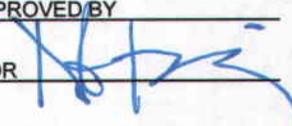
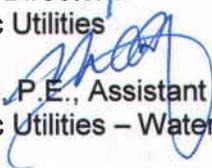


AGENDA ITEM NO.	1 C
COUNCIL MEETING:	4/8/2010
APPROVED BY	
DEPARTMENT DIRECTOR	
CITY MANAGER	

April 8, 2010

FROM: RENE A. RAMIREZ, Director
Department of Public Utilities 

BY: MARTIN A. QUERIN, P.E., Assistant Director
Department of Public Utilities – Water Division 

SUBJECT: ADOPT FINDINGS OF A MITIGATED NEGATIVE DECLARATION AND APPROVE ACQUISITION OF 16,200 SQUARE FOOT PARCEL FOR THE AMOUNT OF \$75,000 FROM PROPERTY OWNERS: WALTER A. AND PAULINE M. EICHENBERGER, TO CONSTRUCT A NEW WATER SUPPLY WELL ON SOUTH BURGAN AVENUE (COUNTY OF FRESNO)

RECOMMENDATIONS

Staff recommends that the City Council:

1. Adopt findings of Mitigated Negative Declaration that the proposed project will not result in any adverse affects, which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the California Environmental Quality Act (CEQA) guidelines, for constructing a new water well on South Burgan Avenue (West Alta Avenue Alignment).
2. Approve the fee simple acquisition of the 16,200 square foot parcel (See Exhibit A) which is necessary for the construction of a new water supply well on South Burgan Avenue (East Alta Avenue Alignment) from property owners Walter A. and Pauline M. Eichenberger (APN 313-121-17, see Exhibit B) for the amount of \$75,000.
3. Authorize the Director of Public Utilities, or his designee, to sign all documents on behalf of the City.

EXECUTIVE SUMMARY

The Water Division maintains a network of some 270 municipal supply wells that provides 88% of the City's potable water. New wells are required to meet new demands, replace wells that have reached the end of their useful life, or assist in remediating water quality issues. The proposed property acquisition will provide a new water well to augment lost production in the area and the ability to blend water from other wells needed to maintain acceptable levels of service in this localized area of southeast Fresno.

The subject parcel was identified as a suitable well site due to its size and location. Staff has negotiated with the land owners to purchase the subject parcel for the amount of \$75,000, which is based on appraised values. Owners of the parcel have agreed to the amount of compensation offered by the City and signed the Agreements for Purchase and Sale and the Grant Deed. With Council approval, payment will be made to the owners and the Grant Deed will be recorded.

BACKGROUND

The presence of the pesticide of DBCP and nitrates in portions of southeast Fresno has been well documented in numerous studies and through continuous monitoring of groundwater quality. When these contaminants exceed the State's Maximum Contaminant Level (MCL) for potable water the Water Division has to shut down the impacted water production well. Additionally, these older wells typically produce sand due to the construction method utilized to build them. As a matter of operational necessity these older wells are operated predominantly only in the summer months when water demands are highest. As the impacted wells are removed from service, water system pressures decrease to unacceptable levels, especially during peak demand periods. Most of the wells impacted by DBCP have been equipped with granular activate carbon wellhead treatment systems and returned to service. These wells have also had historically elevated concentrations of nitrates which have increased over the years and require blending with higher quality water to achieve levels under the MCL. This new project will provide additional water supply to help improve system pressures in this area of the city. The new production well is to be designed to tap higher quality water bearing formations that will provide a suitable source of well water, which with the approval of the State Department of Public Health, will obtain water below the MCL for nitrates. This approach also has the added benefit of increasing water supply production in the affected area.

Exploratory drilling was performed and confirmed the feasibility of drilling a water production well at this site. A Phase 1 Environmental Site Assessment was also completed which found no environmental hazards at this location. A Mitigated Negative Declaration was completed for the proposed project and will not result in any adverse affects, which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the California Environmental Quality Act (CEQA) guidelines. After mitigation the environmental impacts were found to be less than significant.

The documents signed by the property owners have been approved as to form by the City Attorney's Office.

FISCAL IMPACT

Funds for the property acquisition for Pump Station 345 are included in Water Division's FY10 Capital Improvement Program budget within the Water Enterprise Fund (40101).

Attachments: Exhibit A
Exhibit B

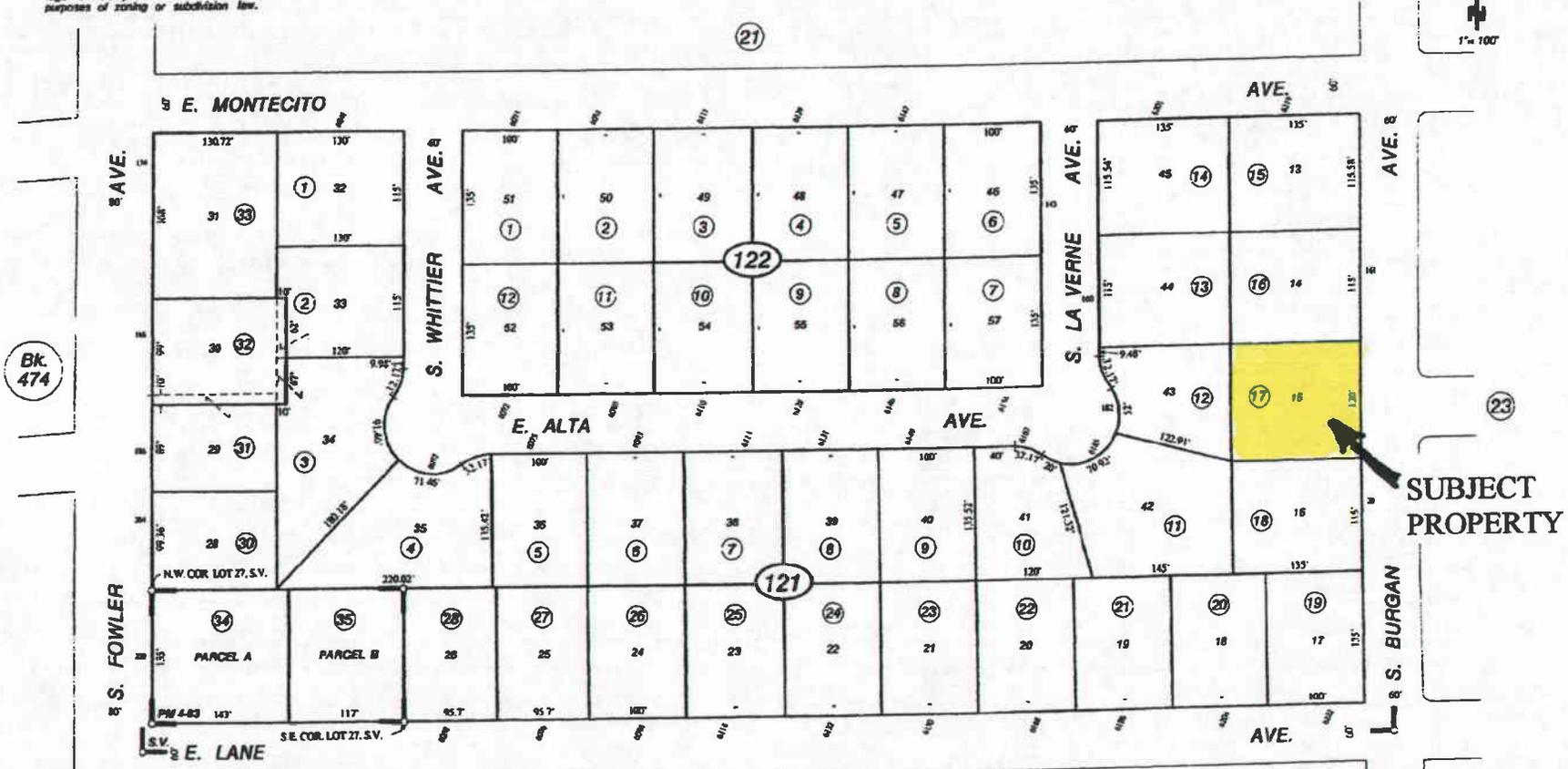
EXHIBIT "B"

SUBDIVIDED LAND IN POR. SEC. 10, T. 14 S., R. 21 E., M.D.B. & M.

Tax Maps Area
71-04

313-12

--- NOTE ---
This map is for Assessment purposes only.
It is not to be construed as portraying
legal ownership or divisions of land for
purposes of zoning or subdivision law.



Bk.
474

Parcel Map No. 1052 - Bk. 4, Pg. 83
Sunnyside Village - Plat Bk. 18, Pg. 25

Assessor's Map Bk. 313 - Pg. 12
County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

CITY OF FRESNO MITIGATED NEGATIVE DECLARATION

RECEIVED

2009 DEC -3 PM 1:44
CITY CLERK, FRESNO CA

Initial Study and full project description is on file in
the City of Fresno
City Clerk Office
2600 Fresno Street, 2nd Floor
Fresno, California 93721

Environmental
Assessment Number:

EA - PU-2009-11

APPLICANT: City of Fresno
Department of Public Utilities
2600 Fresno Street
Fresno, CA 93721

Assessor's
Parcel Number:
(APN 313-121-17)

PROJECT DESCRIPTION AND LOCATION:

The City of Fresno, Department of Public Utilities, proposes to acquire a parcel to construct new water well. This parcel is located on the northwest corner of South Burgan Avenue and East Alta Avenue (APN 313-121-17); it is approximately 16,785 square feet. The City of Fresno plans to acquire the entire parcel for the new water well.

Filed with:
REBECCA E. KLISCH
City Clerk
2nd Floor - City Hall
2600 Fresno Street
Fresno, California 93721-3603

The proposed project has been evaluated with respect to each item on the attached environmental checklist. This completed checklist reflects comments of any applicable responsible agencies and research and analysis conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the Environmental Assessment Application, the checklist, and any attachments to the checklist, combine to form a record indicating that an initial study has been completed in compliance with the State CEQA Guidelines and the California Environmental Quality Act.

Any rating of "2" on the checklist indicates that a specific adverse environmental effect has been identified in a category which is of sufficient magnitude to be of concern. Such an effect may be inherent in the nature and magnitude of the project or may be related to the design and characteristics of the individual project. Effects rated in this manner are not sufficient in themselves to require the preparation of an Environmental Impact Report and / or have been mitigated to the extent feasible.

All new development activity and many non-physical projects contribute directly or indirectly toward a cumulative impact on the physical environment.

The proposed project is not expected to result in any significant adverse effects in terms of the factors considered on the environmental checklist, including any such factors for which minor effects have been identified. Cumulative effects of a significant nature are also not expected. The proposed project will not result in any adverse effects, which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the State CEQA Guidelines. The finding is therefore made that, with such revisions, there is no substantial evidence in the record that the proposed project may have a significant adverse effect on the environment.

This Mitigated Negative Declaration will be deemed final and effective if no appeal is filed in the manner specified by Section 12-505 of the Fresno Municipal Code.

INITIAL STUDY PREPARED BY: Becky Fraser
Planner

SUBMITTED BY:


City of Fresno
Department of Public Utilities

DATE: November 20, 2009

ENVIRONMENTAL ASSESSMENT (EA) INITIAL STUDY No. PU-2009-11

Acquire property for water well

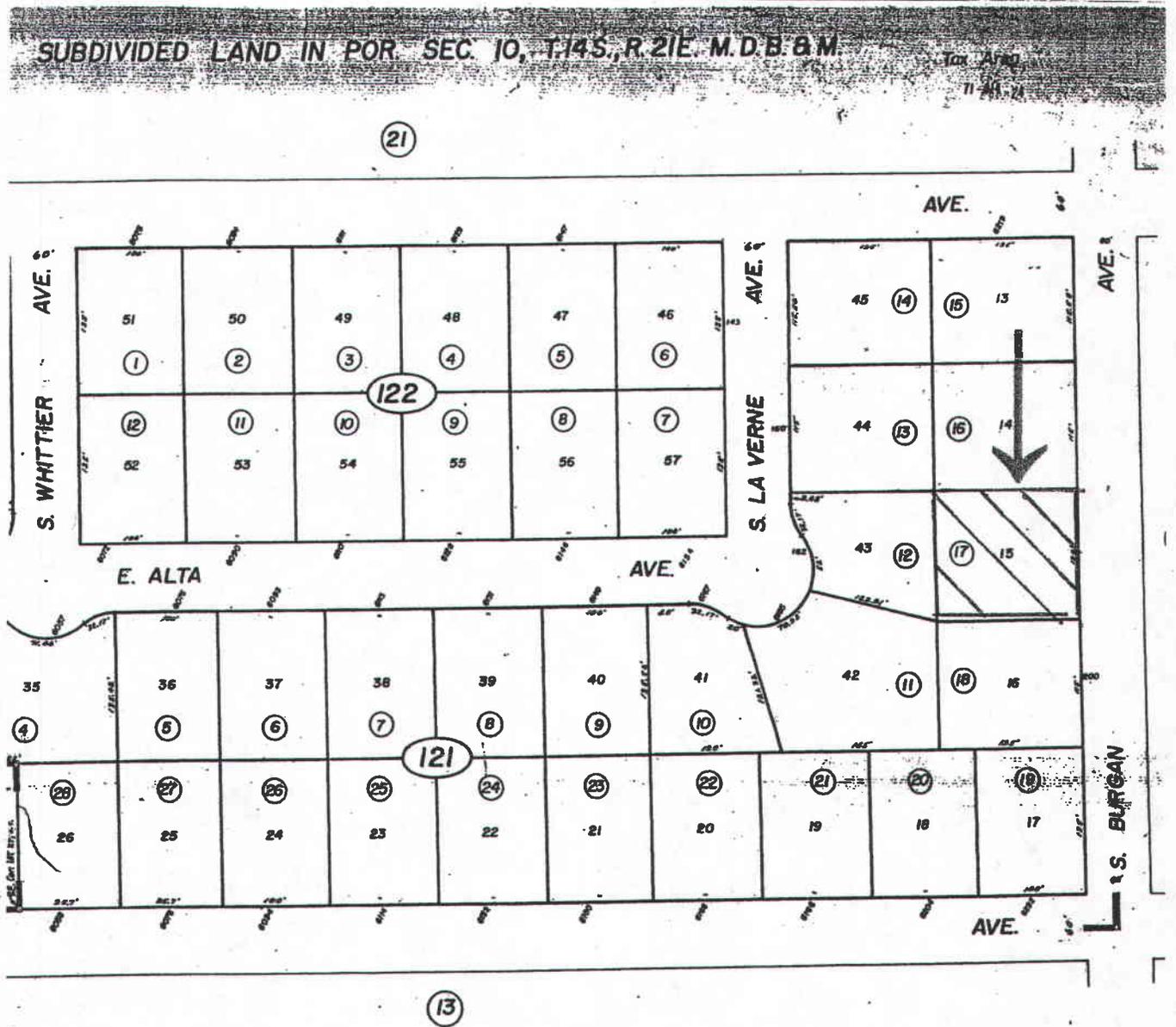
PROJECT DESCRIPTION

The City of Fresno, Department of Public Utilities, proposes to acquire a parcel to construct new water well. The location of the water well will be on northwest corner of South Burgan and East Alta Avenues (APN 313-121-17).

PROJECT NEED

In the last few years, Nitrate levels close to the State's Maximum Contaminant level (MCL) have been detected in a few wells in the Southeast area of the City of Fresno. These wells are anticipated to be taken off line when said Nitrate levels exceed the MCL. Water production from the new well will be blended with said nitrate contaminated wells in the vicinity to attain nitrate levels below the State's MCL. This will allow the City of Fresno Water Division to keep said wells in service. If the nitrate levels in the existing wells stay below the MCL and the wells remain operational, the new well will still be needed to augment water service in the area to improve system pressure.

Figure 1: Project Vicinity Map



Bordering Property Information

	Planned Land Use	Existing Zoning	Existing Use
North	Low Density Residential	R-1-AH (Fresno County)	Single-family houses
South	Low Density Residential	R-1-AH (Fresno County)	Single-family houses
East	Low Density Residential	R-1-B (Fresno County)	Single-family houses
West	Low Density Residential	R-1-AH (Fresno County)	Single-family houses

Approval of the Project may contribute to the creation of certain moderate environmental effects or the Project may be adversely impacted by existing environmental situations as follows.

Environmental Checklist

CITY OF FRESNO PUBLIC WORKS DEPARTMENT
INITIAL STUDY

ENVIRONMENTAL CHECKLIST

ENVIRONMENTAL ASSESSMENT NO. PU-2009-11

The following checklist is used to determine if the proposed project could potentially have a significant effect on the environment. Explanations and information regarding each question follow the checklist.

1 = No Impact

2 = Less Than Significant Impact

3 = Less Than Significant Impact with Mitigation Incorporated 4 = Potentially Significant Impact

I. AESTHETICS

Would the project:

- 1 a) Have a substantial adverse effect on a scenic vista?
- 1 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 1 c) Substantially degrade the existing visual character or quality of the site and its surroundings?
- 3 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

II. AGRICULTURAL RESOURCES

Would the project:

- 1 a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?
- 1 b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- 1 c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use?

III. AIR QUALITY

Would the project:

- 1 a) Conflict with or obstruct implementation of the applicable air quality plan?
- 1 b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- 3 c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- 1 d) Expose sensitive receptors to substantial pollutant concentrations?
- 1 e) Create objectionable odors affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES

Would the project:

- 1 a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- 1 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 Game or U.S. Fish and Wildlife Service?
- 1 c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means?
- 1 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?
- 1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 1 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?

V. CULTURAL RESOURCES

Would the project:

- 1 a) Cause a substantial adverse change in the significance of a historical resource as defined in Public Resources Code Section 15064.5?
- 1 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5?
- 1 c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?
- 1 d) Disturb any human remains, including those interred outside of formal cemeteries?

VI. 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:
 - 1 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?
 - 1 ii) Strong seismic ground shaking?
 - 1 iii) Seismic-related ground failure, including liquefaction?
 - 1 iv) Landslides?
- 3 b) Result in substantial soil erosion or loss of topsoil?
- 1 c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?
- 1 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?

VII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 1 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 1 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?
- 1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- 1 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?
- 1 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?
- 1 g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 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?

VIII. HYDROLOGY AND WATER QUALITY

Would the project:

- 1 a) Violate any water quality standards of waste discharge requirements?
- 1 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 which would not support existing land uses or planned uses for which permits have been granted)?
- 1 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 which would result in substantial erosion or siltation on- or off-site?
- 1 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 which would result in flooding on- or off-site?
- 1 e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- 1 f) Otherwise substantially degrade water quality?
- 1 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?
- 1 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- 1 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?

- 1 j) Inundation by seiche, tsunami, or mudflow?

IX. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- 1 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?
- 1 c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

X. MINERAL RESOURCES

Would the project:

- 1 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?
- 1 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?

XI. NOISE

Would the project:

- 1 a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- 1 b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- 1 c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- 1 d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- 1 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?
- 1 f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

XII. POPULATION AND HOUSING

Would the project:

- 1 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)?
- 1 b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- 1 c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

XIII. PUBLIC SERVICES

Would the project:

- a) 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 other performance objectives for any of the public services:
- 1 i) Fire protection?
- 1 ii) Police protection?
- 1 iii) Schools?
- 1 iv) Parks?
- 1 v) Other public facilities?

XIV. RECREATION

Would the project:

- 1 a) 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?
- 1 b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

XV. TRANSPORTATION / TRAFFIC

Would the project:

- 1 a) Cause an increase in traffic which is substantial in relation to the existing traffic and capacity of the street system (i.e., result in a substantial increase in either the number of trips, the volume to capacity ratio, or congestion at intersections)?
- 1 b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

- 1 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?
- 1 d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 e) Result in inadequate emergency access?
- 1 f) Result in inadequate parking capacity?

XVI. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 1 a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- 1 b) Require construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 1 c) Require construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 1 d) Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed?
- 1 e) Result in a determination by the wastewater treatment provider which 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?
- 1 f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- 1 g) Comply with federal, state, and local statutes and regulations related to solid waste?

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- 1 a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 1 b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past project, the effects of other current project, and the effects of probable future project)?
- 1 c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

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 the mitigation measures described on attached sheets have been added to the project. 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 significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

1.0 TOPOGRAPHIC, SOIL, GEOLOGIC CONSIDERATIONS

The site is located within the central portion of the San Joaquin Valley. The San Joaquin Valley is part of the Great Valley Geomorphic Province, a topographic and structural basin bounded on the east by the Sierra Nevada and to the west by the Coast Range. The Sierra Nevada, a fault block dipping gently to the southwest, is composed of igneous and metamorphic rocks of pre-Tertiary age which comprise the basement complex beneath the valley. The topography in the area of the Site was formed by recent alluvial fans and flood plains that gently slope along drainage ways which flow south towards the San Joaquin River. The Site is located at an elevation of approximately 290 feet above mean sea level. According to the U.S. Department of Agricultural (USDA) Soil Conservation Services (SCS), native soils in the vicinity of the Site are Madera loam, Ramona sandy loam and Greenfield sandy loam. These soils have similar characteristics. Runoff is slow, moderately well drained. The available water holding capacity is very low to moderate. The hazard of erosion is none to slight.

The site is not located in a 100 year flood zone. Development of future water well will require compliance with grading and drainage standards of the City of Fresno and the Fresno Metropolitan Flood Control District Standards. As a result, the project will not result in an increase in water erosion.

No active earthquake faults have been detected within the Fresno metropolitan area. Fresno County is considered by the State to be an area of low seismic risk and there are no defined Alquist-Priolo Special Fault Study zones in the area. The principal earthquake hazard is related to ground shaking; surface rupture is considered extremely unlikely. The distance between Fresno and major faults reduces ground-shaking effects. The City is classified as Seismic Zone III in the 1999 Uniform Building Code. Zone III indicates that the area is subject to strong ground motions from earthquakes.

The following mitigation measure is recommended:

1. The future water well shall be made to comply with the City's building codes including seismic safety requirements.

Significance After Mitigation

After implementation of the above mitigation measure incremental impacts due to topographic, soil, geologic considerations as a result of the Project will be less than significant.

2.0 AIR QUALITY

The project site is located in Fresno County and within the San Joaquin Air Basin. This region has had chronic non-attainment of federal and state clean air standards for ozone/oxidants and particulate matter due to a combination of topography and climate. The San Joaquin Valley is hemmed in on three sides by mountain ranges, with prevailing winds carrying pollutants and pollutant precursors from urbanized areas to the north. The Mediterranean climate of this region, with a high number of sunny days and little or no measurable precipitation for several months of the year, fosters photochemical reactions in the atmosphere, creating ozone and particulate matter.

Exceedances of ozone/oxidant standards set by the U.S. Environmental Protection Agency (EPA) and California Air Resources Board primarily occur during summer months, caused by the effect of heat and sunlight on ozone precursors such as reactive organic gases (ROG) and nitrates of oxygen (NOX), ROG

and NOX are typically formed and by combustion of fossil fuels in internal combustion vehicle engines, heating appliances, etc.

This area is also designated by federal and state agencies as being in as severe non-attainment area for particulate matter. Particulate matter exceedances may also be caused by photochemical reactions, but are primarily caused and exacerbated by fugitive dust; the effect of wind on open areas of disturbed soil, unpaved and dirty roadways. Particulate matter is also caused by agricultural burning, fireplace use and wood burning in urban areas (historically-residential wood burning has been curtailed by local building ordinances that prohibit fireplace and wood stove installation, and by wood burning control rules adopted by the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD). Control efforts over the past decade have been alleviating particulate matter to the point where the most recent monitoring period indicated attainment with the Federal particulate matter standard (formal approval of "Attainment" status is pending).

The region's high incidence of asthma, particularly childhood asthma, is primarily attributed to ozone and particulate matter exceedances, but may also be in part due to the nature of the pollutants encountered in the Valley, such as defoliant and pollen associated with agricultural operations. Household exposures to tobacco smoke, allergens and respiratory irritants are also being investigated as causal in the development of asthma.

We respect to adopted air quality standards of the United State Environmental Protection Agency (EPA) and California Air Resources Board (CARB), the SJVAB has been classified as follows:

Ozone: The San Joaquin Valley Air Basin is classified as "Serious Nonattainment" by the EPA (8-hour standard) and "Severe Nonattainment" by CARB (1 hour standard). An Ozone Attainment Demonstration Plan (OADP) has been prepared, which identifies emission reductions and additional air pollution control Rules needed to attain the air quality standard by this date. A State Implementation Plan is pending for ozone.

Particulate Matter (PM10, less than 10 microns; PM2.5, less than 2.5 microns). An "Attainment" rating for federal PM10 classification is pending and being processed by the EPA (the San Joaquin Valley Air Basin's previous classification was Serious Nonattainment). The Basin's PM10 classification under state standards remains "Nonattainment". The Basin meets current federal PM2.5 standards, but there are proposed revisions to federal standards that would likely change the Basin's rating to "Nonattainment."

Carbon Monoxide (CO): "Attainment" classification by EPA and CARB; however, the Fresno Urbanized Area was previously in non-attainment and is being monitored for maintenance of attainment status.

Nitrogen Oxides (NOx): "Unclassified/Attainment" rating by EPA and "Attainment" by CARB.

Sulfur Oxides (Sox): "Unclassified": rating by EPA and "Attainment" by CARB.

Sulfates: [no adopted federal standard] "Attainment" classification by CARB.

Lead: [no adopted federal standard] "Attainment" classification by CARB.

Hydrogen sulfide (H2S): [no adopted federal standard] "Unclassified" rating by CARB.

Visibility: [no adopted federal standard] "Unclassified" rating by CARB.

The SJVUAPCD is the local air quality jurisdiction charged with attainment planning, rule making, rule enforcement, and monitoring under Federal and State Clean Air Acts and Clean Air Act Amendments. In response to the SJVAB's chronic nonattainment status for ozone and particulate matter, the San Joaquin Valley Air Pollution Control District has adopted air quality attainment plans as required by State and federal regulations. Table VC-1 of MEIR No. 10130 lists the air quality attainment plans that have been adopted by the SJVUAPCD as of the date of MEIR certification. Air quality attainment and implementation plans are periodically adopted and updated in response to area needs and federal and state mandates.

The principal components of air quality attainment plans consist of data describing measured air pollutant and pollutant precursor levels in the affected region's atmosphere; a baseline emissions inventory for the region; descriptions of control measures that will reduce future emissions; a future emissions inventory that reflects decreases due to implementation of emissions controls as well as increases due to increased population; and the results from a photochemical analysis model relating emissions to ambient pollutant levels, demonstrating attainment of the appropriate standard at a future target date. SJVUAPCD attainment and implementation plans prepared in response to the federal Clean Air Act are also intended to fulfill requirements of the California Clean Air Act, with emphasis on meeting California ambient air quality standards. The proposed project will not impact the implementation of the SJVUAPCD attainment and implementation plans.

The SJVAPCD has reviewed the proposed Project on November 4, 2008 and has advised that this Project is expected to have no significant adverse impact on air quality. However, the SJVAPCD had the following comments and recommendations;

Mitigation

1. The proposed project would be subject to District Rule 9510 (Indirect Source Review).
2. District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than seeking final discretionary approval and to pay any applicable off-site mitigation fees before issuance of the first building permit.
3. The proposed project may be subject to the following District rules: Regulation VIII, (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, slow cure and emulsified asphalt, paving and maintenance operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

Significance After Mitigation

After implementation of the above mitigation measures, incremental impacts to air quality as a result of the Project will be less than significant. It is expected, however, that regional impacts will remain significant and unavoidable. In this regard, the City of Fresno adopted findings of significant unavoidable impacts and overriding considerations for air quality when certifying the Master EIR for the 2025 Fresno General Plan. A statement of overriding considerations was certified with the Master Environmental Impact for the 2025 Fresno General Plan, EIR No. 10130, SCH 2001071097. Master Environmental Impact Report No. 10130 and the 2025 General Plan are on file with, and may be examined at, the Fresno City Clerk's Office, 2600 Fresno Street, Fresno, CA 93721.

3.0 WATER

The original Fresno water system began in the year 1876 as a nonprofit organization inaugurated by a group of public-minded citizens. Initially, the Water System consisted on one pumping station composed of small pumps and two storage tanks located above the second floor of one of the early store building. This building was located on Fresno Street between "J" and "K" Streets, presently known as Broadway and Fulton.

By 1888, the town had grown to a small city which demanded an improved water distribution system. This was necessary because of several large fires, including the destruction of the first permanent courthouse. In 1888, the first pumping station and water tower, of a permanent nature, were constructed at Fresno and "O" Streets. These facilities were designed to be an integral part of a larger and continually expanding water system. This No. 1 Station was in continuous use until 1959, when it was retired having served its useful purpose. Today, you know this building as the "Water Tower" which has been declared a historical structure.

Between the years 1887-1890, 4-inch and 2 ½ inch cast iron pipe, as well as 4-inch wrought iron water mains were laid out. Some of these original "permanent pipes" are still an integral part of our present water supply system. The owner and operator of the system in 1888 was the Fresno Water Company. In 1904, the Fresno Water Company was purchased by Balch, Kerckhoff & Wishon, and was reorganized as the Fresno City Water Company. In the 1926, the plant and distribution system was purchased by the California Water Service Company. This Company sold the water system to the City of Fresno in 1931, which operated as a municipal utility. It was first managed under appointed water board, but currently is a Division of the Public Utilities Department.

In 1954, the City of Fresno's outermost city limits were Gettysburg to the North, Winery to the east and Hughes to the west and Vine Avenue to the south. There were 111,000 residents in the City. In 1956, the water division pumped 16,384,942,000 gallons of water (50,238 acre feet) at a cost of \$166,171.78. In 1989, in January, Fresno County Waterworks Districts within the City's sphere of influence, merged with the City of Fresno. The Water Division began operating the systems. In 1996, the city adopted the Fresno Metropolitan Water Resource Plan to address growth and correct historic groundwater overdraft. In 2004, the City first surface water treatment facility located in Northeast Fresno, started delivering water. On July 19, 2005, the City Council approved a resolution renewing the Central Valley Project (CVP) contract with the U.S. Bureau of Reclamation for a period of 40 years, effective 3/1/05.

Existing Water System

The City's existing water system consists of about 1,740 miles of transmission and distribution pipelines, 260 operational groundwater wells, a 30 mgd surface water treatment facility, storage facilities and booster pump facilities. The distribution system is divided into multi quasi-pressure zones to help regulate minimum and maximum system pressures in the various topographic areas of the City of Fresno.

There will be no impact to the existing water system; the addition of new water well will improve water services in southeast area of the City.

4.0 PLANT LIFE, 5.0 ANIMAL LIFE

According to the 2025 Fresno General Plan Master EIR No. 10130, SCH 2001071097, there are no endangered species present in the Project area. Master Environmental Impact Report No. 10130 and the 2025 General Plan are on file with, and may be examined at, the Fresno City Clerk's Office, 2600 Fresno Street, Fresno, CA 93721.

The proposed Project site is surrounded by residential uses; there is no suitable habitat for rare, threatened, or endangered plants or animals. As a result, no adverse impacts to animal or plant species of concern will occur as a result of the Project.

6.0 HUMAN HEALTH

A Phase I Environmental Site Assessment was completed by Rebecca L. Fraser on November 4, 2009. The Phase I was in conformance with the scope and limitations of ASTM Practice E 1527-05. The assessment has revealed no evidence of recognized environmental conditions in connection with the project site, see attached Phase I document.

The material content of this report is intended to be consistent with a standard of practice as defined by ASTM practice E 1527-05. However, the report format differs in style, arrangement, and presentation of material facts from the format described by ASTM. The current owner of the property and the some of the adjacent owners were located or contacted for the Phase I Environmental Site Assessment.

According to the results of a search completed by the Environmental Health Division of Fresno County Health Services, the Project site is not in close proximity to landfills, industrial sites, leaking underground storage tanks, or other operations with hazardous wastes. The Project site and adjacent properties are free of hazardous materials, contamination, toxic chemicals, gasses and radioactive substances which could affect the health and safety of occupants, or conflict with the intended use of the subject property.

The proposed Project would not involve the routine transport, use or disposal of hazardous materials, nor would it interfere with an adopted emergency response or evacuation plan.

7.0 NOISE

Noise sensitive receptors are land uses associated with indoor and/or outdoor activities that may be subject to stress and/or significant interference from noise. They often include residential dwellings, motels, hospitals, nursing homes, educational facilities, and libraries. Industrial, commercial, and agricultural land uses are generally not considered sensitive to ambient noise.

The proposed Project is located in a residential area; however it is not considered noise sensitive uses.

Therefore, the Project will have no significant noise impacts.

8.0 LIGHT AND GLARE

The proposed Project is surrounded by residential uses. New lighting will be installed in compliance with City and County lighting standards and regulations, it will not adversely affect adjoining properties or day or nighttime views in the area of the Project. The following mitigation measure is recommended, so it will not impact the new well.

Mitigation

1. The new lighting will comply with all City and County lighting standards and regulations.

Significance After Mitigation

After implementation of the above mitigation measures, impacts to lighting as a result of the Project will be less than significant.

9.0 LAND USE

The proposed Site is located in Fresno County and is planned for Low Density Residential. The zoning of the parcel is R-1-AH (Fresno County). The R-1-AH Districts are intended to provide for the development of single-family residential homes at urban standards on lots not less than twenty thousand (20,000) square feet in area, not more than one dwelling unit permitted on any lot.

Water pump stations are allowed in the R-1-AH Zone District subject to a Director Review and Approval.

Mitigation Measure

1. The City of Fresno will have to obtain director review and approval prior to receiving building permits for the water pump station.

Significance After Mitigation

After implementation of the above mitigation measure, impacts to adjacent land use as a result of the Project will be less than significant.

10.0 TRANSPORTATION AND CIRCULATION

The Project site is located on the South Burgan and East Alta Avenues. Access to the Project would be gained through South Burgan Avenue. South Burgan and East Alta Avenues are local streets.

There will be no impact to the transportation and circulation system around the project site.

11.0 URBAN SERVICES

The proposed Project will not impact existing police and fire service in the City of Fresno. Emergency access to and from the site is adequate and sufficient. No significant impacts are anticipated.

12.0 HAZARDS

The proposed Project site is located within Flood Zone X, an area determined to be outside the 500-year floodplain (per FEMA Maps, Community Panel 06019C2110F, and effective date July 19, 2001). No significant flooding impacts are anticipated at the proposed Project site.

The Project area is not located in a Runway Protection Zone, or Inner Safety Zone and Sideline Safety Zone, according to the 2025 Fresno General Plan and Master Environmental Impact Report No. 10130.

Therefore, the Project will have no significant impacts due to hazards.

13.0 AESTHETICS

The proposed Project is not expected to have adverse impacts on the aesthetics of the Residential area.

14.0 HISTORICAL / ARCHAEOLOGICAL

The site is vacant. There will be no impacts to the Historical/archeological resources.

15.0 Energy

Excessive energy consumption is not expected to occur as a result of the Project; however development and use of the Building with the proposed water well will be required to comply with all applicable local, State and federal energy conservation standards.

The Project will have no significant impacts due to energy consumption.

Determination

On the basis of this initial evaluation, it is determined that the proposed Project is consistent with all applicable City plans and policies and conforms to all applicable zoning standards and requirements. It is further determined that the proposed Project will not have a significant effect on the environment. This is based upon the mitigation measures required as condition of the Project approval, which will avoid or lessen below a level of significance any potentially significant adverse environmental impacts of the Project. With implementation of the mitigation measures specified above, there is no evidence in the record that the proposed Project may have a significant effect on the environment. A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.

**CITY OF FRESNO
MITIGATION MONITORING CHECKLIST FOR
ENVIRONMENTAL ASSESSMENT (EA) NO. PU-2009-11**

This monitoring checklist for the above noted environmental assessment is being prepared in accordance with the requirements of the California Environmental Quality Act (CEQA). Implementation of mitigation measures as noted below will be required upon the request for permits to construct the improvements described in EA No. PU-2009-11.

1.0 TOPOGRAPHIC, SOIL, GEOLOGIC CONSIDERATIONS

Mitigation:

1. The water well shall be made to comply with the City's and County's building codes including seismic safety requirements.

IMPLEMENTED BY: City of Fresno, Department of Public Utilities
WHEN IMPLEMENTED: During construction
VERIFIED BY: City of Fresno

2.0 AIR QUALITY:

Mitigation:

1. Require construction equipment used at the Project Site to be equipped with catalysts / particulate traps to reduce particulate and NOx emissions. At the time bids are made, contractors must demonstrate the construction equipment used is equipped with particulate filters and/or catalysts or prove why it is infeasible to have construction equipment so equipped.
2. Use alternative fuel construction equipment as feasible.
3. Replace fossil-fueled equipment with electrically driven equivalents as feasible (provided they are not run via portable generator).
4. Curtail construction during periods of high ambient pollutant concentrations. This may include ceasing construction during peak-hour vehicular traffic on adjacent roadways, and "Spare the Air Days" declared by the District.
5. Require that all diesel engines on the Project site be shut off when not in use to reduce emissions from idling.

IMPLEMENTED BY: City of Fresno, Department of Public Utilities
WHEN IMPLEMENTED: During construction
VERIFIED BY: City of Fresno

8.0 LIGHT AND GLARE

Mitigation:

1. The new lighting will comply with all City and County lighting standards and regulations.

IMPLEMENTED BY: City of Fresno, Department of Public Utilities

WHEN IMPLEMENTED: During construction

VERIFIED BY: City of Fresno

9.0 LAND USE

Mitigation

1. The City of Fresno will have to obtain director review and approval prior to receiving building permits for the water well.

IMPLEMENTED BY: City of Fresno, Department of Public Utilities

WHEN IMPLEMENTED: During construction

VERIFIED BY: City of Fresno