trip %					Trip Purpose %				
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by	Primary	Diverted	Pass-by	Primary	Diverted	Pass-by
User Defined Industrial	14.70	6.60	6.60	0.00	0.00	0.00	0	0	0	0	0	0	0	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
User Defined Industrial	0.480541	0.029898	0.145962	0.133853	0.023791	0.005025	0.012238	0.156969	0.001786	0.002002	0.006669	0.001023	0.000844

Leprino-Lemoore Stone Ranch Effluent Discharge_Pump Station - Kings County, Annual

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

Category	tons/yr										MT/yr						
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Electricity Mitigated						0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Electricity Unmitigated						0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
NaturalGas Mitigated	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
NaturalGas Unmitigated	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

Leprino-Lemoore Stone Ranch Effluent Discharge_Pump Station - Kings County, Annual

5.2 Energy by Land Use - NaturalGas

Unmitigated

Land Use	NaturalGas Use	tons/yr										MT/yr						
		ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

Mitigated

Land Use	NaturalGas Use	tons/yr										MT/yr						
		ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

Leprino-Lemoore Stone Ranch Effluent Discharge_Pump Station - Kings County, Annual

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

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Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

6.0 Area Detail

6.1 Mitigation Measures Area

Leprino-Lemoore Stone Ranch Effluent Discharge_Pump Station - Kings County, Annual

Category	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
tons/yr																	
Mitigated	0.0000	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	0.0000	2.0000e-005
Unmitigated	0.0000	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	0.0000	2.0000e-005
MT/yr																	

6.2 Area by SubCategory

Unmitigated

SubCategory	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
tons/yr																
Architectural Coating	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.0000	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	2.0000e-005
Total	0.0000	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	2.0000e-005
MT/yr																

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6.2 Area by SubCategory

Mitigated

SubCategory	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
tons/yr																	
Architectural Coating	0.0000					0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0000					0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.0000	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	0.0000	2.0000e-005
Total	0.0000	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	0.0000	2.0000e-005
MT/yr																	

7.0 Water Detail

7.1 Mitigation Measures Water

Leprino-Lemoore Stone Ranch Effluent Discharge_Pump Station - Kings County, Annual

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	0.0000	0.0000	0.0000	0.0000
Unmitigated	0.0000	0.0000	0.0000	0.0000

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal MT/yr				
User Defined Industrial	0 / 0	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

Leprino-Lemoore Stone Ranch Effluent Discharge_Pump Station - Kings County, Annual

7.2 Water by Land Use

Mitigated

Land Use	Mgal	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
User Defined Industrial	0.70		0.0000	0.0000	0.0000	0.0000
Total			0.0000	0.0000	0.0000	0.0000

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

Category/Year	Total CO2	CH4	N2O	CO2e
Mitigated	0.0000	0.0000	0.0000	0.0000
Unmitigated	0.0000	0.0000	0.0000	0.0000

Leprino-Lemoore Stone Ranch Effluent Discharge_Pump Station - Kings County, Annual

8.2 Waste by Land Use

Unmitigated

Land Use	Waste Disposed tons	Total CO2	CH4	N2O	CO2e
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

Mitigated

Land Use	Waste Disposed tons	Total CO2	CH4	N2O	CO2e
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	-----------	-------------	-------------	-----------

Leprino-Lemoore Stone Ranch Effluent Discharge_Pump Station - Kings County, Annual

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	------------	-------------	-------------	-----------

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
----------------	--------	----------------	-----------------	---------------	-----------

User Defined Equipment

Equipment Type	Number
----------------	--------

11.0 Vegetation

Appendix C

GHG Emission Calculations for Proposed Project Operation

Table C-1. GHG Emissions Associated with Proposed Project Operation

Source	Pump Size (hp) ^a	Power Use (MWh/yr) ^b	Emission Factor (lb/MWhr) ^c			Emission Rate (MT/yr)			
			CO2	CH4	N2O	CO2	CH4	N2O	CO2e ^d
Pump Station Electricity Consumption (CEQA) ^e	150	980.2	641.35	0.029	0.006	285.2	0.01	0.003	286.3

Notes:

- a. The pump station would contain two pumps, rated at 150 hp each. Only one pump would operate at a time.
- b. Assume continuous pump operation at 150 hp.
- c. The emission factors were obtained from CalEEMod for PG&E.
- d. CO2e is carbon dioxide equivalent, calculated using global warming potentials (GWPs) from the 2007 IPCC's Fourth Assessment Report (AR4) and consistent with CalEEMod.2016.3.2. The GWPs for CH4 and N2O are 25 and 298, respectively.
- e. The pump station would not be part of the proposed Federal Action; therefore, the operational GHG emissions are subject only to CEQA.

APPENDIX B
BIOLOGICAL ANALYSIS REPORT

BIOLOGICAL ANALYSIS REPORT

CITY OF LEMOORE COMBINED EFFLUENT DISCHARGE TO THE STONE RANCH



JULY 2018



BIOLOGICAL ANALYSIS REPORT

CITY OF LEMOORE COMBINED EFFLUENT DISCHARGE TO THE STONE RANCH

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July 2018

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Project #180181

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EXECUTIVE SUMMARY

QK conducted a biological survey and prepared this Biological Analysis Report (BAR) in support of the City of Lemoore (City) Combined Effluent Discharge to the Stone Ranch Pipeline Project (Project). Relevant technical documents and agency-maintained databases were reviewed to obtain existing information on biological resources near the Project and biological conditions throughout the Project site were assessed during an on-site examination. The results of the desktop research and field surveys are summarized in this BAR.

The Project is in Kings County, California, approximately 3 miles southwest of Lemoore, approximately 0.5 miles west of the Kings River, immediately east of Lemoore Naval Air Station. This linear Project crosses State Route (SR) 198 north of Jackson Avenue and runs approximately 4.5 miles in a generally north-south direction. The Project is a proposed pipeline to convey treated effluent for beneficial reuse from the City of Lemoore's Wastewater Treatment Plant and two Leprino Foods' facilities. The treated combined effluent will be used for the irrigation of feed and fodder crops at the Stone Ranch facility located west of Lemoore and east of Lemoore Naval Air Station. The combined effluent will be blended with groundwater within the existing Stone Ranch irrigation canal system, and the blended water supply will be directly used for irrigation of agricultural crops. Transport of the treated effluent to the Ranch will be by an 18" or 24" pressure pipe connected to an existing City effluent pipeline at Jackson Avenue just west of the Kings River. A pump station will be located just north of Jackson Avenue and south of State Route 198. It will transport approximately 4.5 acre-feet per day of combined effluent through the new pipeline. A portion of the pipeline will be laid on or under an existing little-used drainage ditch and adjacent to or under a culvert under 198. Most of the pipeline will be installed under existing gravel farm roads, but approximately the northernmost mile of the road is not surfaced. A portion of the pipeline will cross a cultivated field and will not follow an existing road.

A review of agency databases was conducted in June 2018 to obtain information on the occurrences of natural communities and special-status species documented within the USGS 7.5-minute quadrangles that encompass the Project. Because parts of the Project are within both the Vanguard and Lemoore quadrangles, information was requested from twelve quadrangles. A reconnaissance-level field survey of the Project and a 500-foot buffer surrounding it was conducted on June 14, 2018. This survey focused on determining the locations and extent of vegetation communities and the potential for occurrences of sensitive plant and wildlife species within the Project. Meandering 100-foot transects were used on natural, ruderal or undeveloped lands. The survey intensity was increased in less disturbed areas of more natural habitats and in other areas that were better suited to support listed species. A "windshield" survey was conducted in areas dominated by cultivated, recently disked, and developed land. Current land uses within the Project were documented along with the presence of all plants, wildlife, and wildlife sign (scat, burrows, feather, tracks, etc.). A partial waters and wetlands delineation was conducted concurrently with the field survey on June 14, 2018. An irrigation ditch within Project boundaries, an irrigation ditch adjacent to the Project, and three wetlands/riparian areas within the Project buffer were delineated

to United States Army Corps of Engineers (ACOE) standards using an iPad combined with an EOS Arrow 100 GNSS GPS Receiver that is capable of sub-meter spatial accuracy. Additional irrigation ditches near the Project were mapped by digitizing boundaries from aerial photography. The mapping effort is sufficient for an evaluation of Project impacts, but additional on-site work may be needed to meet ACOE standards for those features that were digitized from aerial photographs.

The Project site is dominated by intensive agriculture areas. There are nearby low-density rural residential and military housing. The Project crosses through approximately 200 feet of Valley Sink Scrub habitat, which is a sensitive natural community. That area is south of SR 198, west of the Kings River, and north of Jackson Avenue. No special-status plants were observed during the field survey. There is habitat on the Project site to support eight special-status plant species. All but one of these plant species would only be present in the small, approximately 200-foot-long, area of Valley Sink Scrub that occurs on the Project site. It is unlikely that any of these species occur in that limited area. The other species that could be present would occur in wetted areas of dirt-lined canals and ditches, but that species would be unlikely to occur because of the routine maintenance that occurs in those areas.

There is habitat on or near the Project site that could support fourteen special-status wildlife species, but there are only eleven of these special-status wildlife species that have the potential to be affected by the Project. There was a sighting of the loggerhead shrike (*Lanius ludovicianus*), a California Species of Special Concern, and there was one potential San Joaquin kit fox (*Vulpes macrotis mutica*) den observed. There were no other special-status wildlife species or diagnostic signs of special status wildlife species observed, but the western spadefoot (*Spea hammondi*), San Joaquin coachwhip (*Masticophis flagellum ruddocki*), giant garter snake (*Thamnophis gigas*), western pond turtle (*Emys marmorata*), tri-colored blackbird (*Agelaius tricolor*), western burrowing owl (*Athene cunicularia*), Swainson's hawk (*Buteo swainsoni*), yellow-headed blackbird (*Xanthocephalus xanthocephalus*), and American badger (*Taxidea taxus*) could be present from time to time.

Most of the potentially occurring plant and wildlife species would only occur in the southernmost portion of the Project where the pipeline would be constructed under an existing ditch and across a small, 200-foot-long, area of Valley Sink Scrub habitat.

There is no U.S. Fish and Wildlife Service Critical habitat, wildlife and fisheries movement corridors, or linkages that would be impacted by the Project. There are no federal waters that would be impacted by the Project but there is an estimated 1.03 acres of State waters that would be impacted by the Project. The Project would not conflict with local policies and ordinances nor would the Project conflict with existing Habitat Conservation Plans, Natural Community Conservation Plans, or Recovery Plans.

Mitigation measures are included that would ensure that potentially significant impacts of the Project are reduced to levels that are less than significant.

SECTION 1 - INTRODUCTION

Quad Knopf, Inc. (QK) conducted a biological survey and prepared this Biological Analysis Report (BAR) in support of the City of Lemoore (City) Combined Effluent Discharge to the Stone Ranch Pipeline Project (Project). Relevant technical documents and agency-maintained databases were reviewed to obtain existing information on biological resources near the Project, and biological conditions throughout the Project site were assessed during an on-site examination. The results of the desktop research and field surveys are summarized in this BAR, which provides the technical basis for the analysis of potential impacts to biological resources that may result from the construction, operation, and maintenance of the Project. This document provides Project-specific information and impact analysis that is necessary for the development of a California Environmental Quality Act (CEQA) report.

1.1 - Project Location

The Project is in Kings County, California, approximately 3 miles southwest of Lemoore, approximately 0.5 miles west of the Kings River, immediately east of Lemoore Naval Air Station, (Figures 1-1 and 1-2). This linear Project crosses State Route (SR) 198 north of Jackson Avenue and runs approximately 4.5 miles in a generally north-south direction through Sections 2, 11, 12, 13, 24, and 25, in the eastern portion of Township 19 South, Range 19 East, Mount Diablo Base and Meridian. The northern terminus of the Project is in the southwest quarter of the northwest quarter of Section 2, and the southern terminus is in the northwest quarter of the northeast corner of Section 25. The Project is in both the southeast quarter of the Lemoore United States Geological Survey (USGS) 7.5-minute topographical quadrangle and the southwest corner of the Vanguard USGS topographical quadrangle.

1.2 - Project Description

The Project is a proposed pipeline to convey treated effluent for beneficial reuse from the City of Lemoore's Wastewater Treatment Plant and two Leprino Foods process wastewater treatment facilities. The treated combined effluent will be used for the irrigation of feed and fodder crops at the Stone Ranch facility located west of Lemoore and east of Lemoore Naval Air Station. The combined effluent will be blended with groundwater within the existing Stone Ranch irrigation canal system, and the blended water supply will be directly used for irrigation.

The Stone Ranch has operated as an agricultural enterprise since 1984. Existing infrastructure at the site consists of irrigation ditches, subsurface interceptor drains, evaporation basins, a subsurface drainage system, irrigation wells, and tailwater ditches.

Transport of the treated effluent to the Ranch will be by an 18" or 24" pressure pipe connected to an existing City effluent pipeline at Jackson Avenue just west of the Kings River. A pump station located just north of Jackson Avenue and south of State Route 198 will transport approximately 4.5 acre-feet per day of combined effluent through the new



Figure 1-1
Regional Map

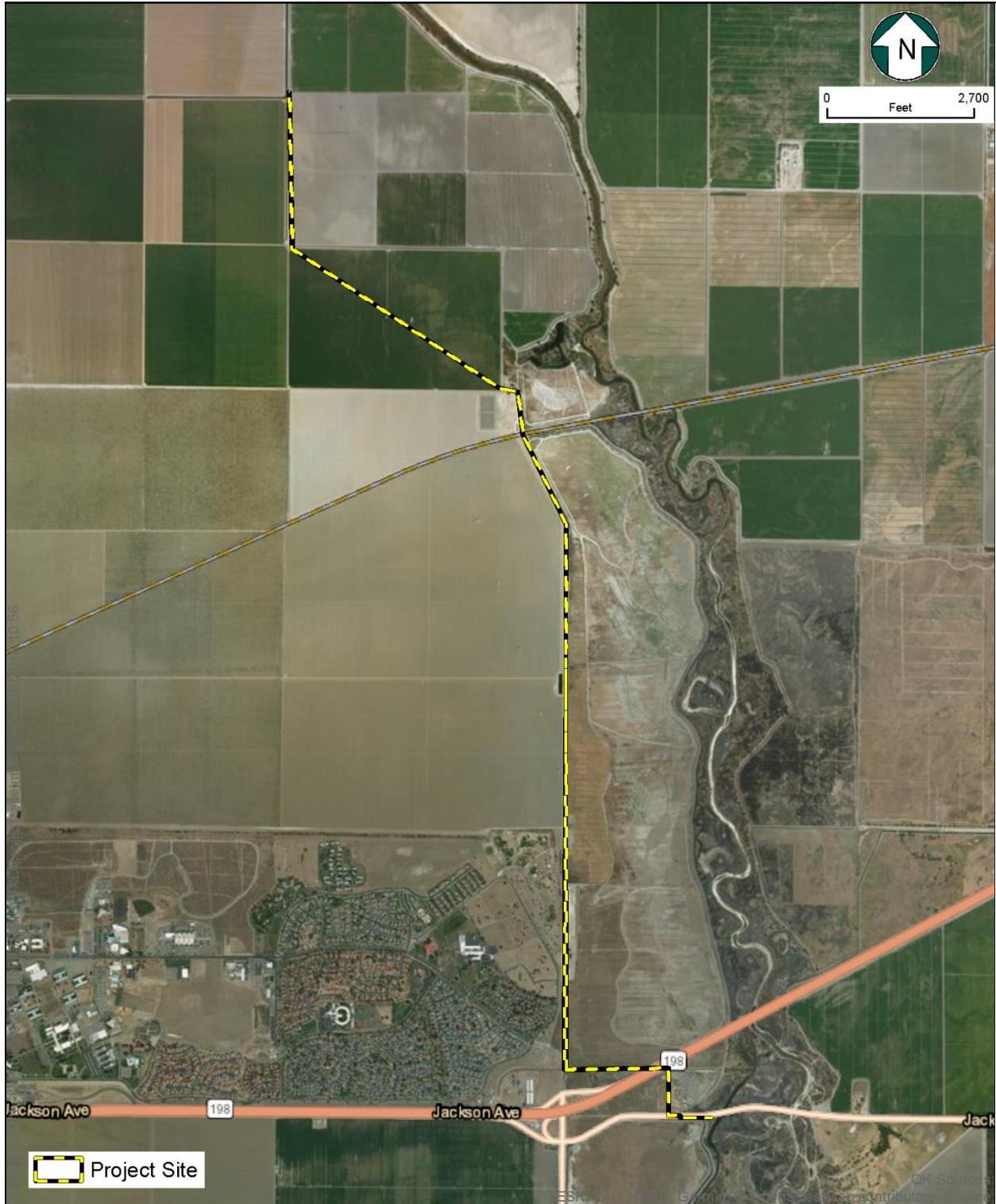


Figure 1-2
Vicinity Map

pipeline. A portion of the pipeline will be laid under an existing little-used drainage ditch and adjacent to or under a culvert under 198. Most of the pipeline will be installed under existing gravel farm roads, but approximately the northernmost mile of the road is not surfaced. A portion of the pipeline will cross a cultivated field and will not follow an existing road.

1.3 - Purpose, Goals, and Objectives

This BAR provides information about the condition and sensitivity of natural resources currently existing on and adjacent to the Project site. The occurrence of sensitive natural communities and special-status species that are known to occur on and adjacent to the Project site are provided, based upon available historic records and data collected during on-site field surveys. The purpose of this BAR is to provide site-specific information and an evaluation of Project impacts that would be used for the preparation of Project environmental documentation and evaluation pursuant to the California Environmental Quality Act (CEQA). The Project is subject to discretionary approvals by the City of Lemoore City Council, and the City will act as the CEQA lead agency. This BAR provides the substantial evidence upon which the required evaluation of feasibility, environmental analysis, and findings of fact in relation to biological resources can be made.

The environmental analysis of the Project does not include existing activities at the Stone Ranch, because the existing irrigation system and operations will remain unchanged except that some currently produced well water will be replaced by the combined effluent. The analysis does include the installation of the pump station and the total pipeline length.

SECTION 2 - ENVIRONMENTAL SETTING

This section identifies the regional environmental setting of the Project and describes baseline conditions. The setting is described in the context of the following subject areas:

- Topography
- Climate
- Land Use
- Soils
- Hydrology, and
- General Biological Conditions

2.1 - Topography

The Project and surrounding land are relatively flat and exhibit little topographic variation (Figure 2-1). The surrounding land exhibits a gentle slope from west to east ending in the banks of the Kings River. The portion of the Kings River adjacent to the Project site connects Fresno Slough to the now-dry Tulare Lake.

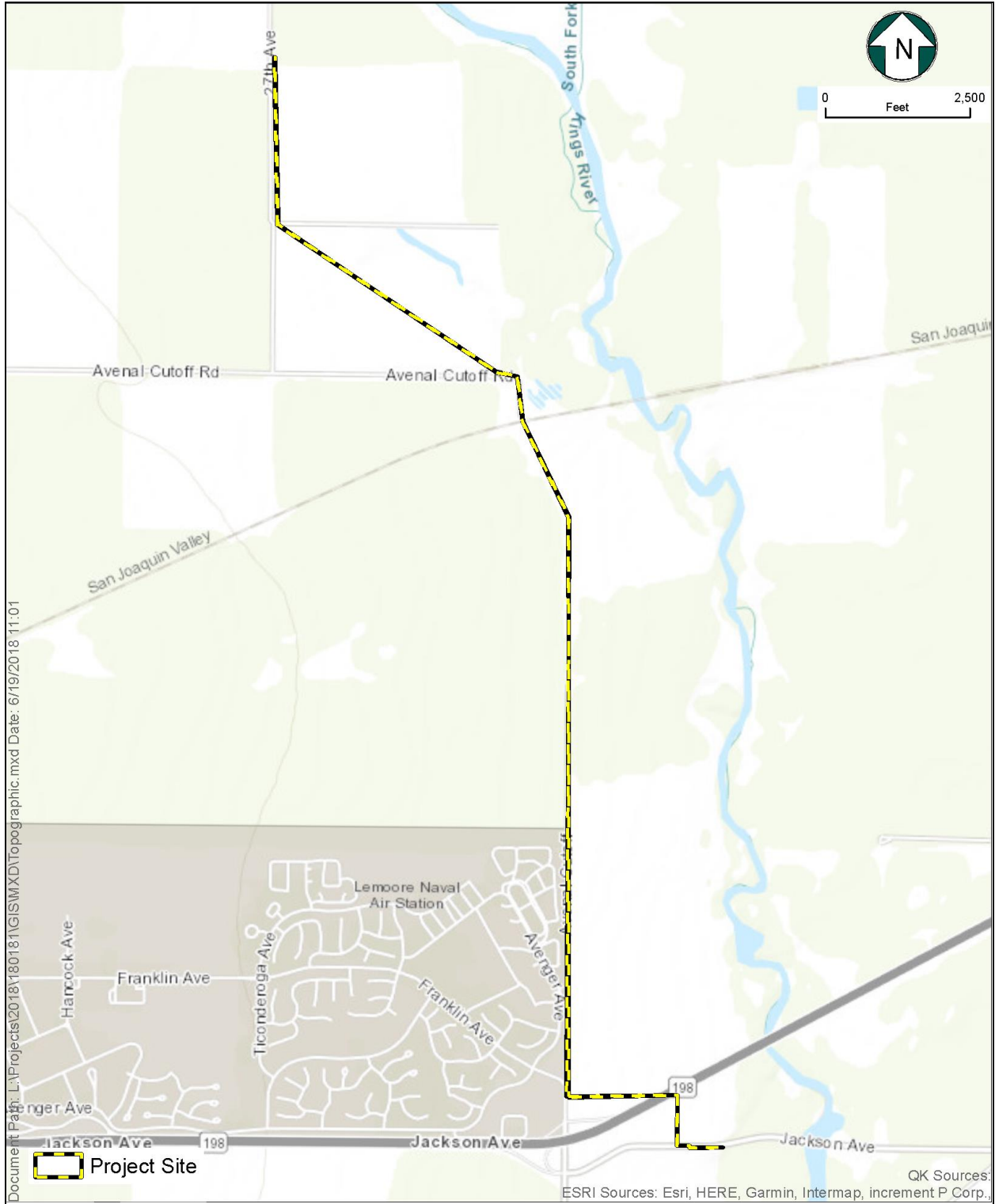
2.2 - Climate


The hot and dry summers of the region, contrasting with the cool and wet winters, are characteristic of a Mediterranean-type climate. The southwestern San Joaquin Valley is in the rain shadow of the Coast Range, which creates semiarid conditions. The nearest weather station is in Westhaven approximately 8 miles southwest of the Project, which measures an average of 7.15 inches of precipitation annually (Cooperative Observer Program ID: 049560) (WRCC 2017). Over 90% of precipitation falls between October and April (inclusive). The majority of this will fall as rain, with snowfall being extremely rare. Dense fog is common in the winter. The highest monthly average maximum temperature is 102 degrees Fahrenheit (F) in July, and the lowest monthly average minimum temperature is 35 degrees F in December. The arid conditions, extreme heat, and variable precipitation create a harsh and unpredictable environment for plants and wildlife.

2.3 - Land Use

The Project and surrounding land consists mostly of agricultural and ruderal fields in a matrix of dirt and gravel roads and irrigation ditches. Many irrigation ditches exist near the Project, and in one area pipeline will be laid under an existing ditch. Agriculture near the Project consists of young pistachio orchards and row crops including tomato, alfalfa, and cotton.

Lemoore Naval Air Station is adjacent to part of the southern section of the Project. Nearby parts of the Air Station consist of an entry point, developed housing and a recreational park. Non-military developments in the area include rural residences, sumps, duck club ponds, and a small solar installation.



 **Figure 2-1**
Topographic Vicinity Map

While most of the land near the Project is developed or has been disked, small amounts of undeveloped wetlands, riparian forest, and Valley Sink Scrub exist east of the Project near the Kings River.

2.4 - Soils

Soils underlying the Project consist almost entirely of Lethent Clay Loam, with small sections of Gepford Clay on the northern and southern ends of the Project and a small section of Tulare Clay at the extreme southeastern tip (Figure 2-2).

2.5 - Hydrology

Almost all of the Project is situated within a Federal Emergency Management Agency (FEMA) area of minimal flood hazard (Figure 2-3). Small sections in the extreme north and south ends of the Project fall within FEMA areas of 0.2% and 1% annual chance of flood hazard. Although the Kings River and several associated water features occur near the Project, only canal ditches and artificial waterways cross or are immediately adjacent to the Project (Figure 2-4).

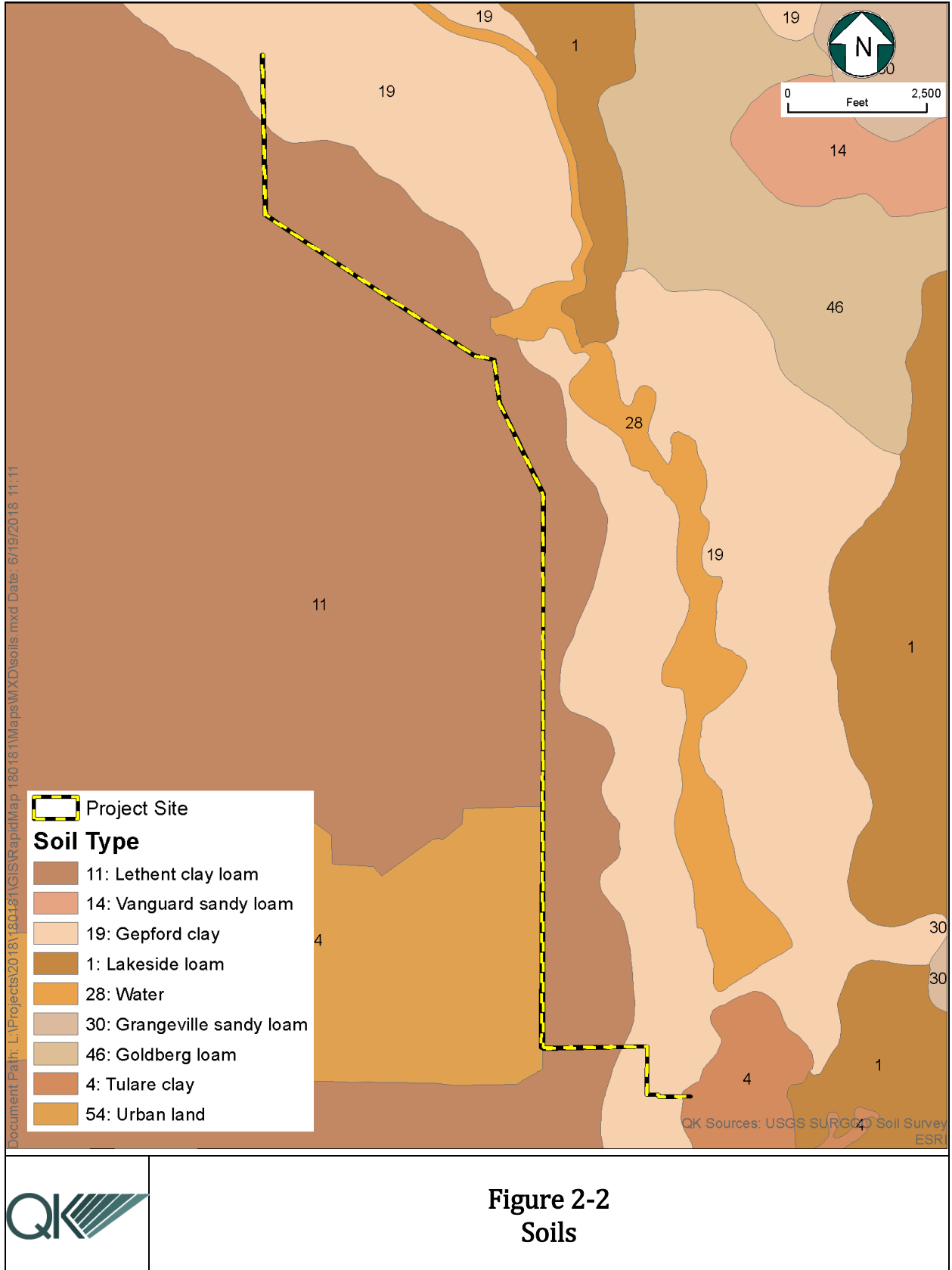
2.6 - General Biological Conditions

Biological conditions vary along the course of the approximately 4.5-mile long project. Much of the land is covered by orchards, row crops, developed land in the Lemoore Naval Air Station, or ruderal vegetation in previously disked fields. Some wetlands, riparian trees, and saltbush scrub remain near the Kings River.

There were 37 species of plants identified near the Project site (Table 2-1). Agricultural land near the Project includes row crops of tomato (*Solanum lycopersicum*), alfalfa (*Medicago satvia*), and cotton (*Gossypium hirsutum*), and young pistachio (*Pistachia vera*) orchards. Developed land in the Lemoore Naval Air Station contains blue gum eucalyptus (*Eucalyptus globulus*) and a variety of ornamental plants.

Wetlands near the Project are dominated by broadleaf cattails (*Typha latifolia*) and tule rush (*Schoenoplectus acutus*) with scattered willow (*Salix* sp.) and valley oak (*Quercus lobata*) trees and smaller amounts of narrow leaf milkweed (*Asclepias fascicularis*). Water plants such as water fern (*Azolla* sp.) and six petal water primrose (*Ludwigia hexapetala*) were found in the Kings River and in canals. A small area near the southern end of the Project is disturbed saltbush scrub which contains pickleweed (*Allenrolfea occidentalis*) and small amounts of red brome (*Bromus madritensis*).

A variety of animal species, primarily birds, were identified near the Project site (Table 2-1). Cliff swallows (*Petrochelidon pyrrhonota*) were the most common species observed, followed by red-winged blackbirds (*Agelaius phoeniceus*), western kingbirds (*Tyrannus verticalis*), and house sparrows (*Passer domesticus*). These species are typically present in areas of agricultural and light residential development of the San Joaquin Valley.



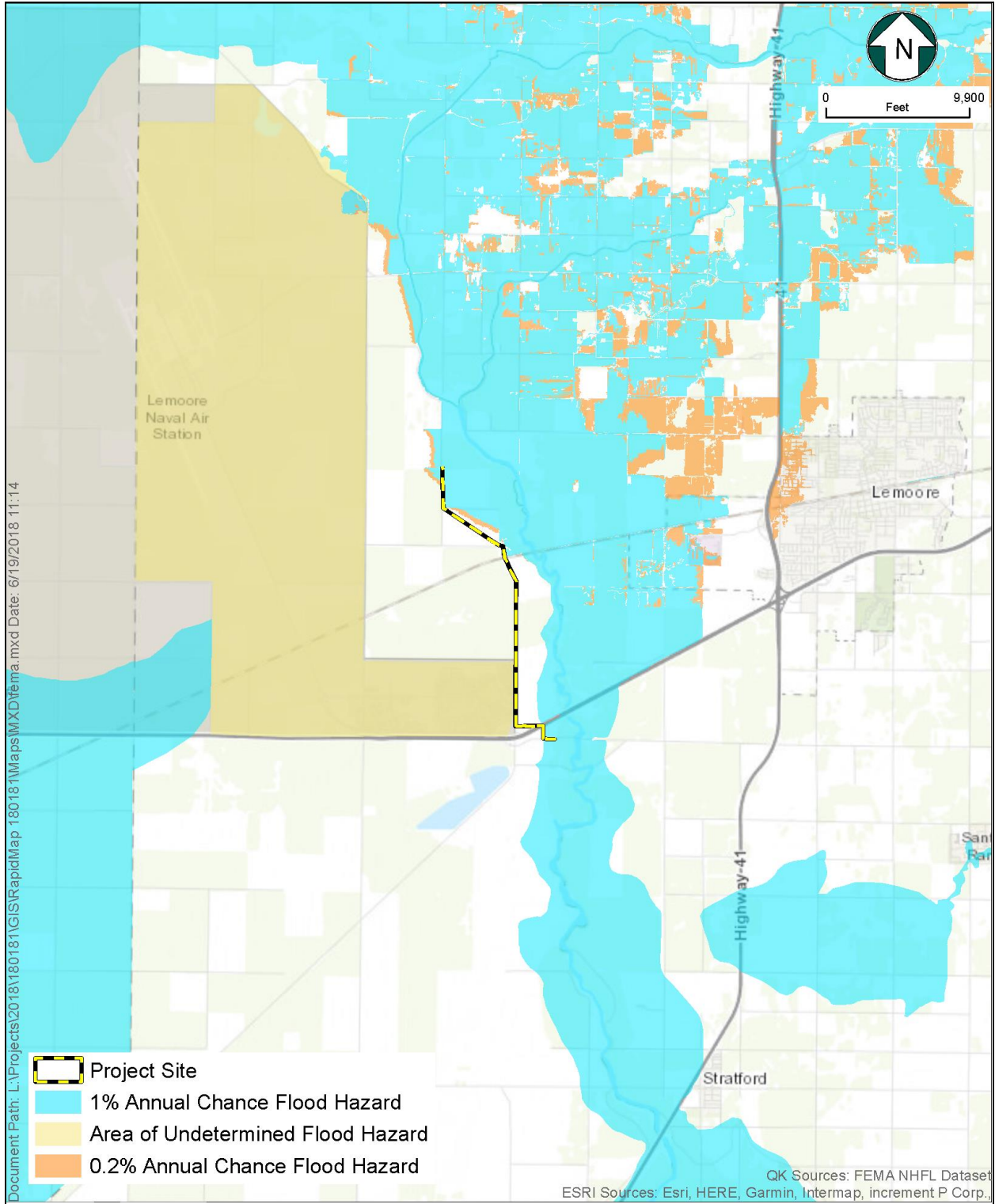


Figure 2-3
FEMA Flood Zones

**Table 2-1
Common Plant and Wildlife Species Observed on the Leprino Foods/City of Lemoore
Combined Effluent Discharge to the Stone Ranch, Kings County, California**

Scientific Name	Common Name
Plants	
<i>Acmispon americanus</i>	Spanish lotus
<i>Aira caryophyllea</i>	silver hairgrass
<i>Allenrolfea occidentalis</i>	iodine bush
<i>Arundo dondax</i>	arundo
<i>Asclepias fascicularis</i>	narrow leaf milkweed
<i>Atriplex polycarpa</i>	allscale saltbush
<i>Azolla sp.</i>	water fern
<i>Bromus madritensis</i>	red brome
<i>Cephalanthus occidentalis</i>	buttonwillow
<i>Cynodon dactylon</i>	Bermuda grass
<i>Echinochloa crus-galli</i>	barnyard grass
<i>Eucalyptus globulus</i>	blue gum eucalyptus
<i>Festuca perennis</i>	Italian wild rye
<i>Gossypium hirsutum</i>	cotton
<i>Helianthus annuus</i>	common sunflower
<i>Heliotropium curassavicum</i>	salt heliotrope
<i>Lactuca serriola</i>	prickly wild lettuce
<i>Ludwigia hexapetala</i>	six petal water primrose
<i>Malvella leprosa</i>	alkali mallow
<i>Marrubium vulgare</i>	horehound
<i>Medicago satvia</i>	alfalfa
<i>Jugulans sp.</i>	walnut
<i>Juncus sp.</i>	rush
<i>Parkinsonia aculeata</i>	palo verde
<i>Pistachia vera</i>	pistachio
<i>Quercus lobata</i>	valley oak
<i>Rumex crispus</i>	curly dock
<i>Salix sp.</i>	willow
<i>Salsola tragus</i>	Russian thistle
<i>Sambucus nigra</i>	black elderberry
<i>Schoenoplectus acutus</i>	tule rush
<i>Silybum marianum</i>	milk thistle
<i>Solanum lycopersicum</i>	tomato
<i>Tribulus terrestris</i>	puncturevine
<i>Typha latifolia</i>	broadleaf cattail
<i>Urtica dioica</i>	stinging nettle
<i>Veronica peregrina</i>	neckweed
Amphibians	
<i>Lithobates catesbeianus</i>	bullfrog

Scientific Name	Common Name
Reptiles	
<i>Uta stansburiana</i>	side-blotched lizard
Birds	
<i>Agelaius phoeniceus</i>	red-winged blackbird
<i>Anas platyrhynchos</i>	mallard
<i>Aphelocoma californica</i>	California scrub jay
<i>Ardea Herodias</i>	great blue heron
<i>Buteo jamaicensis</i>	red-tailed hawk
<i>Buteo swainsoni</i>	Swainson's hawk
<i>Charadrius vociferous</i>	killdeer
<i>Chordeiles acutipennis</i>	lesser nighthawk
<i>Euphagus cyanocephalus</i>	Brewer's blackbird
<i>Falco sparverius</i>	American kestrel
<i>Fulica americana</i>	American coot
<i>Gallinula galeata</i>	common gallinule
<i>Haemorhous mexicanus</i>	house finch
<i>Hirundo rustica</i>	barn swallow
<i>Lanius ludovicianus</i>	loggerhead shrike
<i>Mimus polyglottus</i>	northern mockingbird
<i>Passer domesticus</i>	house sparrow
<i>Petrochelidon pyrrhonota</i>	cliff swallow
<i>Sayornis nigricans</i>	black phoebe
<i>Streptopelia decaocto</i>	Eurasian collared-dove
<i>Tyrannus verticalis</i>	western kingbird
<i>Zenaida macroura</i>	mourning dove
Mammals	
<i>Canis latrans</i> *	coyote*
<i>Felis silvestris</i>	domestic/feral cat
<i>Otospermophilus beechyi</i>	California ground squirrel

*indicates sign (i.e. scat, tracks, prey remains, dens, etc.) was observed.

SECTION 3 - REGULATORY SETTING

3.1 - Applicable Federal Regulations

3.1.1 - FEDERAL ENDANGERED SPECIES ACT OF 1973 (USC, TITLE 16, SECTIONS 1531 - 1543)

The federal Endangered Species Act (FESA) and subsequent amendments provide guidance for the conservation of endangered and threatened species and the ecosystems upon which they depend. The FESA defines species as threatened or endangered and provides regulatory protection for listed species. The FESA provides a program for the conservation and recovery of threatened and endangered species as well as the protection of designated critical habitat that USFWS determines is required for the survival and recovery of listed species.

Section 9 lists actions that are prohibited under the FESA. Although take of a listed species is prohibited, it is allowed when it is incidental to an otherwise legal activity. Section 9 prohibits take of listed species of fish, wildlife, and plants without special exemption. The definition of “harm” includes significant habitat modification or degradation that results in death or injury to listed species by significantly impairing behavioral patterns related to breeding, feeding, or shelter. “Harass” is defined as actions that create the likelihood of injury to listed species by disrupting normal behavioral patterns related to breeding, feeding, and shelter significantly.

Section 7 of the FESA requires federal agencies, in consultation with and assistance from the Secretary of the Interior or the Secretary of Commerce, as appropriate, to ensure that actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of threatened or endangered species or result in the destruction of adverse modification of critical habitat for these species. The USFWS and National Marine Fisheries Service (NMFS) share responsibilities for administering the FESA. Regulations governing interagency cooperation under Section 7 are found in California Code of Regulations (CCR) Title 50, Part 402. If an activity could result in "take" of a listed species as an incident of an otherwise lawful activity, then a biological opinion can be issued with an incidental take statement that exempts the activity from FESA's take prohibitions. The Project lacks federal funding or any other nexus to federal jurisdiction, and Section 7 does not apply.

Section 10 provides a means whereby a nonfederal action with the potential to result in take of a listed species can be allowed under an incidental take permit. Application procedures are found at CFR Title 50, Sections 13 and 17 for species under the jurisdiction of USFWS and CFR, Title 50, Sections 217, 220, and 222 for species under the jurisdiction of NMFS. Section 10 would apply to the Project if take of a species (as defined in Section 9) were determined to occur.

Section 4(a)(3) and (b)(2) of the FESA requires the designation of critical habitat to the maximum extent possible and prudent based on the best available scientific data and after considering the economic impacts of any designations. Critical habitat is defined in section 3(5)(A) of the FESA: 1) areas within the geographic range of a species that are occupied by

individuals of that species and contain the primary constituent elements (physical and biological features) essential to the conservation of the species, thus warranting special management consideration or protection; and 2) areas outside of the geographic range of a species at the time of listing but that are considered essential to the conservation of the species.

3.1.2 - MIGRATORY BIRD TREATY ACT (USC, TITLE 16, SECTIONS 703 - 711)

The MBTA, first enacted in 1918, is a series of treaties that the United State has with Great Britain (on behalf of Canada), Mexico, Japan, and the former Soviet Union that provide for international migratory bird protection. The MBTA authorizes the Secretary of the Interior to regulate the taking of migratory birds. The act provides that it shall be unlawful, except as permitted by regulations, “to pursue, take, or kill any migratory bird, or any part, nest or egg of any such bird” (U.S. Code Title 16, Section 703). The MBTA currently includes several hundred species and includes all native birds.

3.1.3 - BALD AND GOLDEN EAGLE PROTECTION ACT OF 1940 (USC, TITLE 16, SECTION 668)

The Bald and Golden Eagle Protection Act (BGEPA) of 1940 protects bald eagles (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*) by prohibiting the taking, possession, and commerce of these species and establishes civil penalties for violation of this act. Take of bald and golden eagles includes to “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.” To disturb means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior. (Federal Register [FR], volume 72, page 31132; 50 CFR 22.3).

3.1.4 - FEDERAL CLEAN WATER ACT (USC, TITLE 33, SECTIONS 1521 - 1376)

The federal Clean Water Act (CWA) provides guidance for the restoration and maintenance of the chemical, physical, and biological integrity of the nation’s waters. Section 401 requires that a Project applicant that is pursuing a federal license or permit allowing a discharge to waters of the U.S. obtain State Certification of Water Quality, thereby ensuring that the discharge will comply with provisions of the CWA. The Regional Water Quality Control Board (RWQCB) administers the certification program in California. Section 402 establishes a permitting system for the discharge of any pollutant (except dredged or fill material) into waters of the U.S. Section 404 establishes a permit program administered by the United States Army Corps of Engineers (USACE) that regulates the discharge of the dredged or fill material into waters of the U.S., including wetlands. The USACA-implementing regulations are found in CFR, Title 33, Sections 320 and 330. Guidelines for implementation are referred to as the Section 404(b)(1) Guidelines, which were developed by the United States Environmental Protection Agency (EPA) in conjunction with USACE (40 CFR 230). The guidelines allow the discharge of dredged or fill material into the aquatic system only if there is no practicable alternative that would have less adverse impacts.

3.2 - Applicable State Regulations

3.2.1 - CALIFORNIA ENVIRONMENTAL QUALITY ACT (CALIFORNIA PUBLIC RESOURCES CODE, SECTIONS 21000 - 21178, AND TITLE 14 CCR, SECTION 753, AND CHAPTER 3, SECTIONS 15000 - 15387)

The California Environmental Quality Act (CEQA) is California's broadest environmental law. CEQA helps guide the issuance of permits and approval of Projects. Courts have interpreted CEQA to afford the fullest protection of the environment within the reasonable scope of the statutes. CEQA applies to all discretionary Projects proposed to be conducted or approved by a State, County, or City agency, including private Projects requiring discretionary government approval.

The purpose of CEQA is to disclose to the public the significant environmental effects of a proposed discretionary Project; prevent or minimize damage to the environment through development of Project alternatives, mitigation measures, and mitigation monitoring; disclose to the public the agency decision-making process to approve discretionary Projects; enhance public participation in the environmental review process; and improve interagency coordination.

State CEQA Guidelines Section 15380(b) provides that a species not listed on the federal or State list of protected species nonetheless may be considered rare or endangered for purposes of CEQA if the species can be shown to meet certain specified criteria. These criteria have been modeled after the definition in FESA and the section of the California Fish and Game Code dealing with rare or endangered plants or animals.

3.2.2 - CALIFORNIA ENDANGERED SPECIES ACT (CALIFORNIA FISH AND GAME CODE SECTION 2050 ET SEQ.)

The California Endangered Species Act (CESA) establishes the policy of the State to conserve, protect, restore, and enhance threatened or endangered species and their habitats. The CESA mandates that State agencies should not approve Projects that would jeopardize the continued existence of threatened or endangered species if reasonable and prudent alternatives are available that would avoid jeopardy. For Projects that would result in take of a species listed under the CESA, a Project proponent would need to obtain a take permit under Section 2081(b). Alternatively, the CDFW has the option of issuing a Consistency Determination (Section 2080.1) for Projects that would affect a species listed under both the CESA and the FESA, as long as compliance with the FESA would satisfy the “fully mitigate” standard of CESA, and other applicable conditions.

3.2.3 - PORTER-COLOGNE WATER QUALITY CONTROL ACT

Under Section 401 of the CWA, the RWQCB must certify that actions receiving authorization under Section 404 of the CWA also meet State water quality standards. The RWQCB regulates waters of the State under the authority of the Porter-Cologne Water Quality Control Act

(Porter Cologne Act). The RWQCB requires Projects to avoid impacts to wetlands whenever feasible and requires that Projects do not result in a net loss of wetland acreage or a net loss of wetland function and values. The RWQCB typically requires compensatory mitigation for impacts to wetlands and/or waters of the State. The RWQCB has jurisdiction over waters deemed 'isolated' or not subject to Section 404 jurisdiction under the Solid Waste Agency of Northern Cook County (SWANCC) decision. Dredging, filling, or excavation of isolated waters constitutes a discharge of waste into waters of the State, and such discharges are authorized through an Order of Waste Discharge (or waiver of discharge) from the RWQCB.

3.2.4 - VARIOUS SECTIONS OF THE CALIFORNIA STATE FISH AND GAME CODE

Sections 1600 through 1616

Under these sections of the California Fish and Game Code (FGC), a Project proponent or operator is required to notify CDFW prior to any Project that would divert, obstruct, or change the natural flow, bed, channel, or bank of any river, stream, or lake. Pursuant to the California Code of Regulations, a "stream" is defined as a body of water that flows at least periodically or intermittently through a bed or channel having banks and supporting fish or other aquatic life. Based on this definition, a watercourse with surface or subsurface flows that supports or has supported riparian vegetation is a stream and is subject to CDFW jurisdiction. Altered or artificial watercourses valuable to fish and wildlife are subject to CDFW jurisdiction. CDFW also has jurisdiction over dry washes that carry water during storm events. Preliminary notification and Project review generally occur during the environmental process. When an existing fish or wildlife resource may be substantially adversely affected, CDFW is required to propose reasonable Project changes to protect the resource. These modifications are formalized in a Streambed Alteration Agreement.

Sections 3511, 4700, 5050, and 5515

Protection of fully protected species is described in Sections 3511, 4700, 5050, and 5515 of the FGC. These statutes prohibit take or possession of fully protected species. CDFW is unable to authorize incidental take of fully protected species, except as allowed for in an approved Natural Communities Conservation Plan (NCCP), or through direct legislative action.

Sections 1900 through 1913 - Native Plant Protection Act

California's Native Plant Protection Act (NPPA) requires all State agencies to use their authority to carry out programs to conserve endangered and rare native plants. Provision of the NPPA prohibit the taking of listed plants from the wild and require notification of CDFW at least ten days in advance of any change in land use. This allows CDFW to salvage listed plant species that otherwise would be destroyed. A Project proponent is required to conduct botanical inventories and consult with CDFW during Project planning to comply with the provisions of this act and sections of CEQA that apply to rare or endangered plants.

SECTION 4 - METHODS

This section discusses the methods used to obtain relevant data on the occurrence, or potential occurrence, of resources on the Project. These included an agency-maintained database search, a literature review, and an on-site survey.

4.1 - Literature Review and Database Analysis

A review of agency databases was conducted in June 2018 to obtain information on the occurrences of natural communities and special-status species documented within the USGS 7.5-minute quadrangles that encompass the Project. Because parts of the Project are within both the Vanguard and Lemoore quadrangles, information was requested from twelve quads. The California Natural Diversity Database (CNDDDB 2018), California Native Plant Society Database (CNPS 2018), and U.S. Fish and Wildlife Service (USFWS) Threatened and Endangered Species List (USFWS 2018a) were reviewed to obtain occurrences of sensitive natural communities, federally-listed species, State-listed species, other species of special concern, and USFWS Critical Habitat Units that have been recorded within the twelve quads surrounding the Project site. To satisfy other standard search criteria, CNDDDB records within a 10-mile radius of the Project site were queried separately from the broader database search.

The CNDDDB provides element-specific spatial information on individual documented occurrences of special-status species and sensitive natural vegetation communities. The CNPS database provides similar information as the CNDDDB, but at a much lower spatial resolution. The USFWS query generates a list of federally protected species known to potentially occur within individual USGS quadrangles. Wildlife species designated as “Fully Protected” by California Fish and Game Code Sections 5515 (Fully Protected Fish), 5050 (Fully Protected reptiles and amphibians), 3511 (Fully Protected birds), and 4700 (Fully Protected mammals) were included on the final list.

Reviews of the National Wetlands Inventory (NWI, USFWS 2018b) and National Hydrology Dataset (NHD 2018) were completed to identify whether wetlands had previously been documented on or adjacent to the Project site. The NWI, which is operated by the USFWS, is a collection of wetland and riparian maps that depicts graphic representations of the type, size, and location of wetland, deep water, and riparian habitats in the United States. In addition to the NWI, regional hydrologic information was obtained from the USGS to evaluate the potential occurrence of blue-line streams within the Project site.

Soils data were obtained from the Natural Resource Conservation District, United States Department of Agriculture (USDA 2018), weather and precipitation data were obtained from the Western Regional Climate Center (WRCC 2018), and land use information was obtained from available aerial imagery. Information about flood-prone areas was obtained from the Federal Emergency Management Agency, Department of Homeland Security (FEMA 2018)

and information on protected lands was obtained from Greeninfo Network (Greeninfo Network 2018).

The results of the database inquiries were subsequently reviewed to extract pertinent information on site conditions and evaluate the potential for sensitive biological resources to occur within or near the Project site. Only those resources with the potential to be present and affected by the Project were included and considered in this document. The potential presence of natural communities and special-status species was based on distributional ranges overlapping the Project site and the presence of habitat and/or primary constituent habitat elements that would support the various species.

4.2 - Reconnaissance-level Field Surveys

QK biologists Alex Single and Dylan Ayers completed a reconnaissance-level field survey of the Project and a 500-foot buffer surrounding it on June 14, 2018. This survey focused on determining the locations and extent of vegetation communities and the potential for occurrences of sensitive plant and wildlife species within the Project (Tables 5-1 and 5-2). QK biologists conducting the survey used two methodologies. Meandering 100-foot transects were used on natural, ruderal or undeveloped lands. The survey intensity was increased in less disturbed areas of more natural habitats and in other areas that were better suited to support listed species. A “windshield” survey was conducted in areas dominated by cultivated, recently disked, and developed land. Current land uses within the Project were documented along with the presence of all plants, wildlife, and wildlife sign (scat, burrows, feather, tracks, etc.). All suitable habitats that could potentially support wildlife within the Project were documented and photographs were taken.

4.3 - Focused Field Surveys

4.3.1 - WATERS DELINEATIONS

Prior to conducting field investigations, a review of the National Wetlands Inventory (USFWS 2015), was completed to determine the historic occurrence of known wetlands on the Project. The NWI is a collection of wetland and riparian maps that depict graphic representations of the type, size, and location of wetland, deep water, and riparian habitats in the United States. The NWI maps were prepared through the analysis of high altitude imagery, collateral data sources, and field work. Given that only one percent, on average, of the NWI is updated each year, its interpretation was accompanied by site-specific surveys. The National Hydrology Dataset (NHD) was referenced to evaluate the historical occurrence of blue-line drainages within the Project.

QK biologists Alex Single and Dylan Ayers conducted a partial waters and wetlands delineation concurrently with the field survey on June 14, 2018. A drainage ditch within Project boundaries, an irrigation ditch adjacent to the Project, and three wetlands/riparian areas within the Project buffer were delineated to United States Army Corps of Engineers (ACOE) standards using an iPad combined with an EOS Arrow 100 GNSS GPS Receiver that is capable of sub-meter spatial accuracy. Additional irrigation ditches near the Project were

mapped by digitizing boundaries from aerial photography. The delineation efforts were sufficient for an evaluation of Project impacts, but additional on-site work may be needed to meet ACOE standards for those features that were digitized from aerial photographs.

SECTION 5 - RESULTS

The results of the database searches and the evaluations of special-status species occurrence within the Project, as well as specific information gathered during the various field surveys, are presented in this section. These findings are used to support the evaluations of the condition and sensitivity of the natural resources currently existing on and adjacent to the Project site. The analysis of potential impacts of the Project to sensitive natural resources is provided in Section 6.

5.1 - Sensitive Natural Communities

Sensitive natural communities are designated by various resource agencies including the CDFW, USFWS, United States Bureau of Land Management (BLM), Forest Service, or are designated by local agencies through policies, ordinances, and regulations. Sensitive natural communities generally have important functions or values for plants and wildlife or are recognized as declining in extent or distribution and warrant some level of protection. One sensitive natural community, Valley Sink Scrub, occurs within and near the Project site.

5.1.1 - RESULTS OF LITERATURE REVIEW AND DATABASE SEARCHES

The CNDDDB database listed the presence of Valley Sink Scrub, a sensitive natural community, approximately 2.5 miles southeast of the southern terminus of the Project site (Figure 5-1). Valley Sink Scrub consists of low, open to dense succulent shrublands dominated by alkali-tolerant plants, particularly within the family Chenopodiaceae. These include *Allenrolfea occidentalis* and several species of *Sueda*. Understories usually are lacking, though sparse herbaceous cover dominated by *Bromus rubens* develops occasionally. Soils consist of saline or alkaline clays.

5.1.2 - PRESENCE OF SENSITIVE NATURAL COMMUNITIES

The Project is dominated by intensive agriculture and developed areas, including both low-density rural residential and military housing. A small section of the southernmost portion of the Project site contains Valley Sink Scrub. That area is south of SR 198, west of the Kings River, and north of Jackson Avenue. The Project crosses through approximately 200 feet of Valley Sink Scrub habitat, encroaching upon 0.06 acre of this community.

5.2 - Special-Status Plants

Special-status plants are not limited to those that have been listed by State or federal agencies but include any plants that, based on all available data, are shown to be rare, threatened, or endangered in California. A species, subspecies, or variety of plant is "endangered" when the prospects of its survival and reproduction are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, over-exploitation, predation, competition, or disease. A plant is "threatened" when it is likely to become endangered in the foreseeable future in the absence of protection measures. A plant is "rare" when, although not presently threatened with extinction, the species, subspecies, or variety

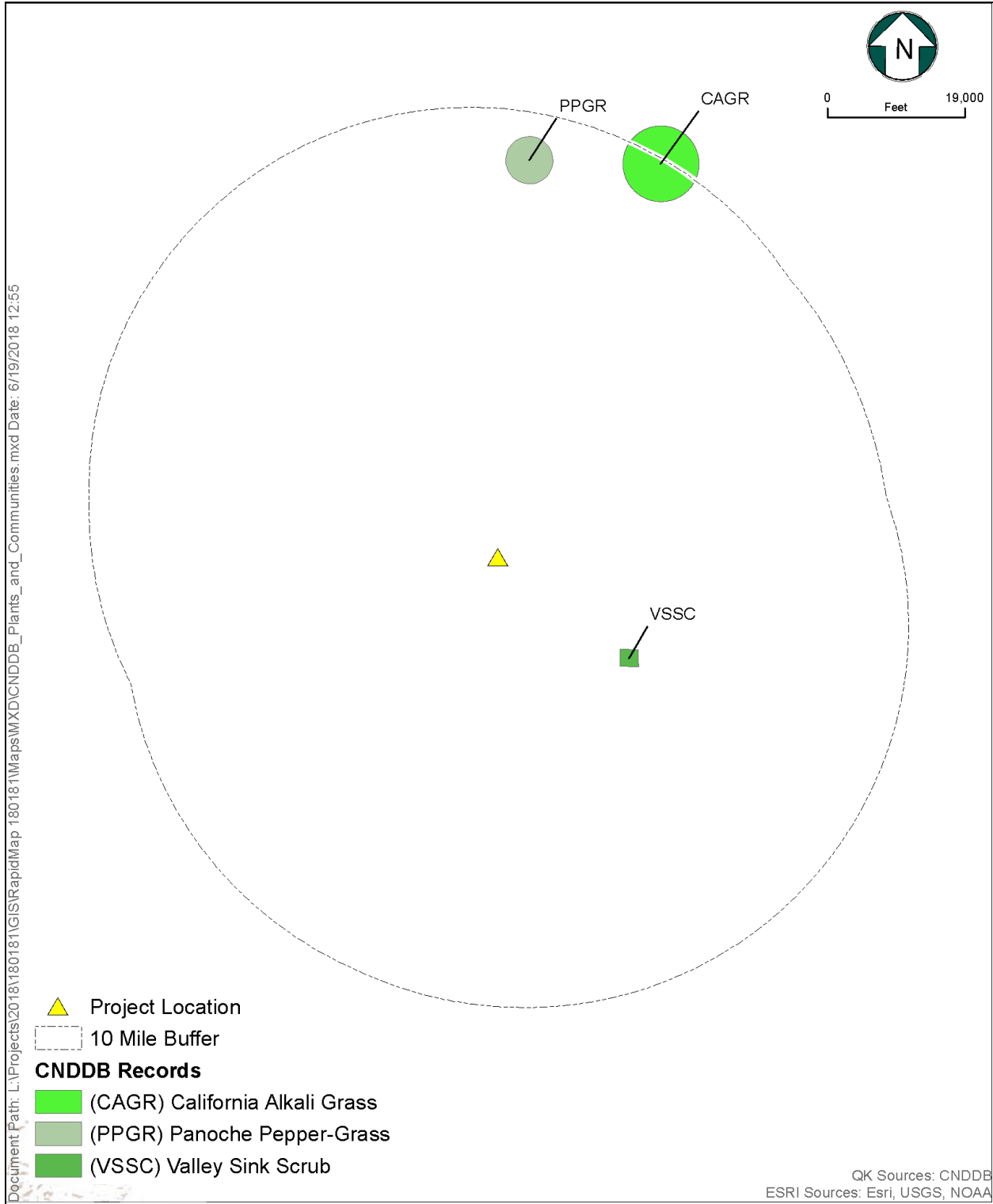


Figure 5-1
Historical Occurrences of Sensitive Natural Communities and Special-Status Plant Species within 10 Miles of the Project Site

is found in such small numbers throughout its range that it may be endangered if its environment worsens.

5.2.1 - RESULTS OF LITERATURE REVIEW AND DATABASE SEARCHES

Ten special-status plant species were identified in the CNDDDB, CNPS, and USFWS databases as occurring in the Project Region (Table 5-1). Two special-status plant species are known to occur within 10-miles of the Project (see Figure 5-1). Seven special-status plant species were determined to have the potential to occur on the Project (Appendix B) because the Project falls within the geographic and elevational range of these species and provides suitable habitat elements.

Table 5-1
Special-Status Plant Species Occurring in the Region of the
City of Lemoore Combined Effluent Discharge to the Stone Ranch
 (Source: CNDDDB 2017, CNPS 2017, and USFWS 2017)

Scientific Name	Common name	Status
<i>Atriplex depressa</i>	brittlescale	1B.2
<i>Caulanthus californicus</i>	California jewelflower	FE, CE, 1B.1
<i>Cordylanthus palmatus</i>	palmate-bracted bird's beak	FE, CE, 1B.1
<i>Delphinium recurvatum</i>	recurved larkspur	1B.2
<i>Hordeum intercedens</i>	vernal barley	3.2
<i>Layia munzii</i>	Munz's tidy-tips	1B.2
<i>Lepidium jaredii ssp. album</i>	Panoche pepper-grass	1B.2
<i>Monolopia congdonii</i>	San Joaquin woollythreads	CE, 1B.2
<i>Nama stenocarpa</i>	mud nama	2B.2
<i>Puccinellia simplex</i>	California alkali grass	1B.2

Sources:

- California Department of Fish and Wildlife. 2018. California Natural Diversity Data Base, California Department of Fish and Wildlife Sacramento, CA. Quads: Five Points, Burrel, Riverdale, Laton, Calflax, Vanguard, Lemoore, Hanford, Huron, Westhaven, Startford, Guernsey.
- California Native Plant Society (CNPS). 2018. Inventory of Rare and Endangered Plants (online edition, v6-05b 4-11-05). Rare Plant Scientific Advisory Committee. California Native Plant Society. Sacramento, CA. Quads: Five Points, Burrel, Riverdale, Laton, Calflax, Vanguard, Lemoore, Hanford, Huron, Westhaven, Startford, Guernsey.
- United States Fish and Wildlife Service. 2018. Federal Endangered and Threatened Species that Occur in or may be Affected by Projects in the Merced U.S.G.S 7 ½ Minute Quad. USFWS. Sacramento, CA. Quads: Five Points, Burrel, Riverdale, Laton, Calflax, Vanguard, Lemoore, Hanford, Huron, Westhaven, Startford, Guernsey.

Abbreviations:

1A	California Native Plant Society List 1A Species- Plants Presumed Extinct in California
1B.1	California Native Plant Society List 1B Species-Plants Categorized as Rare, Threatened, or Endangered in California and Elsewhere; Seriously Endangered in California
1B.2	California Native Plant Society List 1B Species-Plants Categorized as Rare, Threatened, or Endangered in California and Elsewhere; Fairly Endangered in California.
1B.3	California Native Plant Society List 1B Species-Plants Categorized as Rare, Threatened, or Endangered in California and Elsewhere; Not Very Endangered in California
2A	California Native Plant Society List 2A Species-Plants categorized as Presumed Extirpated in California, But More Common Elsewhere

2B.1	California Native Plant Society List 2B Species-Plants Categorized as Endangered in California; Seriously Endangered
2B.2	Native Plant Society List 2B Species-Plants Categorized as Endangered in California; Fairly Endangered in California
2B.3	Native Plant Society List 2B Species-Plants Categorized as Endangered in California; Not Very Endangered in California
3.1	Native Plant Society List 3 Species-Plants Categorized as Needs More Information; Seriously Endangered in California
3.2	Native Plant Society List 3 Species-Plants Categorized as Needs More Information; Fairly Endangered in California.
3.3	Native Plant Society List 3 Species-Plants Categorized as Needs More Information; Not Very Endangered in California
4.1	Plants of limited distribution (watch list), Seriously endangered in California; (over 80% of occurrences threatened / high degree and immediacy of threat)
4.2	Plants of limited distribution - Watch list, Fairly endangered in California (20-80% occurrences threatened)
4.3	Plants of limited distribution - Watch list, Not very endangered in California (<20% of occurrences threatened/low degree and immediacy of threat or no current threats known)
FE	Federal Endangered Species
FT	Federal Threatened Species
CE	California Endangered Species
CT	California Threatened Species
CSC	California Department of Fish and Game Species of Special Concern
CH	USFWS Critical Habitat

5.2.2 - PRESENCE OF SPECIAL-STATUS PLANTS

No special-status plants were observed during the reconnaissance-level field survey conducted on June 14, 2018 (see Appendix B). There is habitat on the Project site to support seven of the ten species with the potential to occur. All but one of these plant species would only be present in the small, approximately 200-foot-long, area of Valley Sink Scrub that occurs on the Project site. It is unlikely that any of these species occur in that limited area. The other species that could be present would occur in wetted areas of dirt-lined canals and ditches, but that species would be unlikely to occur because of the routine maintenance that occurs in those areas.

5.3 - Special-Status Wildlife

This section provides the list of special-status wildlife species known to occur within the Project region based upon database queries. This section also provides information on the presence of special-status species based upon observations of the species, the presence of diagnostic signs of the species, or the potential for occurrence based upon the presence of suitable habitat.

5.3.1 - RESULTS OF LITERATURE REVIEW AND DATABASE SEARCHES

Twenty-four special-status wildlife species were identified in the CNDDDB and USFWS database queries within the twelve USGS 7.5-minute quadrangles that encompass the Project (Table 5-2). These included five invertebrates, one fish, three amphibians, five reptiles, three birds, and seven mammals. There is suitable habitat on or near the Project site for fourteen of these species, but there are only ten of these special-status wildlife species have the potential to be affected by the Project (see Appendix B). There was a sighting of an additional special-status species, loggerhead shrike (*Lanius ludovicianus*), that did not show up in the

records search. That species was added to the list (Table 5-2 and Appendix B). These eleven species that include one amphibian, three reptiles, four birds, and two mammals (see Appendix B) are discussed below. It is unlikely that the Project will result in impacts to these species. Fifteen special-status wildlife species were documented as occurring within the 10-mile radius of the Project site (Figures 5-2, 5-3, and 5-4).

Table 5-2
Special-Status Wildlife Species Occurring in the Region of the
City of Lemoore Combined Effluent Discharge to the Stone Ranch
 (Source: CNDDDB 2018, CNPS 2018, and USFWS 2018)

Scientific Name	Common name	Status
Invertebrates		
<i>Bombus crotchii</i>	Crotch bumble bee	G3G4, S1S2
<i>Branchinecta lynchi</i>	vernal pool fairy shrimp	FT
<i>Cicindela tranquebarica ssp.</i>	San Joaquin tiger beetle	G5, S1
<i>Desmocerus californicus dimorphus</i>	valley elderberry longhorn	FT
<i>Lepidurus packardi</i>	vernal pool tadpole shrimp	FE
Fishes		
<i>Hypomesus transpacificus</i>	delta smelt	FE, CT
Amphibians		
<i>Ambystoma californiense</i>	California tiger salamander	FT, CT
<i>Spea hammondi</i>	western spadefoot	CSC
<i>Rana draytonii</i>	California red legged frog	FT, CSC
Reptiles		
<i>Arizona elegans occidentalis</i>	California glossy snake	CSC
<i>Gambelia sila</i>	blunt-nosed leopard lizard	FE, CE, FP
<i>Masticophis flagellum ruddocki</i>	San Joaquin coachwhip	CSC
<i>Thamnophis gigas</i>	giant gartersnake	FT, CT
<i>Emys marmorata</i>	western pond turtle	CSC
Birds		
<i>Agelaius tricolor</i>	tricolored blackbird	CT, MBTA
<i>Athene cunicularia</i>	burrowing owl	CSC, MBTA
<i>Buteo swainsoni</i>	Swainson's hawk	CT, MBTA
<i>Lanius ludovicianus</i>	Loggerhead shrike	CSC
Mammals		
<i>Ammospermophilus nelsoni</i>	San Joaquin antelope squirrel	CT
<i>Dipodomys ingens</i>	giant kangaroo rat	FE, CE
<i>Dipodomys nitratooides exilis</i>	Fresno kangaroo rat	FE, CE
<i>Dipodomys nitratooides nitratooides</i>	Tipton kangaroo rat	FE, CE
<i>Lasiurus cinereus</i>	hoary bat	G5, S4
<i>Taxidea taxus</i>	American badger	CSC
<i>Vulpes macrotis mutica</i>	San Joaquin kit fox	FE, CT

Sources:

- California Department of Fish and Wildlife. 2018. California Natural Diversity Data Base, California Department of Fish and Wildlife Sacramento, CA. Quads: Five Points, Burrel, Riverdale, Laton, Calflax, Vanguard, Lemoore, Hanford, Huron, Westhaven, Startford, Guernsey.
- California Native Plant Society (CNPS). 2018. Inventory of Rare and Endangered Plants (online edition, v6-05b 4-11-05). Rare Plant Scientific Advisory Committee. California Native Plant Society. Sacramento, CA. Five Points, Burrel, Riverdale, Laton, Calflax, Vanguard, Lemoore, Hanford, Huron, Westhaven, Startford, Guernsey.
- United States Fish and Wildlife Service. 2018. Federal Endangered and Threatened Species that Occur in or may be Affected by Projects in the Merced U.S.G.S 7 ½ Minute Quad. USFWS. Sacramento, CA. Quads: Five Points, Burrel, Riverdale, Laton, Calflax, Vanguard, Lemoore, Hanford, Huron, Westhaven, Startford, Guernsey.

Abbreviations:

FE	Federal Endangered Species
FT	Federal Threatened Species
MBTA	Species Protected Under the Auspices of the Migratory Bird Treaty Act
CE	California Endangered Species
CT	California Threatened Species
CSC	California Department of Fish and Game Species of Special Concern
CH	USFWS Critical Habitat

5.3.2 - PRESENCE OF SPECIAL-STATUS WILDLIFE

During the reconnaissance-level survey conducted on June 14, 2018, loggerhead shrike, a California species of special concern, were observed at the old duck club northeast of the Project and at the southern terminus of the Project near the Kings River (Figure 5-5). A possible San Joaquin Kit Fox den was observed near the intersection of the Project and State Route 198. No other special-status species were observed during this survey. There were no other special-status species observed on or near the Project site but there are nine other species with the potential to occur. These other species have a low potential to occur on the Project site and are unlikely to be affected by the Project. The special-status wildlife species with a potential to occur on the Project site include the western spadefoot (*Spea hammondi*), San Joaquin coachwhip (*Masticophis flagellum ruddocki*), giant garter snake (*Thamnophis gigas*), western pond turtle (*Emys marmorata*), tri-colored blackbird (*Agelaius tricolor*), western burrowing owl (*Athene cunicularia*), Swainson's hawk (*Buteo swainsoni*), yellow-headed blackbird (*Xanthocephalus xanthocephalus*), and American badger (*Taxidea taxus*). The evaluation of the potential for these species to occur on the Project site are provided in Appendix B.

5.4 - Critical Habitat, Movement Corridors and Linkages

This section describes the occurrence of USFWS Critical Habitat, movement corridors, and linkages known to occur within the vicinity of the Project site. Habitat may be designated as Critical Habitat by the USFWS, which are blocks of habitat that may or may not be currently occupied by species, but which are of the highest priority for the survival, conservation, and recovery of threatened or endangered species. Wildlife movement corridors, also referred to as dispersal corridors or landscape linkages, are generally defined as linear features along which animals can travel from one habitat or resource area to another.

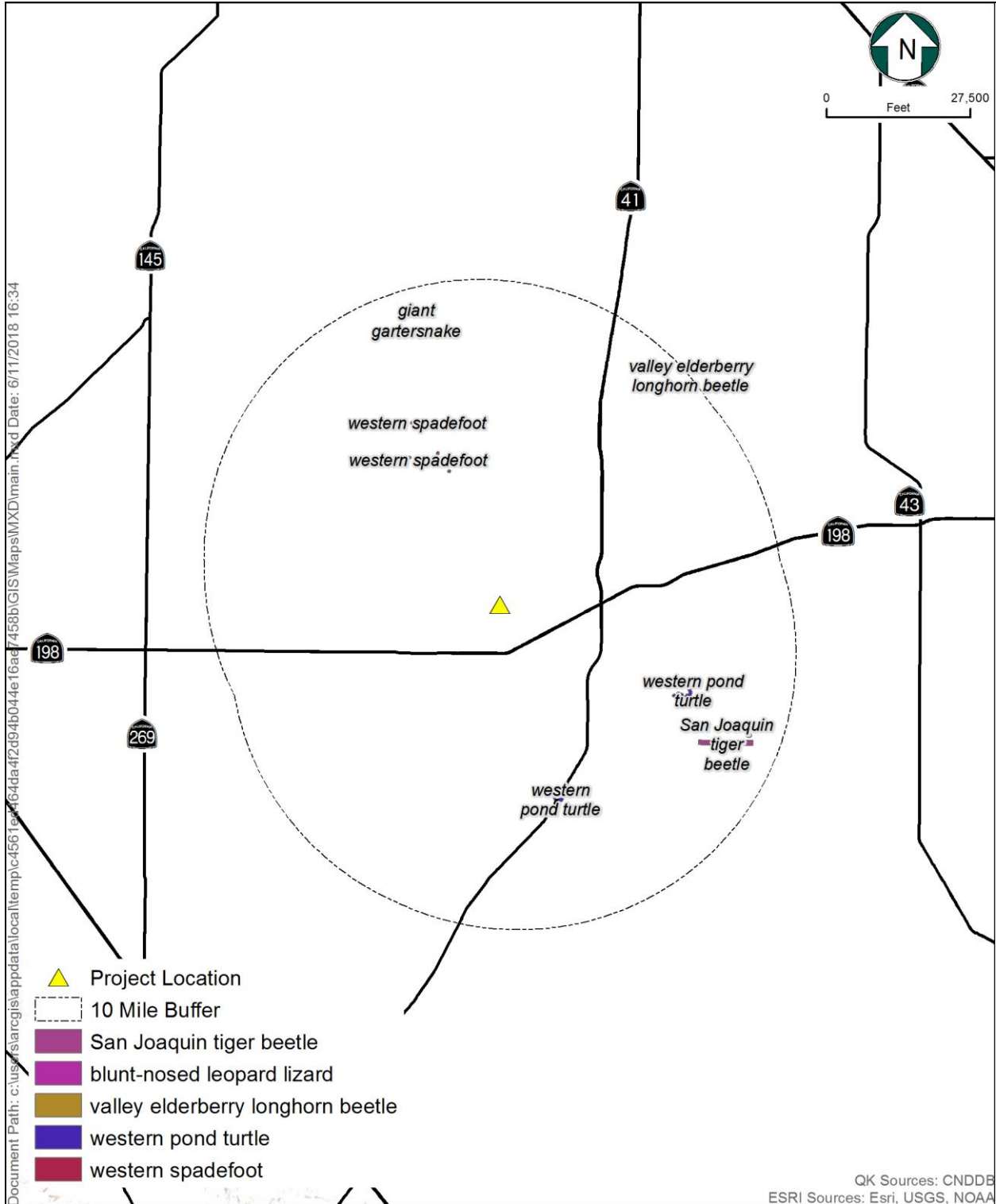


Figure 5-2
Historical Occurrences of Sensitive Special-Status Invertebrates, Amphibians, and Reptiles within 10 Miles of the Project Site

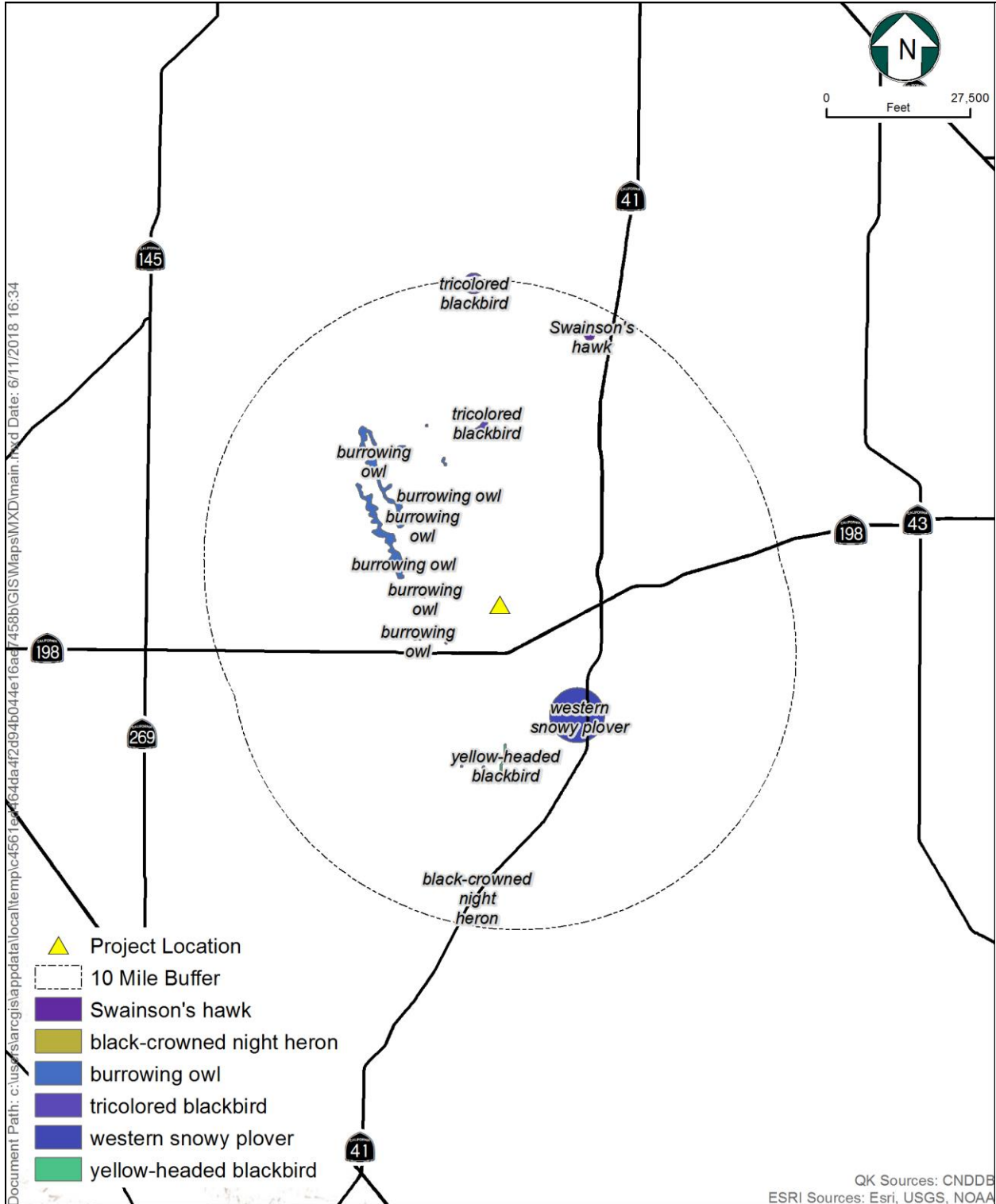


Figure 5-3
Historical Occurrences of Sensitive Special-Status Birds within 10 Miles of the Project Site



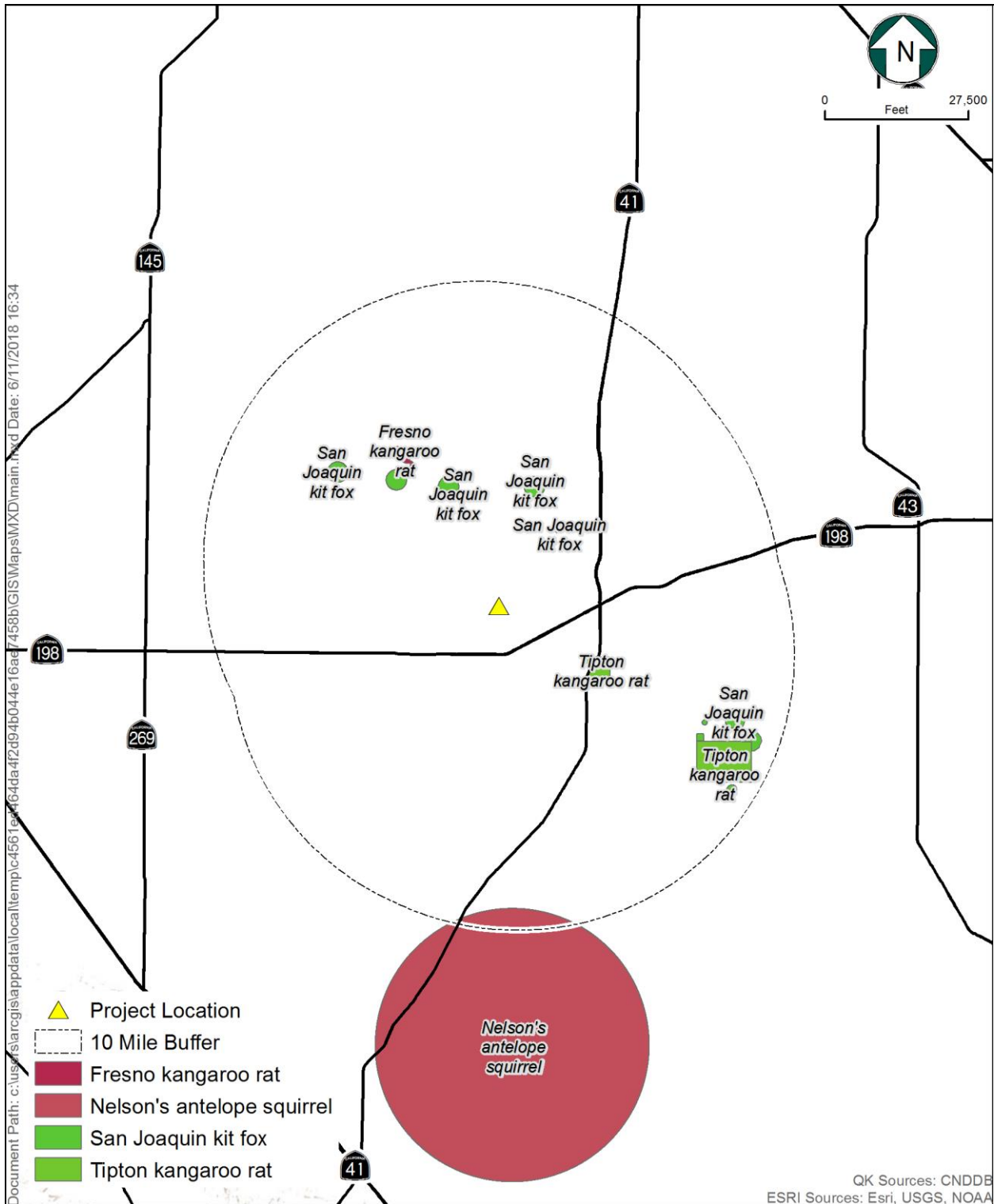


Figure 5-4
Historical Occurrences of Sensitive Special-Status Mammals within 10 Miles of the Project Site

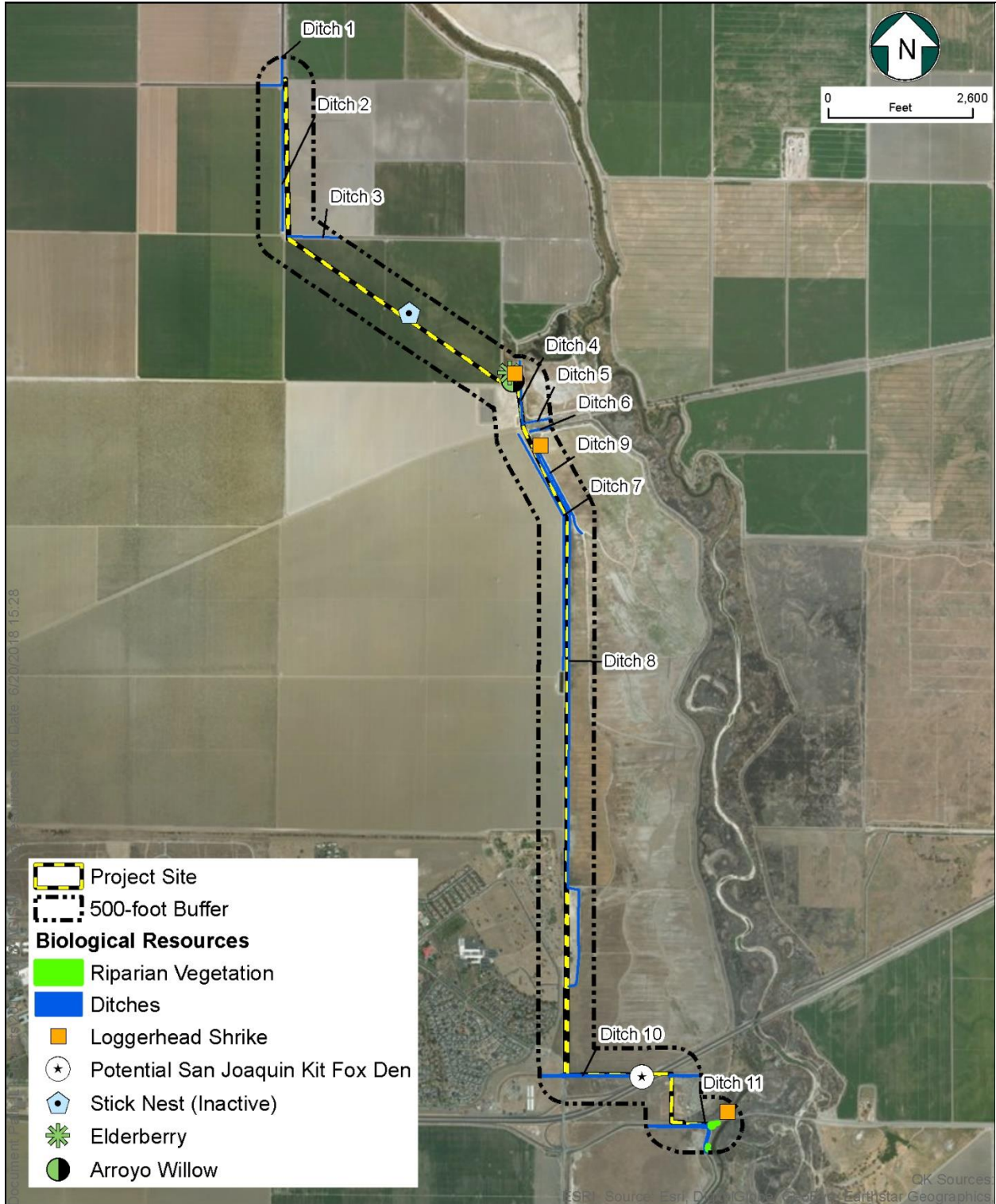


Figure 5-5
Biological Resources Observed on the Project Site

5.4.1 - RESULTS OF LITERATURE REVIEW AND DATABASE SEARCHES

The USFWS identifies critical habitat for the federally endangered Buena Vista Lake ornate shrew (*Sorex ornatus relictus*) approximately one mile east of the Project (Figure 5-6). This is the only critical habitat located near the Project. There are no historic records of the species occurring at this site. No designated movement corridors or linkages occur near the Project. The most likely corridor in use by native species is the Kings River riparian corridor, which runs north-south approximately one mile east of the Project. Terrestrial species are limited to remnant patches of suitable habitat but may disperse through agricultural or other developed land.

5.5 - Wetlands and Other Waters

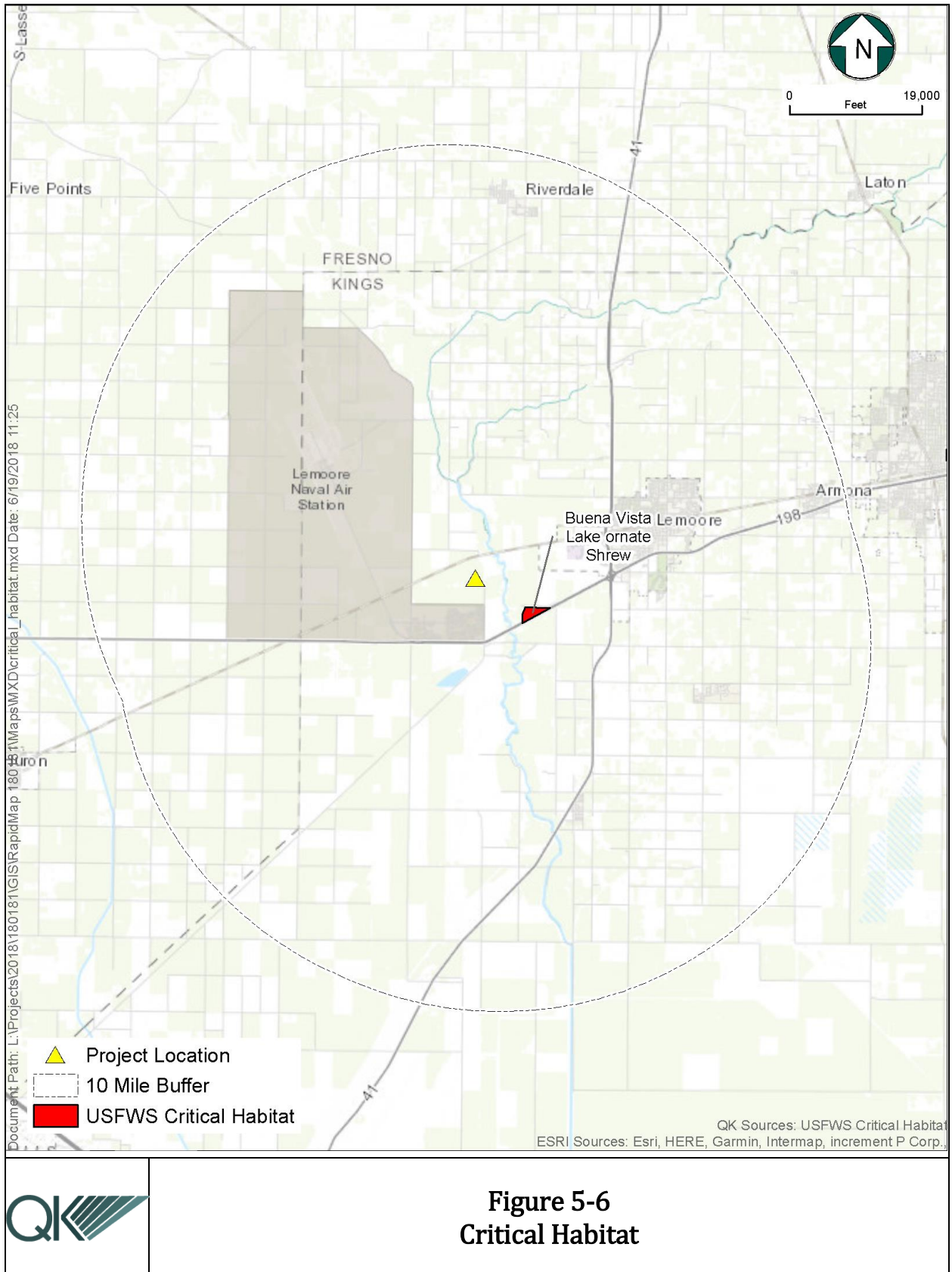
This section describes the results of the database queries and focused delineations of waters and wetlands on the Project.

5.5.1 - RESULTS OF LITERATURE REVIEW AND DATABASE SEARCHES

A search of the National Hydrologic dataset and the National wetlands Inventory identified several wetlands adjacent to the Kings River east of the Project as well a series of ditches near and adjacent to the northern section of the Project (Figure 5-7).

5.5.2 - PRESENCE OF WETLANDS AND OTHER WATERS

The on-site wetlands delineation found several additional wetlands and ditches near the Project, including a drainage ditch running east-west under State Route 198, in which the pipeline is planned to be installed (see Figure 5-5). All wetlands and riparian vegetation is outside of the Project footprint and will not be affected by the Project. Irrigation and drainage ditches within the Project area total approximately 8.49 acres (Table 5-3).



**Figure 5-6
Critical Habitat**

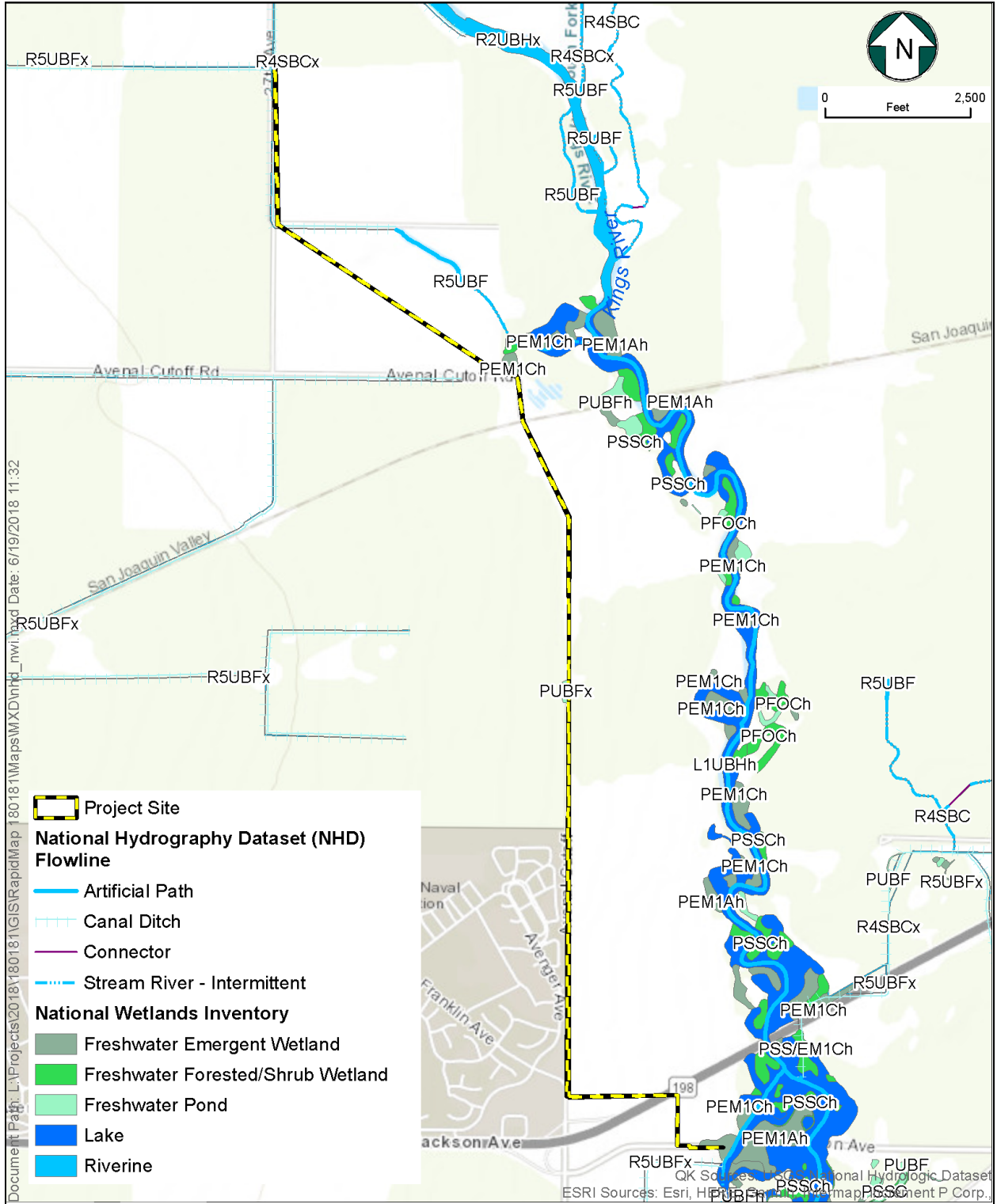


Figure 5-7
NWI and NHD Records of Wetlands and Waters

Table 5-3
Water Features Delineated on the City of Lemoore Combined Effluent Discharge to the Stone Ranch Project, Kings County, California

Feature Name	Feature type	Area (acres)
Ditch 1	Irrigation Ditch	0.21520628
Ditch 2	Irrigation Ditch	0.584335268
Ditch 3	Irrigation Ditch	0.221668586
Ditch 4	Irrigation Ditch	0.263817549
Ditch 5	Irrigation Ditch	0.110412717
Ditch 6	Irrigation Ditch	0.092517264
Ditch 7	Irrigation Ditch	1.025254369
Ditch 8	Irrigation Ditch	2.331988573
Ditch 9	Irrigation Ditch	0.415384233
Ditch 10	Irrigation Ditch	1.933831096
Ditch 11	Irrigation Ditch	1.300172806

SECTION 6 - ANALYSIS OF IMPACTS AND RECOMMENDED AVOIDANCE AND MINIMIZATION MEASURES

This section evaluates Project-related impacts to sensitive biological resources. Direct and indirect impacts may occur and are identified where appropriate. Temporary impacts are defined as impacts with a maximum duration of one calendar year. The CDFW defines that one-year term to include the duration of the impact plus the length of time required to fully restore the impacted area to pre-Project conditions. Due to the short duration of construction in any given section of the Project, we anticipate all impacts to be temporary. When significant impacts are identified or when they could potentially occur, recommended measures to avoid or reduce those impacts to less than significant levels are provided.

The analysis of impacts that is provided is based upon the requirements of CEQA, and the associated thresholds of significance. The fundamental definition of significant effect under CEQA is “a substantial adverse change in physical conditions.” This criterion underlies the evaluation of environmental impacts for most of the impact issues identified in the CEQA Environmental Checklist Form (Guidelines Appendix G). The significance threshold for evaluation of impacts under CEQA will not necessarily equate to a regulatory limit or standard. Instead, under CEQA, most thresholds are set at meaningful levels, independent of regulatory thresholds. Some thresholds are driven by regulatory standards (e.g., Compliance with a federal Habitat Conservation Plan or State Incidental Take Permit, compliance with a Streambed Alteration Agreement).

For each of the existing biological conditions described in this report, potential impacts are addressed in accordance with the biological issues listed in Appendix G of the CEQA Guidelines, which are:

- (A) Would the Project 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?
- (B) Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, any regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?
- (C) Would the Project have a substantial adverse effect on federally protected wetlands as defined by section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- (D) Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

- (E) Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- (F) Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan or Recovery Plan?

Each issue is assessed according to thresholds of significance established under CEQA Guidelines §15065(a), as modified. These are:

- Would the Project result in substantial degradation of the environment?
- Would the Project result in substantial habitat reduction for a fish or wildlife species?
- Would the Project result in reduction of a fish or wildlife population below self-sustaining levels?
- Would the Project result in elimination of a plant or animal community?
- Would the Project result in substantial reduction of the number of, or restriction of the range of, a rare or threatened species, or result in direct or indirect “take” of an endangered species as defined in State or federal Endangered Species Acts?

6.1 - Project Impacts to Special-Status Species (CEQA Evaluation Factor A):

6.1.1 - PROJECT IMPACTS TO SPECIAL-STATUS PLANT SPECIES

No special-status plant species were identified on or near the Project during the reconnaissance-level field survey. There are seven special-status plant species that could occur in the southernmost portion of the Project, in that area vegetated with Valley Sink Scrub habitat. It is unlikely that any of these species are present because of the disturbed nature of most of that area and the small patch of habitat that exists. Two of the plant species are endangered; the California jewelflower (*Caulanthus californicus*) and the San Joaquin woollythreads (*Monolopia congdonii*).

RECOMMENDED MEASURES TO PROTECT SPECIAL-STATUS PLANT SPECIES

BIO-1 (Plants and Valley Sink Scrub). Prior to construction activities in the Valley Sink Scrub habitat, a pre-construction survey for the San Joaquin woollythreads and the California jewelflower should be performed. The survey should occur during the appropriate flowering period for these species. If these species are found to occur and cannot be avoided by the Project, then CDFW and/or USFWS should be notified within 10 days prior to construction activities to allow CDFW and/or USFWS to perform a salvage operation. The Project footprint should be reduced to the minimum area possible to allow the pipeline (and pump station) to be installed, and the topsoil from the trench (the top 6-inches) should be removed and stockpiled separately from the remaining soil removed from the trench. The topsoil should be covered during storage. Once the trench has been backfilled, the topsoil should be distributed over the top of the backfilled trench and compacted. This process will allow for any seedbank present in the topsoil to be retained in the uppermost soil.

EFFECTIVENESS OF MEASURES

Reducing the area of ground disturbance, allowing salvage of any endangered plant that may be present, and stockpiling and returning topsoil to its original position in the soil horizon will minimize the impact of the Project to a less than significant level.

6.1.2 - PROJECT IMPACTS TO SPECIAL-STATUS WILDLIFE SPECIES

Project construction activities have the potential to impact eleven special-status wildlife species including the western spadefoot, San Joaquin coachwhip, giant garter snake, western pond turtle, tri-colored blackbird, western burrowing owl, Swainson's hawk, yellow-headed blackbird, loggerhead shrike, American badger, and San Joaquin kit fox. Impacts are expected to be minimal due to the temporary nature of the Project. Direct and indirect impacts are unlikely to occur, which will be avoided or minimized with the implementation of measures listed below. No measures would be needed to avoid and minimize impacts to the western spadefoot or San Joaquin coachwhip because Project impacts to those species would be less than significant; potential Project impacts would not reduce any existing populations to below self-sustaining levels or substantially reduce or restrict the range of these species.

RECOMMENDED MEASURES TO PROTECT SPECIAL-STATUS WILDLIFE SPECIES

BIO 2 (Giant Garter Snake). Project impacts to giant garter snake are expected to be nonexistent because of the temporary nature of Project disturbances, the small amount of habitat in irrigation drainage ditches that will be impacted, and the extremely low potential for the species to be present. However, the following mitigation measures should be implemented to assure that there is no "take" of this endangered species:

- a. A pre-construction survey of potential giant garter snake habitat should be completed by a qualified biologist within 24 hours of ground disturbing activities. A qualified biological monitor should be onsite during vegetation removal in potential giant garter snake habitat and within 200 feet of potential giant garter snake habitat. This habitat is limited to the vegetated drainage ditch near its crossing of State Route 198 and the area south of Jackson Avenue.
- b. Vegetation removal within 200 feet of suitable giant garter snake aquatic habitat should be confined to the minimal area necessary to allow for the installation of the pipeline (and pump station). Movement of heavy equipment should be confined to existing roadways or temporary construction access roads established during construction.
- c. If a giant garter snake is observed in the construction area, all activities should cease, and qualified biologist should be notified immediately. The snake should be allowed to leave on its own and activities should not resume until the snake has moved out of the area on its own. If the snake does not vacate the area on its own, activities must be suspended and USFWS and CDFW should be contacted. If a giant garter snake is found and cannot be avoided, Incidental Take Permits may need to be acquired.

USFWS and CDFW should be notified by telephone or email within 24 hours of a giant garter snake observation.

BIO 3 (Western Pond Turtle). Project impacts to the western pond turtle are expected to be nonexistent due to the temporary nature of the Project disturbances, the small amount of habitat in irrigation canals that will be impacted, and the extremely low potential for this species to be present. However, the following mitigation measures should be implemented:

- a. A survey for the western pond turtle should be conducted by a qualified biologist within 14 days prior to beginning of construction. This may be combined with other pre-construction surveys.
- b. A biological monitor should be on-site during all vegetation removal activities within 200 feet of habitat capable of supporting the western pond turtle. If any turtles are encountered in the Project during construction, construction should halt until the qualified biologist determines the species of turtle. If it is not a western pond turtle, work may continue.
- c. If a western pond turtle is found, all work within 100 feet of the turtle should stop until the turtle vacates the area of its own accord or the area where the turtle occurs can be protected using exclusion fencing. If the installation of exclusion fencing is not practical, then the turtle may be relocated away from the construction site, into nearby suitable habitat, by a qualified biologist.

BIO-4 (Western Burrowing Owl). A pre-construction survey should be conducted for the western burrowing owl within 14 days of the start of construction. If any burrowing owl burrows are observed during the preconstruction survey, avoidance measures should be consistent with those included in the CDFW staff report on burrowing owl mitigation (CDFG 2012). If occupied burrowing owl burrows are observed outside of the breeding season (September 1 through January 31) and within 500 feet of proposed construction activities, a passive relocation effort may be instituted in accordance with the guidelines established by the *Burrowing Owl Survey Protocol and Mitigation Guidelines* (California Burrowing Owl Consortium 1993) and the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012). During the breeding season (February 1 through August 31), a 250-foot (minimum) buffer zone should be maintained unless a qualified biologist verifies through noninvasive methods that either the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival. If necessary, passive relocation may be conducted to remove burrowing owls from the Project site, but only after approval has been obtained from the California Department of Fish and Wildlife. Passive relocation would only be conducted by a qualified biologist.

BIO-5 (American badger and San Joaquin Kit Fox). The measures listed below should be implemented during construction and operation of the Project to protect the American badger and San Joaquin kit fox.

Analysis of Impacts and Recommended Avoidance and Minimization Measures

- a. Project-related vehicles should observe a 20-mph speed limit in all Project areas, except on County roads and State and Federal highways; this is particularly important at night when kit foxes and badgers are most active. Nighttime construction should be avoided, unless the construction area is appropriately fenced to exclude badgers kit foxes. The area within any such fence must be determined to be uninhabited by San Joaquin Kit foxes or American badgers prior to initiation of construction. Off-road traffic outside of designated Project areas should be prohibited.
- b. To prevent inadvertent entrapment of kit foxes, badgers, or other animals during the construction phase of the Project, all excavated, steep-walled holes or trenches more than 2 feet deep should be covered prior to the end of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the qualified biologist, USFWS and CDFW should be contacted for advice.
- c. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipe, becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in anyway. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity, until the fox has escaped.
- d. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in closed containers and removed at least once a week from a construction or Project site.
- e. No pets should be permitted on the Project site.
- f. Use of rodenticides and herbicides in Project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit fox and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and federal legislation, as well as additional Project-related restrictions deemed necessary by the USFWS. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox.
- g. No plants or wildlife should be collected, taken, or removed from the construction areas or areas of offsite improvements, except as necessary for Project-related vegetation removal or wildlife relocation. Salvage of native vegetation to be removed from construction areas is encouraged but should only be performed by qualified biologists and with written approval from the CDFW.

- h. A representative should be appointed by the Project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox, or who finds a dead, injured or entrapped individual. The representative's name and telephone number should be provided to the USFWS and CDFW.
- i. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the USFWS and CDFW should be contacted for advice.
- j. Any contractor, employee(s), or military or agency personnel who inadvertently kills or injures a San Joaquin kit fox should immediately report the incident to their representative. This representative should contact the CDFW immediately in the case of a dead, injured or entrapped kit fox. The CDFW contact for immediate assistance is State Dispatch at (916) 445-0045. They would contact the local warden or qualified biologist.
- k. The USFWS and CDFW should be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during Project-related activities. Notification should include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information.
- l. The above listed measures would also protect American badgers.

BIO 6 (Swainson's Hawk). If Project construction takes place entirely between September 16 and February 28, it should avoid the breeding season of Swainson's hawk and no measures would need to be implemented. If any portion of Project construction takes place between March 1 and September 15, protocol-level Swainson's hawk surveys should be conducted. The two Swainson's hawk survey periods immediately prior to beginning of construction should be conducted following the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (Swainson's Hawk Technical Advisory Committee 2000). If an active Swainson's hawk nest is discovered within half a mile of the Project, construction should be delayed until the CDFW is contacted for guidance and a qualified biologist should monitor the nest on a weekly basis during construction activities to determine nesting activity and document any nest abandonment. Because neither foraging habitat or potential nesting trees will be removed or degraded as part of this Project, compensatory mitigation should not be required.

BIO-7 (Tricolored blackbird, yellow-headed blackbird, loggerhead shrike, and compliance with the MBTA). If Project construction takes place entirely between September 16 and February 28, it should avoid the breeding season of Swainson's hawk and no measures would need to be implemented. If any portion of Project construction takes place between March 1 and September 15, protocol-level Swainson's hawk surveys should be conducted. The two Swainson's hawk survey periods immediately prior to beginning of construction should be conducted following the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (Swainson's Hawk Technical Advisory Committee 2000). If an active Swainson's hawk nest is discovered within half a mile of the Project, construction should be delayed until the CDFW is contacted for guidance and a qualified biologist should monitor the nest on a weekly basis during construction activities

to determine nesting activity and document any nest abandonment. Because neither foraging habitat or potential nesting trees will be removed or degraded as part of this Project, compensatory mitigation should not be required.

BIO-8 (WEAT): Prior to ground disturbance activities at the Project site and as needed during construction activities, all workers on the Project should attend a Construction Worker Environmental Awareness Training and Education Program, developed and presented by a qualified biologist.

The Construction Worker Environmental Awareness Training and Education Program would be presented by the biologist and should include information on the life history of wildlife and plant species that may be encountered during construction activities, their legal protections, the definition of “take” under the Endangered Species Act, measures the Project operator is implementing to protect the San Joaquin kit fox and other species, reporting requirements, specific measures that each worker would employ to avoid take of the wildlife species, and penalties for violation of the Act. Identification and information regarding sensitive or other special status plant species should also be provided to construction personnel.

- a. An acknowledgement form signed by each worker indicating that environmental training has been completed.
- b. A sticker that should be placed on hard hats indicating that the worker has completed the environmental training. Construction workers should not be permitted to operate equipment within the construction area unless they have attended the training and are wearing hard hats with the required sticker;
- c. A copy of the training transcript and/or training video/CD, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgement forms should be maintained on site for the duration of construction activities.
- d. The construction crews and contractor(s) would be responsible for unauthorized impacts from construction activities to sensitive biological resources that are outside the areas defined as subject to impacts by Project permits.

Bio-9 (San Joaquin Kit Fox): A pre-construction survey shall be conducted for the San Joaquin kit fox within 14 to 30 days of the start of construction. The project proponent shall follow the *USFWS Standardized Recommendations for Protection of the San Joaquin Kit Fox Prior to or During Ground Disturbance*.

If any San Joaquin kit fox dens are found during preconstruction surveys, the status of the dens shall be evaluated prior to project ground disturbance. Provided that no evidence of kit fox occupation is observed, potential dens shall be marked, and a 50-foot avoidance buffer delineated using stakes and flagging or other similar material to prevent inadvertent damage to the potential den. If a potential den cannot be avoided, it may be hand-excavated following United States Fish and Wildlife Service standardized recommendations for protection of the

San Joaquin kit fox prior to or during ground disturbance. If kit fox activity is observed at a den, the den status shall change to “known” per United States Fish and Wildlife Service guidelines (1999) and the buffer distance shall be increased to 100 feet. Absolutely no excavation of San Joaquin kit fox known or pupping dens shall occur without prior authorization from the United States Fish and Wildlife Service and California Department of Fish and Wildlife.

EFFECTIVENESS OF MEASURES

Implementation of the above measures will ensure that impacts from Project activities will be less than significant.

6.2 - Project Impacts to Riparian Habitat and Other Sensitive Natural Communities (CEQA Evaluation Factor B)

6.2.1 - PROJECT IMPACTS TO SENSITIVE NATURAL COMMUNITIES

Riparian habitat is defined as lands that are influenced by a river, specifically the land area that encompasses the river channel and its current or potential floodplain. There is no riparian habitat that would be impacted by the Project. There is approximately 200 feet of the Project that traverses through Valley Sink Scrub habitat, which is a sensitive natural community, resulting in up to 0.06 acres of temporary disturbance. The limited disturbance to this habitat will not substantially degrade the environment, result in substantial habitat reduction for a fish or wildlife species, or result in a substantial elimination of a plant or animal community. Impacts to this small amount of Valley Sink Scrub habitat will be temporary and less than significant.

RECOMMENDED MEASURES TO PROTECT SENSITIVE NATURAL COMMUNITIES

Although no measures are required, we recommend that the area of ground disturbance within Valley Sink Scrub habitat be reduced to the greatest extent practical.

6.3 - Project Impacts to Federal and State Wetlands and Waters (CEQA Evaluation Factor C)

6.3.1 - PROJECT IMPACTS TO FEDERAL WETLANDS AND OTHER WATERS

The Project will not result in impacts to federal waters. The Project will result in impacts to State Waters, but those impacts are limited to four ditches that occur on the Project site, totaling 1.137 acres (see Figure 5-5 and Table 5-3). Impacts to State regulated Waters would not result in substantial degradation of the environment or result in substantial habitat reduction for a fish or wildlife species and would therefore be a less than significant impact. However, it is recommended that appropriate permits be obtained from regulatory agencies and described below in measure Bio 9.

RECOMMENDED MEASURES TO PROTECT FEDERAL WETLANDS AND OTHER WATERS

BIO-9: A wetland delineation should be completed to ACOE standards, which satisfies requirements of the RWQCB. The Project proponent should obtain a Streambed Alteration Agreement from the CDFW and a Waters Quality Certification pursuant to Section 401 of the CWA from the RWQCB, prior to impacting any State Waters. A formal concurrence with the findings of the delineation of wetlands and waters should be obtained from the ACOE.

6.4 - Project Impacts to Fish or Wildlife Movement Corridors, Linkages, Nursery Sites, and Critical Habitat (CEQA Evaluation Factor D)

6.4.1 - PROJECT IMPACTS TO FISH OR WILDLIFE MOVEMENT CORRIDORS, LINKAGES, AND NURSERY SITES

The Project will not impact fish or wildlife movement corridors, linkages, nursery sites, or critical habitat, as none of these areas are found in or near the Project. No avoidance or mitigation measures are warranted.

6.5 - Project Conflicts with Local Policies and Ordinances (CEQA Evaluation Factor E)

6.5.1 - PROJECT CONFLICTS WITH LOCAL POLICIES AND ORDINANCES

The project site is located within Kings County and must comply with provisions contained in the 2035 Kings County General Plan. The General Plan includes goals, objectives and policies (III. Resource Conservation Policies D and E) to address the protection of special-status wildlife and their habitats (County of Kings, 2010). The project would not conflict with any local policies or ordinances protecting biological resources. Implementation of the proposed project would have no impact related to policies or ordinances protecting biological resources. No mitigation measures are warranted.

6.6 - Project Conflicts with Habitat Conservation Plans, Natural Community Conservation Plans, or Recovery Plans (CEQA Evaluation Factor F)

6.6.1 - PROJECT CONFLICTS WITH HABITAT CONSERVATION PLANS, NATURAL COMMUNITY CONSERVATION PLANS, OR RECOVERY PLANS

No applicable Habitat Conservation Plan or Natural Community Conservation plan exists in Kings County. Critical Habitat for the federally endangered Buena Vista Lake ornate shrew exists approximately one mile to the east of the Project. The Buena Vista Lake ornate shrew is included in the comprehensive 1998 Recovery Plan for Upland Species of the San Joaquin Valley (USFWS 1998). The Project will not conflict with this recovery plan nor will it impact critical habitat, and therefore no impact will occur.

SECTION 7 - CONCLUSIONS

The Project will be constructed primarily on unimproved but routinely maintained roads within an agricultural landscape. Impacts to biological resources would potentially occur within a limited area of native Valley Sink Scrub habitat and within a rarely used dirt-lined ditch. Project impacts would be temporary and less than significant with the implementation of recommended mitigation measures.

SECTION 8 - REFERENCES

- California Burrowing Owl Consortium. 1993. Burrowing Owl Survey Protocol and Mitigation Guidelines.
- California Department of Fish and Wildlife (CDFW). 2012. Staff Report on Burrowing Owl Mitigation.
- California Department of Fish and Wildlife (CDFW). 2018. California Natural Diversity Database—Rarefind Version 3.1.0.
- _____. 2015. The Status of Rare, Threatened, and Endangered Plants and Animals of California 2000-2004, Species Accounts. California Department of Fish and Game. Sacramento, CA.
- California Native Plant Society (CNPS). 2018 Inventory of Rare and Endangered Plants (online edition, v7-09c). California Native Plant Society. Sacramento, CA. <http://www.cnps.org/inventory>
- Federal Emergency Management Agency (FEMA) 2018. On-line Map Service Center. <http://www.msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&catalogId=10001&langId=-1>
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- Swainson's Hawk Technical Advisory Committee. 2000. Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley.
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- United States Fish and Wildlife Service (USFWS). 2018a. On-line Species List. http://www.fws.gov/sacramento/es/spp_list.htm
- _____. 2018b. On-line National Wetlands Inventory. <http://www.fws.gov/wetlands/Data/mapper.html>
- Western Region Climate Center (WRCC). 2018. Cooperative Climatological Data Summaries. Accessed 15 June 2018. <http://www.wrcc.dri.edu/climatedata/climsum/>

APPENDIX A

SPECIAL-STATUS SPECIES DATABASE SEARCH RESULTS

Scientific Name	Common Name	Listing Status	General Habitat Description	Suitable Habitat Present on site	Potentially Affected by Project?	Viability Threat?	Comments
Sensitive Natural Communities							
Valley Sink Scrub		G1, S1.1	This community consists of low, open to dense succulent shrublands dominated by alkali-tolerant Chenopodiaceae, especially <i>Allenrolfea occidentalis</i> or several <i>Sueda</i> species. Understories usually are lacking, though sparse herbaceous cover dominated by <i>Bromus rubens</i> develop occasionally. Soils consist of saline or alkaline clays.	YES	YES	NO	Impacts to a small, approximately 200-foot-long area of Valley Sink Scrub habitat will occur from Project activities. This would be a relatively small area compared to the extent of habitat occurring off-site. Impacts to this habitat will not pose a threat to the long-term viability of this patch of Valley Sink Scrub.
Special-status Plants							
<i>Atriplex depressa</i>	brittlescale	1B.2	This annual herb occurs in Chenopod scrubland, grassland, and alkali sink habitats, but it also is known to occur in wet areas. It flowers between April and October, and it ranges in elevation from 1 to 1,050 feet.	YES	UNLIKELY	NO	This plant would only be present within the small, approximately 200-foot-long area of chenopod scrub that occurs in the Project site. This species was not observed on the Project site and it is unlikely to occur. Even if present, construction activities would not be expected to significantly affect either local or regional survival of this species.
<i>Caulanthus californicus</i>	California jewelflower	FE, CE, 1B.1	This annual herb occurs in Chenopod scrub, pinyon and juniper woodland, and/or valley and foothill grassland on sandy soils. It flowers between February and May and its elevation ranges from 200 to 3,281 feet.	YES	UNLIKELY	NO	This plant would only be present within the small, approximately 200-foot-long area of chenopod scrub that occurs in the Project site. This species was not observed on the Project site and it is unlikely to occur.
<i>Cordylanthus palmatus</i>	palmate-bracted bird's beak	FE, CE, 1B.1	This annual herb is hemiparasitic and is endemic to California. It occurs in wetland-riparian communities, Shadscale scrub, and valley grassland. It is restricted to seasonally-flooded, saline-alkali soils in lowland plains and basins at elevations between 16 to 509 feet. The species flowers from May until October.	NO	NO	NO	No wetland-riparian communities, Shadscale scrub, or grassland habitat occurs on or near the Project.
<i>Delphinium recurvatum</i>	recurved larkspur	1B.2	This perennial plant is commonly found in chenopod scrub, valley and foothill grassland and cismontane woodland. It is most common on sandy or clay alkaline soils. It flowers from March to May, and it ranges in elevation from 10 to 2,592 feet.	YES	UNLIKELY	NO	This plant would only be present within the small, approximately 200-foot-long area of chenopod scrub that occurs in the Project site. This species was not observed on the Project site and it is unlikely to occur. Even if present, construction activities would not be expected to significantly affect either local or regional survival of this species.
<i>Hordeum intercedens</i>	vernal barley	3.2	This annual grass occurs in many soil types in valley grassland, wetland, and riparian areas. It flowers between March and June and ranges in elevation from 10 to 2,625 feet.	YES	UNLIKELY	NO	This plant would only be present within the small, approximately 200-foot-long area of chenopod scrub that occurs in the Project site. This species was not observed on the Project site and it is unlikely to occur. Even if present, construction activities would not be expected to significantly affect either local or regional survival of this species.
<i>Layia munzii</i>	Munz's tidy-tips	1B.2	This annual herb prefers chenopod scrub, and/or valley and foothill grassland. It flowers between March and April, and it ranges in elevation from 492 to 2,297 feet.	NO	NO	NO	The Project is below the elevational range of this species. This species occurs primarily in open grasslands that are not present on the Project site.
<i>Lepidium Jaredii ssp. album</i>	Panoche pepper-grass	1B.2	This annual herb occurs in washes and alluvial fans in valley grassland in the western San Joaquin Valley. It flowers between February and June and ranges in elevation from 755 to 2,560 feet.	NO	NO	NO	The Project is below the elevational range of this species. This species occurs primarily in open grasslands that are not present on the Project site.
<i>Monolopia congdonii</i>	San Joaquin woollythreads	CE, 1B.2	This annual herb prefers chenopod scrub, and/or valley and foothill grassland. It flowers between February and May, and it ranges in elevation from 197 to 2,625 feet.	YES	UNLIKELY	NO	This plant would only be present within the small, approximately 200-foot-long area of chenopod scrub that occurs in the Project site. This species was not observed on the Project site and it is unlikely to occur.... Limited habitat that could support this species is present along wetted areas of canals and ditches. These areas are routinely maintained and are not likely to support the species. This plant was not observed on the Project and impacts to this species is not likely to occur. Even if present, construction activities would not be expected to significantly affect either local or regional survival of this species.
<i>Nama stenocarpa</i>	mud nama	2B.2	This annual herb is found in wetlands and on the edges of streams and rivers. It flowers from January through July and occurs from 0 to 2,755 feet elevation	YES	NO	NO	

Scientific Name	Common Name	Listing Status	General Habitat Description	Suitable Habitat Present on site	Potentially Affected by Project?	Viability Threat?	Comments
<i>Puccinellia simplex</i>	California alkali grass	1B, 2	This annual herb occurs in Chenopod scrub, meadows and seeps, valley and foothill grassland, and vernal pools. It occurs in alkaline, vernal mesic soil, and in sinks, flats, and lake margins. It flowers between March and May, and it ranges in elevation from 6 to 3,051 feet.	YES	UNLIKELY	NO	This plant would only be present within the small, approximately 200-foot-long area of chenopod scrub that occurs in the Project site. This species was not observed on the Project site and it is unlikely to occur. Even if present, construction activities would not be expected to significantly affect either local or regional survival of this species.
Special-status Invertebrates							
<i>Bombus crotchii</i>	Crotch bumble bee	G3G4, S1S2	This bee occurs in relatively warm and dry sites, including the inner Coast Range of California and the margins of the Mojave Desert. It can be found in open grassland and scrub habitats. Nesting occurs underground. This species is classified as a short-tongued species, whose food plants include <i>Asclepias</i> , <i>Chaenactis</i> , <i>Lupinus</i> , <i>Medicago</i> , <i>Phacelia</i> , and <i>Salvia</i> .	NO	NO	NO	This species occurs in relatively dry grassland and scrub habitat that are absent from the Project site. Even if present, construction activities would not be expected to significantly affect either local or regional survival of this species.
<i>Branchinecta lynchi</i>	vernal shrimp pool fairy	FT	This fairy shrimp species occurs in and is endemic to the eastern margin of the central coast mountains. It is found seasonally in static grassland vernal pools and inhabits small, clear-water depressions in sandstone and clear-to-turbid clay/grass-bottomed pools in shallow swales.	NO	NO	NO	Vernal pools, which are necessary to support viable populations of this species, are absent from the Project site.
<i>Cicindela tranquebarica</i> sp.	San Joaquin tiger beetle	G5, S1	This beetle species is a spring/fall species that occurs in a wide variety of open sandy habitats. It prefers sandy substrates with sparse to moderate vegetation. It is a gregarious species and can be found along road side ditches, sandy washes, edges of sandy lakes and rivers, blowouts, and sand dunes.	NO	NO	NO	Soils occurring on the Project site are mostly clay or clay loam soils, but there are some sandy loam soils also present. This species occurs in soils that are typically very sandy, which do not occur on the Project site. The portions of the site where sandy loam soils occur are highly disturbed by agricultural activities and road maintenance activities, which would preclude this species from occurring.
<i>Desmoeris californicus dimorphus</i>	valley elderberry longhorn beetle	FT	This beetle species is associated with and entirely dependent on elderberry bushes (<i>Sambucus</i> spp.). Its range extends throughout the San Joaquin Valley, except in Kern, Kings, and Tulare Counties.	NO	NO	NO	Scattered elderberry bushes exist near the Project, but the Project is outside of the distributional range of this species.
<i>Lepidurus packardii</i>	vernal pool tadpole shrimp	FE	This fairy shrimp species occurs in vernal pools with clear to high turbidity.	NO	NO	NO	Vernal pools, which are necessary to support viable populations of this species, are absent from the Project site.
Special-status Fish							
<i>Hypomesus transpacificus</i>	delta smelt	FE, CT	This species occurs in the Sacramento and San Joaquin estuaries of the San Francisco Bay. Occurs primarily in main water bodies and sloughs of the Delta and Suisun Bay. Not directly associated with small stream systems.	NO	NO	NO	The Project is outside of the distributional range of the delta smelt.
Special-status Amphibians							
<i>Ambystoma californiense</i>	California salamander tiger	FT, CT	This species occurs in natural ephemeral pools or ponds that mimic them, and that remain inundated for 12 weeks or more. It requires nearby upland habitat containing small mammal burrows or crevices that provide refugia.	NO	NO	NO	Suitable breeding areas that could support this species are absent from the Project site, the nearest record of this species is over 10 miles from the Project site, and there were very few small mammal burrows, which is a required component providing refugia within suitable upland habitat, occurring on the Project site.

Scientific Name	Common Name	Listing Status	General Habitat Description	Suitable Habitat Present on site	Potentially Affected by Project?	Viability Threat?	Comments
<i>Spea hammondi</i>	western spadefoot	CSC	This species occurs primarily in grassland habitats but can be found in valley-foothill hardwood woodlands. Vernal pools are essential for breeding and egg-laying.	YES	UNLIKELY	NO	Suitable habitat for breeding is present in the ditches and dirt-lined canals occurring on and near the Project site. Although flowing water would not be suitable as breeding habitat, as irrigation decreases and pools form in the bottom of ditches, breeding could occur. The period when standing water is present would mostly be during times of the year that would not support the species, and it is not likely that this species is present. Even if present, Project activities would not be expected to significantly affect the local or regional survival of this species.
<i>Rana draytonii</i>	California red legged frog	FT, CSC	This species occurs in small streams, ponds and marshes, preferably with dense shrubby vegetation such as cattails and willows near deep water pools.	YES	NO	NO	There were some canals and marshes with dense vegetation that were on and near the Project. However, the nearest occurrence record for this species is over 10 miles away, and the presence of non-native bullfrogs in the canals and marshy areas would preclude the presence of the California red legged frog.
Special-status Reptiles							
<i>Arizona elegans occidentalis</i>	California glossy snake	CSC	This species inhabits arid scrub, rocky washes, grasslands, chaparral, and appears to prefer open microhabitats and areas with soil loose enough for easy burrowing.	YES	NO	NO	Although suitable habitat exists on a small portion of Valley Sink Scrub habitat that occurs on the Project site the Project is over 10 miles outside of the distributional range of the California glossy snake.
<i>Gambelia sila</i>	blunt-nosed leopard lizard	FE, CE, FP	This species occurs in sparsely vegetated alkali and desert scrub habitats, in areas of low topographic relief. It seeks cover in mammal burrows, under shrubs, or structures such as fence posts.	NO	NO	NO	Most of the Project site is not suitable to support this species. The small remnant of Valley Sink Scrub is not sufficient in size or quality to support a viable, long-term, self-sustaining blunt-nosed leopard lizard population. The Project is over 10 miles from the nearest known occurrence of this species.
<i>Masticophis flagellum ruddocki</i>	San Joaquin coachwhip	CSC	This species occurs in open, dry, treeless areas such as the Chenopod scrub, valley and foothill grassland. It takes refuge in rodent burrows, under shaded vegetation, and under surface objects.	YES	UNLIKELY	NO	Most of the Project site is not suitable to support this species. The small remnant of Valley Sink Scrub is not sufficient in size or quality to support a viable, long-term, self-sustaining population of this species. Even if present, Project activities would not be expected to significantly affect the local or regional survival of this species.
<i>Thamnophis gigas</i>	giant gartersnake	FT, CT	This species primarily occurs in permanent or semi-permanent marshes and sloughs, drainage canals, and irrigation ditches, particularly around rice fields. It prefers to reside in sloughs that are flooded in summer and dry in winter. It can occasionally be found in slow-moving creeks. It prefers locations with vegetation close to the water for basking.	YES	UNLIKELY	NO	Flooded canals and ditches that could support this species are found on and near the Project site, and the wetlands surrounding the Kings River to the east of the Project site are also appropriate habitat. The canals and ditches on and near the Project site are subject to routine maintenance and vegetation removal and are not likely to support the species. The nearest known location of the giant garter snake is nearly 10 miles to the north of the Project. The giant garter snake was not observed during the on-site survey, and the Project is not likely to result in take of this species.
<i>Emys marmorata</i>	western pond turtle	CSC	This species occurs in ponds, small lakes, marshes, slow moving streams, reservoirs, and brackish water with abundant vegetation and suitable basking sites.	YES	UNLIKELY	NO	Flooded canals and ditches suitable for this species are found on the Project site, and the wetlands along the Kings River are also appropriate habitat. No pond turtles were observed during the survey and they would not be present in the on-site canals and ditches when dry. The small amount of temporary disturbance to these habitats is unlikely to cause a threat to the viability of this species.
Special-status Birds							
<i>Agelaius tricolor</i>	tricolored blackbird	CT, MBTA	This species occurs near fresh water, and prefer emergent wetland vegetation with tall, dense cattails or tules, but is also found in thickets of willow, blackberry, wild rose, and tall herbs. It has been found to nest and forage in grassland and agricultural fields (pastures, dairies, rice fields). A highly social nester, it occurs in large colonies.	YES	UNLIKELY	NO	Nesting colonies of tricolored blackbird are seminomadic and often change location from year to year. They may be affected if a nesting colony is located in or near construction activities. This species was not observed during surveys of the Project site and only small, isolated areas of potential habitat are present. Project activities are unlikely to impact this species, but avoidance measures are appropriate to ensure that no impacts would occur.

Scientific Name	Common Name	Listing Status	General Habitat Description	Suitable Habitat Present on site	Potentially Affected by Project?	Viability Threat?	Comments
<i>Athene cunicularia</i>	Western burrowing owl	CSC, MBTA	This species occurs in open annual or perennial grasslands, deserts and scrublands characterized by low-growing vegetation.	YES	UNLIKELY	NO	Much of the Project site is suitable habitat for this species, particularly those areas that are less disturbed and that are not routinely maintained and managed as agricultural lands or roadways. No burrowing owls were observed on the Project site, but this species could become present prior to the start of construction. There are records of this species occurring on the Lemoore Naval Air Station, to the west of the Project. Avoidance measures are provided that would ensure that the Project would not impact this species.
<i>Buteo swainsoni</i>	Swainson's hawk	CT, MBTA	This species occurs in riparian forests and other forested areas. It roosts in a variety of trees and forage widely over forests, grasslands, and shrublands. It is easily disturbed by human activities.	YES	UNLIKELY	NO	Potential nesting trees are located near the Project but no nesting Swainson's hawks were observed near the Project. The Project will not result in permanent impacts to foraging habitat and only minor areas of temporary disturbance to foraging habitat. Avoidance measures are recommended that would eliminate the potential for the Project to impact nesting Swainson's hawks.
<i>Charadrius alexandrinus nivosus</i>	western snowy plover	FT, CSC MBTA	This species occurs along sandy beaches, salt pond levees and shores of large alkali lakes. It needs sandy, gravelly or friable soils for nesting. It winters in the San Joaquin Valley where it forages in agricultural field	NO	NO	NO	The sandy beach habitat required for both foraging and nesting is not present on the Project. It could forage in the vicinity of the Project during the winter, but no impacts to foraging habitat are anticipated.
<i>Xanthocephalus xanthocephalus</i>	yellow-headed blackbird	CSC, MBTA	This species nests in fresh emergent wetlands with dense vegetation and deep water, often along borders of lakes or ponds. It forages in emergent wetlands and moist, open areas, especially cropland and muddy shores of lacustrine habitat. It has a restricted distribution in the Central Valley in the winter, occurring mainly in the western portion of the Valley.	YES	UNLIKELY	NO	Small areas of cattail and tule wetland near the Kings River may support yellow-headed blackbirds. None were observed during the site survey. There is a low potential that this species could nest or forage near the Project site but measures are recommended that would ensure avoidance of this species.
Special-status Mammals							
<i>Ammospermophilus nelsoni</i>	San Joaquin antelope squirrel	CT	This species occurs in saltbush scrub and grassland habitats. It prefers washes and open shrub areas with sandy soils.	YES	NO	NO	This species was not observed on or near the Project site and it is unlikely to occur on the Project site because the small patch of appropriate habitat and not extensive enough to support a viable population. The nearest San Joaquin antelope squirrel occurrence in CNDDDB is approximately 9 miles south of the Project.
<i>Dipodomys ingens</i>	giant kangaroo rat	FE, CE	This species is associated with annual grasslands on the western side of the San Joaquin valley and have marginal habitat in alkali scrub. It requires level terrain and sandy loam soils for burrowing.	YES	NO	NO	A small area of alkali scrub is within the Project buffer, but the patch is too small to sustain a populations of giant kangaroo rats and the Project is over 10 miles to the east of known giant kangaroo rat occurrences.
<i>Dipodomys nitratoides exilis</i>	Fresno kangaroo rat	FE, CE	This species historically occurred in alkali sink and open grassland habitats on the valley floor in Fresno County and portions of Tulare, Kings, and Madera counties. The last confirmed specimen was captured in 1992 and it may be extinct.	YES	NO	NO	No kangaroo rat burrows were located on or near the Project site during the preconstruction survey and the small patch of suitable habitat is not likely large enough to support a viable population of this species..
<i>Dipodomys nitratoides nitratoides</i>	Tipton kangaroo rat	FE, CE	This species occurs in saltbrush scrub and sink scrub communities in the Tulare Lake Basin of the southern San Joaquin valley. It needs soft friable soils which escape seasonal flooding to dig burrows in elevated soil mounds at the base of shrubs.	YES	NO	NO	No kangaroo rat burrows were located on or near the Project site during the preconstruction survey and the small patch of suitable habitat is not likely large enough to support a viable population of this species...

Scientific Name	Common Name	Listing Status	General Habitat Description	Suitable Habitat Present on site	Potentially Affected by Project?	Viability Threat?	Comments
<i>Lasiurus cinereus</i>	hoary bat	G5, S4	This species occurs in deciduous and coniferous forests and woodlands, including areas altered by humans. Roost sites usually occur in tree foliage with dense foliage above and open flying room below, often at the edge of a clearing and commonly in hedgerow trees. Sometimes it roosts in rock crevices, but rarely in caves. When hibernating, it has been found on tree trunks, in a tree cavity, in a squirrel's nest, and in a clump of Spanish-moss.	YES	NO	NO	There is no suitable habitat on the Project site that would provide roosting habitat for this species. There is suitable roosting habitat along the Kings River, but those areas would not be affected by the Project.
<i>Sorex inornatus</i> <i>relictus</i>	Buena Vista Lake ornate shrew	FE	This species is restricted to wetland areas with suitable leaf-litter. It is restricted to the southern San Joaquin Valley.	NO	NO	NO	There is habitat that could potentially support this species along the Kings River but there are no historic observations of this species within 10 miles of the Project. Critical habitat is designated for this species approximately 0.5 miles to the east of the Project site, east of the Kings River. The Project will not impact this species or Critical habitat designated for this species. Though badgers are uncommon, they range throughout almost all of California. The presence of badgers is possible on the Project. This species may be impacted by construction, but this impact is unlikely to result in a threat to the species' viability due to the small scale of the impact. Avoidance measures are recommended that would ensure that this species is not affected by the Project.
<i>Taxidea taxus</i>	American badger	CSC	This species occurs in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils. It needs sufficient food and open, uncultivated ground. It preys on burrowing rodents and digs burrows.	YES	UNLIKELY	NO	No observations or diagnostic signs of this species were observed during the on-site survey. CNDDB records of San Joaquin kit fox near the Project suggest that it may be present in the Project area. This species has the potential to be impacted by the Project, but avoidance measures are recommended that would eliminate the potential for this species to be affected by the Project.
<i>Vulpes macrotis</i> <i>mutica</i>	San Joaquin kit fox	FE, CT	This species occurs in annual grasslands or grassy open stages with scattered shrubby vegetation. Need loose-textured sandy soils for burrowing, and suitable prey base.	YES	UNLIKELY	NO	No observations or diagnostic signs of this species were observed during the on-site survey. CNDDB records of San Joaquin kit fox near the Project suggest that it may be present in the Project area. This species has the potential to be impacted by the Project, but avoidance measures are recommended that would eliminate the potential for this species to be affected by the Project.

APPENDIX B

REPRESENTATIVE PHOTOGRAPHS OF THE PROJECT SITE



Photograph 1: Pistachio orchard and irrigation ditch.
36.2812, -119.8697, view west.
Photograph taken by Dylan Ayers on June 14, 2018.



Photograph 2: Irrigation ditch, young orchard, and row crops.
36.2991, -119.8870, view east.
Photograph taken by Dylan Ayers on June 14, 2018.



Photo Plate 1



Photograph 3: View along Ditch 10 to box culvert under State Route 198.
36.2578, -119.8627, view west.
Photograph taken by Dylan Ayers on June 14, 2018.



Photograph 4: Dry irrigation ditch adjacent to Project.
36.2853, -119.8727, view south.
Photograph taken by Dylan Ayers on June 14, 2018.



Photo Plate 2



Photograph 5: Potential San Joaquin kit fox den.
36.2577, -119.8647, view east.
Photograph taken by Dylan Ayers on June 14, 2018.



Photograph 6: View of Alkali Sink Scrub and ruderal habitat.
36.2577, -119.8632, view south.
Photograph taken by Dylan Ayers on June 14, 2018



Photo Plate 3



Photograph 7: View along southern section of Project.
36.2553, -119.8641, view east.
Photograph taken by Dylan Ayers on June 14, 2018.



Photograph 8: Old duck club.
36.2870, -119.8704, view east.
Photograph taken by Dylan Ayers on June 14, 2018.



Photo Plate 4



Photograph 9: Stormwater drainage ditch on Project.
36.2577, -119.8632, view east.
Photograph taken by Dylan Ayers on June 14, 2018.



Photograph 10: North end of Project.
36.3067, -119.8872, view south.
Photograph taken by Dylan Ayers on June 14, 2018.



Photo Plate 5



Photograph 11: Dry irrigation ditch and ruderal vegetation.
36.2622, -119.8692, view southeast.
Photograph taken by Dylan Ayers on June 14, 2018.



Photograph 12: Rural residence, dry irrigation ditch and ruderal vegetation.
36.2622, -119.8692, view southeast.
Photograph taken by Dylan Ayers on June 14, 2018.



Photo Plate 6



Photograph 13: Kings River, bridge, and cliff swallows east of Project.
36.2557, -119.8552, view southwest.
Photograph taken by Dylan Ayers on June 14, 2018.



Photograph 14: Valley Sink Scrub near southern end of Project.
36.2577, -119.8625, view south.
Photograph taken by Dylan Ayers on June 14, 2018.



Photo Plate 7

APPENDIX C

CULTURAL RESOURCES/TRIBAL CULTURAL RESOURCES REFERENCES



June 21, 2018

RE: Cultural Resource Records Search for Leprino Pipeline project, Kings County, CA

A cultural resources records search (RS# 18-277) was conducted at the Southern San Joaquin Valley Information Center, CSU Bakersfield, for the Leprino Pipeline project in Kings County, CA. The proposed project consists of approximately 4½ miles of pipeline alignment located southwest of Lemoore in Kings County, CA.

The records search covered an area within one half mile of the pipeline route and included a review of the *National Register of Historic Places*, *California Points of Historical Interest*, *California Registry of Historic Resources*, *California Historical Landmarks*, *California State Historic Resources Inventory*, and a review of cultural resource reports on file.

The records search indicated that six cultural resource surveys previously had been conducted on or adjacent to portions of the alignment. These include five linear surveys that intersected with the alignment at various points (Bureau of Reclamation 1983; Love and Tang 2002a, 2002b; Kamanski 2010; Asselin et al. 2016) and one that was conducted immediately adjacent to and east of a three-mile segment of the alignment (Coleman 2012). The historic resources have been previously analyzed and determined not NRHP/CRHR eligible. No additional cultural resource surveys have been performed within a half mile of the proposed pipeline alignment.

Nine cultural resource properties have been recorded within a half mile of the pipeline. These consist of five historical sites, including three buildings associated with the nearby Lemoore Naval Base, and a PG&E transmission line and tower. Prehistoric resources include two flaked stone scatters and two isolated artifacts. The prehistoric resources have been previously analyzed and determined not NRHP/CRHR eligible and they have no research value. No additional cultural resources have been recorded within a half mile of the alignment.

No cultural resources were identified within the footprint of the project site as a result of the study and no further cultural resource work is recommended for the project at this time. With implementation of standard mitigation measures, impacts of the proposed project to cultural resources is anticipated to be less than significant.

Robert E. Parr

Robert E. Parr, MS, RPA
Senior Archaeologist

References

Asselin, Katie, Randy Baloian, Aubrie Morlet, Michael J. Mirro, Jennifer Whiteman, Josh Tibbet and Mary Baloian

2016 Cultural Resources Inventory and Evaluation for the Central Valley Power Connect Project, Fresno, Kings, and Madera Counties, California. Report prepared for Pacific Gas and Electric Company, San Francisco, CA. (KI-287)

Bureau of Reclamation (Mid-Pacific Region, Office of Environmental Quality)

1983 Class II Archaeological Survey, San Luis Drain and Alternatives, Central Valley Project, San Luis Unit, California. (KI-60)

Coleman, Jason A.

2012 Cultural Resources Survey Report for the Nederend South WRP Project, Kings County, California. (KI-209)

Kamanski, P.

2010 Fresno Reliability Transmission Project. Report prepared for Pacific Gas and Electric, San Ramon, CA. (KI-197)

Love, Bruce, and Bai "Tom" Tang

2002a Historic Property Survey Report: Cross Valley Rail Corridor Project Between the Cities of Visalia and Huron, Tulare, Kings, and Fresno Counties, California. (KI-109)

2002b Archaeological Survey Report: Cross Valley Rail Corridor Project Between the Cities of Visalia and Huron, Tulare, Kings, and Fresno Counties, California. (KI-110)



711 W. Cinnamon Drive • Lemoore, CA 93245 • Building (559) 924-6730 • Planning (559) 924-6740
Development Services Department
Building/Planning/Housing

July 3, 2018

Ruben Barrios, Tribal Chairman
Santa Rosa Rancheria Tachi Tribe
C/O Cultural Department
P.O. Box 8
Lemoore, CA 93245

RE: Tribal Cultural Resources under the California Environmental Quality Act, AB 52 (Gatto, 2014). A Formal Notification of a Decision to Undertake a Project and Notification of Consultation Opportunity, pursuant to Public Resources Code § 21080.3.1 (hereafter PRC).


Dear Mr. Barrios:

The City of Lemoore (City) is proposing to undertake the following project:

Combined Effluent/Recycled Water Discharge to the Stone Ranch. The Project is the construction and operation of a pump station and pipeline to an agricultural irrigation recycled water reuse area, the Stone Ranch. It will make beneficial reuse of treated combined effluent from Leprino Foods' two facilities and the City's WWTP by using it for agricultural irrigation of feed and fodder crops. Leprino and Lemoore propose to discharge up to 5.0 mgd of treated combined effluent that will be conveyed via pipeline to the Ranch. The combined effluent will be blended with groundwater within the existing Stone Ranch irrigation canal system, and the blended water supply will be directly used for irrigation. The project site is located five miles west of Lemoore, immediately east of Lemoore Naval Air Station.

Pursuant to PRC § 21080.3.1 (b), you have 30 days from the receipt of this letter to request consultation, in writing, with the City. Should you have any comments or questions please contact our designated representative, Judy Holwell, at (559) 924-6704 or at jholwell@lemoore.com.

Thank you,



Steve Brandt, AICP
Contract City Planner

Enclosures: Figure 1 – Project Boundary Map

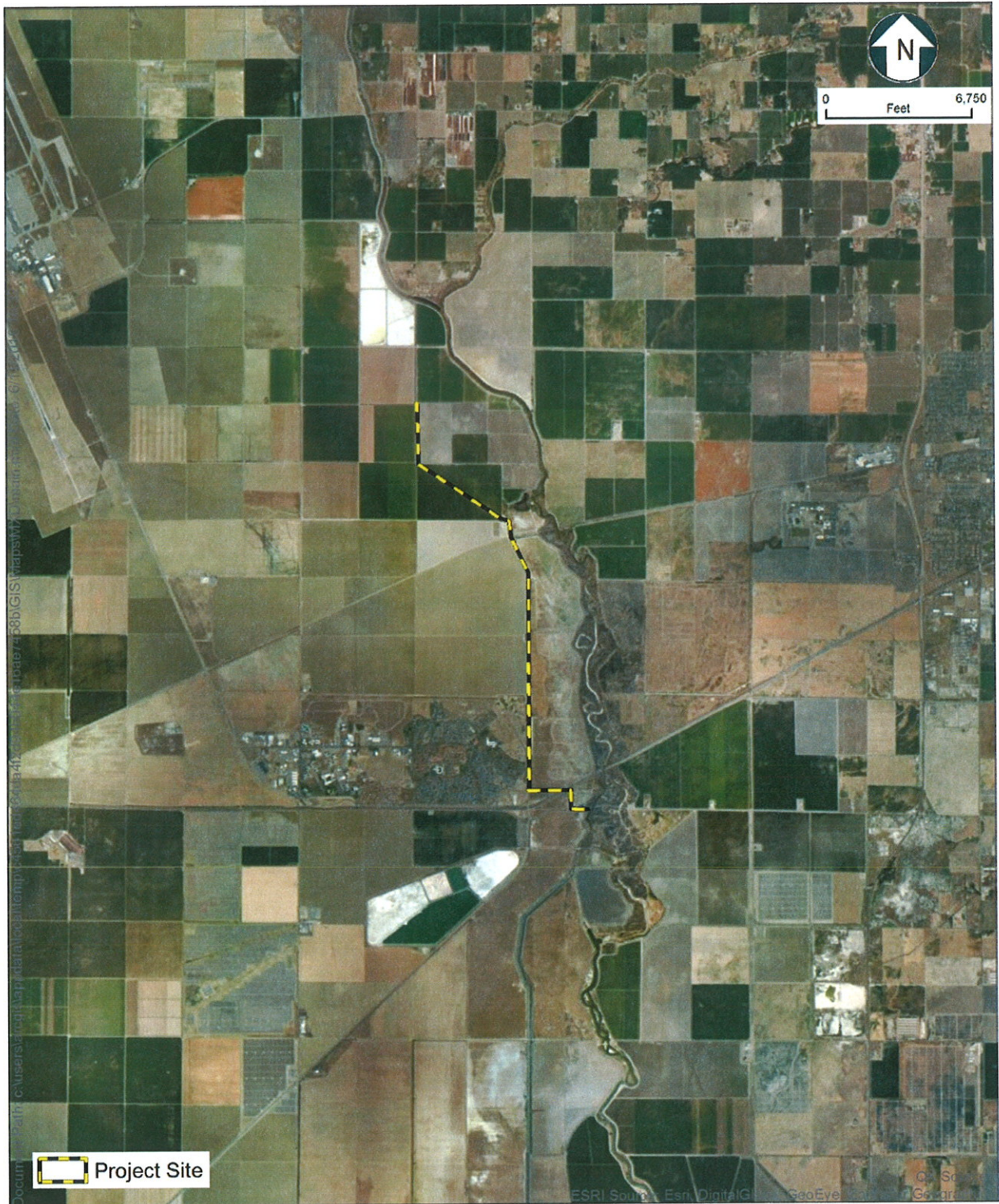


Figure 1 – Project Area Boundary



711 West Cinnamon Drive • Lemoore, California 93245 • (559) 924-6700 • Fax (559) 924-9003

Staff Report

Item No: 4-2

To: Lemoore City Council

From: Heather J. Corder, Finance Director

Date: August 22, 2018 Meeting Date: September 4, 2018

Subject: First Reading – Ordinance 2018-07 Amending Article A of Chapter 7 of the City of Lemoore Municipal Code Relating to Water Use and Service

Strategic Initiative:

- | | |
|---|--|
| <input type="checkbox"/> Safe & Vibrant Community | <input type="checkbox"/> Growing & Dynamic Economy |
| <input checked="" type="checkbox"/> Fiscally Sound Government | <input type="checkbox"/> Operational Excellence |
| <input type="checkbox"/> Community & Neighborhood Livability | <input type="checkbox"/> Not Applicable |

Proposed Motion:

Approve the introduction of Ordinance No. 2018-07 amending Article A of Chapter 7 to update the water ordinance to include more detailed wording for deposits, requiring of a guaranty by the owner of property for past due bills and add language to multiple sections; waive the reading of the Ordinance in its entirety and set the second hearing on the Ordinance for the City Council's next regular meeting.

Subject/Discussion:

Staff noticed there were some items in the water ordinance that either needed to be clarified or added. A brief recap of those items are listed below.

- The clarification regarding a deposit and how the deposit will be held by the City and when the deposit will be applied to the customer's account.
- Establishing charges and rates for customers outside the City limits.
- Adding language that would require the guaranty by the owner of the property that the utility bills for that property will be paid.
- Adding language clarifying penalties, discontinuance of service and how debts will be collected.
- Adding language regarding vacant premises and notification of the Utility Billing department.

"In God We Trust"

- Adding language clarifying that water service shall not be furnished free of charge.

Financial Consideration(s):

These changes will decrease the amount of unpaid bills the City has to write off or send to collections. The collection of a deposit will allow the City to apply the deposit towards any unpaid balance prior to sending the customer to collections.

Staff Recommendation:

Staff recommends that the City Council introduce and hold its first hearing on the proposed Ordinance, waive the reading of the Ordinance in its entirety, and set the second hearing for the next regular Council meeting. The Ordinance will take effect 30 days following adoption.

Attachments:

- Resolution:
- Ordinance: 2018-07
- Map
- Contract
- Other List:

Review:

- Asst. City Manager
- City Attorney
- City Clerk
- City Manger
- Finance

Date:

- 08/30/18
- 08/30/18
- 08/29/18
- 08/22/18

ORDINANCE NO. 2018-07

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEMOORE
AMENDING SECTION 4-1-6 OF CHAPTER 1 OF TITLE 4 PERTAINING TO THE
BILLING AND COLLECTION OF GARBAGE AND REFUSE FEES AND PENALTIES;
AMENDING SECTION 7-7A OF ARTICLE A OF CHAPTER 7 OF TITLE 7
PERTAINING TO THE BILLING AND COLLECTION OF WATER USE AND
SERVICE FEES AND PENALTIES; AND AMENDING SECTION 7-7B-6 OF ARTICLE
B OF CHAPTER 7 OF TITLE 7 PERTAINING TO BILLING AND COLLECTION OF
SEWER SERVICE RATES, CHARGES AND PENALTIES**

WHEREAS, the Municipal Code of the City of Lemoore contains certain terms and conditions regarding the City’s provision of garbage and refuse collection, water use and sewer utility services (“Utility Services”);

WHEREAS, the code requirements are sometimes unclear regarding the procedures for billing, collection, delinquencies, penalties and appeals; and

WHEREAS, it is in the interest of the people of the City of Lemoore to clarify the City’s processes for billing, collection, delinquencies, penalties and appeals for its utility services..

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LEMOORE DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 4-1-6. Chapter 9 of Title 4 of the Lemoore Municipal Code is hereby amended to read as follows:

4-1-6: REFUSE COLLECTION FEES:

A. Fees Established: The fees to be charged by the city for refuse collection service within the city shall be established by resolution of the City Council after a duly noticed public hearing regarding the establishment of said fees.

B. Payment of Fees; Delinquencies:

1. All refuse charges shall be collected together with, and not separately, from the charges for any utility service rendered by the City, and all charges shall be billed upon the same bill and collected as one item. All utility service charges shall be payable upon presentation date at the office of the City water collector in the City Hall and shall be delinquent on the twenty-fifth day of the calendar month following the date of presentment.

2. The owner or owners of any parcel of real property, together with any and all occupants of such real property, shall be jointly liable for all charges incurred by reason of the use of said waste and refuse pick-up service by any and all occupants of such real property.
3. In the event a utility bill is not paid on or before the tenth day after the bill becomes delinquent, the refuse service shall be discontinued. On the eleventh day after the bill becomes delinquent the fees of \$25.00, in addition to the amount of the utility bill, shall be charged:
4. If refuse service has been discontinued for failure to pay a utility bill as set forth in subsection 3 of this section, the entire amount of the refuse bill and all fines and penalties provided below shall be paid in full before refuse service is restored:
 - a. A fee of twenty-five and no/100ths dollars (\$25.00) shall be charged on all returned items (to include online payments) in payment of utility charges.
5. Disputed Bills: Should the amount of any bill for service be questioned, the customer should promptly request an explanation. If the explanation is not satisfactory or is not understood, the customer must pay the bill under protest to avoid discontinuance of service. Protests will be addressed to the Director of Finance, must be in writing, and must state the reasons why the charges are believed to be incorrect. The Director of Finance will analyze the facts of the case and is authorized to make such adjustments in the charges as may be necessary to effect an equitable settlement. Failure of a customer to pay under protest after initial explanation is offered will result in discontinuance of service without further notice if bill is not paid by the delinquency date.
6. Accounts shall be subject to collection of any delinquent fees and charges in the following manner:
 - a. At the time the fees become delinquent and until such time they are fully paid, the delinquent account balance, including late charges, shall constitute an unrecorded lien against the property and, as such, may be identified during a title search. For commercial businesses, delinquent account balances, including late charges, may be considered an unrecorded lien against the business name and/or owner of the business.
 - b. Once a year there may be prepared a report of delinquent fees including late charges. The City Council shall fix a time, date and place for hearing the report and receive any objections or protests thereto.
 - c. The City Council shall cause notice of hearing to be mailed to the landowners listed on the report not less than fifteen (15) days prior to the date of the hearing.

- d. At the hearing, the City Council shall hear any objections or protests of landowners liable to be assessed for delinquent fees including late charges and administrative fees, as set by resolution of the City Council. The City Council may make revisions or corrections to the report as it deems just, after which, by resolution, the report shall be confirmed.
 - e. The delinquent fees set forth in the report as confirmed shall constitute special assessments against the respective parcels of land and are a lien on the property for the amount of such delinquent fees, including late charges. A certified copy of the resolution confirming the assessments shall be filed with the County Recorder and the County Auditor-Controller/Tax Collector for the amounts of the assessments against the respective parcels as they appear on the current assessment roll. The lien created attaches upon filing. The assessments shall be collected at the same time and in the same manner as other property taxes and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for such taxes. All laws applicable to the levy, collection and enforcement of property taxes shall be applicable to such assessments. However, if, for the first year for which the charges are prescribed, the property served by the City has been transferred or conveyed to a bona fide purchaser for value, and attached thereon, prior to the date on which the first installment of county taxes would become delinquent, the charge will not result in a lien against the real property, but shall become transferred to the unsecured roll for collection.
 - f. In addition to, or alternatively to, imposing a lien, the City may file an action for the collection of any amounts due and unpaid against the owner, tenant, lessee or other occupants or persons in possession, charge or control of any place in or from which refuse is created, accumulated or produced. In any such action, the delinquent balances may also be processed through a collection agency.
- C. Application of Funds Received: Any payment received for City utility charges in an amount less than the total charge billed shall be treated as a partial payment for each such charge and the amount received allocated to the separate departments in the same ratio as each such charge bears to the whole of the bill. (Ord. 8402, 3-20-1984)
- D. Vacant Premises; Refunds: Whenever the premises for which collection and disposal service is provided is vacant or unused for a period of thirty (30) days or more, the person to whom the collection charge is made may secure a rebate of his refuse collection service charges for said period of vacancy by presenting to the director of public works an affidavit setting forth all the facts of the vacancy under penalty of perjury. If satisfied with the truth of the statements of vacancy, the director of public works shall approve said claim and the finance department shall make the appropriate refund of such charges. No charge shall be made for newly constructed premises until the same is occupied; provided, however, that a person shall be conclusively presumed to be using refuse collection and disposal service when the premises is connected to the City water or sewer system. (Ord. 2006-05, 7-18-2006)

SECTION 2. Sections 7-7A-5, 7-7A-5.5, 7-7A-9 and 7-7A-10 of Article A of Chapter 7 of Title 7 of the Lemoore Municipal Code are hereby amended to read as follows:

7-7A-5: APPLICATION FOR WATER SERVICE:

In every case in which any property owner or his agent desires a connection to be made to the water mains of the City, an application must be made to the Utility Billing Department. Applications from public agencies, landowners, developers, or commercial businesses for water service outside the City boundaries shall be evaluated and approved consistent with Section 7-7C-2, subdivisions (B) and (C).

Each applicant for water service may be required to establish credit before service will be initiated. Credit will be deemed established if the applicant meets any or all conditions established by City Council resolution.

- A. If a deposit is made or required to establish credit, it shall be paid to the Utility Billing Department, which will deposit it into a special, non-interest-bearing account dedicated exclusively for such purposes. In the event the service account becomes delinquent or when service is terminated, the deposit will be applied to the customer's unpaid bill(s). If the deposit exceeds the amount of the bill(s), the excess amount will be refunded to the customer. The deposit shall be refunded to a customer who has paid all bills for water service without delinquency for the prior twelve (12) consecutive months. If the City draws against the deposit to cover delinquent payments, the City may require the customer to restore the deposit to its original amount as a condition of providing ongoing water service.
- B. The Water Division shall furnish temporary service, if feasible, to any applicant on the following conditions:
 1. Applicant will be required to pay the estimated cost of installing and removing the facilities necessary to furnish service in advance; and
 2. Applicant will be required to establish credit in the manner set forth in Subsection (A) above.
- C. Before any such application for water service is granted, the Utility Billing Department shall confirm that applicant has paid any delinquent utility services account with the City in the name of the applicant, the applicant's spouse, any co-resident, business firm or association with which the applicant is or has been associated in such a way as to benefit directly from the City's utility service. If it is discovered later that any customer had an outstanding delinquent account with the City for utility services at the time of the application in the name of the applicant, the applicant's spouse, any co-resident, business firm or association with which the applicant is or has been associated in such a way as to benefit directly from the City's utility

service, then the outstanding balance of any such account shall be added on to the balance of the customer's new account.

7-7A-5.5: WATER METERS; NEW SERVICE:

As a condition of new water service, a suitable water meter to measure the water service shall be installed on the water service facilities in accordance with Chapter 8 (commencing with Section 500) of the California Water Code. The cost of installation of the meter shall be paid by the water user, and the City does hereby impose the cost of the installation of the meter in the amounts set forth in Resolution No. 8808 (adopted May 17, 1988, and as amended, from time to time, thereafter). The provisions of this section shall be construed consistent with the provisions of Section 110 of the Water Code and Chapter 8 of Division 1 of the Water Code.

- A. New applicants for domestic service, which is defined as an existing non-metered service, may select to maintain the unmetered service and to pay the established unmetered flat rate. Once an applicant or customer has elected either a flat or metered rate, it shall be billed for its service under the selected rate schedule while it remains a customer. All new connections to the water system shall be metered with a meter of at least one inch in size and installation of such meters shall be at the sole cost and expense of the applicant.
 - 1. Should a customer remodel, modify, change or alter its premises and the cost of such remodeling, modification, change or alteration exceeds five thousand dollars (\$5,000.00), the customer shall be required to install a water meter to measure water use at the customer's premises. The customer shall pay the total cost of the purchase and installation of the meter, including, without limitation, the cost of the meter-box.
 - 2. Should any federal, State or local law, regulation or ordinance mandate the installation of water meters for any type of water use, including, without limitation, the installation of water meters on currently unmetered service connections, then on the date any such federal, State or local law, regulation or ordinance is passed, adopted or enacted, the installation of the required water meters shall be at the sole cost and expense of the owner of the real property upon which the meter is to be installed.
 - 3. If a customer's premises are demolished, destroyed or removed from the real property upon which they are located, reconnection to the water system shall require a meter and all costs shall be borne by the customer.
 - 4. Installation of all new water services, including, without limitation, water meters, shall be performed by contractors and/or subcontractors who are duly licensed by the California State Licensing Board. All methods, materials, work procedures, and workmanship shall conform to City standards and must be approved by the City's Utilities Director or their designee.

5. Customers who install meters shall only install City-approved meters, automated meter reading devices, and meter boxes. Determination of whether a turbine or compound meter is required shall be made by the Utilities Director or their designee. All meters, automated meter reading devices, and meter boxes installed to the City's satisfaction shall become and remain the sole property of the City and shall be serviced and maintained by the City.
6. Approved backflow devices that are required to be installed by the Utilities Director or their designee are required to be tested annually and repaired by a certified tester approved by the Utilities Director or their designee, so they remain in good working order at the sole expense of the customer. If the customer fails to have the backflow device tested or repaired in the timeframes provided in the service notice from the Water Division, the City reserves the right (but shall not be required) to test and/or repair the device at the sole cost of the customer and to charge the customer for costs incurred and administrative and inspection fees established by a separate City Council resolution.
7. Paragraphs 1 through 6 of this subsection shall also apply to any customer premises located outside of the City limits, but within a county area receiving water service from the City.

B. Applicants for commercial service or industrial service shall be served under metered rates.

7-7A-9: SHUTTING OFF WATER:

- A. Repairs and Extensions: The City reserves the right to shut off the water at any time for the purpose of making repairs or extensions to the system or any other purpose and assumes no responsibility for any damage resulting from the water being turned off.
- B. Fires: When an alarm of fire is turned in, the water consumers on the City mains must immediately turn off all taps, faucets or any means of letting water run, which may at the time be open, and the water is not to be turned on again until such fire is known to be extinguished. (Ord. 8205, 10-5-1982)
- C. Delinquencies and Non-Payment: The City reserves the right to shut off the water at any time service charges become delinquent as described in this Article.

7-7A-10: WATER SERVICE RATES AND CHARGES:

- A. Powers of the City Council: The City Council may, by resolution, further define any of the uses classified herein, resolve any uncertainties regarding the proper rate under specified conditions, and establish rates for any use not herein specifically enumerated.

- B. Rates Established: The monthly rates to be collected by the City for water supplied from its waterworks to consumers shall be established by resolution of the City Council in accordance with City Ordinance 8205 and the provisions of Government Code Section 54354.5 as they may be amended from time to time. The City Council in establishing rates may require that services to premises located outside the City be billed at rates one and one-half times the calculated meter rate for metered services and one and one-half times the established flat rate for metered services. No water service shall be furnished to any customer free of charge.
- C. Payment of Water Rates and Charges: All water charges shall be collected together with, and not separately from, the charges for any other utility service rendered by the City, and all charges shall be billed upon the same bill and collected as one item. All utility service charges shall be payable upon presentation date at the office of the Finance Department in the City Hall and shall be delinquent on the twenty fifth day of the subsequent calendar month following the date of presentment.
1. The owner or owners of any parcel of real property together with any and all occupants of such real property shall be jointly liable for all charges incurred by reason of the use of said water service by any and all occupants of such real property.
 2. A fee of twenty-five and no/100ths dollars (\$25.00) shall be charged on all returned payments of utility charges;
- D. Disputed Bills: Should the amount of any bill for service be questioned, the customer should promptly request an explanation. If the explanation is not satisfactory or is not understood, the customer must pay the bill under protest to avoid discontinuance of service. Protests will be addressed to the Director of Finance, must be in writing, and must state the reasons why the charges are believed to be incorrect. The Director of Finance will analyze the facts of the case and is authorized to make such adjustments in the charges as may be necessary to effect an equitable settlement. Failure of a customer to pay under protest after initial explanation is offered will result in discontinuance of service without further notice if bill is not paid by the delinquency date.
- E. Delinquencies: The City Council may, by resolution, provide for a basic penalty for nonpayment of the charges within the time and in the manner prescribed by it. Imposition of said basic penalty shall be in accordance with the provisions of Government Code Section 54348, as amended from time to time. The City Council also may, by resolution, provide for the imposition of a fee to pay the costs associated with the posting of a forty-eight (48) hour notice as may be prescribed by the City Council.

Penalty Fees. In the event any customer fails to pay the water service charges, connection fees, or other required charges and fees identified in this section within fifteen (15) days after the date of the applicable City utility bill, the City may assess a basic penalty for late payment in

the amount of \$25.00 which amount shall be added to the delinquent charges and fees, and the Finance Director shall collect the basic penalty along with the delinquent charges and fees.

1. **Discontinuance of Service.** In the event any customer fails to pay any charges or fees described in this Chapter, including any penalty or interest, by 4:00 p.m. on the due date shown on the City-issued delinquency notice, the City, in addition to all other remedies it may have, may discontinue furnishing water service and all other services identified on the applicable utility bill and shall not resume service until all outstanding charges and fees, together with any penalties, interest, service charges and/or connection fees necessitated by the resumption of water service, have been paid in full. Prior to discontinuing all services identified on the applicable City utility bill, the City shall send a written delinquency notice to the customer advising that all utilities identified on the bill will be discontinued if payment of the total amount identified in said written notice is not paid within ten (10) days after the date of the written notice. Reconnections will only be processed Monday through Friday from 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:00 p.m., and will not be processed on City-observed holidays. Reconnection of service by unauthorized individuals will result in additional charges established by separate Council resolution and the incident will be reported to the proper authorities. Any check not honored by a financial institution that is used to make payment on a customer's utility account will result in additional fees established by separate Council resolution and will be a basis for the disconnection of service.
2. **Court Action.** In addition to discontinuing all utilities identified on the applicable City utility bill, the City may file a civil action against the customer for the collection of any amounts due and unpaid. Such remedy shall be cumulative and in addition to any other remedy provided in this Chapter or by law. In any such action, the delinquent balances may also be processed through a collection agency.
3. **Notice of Liens.** In the event a customer fails to pay in full all charges, fees or penalties identified in this Chapter within ninety (90) days of the date of any City utility bill, the City shall notify the owner of the real property receiving the water service, in writing, of such delinquency and that the delinquency shall be collected pursuant to the provisions of paragraph 5 of this subsection.
4. **Collection through Tax Roll.** In the alternative to filing a civil action against the customer, the City Council, pursuant to the applicable provisions of the California [Health and Safety Code](#), may elect to have all delinquent charges, fees and penalties collected on the tax roll in the same manner, at the same time and by the same persons together with and not separately from general taxes. Such delinquent charges, fees and penalties shall thereafter constitute a lien against the lot or parcel of land against which the charges have been imposed.

5. Recording of Lien. In addition to or in lieu of collecting delinquent fees through the tax roll, the City may, in accordance with California [Health and Safety Code](#) Section 5473.11, as may be amended, record a lien against the real property for which fees are delinquent.
6. Restoration of Service. The discontinued utility services shall not be restored until all charges, fees and penalties, including without limitation, all expenses of removal, discontinuance, disconnection, restoration and reconnection have been paid. If water service has been discontinued for failure to pay a utility bill as set forth in subsection (E)(2) of this section, the entire amount of the water bill and all fines and penalties provided hereunder shall be paid in full before water service is restored:
 - a. To turn on water, twenty-five and no/100ths dollars (\$25.00);
 - b. In addition to any other fees or charges provided in this section, any customer requesting a turn-on of water on any Saturday, Sunday, legal holiday or before the hour of 8:00 a.m. or after the hour of 3:30 p.m. of any day shall pay an additional charge of one hundred twenty and no/100ths dollars (\$120.00) for such turn-on.
 - c. Customers who have their water turned off due to nonpayment on a regularly scheduled water turn-off day will be charged a same day turn-on fee of sixty and no/100ths dollars (\$60.00) to have their water turned on that day. No additional charge will be assessed to the customer for next day turn-on.
7. The City may discontinue water service without notice to the customer when the apparatus, appliances or equipment using water, in the sole opinion of the City, is found to be dangerous or unsafe. The City shall promptly notify the customer of the reasons for the discontinuance and the corrective action to be taken by the customer before service can be restored.
8. The City may discontinue service without notice to any customer when the use of water thereon by the apparatus, appliances, equipment or otherwise is found by the City in its sole discretion, to be detrimental or injurious to water service furnished to other customers. The City shall promptly notify the customer of the reasons for the discontinuance and the corrective action to be taken by the customer before service can be restored.
9. The City may discontinue water service without notice to any customer when it is determined by the City, in its sole discretion, that the customer has obtained water service by fraudulent means or has diverted the water service for unauthorized use. The City shall not restore service until the customer has complied with all the City's rules and regulations, and the City has been reimbursed for the full amount of the service rendered and the actual cost to the Water Division incurred by reason of such fraudulent or unauthorized use.

F. Accounts shall be subject to collection of any delinquent fees and charges in the following manner:

1. At the time the fees become delinquent and until such time they are fully paid, the delinquent account balance, including late charges, shall constitute an unrecorded lien against the property and, as such, may be identified during a title search. For commercial businesses, delinquent account balances, including late charges, may be considered an unrecorded lien against the business name and/or owner of the business.
2. Once a year there may be prepared a report of delinquent fees, including late charges. The City Council shall fix a time, date and place for hearing the report and receive any objections or protests thereto.
3. The City Council shall cause notice of hearing to be mailed to the landowners listed on the report not less than fifteen (15) days prior to the date of the hearing.
4. At the hearing, the City Council shall hear any objections or protests of landowners liable to be assessed for delinquent fees, including late charges and administrative fees, as set by resolution of the City Council. The City Council may make revisions or corrections to the report as it deems just, after which, by resolution, the report shall be confirmed.
5. The delinquent fees set forth in the report as confirmed shall constitute special assessments against the respective parcels of land and are a lien on the property for the amount of such delinquent fees, including late charges. A certified copy of the resolution confirming the assessments shall be filed with the County Recorder and the County Auditor-Controller/Tax Collector for the amounts of the respective assessments against the respective parcels as they appear on the current assessment roll. The lien created attaches upon filing. The assessments shall be collected at the same time and in the same manner as other property taxes and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for such taxes. All laws applicable to the levy, collection and enforcement of property taxes shall be applicable to such assessments. However, if, for the first year for which the charges are prescribed, the property served by the City has been transferred or conveyed to a bona fide purchaser for value, and attached thereon, prior to the date on which the first installment of County taxes would become delinquent, the charge will not result in a lien against the real property, but shall become transferred to the unsecured roll for collection.

G. Vacant Premises; Responsibility for Rates and Charges: A customer may have his or her water service discontinued by giving notice to the Water Division not less than two (2) days before the effective date of the discontinuance. Such customer shall be required to pay all water charges until the effective date identified in such notice. When such notice is not given, the customer shall be required to pay for water service until two (2) business days after the

Water Division has knowledge that the customer vacated the premises or otherwise has discontinued water service.

- H. Disposition of Funds: The funds received from the collection of the water service charges or rentals hereinabove set forth shall be deposited with the City Treasurer and shall be accounted for and be known as the "Water Fund" and when appropriated by the City Council shall be available for the payment of interest or principal on any and all bonds issued and outstanding or which may be issued for water pumping, storage and delivery facilities and to retire such bonds when they mature and for the payment of cost and expenses of acquisition, construction, operation, maintenance and repair of the City water system and the extensions and improvements thereto.

Any payment received for City utility charges in an amount less than the total charge billed shall be treated as a partial payment for each such charge and the amount received allocated to the separate departments in the same ratio as each such charge bears to the whole of the bill. (Ord. 8205, 10-5-1982)

SECTION 3. Section 7-7B-6 of Article B of Chapter 7 of Title 7 of the Lemoore Municipal Code is hereby amended to read as follows:

7-7B-6: PAYMENT OF CHARGES; DELINQUENCIES:

- A. All sewer charges shall be collected together with and not separately from the charges for any other utility service rendered by the City, and all charges shall be billed upon the same bill and collected as one item. All utility service charges shall be payable upon presentation date at the office of the City Water Collector in the City Hall and shall be delinquent on the first day of the calendar month following the date of presentment.
- B. Disputed Bills: Should the amount of any bill for service be questioned, the customer should promptly request an explanation. If the explanation is not satisfactory or is not understood, the customer must pay the bill under protest to avoid discontinuance of service. Protests will be addressed to the Director of Finance, must be in writing, and must state the reasons why the charges are believed to be incorrect. The Director of Finance will analyze the facts of the case and is authorized to make such adjustments in the charges as may be necessary to effect an equitable settlement. Failure of a customer to pay under protest after initial explanation is offered will result in discontinuance of service without further notice if bill is not paid by the delinquency date.
- C. Delinquency Penalties and Charges: In the event a utility bill is not paid on or before the tenth day after the bill becomes delinquent, on the eleventh day, the following fees, in the amount of \$25, in addition to the amount of the utility bill, shall be charged:

1. For the first such delinquency in a twelve (12) month period, five and no/100ths dollars (\$5.00);
2. For the second such delinquency in a twelve (12) month period, fifteen and no/100ths dollars (\$15.00); and
3. For the third such delinquency in a twelve (12) month period, twenty-five and no/100ths dollars (\$25.00), plus a deposit as required by Section 7-7B-3(B).
4. A fee of twenty-five and no/100ths dollars (\$25.00) shall be charged on all returned checks in payment of utility charges.

D. Accounts shall be subject to collection of any delinquent fees and charges in the following manner:

1. At the time the fees become delinquent and until such time they are fully paid, the delinquent account balance, including late charges, shall constitute an unrecorded lien against the property and, as such, may be identified during a title search. For commercial businesses, delinquent account balances, including late charges, may be considered an unrecorded lien against the business name and/or owner of the business.
2. Once a year there may be prepared a report of delinquent fees including late charges. The City Council shall fix a time, date and place for hearing the report and receive any objections or protests thereto.
3. The City Council shall cause notice of hearing to be mailed to the landowners listed on the report not less than fifteen (15) days prior to the date of the hearing.
4. At the hearing, the City Council shall hear any objections or protests of landowners liable to be assessed for delinquent fees including late charges and administrative fees, as set by resolution of the City Council. The City Council may make revisions or corrections to the report as it deems just, after which, by resolution, the report shall be confirmed.
5. The delinquent fees set forth in the report as confirmed shall constitute special assessments against the respective parcels of land and are a lien on the property for the amount of such delinquent fees, including late charges. A certified copy of the resolution confirming the assessments shall be filed with the County Recorder and the County Auditor-Controller/Tax Collector for the amounts of the respective assessments against the respective parcels as they appear on the current assessment roll. The lien created attaches upon filing. The assessments shall be collected at the same time and in the same manner as other property taxes and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for such taxes. All laws applicable to the levy, collection and enforcement of property taxes shall be applicable to such assessments.

However, if, for the first year for which the charges are prescribed, the property served by the City has been transferred or conveyed to a bona fide purchaser for value, and attached thereon, prior to the date on which the first installment of County taxes would become delinquent, the charge will not result in a lien against the real property, but shall become transferred to the unsecured roll for collection.

- E. Such delinquent accounts, unpaid deposits and penalties thereon shall constitute a debt due to the City for which the City may bring suit in any competent civil court against the person or persons who occupied or, in the case of unoccupied property, who owned the property when the service was rendered or the deposit became due or against any person guaranteeing payment of bills, or against any or all of said persons, for the collection of the amount of the deposit or the collection of delinquent charges or accounts and all penalties thereon.

SECTION 4. This Ordinance shall take effect 30 days after its adoption.

SECTION 5. The City Clerk is hereby directed to cause a summary of this Ordinance to be published by one insertion in a newspaper of general circulation in the community at least five (5) days prior to adoption and again (15) days after its adoption. If a summary of the ordinance is published, then the City Clerk shall cause a certified copy of the full text of the proposed ordinance to be posted in the office of the City Clerk at least five (5) days prior to the Council meeting at which the ordinance is adopted, and again after the meeting at which the ordinance is adopted. The summary shall be approved by the City Attorney.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Lemoore held on the 4th day of September 2018 and passed and adopted at a regular meeting of the City Council held on the ___ day of _____ 2018 by the following vote:

AYES:

NOES:

ABSTAINING:

ABSENT:

ATTEST:

APPROVED:

Mary J. Venegas
City Clerk

Ray Madrigal
Mayor



711 West Cinnamon Drive • Lemoore, California 93245 • (559) 924-6700 • Fax (559) 924-6708

Staff Report

Item No: 5-1

To: Lemoore City Council

From: Nathan Olson, City Manager

Date: August 23, 2018

Meeting Date: September 4, 2018

Subject: Agreement with Carollo Engineers, Inc., for Water Treatment Plant Project Preliminary Design

Strategic Initiative:

- | | |
|---|--|
| <input type="checkbox"/> Safe & Vibrant Community | <input type="checkbox"/> Growing & Dynamic Economy |
| <input type="checkbox"/> Fiscally Sound Government | <input type="checkbox"/> Operational Excellence |
| <input checked="" type="checkbox"/> Community & Neighborhood Livability | <input type="checkbox"/> Not Applicable |

Proposed Motion:

Approve agreement with Carollo Engineers, Inc., (Carollo) to provide Design Engineering Services for the preliminary design of three groundwater treatment plants in the City and authorize the City Manager to execute.

Subject/Discussion:

The City of Lemoore is under a compliance order from the Division of Drinking Water (DDW) to achieve compliance for total trihalomethanes (TTHMs) that are present in the public water supply. The water contains other contaminants that affect water quality and need to be treated.

The City has selected a treatment process that will be implemented at three locations in the City, where the water will be treated to meet all applicable State requirements and produce a high quality water. The treatment process was determined through extensive pilot testing. Three separate plants with design flows of 3,500 gallons per minute (gpm), 7,000 gpm, and 1,200 gpm will be designed and installed at Stations 7,11, and 12, respectively.

Carollo's preliminary design effort will establish the basis of design for the three treatment plants. The work elements include the following items for each site: site surveying;

"In God We Trust"

geotechnical engineering investigation; development of a Basis of Design Report (BODR). The BODR will illustrate the treatment scheme at each site, and design and operating criteria for the facilities. It will include construction and operation and maintenance (O&M) cost estimates. The BODR will also serve as the Project Description for environmental documentation and permitting purposes.

In parallel with the preliminary design work, the City will recommend the preferred project delivery method for the final design and construction (i.e., design-build [DB] or construction management at risk [CMAR]). Following the City's selection of a project delivery method, Carollo's scope of work at a minimum will be expanded to assist the City with project implementation, in an advisory/program management/design assistance role (Owner's Advisor, or OA).

Financial Consideration(s):

Carollo has proposed a total cost of \$254,113 to complete the preliminary design of the project. This not-to-exceed amount will be invoiced on a time and material basis. Following this initial phase, and after selection of the project delivery method, the additional costs for the project management/final design will be brought to Council for approval. These additional costs are unknown at this time.

Alternatives or Pros/Cons:

Pros:

- Carollo's knowledge and expertise on subject matter is outstanding.

Commission/Board Recommendation:

Not applicable.

Staff Recommendation:

Staff recommends that City Council approve the agreement with Carollo and authorize the City Manager to execute.

Attachments:

- Resolution:
- Ordinance:
- Map
- Contract
- Other
List: Agreement

Review:

- Asst. City Manager
- City Attorney
- City Clerk
- City Manger
- Finance

Date:

- 08/23/18
- 08/29/18
- 08/30/18
- 08/29/18
- 08/29/18

**CITY OF LEMOORE
CONSULTANT SERVICES AGREEMENT**

This Consultant Services Agreement ("Agreement") is entered into between the City of Lemoore, a California municipal corporation ("City") and Carollo Engineers, Inc., a Delaware corporation ("Consultant") with respect to the following recitals, which are a substantive part of this Agreement. This Agreement shall be effective on the date signed by City, which shall occur after execution by Consultant ("Effective Date").

RECITALS

- A. City desires to obtain services for the Water Treatment Plant Project, as further set forth in the scope of work attached as **Exhibit A** and incorporated herein by reference ("Services"). If there is a conflict between the terms of the scope of work and this Agreement, this Agreement shall control.
- B. Consultant is engaged in the business of furnishing the Services and hereby warrants and represents that it is qualified, licensed, and professionally capable of performing the Services.
- C. City desires to retain Consultant, and Consultant desires to provide the City with the Services, on the terms and conditions as set forth in this Agreement.

NOW, THEREFORE, in consideration of the promises and mutual agreements herein, City and Consultant agree as follows:

AGREEMENT

1. Scope of Services. Consultant shall perform the Services described in **Exhibit A**. The Services have been divided into two phases (project management and preliminary design), with several tasks assigned to each phase. Prior to the completion of the second phase, the parties shall amend the scope of work to incorporate subsequent phase(s) as may be deemed appropriate depending on the construction delivery method selected. Alternatively, either party may terminate this Agreement in accordance with Section 16.

Time is of the essence in this Agreement. The Services shall be provided in accordance with City's milestone and completion deadline requirements as follows:

- **Task 2.1 - Surveying:** [REDACTED].
- **Task 2.2 - Geotechnical Investigations:** [REDACTED].
- **Task 2.3 - CEQA Document:** [REDACTED].
- **Task 2.4 - Schematic Design:** [REDACTED].
- **Task 2.5 - Design Cost Estimate:** [REDACTED].
- **Task 2.6 - Delivery Method Recommendation:** [REDACTED].

The milestone deadlines will be supplemented prior to completion of the second phase and may be amended by mutual written agreement.

Failure to complete the Services by the milestone deadlines shall subject Consultant to liquidated damages. The actual occurrence of damages and the actual amount of the damages which the City would suffer if the Services were not completed by the milestone deadlines are dependent upon many circumstances and conditions which could prevail in various combinations and, from the nature of the case, it is impracticable and extremely difficult to fix the actual damages. Accordingly, the parties agree that the amount of damages which City shall directly incur upon failure of Consultant to complete the Services by the milestone deadlines shall be \$100 for each calendar day of delay of such completion.

If Consultant becomes liable under this section, City, in addition to all other remedies provided by law, shall have the right to withhold any and all payments, and to collect the interest thereon, which would otherwise be or become due Consultant until the liability of Consultant under this section has been finally determined. If City accepts any work or makes any payment under this Agreement after a default by reason of delays, the payment or payments shall in no respect constitute a waiver or modification of any Agreement provisions regarding time for completion and liquidated damages.

2. Commencement of Services; Term of Agreement. Consultant shall commence the Services upon City's issuance of a written "Notice to Proceed" and shall continue with the Services until Consultant, as determined by City, has satisfactorily performed and completed the Services, or until such time as the Agreement is terminated by either party pursuant to Section 16 herein, whichever is earlier.

3. Payment for Services. City shall pay Consultant a sum not to exceed the total set forth in **Exhibit B** for the Services performed pursuant to this Agreement. Consultant shall submit monthly invoices to City containing detailed billing information regarding the Services provided and unless otherwise specified in **Exhibit B**, City shall tender payment to Consultant within thirty (30) days after receipt of invoice. At a minimum the invoices shall be accompanied by all necessary documentation, list all activities performed itemized by task, and for each activity performed list the person performing it and the person's rate of compensation. Consultant will seek written direction from City before performing Services in excess of the proposed cost for a particular task. Failure to seek written direction from City prior to exceeding the proposed cost of a particular task may result in the rejection of Consultant's subsequent invoices. Consultant acknowledges that the not to exceed amount for each phase as set forth in **Exhibit B** includes contingency compensation in the event that more time and costs than originally anticipated may be necessary to complete a particular phase.

4. Independent Contractor Status. Consultant and its subcontractors shall perform the Services as independent contractors and not as officers, employees, agents or volunteers of City. Nothing contained in this Agreement shall be deemed to create any contractual relationship between City and Consultant's employees or subcontractors, nor shall anything contained in this Agreement be deemed to give any third party, including but not limited to Consultant's employees or subcontractors, any claim or right of action against City.

5. Standard of Care. Consultant expressly represents it is qualified in the field for which Services are being provided under this Agreement and that to the extent Consultant utilizes subcontractors, employees, volunteers or agents, such subcontractors, employees, volunteers or

agents are, and will be, qualified in their fields. Consultant also expressly represents that both Consultant and its subcontractors, employees, volunteers or agents, if any, are now, and will be throughout their performance of the Services under this Agreement, properly licensed or otherwise qualified and authorized to perform the Services required and contemplated by this Agreement. Consultant and its subcontractors, if any, shall utilize the standard of care and skill customarily exercised by members of their profession, shall use reasonable diligence and best judgment while performing the Services, and shall comply with all applicable laws and regulations.

6. Identity of Subcontractors and Sub-Consultants. Consultant shall, before commencing any work under this Agreement, provide to City in writing: (a) the identity of all subcontractors and sub-consultants (collectively referred to as "subcontractors"), if any, Consultant intends to utilize in Consultant's performance of this Agreement; and (b) a detailed description of the full scope of work to be provided by such subcontractors. Consultant shall only employ subcontractors pre-approved by City and in no event shall Consultant replace an approved subcontractor without the advance written permission of City, with the understanding that City's permission will not be unreasonably withheld. Notwithstanding any other provisions in this Agreement, Consultant shall be liable to City for the performance of Consultant's subcontractors.

7. Subcontractor Provisions. Consultant shall include in its written agreements with its subcontractors, if any, provisions which: (a) impose upon the subcontractors the obligation to provide to City the same insurance and indemnity obligations that Consultant owes to City; (b) make clear that City intends to rely upon the reports, opinions, conclusions and other work product prepared and performed by subcontractors for Consultant; and (c) entitle City to impose upon subcontractors the assignment rights found elsewhere in this Agreement.

8. Power to Act on Behalf of City. Consultant shall not have any right, power, or authority to create any obligation, express or implied, or make representations on behalf of City except as may be expressly authorized in advance in writing from time to time by City and then only to the extent of such authorization.

9. Record Keeping; Reports. Consultant shall keep complete records showing the type of Services performed. Consultant shall be responsible and shall require its subcontractors to keep similar records. City shall be given reasonable access to the records of Consultant and its subcontractors for inspection and audit purposes. Consultant shall provide City with a working draft of all reports and five (5) copies of all final reports prepared by Consultant under this Agreement.

10. Ownership and Inspection of Documents. All data, tests, reports, documents, conclusions, opinions, recommendations and other work product generated by or produced for Consultant or its subcontractors, employees, volunteers or agents in connection with the Services, regardless of the medium, including written proposals and materials recorded on computer discs ("Work Product"), shall be and remain the property of City. City shall have the right to use, copy, modify, and reuse the Work Product as it sees fit. Upon City's request, Consultant shall make available for inspection and copying all such Work Product and all Work Product shall be turned over to City promptly at City's request or upon termination of this Agreement, whichever occurs first. This obligation shall survive termination of this Agreement and shall survive for four (4) years from the date of expiration or termination of this Agreement.

11. Confidentiality. All data, reports, conclusions, opinions, recommendations and other Work Product prepared and performed by and on behalf of Consultant in connection with the Services performed pursuant to this Agreement shall be kept confidential and shall be disclosed only to City, unless otherwise provided by law or expressly authorized by City. Consultant shall not disclose or permit the disclosure of any confidential information acquired during performance of the Services, except to its agents, employees and subcontractors who need such confidential information in order to properly perform their duties relative to this Agreement. Consultant shall also require its subcontractors, employees, volunteers or agents to be bound to these confidentiality provisions.

12. City Name and Logo. Consultant shall not use City's name or insignia, photographs relating to the City projects for which Consultant's services are rendered, or any publicity pertaining to the Consultant's services under this Agreement in any magazine, trade paper, newspaper, television or radio production or other similar medium without the prior written consent of City.

13. Conflicts of Interest. Consultant warrants that neither Consultant nor any of its employees have an interest, present or contemplated, in the Services. Consultant further warrants that neither Consultant nor any of its employees have real property, business interests or income that will be affected by the Services. Consultant covenants that no person having any such interest, whether an employee or subcontractor, shall perform the Services under this Agreement. During the performance of the Services, Consultant shall not employ or retain the services of any person who is employed by the City or a member of any City Board or Commission.

14. Non-liability of Officers and Employees. No officer or employee of City shall be personally liable to Consultant, or any successors in interest, in the event of a default or breach by City for any amount which may become due Consultant or its successor, or for any breach of any obligation under the terms of this Agreement.

15. City Right to Employ Other Consultants. This Agreement is non-exclusive with Consultant. City reserves the right to employ other consultants in connection with the Services.

16. Termination of Agreement. This Agreement shall terminate upon completion of the Services, or earlier pursuant to the following.

a. Termination by City: Without Cause. This Agreement may be terminated by City at its discretion upon seven (7) days prior written notice to Consultant.

b. Termination by City or Consultant: For Cause. Either party may terminate this Agreement upon fourteen (14) days prior written notice to the other party of a material breach, and a failure to cure within that time period.

c. Compensation to Consultant Upon Termination. In the event termination is not due to fault attributable to Consultant, and provided all other conditions for payment have been met, Consultant shall be paid compensation for services satisfactorily performed prior to notice of termination. As to any phase partially performed but for which the applicable portion of Consultant's compensation has not become due, Consultant shall be paid the reasonable value of its services provided. However, in no event shall such payment when added to any other payment due

under the applicable part of the work exceed the total compensation of such part as specified in Section 3 herein. In the event of termination due to Consultant's failure to perform in accordance with the terms of this Agreement through no fault of City, City may withhold an amount that would otherwise be payable as an offset to City's damages caused by such failure.

d. Effect of Termination. Upon receipt of a termination notice (or completion of this Agreement), Consultant shall: (i) promptly discontinue all Services affected (unless the notice directs otherwise); and (ii) deliver or otherwise make available to the City, without additional compensation, all data, documents, procedures, reports, estimates, summaries, and such other information and materials as may have been accumulated by the Consultant in performing this Agreement, whether completed or in process. Following the termination of this Agreement for any reason whatsoever, City shall have the right to utilize such information and other documents, or any other works of authorship fixed in any tangible medium of expression, including but not limited to physical drawings, data magnetically or otherwise recorded on computer disks, or other writings prepared or caused to be prepared under this Agreement by Consultant. Consultant may not refuse to provide such writings or materials for any reason whatsoever.

17. Insurance. Consultant shall satisfy the insurance requirements set forth in **Exhibit C**.

18. Indemnity and Defense. Consultant hereby agrees to indemnify, defend and hold the City, City Council members, employees, volunteers, agents and city officials harmless from and against all claims, demands, causes of action, actions, damages, losses, expenses, and other liabilities (including without limitation reasonable attorney fees and costs of litigation) to the extent caused by actual negligent acts, errors, or omissions Consultant or its subcontractors, employees, volunteers or agents relating to the performance of Services described herein. In the event the subject action alleges negligence on the part of Consultant and/or the City, or any third party not under contract with Consultant, Consultant's obligations regarding the City's defense under this paragraph shall be limited to the Consultant's proportionate share of liability, in accordance with California Civil Code section 2782.8. Notwithstanding the foregoing, in the event that one or more defendants named in such a claim is unable to pay its share of defense costs due to bankruptcy or dissolution of the defendant's business, Consultant shall meet and confer with other parties to the claim regarding unpaid defense costs. Consultant and City agree that said indemnity and defense obligations shall survive the expiration or termination of this Agreement for any items specified herein that arose or occurred during the term of this Agreement.

Consultant shall not be responsible for acts and decisions of third parties, including governmental agencies, other than Consultant's subconsultants, that impact project completion and/or success.

19. Assignment. Neither this Agreement nor any duties or obligations hereunder shall be assignable by Consultant without the prior written consent of City. In the event of an assignment to which City has consented, the assignee shall agree in writing to personally assume and perform the covenants, obligations, and agreements herein contained. In addition, Consultant shall not assign the payment of any monies due Consultant from City under the terms of this Agreement to any other individual, corporation or entity. City retains the right to pay any and all monies due Consultant directly to Consultant.

20. Form and Service of Notices. Any and all notices or other communications required or permitted by this Agreement or by law to be delivered to, served upon, or given to either party to this Agreement by the other party shall be in writing and shall be deemed properly delivered, served or given by one of the following methods:

a. Personally delivered to the party to whom it is directed. Service shall be deemed the date of delivery.

b. Delivered by e-mail to a known address of the party to whom it is directed, provided the e-mail is accompanied by a written acknowledgment of receipt by the other party. Service shall be deemed the date of written acknowledgement.

c. Delivery by a reliable overnight delivery service, ex., Federal Express, receipted, addressed to the addressees set forth below the signatories to this Agreement. Service shall be deemed the date of delivery.

d. Delivery by deposit in the United States mail, first class postage prepaid. Service shall be deemed delivered seventy-two (72) hours after deposit.

21. Entire Agreement. This Agreement, including the attachments, represents the entire Agreement between City and Consultant and supersedes all prior negotiations, representations or agreements, either written or oral, with respect to the subject matter herein. This Agreement may be amended only by written instrument signed by both City and Consultant.

22. Successors and Assigns. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

23. Authority. The signatories to this Agreement warrant and represent that they have the legal right, power, and authority to execute this Agreement and bind their respective entities.

24. Severability. In the event any term or provision of this Agreement is declared to be invalid or illegal for any reason, this Agreement will remain in full force and effect and will be interpreted as though such invalid or illegal provision were not a part of this Agreement. The remaining provisions will be construed to preserve the intent and purpose of this Agreement and the parties will negotiate in good faith to modify any invalidated provisions to preserve each party's anticipated benefits.

25. Applicable Law and Interpretation and Venue. This Agreement shall be interpreted in accordance with the laws of the State of California. The language of all parts of this Agreement shall, in all cases, be construed as a whole, according to its fair meaning, and not strictly for or against either party. This Agreement is entered into by City and Consultant in the County of Kings, California. Thus, in the event of litigation, the parties agree venue shall only lie with the appropriate state or federal court in Kings County.

26. Amendments and Waiver. This Agreement shall not be modified or amended in any way, and no provision shall be waived, except in writing signed by the parties hereto. No waiver of any provision of this Agreement shall be deemed, or shall constitute, a waiver of any other provision,

whether or not similar, nor shall any such waiver constitute a continuing or subsequent waiver of the same provision. Failure of either party to enforce any provision of this Agreement shall not constitute a waiver of the right to compel enforcement of the remaining provisions of this Agreement.

27. Third Party Beneficiaries. Nothing in this Agreement shall be construed to confer any rights upon any party not a signatory to this Agreement. The services to be performed by Consultant are intended solely for the benefit of the City. No person or entity not a signatory to this Agreement shall be entitled to rely on Consultant's performance of its services hereunder, and no right to assert a claim against Consultant by assignment of indemnity rights or otherwise shall accrue to a third party as a result of this Agreement or the performance of Consultant's services hereunder.

28. Execution in Counterparts. This Agreement may be executed in counterparts such that the signatures may appear on separate signature pages. A copy or an original, with all signatures appended together, shall be deemed a fully executed Agreement.

29. Alternative Dispute Resolution. If a dispute arises out of or relating to this Agreement, or the alleged breach thereof, and if said dispute cannot be settled through negotiation, the parties agree first to try in good faith to settle the dispute by non-binding mediation before resorting to litigation or some other dispute resolution procedure, unless the parties mutually agree otherwise. The mediator shall be mutually selected by the parties, but in case of disagreement, the mediator shall be selected by lot from among two nominations provided by each party. All costs and fees required by the mediator shall be split equally by the parties; otherwise, each party shall bear its own costs of mediation. If mediation fails to resolve the dispute within thirty (30) days, either party may pursue litigation to resolve the dispute.

Demand for mediation shall be in writing and delivered to the other party to this Agreement. A demand for mediation shall be made within reasonable time after the claim, dispute or other matter in question has arisen. In no event shall the demand for mediation be made after the date when institution of legal or equitable proceedings based on such a claim, dispute or other matter in question would be barred by California statutes of limitations.

30. Non-Discrimination. Consultant shall not discriminate on the basis of any protected class under federal or State law in the provision of the Services or with respect to any Consultant employees or applicants for employment. Consultant shall ensure that any subcontractors are bound to this provision. A protected class includes, but is not necessarily limited to, race, color, national origin, ancestry, religion, age, sex, sexual orientation, marital status, and disability.

31. City-Provided Information and Services. The City shall furnish Consultant available studies, reports and other data pertinent to Consultant's services; obtain or authorize Consultant to obtain or provide additional reports and data as required; furnish to Consultant services of others required for the performance of Consultant's services hereunder, and Consultant shall be entitled to use and rely upon all such information and services provided by the City or others in performing Consultant's services under this Agreement, in accordance with the standard of care delineated in Section 5 hereunder.

32. Estimates and Projections. In providing opinions of cost, financial analyses, economic feasibility projections, and schedules for potential projects, Consultant has no control over cost or price of labor and material; unknown or latent conditions of existing equipment or structures that may affect operation and maintenance costs; competitive bidding procedures and market conditions; time or quality of performance of third parties; quality, type, management, or direction of operating personnel; and other economic and operational factors that may materially affect the ultimate project cost or schedule. Therefore, Consultant makes no warranty that the City's actual project costs, financial aspects, economic feasibility, or schedules will not vary from Consultant's opinions, analyses, projections, or estimates.

33. Access. The City shall arrange for access to and make all provisions for Consultant to enter upon public and private property as required for Consultant to perform services hereunder.

34. Services During Construction. The parties agree that, in the City's contract with the construction contractor, Consultant shall be indemnified to the fullest extent permitted by law for all claims, damages, losses and expense including attorney's fees arising out of or resulting from the construction contractor's performance of work including injury to any worker on the job site. Additionally, Consultant shall be named as additional primary insured(s) by the construction contractor's General Liability and Builders All Risk insurance policies without offset and be included in any waivers of subrogation, and all contract documents and insurance certificates shall include wording acceptable to the parties herein with reference to such provisions.

Consultant shall not be responsible for the means, methods, techniques, sequences, or procedures of construction selected by construction contractors or the safety precautions and programs incident to the work of construction contractors and will not be responsible for construction contractors' failure to carry out work in accordance with the contract documents.

NOW, THEREFORE, the City and Consultant have executed this Agreement on the date(s) set forth below.

****SIGNATURES ON NEXT PAGE****

CAROLLO ENGINEERS, INC.

CITY OF LEMOORE

By: _____

By: _____

Nathan Olson, City Manager

Date: _____

Date: _____

By: _____

Date: _____

Party Identification and Contact Information:

Carollo Engineers, Inc.
Attn: Penny Carlo
710 West Pinedale Avenue
Fresno, CA 93711
pcarlo@carollo.com
(559) 436-6616

City of Lemoore
Attn: Nathan Olson, City Manager
119 Fox Street
Lemoore, CA 93245
nolson@lemoore.com
(559) 924-6700

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EXHIBIT A
CONSULTANT'S SCOPE OF WORK

See attached.

EXHIBIT B
CONSULTANT'S COST OF WORK

See attached.

EXHIBIT C

INSURANCE REQUIREMENTS

Prior to commencement of the Services, Consultant shall take out and maintain, at its own expense, and shall cause any subcontractor with whom Consultant contracts for the performance of Services pursuant to this Agreement to take out and maintain, the following insurance until completion of the Services or termination of this Agreement, whichever is earlier, except as otherwise required by subsection (d) below. All insurance shall be placed with insurance companies that are licensed and admitted to conduct business in the State of California and are rated at a minimum with an "A" by A.M. Best Company.

a. Minimum Limits of Insurance. Consultant shall maintain limits no less than:

(i) Professional Liability Insurance in an amount not less than \$1,000,000.00 per occurrence. Said insurance shall be maintained at all times during Consultant's performance of Services under this Agreement, and for a period of five years following completion of Consultant's Services under this Agreement or termination of this Agreement.

(ii) General Liability Insurance (including operations, products and completed operations coverages) in an amount not less than \$2,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

(iii) Worker's Compensation Insurance as required by the State of California.

(iv) Business Automobile Liability Insurance in an amount not less than \$1,000,000 per accident for bodily injury and property damage.

If Consultant maintains higher limits than the minimums shown above, the City shall be entitled to coverage at the higher limits maintained.

b. Other Insurance Provisions. The general liability policy is to contain, or be endorsed to contain, the following provisions:

(i) The City, City Council members, employees, volunteers, agents and city officials are to be covered as insureds with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the Consultant; and with respect to general liability arising out of work or operations performed by or on behalf of the Consultant including materials, parts or equipment furnished in connection with such work or operations. General liability coverage can be provided with two endorsement forms: 1) in the form of an additional insured endorsement to the Consultant's insurance, or as a separate owner's policy (CG 20 10 11 85 or its equivalent language) and 2) a CG 20 37 10 01 endorsement form or its equivalent language. A later edition of the CG 20 10 form along with the CG 20 37 coverage form will give some protection to the entity for specific locations.

(ii) For any claims related to the Services performed pursuant to this Agreement, the Consultant's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees, agents, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, agents or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.

(iii) Each insurance policy required by this section shall be endorsed to state that the City shall receive written notice at least thirty (30) days prior to the cancellation, non-renewal, or reduction of the coverages required herein.

(iv) Coverage shall not extend to any indemnity coverage for the active negligence of the City in any case where an agreement to indemnify the City would be invalid under Subdivision (b) of Section 2782 of the Civil Code.

c. Evidence of Coverage. Consultant shall deliver to City written evidence of the above insurance coverages, including the required endorsements prior to commencing Services under this Agreement; and the production of such written evidence shall be an express condition precedent, notwithstanding anything to the contrary in this Agreement, to Consultant's right to be paid any compensation under this Agreement. City's failure, at any time, to object to Consultant's failure to provide the specified insurance or written evidence thereof (either as to the type or amount of such insurance), shall not be deemed a waiver of City's right to insist upon such insurance later.

d. Maintenance of Insurance. If Consultant fails to furnish and maintain the insurance required by this section, City may (but is not required to) purchase such insurance on behalf of Consultant, and the Consultant shall pay the cost thereof to City upon demand, and City shall furnish Consultant with any information needed to obtain such insurance. Moreover, at its discretion, City may pay for such insurance with funds otherwise due Consultant under this Agreement.

Consultant shall maintain all of the foregoing insurance coverages during the term of this Agreement, except as to (a) the products and completed operations coverage under the General Liability Insurance which shall also be maintained for a period of ten (10) years following completion of the Services by Consultant or termination of this Agreement, whichever is earlier; and (b) Professional Liability Insurance, which shall be maintained for a period of five (5) years following completion of the Services by Consultant or termination of this Agreement, whichever is earlier.

e. Indemnity and Defense. Except as otherwise expressly provided, the insurance requirements in this section shall not in any way limit, in either scope or amount, the indemnity and defense obligations separately owed by Consultant to City under this Agreement.



119 Fox Street • Lemoore, California 93245 • (559) 924-6700 • Fax (559) 924-9003

Staff Report

Item No: 5-2

To: Lemoore City Council

From: Nathan Olson, City Manager

Date: August 27, 2017 Meeting Date: September 4, 2018

Subject: Approval of the Recommended City Positions for the 2018 League of California Cities Annual Conference Resolutions

Strategic Initiative:

- | | |
|--|--|
| <input type="checkbox"/> Safe & Vibrant Community | <input type="checkbox"/> Growing & Dynamic Economy |
| <input type="checkbox"/> Fiscally Sound Government | <input checked="" type="checkbox"/> Operational Excellence |
| <input type="checkbox"/> Community & Neighborhood Livability | <input type="checkbox"/> Not Applicable |

Proposed Motion:

Authorize the City's voting delegate to vote on two resolutions to be considered at the annual League of California Cities conference to be held in Long Beach, CA from September 12-14, 2018.

Subject/Discussion:

On June 19, 2018 City Council approve Councilmember Brown as the voting delegate for the League of California Cities Annual Conference, which is to be held September 12-14, 2018 in Long Beach, California. Each year, the LOCC accepts resolutions from member cities and elected officials to be voted on at its annual conference. This year, two (2) resolutions have been introduced for consideration, at the conference and referred to appropriate LOCC Policy Committees.

The voting delegates at the annual business meeting make the final determination on the resolutions. The resolutions to be considered by the League's Policy Committees are subject to change in their current form.

By approving the recommendations for the resolutions, the City's LOCC representative, Councilmember Brown, will have the City Council's general guidance for the vote to be

taken and is authorized to vote on amended resolutions in the manner deemed to be in the best interest of the City.

The LOCC Annual Conference Resolution packet contains the original language of the resolution in its current form, along with the LOCC analysis and letters of support. Below, is a brief outline of each resolution with the resolution title, the recommended City position, and the impacted City department(s).

Resolution One:

RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES CALLING UPON THE LEAGUE TO RESPOND TO THE INCREASING VULNERABILITIES TO LOCAL MUNICIPAL AUTHORITY, CONTROL AND REVENUE AND EXPLORE THE PREPERATION OF A BALLOT MEASURE AND/OR CONSTITUTIONAL AMENDMENT THAT WOULD FURTHER STRENGTHEN LOCAL DEMOCRACY AND AUTHORITY.

Recommendation: A vote in support of the resolution.

Impacted Departments: No direct department implications at this time. However, successful amendments to existing laws would increase local control.

Resolution Two:

A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES DECLARING ITS COMMITMENT TO SUPPORT THE REPEAL AND PREEMPTION IN CALIFORNIA FOOD AND AGRICULTURE CODE 11501.1 THAT PREVENTS LOCAL GOVERNMENT FROM REGULATING PESTICIDES.

Recommendation: Abstain from vote, as the resolution does not contain enough information.

Impacted Departments: There would be a limited impact to the Lemoore Parks and Recreation and Lemoore Golf course.

Financial Consideration(s):

There are no current fiscal impacts defined by either resolution in their original form.

Alternatives or Pros/Cons:

The City Council can chose to recommend a vote in support or opposition to either resolution.

Commission/Board Recommendation:

Not Applicable.

Staff Recommendation:

Staff recommends City Council authorization for the Voting Delegate to vote in accordance with City Council direction for both resolutions at the 2018 League of California Cities Annual Conference.

Attachments:

- Resolution:
- Ordinance:
- Map
- Contract
- Other

List: League Resolution Packet

Review:

- Asst. City Manager
- City Attorney
- City Clerk
- City Manger
- Finance

Date:

- 08/29/18
- 08/30/18
- 08/27/18
- 08/29/18



***REVISED**

*Annual Conference
Resolutions Packet*

2018 Annual Conference Resolutions



Long Beach, California

September 12 – 14, 2018

**This packet has been updated to clarify the distinction between the support received from cities and support received from individual city officials for the proposed resolutions.*

INFORMATION AND PROCEDURES

RESOLUTIONS CONTAINED IN THIS PACKET: The League bylaws provide that resolutions shall be referred by the president to an appropriate policy committee for review and recommendation. Resolutions with committee recommendations shall then be considered by the General Resolutions Committee at the Annual Conference.

This year, two resolutions have been introduced for consideration at the Annual Conference and referred to League policy committees.

POLICY COMMITTEES: Five policy committees will meet at the Annual Conference to consider and take action on the resolutions referred to them. The committees are: Environmental Quality, Governance, Transparency & Labor Relations; Housing, Community & Economic Development; Revenue and Taxation; and Transportation, Communication & Public Works. The committees will meet from 9:00 – 11:00 a.m. on Wednesday, September 12, at the Hyatt Regency Long Beach. The sponsors of the resolutions have been notified of the time and location of the meeting.

GENERAL RESOLUTIONS COMMITTEE: This committee will meet at 1:00 p.m. on Thursday, September 13, at the Hyatt Long Beach, to consider the reports of the policy committees regarding the resolutions. This committee includes one representative from each of the League's regional divisions, functional departments and standing policy committees, as well as other individuals appointed by the League president. Please check in at the registration desk for room location.

ANNUAL LUNCHEON/BUSINESS MEETING/GENERAL ASSEMBLY: This meeting will be held at 12:30 p.m. on Friday, September 14, at the Long Beach Convention Center.

PETITIONED RESOLUTIONS: For those issues that develop after the normal 60-day deadline, a resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (48 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Annual Business Meeting of the General Assembly. This year, that deadline is 12:30 p.m., Thursday, September 13. Resolutions can be viewed on the League's Web site: www.cacities.org/resolutions.

Any questions concerning the resolutions procedures may be directed to Meg Desmond at the League office: mdesmond@cacities.org or (916) 658-8224

GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS

Policy development is a vital and ongoing process within the League. The principal means for deciding policy on the important issues facing cities is through the League's seven standing policy committees and the board of directors. The process allows for timely consideration of issues in a changing environment and assures city officials the opportunity to both initiate and influence policy decisions.

Annual conference resolutions constitute an additional way to develop League policy. Resolutions should adhere to the following criteria.

Guidelines for Annual Conference Resolutions

1. Only issues that have a direct bearing on municipal affairs should be considered or adopted at the Annual Conference.
2. The issue is not of a purely local or regional concern.
3. The recommended policy should not simply restate existing League policy.
4. The resolution should be directed at achieving one of the following objectives:
 - (a) Focus public or media attention on an issue of major importance to cities.
 - (b) Establish a new direction for League policy by establishing general principals around which more detailed policies may be developed by policy committees and the board of directors.
 - (c) Consider important issues not adequately addressed by the policy committees and board of directors.
 - (d) Amend the League bylaws (requires 2/3 vote at General Assembly).

LOCATION OF MEETINGS

Policy Committee Meetings

Wednesday, September 12, 9:00 – 11:00 a.m.
Hyatt Regency Long Beach
200 South Pine Avenue, Long Beach

The following committees will be meeting:

1. Environmental Quality
2. Governance, Transparency & Labor Relations
3. Housing, Community & Economic Development
4. Revenue & Taxation
5. Transportation, Communication & Public Works

General Resolutions Committee

Thursday, September 13, 1:00 p.m.
Hyatt Regency Long Beach
200 South Pine Avenue, Long Beach

Annual Business Meeting and General Assembly Luncheon

Friday, September 14, 12:30 p.m.
Long Beach Convention Center
300 East Ocean Boulevard, Long Beach

KEY TO ACTIONS TAKEN ON RESOLUTIONS

Resolutions have been grouped by policy committees to which they have been assigned.

Number	Key Word Index	Reviewing Body Action		
		1	2	3

1 - Policy Committee Recommendation to General Resolutions Committee
 2 - General Resolutions Committee
 3 - General Assembly

ENVIRONMENTAL QUALITY POLICY COMMITTEE

		1	2	3
2	Repeal Preemption of Regulating Pesticides			

GOVERNANCE, TRANSPARENCY & LABOR RELATIONS POLICY COMMITTEE

		1	2	3
1	Local Municipal Authority, Control, and Revenue			

HOUSING, COMMUNITY & ECONOMIC DEVELOPMENT POLICY COMMITTEE

		1	2	3
1	Local Municipal Authority, Control, and Revenue			

REVENUE & TAXATION POLICY COMMITTEE

		1	2	3
1	Local Municipal Authority, Control, and Revenue			

TRANSPORTATION, COMMUNICATION & PUBLIC WORKS POLICY COMMITTEE

		1	2	3
1	Local Municipal Authority, Control, and Revenue			

Information pertaining to the Annual Conference Resolutions will also be posted on each committee’s page on the League website: www.cacities.org. The entire Resolutions Packet will be posted at: www.cacities.org/resolutions.

KEY TO ACTIONS TAKEN ON RESOLUTIONS (Continued)

Resolutions have been grouped by policy committees to which they have been assigned.

KEY TO REVIEWING BODIES

- 1. Policy Committee
- 2. General Resolutions Committee
- 3. General Assembly

KEY TO ACTIONS TAKEN

- A Approve
- D Disapprove
- N No Action
- R Refer to appropriate policy committee for study
- a Amend+
- Aa Approve as amended+
- Aaa Approve with additional amendment(s)+
- Ra Refer as amended to appropriate policy committee for study+
- Raa Additional amendments and refer+
- Da Amend (for clarity or brevity) and Disapprove+
- Na Amend (for clarity or brevity) and take No Action+
- W Withdrawn by Sponsor

ACTION FOOTNOTES

- * Subject matter covered in another resolution
- ** Existing League policy
- *** Local authority presently exists

Procedural Note:

The League of California Cities resolution process at the Annual Conference is guided by the League Bylaws. A helpful explanation of this process can be found on the League’s website by clicking on this link: [Resolution Process](#).

1. RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES CALLING UPON THE LEAGUE TO RESPOND TO THE INCREASING VULNERABILITIES TO LOCAL MUNICIPAL AUTHORITY, CONTROL AND REVENUE AND EXPLORE THE PREPARATION OF A BALLOT MEASURE AND/OR CONSTITUTIONAL AMENDMENT THAT WOULD FURTHER STRENGTHEN LOCAL DEMOCRACY AND AUTHORITY

Source: City of Beverly Hills

Concurrence of five or more cities/city officials

Cities: Duarte; Oceanside

City Officials: Sho Tay, Mayor, Arcadia; Emily Gabel-Luddy, Mayor, Burbank; Steven Scharf, Council Member, Cupertino; Alan Wapner, Mayor pro Tem, Ontario; Lydia Kou, Council Member, Palo Alto; Bill Brand, Mayor, Redondo Beach; David Terrazas, Mayor, Santa Cruz; Michael Goldman, Council Member, Sunnyvale; Patrick Furey, Mayor, Torrance; Lauren Meister, Council Member, West Hollywood

Referred to: Governance, Transparency & Labor Relations; Housing, Community & Economic Development; Revenue and Taxation; and Transportation, Communication & Public Works Policy Committees

WHEREAS, the State of California is comprised of diverse communities that are home to persons of differing backgrounds, needs, and aspirations; yet united by the vision that the most accessible, responsive, effective, and transparent form of democratic government is found at the local level and in their own communities; and

WHEREAS, subsidiarity is the principle that democratic decisions are best made at the most local level best suited to address the needs of the People, and suggests that local governments should be allowed to find solutions at the local level before the California Legislature imposes uniform and overreaching measures throughout the State; and

WHEREAS, the California Constitution recognizes that local self-government is the cornerstone of democracy by empowering cities to enact local laws and policies designed to protect the local public health, safety and welfare of their residents and govern the municipal affairs of charter cities; and

WHEREAS, over recent years there have been an increasing number of measures introduced within the Legislature or proposed for the state ballot, often sponsored by powerful interest groups and corporations, aimed at undermining the authority, control and revenue options for local governments and their residents; and

WHEREAS, powerful interest groups and corporations are willing to spend millions in political contributions to legislators to advance legislation, or to hire paid signature gatherers to qualify deceptive ballot proposals attempting to overrule or silence the voices of local residents and their democratically-elected local governments affected by their proposed policies; and

WHEREAS, powerful interest groups and corporations propose and advance such measures because they view local democracy as an obstacle that disrupts the efficiency of

implementing corporate plans and increasing profits and therefore object when local residents—either through their elected city councils, boards of supervisors, special district boards, or by action of local voters—enact local ordinances and policies tailored to fit the needs of their individual communities; and

WHEREAS, public polling repeatedly demonstrates that local residents and voters have the highest levels of confidence in levels of government that are closest to the people, and thus would be likely to strongly support a ballot measure that would further strengthen the ability of communities to govern themselves without micromanagement from the state or having their authority undermined by deep-pocketed and powerful interests and corporations.

RESOLVED that the League of California Cities should assess the increasing vulnerabilities to local authority, control and revenue and explore the preparation of a ballot measure and/or constitutional amendment that would give the state’s voters an opportunity to further strengthen local authority and preserve the role of local democracy to best preserve their local quality of life.

Background Information on Resolution No. 1

Source: City of Beverly Hills

Background:

The relationship between the state and cities functions best as a partnership where major policy issues are approached by the state with careful consideration of the varied conditions among the state's 482 cities and 58 counties. There should be an appreciation of the importance of retaining local flexibility to tailor policies to reflect the needs and circumstances of the local community. Still, cities have had to respond to state legislation that undermines the principle of "local control" over important issues such as land use, housing, finance, infrastructure, elections, labor relations and other issues directly affecting cities.

Alexis de Tocqueville's "Democracy in America" examined the operation of the principle of subsidiarity in the early 19th century. Subsidiarity is an organizing principle that states matters should be handled by the smallest, lowest or least centralized competent authority. Tocqueville wrote that "Decentralization has not only an administrative value, but also a civic dimension, since it increases the opportunities for citizens to take interest in public affairs; it makes them get accustomed to using freedom." Tocqueville's works were first published in 1835 with a second volume published in 1840. The United States had a population of just 17 million people in 1840, less than 50% of the population of California today and yet there was value found in decentralization.

Another consideration is to examine how the European Union ("EU") operates. There are two prime guiding principles for the EU. The first is principle of conferral, which states that the EU should act only within the limits of the competences conferred on it by the treaties. The second, which is relevant to this resolution, is the principle of subsidiarity, which states that the EU should act only where an objective cannot be sufficiently achieved by the member states acting alone. Sacramento should operate in a similar manner and only govern when objectives need to be achieved at a much larger level than a local government.

For years, Governor Jerry Brown himself has spoken on the principle of "subsidiarity." Governor Brown has asserted for numerous years that local officials should have the flexibility to act without micromanagement from Sacramento.

Legislation introduced in both 2017 and 2018 by the state legislature has continually threatened local control in flagrant opposition to the principle of subsidiarity. This has included, but not been limited to, Senate Bill 649 (Hueso) Wireless Telecommunications Facilities ("SB 649") in 2017; AB 252 (Ridley-Thomas) Local government: taxation: prohibition: video streaming services ("AB 252") in 2017; and Senate Bill 827 (Wiener) Planning and Zoning: Transit-Rich Housing Bonus ("SB 827") in 2018.

SB 649 would have applied to all telecommunications providers and the equipment they use, including "micro-wireless," "small cell," and "macro-towers," as well as a range of video and cable services. The bill would have allowed the use of "small cell" wireless

antennas and related equipment without a local discretionary permit in all zoning districts as a use by-right, subject only to an administrative permit. Additionally, SB 649 provided a de facto CEQA exemption for the installation of such facilities and precluded consideration by the public for the aesthetic, nuisance, and environmental impacts of these facilities. SB 649 would have also removed the ability for cities to obtain fair and reasonable compensation when authorizing the use of public property and rights of way from a “for profit” company for this type of use.

SB 649 passed out of the State Assembly by a vote of 46-16-17 and out of the State Senate by a vote of 22-10-8 despite over 300 cities and 47 counties in California providing letters of opposition. Ultimately, Governor Brown vetoed the bill as he believed “that the interest which localities have in managing rights of way requires a more balanced solution than the one achieved in this bill.” It is strongly believed that the issue of wireless telecommunications facilities is not over and it is anticipated that legislation will be introduced on this topic in January 2019.

Another example of an incursion into local control was AB 252, which would have prohibited any tax on the sale or use of video streaming services, including sales and use taxes and utility user taxes. Over the last two decades, voters in 107 cities and 3 counties have adopted measures to modernize their Utility User Tax (“UUT”) ordinances. Of these jurisdictions, 87 cities and 1 county approved ordinances to allow a UUT on video providers. Prior to its first Committee hearing, AB 252 received opposition letters from 37 cities, the League of California Cities, South Bay Council of Governments, California Contract Cities Association, and nine other organizations. This bill failed in the Assembly Revenue and Taxation Committee 8-0-2, which the author of the Committee chaired.

More recently, SB 827 would have overridden local control on housing development that was within ½ mile of a major transit stop or ¼ mile from a high-quality bus corridor as defined by the legislation with some limitations. On April 17, 2018, SB 827 failed in the Senate Transportation and Housing Committee 4-6-3 but was granted reconsideration. State legislators have indicated they will continue to introduce legislation that will override local zoning ordinances for the development of affordable housing in conjunction with mixed use and/or luxury condominium/apartment housing.

These are just three examples of the increasing attempts by Sacramento to supersede local control. Presently, there are discussions occurring in Sacramento to ban cities from creating their own municipal broadband or to prohibit local ordinances over the regulation of shared mobility devices such as dockless electric scooters. These decisions should remain with each individual jurisdiction to decide based on the uniqueness of their community and the constituents that live in each city.

Often fueled by the actions of special interest groups, Sacramento is continually attempting to overreach their authority with various incursions on local control. The desire in Sacramento to strip communities of their ability to make decisions over issues which should remain at the local level seems to intensify each state legislative cycle. Increasingly, legislation is being introduced with a “one-size-fits-all” approach which is detrimental in a

state with over 40 million residents that have extremely diverse communities from the desert to the sea, from the southern to the northern borders.

Loren King in the book “Cities, Subsidiarity and Federalism” states, “Decisions should be made at the lowest feasible scale possible”. The proposed resolution directs the League of California Cities to assess the increasing vulnerabilities to local authority, control and revenue. It also directs the League of California Cities to explore the preparation of a ballot measure and/or constitutional amendment which would aim to ensure that decisions are made as close to home as possible.

Local government, when done right, is the best form of democracy precisely because it is closest to home. A ballot measure and/or constitutional amendment would provide the state’s voters an opportunity to further strengthen local authority and maintain the role of local democracy to best preserve their local quality of life while still leaving the appropriate issues at the county, regional or state legislature depending on the topic. Any ballot measure and/or constitutional amendment should institutionalize the principle of subsidiarity, while encouraging inclusive regional cooperation that recognizes the diversity of California’s many individual communities. The time has come to allow the residents of California’s voters to decide if they prefer top down governance from Sacramento or bottom up governing from their own locally elected officials.

League of California Cities Staff Analysis on Resolution No. 1

Staff: Dan Carrigg, Johnnie Pina
Committees: Governance, Transparency and Labor Relations
Housing, Community & Economic Development
Revenue & Taxation
Transportation, Communication and Public Works

Summary:

This Resolution states that the League of California Cities should assess the vulnerabilities to local authority, control and revenue and explore the preparation of a ballot measure and or constitutional amendment that would give the state's voters an opportunity to further strengthen local authority and preserve the role of local democracy.

Background:

The City of Beverly Hills is sponsoring this resolution in reaction to their concerns over measures coming from the Legislature and the initiative process attempting to roll back local control and hinder cities from providing optimal services to their residents.

As examples, the city cites the 2017-2018 legislative cycle, the Legislature introduced bills such as Senate Bill 649 (Hueso) Wireless Telecommunications Facilities, and AB 252 (Ridley-Thomas) proposing to prohibit taxes on video streaming services, and more recently Senate Bill 827 (Wiener) Planning and Zoning: Transit-Rich Housing. SB 649 was vetoed by the Governor and SB 827 died in policy committee, however if these measures had been signed into law they would have impinged on the ability of a local government to be responsive to the needs of their constituents.

The city maintains that "local government, when done right, is the best form of democracy precisely because it is closest to home. A ballot measure and/or constitutional amendment would provide the state's voters an opportunity to further strengthen local authority and maintain the role of local democracy to best preserve their local quality of life while still leaving the appropriate issues at the county, regional or state legislature depending on the topic."

Fiscal Impact:

By requesting the League to "assess" vulnerabilities and "explore" the preparation of a ballot measure that would further protect local authority, there are no proposals to be quantified. But it is presumed that the League would not pursue a measure that did not have positive impacts of further protecting local authority.

For the League as an organization, however, the fiscal impact of sponsoring a ballot measure can be very expensive. It can take several million dollars to qualify a measure via signature gathering, and much more to fund an effective campaign and overcome organized opposition.

Comments:

- 1) Ballot measure advocacy is a settled aspect of California's political process. This year's November ballot is an example of that, with proposals ranging from dividing California

into three states, restoring rent control, repealing transportation funding, to funding housing and water bonds. Three other measures are not on the November ballot after their sponsors spent millions gathering signatures to qualify measures, then leveraged last-minute legislative deals in exchange for pulling them from the ballot.

- 2) Most major stakeholder organizations in Sacramento have realized that they cannot rely on legislative advocacy alone to protect their interests, but must develop and maintain the capacity to protect their interests in the ballot process as well.
- 3) The League has been engaged in ballot advocacy for nearly 20 years. In the early 2000's, city officials were angered by repeated state raids of local revenues. These concerns led to the League --for the first time in its then 100-year history--developing a ballot advocacy infrastructure that included forming and fundraising for an issues political action committee (PAC), establishing a network of regional managers, and building a coalition with other organizations that ultimately led to the passage of Prop. 1A of 2004. Over the years, the League's successful campaigns include the passage of Proposition 1A and Proposition 99 and the defeat of Propositions 90 and 98.

a. Yes on Proposition 1A (2004)

As a result of the passage of Prop 1A, local government revenues that otherwise would have been raided by the state legislature were kept in local coffers. This resulted in increased funding for public safety, health, libraries, parks and other locally delivered services. Proposition 1A PASSED WITH 83.7% OF THE VOTE.

b. No on Proposition 90 (2006)

Prop. 90 was a well-financed special interest-backed initiative that sought to eliminate most of local governments' land use decision making authority. Led by the League, the opposition educated voters on how this measure's far reaching provisions would have cost taxpayers billions of dollars by driving up the cost of infrastructure projects, prevented voters and state and local agencies from enacting environmental protections, jeopardized public safety services and more. Proposition 90 FAILED WITH 52.4% OF THE VOTERS VOTING NO.

c. No on Proposition 98 Yes on Proposition 99 (2008)

Given the hidden agendas within Prop 98, our message was not always an easy one to communicate to the electorate. The No on 98/ Yes on 99 campaign was able to educate voters on the important differences between both measures. As a result, important eminent domain reforms were enacted and both land use decision making and rent control were preserved within our communities. Proposition 98 FAILED WITH 61.6% OF THE VOTERS VOTING NO. Proposition 99 PASSED BY 61% OF THE VOTE.

d. Yes on Proposition 22 (2010)

As a result of the passage, local governments have been able to pay for infrastructure investment, create local jobs and avoid devastating cuts in our communities. Proposition 22 APPROVED BY 60.7% OF VOTERS.

- 4) While the League has been able to recently defeat several major legislative proposals aimed at undermining local authority, and avoid a battle over the Business Roundtable’s measure in November due to the “soda tax” deal, the threats to local authority and revenue remain a constant concern. Other interest groups may be emboldened by some of the recent “deals” cut by ballot proponents and seek to implement similar strategies for the 2020 ballot. The next Governor may also have different philosophies than Governor Jerry Brown on “subsidiarity.”
- 5) The League’s President opted to send this resolution to four policy committees for several reasons: (a) the recent major threats to local control covered broad policy areas: telecom, land use, contracting, and revenue; and (b) having this issue vetted broadly within the League policy process will provide a better assessment of the depth of concern for the vulnerability to local control within the membership
- 6) If the membership chooses to approve this measure, it is strongly advisable to retain continued flexibility for the League to “assess” vulnerabilities and “explore” options. Any ballot initiative consideration must be approached very carefully by the organization. It is a difficult and very expensive endeavor that can have additional political ramifications. For 120 years the League’s core mission has been to protect local control - and it has gone to the ballot successfully before to do so -- but any such effort must be approached thoughtfully, prudently and cautiously.

Existing League Policy:

Related to this Resolution, existing policy provides:

- The League of California Cities’ Mission Statement is, “To expand and protect local control for cities through education and advocacy. To enhance the quality of life for all Californians”
- The League of California Cities’ Summary of Existing Policy and Guidelines states, “We Believe
 - Local self-governance is the cornerstone of democracy.
 - Our strength lies in the unity of our diverse communities of interest.
 - In the involvement of all stakeholders in establishing goals and in solving problems.
 - In conducting the business of government with openness, respect, and civility.
 - The spirit of public service is what builds communities.
 - Open decision-making that is of the highest ethical standards honors the public trust.
 - Cities are the economic engine of California.
 - The vitality of cities is dependent upon their fiscal stability and local autonomy.
 - The active participation of all city officials increases the League’s effectiveness.
 - Focused advocacy and lobbying is most effective through partnerships and collaboration.
 - Well-informed city officials mean responsive, visionary leadership, and effective and efficient
 - city operations.”
- Click here to view the [Summary of Existing Policy and Guiding Principles 2018](#).

Support:

The following letters of concurrence were received: Steven Scharf, Cupertino City Council Member; Michael S. Goldman, Sunnyvale City Council; Lydia Kou, Palo Alto City Council Member; David Terrazas, Mayor of Santa Cruz; Peter Weiss, Mayor of Oceanside; Alan D. Wapner, Mayor pro Tem of Ontario; Patrick Furey, Mayor of Torrance; Lauren Meister, West Hollywood Council Member; Liz Reilly, Duarte Mayor Pro Tem; Bill Brand, Mayor of Redondo Beach; Sho Tay, Mayor of Arcadia; Emily Gabel-Luddy, Mayor of Burbank.

2. A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES DECLARING ITS COMMITMENT TO SUPPORT THE REPEAL OF PREEMPTION IN CALIFORNIA FOOD AND AGRICULTURE CODE § 11501.1 THAT PREVENTS LOCAL GOVERNMENTS FROM REGULATING PESTICIDES

Source: City of Malibu

Concurrence of five or more cities/city officials

Cities: Agoura Hills; Calabasas; Moorpark

City Officials: Brett Lee, Mayor pro Tem, Davis; Catherine Carlton, Council Member, Menlo Park; Suza Francina, Council Member, Ojai; Carmen Ramirez, Mayor pro Tem, Oxnard; Tom Butt, Mayor, Richmond; Lindsay Horvath, Council Member, West Hollywood

Referred to: Environmental Quality

WHEREAS, anticoagulant rodenticides are poisonous bait products that are poisoning 80 to 90% of predator wildlife in California. These poisons cause painful, internal hemorrhaging in non-target animals, including pets, that accidentally ingest the products. Approximately 10,000 children under the age of six are accidentally poisoned by anticoagulant rodenticides each year nationwide; and

WHEREAS, in response to these harms, the California Department of Pesticide Regulation banned the consumer purchase and use of second-generation anticoagulant rodenticides in July 2014. Despite collecting data for almost four years after this ban, the Department of Fish and Wildlife found no evidence supporting a decrease in poisonings by anticoagulant rodenticides; and

WHEREAS, the state of California currently only recognizes the harm posed by second-generation anticoagulant rodenticides, which are prohibited in state wildlife habitat areas but are still available for agricultural purposes and by certified applicators throughout the state of California; and

WHEREAS, first-generation anticoagulant rodenticides are still available to the public and used throughout California without limitation; and

WHEREAS, nonpoisonous rodent control methods, such as controlling trash, sealing buildings, setting traps, erecting raptor poles and owl boxes, and removing rodent nesting areas are also effective rodent control methods; and

WHEREAS, the state of California preempts cities from regulating pesticides; and

WHEREAS, many cities across California have passed resolutions restricting pesticide use on city property and have expressed the desire to ban the use of pesticides within their jurisdictions.

NOW, THEREFORE, BE IT RESOLVED by the General Assembly of the League of California Cities, assembled in Long Beach, California on September 14, 2018, to do as follows:

1. Encourage the state of California to fund and sponsor further research into the negative impacts of anticoagulant rodenticides to determine whether the use of these products should be further restricted or banned statewide.
2. Direct the League of California Cities staff to consider creating a task force with other organizations and jointly commission a report on the unintended negative impact of anticoagulant rodenticides;
3. Encourage cities throughout California to eliminate use of anticoagulant rodenticides as part of their maintenance program in city-owned parks, lands, and facilities and to report on the effectiveness of other rodent control methods used in their maintenance program;
4. Encourage property owners throughout California to eliminate use of anticoagulant rodenticides on their properties;
5. Encourage cities throughout California to join in these advocacy efforts to mitigate the unintended negative impacts of anticoagulant rodenticides;
6. Endorse a repeal of California Food and Agriculture Code § 11501.1 to end local preemption of regulating pesticides; and
7. Call for the Governor and the Legislature to work with the League of California Cities and other stakeholders to consider and implement this reform.

Background Information on Resolution

Source: City of Malibu

Background:

A. Anticoagulant rodenticides are unnecessarily destructive and dangerous

Anticoagulant rodenticides contain lethal agents that disrupt the normal blood clotting or coagulation process causing dosed rodents to die from uncontrolled bleeding or hemorrhaging. Deaths typically occur between four days and two weeks after rodents begin to feed on the bait. Animals commonly targeted by anticoagulant rodenticides include rats, mice, gophers and squirrels. Non-target predator wildlife victims, which are exposed to an 80-90% risk of poisoning, include owls, hawks, bobcats, bears, foxes, coyotes, and mountain lions. The endangered species at risk of poisoning include fishers, spotted owls, and San Joaquin foxes. The use of anticoagulant rodenticides not only harms rodents, but it commonly harms pets, such as dogs, cats, and bunnies, and other wildlife that mistakenly eat the bait through primary poisoning or that unknowingly consume animals that have ingested the anticoagulant rodenticide through secondary poisoning. Children also suffer poisoning by mistakenly ingesting anticoagulant rodenticides.

California recognizes the grave harm that can be caused by anticoagulant rodenticides and has partially restricted access to second-generation anticoagulant rodenticides by the public:

Because of documented hazards to wildlife, pets and children, the California Department of Pesticide Regulation has restricted public access to some of these materials in California. As of July 1, 2014, rodenticide products containing the active ingredients brodifacoum, bromadiolone, difethialone and difenacoum are only to be used by licensed applicators (professional exterminators).¹

California has also prohibited the use of these ingredients in any “wildlife habitat area,” which is defined as “any state park, state wildlife refuge, or state conservancy.”²

The United State Environmental Protection Agency³ and the California Department of Pesticide Regulation⁴ have both documented in detail the damage to wildlife from second-generation anticoagulant rodenticides in support of the 2014 consumer ban on the purchase and use of the products. While first-generation anticoagulant rodenticides are less toxic, they are far more abundant due to their continued availability to all members of public.⁴ The California Department of Fish & Wildlife was tasked with collecting data on poisoning incidents to ascertain the effectiveness of the restrictions on second-generation anticoagulant rodenticides. After almost four years of collecting data, there was no evidence supporting a reduction in the number of poisonings.

¹ <https://www.wildlife.ca.gov/living-with-wildlife/rodenticides>.

² Cal. Food and Agric. Code § 12978.7.

³ <https://www.epa.gov/rodenticides/restrictions-rodenticide-products>

⁴ https://www.cdpr.ca.gov/docs/registration/reevaluation/chemicals/brodifacoum_final_assess.pdf

Recent studies by the University of California, Los Angeles and the National Park Service on bobcats have shown that first-generation anticoagulant rodenticide poisoning levels similar to the second-generation anticoagulant rodenticides poisoning levels.⁵ A comprehensive study of 111 mountain lions in 37 California counties found first-generation anticoagulant rodenticides in the liver tissue of 81 mountain lions (73% of those studied) across 33 of the 37 counties, and second-generation anticoagulant rodenticides in 102 mountain lions (92% of those studied) across 35 of the 37 counties.⁶ First-generation anticoagulant rodenticides were identified as contributing to the poisoning of Griffith Park mountain lion, P-22, (who was rescued), and the deaths of Newbury Park mountain lion, P-34, and Verdugo Hills mountain lion, P-41.

This data demonstrates the inadequacy of current legislative measures to ameliorate the documented problem caused by both second-generation and first-generation anticoagulant rodenticides.

B. State law preempts general law cities from regulating the use of pesticides, including anticoagulant rodenticides

A general law city may not enact local laws that conflict with general state law.⁷ Local legislation that conflicts with state law is void.⁸ A local law conflicts with state law if it (1) duplicates, (2) contradicts, or (3) enters a field that has been fully occupied by state law, whether expressly or by implication. A local law falling into any of these categories is “preempted” and is unenforceable.

State law expressly bars local governments from regulating or prohibiting pesticide use. This bar is codified in the California Food and Agricultural Code § 11501.1(a):

This division and Division 7 . . . are of statewide concern and occupy the whole field of regulation regarding the registration, sale, transportation, or use of pesticides to the exclusion of all local regulation. Except as otherwise specifically provided in this code, no ordinance or regulation of local government, including, but not limited to, an action by a local governmental agency or department, a county board of supervisors, or a city council, or a local regulation adopted by the use of an initiative measure, may prohibit or in any way attempt to regulate any matter relating to the registration, transportation, or use of pesticides, and any of these ordinances, laws or regulations are void and of no force or effect.

State law also authorizes the state to take action against any local entity that promulgates an ordinance or regulation that violates § 11501.1(a).⁹ The statute was specifically adopted to overrule a 30 year old court decision in *People v. County of Mendocino*,¹⁰ which had held that a

⁵ L. E. K. Serieys, et al, “Anticoagulant rodenticides in urban bobcats: exposure, risk factors and potential effects based on a 16-year study,” *Ecotoxicology* (2015) 24:844–862.

⁶ J. Rudd, et al, “Prevalence of First-Generation and Second-Generation Rodenticide Exposure in California Mountain Lions,” Proceeding of the 28th Vertebrate Pest Conference, February 2018.

⁷ Cal. Const. art. XI § 7.

⁸ *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc.* (2013) 56 Cal. 4th 729, 743.

⁹ Cal. Food and Agric. Code § 11501.1, subd. (b).

¹⁰ *People ex rel. Deukmejian v. County of Mendocino* (1984) 36 Cal. 3d 476.

local regulation prohibiting aerial application of phenoxy herbicides was not then preempted by state or federal law.¹¹

The use of pesticides is broadly regulated by state law. In the language of preemption law, the state “occupies the field,” leaving no room for additional local law on the subject. Accordingly, a city’s ban on the use of anticoagulant rodenticides would be unenforceable.

C. California should repeal the preemption in Cal. Food and Agric. Code § 11501.1 to provide cities with the authority to decide how to regulate pesticides within their own jurisdictions based on local concerns

The state of California should provide cities with the authority to regulate the use of pesticides in their own jurisdictions based on their own individual local needs.

Recognizing that cities’ power to “make and enforce within its limits all local, police, sanitary, and other ordinances and regulations” is presently preempted by the general laws of the state, cities throughout California request that the state provide cities with the authority to decide how to deal with rodents based on their land use.

Depending on such land use, cities may decide to allow the use of nonpoisonous control methods, non-anticoagulant rodenticides, or anticoagulant rodenticides, if necessary. Nonpoisonous methods to control rodent pests, include sealing entrances to buildings, sanitizing property, removing rodent habitats, such as ivy or wood piles, setting traps, and erecting raptor poles or owl boxes. For example, a recent landmark study by Ventura County established that installing raptor poles for hawks and owls was more effective than anticoagulant rodenticides in reducing the damage to water control levees caused by ground squirrel burrows. Burrows decreased by 66% with the change.¹²

The ultimate goal is to allow cities to address their local concerns with the input of community members at open and public meetings. Presently, cities are unable to adequately address local concerns; they are limited to encouraging or discouraging behavior.

D. Conclusion

The negative effects from the use of anticoagulant rodenticides across California has garnered the interest of cities and community members to remedy the problem. By presenting this resolution to the League of California Cities, the City of Malibu hopes to organize support and gain interest at the state level to repeal the preemption in Cal. Food and Agric. Code § 11501.1 to provide cities with the authority to regulate pesticides based on individual, local concerns.

¹¹ *IT Corp. v. Solano County Bd. Of Supervisors* (1991) 1 Cal. 4th 81, fn. 9; *Turner v. Chevron USA Inc.*, 2006 WL 1314013, fn. 14 (unpublished).

¹² <http://vcportal.ventura.org/BOS/District2/RaptorPilotStudy.pdf>

League of California Cities Staff Analysis on Resolution No. 2

Staff: Erin Evans-Fudem
Committee: Environmental Quality

Summary:

This resolution seeks to have the state and the League study the negative impacts of anticoagulant rodenticides and address the inability of cities to regulate the use of rodenticides and pesticides.

Specifically related to anticoagulant rodenticides, the resolution would encourage the state to fund research into the negative impacts and a potential restriction or ban; direct the League to consider creating a task force to study and report on the unintended negative consequences; encourage cities and property owners to eliminate use; and encourage cities to join advocacy efforts. In addition, the resolution would direct the League to endorse repeal of a statute that preempts local regulation of pesticides.

Background:

The City of Malibu is sponsoring this resolution out of concern about the effect of a certain type of rodent control (anticoagulant rodenticides) has on other wildlife. According to the City, anticoagulant rodenticides disrupt the blood clotting process and therefore cause rodents to die from bleeding or hemorrhaging. This rodenticide is commonly used on rats, mice, gophers, and squirrels. Predator animals that eat rodents can be exposed to anticoagulant rodenticides if they consume animals that have eaten the bait. These animals include owls, hawks, bobcats, bears, foxes, coyotes, and mountain lions. Furthermore, pets can also be exposed to anticoagulant rodenticides if they eat the bait or consume animals that have eaten the bait.

Some cities have passed “ceremonial resolutions” locally. For example, the City of Malibu has two ordinances in place to discontinue use of rodenticides and traps in city-owned parks, roads, and facilities, as well as encourage businesses and property owners not to use anticoagulant rodenticides on their property.

Fiscal Impact:

Costs to cities would include using alternative methods of rodent control and studying the efficacy. Since the resolution encourages, but does not mandate action by cities, city costs would be taken on voluntarily.

Fiscal impact to the League would include costs associated with the task force, scientific research, and educating League staff and members. For the task force, the League may incur costs associated with staffing, convening, and educating a task force to study anticoagulant rodenticides, as well as the cost of writing a report. This could include a need for outside experts with knowledge of pesticides and their ecological impacts. League resources would also be utilized to support proposals to repeal the statute preempting local regulation of pesticides; however, this cost may be absorbed with existing staff resources.

Comments:

Pesticides are regulated by federal and state governments. The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) reserves for the federal government authority over pesticide labeling. States can adopt stricter labeling requirements and can effectively ban sale and use of pesticides that do not meet state health or safety standards.¹ For 51 years, California has reserved regulation of pesticides for the state only, preempting local regulation.² This preemption has been ratified and confirmed in subsequent court decisions and legislation. However, County Agricultural Commissioners work to enforce the state laws. Local governments may regulate or restrict pesticide use in their own operations, including use in municipal buildings or parks.^{3,4}

Broad direction. This resolution would direct the League to take a position allowing broad local discretion over pesticide regulation in general. Because the regulation of anticoagulant rodenticides is largely based in science, additional or outside expertise may be needed to ensure full understanding of the science behind rodent control methods. The resolution itself is not limited to allowing local governments to regulate anticoagulant rodenticides, which this resolution otherwise targets.

Rodent control methods. There are numerous methods of controlling rodents, including lethal traps, live traps, and poison baits. There are two generations of rodenticide poisons because after rodents became resistant to the first generation, the second was developed. The U.S. Environmental Protection Agency (U.S. EPA) provides the following information below related to the science and use of anticoagulant rodenticides:

Most of the rodenticides used today are anticoagulant compounds that interfere with blood clotting and cause death from excessive bleeding. Deaths typically occur between four days and two weeks after rodents begin to feed on the bait.

First-generation anticoagulants include the anticoagulants that were developed as rodenticides before 1970. These compounds are much more toxic when feeding occurs on several successive days rather than on one day only. Chlorpophacinone, diphacinone and warfarin are first-generation anticoagulants that are registered to control rats and mice in the United States.

Second-generation anticoagulants were developed beginning in the 1970s to control rodents that are resistant to first-generation anticoagulants. Second-generation anticoagulants also are more likely than first-generation anticoagulants to be able to kill after a single night's feeding. These compounds kill over a similar course of time but tend to remain in animal tissues longer than do first-generation ones. These properties mean that second-generation products pose greater risks to nontarget species that might feed on bait only once or that might feed upon animals that have eaten the bait. Due to these

¹ California Department of Pesticide Regulation (CDPR), *A Guide to Pesticide Regulation in California: 2017 Update*, pg. 9, <https://www.cdpr.ca.gov/docs/pressrls/dprguide/dprguide.pdf>.

² California Food and Agriculture Code § 11501.1 (1967).

³ CDPR, *A Guide to Pesticide Regulation in California: 2017 Update*, pg. 9, <https://www.cdpr.ca.gov/docs/pressrls/dprguide/dprguide.pdf>.

⁴ County Agricultural Commissioners work with CDPR to enforce state laws. CDPR, *A Guide to Pesticide Regulation in California: 2017 Update*, pg. 13, <https://www.cdpr.ca.gov/docs/pressrls/dprguide/dprguide.pdf>.

risks, second-generation anticoagulant rodenticides no longer are registered for use in products geared toward consumers and are registered only for the commercial pest control and structural pest control markets. Second-generation anticoagulants registered in the United States include brodifacoum, bromadiolone, difenacoum, and difethialone.

Other rodenticides that currently are registered to control mice include bromethalin, cholecalciferol and zinc phosphide. These compounds are not anticoagulants. Each is toxic in other ways.⁵

Legislative attempts to ban. Several legislative measures have been introduced to ban the use of certain anticoagulant rodenticides (AB 1687, Bloom, 2017. AB 2596, Bloom, 2016). However, neither of these measures were heard and failed to pass key legislative deadlines.

Existing League Policy:

The League does not have policy related to pesticides or rodenticides.

Related to federal regulation, League policy states:

- The League supports flexibility for state and local government to enact environmental and other standard or mandates that are stronger than the federal standards. However, the League reserves the right to question or oppose stronger standards on the merits. The League also opposes legislation that prohibits state and local governments from enacting stricter standards.

Support:

The following letters of concurrence were received: William Koehler, Mayor of Agoura Hills; Fred Gaines, Mayor of Calabasas; Brett Lee, Mayor Pro Tem of Davis; Catherine Carlton, Menlo Park City Council Member; Janice Parvin, Mayor of Moorpark; Suza Francina, Ojai City Council Member; Carmen Ramirez, Oxnard City Council Member; Tom Butt, Mayor of Richmond; Lindsey Horvath, West Hollywood City Council Member

⁵ U.S. EPA, Restrictions on Rodenticide Products, <https://www.epa.gov/rodenticides/restrictions-rodenticide-products>

LETTERS OF CONCURRENCE

Resolution No. 1

Local Municipal Authority, Control and Revenue



City of Arcadia

Office of the City Council

Sho Tay
Mayor

April A. Verlato
Mayor Pro Tem

Peter M. Amundson
Council Member

Tom Beck
Council Member

Roger Chandler
Council Member

July 10, 2018

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**SUBJECT: 2018 CONFERENCE RESOLUTION TO RESPOND TO THE INCREASING
VULNERABILITIES TO LOCAL MUNICIPAL AUTHORITY, CONTROL AND REVENUE**

Dear Committee:

As the Mayor of the City of Arcadia, I support the League of California Cities ("League") Annual Conference Resolution proposed by the City of Beverly Hills calling for the League to explore the preparation of a ballot measure and/or constitutional amendment that would provide the state's voters an opportunity to further strengthen local authority and preserve the role of local democracy.

State legislation introduced in both 2017 and 2018 by the legislature has continually threatened to erode local control. Whether this was Senate Bill 649 (Hueso) Wireless Telecommunications Facilities or the more recently introduced Senate Bill 827 (Wiener) Planning and Zoning: Transit-Rich Housing Bonus that was defeated in Committee, legislatures are continually introducing proposals that impinge on the ability of a local government to institute discretionary legislation that is responsive to the needs of their constituents.

More recently, a state ballot initiative was introduced that would have made increasing fees and passing taxes more onerous on local jurisdictions due to the interest of powerful interest groups. This interest group successfully negotiated an Assembly Bill that prohibits constituents in local jurisdictions from passing a soda tax for twelve years; trumping the will of the people should they wish to support such a measure. However, as a result the passage of that Assembly Bill, the state ballot initiative was pulled from the November 2018 ballot.

These continual incursions into local control by the state legislature, and powerful interest groups, should be prohibited in areas where it is unwarranted and does not best serve the unique communities that make up the state of California.

The passage of the proposed resolution by the City of Beverly Hills would provide direction to the League to pursue a ballot measure and/or constitutional amendment that would strengthen local democracy and authority. For these reasons, I strongly support this resolution.

Sincerely,

Sho Tay
Mayor, City of Arcadia

cc: City of Arcadia City Council
Vice Mayor John Mirisch, City of Beverly Hills

CITY OF BURBANK



OFFICE OF THE MAYOR

July 11, 2018

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**SUBJECT: 2018 CONFERENCE RESOLUTION TO RESPOND TO THE INCREASING
VULNERABILITIES TO LOCAL MUNICIPAL AUTHORITY, CONTROL AND REVENUE**

Dear Committee:

As the Mayor of the City of Burbank, on my own behalf, I support the League of California Cities ("League") Annual Conference Resolution proposed by the City of Beverly Hills calling for the League to explore the preparation of a ballot measure and/or constitutional amendment that would provide the state's voters an opportunity to further strengthen local authority and preserve the role of local democracy.

State legislation introduced in both 2017 and 2018 by the legislature has continually threatened to erode local control. Whether this was Senate Bill 649 (Hueso) Wireless Telecommunications Facilities or the more recently introduced Senate Bill 827 (Wiener) Planning and Zoning: Transit-Rich Housing Bonus that was defeated in Committee, legislatures are continually introducing proposals that impinge on the ability of a local government to institute discretionary legislation that is responsive to the needs of their constituents.

More recently, a state ballot initiative was introduced that would have made increasing fees and passing taxes more onerous on local jurisdictions due to the interest of powerful interest groups. This interest group successfully negotiated an Assembly Bill that banned on constituents in local jurisdictions from passing a soda tax for twelve years; trumping the will of the people should they wish to support such a measure. However, as a result the passage of that Assembly Bill, the state ballot initiative was pulled from the November 2018 ballot.

These continual incursions into local control by the state legislature, and powerful interest groups, should be prohibited in areas where it is unwarranted and does not best serve the unique communities that make up the state of California.

The passage of the proposed resolution by the City of Beverly Hills would provide direction to the League to pursue a ballot measure and/or constitutional amendment that would strengthen local democracy and authority. For these reasons I strongly support this resolution.

Sincerely,

A handwritten signature in black ink that reads "Emily Gabel-Luddy". The signature is written in a cursive, flowing style.

Emily Gabel-Luddy
Mayor, City of Burbank

cc: Vice Mayor John Mirisch, City of Beverly Hills
Jennifer Quan, League Regional Public Affairs Manager (via email)

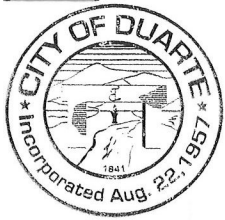
From: Steven Scharf <scharf.steven@gmail.com>
Sent: Sunday, July 08, 2018 8:34 PM
To: Cindy Owens
Subject: Letter of Support for California League of Cities Resolution

Dear Ms. Cowens,

I was forwarded your email requesting support for a resolution in support of "the preparation of a ballot measure and/or state constitutional amendment that would strengthen local authority and preserve the role of local democracy at the local level as the state legislature is continually attempting to override the local authority of cities."

Speaking only for myself, and not on behalf of the City of Cupertino or other Cupertino City Council Members, I hereby give my support for such a measure. You may use my name as a supporter.

Sincerely,
Steven Scharf
Cupertino City Council Member



City of Duarte

1600 Huntington Drive | Duarte, CA 91010 | Bus. 626.357.7931 | Fax 626.358.0018 | www.accessduarte.com

July 10, 2018

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**2018 CONFERENCE RESOLUTION TO RESPOND TO THE INCREASING
VULNERABILITIES TO LOCAL MUNICIPAL AUTHORITY, CONTROL,
AND REVENUE**

Dear Committee:

The City of Duarte supports the League of California Cities ("League") Annual Conference Resolution proposed by the City of Beverly Hills calling for the League to explore the preparation of a ballot measure that would provide the State's voters an opportunity to further strengthen local authority and preserve the role of local democracy.

State legislation introduced in both 2017 and 2018 by the legislature has continually threatened to erode local control. Whether this was Senate Bill 649 (Hueso) (Wireless Telecommunications Facilities) or the more recently introduced Senate Bill 827 (Wiener) (Planning and Zoning: Transit-Rich Housing Bonus) that was defeated in Committee, legislatures are continually introducing proposals that impinge on the ability of a local government to institute discretionary legislation that is responsive to the needs of their constituents.

More recently, a State ballot initiative was introduced that would have made increasing fees and passing taxes more onerous on local jurisdictions due to the interest of powerful interest groups. This interest group successfully negotiated an Assembly Bill that banned constituents in local jurisdictions from passing a soda tax for twelve years, trumping the will of the people should they wish to support such a measure. However, as a result of the passage of that Assembly Bill, the State ballot initiative was pulled from the November 2018 ballot.

These continual incursions into local control by the State legislature and powerful interest groups should be prohibited in areas where it is unwarranted, and does not best serve the unique communities that make up the State of California.

The passage of the proposed resolution by the City of Beverly Hills would provide direction to the League to pursue a ballot measure and/or constitutional amendment that would strengthen local democracy and authority. For these reasons, the City of Duarte strongly supports this resolution.

Sincerely,

Liz Reilly
Mayor Pro Tem

Mayor
John Fasana

Mayor Pro Tem
Liz Reilly

Councilmembers
Margaret E. Finlay
Samuel Kang
Tzeitel Paras-Caracci

City Manager
Darrell J. George

cc: Vice Mayor John Mirisch, City of Beverly Hills



CITY OF OCEANSIDE

MAYOR
PETER WEISS

July 10, 2018

COUNCIL MEMBERS
JACK FELLER
JEROME KERN
CHARLES "CHUCK" LOWERY
ESTHER SANCHEZ

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**SUBJECT: 2018 CONFERENCE RESOLUTION TO RESPOND TO THE
INCREASING VULNERABILITIES TO LOCAL MUNICIPAL
AUTHORITY, CONTROL AND REVENUE**

Dear Committee:

I'm writing on behalf of the City of Oceanside to support the League of California Cities' ("League") Annual Conference Resolution proposed by the City of Beverly Hills calling for the League to explore the preparation of a ballot measure and/or constitutional amendment that would provide the State's voters an opportunity to further strengthen local authority and preserve the role of local democracy.

State legislation introduced in both 2017 and 2018 by the legislature has continually threatened to erode local control. Whether this was Senate Bill 649 (Hueso) Wireless Telecommunications Facilities, or the more recently introduced Senate Bill 827 (Wiener) Planning and Zoning: Transit-Rich Housing Bonus that was defeated in Committee, legislatures are continually introducing proposals that impinge on the ability of a local government to institute discretionary legislation that is responsive to the needs of their constituents.

More recently, a state ballot initiative was introduced that would have made increasing fees and passing taxes more onerous on local jurisdictions due to the interest of powerful interest groups. This interest group successfully negotiated an Assembly Bill that banned constituents in local jurisdictions from passing a soda tax for twelve years, trumping the will of the people should they wish to support such a measure. However, as a result the passage of that Assembly Bill, the state ballot initiative was pulled from the November 2018 ballot.

These continual incursions into local control by the state legislature and powerful interest groups should be prohibited in areas where it is unwarranted and does not best serve the unique communities that make up the state of California.

The passage of the proposed resolution by the City of Beverly Hills would provide direction to the League to pursue a ballot measure and/or constitutional amendment that would strengthen local democracy and authority. For these reasons, I strongly support this resolution.

Sincerely,

A handwritten signature in blue ink that reads "Peter Weiss". The signature is written in a cursive style with a large initial "P" and a long, sweeping underline.

Peter Weiss
MAYOR

cc: Vice Mayor John Mirisch, City of Beverly Hills



PAUL S. LEON
MAYOR

ALAN D. WAPNER
MAYOR PRO TEM

JIM W. BOWMAN
DEBRA DORST-PORADA
RUBEN VALENCIA
COUNCIL MEMBERS

SCOTT OCHOA
CITY MANAGER

SHEILA MAUTZ
CITY CLERK

JAMES R. MILHISER
TREASURER

July 10, 2018

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**Re: 2018 CONFERENCE RESOLUTION TO RESPOND TO THE INCREASING
VULNERABILITIES TO LOCAL MUNICIPAL AUTHORITY, CONTROL AND
REVENUE**

Dear Committee Members,

As Mayor pro Tem for the City of Ontario, I support the Annual Conference Resolution proposed by the City of Beverly Hills calling for the League of California Cities to explore the preparation of a ballot measure and/or constitutional amendment that would provide the state’s voters an opportunity to further strengthen local authority and preserve the role of local democracy.

In recent years, the state legislature has aggressively ramped up its efforts to wrestle authority away from local government. In the past session alone, we saw egregious and unprecedented attacks on local control with several bills that strike at the heart of local government. These bills, including Senate Bill 649 (Hueso – Wireless Telecommunications Facilities) and Senate Bill 827 (Wiener – Planning and Zoning: Transit-Rich Housing Bonus) show a blatant contempt for the ability of local governments to meet the needs of the local community.

Unfortunately, these bills are likely only the beginning. As such, there is a need for a ballot measure and/or constitutional amendment to clearly enshrine the role of local government in regulating local issues. The passage of the proposed resolution by the City of Beverly Hills recognizes that it is local government, not the state legislature, that best understands the local community and is therefore best-situated to regulate and respond to local issues. For these reasons, I strongly support this resolution.

Sincerely,

Alan D. Wapner
Mayor pro Tem – City of Ontario

cc: Vice Mayor John Mirisch, City of Beverly Hills

July 11, 2018

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

Re: EXPLORING A RESOLUTION TO RESPOND TO INCREASING VULNERABILITIES TO LOCAL MUNICIPAL AUTHORITY

Dear Committee Members:

As one Councilmember of the City of Palo Alto, and in my individual capacity and not on behalf of the Council as a body, or the City, I write to support the League of California Cities (“League”) Annual Conference Resolution proposed by the City of Beverly Hills. This resolution asks the League to explore the preparation of a ballot measure and/or constitutional amendment that would provide voters an opportunity to further strengthen local authority and preserve the role of local democracy. If the resolution passes, I encourage the League to ensure any potential measure includes both charter and general law cities.


State legislation introduced in both 2017 and 2018 has continually threatened to erode local control. Whether this was SB 649 (Hueso) Wireless Telecommunications Facilities or the more recently introduced SB 827 (Wiener) Planning and Zoning: Transit-Rich Housing Bonus that was defeated in Committee, legislatures are continually introducing proposals that impinge on the ability of a local government to institute discretionary legislation that is responsive to the needs of their constituents.

More recently, a state ballot initiative was introduced that would have made increasing fees and passing taxes more onerous on local jurisdictions due to the interest of powerful interest groups. This interest group successfully negotiated an Assembly Bill that banned on constituents in local jurisdictions from passing a soda tax for twelve years; trumping the will of the people should they wish to support such a measure. However, as a result the passage of that Assembly Bill, the state ballot initiative was pulled from the November 2018 ballot.

These continual incursions into local control by state legislature, and powerful interest groups, should be prohibited in areas where it is unwarranted and does not best serve the unique communities that make up the state of California.

The passage of the proposed resolution by the City of Beverly Hills would provide direction to the League to pursue a ballot measure and/or constitutional amendment that would strengthen local democracy and authority. For these reasons I support this resolution.

Sincerely,

DocuSigned by:

5BE1B1835F4F468E

Lydia Kou
Councilmember, City of Palo Alto

cc:
Palo Alto City Council
Mayor John Mirisch, City of Beverly Hills
James Keene, Palo Alto City Manager

P.O. Box 10250
Palo Alto, CA 94303
650.329.2477
650.328.3631 fax



Bill Brand
Mayor

415 Diamond Street, P.O. BOX 270
Redondo Beach, California 90277-0270
www.redondo.org

tel 310 372-1171
ext. 2260
fax 310 374-2039

July 9, 2018

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

SUBJECT: 2018 CONFERENCE RESOLUTION TO RESPOND TO THE INCREASING VULNERABILITIES TO LOCAL MUNICIPAL AUTHORITY, CONTROL AND REVENUE

Dear Committee:

As Mayor of Redondo Beach, I support the League of California Cities Annual Conference Resolution proposed by the City of Beverly Hills calling for the LCC to explore the preparation of a ballot measure and/or constitutional amendment that would provide the State's voters an opportunity to further strengthen local authority and preserve the role of local democracy.

State legislation introduced in both 2017 and 2018 by the Legislature has continually threatened to erode local control. Whether this was Senate Bill 649 (Hueso) Wireless Telecommunications Facilities, or the more recently introduced Senate Bill 827 (Wiener) Planning and Zoning: Transit-Rich Housing Bonus that was defeated in Committee, The State Legislature is continuing to introduce proposals that impinge on the ability of local governments to institute discretionary legislation that is responsive to the needs of their communities.

These continual incursions into local control by the State Legislature, and powerful special interest groups, should be prohibited in areas where it is unwarranted and does not best serve the unique communities that make up the State of California.

The passage of the proposed resolution by the City of Beverly Hills would provide direction to the League to pursue a ballot measure and/or constitutional amendment that would strengthen local democracy and authority. For these reasons I strongly support this resolution.

Sincerely,

Bill Brand

cc: Vice Mayor John Mirisch, City of Beverly Hills



MAYOR AND CITY COUNCIL

809 Center Street, Room 10, Santa Cruz, CA 95060 • (831) 420-5020 • Fax: (831) 420-5011 • citycouncil@cityofsantacruz.com

July 9, 2018

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**RE: 2018 CONFERENCE RESOLUTION TO RESPOND TO THE INCREASING
VULNERABILITIES TO LOCAL MUNICIPAL AUTHORITY, CONTROL, AND REVENUE**

Dear General Resolutions Committee Members:

As Mayor of the City of Santa Cruz, I support the League of California Cities (“League”) Annual Conference Resolution proposed by the City of Beverly Hills calling for the League to explore the preparation of a ballot measure and/or constitutional amendment that would provide the State’s voters an opportunity to further strengthen local authority and preserve the role of local democracy.

State legislation introduced in both 2017 and 2018 by the Legislature has continually threatened to erode local control. Whether this was Senate Bill 649 (Hueso) Wireless Telecommunications Facilities or the more recently introduced Senate Bill 827 (Wiener) Planning and Zoning: Transit-Rich Housing Bonus that was defeated in Committee, legislatures are continually introducing proposals that impinge on the ability of a local government to institute discretionary legislation that is responsive to the needs of their constituents.

More recently, a State ballot initiative was introduced that would have made increasing fees and passing taxes more onerous on local jurisdictions due to the interest of powerful interest groups. This interest group successfully negotiated an Assembly Bill that banned constituents of local jurisdictions from passing a soda tax for twelve years, trumping the will of the people should they wish to support such a measure. However, as a result of the passage of that Assembly Bill, the State ballot initiative was pulled from the November 2018 Ballot.

These continual incursions into local control by the State Legislature and powerful interest groups should be prohibited in areas where it is unwarranted and does not best serve the unique communities that make up the State of California.

The passage of the proposed resolution by the City of Beverly Hills would provide direction to the League to pursue a ballot measure and/or constitutional amendment that would strengthen local democracy and authority. For these reasons I strongly support this resolution.

Sincerely,

David Terrazas
Mayor

cc: Vice Mayor John Mirisch, City of Beverly Hills

From: Michael Goldman <miklg@yahoo.com>
Sent: Saturday, July 07, 2018 4:37 PM
To: Cindy Owens
Subject: Letter of Support for California League of Cities Resolution

Dear Ms. Cowens,

I was forwarded your email requesting support for a resolution in support of "the preparation of a ballot measure and/or state constitutional amendment that would strengthen local authority and preserve the role of local democracy at the local level as the state legislature is continually attempting to override the local authority of cities."

Speaking solely on my own behalf, I hereby give my whole-hearted support for such a measure. The essence of democracy is the control by the people of their community. As public servants, we elected officials serve the democratically expressed will of the public.

Sincerely,

Michael S. Goldman

Sunnyvale City Council, Seat 7



CITY OF TORRANCE

PATRICK J. FUREY
MAYOR

July 5, 2018

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**SUBJECT: 2018 CONFERENCE RESOLUTION TO RESPOND TO THE INCREASING
VULNERABILITIES TO LOCAL MUNICIPAL AUTHORITY, CONTROL AND
REVENUE**

Dear Committee:

As Mayor of the City of Torrance, I support the League of California Cities ("League") Annual Conference Resolution proposed by the City of Beverly Hills calling for the League to explore the preparation of a ballot measure that would provide the state's voters an opportunity to further strengthen local authority and preserve the role of local democracy.

State legislation introduced in both 2017 and 2018 by the legislature has continually threatened to erode local control. Whether this was Senate Bill 649 (Hueso) Wireless Telecommunications Facilities or the more recently introduced Senate Bill 827 (Wiener) Planning and Zoning: Transit-Rich Housing Bonus that was defeated in Committee, legislatures are continually introducing proposals that impinge on the ability of a local government to institute discretionary legislation that is responsive to the needs of their constituents.

More recently, a state ballot initiative was introduced that would have made increasing fees and passing taxes more onerous on local jurisdictions due to the interest of powerful interest groups. This interest group successfully negotiated an Assembly Bill that banned on constituents in local jurisdictions from passing a soda tax for twelve years; trumping the will of the people should they wish to support such a measure. However, as a result the passage of that Assembly Bill, the state ballot initiative was pulled from the November 2018 ballot.

These continually incursions into local control by the state legislature, and powerful interest groups, should be prohibited in areas where it is unwarranted and does not best serve the unique communities that make up the state of California.

The passage of the proposed resolution by the City of Beverly Hills would provide direction to the League to pursue a ballot measure and/or constitutional amendment that would strengthen local democracy and authority. For these reasons I strongly support this resolution.

Sincerely

Patrick J. Furey
Mayor

cc: Vice Mayor John Mirisch, City of Beverly Hills



CITY OF WEST HOLLYWOOD

CITY HALL
8300 SANTA MONICA BLVD.
WEST HOLLYWOOD, CA
90069-6216
TEL: (323) 848-6460
FAX: (323) 848-6562

TTY: For hearing impaired
(323) 848-6496

CITY COUNCIL

JOHN J. DURAN
Mayor

JOHN D'AMICO
Mayor Pro Tempore

JOHN HEILMAN
Councilmember

LINDSEY P. HORVATH
Councilmember

LAUREN MEISTER
Councilmember

July 11, 2018

General Resolutions Committee
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

**SUBJECT: 2018 CONFERENCE RESOLUTION TO RESPOND TO THE
INCREASING VULNERABILITIES TO LOCAL MUNICIPAL AUTHORITY,
CONTROL AND REVENUE**

Dear Committee:

As a Councilmember of the City of West Hollywood, I support the League of California Cities ("League") Annual Conference Resolution proposed by the City of Beverly Hills calling for the League to explore the preparation of a ballot measure and/or constitutional amendment that would provide the state's voters an opportunity to further strengthen local authority and preserve the role of local democracy.

During the current 2017-2018 regular session of the California Legislature, legislators introduced several pieces of legislation that have attempted to erode local control. Whether this was Senate Bill (SB) 649 (Hueso) Wireless Telecommunications Facilities, or more recently SB 827 (Wiener) Planning and Zoning: Transit-Rich Housing Bonus, which was defeated in Committee, legislators continue to introduce proposals that impinge on the ability of local governments to self-determine.

Another good example of how the Legislature takes actions that are detrimental to local governments' control is the legislative compromise between the Legislature and beverages' manufacturers who agreed to withdraw their ballot initiative in exchange for the approval of Assembly Bill (AB) 1838 (Committee on Budget): Local government: taxation: prohibition: groceries, (Chapter 61, Statutes of 2016). As you know, AB 1838 basically prohibited the adoption of a local "soda tax" by any municipality for the next twelve years.





General Resolutions Committee
League of California Cities
July 11, 2018
Page two of two

These incursions into local control by the Legislature, and powerful interest groups, should be prohibited in areas where it is unwarranted and does not best serve the unique communities that make up the state of California.

The passage of the proposed resolution by the City of Beverly Hills would provide direction to the League to pursue a ballot measure and/or constitutional amendment that would strengthen local democracy and authority. For these reasons I strongly support this resolution.

Sincerely,

Lauren Meister,
Councilmember

cc: Vice Mayor John Mirisch, City of Beverly Hills



LETTERS OF CONCURRENCE

Resolution No. 2

Repeal Preemption of Regulating Pesticides



"Gateway to the Santa Monica Mountains National Recreation Area"

July 10, 2018

The Honorable Rich Garbarino
League of California Cities
1400 K Street
Sacramento, CA 95814

Re: RESOLUTION OF LEAGUE OF CALIFORNIA CITIES DECLARING ITS CONTRACT TO SUPPORT THE REPEAL OF PREEMPTION IN CALIFORNIA FOOD AND AGRICULTURE CODE §11501.1 THAT PREVENTS LOCAL GOVERNMENTS FROM REGULATING PESTICIDES

Dear President Garbarino:

The City of Agoura Hills supports the proposed above referenced resolution that supports the repeal of preemption in California Food and Agriculture Code §11501.1 that prevents local Governments from regulating pesticides.

Accordingly, we concur in the submission of the resolution for consideration by the League of Cities General Assembly at its annual meeting on September 14, 2018.

As the gateway to the Santa Monica Mountains we have been witness to the harmful effects of anticoagulant rodenticides on wildlife in our community, and surrounding areas.

For this reason, the City of Agoura Hills is supportive of this resolution, and requests the league's support.

Sincerely,

WILLIAM D. KOEHLER
Mayor - City of Agoura Hills

cc: Ms. Meg Desmond - mdesmond@cacities.org
Ms. Mary Linden - mlinden@malibucity.org
Mr. Greg Ramirez - gramirez@ci.agoura-hills.ca.us



CITY of CALABASAS

FRED GAINES
Mayor

July 9, 2018

ORIGINAL BY U.S. MAIL

VIA EMAIL mdesmond@cacities.org

The Honorable Rich Garbarino, President
League of California Cities
1400 K Street
Sacramento, CA 95814

Re: RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES DECLARING ITS
COMMITMENT TO SUPPORT THE REPEAL OF PREEMPTION IN CALIFORNIA
FOOD AND AGRICULTURE CODE §11501.1 THAT PREVENTS LOCAL
GOVERNMENTS FROM REGULATING PESTICIDES

Dear President Garbarino:

The City of Calabasas supports the proposed resolution to support the repeal of the preemption clause in California Food and Agriculture Code Section 11501.1 regarding pesticide use and regulation so that each city in the State of California is able to decide how to regulate pesticides within their own jurisdiction to adequately address local concerns.

Accordingly, we concur in the submission by the City of Malibu of the above-referenced resolution for consideration by the League of Cities General Assembly at its annual meeting on September 14, 2018.

The City of Calabasas has identified the devastating effect of anticoagulant rodenticides on wildlife in our community and on the ecosystem in our native Santa Monica Mountains. While our City has adopted resolutions and implemented programs to discourage the use of the pesticides by our residents and businesses, we are limited by State law from taking more effective actions.

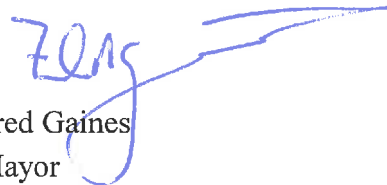
100 Civic Center Way
Calabasas, CA 91302
(818) 224-1600
Fax (818) 246-7324



The Honorable Rich Garbarino, President
League of California Cities
July 9, 2018
Page 2

The City of Calabasas is in strong support of providing cities across the State of California with the authority to regulate pesticides based on local concerns in the communities and supports the proposed Resolution.

Sincerely,

A handwritten signature in blue ink, appearing to read "F. Gaines", with a long horizontal flourish extending to the right.

Fred Gaines
Mayor

cc: Mary Linden (MLinden@malibucity.org)



July 13, 2018

The Honorable Rich Garbarino, President
League of California Cities
1400 K Street
Sacramento, California 95814

RE: A Resolution of the League of California Cities Declaring Its Commitment to Support the
Repeal of Preemption in California Food and Agriculture Code § 11501.1 That Prevents
Local Governments from Regulating Pesticides

Dear President Garbarino:

Anticoagulant rodenticides poison unintended targets, including predator wildlife in California and pets that ingest the products. These poisons cause painful, internal hemorrhaging in non-target animals. In addition, approximately 10,000 children under the age of six are accidentally poisoned each year nationwide.

The California Department of Pesticide Regulation banned the consumer purchase and use of second-generation anticoagulant rodenticides in July 2014. Despite collecting data for almost four years after this ban, the Department of Fish and Wildlife found no evidence supporting a decrease in poisonings by anticoagulant rodenticides due to this partial restriction of the supply.

Currently, State law preempts general law cities from regulating the use of pesticides, including anticoagulant rodenticides. In my official capacity as a city councilmember I support the proposed resolution to repeal the preemptive clause in California Food and Agriculture Code Section 11501.1 to provide cities across the state of California with the authority to regulate pesticides based on the local concerns in their communities. The State of California should provide cities with the authority to regulate the use of pesticides in their own jurisdictions based on their own individual local needs.

I concur with the submission of this resolution at the League of California Cities General Assembly at its annual meeting in Long Beach on September 14, 2018.

Sincerely,

Brett Lee
Mayor Pro Tem

July 5, 2018

The Honorable Rich Garbarino, President
League of California Cities
1400 K Street
Sacramento, California 95814

RE: RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES DECLARING ITS COMMITMENT TO
SUPPORT THE REPEAL OF PREEMPTION IN CALIFORNIA FOOD AND AGRICULTURE CODE §
11501.1 THAT PREVENTS LOCAL GOVERNMENTS FROM REGULATING PESTICIDES

Dear President Garbarino,

Anticoagulant rodenticides are products that are poisoning 80% to 90% of predator wildlife in our cities and throughout California. These poisons cause painful, internal hemorrhaging in non-target animals - including pets - that ingest the products either directly or from consuming poisoned rodents. In addition, approximately 10,000 children under the age of six are accidentally poisoned each year nationwide.

My own mother lost a dearly loved pet dog, who was poisoned when it ate a poisoned rat!

The California Department of Pesticide Regulation banned the consumer purchase and use of second-generation anticoagulant rodenticides in July 2014. Despite collecting data for almost four years after this ban, the Department of Fish and Wildlife found no evidence supporting a decrease in poisonings by anticoagulant rodenticides due to this partial restriction of the supply.

State law now preempts general law cities from regulating the use of pesticides, including anticoagulant rodenticides. I support the proposed resolution to repeal the preemptive clause in California Food and Agriculture Code Section 11501.1 to provide cities across the state of California with the authority to regulate pesticides based on the local concerns in their communities. The State of California should provide cities with the authority to regulate the use of pesticides in their own jurisdictions based on their own individual local needs.

I concur with the submission of this resolution at the League of California Cities General Assembly at its annual meeting in Long Beach on September 14, 2018.

Sincerely,

Catherine Carlton

Environmental Committee Vice Chair for the League of California Cities



CITY OF MOORPARK

799 Moorpark Avenue, Moorpark, California 93021
Main City Phone Number (805) 517-6200 | Fax (805) 532-2205 | moorpark@moorparkca.gov

July 12, 2018

The Honorable Rich Garbarino, President
League of California Cities
1400 K Street
Sacramento, CA 95814

**RE: RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES DECLARING ITS
COMMITMENT TO SUPPORT THE REPEAL OF PREEMPTION IN CALIFORNIA
FOOD AND AGRICULTURE CODE § 11501.1 THAT PREVENTS LOCAL
GOVERNMENTS FROM REGULATING PESTICIDES**

Dear President Garbarino:

The City of Moorpark supports the above referenced resolution being brought to a vote at the upcoming League of California Cities Conference on September 14, 2018.

As a community surrounded by the beauty of the Santa Monica Mountains and its wildlife, the City adopted a resolution in 2013 urging Moorpark residents and businesses to not use anticoagulant rodenticides in Moorpark. In 2014, the City applauded passage of AB 2657, which removed many second generation anticoagulant rodenticides from the state.

However, as we are all unfortunately aware, scientific research continues to find anticoagulant rodenticides in non-target animals, including the natural predators that help regulate rodent populations and endangered species throughout California. Accordingly, the City has supported subsequent legislative proposals to ban all anticoagulant rodenticides statewide, including AB 2422, which is currently stalled in the state legislature.

The City further believes that local governments should have the opportunity to regulate pesticide usage within their jurisdictions if the communities they represent desire to do so. Therefore, the City supports the above referenced resolution being brought to a vote.

Yours truly,

Janice Parvin
Mayor

cc: City Council
City Manager
Assistant City Manager
Assistant to the City Manager
League of California Cities, Meg Desmond (mdesmond@cacities.org)
City of Malibu, Mary Linden (MLinden@malibucity.org)

Councilmember Suza Francina
City of Ojai
401 South Ventura Street, Ojai, CA 93023
Email: Suzaojaicitycouncil@gmail.com
Cell: 805 603 8635

July 9, 2018

The Honorable Rich Garbarino, President
League of California Cities
1400 K Street
Sacramento, California 95814

RE: A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES DECLARING ITS
COMMITMENT TO SUPPORT THE REPEAL OF PREEMPTION IN CALIFORNIA
FOOD AND AGRICULTURE CODE § 11501.1 THAT PREVENTS LOCAL
GOVERNMENTS FROM REGULATING PESTICIDES

Dear President Garbarino,

Anticoagulant rodenticides are products that are poisoning 80 to 90% of predator wildlife in California. These poisons cause painful, internal hemorrhaging in non-target animals including pets that ingest the products either directly or from consuming poisoned rodents. In addition, approximately 10,000 children under the age of six are accidentally poisoned each year nationwide.

The California Department of Pesticide Regulation banned the consumer purchase and use of second-generation anticoagulant rodenticides in July 2014. Despite collecting data for almost four years after this ban, the Department of Fish and Wildlife found no evidence supporting a decrease in poisonings by anticoagulant rodenticides due to this partial restriction of the supply.

Currently, State law preempts general law cities from regulating the use of pesticides, including anticoagulant rodenticides. In my official capacity as a city councilmember I support the proposed resolution to repeal the preemptive clause in California Food and Agriculture Code Section 11501.1 to provide cities across the state of California with the authority to regulate pesticides based on the local concerns in their communities. The State of California should provide cities with the authority to regulate the use of pesticides in their own jurisdictions based on their own individual local needs.

I concur with the submission of this resolution at the League of California Cities General Assembly at its annual meeting in Long Beach on September 14, 2018.

Sincerely,
Suza Francina
Councilmember, City of Ojai

Carmen Ramírez
Mayor Pro Tem

City Council

300 West Third Street
Oxnard, California 93030
City (805) 385-7430
City Fax (805) 385-7595
carmen4oxnard@gmail.com



July 12, 2018

The Honorable Rich Garbarino, President
League of California Cities
1400 K Street
Sacramento, California 95814

RE: A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES DECLARING ITS
COMMITMENT TO SUPPORT THE REPEAL OF PREEMPTION IN CALIFORNIA
FOOD AND AGRICULTURE CODE § 11501.1 THAT PREVENTS LOCAL
GOVERNMENTS FROM REGULATING PESTICIDES

Dear President Garbarino,

I write as one council member of the City of Oxnard regarding the state law that preempts general law cities such as ours from regulating the use of pesticides. Our city is heavily impacted with environmental burdens associated with pesticide use as well as other industrial toxins, which affect the health of the people, wildlife and our environment. Oxnard residents are requesting that the use of pesticides in our public spaces be curtailed and restricted. This would include anticoagulant rodenticides, products that are poisoning 80 to 90% of predator wildlife in California. These poisons cause painful, internal hemorrhaging in non-target animals including pets that ingest the products either directly or from consuming poisoned rodents. In addition, approximately 10,000 children under the age of six are accidentally poisoned each year nationwide.

The California Department of Pesticide Regulation banned the consumer purchase and use of second-generation anticoagulant rodenticides in July 2014. Despite collecting data for almost four years after this ban, the Department of Fish and Wildlife found no evidence supporting a decrease in poisonings by anticoagulant rodenticides due to this partial restriction of the supply.

Currently, State law preempts general law cities from regulating the use of pesticides, including anticoagulant rodenticides. In my official capacity as a city councilmember I support the proposed resolution to repeal the preemptive clause in California Food and Agriculture Code Section 11501.1 to provide cities across the state of California with the authority to regulate pesticides based on the local concerns in their communities. The State of California should provide cities with the authority to regulate the use of pesticides in their own jurisdictions based on their own individual local needs.

Carmen Ramírez
Mayor Pro Tem

City Council

300 West Third Street
Oxnard, California 93030
City (805) 385-7430
City Fax (805) 385-7595
carmen4oxnard@gmail.com



Letter to President Garbarino
July 12, 2018
Page two

I concur with the submission of this resolution at the League of California Cities General Assembly at its annual meeting in Long Beach on September 14, 2018. Thank you very much for your attention to this.

Sincerely,

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

Carmen Ramirez



Bay Front. Home Front. Out Front.

July 6, 2018

The Honorable Rich Garbarino
President, League of California Cities
1400 K Street
Sacramento, California 95814

Re: In Support to Repeal the Preemption in California Food and Agriculture Code § 11501.1 that Prevents Local Governments from regulating pesticides

Dear President Garbarino,

Anticoagulant rodenticides poison 80% to 90% of predator wildlife in California. These poisons cause painful, internal hemorrhaging in non-target animals including pets that ingest the products either directly or from consuming poisoned rodents. In addition, approximately 10,000 children under the age of six are accidentally poisoned each year nationwide.

The California Department of Pesticide Regulation banned the consumer purchase and use of second-generation anticoagulant rodenticides in July 2014. Currently, State law preempts general law cities from regulating the use of pesticides, including anticoagulant rodenticides, which has minimized the impact of the State's ban. Despite collecting data for almost four years, the Department of Fish and Wildlife found no evidence supporting a decrease in poisonings by anticoagulant rodenticides due to the partial restriction of the supply.

As a member of the League of California Cities' Environmental Quality Policy Committee, I support the proposed resolution to repeal the preemptive clause in California Food and Agriculture Code Section 11501.1 to provide cities across the state of California with the authority to regulate pesticides based on the local concerns in their communities. The State of California should provide cities with the authority to regulate the use of pesticides in their own jurisdictions based on their own individual local needs.

I concur with the submission of this resolution at the League of California Cities General Assembly at its annual meeting in Long Beach on September 14, 2018.

Sincerely,

Mayor Tom Butt
Richmond, California



CITY OF WEST HOLLYWOOD

CITY HALL
8300 SANTA MONICA BLVD.
WEST HOLLYWOOD, CA
90069-6216
TEL: (323) 848-6460
FAX: (323) 848-6562

TTY: For hearing impaired
(323) 848-6496

CITY COUNCIL

JOHN J. DURAN
Mayor

JOHN D'AMICO
Mayor Pro Tempore

JOHN HEILMAN
Councilmember

LINDSEY P. HORVATH
Councilmember

LAUREN MEISTER
Councilmember

July 13, 2018

The Honorable Rich Garbarino, President
League of California Cities
1400 K Street
Sacramento, CA 95814

RE: A Resolution of the League of California Cities Declaring its Commitment to Support the Repeal of Preemption in California Food and Agriculture Code § 11501.1 that Prevents Local Governments from Regulating Pesticides

Dear President Garbarino,

I am writing to express my support for the above-mentioned resolution to repeal the preemptive clause in California Food and Agriculture Code Section 11501.1 in order to give cities across California the authority to regulate and/or prohibit the use of pesticides in their local communities. I concur with the submission of the proposed resolution to the League of California Cities General Assembly annual meeting on September 14, 2018.

Granting local governments the ability to self-regulate pesticide use better enables cities to protect the health and safety of the public, animals, and the environment. Given that no two cities are identical, local governments must have the power to take a systematic approach to pesticide use and regulation that fits the specific needs of their city. Repealing this section of the code will provide cities the opportunity to act in the best interest of their jurisdiction to set a standard of regulation that offers comprehensive protection, better formulated to protect a community's individual needs.

The City of West Hollywood is in strong support of environmentally-sensitive pest management practices that minimize risk to people, companion and wild animals, resources, and the environment. As the proposed resolution explains, anticoagulant rodenticides have devastating effects on wildlife. The City of West Hollywood has implemented an Integrated Pest Management Program that supports environmentally-sensitive pest management while protecting the health and safety of the public. This policy is in compliance with the State and Federal regulations while catering to and prioritizing the needs of the City of West Hollywood.

Sincerely,

Lindsey Horvath
Councilmember

cc: Meg Desmond, League of CA Cities
Councilmember Laura Z. Rosenthal, City of Malibu
Elizabeth Shavelson, Assistant to the City Manager, City of Malibu
Mary Linden, Executive Assistant, City of Malibu





711 West Cinnamon Drive • Lemoore, California 93245 • (559) 924-6700 • Fax (559) 924-6708

Staff Report

To: Lemoore City Council
From: Janie Venegas, City Clerk / Human Resources Manager
Date: August 30, 2018 **Meeting Date:** September 4, 2018
Subject: Activity Update

Strategic Initiative:	<input type="checkbox"/> Safe & Vibrant Community	<input type="checkbox"/> Growing & Dynamic Economy
	<input type="checkbox"/> Fiscally Sound Government	<input type="checkbox"/> Operational Excellence
	<input type="checkbox"/> Community & Neighborhood Livability	<input checked="" type="checkbox"/> Not Applicable

Reports

➤ Warrant Register – FY 18/19

August 23, 2018

FY 18/19 Warrant Register 8-23-18

PEI
 DATE: 08/27/2018
 TIME: 08:03:19

CITY OF LEMOORE
 EXPENDITURE TRANSACTION ANALYSIS

PAGE NUMBER: 1
 AUDIT11

SELECTION CRITERIA: transact.yr='19' and transact.period='2' and transact.fund between '001' and '300' and transact.batch='JL082418'
 ACCOUNTING PERIOD: 2/19

FUND - 001 - GENERAL FUND
 BUDGET UNIT - 4213 - CITY MANAGER

ACCOUNT	DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4340									
2 /19	08/23/18	21		59135	0116 VERIZON WIRELESS		114.44	.00	CITY MANAGER
TOTAL						.00	114.44	.00	
TOTAL						.00	114.44	.00	

PEI
DATE: 08/27/2018
TIME: 08:03:19

CITY OF LEMOORE
EXPENDITURE TRANSACTION ANALYSIS

PAGE NUMBER: 2
AUDIT11

SELECTION CRITERIA: transact.yr='19' and transact.period='2' and transact.fund between '001' and '300' and transact.batch='JL082418'
ACCOUNTING PERIOD: 2/19

FUND - 001 - GENERAL FUND
BUDGET UNIT - 4214 - CITY CLERK'S OFFICE

ACCOUNT DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4310								
2 /19 08/23/18 21			59097	6167 KINGS COUNTY ELE		576.17	.00	CANDIDATE FEES
TOTAL					.00	576.17	.00	
TOTAL					.00	576.17	.00	

PEI
 DATE: 08/27/2018
 TIME: 08:03:19

CITY OF LEMOORE
 EXPENDITURE TRANSACTION ANALYSIS

PAGE NUMBER: 3
 AUDIT11

SELECTION CRITERIA: transact.yr='19' and transact.period='2' and transact.fund between '001' and '300' and transact.batch='JL082418'
 ACCOUNTING PERIOD: 2/19

FUND - 001 - GENERAL FUND
 BUDGET UNIT - 4215 - FINANCE

ACCOUNT DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4310				PROFESSIONAL CONTRACT SVC				
2 /19 08/23/18 21			59086	1610 HINDERLITER, DE		1,431.29	.00	AUDIT SERVICES
2 /19 08/23/18 21 8663		-01	59118	6729 PRIDESTAFF, INC.		540.00	-540.00	ACCOUNT CLERK TEMP
2 /19 08/23/18 21 8663		-01	59118	6729 PRIDESTAFF, INC.		720.00	-720.00	ACCOUNT CLERK TEMP
2 /19 08/23/18 21 8663		-01	59118	6729 PRIDESTAFF, INC.		895.05	-895.05	ACCOUNT CLERK TEMP
2 /19 08/23/18 21 8663		-01	59118	6729 PRIDESTAFF, INC.		900.00	-900.00	ACCOUNT CLERK TEMP
2 /19 08/23/18 21 8663		-01	59118	6729 PRIDESTAFF, INC.		900.00	-900.00	ACCOUNT CLERK TEMP
2 /19 08/23/18 21 8663		-01	59118	6729 PRIDESTAFF, INC.		900.00	-900.00	ACCOUNT CLERK TEMP
2 /19 08/23/18 21 8663		-01	59118	6729 PRIDESTAFF, INC.		900.00	-900.00	ACCOUNT CLERK TEMP
2 /19 08/23/18 21 8663		-01	59118	6729 PRIDESTAFF, INC.		900.00	-900.00	ACCOUNT CLERK TEMP
2 /19 08/23/18 21 8663		-01	59118	6729 PRIDESTAFF, INC.		900.00	-900.00	ACCOUNT CLERK TEMP
TOTAL				PROFESSIONAL CONTRACT SVC	.00	8,986.34	-7,555.05	
4340				UTILITIES				
2 /19 08/23/18 21			59135	0116 VERIZON WIRELESS		30.92	.00	FINANCE
TOTAL				UTILITIES	.00	30.92	.00	
4389				BANK FEES AND CHARGES				
2 /19 08/23/18 21			59130	6104 US BANK		22.00	.00	MAINT FEE
TOTAL				BANK FEES AND CHARGES	.00	22.00	.00	
TOTAL				FINANCE	.00	9,039.26	-7,555.05	

PEI
 DATE: 08/27/2018
 TIME: 08:03:19

CITY OF LEMOORE
 EXPENDITURE TRANSACTION ANALYSIS

PAGE NUMBER: 4
 AUDIT11

SELECTION CRITERIA: transact.yr='19' and transact.period='2' and transact.fund between '001' and '300' and transact.batch='JL082418'
 ACCOUNTING PERIOD: 2/19

FUND - 001 - GENERAL FUND
 BUDGET UNIT - 4220 - MAINTENANCE DIVISION

ACCOUNT	DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4220					OPERATING SUPPLIES				
2 /19	08/23/18	21		59080	0521 GRAINGER		97.64	.00	CONDENSER CLNR LIQ
2 /19	08/23/18	21		59075	1547 VERITIV OPERATIN		451.67	.00	WB243207LPCR
2 /19	08/23/18	21	8680	-01 59112	5941 OMEGA INDUSTRIAL		518.29	-518.29	TOOLS
2 /19	08/23/18	21	8680	-02 59112	5941 OMEGA INDUSTRIAL		22.05	-22.05	FREIGHT
2 /19	08/23/18	21	8680	-03 59112	5941 OMEGA INDUSTRIAL		37.58	-37.58	TAX
TOTAL					OPERATING SUPPLIES	.00	1,127.23	-577.92	
4310					PROFESSIONAL CONTRACT SVC				
2 /19	08/23/18	21		59108	5929 MESTRES, JOSEPH		375.00	.00	SOFTBALL UMPIRE
2 /19	08/23/18	21		59055	1259 ADVANCED PEST CO		50.00	.00	CUST#LEM11901
2 /19	08/23/18	21	8670	-01 59126	6309 SOCIAL VOCATIONA		3,475.00	-3,475.00	JANITORIAL SERVICE
2 /19	08/23/18	21	8671	-01 59126	6309 SOCIAL VOCATIONA		565.00	-565.00	JANITORIAL SERVICE
TOTAL					PROFESSIONAL CONTRACT SVC	.00	4,465.00	-4,040.00	
4340					UTILITIES				
2 /19	08/23/18	21		59135	0116 VERIZON WIRELESS		41.81	.00	MAINTENANCE
TOTAL					UTILITIES	.00	41.81	.00	
4350					REPAIR/MAINT SERVICES				
2 /19	08/23/18	21		59078	6771 GLACIER REFRIGER		270.00	.00	LABOR, PARDO/HERNANDEZ
2 /19	08/23/18	21	8681	-01 59119	0388 REED ELECTRIC, L		789.52	-789.52	TOOS
2 /19	08/23/18	21	8681	-02 59119	0388 REED ELECTRIC, L		27.23	-27.23	TAX
2 /19	08/23/18	21	8682	-01 59119	0388 REED ELECTRIC, L		1,633.68	-1,633.68	TOOLS
2 /19	08/23/18	21	8682	-02 59119	0388 REED ELECTRIC, L		102.13	-102.13	TAX
TOTAL					REPAIR/MAINT SERVICES	.00	2,822.56	-2,552.56	
TOTAL					MAINTENANCE DIVISION	.00	8,456.60	-7,170.48	

PEI
 DATE: 08/27/2018
 TIME: 08:03:19

CITY OF LEMOORE
 EXPENDITURE TRANSACTION ANALYSIS

PAGE NUMBER: 5
 AUDIT11

SELECTION CRITERIA: transact.yr='19' and transact.period='2' and transact.fund between '001' and '300' and transact.batch='JL082418'
 ACCOUNTING PERIOD: 2/19

FUND - 001 - GENERAL FUND
 BUDGET UNIT - 4221 - POLICE

ACCOUNT DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4220								OPERATING SUPPLIES
2 /19 08/23/18 21	8616	-01	59101	1619 KUSTOM SIGNALS,		5,904.00	-5,904.00	PROLASER 4 INCLUDED GRIP
2 /19 08/23/18 21	8616	-02	59101	1619 KUSTOM SIGNALS,		428.04	-428.04	TAX
2 /19 08/23/18 21	8616	-03	59101	1619 KUSTOM SIGNALS,		114.00	-114.00	FREIGHT
2 /19 08/23/18 21	8664	-01	59059	6864 AXON ENTERPRISE,		2,310.00	-2,310.00	ONE YEAR CONTRACT
2 /19 08/23/18 21	8664	-02	59059	6864 AXON ENTERPRISE,		1,800.00	-1,800.00	SMART CARTRIDGE
2 /19 08/23/18 21	8664	-03	59059	6864 AXON ENTERPRISE,		1,050.00	-1,050.00	TRAINING CARTRIDGE
2 /19 08/23/18 21	8664	-04	59059	6864 AXON ENTERPRISE,		150.00	-150.00	HOLSTER X2 - LEFT
2 /19 08/23/18 21	8664	-05	59059	6864 AXON ENTERPRISE,		124.00	-124.00	BATTERY PACK/PINKY EXTEND
2 /19 08/23/18 21	8664	-10	59059	6864 AXON ENTERPRISE,		393.98	-393.98	TAX
TOTAL				OPERATING SUPPLIES	.00	12,274.02	-12,274.02	
4220U								OPERAT SUPPLIES- UNIFORMS
2 /19 08/23/18 21			59117	5829 JONES BOYS LLC		48.26	.00	NAME &BADGE TO POLOS
TOTAL				OPERAT SUPPLIES- UNIFORMS	.00	48.26	.00	
4310								PROFESSIONAL CONTRACT SVC
2 /19 08/23/18 21			59123	5352 SHRED-IT USA INC		377.02	.00	CUST#11577033
2 /19 08/23/18 21			59074	2806 FED EX/FREIGHT W		34.35	.00	ACCT#1529-3006-2
2 /19 08/23/18 21			59098	0772 COUNTY OF KINGS		4,416.15	.00	IT
TOTAL				PROFESSIONAL CONTRACT SVC	.00	4,827.52	.00	
4330								PRINTING & PUBLICATIONS
2 /19 08/23/18 21			59098	0772 COUNTY OF KINGS		92.05	.00	PRINT SHOP JULY 18
TOTAL				PRINTING & PUBLICATIONS	.00	92.05	.00	
4380								RENTALS & LEASES
2 /19 08/23/18 21			59063	1817 C.A. REDING COMP		359.06	.00	COPIER- PD
TOTAL				RENTALS & LEASES	.00	359.06	.00	
TOTAL				POLICE	.00	17,600.91	-12,274.02	

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FUND - 001 - GENERAL FUND
 BUDGET UNIT - 4222 - FIRE

ACCOUNT	DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4230									
	2 /19	08/23/18	21	59111	3099 NVB EQUIPMENT, I		75.08	.00	A/C HOSE ASSEM
TOTAL						.00	75.08	.00	
4340									
	2 /19	08/23/18	21	59135	0116 VERIZON WIRELESS		110.48	.00	FIRE
TOTAL						.00	110.48	.00	
4350									
	2 /19	08/23/18	21	59094	0242 JORGENSEN COMPAN		138.19	.00	FIRE EXT
TOTAL						.00	138.19	.00	
4360									
	2 /19	08/23/18	21	59064	6940 CALIFORNIA OFFIC		466.54	.00	EM CERTIFICATES
TOTAL						.00	466.54	.00	
TOTAL					FIRE	.00	790.29	.00	

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ACCOUNTING PERIOD: 2/19

FUND - 001 - GENERAL FUND
BUDGET UNIT - 4224 - BUILDING INSPECTION

ACCOUNT	DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4340									
2 /19	08/23/18	21		59135	0116 VERIZON WIRELESS		99.59	.00	BUILD INSPEC
TOTAL						.00	99.59	.00	
TOTAL					BUILDING INSPECTION	.00	99.59	.00	

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ACCOUNTING PERIOD: 2/19

FUND - 001 - GENERAL FUND
BUDGET UNIT - 4230 - PUBLIC WORKS

ACCOUNT	DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4340									
2 /19	08/23/18	21		59135	0116 VERIZON WIRELESS		37.08	.00	PUBLIC WORKS
TOTAL						.00	37.08	.00	
TOTAL						.00	37.08	.00	

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 ACCOUNTING PERIOD: 2/19

FUND - 001 - GENERAL FUND
 BUDGET UNIT - 4231 - STREETS

ACCOUNT DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4220								
2 /19	08/23/18	21	59076	6751 FURTADO WELDING		38.93	.00	DUST MASK
2 /19	08/23/18	21	59089	3091 JAM SERVICES, IN		480.48	.00	12"RED, GREEN LED
TOTAL					.00	519.41	.00	
4310								
2 /19	08/23/18	21	59087	0834 HOFMAN'S NURSERY		54.05	.00	1GAL LANTANA
TOTAL					.00	54.05	.00	
4340								
2 /19	08/23/18	21	59114	0363 P G & E		80.34	.00	7/13/18-8/13/18
2 /19	08/23/18	21	59114	0363 P G & E		1,107.13	.00	7/17/18-8/15/18
2 /19	08/23/18	21	59114	0363 P G & E		7,747.82	.00	7/17/18-8/15/18
TOTAL					.00	8,935.29	.00	
TOTAL					.00	9,508.75	.00	

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 ACCOUNTING PERIOD: 2/19

FUND - 001 - GENERAL FUND
 BUDGET UNIT - 4241 - PARKS

ACCOUNT DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4220				OPERATING SUPPLIES				
2 /19 08/23/18 21			59138	0474 WEST VALLEY SUPP		16.00	.00	3/4" SCH80 M/A
2 /19 08/23/18 21			59057	6081 ALL AMERICAN POO		53.57	.00	4LB BROMINE TABS
2 /19 08/23/18 21			59138	0474 WEST VALLEY SUPP		131.66	.00	4" SSS TEE
2 /19 08/23/18 21 8661		-01	59138	0474 WEST VALLEY SUPP		702.93	-702.93	SPRINKLER ROTORS AND RISE
2 /19 08/23/18 21 8661		-02	59138	0474 WEST VALLEY SUPP		50.96	-50.96	TAX
2 /19 08/23/18 21 8668		-01	59138	0474 WEST VALLEY SUPP		630.96	-630.96	SUP SPRINKLERS
2 /19 08/23/18 21 8668		-02	59138	0474 WEST VALLEY SUPP		45.74	-45.74	TAX
TOTAL				OPERATING SUPPLIES	.00	1,631.82	-1,430.59	
4310				PROFESSIONAL CONTRACT SVC				
2 /19 08/23/18 21			59115	6506 GOPHER GRABBERS		150.00	.00	REMOVAL LIONS PARK
2 /19 08/23/18 21			59115	6506 GOPHER GRABBERS		225.00	.00	REMOVAL SVC CITY PARK
2 /19 08/23/18 21			59115	6506 GOPHER GRABBERS		225.00	.00	REMOVAL 19TH AVE
2 /19 08/23/18 21			59115	6506 GOPHER GRABBERS		325.00	.00	REMOVAL HERITAGE PRK
2 /19 08/23/18 21			59053	2914 AAA QUALITY SERV		104.12	.00	POTTY RENTAL
TOTAL				PROFESSIONAL CONTRACT SVC	.00	1,029.12	.00	
4340				UTILITIES				
2 /19 08/23/18 21			59114	0363 P G & E		532.22	.00	7/9/18-8/6/18
TOTAL				UTILITIES	.00	532.22	.00	
TOTAL				PARKS	.00	3,193.16	-1,430.59	

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 ACCOUNTING PERIOD: 2/19

FUND - 001 - GENERAL FUND
 BUDGET UNIT - 4242 - RECREATION

ACCOUNT DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4220								
2 /19 08/23/18 21			59091	T2316 JAVIER ESPINOZA		51.23	.00	REIMBURSE FIELD TRIP
TOTAL					.00	51.23	.00	
4310								
2 /19 08/23/18 21			59054	6848 ADRIAN CALDERA		170.50	.00	SCOREKEEPER
2 /19 08/23/18 21			59121	6703 SALVADOR VARGAS		188.50	.00	SOFTBALL UMOIRE
2 /19 08/23/18 21			59093	6888 JESSE CHAVARRIA		291.50	.00	SOFTBALL UMPIRE
2 /19 08/23/18 21			59084	6865 HANNESLTHILL CAM		374.00	.00	ATTENDANT
2 /19 08/23/18 21			59105	T2091 MARIAH RAMIREZ		82.50	.00	SCOREKEEPER
2 /19 08/23/18 21			59071	6283 ERIK SURWILL		847.00	.00	ATTENDANT 7/20-8/13
TOTAL					.00	1,954.00	.00	
4340								
2 /19 08/23/18 21			59135	0116 VERIZON WIRELESS		206.02	.00	RECREATION
2 /19 08/23/18 21			59135	0116 VERIZON WIRELESS		8.75	.00	PARKS MAINT
TOTAL					.00	214.77	.00	
TOTAL					.00	2,220.00	.00	

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 ACCOUNTING PERIOD: 2/19

FUND - 001 - GENERAL FUND
 BUDGET UNIT - 4296 - INFORMATION TECHNOLOGY

ACCOUNT	DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4220									OPERATING SUPPLIES
2 /19	08/23/18	21	8569	-01 59067	2454 DELL COMPUTER CO		10,653.50	-10,653.50	DELL COMPUTERS
2 /19	08/23/18	21	8569	-02 59067	2454 DELL COMPUTER CO		4,222.14	-4,222.14	DELL MONITORS
2 /19	08/23/18	21	8569	-03 59067	2454 DELL COMPUTER CO		156.00	-156.00	ENVIRO FEES
2 /19	08/23/18	21	8569	-04 59067	2454 DELL COMPUTER CO		1,014.13	-1,014.13	ESTIMATED TAX
TOTAL						.00	16,045.77	-16,045.77	
4310									PROFESSIONAL CONTRACT SVC
2 /19	08/23/18	21		59092	5183 BRYCE JENSEN		1,310.24	.00	IT SERVICES
TOTAL						.00	1,310.24	.00	
TOTAL						.00	17,356.01	-16,045.77	INFORMATION TECHNOLOGY

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FUND - 001 - GENERAL FUND
BUDGET UNIT - 4297 - HUMAN RESOURCES

ACCOUNT DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4310								
2 /19 08/23/18 21			59070	6115 EMPLOYEE RELATIO		38.00	.00	DRUG TESTING
2 /19 08/23/18 21			59102	6717 LAW & ASSOCIATES		600.00	.00	BACKGROUND INVESTIGAT
TOTAL				PROFESSIONAL CONTRACT SVC	.00	638.00	.00	
TOTAL				HUMAN RESOURCES	.00	638.00	.00	
TOTAL				GENERAL FUND	.00	69,630.26	-44,475.91	

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 ACCOUNTING PERIOD: 2/19

FUND - 040 - FLEET MAINTENANCE
 BUDGET UNIT - 4265 - FLEET MAINTENANCE

ACCOUNT DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4230				REPAIR/MAINT SUPPLIES				
2 /19 08/23/18 21			59083	6146 HANFORD CHRYSLER		144.64	.00	68231862-AA SHIELD
2 /19 08/23/18 21			59083	6146 HANFORD CHRYSLER		179.54	.00	68231862-AA SHIELD
2 /19 08/23/18 21			59060	1908 BATTERY SYSTEMS		198.11	.00	78DT,750CCA,120RC
2 /19 08/23/18 21			59083	6146 HANFORD CHRYSLER		-145.64	.00	CORE RETURN
2 /19 08/23/18 21			59096	2671 KELLER MOTORS		-50.86	.00	22807122 SL-N-RESISTO
2 /19 08/23/18 21			59083	6146 HANFORD CHRYSLER		-40.00	.00	CORE RETURN
2 /19 08/23/18 21			59096	2671 KELLER MOTORS		24.30	.00	15228539 N-BEZEL
2 /19 08/23/18 21			59096	2671 KELLER MOTORS		49.08	.00	52487132 SL-N-LINK
2 /19 08/23/18 21			59107	6012 MCCANN & SON'S H		468.92	.00	HALF SPOOL,BEARING
2 /19 08/23/18 21	8662	-01	59083	6146 HANFORD CHRYSLER		120.08	-120.08	AC AIR CLNR 4593872
2 /19 08/23/18 21	8662	-02	59083	6146 HANFORD CHRYSLER		81.54	-81.54	4806104-AE SHIELD
2 /19 08/23/18 21	8662	-03	59083	6146 HANFORD CHRYSLER		72.09	-72.09	4806074-AI SHIELD FR
2 /19 08/23/18 21	8662	-04	59083	6146 HANFORD CHRYSLER		43.20	-43.20	6506161-AA SCREW TAP
2 /19 08/23/18 21	8662	-05	59083	6146 HANFORD CHRYSLER		17.28	-17.28	6506132-AA PUSH PIN
2 /19 08/23/18 21	8662	-06	59083	6146 HANFORD CHRYSLER		27.12	-27.12	6508332-AA SCREW HEX
2 /19 08/23/18 21	8662	-07	59083	6146 HANFORD CHRYSLER		160.60	-160.60	4895430-AB NUT WHEEL
2 /19 08/23/18 21	8662	-08	59083	6146 HANFORD CHRYSLER		37.84	-37.84	TAX
2 /19 08/23/18 21	8683	-01	59083	6146 HANFORD CHRYSLER		621.00	-621.00	68158259 AE COMPRESSOR
2 /19 08/23/18 21	8683	-02	59083	6146 HANFORD CHRYSLER		60.00	-60.00	CORE PRICE
2 /19 08/23/18 21	8683	-03	59083	6146 HANFORD CHRYSLER		79.85	-79.85	68238028 AB VALVE A/C
2 /19 08/23/18 21	8683	-04	59083	6146 HANFORD CHRYSLER		16.34	-16.34	68100682 AA SEAL SLIM
2 /19 08/23/18 21	8683	-05	59083	6146 HANFORD CHRYSLER		13.16	-13.16	68152002 AA SEAL SLIM
2 /19 08/23/18 21	8683	-06	59083	6146 HANFORD CHRYSLER		20.05	-20.05	4891720 AA PULLEY
2 /19 08/23/18 21	8683	-07	59083	6146 HANFORD CHRYSLER		32.20	-32.20	4627851 AA PULLEY
2 /19 08/23/18 21	8683	-08	59083	6146 HANFORD CHRYSLER		92.21	-92.21	4861660 AA TENSIONER
2 /19 08/23/18 21	8683	-09	59083	6146 HANFORD CHRYSLER		43.47	-43.47	53013676 AC BELT SERP
2 /19 08/23/18 21	8683	-10	59083	6146 HANFORD CHRYSLER		12.35	-12.35	68100681 AA SEAL SLIM
2 /19 08/23/18 21	8683	-11	59083	6146 HANFORD CHRYSLER		16.34	-16.34	68100682 AA SEAL SLIM
2 /19 08/23/18 21	8683	-12	59083	6146 HANFORD CHRYSLER		68.66	-68.66	TAX
TOTAL				REPAIR/MAINT SUPPLIES	.00	2,463.47	-1,635.38	
4340				UTILITIES				
2 /19 08/23/18 21			59135	0116 VERIZON WIRELESS		66.55	.00	FLEET
TOTAL				UTILITIES	.00	66.55	.00	
4350				REPAIR/MAINT SERVICES				
2 /19 08/23/18 21	8684	-01	59056	0098 AFFINITY TRUCK C		428.40	-428.40	LABOR TO PERFORM REPAIRS
2 /19 08/23/18 21	8684	-02	59056	0098 AFFINITY TRUCK C		40.00	-40.00	ELECTRONIC TOOL CHARGE
2 /19 08/23/18 21	8684	-03	59056	0098 AFFINITY TRUCK C		34.27	-34.27	MISC SUPPLIES
2 /19 08/23/18 21	8684	-04	59056	0098 AFFINITY TRUCK C		2.73	-2.73	TAX
TOTAL				REPAIR/MAINT SERVICES	.00	505.40	-505.40	
TOTAL				FLEET MAINTENANCE	.00	3,035.42	-2,140.78	
TOTAL				FLEET MAINTENANCE	.00	3,035.42	-2,140.78	

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FUND - 045 - GOLF COURSE - CITY
BUDGET UNIT - 4245 - GOLF COURSE-CITY

ACCOUNT DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4000P								COST OF REVENUE-PRO SHOP

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 ACCOUNTING PERIOD: 2/19

FUND - 045 - GOLF COURSE - CITY
 BUDGET UNIT - 4245 - GOLF COURSE-CITY

ACCOUNT DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4000P								
2 /19	08/23/18	21	59137	6472 WEST COAST TREND		198.06	.00	LAST BAG ROYAL
2 /19	08/23/18	21	59136	6595 VERN WASKOM COMP		126.68	.00	CC FLT50 1.0 BLUE
2 /19	08/23/18	21	8644 -01 59131	6508 US KIDS GOLF, LL		740.18	-740.18	JUNIOR GOLF CLUBS & GLOVE
2 /19	08/23/18	21	8646 -01 59065	6476 CALLAWAY		385.20	-385.20	GOLF BALLS, EQUIPMENT, RA
TOTAL					.00	1,450.12	-1,125.38	
4220F								
2 /19	08/23/18	21	8643 -01 59077	6445 GARY V. BURROWS,		1,363.74	-1,363.74	MAINTENANCE EQUIPMENT FUE
TOTAL					.00	1,363.74	-1,363.74	
4220M								
2 /19	08/23/18	21	59139	6523 WEST VALLEY SUPP		175.42	.00	WATER PROOF UNDERGROU
2 /19	08/23/18	21	59139	6523 WEST VALLEY SUPP		214.41	.00	2" SCHED 40 PVC PIPE
2 /19	08/23/18	21	59139	6523 WEST VALLEY SUPP		237.51	.00	CHRISTY'S ROUND VALVE
2 /19	08/23/18	21	59099	0234 KINGS WASTE AND		358.00	.00	TICKET #509063
2 /19	08/23/18	21	59140	6206 WILBUR-ELLIS COM		91.16	.00	RANGER PRO
2 /19	08/23/18	21	8655 -01 59066	5663 CROP PRODUCTION		493.14	-493.14	GOLF COURSE FERTILIZER/CH
2 /19	08/23/18	21	8660 -01 59103	0286 LAWRENCE TRACTOR		941.07	-941.07	MAINTENANCE EQUIPMENT AND
TOTAL					.00	2,510.71	-1,434.21	
4220P								
2 /19	08/23/18	21	8675 -01 59069	6501 EASY PICKER GOLF		1,313.85	-1,313.85	RANGE & GOLF COURSE MAINT
TOTAL					.00	1,313.85	-1,313.85	
4291								
2 /19	08/23/18	21	59072	6876 EZLINKS GOLF LLC		295.00	.00	MONTHLY SOFTWARE SVC
2 /19	08/23/18	21	59100	6844 KNIGHT GUARD ALA		55.00	.00	ALARM MONITORING
2 /19	08/23/18	21	59100	6844 KNIGHT GUARD ALA		55.00	.00	ALARM MONITORING
2 /19	08/23/18	21	59100	6844 KNIGHT GUARD ALA		55.00	.00	ALARM MONITORING
2 /19	08/23/18	21	59125	6890 STOTT		495.00	.00	HWY 41 WL 1000'S
TOTAL					.00	955.00	.00	
4340								
2 /19	08/23/18	21	59128	0423 SOCALGAS		58.14	.00	7/12/18-8/10/18
TOTAL					.00	58.14	.00	
TOTAL					.00	7,651.56	-5,237.18	
TOTAL					.00	7,651.56	-5,237.18	

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 ACCOUNTING PERIOD: 2/19

FUND - 050 - WATER
 BUDGET UNIT - 4250 - WATER

ACCOUNT	DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4220	OPERATING SUPPLIES								
2 /19	08/23/18	21		59073	5866 FASTENAL COMPANY		176.75	.00	3X1000 REDDANGER TAPE
2 /19	08/23/18	21		59133	2038 USA BLUEBOOK		295.57	.00	REPL SMAPLE CELL
2 /19	08/23/18	21		59132	6049 UNISAFE INC.		311.40	.00	PITBULL BLK GLOVES
2 /19	08/23/18	21		59104	0304 LEMOORE HARDWARE		18.21	.00	DUST RESPIRATOR
2 /19	08/23/18	21		59082	0190 HACH COMPANY		436.29	.00	DPD FREE CHLORINE
2 /19	08/23/18	21		59073	5866 FASTENAL COMPANY		465.36	.00	NO BIN PICKRACK
2 /19	08/23/18	21	8597	-01 59129	6058 UNIVAR		788.46	-788.46	ACCOUNT # 4250-4220CH 18-
2 /19	08/23/18	21	8597	-01 59129	6058 UNIVAR		974.06	-974.06	ACCOUNT # 4250-4220CH 18-
2 /19	08/23/18	21	8597	-01 59129	6058 UNIVAR		1,174.93	-1,174.93	ACCOUNT # 4250-4220CH 18-
2 /19	08/23/18	21	8597	-01 59129	6058 UNIVAR		1,290.81	-1,290.81	ACCOUNT # 4250-4220CH 18-
2 /19	08/23/18	21	8597	-01 59129	6058 UNIVAR		2,295.13	-2,295.13	ACCOUNT # 4250-4220CH 18-
2 /19	08/23/18	21	8597	-01 59129	6058 UNIVAR		2,333.77	-2,333.77	ACCOUNT # 4250-4220CH 18-
TOTAL	OPERATING SUPPLIES					.00	10,560.74	-8,857.16	
4230	REPAIR/MAINT SUPPLIES								
2 /19	08/23/18	21		59124	0428 STONEY'S SAND &		214.82	.00	1"CONCRETE MIX 6 SACK
2 /19	08/23/18	21		59104	0304 LEMOORE HARDWARE		11.79	.00	POLY PIPE WRAP
2 /19	08/23/18	21		59104	0304 LEMOORE HARDWARE		25.49	.00	HEX BUSHING
2 /19	08/23/18	21		59104	0304 LEMOORE HARDWARE		36.97	.00	STRAIGHT BIBB
2 /19	08/23/18	21	8598	-01 59081	0188 FERGUSON ENTERPR		40.98	-40.98	18-19 BLANKET PO, WATER D
2 /19	08/23/18	21	8598	-01 59081	0188 FERGUSON ENTERPR		754.91	-754.91	18-19 BLANKET PO, WATER D
2 /19	08/23/18	21	8666	-01 59134	0460 VALLEY PUMP & DA		975.00	-975.00	WELL #9 - SWAP MOTOR W/ C
TOTAL	REPAIR/MAINT SUPPLIES					.00	2,059.96	-1,770.89	
4310	PROFESSIONAL CONTRACT SVC								
2 /19	08/23/18	21		59106	4051 MATSON ALARM CO.		42.50	.00	40 G ST. SVC
2 /19	08/23/18	21	8601	-01 59062	1397 BSK ANALYTICAL L		15.00	-15.00	ACCOUNT CIP #450-4310BSK
2 /19	08/23/18	21	8601	-01 59062	1397 BSK ANALYTICAL L		28.00	-28.00	ACCOUNT CIP #450-4310BSK
2 /19	08/23/18	21	8601	-01 59062	1397 BSK ANALYTICAL L		28.00	-28.00	ACCOUNT CIP #450-4310BSK
2 /19	08/23/18	21	8601	-01 59062	1397 BSK ANALYTICAL L		28.00	-28.00	ACCOUNT CIP #450-4310BSK
2 /19	08/23/18	21	8601	-01 59062	1397 BSK ANALYTICAL L		28.00	-28.00	ACCOUNT CIP #450-4310BSK
2 /19	08/23/18	21	8601	-01 59062	1397 BSK ANALYTICAL L		112.00	-112.00	ACCOUNT CIP #450-4310BSK
2 /19	08/23/18	21	8601	-01 59062	1397 BSK ANALYTICAL L		112.00	-112.00	ACCOUNT CIP #450-4310BSK
2 /19	08/23/18	21	8601	-01 59062	1397 BSK ANALYTICAL L		112.00	-112.00	ACCOUNT CIP #450-4310BSK
2 /19	08/23/18	21	8601	-01 59062	1397 BSK ANALYTICAL L		112.00	-112.00	ACCOUNT CIP #450-4310BSK
2 /19	08/23/18	21	8601	-01 59062	1397 BSK ANALYTICAL L		120.00	-120.00	ACCOUNT CIP #450-4310BSK
2 /19	08/23/18	21	8601	-01 59062	1397 BSK ANALYTICAL L		120.00	-120.00	ACCOUNT CIP #450-4310BSK
2 /19	08/23/18	21	8601	-01 59062	1397 BSK ANALYTICAL L		280.00	-280.00	ACCOUNT CIP #450-4310BSK
2 /19	08/23/18	21	8601	-01 59062	1397 BSK ANALYTICAL L		3,000.00	-3,000.00	ACCOUNT CIP #450-4310BSK
TOTAL	PROFESSIONAL CONTRACT SVC					.00	4,257.50	-4,215.00	
4340	UTILITIES								
2 /19	08/23/18	21		59116	6627 PG&E NON ENERGY		481.72	.00	ELEC DISTRIB-CUST FIN
2 /19	08/23/18	21		59135	0116 VERIZON WIRELESS		580.18	.00	WATER
TOTAL	UTILITIES					.00	1,061.90	.00	

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CITY OF LEMOORE
EXPENDITURE TRANSACTION ANALYSIS

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SELECTION CRITERIA: transact.yr='19' and transact.period='2' and transact.fund between '001' and '300' and transact.batch='JL082418'
ACCOUNTING PERIOD: 2/19

FUND - 050 - WATER
BUDGET UNIT - 4250 - WATER

ACCOUNT	DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4340			UTILITIES		(cont'd)				
4350			REPAIR/MAINT SERVICES						
2 /19	08/23/18	21		59079	1116 GOLDEN STATE FLO		484.59	.00	1EA 4090 AUTOGUN W/EX
TOTAL			REPAIR/MAINT SERVICES			.00	484.59	.00	
TOTAL			WATER			.00	18,424.69	-14,843.05	

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CITY OF LEMOORE
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SELECTION CRITERIA: transact.yr='19' and transact.period='2' and transact.fund between '001' and '300' and transact.batch='JL082418'
 ACCOUNTING PERIOD: 2/19

FUND - 050 - WATER
 BUDGET UNIT - 4251 - UTILITY OFFICE

ACCOUNT DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4310			PROFESSIONAL CONTRACT SVC					
2 /19 08/23/18 21			59088	5546 INFOSEND		3,952.47	.00	POSTAGE
2 /19 08/23/18 21 8686		-01	59118	6729 PRIDESTAFF, INC.		905.74	-905.74	ACCOUNT CLERK
2 /19 08/23/18 21 8686		-01	59118	6729 PRIDESTAFF, INC.		697.50	-697.50	ACCOUNT CLERK
TOTAL			PROFESSIONAL CONTRACT SVC		.00	5,555.71	-1,603.24	
TOTAL			UTILITY OFFICE		.00	5,555.71	-1,603.24	
TOTAL			WATER		.00	23,980.40	-16,446.29	

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 ACCOUNTING PERIOD: 2/19

FUND - 056 - REFUSE
 BUDGET UNIT - 4256 - REFUSE

ACCOUNT	DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4010									
2 /19	08/23/18	21		59120	T1898 ROY DAVILA		98.64	.00	REIMBURSE BOOTS
TOTAL						.00	98.64	.00	
4230									
2 /19	08/23/18	21	8667	-01 59110	0345 MORGAN & SLATES		116.25	-116.25	43208 HR SHEET 12GA (4X8)
2 /19	08/23/18	21	8667	-02 59110	0345 MORGAN & SLATES		465.89	-465.89	43213 HR SHEET 12GA (5X12)
2 /19	08/23/18	21	8667	-03 59110	0345 MORGAN & SLATES		1,035.51	-1,035.51	491 MFR LABOR
2 /19	08/23/18	21	8667	-04 59110	0345 MORGAN & SLATES		675.00	-675.00	LABOR HOURS
2 /19	08/23/18	21	8667	-05 59110	0345 MORGAN & SLATES		37.50	-37.50	LABOR MINUTES
2 /19	08/23/18	21	8667	-06 59110	0345 MORGAN & SLATES		168.94	-168.94	TAX
TOTAL						.00	2,499.09	-2,499.09	
4340									
2 /19	08/23/18	21		59135	0116 VERIZON WIRELESS		388.84	.00	REFUSE
TOTAL						.00	388.84	.00	
TOTAL						.00	2,986.57	-2,499.09	
TOTAL						.00	2,986.57	-2,499.09	

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CITY OF LEMOORE
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 ACCOUNTING PERIOD: 2/19

FUND - 060 - SEWER& STORM WTR DRAINAGE
 BUDGET UNIT - 4260 - SEWER

ACCOUNT	DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4220	OPERATING SUPPLIES								
2 /19	08/23/18	21		59073	5866 FASTENAL COMPANY		256.94	.00	12" IN/OUT AIRBLOWER
2 /19	08/23/18	21		59080	0521 GRAINGER		314.43	.00	FULL BODY HARNESS
2 /19	08/23/18	21		59110	0345 MORGAN & SLATES		13.58	.00	81190 DIXON HSS104
2 /19	08/23/18	21	8599	-01 59127	2072 THATCHER COMPANY		-2,000.00	2,000.00	ACCOUNT # 4260-4220CH
2 /19	08/23/18	21	8599	-01 59127	2072 THATCHER COMPANY		-2,000.00	2,000.00	ACCOUNT # 4260-4220CH
2 /19	08/23/18	21	8599	-01 59127	2072 THATCHER COMPANY		-2,000.00	2,000.00	ACCOUNT # 4260-4220CH
2 /19	08/23/18	21	8599	-01 59127	2072 THATCHER COMPANY		923.40	-923.40	ACCOUNT # 4260-4220CH
2 /19	08/23/18	21	8599	-01 59127	2072 THATCHER COMPANY		2,821.80	-2,821.80	ACCOUNT # 4260-4220CH
2 /19	08/23/18	21	8599	-01 59127	2072 THATCHER COMPANY		2,821.80	-2,821.80	ACCOUNT # 4260-4220CH
2 /19	08/23/18	21	8599	-01 59127	2072 THATCHER COMPANY		3,821.80	-3,821.80	ACCOUNT # 4260-4220CH
2 /19	08/23/18	21	8685	-01 59110	0345 MORGAN & SLATES		367.09	-367.09	GOODALL PVC SUCTION HOSE
2 /19	08/23/18	21	8685	-02 59110	0345 MORGAN & SLATES		100.10	-100.10	NECO 6C ALUM COUPLING
2 /19	08/23/18	21	8685	-03 59110	0345 MORGAN & SLATES		67.36	-67.36	NECO 6E COUPLING
2 /19	08/23/18	21	8685	-04 59110	0345 MORGAN & SLATES		25.34	-25.34	DESCO 41540 DRILL 5/8
2 /19	08/23/18	21	8685	-05 59110	0345 MORGAN & SLATES		15.61	-15.61	CAPSCREW QTY (16)
2 /19	08/23/18	21	8685	-06 59110	0345 MORGAN & SLATES		21.24	-21.24	CAPSCREW QTY (16)
2 /19	08/23/18	21	8685	-07 59110	0345 MORGAN & SLATES		6.33	-6.33	DIXON GEAR CLAMP QTY (4)
2 /19	08/23/18	21	8685	-08 59110	0345 MORGAN & SLATES		43.72	-43.72	TAX
TOTAL	OPERATING SUPPLIES					.00	5,620.54	-5,035.59	
4230	REPAIR/MAINT SUPPLIES								
2 /19	08/23/18	21		59080	0521 GRAINGER		191.44	.00	120V HOUR METER
2 /19	08/23/18	21		59080	0521 GRAINGER		211.97	.00	RELAY ALTERNATING
2 /19	08/23/18	21		59080	0521 GRAINGER		35.56	.00	MOTOR START CAPACITOR
2 /19	08/23/18	21		59073	5866 FASTENAL COMPANY		37.91	.00	3/4-10X3 A307 A GALV
2 /19	08/23/18	21	8641	-01 59122	6157 SHAR - CRAFT INC		493.50	-493.50	442 SPK 1-5/8" CB/CR/FKM
2 /19	08/23/18	21	8641	-02 59122	6157 SHAR - CRAFT INC		823.20	-823.20	442 SPK 2-1/2" CB/CR/FKM
2 /19	08/23/18	21	8641	-03 59122	6157 SHAR - CRAFT INC		1,268.40	-1,268.40	442 SPK 2-3/8" CB/CR/FKM
2 /19	08/23/18	21	8641	-04 59122	6157 SHAR - CRAFT INC		198.86	-187.42	TAX
2 /19	08/23/18	21	8641	-05 59122	6157 SHAR - CRAFT INC		157.75	-300.00	FREIGHT
2 /19	08/23/18	21	8642	-01 59133	2038 USA BLUEBOOK		1,369.90	-1,369.90	WIKA LS-10 LEVEL TRANSMIT
2 /19	08/23/18	21	8642	-02 59133	2038 USA BLUEBOOK		101.38	-102.74	TAX
2 /19	08/23/18	21	8642	-03 59133	2038 USA BLUEBOOK		28.50	-28.50	FREIGHT
TOTAL	REPAIR/MAINT SUPPLIES					.00	4,918.37	-4,573.66	
4310	PROFESSIONAL CONTRACT SVC								
2 /19	08/23/18	21	8600	-01 59109	6245 MOORE TWINING AS		40.00	-40.00	ACCOUNT # 4260-4310MT
2 /19	08/23/18	21	8600	-01 59109	6245 MOORE TWINING AS		40.00	-40.00	ACCOUNT # 4260-4310MT
2 /19	08/23/18	21	8600	-01 59109	6245 MOORE TWINING AS		100.00	-100.00	ACCOUNT # 4260-4310MT
2 /19	08/23/18	21	8600	-01 59109	6245 MOORE TWINING AS		100.00	-100.00	ACCOUNT # 4260-4310MT
2 /19	08/23/18	21	8600	-01 59109	6245 MOORE TWINING AS		100.00	-100.00	ACCOUNT # 4260-4310MT
2 /19	08/23/18	21	8600	-01 59109	6245 MOORE TWINING AS		110.00	-110.00	ACCOUNT # 4260-4310MT
2 /19	08/23/18	21	8600	-01 59109	6245 MOORE TWINING AS		115.00	-115.00	ACCOUNT # 4260-4310MT
2 /19	08/23/18	21	8600	-01 59109	6245 MOORE TWINING AS		150.00	-150.00	ACCOUNT # 4260-4310MT
2 /19	08/23/18	21	8600	-01 59109	6245 MOORE TWINING AS		165.00	-165.00	ACCOUNT # 4260-4310MT
2 /19	08/23/18	21	8600	-01 59109	6245 MOORE TWINING AS		190.00	-190.00	ACCOUNT # 4260-4310MT

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 EXPENDITURE TRANSACTION ANALYSIS

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SELECTION CRITERIA: transact.yr='19' and transact.period='2' and transact.fund between '001' and '300' and transact.batch='JL082418'
 ACCOUNTING PERIOD: 2/19

FUND - 060 - SEWER& STORM WTR DRAINAGE
 BUDGET UNIT - 4260 - SEWER

ACCOUNT	DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4310					PROFESSIONAL CONTRACT SVC (cont'd)				
2 /19	08/23/18	21	8600	-01 59109	6245 MOORE TWINING AS		190.00	-190.00	ACCOUNT # 4260-4310MT
2 /19	08/23/18	21	8600	-01 59109	6245 MOORE TWINING AS		210.00	-210.00	ACCOUNT # 4260-4310MT
2 /19	08/23/18	21	8600	-01 59109	6245 MOORE TWINING AS		250.00	-250.00	ACCOUNT # 4260-4310MT
2 /19	08/23/18	21	8600	-01 59109	6245 MOORE TWINING AS		250.00	-250.00	ACCOUNT # 4260-4310MT
2 /19	08/23/18	21	8600	-01 59109	6245 MOORE TWINING AS		575.00	-575.00	ACCOUNT # 4260-4310MT
TOTAL					PROFESSIONAL CONTRACT SVC	.00	2,585.00	-2,585.00	
4340					UTILITIES				
2 /19	08/23/18	21		59135	0116 VERIZON WIRELESS		498.35	.00	SEWER
TOTAL					UTILITIES	.00	498.35	.00	
TOTAL					SEWER	.00	13,622.26	-12,194.25	
TOTAL					SEWER& STORM WTR DRAINAGE	.00	13,622.26	-12,194.25	

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CITY OF LEMOORE
EXPENDITURE TRANSACTION ANALYSIS

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SELECTION CRITERIA: transact.yr='19' and transact.period='2' and transact.fund between '001' and '300' and transact.batch='JL082418'
ACCOUNTING PERIOD: 2/19

FUND - 085 - PBIA
BUDGET UNIT - 4270 - PBIA

ACCOUNT DATE	T/C	ENCUMBRANC	REFERENCE	VENDOR	BUDGET	EXPENDITURES	ENCUMBRANCES	DESCRIPTION
4310		PROFESSIONAL CONTRACT SVC						
2 /19 08/23/18 21			59113	5563 RUSTY DEROUIN		300.00	.00	JULY SRVCS
TOTAL		PROFESSIONAL CONTRACT SVC			.00	300.00	.00	
TOTAL		PBIA			.00	300.00	.00	
TOTAL		PBIA			.00	300.00	.00	
TOTAL REPORT					.00	121,206.47	-82,993.50	

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CITY OF LEMOORE
GENERAL LEDGER TRANSACTION ANALYSIS

PAGE NUMBER: 1
AUDIT311

SELECTION CRITERIA: account.acct between '2000' and '2999'AND transact.yr='19' and transact.period='2' and transact.batch='JL082418'
ACCOUNTING PERIOD: 2/19

FUND - 001 - GENERAL FUND

ACCOUNT	DATE	T/C	REFERENCE	VENDOR/PAYER	DEBIT	CREDIT	DESCRIPTION
2020			ACCOUNTS PAYABLE				
2 /19	08/23/18	21	59068	2399 DEPARTMENT OF JUSTIC		762.00	FINGERPRINTS
TOTAL			ACCOUNTS PAYABLE		.00	762.00	
2285			LIVE SCAN DEPOSITS--PD				
2 /19	08/23/18	21	59068	2399 DEPARTMENT OF JUSTIC	762.00		FINGERPRINTS
TOTAL			LIVE SCAN DEPOSITS--PD		762.00	.00	
TOTAL			GENERAL FUND		762.00	762.00	

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CITY OF LEMOORE
 GENERAL LEDGER TRANSACTION ANALYSIS

PAGE NUMBER: 2
 AUDIT311

SELECTION CRITERIA: account.acct between '2000' and '2999'AND transact.yr='19' and transact.period='2' and transact.batch='JL082418'
 ACCOUNTING PERIOD: 2/19

FUND - 090 - TRUST & AGENCY

ACCOUNT	DATE	T/C	REFERENCE	VENDOR/PAYER	DEBIT	CREDIT	DESCRIPTION
2020			ACCOUNTS PAYABLE				
2 /19	08/23/18	21	59090	T2562 JASMINE SALATIERRA		250.00	REFUND VET HALL
2 /19	08/23/18	21	59095	6788 KART		160.00	BUS PASS
TOTAL			ACCOUNTS PAYABLE		.00	410.00	
2300			CUSTOMER DEPOSITS				
2 /19	08/23/18	21	59090	T2562 JASMINE SALATIERRA	250.00		REFUND VET HALL
TOTAL			CUSTOMER DEPOSITS		250.00	.00	
2313			KART				
2 /19	08/23/18	21	59095	6788 KART	160.00		BUS PASS
TOTAL			KART		160.00	.00	
TOTAL			TRUST & AGENCY		410.00	410.00	
TOTAL REPORT					1,172.00	1,172.00	

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CITY OF LEMOORE
GENERAL LEDGER TRANSACTION ANALYSIS

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AUDIT311

SELECTION CRITERIA: account.acct between '1011' and '2011'AND transact.yr='19' and transact.period='2' and transact.batch='JL082418'
ACCOUNTING PERIOD: 2/19

FUND - 001 - GENERAL FUND

ACCOUNT	DATE	T/C	REFERENCE	VENDOR/PAYER	DEBIT	CREDIT	DESCRIPTION
1161			ACCOUNTS RECEIVABLE				
2 /19	08/23/18	21	59061	T2565 BRECKENRIDGE PROPERT	83.10		REFUND,UNABLE TO APPL
TOTAL			ACCOUNTS RECEIVABLE		83.10	.00	
TOTAL			GENERAL FUND		83.10	.00	
TOTAL			REPORT		83.10	.00	

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CITY OF LEMOORE
 REVENUE TRANSACTION ANALYSIS

PAGE NUMBER: 1
 AUDIT31

SELECTION CRITERIA: transact.yr='19' and transact.period='2' and transact.account between '3000' and '3999' and transact.batch='JL08
 ACCOUNTING PERIOD: 2/19

FUND - 001 - GENERAL FUND
 BUDGET UNIT - 001 - GENERAL FUND

ACCOUNT	DATE	T/C	RECEIVE REFERENCE	PAYER/VENDOR	BUDGET	RECEIPTS	RECEIVABLES DESCRIPTION
3625			CIVIC AUDITORIUM RENTAL				
2 /19	08/23/18	210	59058	T2564 ALMA ROMERO		-250.00	REFUND AUDITORIUM
TOTAL			CIVIC AUDITORIUM RENTAL		.00	-250.00	.00
3685			PARK RESERVATION				
2 /19	08/23/18	210	59085	T2563 HELENA JONES		-115.00	REFUND HERITAGE PRK
TOTAL			PARK RESERVATION		.00	-115.00	.00
TOTAL			GENERAL FUND		.00	-365.00	.00
TOTAL			GENERAL FUND		.00	-365.00	.00
TOTAL REPORT					.00	-365.00	.00