

Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: _____

Project Title: South Kaweah Mutual Water Company, Three Rivers Water Tanks

Lead Agency: State Water Resources Control Board

Contact Name: Wendy Pierce

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Phone Number: (916) 449-5178

Project Location: Terminus Court and Unnamed Road (~40707 Terminus Court)

Tulare County

City

County

Project Description (Proposed actions, location, and/or consequences).

South Kaweah Mutual Water Company proposes to remove an existing 24-foot high, 32-foot diameter, 150,000-gallon bolted steel water storage tank that is deteriorating and replace it with two new 24-foot high, 28-foot diameter, 100,000-gallon storage tanks. Asphalt will be added to an approximately .2- mile unnamed roadway from Terminus Court to the Tank site. The roadway, at a hairpin turn, will be widened by 10 feet (five feet on either side of road, but within the existing road right of way), for approximately 52 linear feet, 260 feet south of the tank site. Five oak trees will be removed at the tank site to allow for excavation. Two hundred feet of additional 6-foot tall chain link fence will be installed for security. Approximately 80 feet of swales will also be installed.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

See attached list.

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

None.

Provide a list of the responsible or trustee agencies for the project.

Trustee Agencies

- California Department of Fish and Game, Region 4
- Central Valley Regional Water Quality Control Board, Region 5 Fresno
- San Joaquin Valley Air Pollution Control District
- Tulare County

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

1. Special Status Species. Candidate, Sensitive, and Special Status species are known to be present around the Project region. Two surveys were performed at each project area, one at the Tank Site on March 1, 2019 and one at the Road Extension Site on June 4, 2019. No candidate, sensitive, or special status species were identified during the surveys. The Project site contains potential suitable habitat for protected bird and plant species. All raptor and migratory bird species are also protected from "take" pursuant to California Fish and Game Code Section 3503.5.

Mitigation Measures (1 & 3):

No less than 14 days prior to the start of Project ground disturbance activities in any specific area, a pre-activity clearance survey shall be conducted by a qualified biologist knowledgeable in the identification of listed species. The surveys shall cover the Project site plus a 250-foot buffer. Pedestrian surveys achieving 100% visual coverage shall be conducted. If no evidence of special-status species is detected, no further action is required. Any observations of federally or state-listed species will be reported to the Service and the CDFW within three (3) working days of the observation. All federally and state-listed wildlife species observed will be allowed to leave the project area on their own. The on-site biologist will determine whether activities must cease in order to ensure their protection. A report of survey findings shall be provided to the lead agency to confirm compliance with this measure.

Prior to the initiation of construction and for the duration of Project construction and maintenance activities that could affect natural habitat all personnel shall attend a Construction Worker Environmental Awareness Training and Education Program. The program shall be developed and presented by a qualified biologist.

- The program shall include information on the life history of special status species known to be in the area, Swainson's hawk, migratory birds, and raptors that may be encountered during construction and operations and maintenance activities.
- The program shall discuss each species' legal protection, status, the definition of "take" under the Endangered Species Act (ESA), measures the Project operator must implement to protect the species, reporting requirements, specific measures that each worker shall employ to avoid take of wildlife species, and penalties for violation of the State and federal ESAs.
- The program shall discuss how some bird species are known to nest on human structures, including construction equipment.
- The program shall provide information on how and where to bring injured wildlife for treatment in the case any animals are injured on the Project site, and how to document wildlife mortalities and injuries.
- An attendance form signed by each worker indicating that environmental training has been completed shall be kept on record.

2. Nesting Raptors and Migratory Birds. The Project site contains potential habitat for nesting birds and raptors. All raptor and migratory bird species are protected from "take" pursuant to California Fish and Game Code Section 3503.5.

Mitigation Measure 2:

- a) If work is to take place within the general bird nesting season (February 1 through August 31), a qualified biologist will conduct pre-construction surveys and identify active migratory bird

nests within 250 feet of the proposed project area no more than 14 days and prior to start of construction. If no nests are found, no further mitigation is required. Construction activity that occurs between September 1 and January 31, outside the nesting season, shall not require pre-construction nesting bird surveys. For raptor species (except Swainson's hawk) the survey and avoidance shall be 500-feet.

b) If an active nest is located within 250 feet of construction or 500 feet for raptors, an appropriate non-disturbance buffer zone shall be established around the nest in coordination with CDFW guidelines. Buffer zones shall be determined in consultation with CDFW and will depend on species of bird, site conditions, and type of work proposed in proximity to the nest. No new project activity shall occur within the buffer zone until the young have fledged, until the nest is no longer active, or until a qualified biologist has determined in consultation with CDFW that reducing the buffer would not result in nest abandonment. Monitoring of the nest by a qualified biologist during construction activities shall be required to ensure that the nest is not jeopardized by construction activities.

3. Sediment, Erosion, and Pollutant Runoff Control. The Project site falls within elevated terrain. The Kaweah River is located approximately .75 miles to the east of the Project site. The discharge for the tanks and stormwater will discharge through an existing stormwater drainage line to an ephemeral gully between two lots at the bottom of the ridge. The gully flows to the cul de sac at the end of Oakridge. From there, stormwater flows in the gutter of Oakridge to an intermittent drainage behind lots for about a half mile, which discharges to the South Fork Kaweah River. This discharge may affect the County stormwater MS4 discharge.

Mitigation Measure 4:

The Project shall use best management practices and other measures designed to protect surface water and groundwater from the adverse effects of construction activities. The soils used to widen the roadway shall not encroach into any drainage area. Soil erosion and sediment control measures shall be implemented around the backfilled area of the drainage culvert. These measures include but are not limited to the installation of straw-wattle, silt fencing, geotextiles, sandbags, and erosion control blankets.

4. Removal of Five Native Trees. Five mature oak trees will be removed from the Project Area at the Tank Site to install one of the new water storage tanks. Three Rivers Community Plan Native Tree Policies call for a replacement standard of one to one to the extent feasible and appropriate for the removal and replacement of significant native trees and oak woodland.

Mitigation Measure 5:

Replacement native oak trees will be planted at the project site prior to commencement of operations to replace the five oak trees removed for the Project. The new oak trees will be the same species as those removed. New trees will be maintained for seven years and replaced if they die.