Lemon Cove Sanitary District
P.O. Box 44374
Lemon Cove, CA. 93244

July 24, 2025

State Clearinghouse
Governor's Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

Subject: Reaffirmation of Environmental Compliance – Lemon Cove Sanitary District Wastewater Treatment Plant Project (SCH#2019109016)

Dear State Clearinghouse Staff,

This memorandum is intended to re-affirm the environmental compliance documents for the proposed Lemon Cove Wastewater Treatment Plant project (Project) are valid. The Lemon Cove Sanitary District (District) evaluated the project with a CEQA document (mitigated negative declaration – SCH#2019109016) and Water Board compliance documents (Environmental Package) in November 2019. The following was the original Project description:

> The proposed Project is fully described in a Planning Study prepared in April 2019 by AM Consulting Engineers and is summarized herein. The Project will involve improving an existing wastewater treatment plant owned and operated by Lemon Cove Sanitary District under Waste Discharge Requirements (WDR) Order No. 94-348. The District service area totals approximately 22.2 acres and includes approximately 50 connections. The existing pond was evaluated and determined to be in poor condition, thus improved disposal alternatives are necessary to maintain the highest levels of service. It was determined that an alternate disposal system within the existing footprint of the WWTP facility was feasible. Upgrades to the existing WWTP will include the following:
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> - Installation of a 20,000 gallon (10-foot diameter X 35-foot long) septic tank,
> - Installation of a 4,000 square foot leach field and associated leach lines, and
> - Connection to the existing sewer collection system (with an 8-inch influent line).
>
> Construction will occur as plans and funding are in place and is expected to take several months. All construction staging of equipment and materials will be within vacant or unused areas of the existing water treatment plant site.

Determination:

There are no proposed changes to the Project. All work will occur as originally intended and disclosed in the environmental documents. No new environmental evaluation is necessary other than this confirmation that the previous environmental documentation is still valid. However, the project will continue to be required to implement the original mitigation measures contained in the original CEQA document. These include protection measures for biological, cultural and geologic resources as follows:

Biological Resources:

BIO – 1: Protect nesting Swainson's hawks

1. To the extent practicable, construction shall be scheduled to avoid the Swainson's hawk nesting season, which extends from March through August.
2. If it is not possible to schedule work between September and February, a qualified biologist shall conduct a survey for active Swainson's hawk nests within 0.25 miles of the Project site no more than 14 days prior to the start of construction. If an active nest is found within 0.25 miles, and the qualified biologist determines that Project activities would disrupt nesting, a construction-free buffer or limited operating period shall be implemented in consultation with the CDFW.

BIO –2: Protect Nesting Birds

1. To the extent practicable, construction shall be scheduled to avoid the nesting season, which extends from February through August.
2. If it is not possible to schedule construction between September and January, preconstruction surveys for nesting birds shall be conducted by a qualified biologist to ensure that no active nests will be disturbed during Project implementation. A pre-construction survey shall be conducted no more than 14 days prior to the initiation of construction activities. During this survey, the qualified biologist shall inspect all potential nest substrates in and immediately adjacent to the impact areas for nests. If an active nest is found close enough to the construction area to be disturbed by these activities, the qualified biologist shall determine the extent of a construction-free buffer to be established around the nest. If work cannot proceed without disturbing the nesting birds, work may need to be halted or redirected to other areas until nesting and fledging are completed or the nest has otherwise failed for non-construction related reasons.

Cultural Resources:

CUL – 1: Should evidence of prehistoric archeological resources be discovered during construction, the contractor shall halt all work within 25 feet of the find and the resource shall be evaluated by a qualified archaeologist. If evidence of any archaeological, cultural, and/or historical deposits is found, hand excavation and/or mechanical excavation shall proceed to evaluate the deposits for determination of significance as defined by the CEQA guidelines. The archaeologist shall submit reports, to the satisfaction of the District, describing the testing program and subsequent results. These reports shall identify any program mitigation that the project proponent shall complete in order to mitigate archaeological impacts (including resource recovery and/or avoidance testing and analysis, removal, reburial, and curation of archaeological resources).

CUL – 2: In order to ensure that the proposed project does not impact buried human remains during project construction, the project proponent shall be responsible for on-going monitoring of project construction. Prior to the issuance of any grading permit, the project proponent shall provide the District with documentation identifying construction personnel that will be responsible for on-site monitoring. If buried human remains are encountered during construction, further excavation or disturbance of the site or any

nearby area reasonably suspected to overlie adjacent remains shall be halted until the Tulare County coroner is contacted and the coroner has made the determinations and notifications required pursuant to Health and Safety Code Section 7050.5. If the coroner determines that Health and Safety Code Section 7050.5(c) require that he give notice to the Native American Heritage Commission, then such notice shall be given within 24 hours, as required by Health and Safety Code Section 7050.5(c). In that event, the NAHC will conduct the notifications required by Public Resources Code Section 5097.98. Until the consultations described below have been completed, the landowner shall further ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices where Native American human remains are located, is not disturbed by further development activity until the landowner has discussed and conferred with the Most Likely Descendants on all reasonable options regarding the descendants' preferences and treatments, as prescribed by Public Resources Code Section 5097.98(b). The NAHC will mediate any disputes regarding treatment of remains in accordance with Public Resources Code Section 5097.94(k). The landowner shall be entitled to exercise rights established by Public Resources Code Section 5097.98(e) if any of the circumstances established by that provision become applicable.

Geologic Resources:

GEO – 1: In order to reduce on-site erosion due to project construction and operation, an erosion control plan and Storm Water Pollution Prevention Plan (SWPPP) shall be prepared for the site preparation, construction, and post-construction periods by a registered civil engineer or certified professional. The erosion control plan shall incorporate best management practices consistent with the requirements of the National Pollution Discharge Elimination System (NPDES). The erosion component of the plan must at least meet the requirements of the SWPPP required by the California State Water Resources Control Board.

Sincerely,

Michael Lampman
Board President
Lemon Cove Sanitary District
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