

FINAL

**Initial Study and
Mitigated Negative
Declaration for the
California Conservation Corps,
Auberry Center**

Lead Agency:



**California Conservation Corps
1719 24th Street
Sacramento, California 95816**

Prepared For:



**Department of General Services
Real Estate Services Division
707 Third Street, 4th Floor
West Sacramento, California 95605**

August 2023



ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

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**Residential Center, Auberry: New Residential Center
FINAL
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
AND
RESPONSES TO COMMENTS**

State Clearinghouse Number

2020070014

November 2023

Lead Agency:



**California Conservation Corps
1719 24th Street
Sacramento, California 95816**

Prepared for:



**State of California Department of General Services
Real Estate Services Division
707 Third Street, 4th Floor
West Sacramento, California 95605**

Prepared by:



ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

**2525 Warren Drive
Rocklin, California 95677**

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NOTICE OF DETERMINATION

TO:

Office of Planning and Research
1400 10th Street
Sacramento, CA 95814

FROM:

California Conservation Corps
1719 24th Street
Sacramento, California 95816

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code

PROJECT TITLE: Residential Center, Auberry: New Residential Center

State Clearinghouse Number

2020070014

Contact Person

Terry Ash

Telephone Number

(916) 201-0085

Project Approval

The California Conservation Corps (CCC) adopted the Initial Study/Mitigated Negative Declaration and approved the Residential Center, Auberry: New Residential Center on November 3, 2023.

Project Location

The Residential Center, Auberry: New Residential Center is immediately west of the Auberry Road and Powerhouse Road intersection at the former Auberry Elementary School (33367 North Auberry Road) in Auberry, California. The Project site corresponds to a portion of Section 8, Township 10 south, and Range 23 east (Mount Diablo Base and Meridian) within the "Auberry, California" 7.5-minute quadrangle (U.S. Geological Survey [USGS] 1987). The approximate center of the Project site is located at latitude (NAD83) 37.080134° and longitude (NAD83) -119.487500° within the Upper San Joaquin Watershed (Hydrologic Unit Code #18040006, USGS 2016).

Summary Project Description

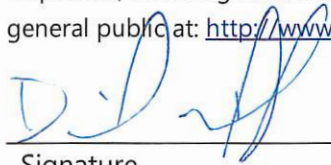
Department of General Services on behalf of California Conservation Corps (CCC) initiated preparation of an Initial Study/Mitigated Negative Declaration (IS/MND) in spring of 2020 for the proposed renovation of an existing dilapidated elementary school in the unincorporated community of Auberry to allow the CCC to better fulfill their mission and objectives in the region with an upgraded, modern facility. The Department of General Services (DGS) prepared the document on behalf of CCC. The Draft IS/MND was circulated in July of 2020 and receive seven comment letters. A Final IS/MND was not completed or approved for the project. Based on those comments, data collection at the existing onsite wells was conducted to further analyze the impact that the project may have on the groundwater supply in the area. Additionally, in August 2022 Nichols, Melburg, & Rossetto Architects (NM&R) completed a Pre-Assessment and Recommendations Report for the Proposed Project. This report found that due to the age and condition of the existing buildings onsite, it was recommended that the existing buildings should not be remodeled but demolished and new structures built on the project site. In response, DGS on behalf

of CCC (state) has initiated preparation of a revised IS/MND to address the changes to the project and recirculation of the Draft IS/MND for public review. The revised project description in Section 2.0 is based on the revised site plan and improvements proposed for the site.

CCC, as the Lead Agency, has approved the above-described Project and has made the following determinations:

- There is no substantial evidence that the Proposed Project will have a significant effect on the environment;
- In accordance with CEQA, a Mitigated Negative Declaration for the Proposed Project was prepared. The Mitigated Negative Declaration has been adopted by CCC, which is the Lead Agency for the Proposed Project. The Mitigated Negative Declaration and record of project approval may be examined at the following website: <http://www.ecorpconsulting.com/docs/CCC-Auberry-Center-Final-ISMND.pdf>.
- Mitigation measures were required to be made a condition of approval of the Proposed Project;
- A Statement of Overriding Considerations was not required to be adopted for the Proposed Project; and
- A Mitigation Monitoring and Reporting Plan was adopted for the Proposed Project.

This is to certify that the Final Initial Study/Mitigated Negative Declaration including comments and responses, the mitigation monitoring and reporting plan, and record of Project approval is available to the general public at: <http://www.ecorpconsulting.com/docs/CCC-Auberry-Center-Final-ISMND.pdf>.



Signature
Dan Millsap

11/03/2023

Date

Date Received for Filing at OPR: 11/3/23

Residential Center, Auberry: New Residential Center

**FINAL
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
AND
RESPONSES TO COMMENTS**

**State Clearinghouse Number
2020070014**

November 2023

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 Auberry: New Residential Center

**FINAL MITIGATED NEGATIVE DECLARATION
RESIDENTIAL CENTER, AUBERRY: NEW RESIDENTIAL CENTER**

Lead Agency: California Conservation Corps (CCC)

Project Proponent: California Department of General Services (DGS) – Real Estate Services Division

Project Location:

The Residential Center, Auberry: New Residential Center is located immediately west of the Auberry Road and Powerhouse Road intersection at the former Auberry Elementary School (33367 North Auberry Road) in Auberry, California. The Project site corresponds to a portion of Section 8, Township 10 south, and Range 23 east (Mount Diablo Base and Meridian) within the "Auberry, California" 7.5-minute quadrangle (U.S. Geological Survey [USGS] 1987). The approximate center of the Project site is located at latitude (NAD83) 37.080134° and longitude (NAD83) -119.487500° within the Upper San Joaquin Watershed (Hydrologic Unit Code #18040006, USGS 2016).

Summary Project Description:

Department of General Services on behalf of California Conservation Corps (CCC) initiated preparation of an Initial Study/Mitigated Negative Declaration (IS/MND) in spring of 2020 for the proposed renovation of an existing dilapidated elementary school in the unincorporated community of Auberry to allow the CCC to better fulfill their mission and objectives in the region with an upgraded, modern facility. The Department of General Services (DGS) prepared the document on behalf of CCC. The Draft IS/MND was circulated in July of 2020 and received seven comment letters. A Final IS/MND was not completed or approved for the project. Based on those comments, data collection at the existing onsite wells was conducted to further analyze the impact that the project may have on the groundwater supply in the area. Additionally, in August 2022 Nichols, Melburg, & Rossetto Architects (NM&R) completed a Pre-Assessment and Recommendations Report for the Proposed Project. This report found that due to the age and condition of the existing buildings onsite, it was recommended that the existing buildings should not be remodeled but demolished and new structures built on the project site. In response, DGS on behalf of CCC (state) has initiated preparation of a revised IS/MND to address the changes to the project and recirculation of the Draft IS/MND for public review. The revised project description in Section 2.0 is based on the revised site plan and improvements proposed for the site.

Finding:

Based on the information contained in the attached Initial Study, CCC finds that there would not be a significant effect to the environment because the mitigation measures described herein would be incorporated as part of the Proposed Project.

Public Review Period: August 4, 2023 – September 4, 2023

Mitigation Measures Incorporated into the Project to Avoid Significant Effects

AIR QUALITY

- AQ-1:** In accordance with SJVAPCD Rule 9510, a detailed AIA shall be prepared detailing the specific construction requirement (i.e., equipment required, hours of use) and operational characteristics associated with the proposed improvements. In accordance with this rule, emissions of NO_x from construction equipment greater than 50 horsepower used or associated with the development Project shall be reduced by 20 percent from baseline (unmitigated) emissions and PM₁₀ emissions by 45 percent. The Project shall demonstrate compliance with Rule 9510, including payment of all applicable fees, before the start of construction. Examples of MMs that will reduce emissions attributable to the Project in compliance with Rule 9510 include, but are not limited to, the following:
- During all construction activities, all diesel-fueled construction equipment including, but not limited to, rubber-tired dozers, graders, scrapers, excavators, asphalt paving equipment, cranes, and tractors shall be California Air Resources Board (CARB) Tier 4 Certified as set forth in Section 2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 of the Code of Federal Regulations.
 - All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. Equipment maintenance records shall be kept on-site and made available upon request by the SJVAPCD.
 - The Project applicant shall comply with all applicable SJVAPCD rules and regulations. Copies of any applicable air quality permits and/or monitoring plans shall be provided to the County.

- AQ-2:** In accordance with SJVAPCD Rule 9510, a detailed AIA shall be prepared detailing the operational characteristics associated with the Project. In accordance with this rule, operational emissions of NO_x shall be reduced by a minimum of 33.3 percent. (Emissions reductions are in comparison to the Project's operational baseline emissions presented in Table 2 of the Initial Study.) The Project shall demonstrate compliance with Rule 9510, including payment of all applicable fees, before the start of construction.

Based on the findings of the AIA, the applicant shall pay the SJVAPCD a monetary sum necessary to offset the required operational emissions that are not reduced by the emission reduction measures contained in the air impact assessment. The quantity of operational emissions that need to be offset shall be calculated in accordance with the methodologies identified in Rule 9510, Indirect Source Review, and approved by the SJVAPCD. Operational emissions reduction methods shall be selected under the direction of the SJVAPCD according to the AIA process detailed in, and required by Rule 9510, Indirect Source Review.

BIOLOGICAL RESOURCES

BIO-1: Conduct Pre-Construction Sensitive Amphibians Surveys. The following shall be conducted prior to initiation of Project construction:

Conduct a preconstruction clearance survey for foothill yellow-legged frogs within 48 hours prior to the start of construction. If foothill yellow-legged frogs are observed, work will not proceed until consultation with CDFW has taken place, and avoidance measures (such as biological monitoring) will likely be required. In addition, erosion control/wildlife fencing will be installed at 75 feet from Little Sandy Creek to prevent impacts to individual movement onto the Project site.

BIO-2: Conduct Pre-Construction Northwestern pond turtle surveys. The following shall be conducted prior to initiation of Project construction:

- The preconstruction survey will include a focused survey 10 days prior to construction searching for western pond turtle nests, and any discovered nests will remain undisturbed until the eggs have hatched.
- Conduct a preconstruction clearance survey for Northwestern pond turtle within 48 hours prior to the start of construction. If Northwestern pond turtles are observed in the construction zone, a qualified biologist shall relocate the turtle to a location away from the construction zone.

BIO-3: Conduct Pre-Construction Bird Nesting Surveys. The following shall be conducted prior to initiation of Project construction:

- Conduct a preconstruction nesting raptor and bird survey of all suitable habitat on the Project site within 10 days of the commencement of construction during the nesting season (February 1 – September 15). Where accessible, surveys should be conducted within 300 feet of the Project site for nesting raptors and within 100 feet of the Project site for nesting birds.
- If active nests are found, a no-disturbance buffer around the nest shall be established. The buffer distance shall be established by a qualified biologist in consultation with CDFW. The buffer shall be maintained until the fledglings are capable of flight and become independent of the nest tree, to be determined by a qualified biologist. Once the young are independent of the nest, no further measures are necessary. Pre-construction nesting surveys are not required for construction activity outside the nesting season.

BIO-4: Special-Status Mammals Surveys. The following shall be conducted prior to demolition and project construction:

A qualified bat biologist shall conduct a bat habitat assessment for all potential roosting habitat onsite_(i.e., trees and manufactured structures) no less than a year prior to the start of construction activities.

- If suitable roosting habitat is identified in the structures onsite during the bat habitat assessment, a bat management plan will be prepared by a qualified bat biologist and submitted to CDFW. The Bat Management Plan will provide a site-specific approach to avoiding impacts to roosting bats and implementing appropriate mitigation strategies for the loss of bat roosting habitat present within the structures based on the results of the bat habitat assessment and subsequent emergence and acoustic surveys. The Bat Management Plan will include the following: guidelines and timing recommendations for follow-up emergence surveys of the structures at designated times throughout the bat active season, acoustic data collection and analysis, avoidance and minimization measures specific to the structure roosting habitat and species present, implementing no-disturbance buffers of active roosting sites, an exclusion plan during the appropriate time of year to avoid take (if necessary) of bats from the structure prior to demolition, and the development and implementation of species-appropriate alternative roosting habitat prior to exclusion. If no suitable roosting habitat is found no further measures are necessary.
- If suitable roosting habitat is found in trees that will be impacted onsite a qualified biologist shall conduct an evening bat emergence survey (during the bat active period - September 1 to October 15 or when evening temperatures are not below 45 degrees Fahrenheit and rain is not over ½ inch in 24 hours; or between March 1-April 15 with the same parameters) that will include acoustic monitoring to determine whether bats are present. If bats are found roosting in trees that cannot be avoided, the trees will be removed during the bat active period described above (outside of maternity season - April 15 to September 1 and hibernation season – October 16 to February 28) following the two-step tree removal process under the direction of a qualified bat biologist no bats are observed during the emergence survey(s) no further measures will be necessary.
 - As much as feasible, vegetation and trees within the area that are not suitable for roosting bats will be removed first to provide a disturbance that might reduce the likelihood of bats using the habitat.
 - Two-step tree removal will occur over two consecutive days under the supervision of a qualified bat biologist. On Day 1, small branches and small limbs containing no cavity, crevice, or exfoliating bark habitat on habitat trees (or outer fronds in the case of palm trees), as identified by a qualified bat biologist are removed first, using chainsaws only (i.e., no dozers, backhoes). The following day (Day 2), the remainder of the tree is to be felled/removed.

BIO-5: Conduct Pre-Construction Crotch Bumble Bee Surveys. Because Crotch bumble bee nest locations are chosen on an annual basis and the site provides marginal nesting habitat, a CDFW-approved Crotch bumble bee biologist shall conduct three weekly pre-construction nesting surveys with focus on detecting active nesting colonies with the third and final

survey conducted within 24-hours immediately prior to ground disturbing activities that are scheduled to occur during the flight season (February through October). Surveys shall be completed at a minimum of one person-hour of searching per three acres of suitable habitat during suitable weather conditions (sustained winds less than 8 mph, mostly sunny to full sun, temperatures between 65 and 90 degrees Fahrenheit) at an appropriate time of day for detection (at least an hour after sunrise and at least two hours before sunset, though ideally between 9am-1pm). If no nests are found but the species is present, a full-time qualified biological monitor shall be present during initial vegetation or ground disturbing activities that are scheduled to occur during the queen flight period (February through March), colony active period (March through September), and/or gyne flight period (September through October). The Crotch bumble bee biologist shall immediately notify CDFW of the detection as further coordination may be required to avoid or mitigate certain impacts. If an active Crotch bumble bee nest is detected, an appropriate no disturbance buffer zone (including foraging resources and flight corridors essential for supporting the colony) shall be established around the nest to reduce the risk of disturbance or accidental take and the designated biologist shall coordinate with CDFW to determine if an Incidental Take Permit under Section 2081 of the California ESA will be required. Nest avoidance buffers may be removed at the completion of the flight season and/or once the qualified Crotch bumble bee biologist deems the nesting colony is no longer active and CDFW agrees with the determination.

Building demolition activities shall be allowed to commence prior to completion of the preconstruction nesting surveys if demolition activities will not impact potential Crotch bumble bee nesting or overwintering habitat. If initial grading is phased or delayed for any reason, the 24-hour pre-construction nesting survey will be repeated prior to ground-disturbing activities that are scheduled to occur during the same flight season (February through October) within potential Crotch bumble bee nesting habitat. Three pre-construction Crotch bumble bee nesting surveys shall be required in subsequent years of construction whenever vegetation and ground disturbing activities are scheduled to occur during the flight season (February through October) if nesting habitat is still present or has re-established and will be affected.

CULTURAL RESOURCES

CUL-1: Implement Measures to Protect Unanticipated Cultural, Archaeological, and/or Tribal Cultural Resources Discoveries. The following mitigation measure is intended to address the evaluation and treatment of inadvertent/unanticipated discoveries of potential tribal cultural resources (TCRs), archaeological, or cultural resources during a project's ground disturbing activities.

- If any suspected archaeological or cultural resources are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A professional

archaeologist who meets the Secretary of Interior's Standards for Archaeology will make recommendations for further evaluation and treatment, as necessary.

- If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment, as necessary.
- When avoidance is infeasible, preservation in place is the preferred option for mitigation of TCRs, or archaeological or cultural resources under CEQA protocols, and every effort shall be made to preserve the resources in place, including through project redesign, if feasible. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the project area where they will not be subject to future impacts. Permanent curation of TCRs will not take place unless approved in writing by the California Native American Tribe(s) that is traditionally and culturally affiliated with the project area.
- The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil.
- Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, have been satisfied.

Human Remains

- If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the Fresno County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they

will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

GEOLOGY AND SOILS

GEO-1: Discovery of Unknown Paleontological Resources. If any paleontological resources (i.e., fossils) are found during Project construction, construction shall be halted immediately in the subject area and the area shall be isolated using orange or yellow fencing until RESD is notified and the area is cleared for future work. A qualified paleontologist shall be retained to evaluate the find and recommend appropriate treatment of the inadvertently discovered paleontological resources. In addition, in the event of an inadvertent find, sediment samples shall be collected and processed to determine the small fossil potential on the Proposed Project Site. If RESD resumes work in a location where paleontological remains have been discovered and cleared, RESD shall have a paleontologist onsite to observe any continuing excavation to confirm that no additional paleontological resources are in the area. Any fossil materials uncovered during mitigation activities shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.

HAZARDS AND HAZARDOUS MATERIALS

HAZ-1: Asbestos and Lead Based Paint Remediation Compliance. The proposed Project shall comply with all federal, state, and local regulations concerning asbestos. Prior to structure demolition, testing for both asbestos and lead based paint shall take place in all buildings to be demolished. If lead base paint or asbestos are found, a contractor registered by the contractor's state license board to remove asbestos and lead based paint shall conduct removal of all suspected materials. During demolition, water support shall be used to prevent the release of visible air emissions.

TRAFFIC

TRA-1: Construction Traffic Management Plan. Prior to commencing construction of the Proposed Project, a construction traffic control plan (Traffic Plan) shall be prepared by the Contractor, in coordination with DGS and Fresno County. The traffic plan shall be detailed and comprehensive to adequately mitigate potential conflicts between traffic and construction-related activities. The Traffic Plan shall include, at a minimum, the following measures:

- A. Contractor's work within the County's right of way is subject to general permit conditions of County's issued encroachment permit including implementing traffic controls, restricting work on holidays and weekends, and notifying the traffic management center daily.

- B. Adequate off-street worker parking shall be provided.
- C. A scheduling plan showing hours of operation to minimize congestion during peak hours and special events.
- D. Roadway disturbances shall be minimized during non-working hours; open trenches shall be covered with steel plates or by the use of temporary backfill during non-working hours.
- E. All paved surfaces disturbed during construction shall be repaved when work is complete.

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1.0 INTRODUCTION

This document is the Final Initial Study and Mitigated Negative Declaration (Final IS/MND) including the Responses to Comments and the Mitigation Monitoring and Reporting Plan for the Residential Center, Auberry: New Residential Center. It has been prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resource Code Section 21000 et. seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.) as amended. This Final IS/MND and Responses to Comments document supplements and updates the Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND) released for public review on August 4, 2023.

CCC is the Lead Agency for the Proposed Project. On August 4, 2023, CCC distributed the Draft IS/MND for the proposed Project to public agencies and the general public for review and comment. In accordance with the State CEQA Guidelines, a 30-day review period, which ended on September 4, 2023, was completed. During the public review period, eight (8) comment letters on the Draft IS/MND was received from interested parties.

This Final IS/MND and Responses to Comments document is organized as follows:

- Section 1.0 provides a discussion of the purpose of the document and discusses the structure of the document;
- Section 2.0 contains a summary of the Project Description, a description of minor changes to the Project Description and a discussion regarding why these changes do not require recirculation of the Draft IS/MND;
- Section 3.0 includes the comment letters received and responses to these comments;
- Section 4.0 includes corrections and revisions made to the Draft IS/MND in response to comments;
- Section 5.0 includes the Proposed Project's Mitigation Monitoring and Reporting Program (MMRP), prepared pursuant to Public Resources Code Section 21081.6; and
- Section 6.0 includes the Notice of Intent, Proof of Publication, Environmental Filing Receipt, and the Draft IS/MND.

This Final MND document and the Draft IS/MND together constitute the environmental document for the proposed Project. As a result of comments received on the Draft IS/MND, minor revisions were required to the Draft IS/MND text, however, there were no substantial revisions that would require recirculation of the document. A substantial revision according to Section 15073.5 of the *2021 CEQA Statute Guidelines* shall mean:

"(1) A new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or

- (2) The lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required."

2.0 PROJECT OVERVIEW

2.1 Project Location

The Proposed Project is located immediately west of the Auberry Road and Powerhouse Road intersection at the former Auberry Elementary School (33367 North Auberry Road) in Auberry, California. The Project site corresponds to a portion of Section 8, Township 10 south, and Range 23 east (Mount Diablo Base and Meridian) within the "Auberry, California" 7.5-minute quadrangle (U.S. Geological Survey [USGS] 1987). The approximate center of the Project site is located at latitude (NAD83) 37.080134° and longitude (NAD83) -119.487500° within the Upper San Joaquin Watershed (Hydrologic Unit Code #18040006, USGS 2016).

2.2 Project Description Summary

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2.3 Decision Not to Recirculate Draft MND

After the completion of the public/agency comment period for the Draft IS/MND, minor changes were made to sections of the IS/MND. These revisions do not meet the criteria for recirculation of the MND prior to adoption as outlined in Section 15073.5 of the State CEQA Guidelines. According to the Guidelines "A lead agency is required to recirculate a negative declaration when the document must be substantially revised after public notice of its availability has been given pursuant to Section 15072 but prior to its adoption."

The revisions proposed in this Final MND do not meet the criteria for recirculation provided in Section 15073.5 (c) of the CEQA Guidelines. These criteria are provided below, along with an explanation regarding the reasons why the changes to the IS/MND do not require recirculation.

Recirculation is not required under the following circumstances:

- (1) Mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1.
 - a. *No mitigation measures have been replaced. However, Mitigation Measure **BIO-1** though **BIO-4**, **CUL-1** and **TRA-1** were revised, and **BIO-5** was added.*
- (2) New Project revisions are added in response to written or verbal comments on the Project's effects identified in the proposed negative declaration which are not new avoidable significant effects.
 - a. *No revisions to the Project as described in the Draft IS/MND have been made.*
- (3) Measures or conditions of Project approval are added after circulation of the negative declaration, which is not required by CEQA, which do not create new significant environmental effects, and are not necessary to mitigate an avoidable significant effect.
 - a. *A minor revision was made to the Hydrology and Water Quality section to add clarification to discussion checklist question (B). As discussed above, minor revisions to Mitigation Measures **BIO-1** though **BIO-4** **CUL-1** and **TRA-1** have been incorporated and one new mitigation measure (**BIO-5**) has been added; however, all impacts will remain less than significant with incorporation of mitigation.*
- (4) New information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.
 - a. *Mitigation Measure revisions only serve to clarify agency requirements and do not require recirculation.*
 - b. *CCC made minor revisions to the Biological Resources, Cultural, and Geology and Soils, and Hydrology and Water Quality, and traffic sections, but those revisions did not alter or otherwise affect conclusions about impacts to biological and cultural resources or geology and soils and hydrology and water quality as determined in the Draft IS/MND.*

3.0 COMMENTS AND RESPONSES

This section of the document contains copies of the comment letters received during the 30-day public review period, which began on August 4, 2023, and ended on September 4, 2023. In conformance with Section 15088(a) of the State CEQA Guidelines, CAL FIRE has considered comments on environmental issues from reviewers of the Draft IS/MND and has prepared written responses. Eight (8) letters were received via mail and email during the 30-day comment period and one (1) was received after the end of the comment period. These letters, and the responses to the comments contained in the letters are provided in this section.

A list of public agencies, organizations, and individuals that provided comments on the Draft IS/MND is presented below. The letters and responses to comments follow this page.

3.1 List of Comment Letters

Letter Number	Sender	Date Received
1	Mike Boland (email)	August 8, 2023
2	Mike Boland (letter)	August 24, 2023
3	Ruth Cramer - Resident	August 29, 2023
4	Brenda Smith and Winnie Turner - Residents	August 29, 2023
5	B. Moore - Resident	August 29, 2023
6	Jane E. Linnenhall - Resident	August 29, 2023
7	Nita Capp Resident of Mt. Ararat MHP (Space #10)	August 29, 2023
8	Melinda Hayworth - Resident	August 29, 2023
9	Julie Vance - California State Department of Fish and Wildlife	September 20, 2023

3.2 Email 1 (Boland) – Mike Boland, Received August 8, 2023

Amberly Morgan

From: aubparkst <aubparks@netptc.net>
Sent: Tuesday, August 8, 2023 12:10 PM
To: Amberly Morgan
Cc: District5@fresnocountyca.gov
Subject: Auberry CCC site Proposal

Hello,

We understand that CCC is again initiating a proposal for occupying the old Auberry School site in Auberry.

Of course now that we have seen the NEW Proposals/ Draft we have questions!

Our community in the vicinity of the school site **WILL** be effected because of the increased amount of water to be extracted and stored into (2) 140,000 gals tanks!

Our areas included New Auberry community, Auberry Rd residents, town & businesses of Auberry, and Powerhouse Rd residents & Churches.

We have recognized in the new Proposal that the Mt Ararat Senior Mobilehome Park has been taken into consideration for water supplies.

We do appreciate a regard to our water sources, But some of the information is not factual or does not fully address the concerns.

Again, why so much water extraction after years of droughts & little replenishing of our aquifers? We have history of information regarding our sources and operations of our wells.

The Proposal does not include the other immediate areas & residencies that **will be** effected in the extraction of such great amounts of unsubstantiated water requirements!

An important fact is the Auberry school with 400 + students and all their daily activities, operations, and landscape watering met the day to day water supply for decades without any shortages.

Seems that 106 personnel would be served sufficiently with the same amount of daily usage availability from the 45,000 gal storage tank and the newest well at 25 gpm?

In 2020, the first Draft had a estimate of 240,000 gal needed for storage. The new has increased another 100,000 gal, why?

The math doesn't add up for such overdrafting of our aquifers in our mountain desert.

We sent collectively a letter to Terry Ash, Senior Environmental Planner on July 20, 2020 regarding our concerns. Other letters went out also to other entities involved.

At that time we were contacted by different entities regarding our concerns and possibilities of reevaluations.

Our community is VERY concerned of losing their water, losing their homes, moving out of their senior community at 70+ age, etc.

The prior proposal along with the most recent proposal is - MORE than a "less significant matter".

Please respond to our 'significant' concerns, as we are collectively assembling for answers.

1

MBa-1

MBa-2

MBa-3

Thank you.
Respectively,

Mike Boland
BMM ops
CA Community Water System Operator
Virginia Hibberd
Mt Ararat MHP property owner

email: aubparks@netptc.net
ph: 559.855.6259
cell: 559.285.4057

3.2.1 Response to Comment MBa-1:

Project water demand is discussed in Section 5.0 of the March 24, 2023 Water Supply Assessment, which is Appendix I of the Draft Initial Study and Mitigated Negative Declaration (IS/MND). Water demand is identified for three separate water uses at the facility. The first use is for the water that will be needed for demolition of the existing facilities and construction of the new facilities, primarily for dust control and soil conditioning. The demolition and construction water demand equates to 8.8 gallons per minute (gpm) and would occur during daylight hours. The demolition and construction water demand would occur during the initial stages of the project and would cease prior to any of the other water uses.

The second use is for the daily operation of the training center, which includes the water needs for up to 100 corpsmembers and 26 staff. The daily water demand is estimated to range from approximately 4,200 gallons per day (gpd) to 11,350 gpd, or about three gpm to eight gpm of continuous pumping. For a 25 gpm well, pumping would need to occur for 168 minutes to 454 minutes per day (equivalent to 2 hours 48 minutes and 7 hours 34 minutes each day, respectively). The water demand for daily operation of the training center would begin after construction is completed and the facility is occupied.

The third use is for fire water storage, using two 170,000-gallon storage tanks. As noted on page 4-86 of the Draft IS/MND, any tank filling would occur using the following protocols:

1. The two tanks should only be filled during rainy periods in the winter and early spring;
2. The two tanks should not be filled during the summer or fall, or during periods of extended drought;
3. The pumping rate during tank filling should be reduced by 50 percent, to approximately 12.5 gpm.

Following these protocols is intended to prevent any interference between the tank filling and the water needs supplied by neighboring wells.

The daily operational demand may be met directly from the onsite wells, or from the fire water tanks. If the water is supplied from the tanks, it would be utilized and replenished at the rates described above for the operational water use (average rates of three to eight gpm). However, the water volume in the two 170,000-gallon tanks would primarily be stored for use when needed to fight fires in the region and would only be refilled when used for fire suppression purposes. As noted in many of the comments received, most local wells are incapable of producing sufficient water for firefighting purposes. Thus, the reserve volume represents a substantial asset to the community in terms of reserve fire suppression capability.

None of these three separate water demands would overlap in time, except for refilling of the storage tanks if depleted for firefighting. In that case, the tanks would be refilled following the protocols listed above.

3.2.2 Response to Comment MBa-2:

The commentor is correct that the daily water demands for the facility would easily be met by the 25 gpm well. As noted in the Response to Comment MBa-1, above, the average daily demand is equivalent to pumping at a constant rate of three to eight gpm and would require a 25-gpm well to pump for 168 minutes to 454 minutes a day, on average.

The 340,000 gallons of fire suppression water would be stored and used on an as needed basis to fight fires in the local area. These tanks would not be refilled on a regular basis. They are not a part of the normal daily water use for the facility.

A straightforward geometric analysis can also be used to demonstrate the minimal impact that occasional and intermittent extraction of 340,000 gallons would have on the amount of groundwater in the local bedrock aquifer. For example, the volume of the aquifer that would be affected is equivalent to:

$$V = \pi * r^2 * h * n,$$

Where V is the total volume of groundwater removed (340,000 gallons, equal to 45,455 cubic feet of water), r is the radius, h is the height that the water table decreases, and n is the porosity. If it is assumed that the radius is 750 feet (i.e., the approximate distance to the nearest neighboring well at the Mt. Ararat MHP) and the porosity is 1 percent (i.e., 0.01, a low range estimate for productive fractured bedrock aquifers), then the water table would only decrease 2.6 feet on average throughout the area encompassed by the 750-foot radius. If the porosity was only half the assumed amount (i.e., one-half percent, or 0.005), or groundwater was only present in one-half of the area encompassed by the 750-foot radius, then the total decline in the water table due to extraction of 340,000 gallons would be only 5.2 feet. In either case, the immediate effect on wells at or beyond the 750-foot radius is very small.

3.2.3 Response to Comment MBa-3:

The comments received in 2020 have been considered and appreciable additional field data collection and technical analyses have been conducted, as reflected in the Water Supply Assessment and its Appendix A (collectively, Appendix I of the Draft IS/MND).

3.3 Letter 2 (Boland) – Mike Boland, Received August 24, 2023

Date: August 22, 2023

To: Terry Ash, Senior Environmental Planner
Amberly Morgan, SEP-Project Manager

Hello,

We are writing again requesting you to please reconsider the CA Conservation Corp project Draft that will be in Auberry, CA as this is in reference to our drinking water source & supply. As residents in the vicinity of the old Auberry school, we are aware that this project may impact the drinking water source & supply that is necessary for our very existence here!

Upon reading the second Draft again, we still have questions, questions we believe that need explanations. Some of us here have lived in the area around our historic old school for more than 50 years. We have witnessed all kinds of weather and have watched our water table / levels fluctuate over time.

In this letter We are asking for specific attention to specific items from the 2023 Draft Report.

On page 4-122; “site is capable of providing the water necessary to both fill the two 170,000 gallon water tanks and provide the daily potable water”.

We presume that that is a possibility, but it does seem that the extra amount of storage tank water is to be used for destruction & construction at this site? We suggest bringing in non potable or recycled water for this segment of the project. Why put us in jeopardy? Why threaten our wells?

History has the school using & storing 45,000 gals of water for 400 - 600 site occupants!

Page 4-122;

“without affecting other water users”- This is False, our history of extracting water from wells in this area more than prove that our water supply from our shared aquifer is and will be affected!

“ Conclusion is also consistent with the prior use of the facility as a school”. Yes the school for decades used the water for all their operations, 6-7 hours a day each week, full working kitchen ,did landscape watering of football fields, baseball fields, and ornamental areas during their operation.

All of these activities from the 2 wells and a 45,000 gal storage tank.

Why, again, for CCC use at 106 individuals, needing 340,000 gal storage?

On page 4-57; Groundwater; The ECON Draft states “ Depth to groundwater can also vary significantly due to localized pumping...”

Obviously the overdrafting of our aquifer by the filling and constant re-filling practice for the two 140,000 gal storage tanks WILL have an impact on our community drinking water supply.

It seems that 25 gpm into a 45,000 gal storage tank would be sufficient?

At 106 personnel compared to 400+ students & faculty & outdoor watering, this existing water system did & will provide all the requirements.

MBb-1

MBb-2

MBb-3

Page 1 of 3

Strangely enough, the Draft states on *page 4-62* “ A new 5,000 gallon septic tank and potential leach field construction consistent with recommendations given in GEOCON’S.. investigation...”

A 5000 gal septic system is all that is recommended for 106 personnel usage? Not much water usage?

We read that in the earlier Report **8,700 gal per day** would be necessary for all personnel.

With 5000 gal septic and the 8,700 gal per day use, seems that 340,000 gal storage is **extreme** in the amount of storage and calculated daily usage and that *only* requires such a small septic tank?!

On *page 4-120* , Again, the prior usage with the greater number of people present was sustained with 45,000 gal storage! The EMKO Report by Andrew Kopania states “well” by fire dept is “capable of pumping at an average rate of 25 gals per minute and provides water to a 45,000 gallon water tank” Again this history & current expressed values should be considered and *that* amount should be sufficient to supply CCC personnel.

Our Mobilehome communities here in Auberry are a good example of water and sewer operations.

For comparison, Mary Lou MHP population of **66-70** residents and with 34 homes & a 2 bdrm house. Mary Lou has **10,000 gals of storage** and aprox 12-13 gpm well. Full time occupancy. Latest pump test revealed static level at 125 ft, pumping level after 20 mins at 160 ft.

Sandy Creek Village MHP, population of **90+** residents and with 45 home spaces. Sandy Creek Village has **10,000 gals storage @ 30gpm** well, full time occupancy.

Mt Ararat MHP, population **48+** and with 34 spaces, 3-bdrm house, 4 bdrm home. Mt Ararat MHP has **9000 gal storage**. One well 5.5 gpm - 8 gpm avg, pumps only for an hour then has to wait for well to recover. Usually requires overnight to refill 2500 gal tank, this well has a second tank but unable to fill from source because of low production.. Latest pump test revealed-Static water level at 82 ft, pumping level after 20 mins at 130 ft. Main well [closest to school site] at Mt Ararat is 460 ft deep, static level at 125 ft after 20 mins pumping level at 152 ft.@ 12 gpm. Steady.

On *page 4-85* , “ nearest neighboring well is reported to have initially been 800 ft deep but is currently 490 ft deep due to a collapse of the lower part of the well”.

This is partly correct, but the reason for the **collapse** was because of the overdrafting from two newly drilled test wells **resulting in subsidence of our main well and reduction of supply to our companion well**. An Investment company from the coast was planning to develop a new community next to the school and Mt Ararat property. They ran pumping test for over a week which cause provable damage to our sources. Check with Fresno County Records. Originally our main well produced steady 25 gpm to the present 12 gpm after the failure.

Draft *page 4-85* states “**drawdown** at the nearest neighboring well after pumping at 25 gpm for 9 days 11 hours to initially fill the two 170,000 gallon storage tanks is 6.1 feet”.

Fact, our records that we furnish to the CA DWR, show our main well pumping level between Jan 2023 and July 2023- static 110 ft and drops to as low as 260 ft pumping level in Feb, 2023. This July recorded 125 ft static - pumping down to 152 ft. in 20 minutes. Both source wells do not pump simultaneously but alternate on timers.

MBb-4

MBb-5

MBb-6

MBb-7

Page 4-85; Draft states, “decreases in the available water column in the neighboring well **should** not have any effect on groundwater production and water availability for the Mt Ararat MHP”.

Page 4-85; Draft states “ the predicted drawdown at the nearest neighboring well from the daily operational pumping is 3.3 inches”.

Our drawdown for community use from the main well ,as you can see can be as much as 27 feet. All of this drawdown and the CCC isn't even occupying the site as of yet!

Understandably, **it is possible** to sustain 106 individuals on a 45,000 gal storage tank and pump at 25 gpm on a keep-full basis. Our examples above and specifically Sandy Creek Village comparing full time individuals with the occupants of the CCC facility could exist and operate without 340,000 gals ! Specifically, Sandy Creek Village @ 90+ residents with 10,000 gallon storage: CCC @ 106 individuals with 45,000 storage.

We are asking that the findings on this Initial Draft be subject to a review again, this time taking into consideration the facts and numbers and the information being brought forth for your deliberation. This is more than a “less than significant” status.- our water and our valid concerns about which may dramatically affect the lives of those in our senior community and the surrounding area.

Respectively,

The Mt Ararat Senior MHP
The Mary Lou MHP
By, Mike Boland
BMM WSops
DW16456
Best Management Purpose

MBb-7

Cont.

MBb-8

3.3.1 Response to Comment MBb-1:

Existing facilities at the site would be demolished before any new construction occurs. Therefore, the two new 170,000-gallon storage tanks would not be present to support the demolition and construction activities. The analysis presented in the Water Supply Assessment (Appendix I of the draft IS/MND) and in Sections 4.10 and 4.19 of the IS/MND are based on a presumption that water needed for demolition and construction would be provided by the existing onsite 25 gpm well.

3.3.2 Response to Comment MBb-2:

The storage provided by the two 170,000-gallon tanks is primarily reserve water for fire suppression needs. As recommended in Section 4.10.3, on page 4-86 of the Draft IS/MND, the tanks would be filled during the winter months and not during the dry months or a drought period. The tanks would also be filled at one-half of the well capacity, or a rate of 12.5 gpm. Water for daily operation of the facility may be provided directly from the onsite wells or it may come from the tanks. In the latter case, the tanks would be replenished at the rates described for the daily operational water use in Section 4.10.3, on page 4-85 of the Draft IS/MND (i.e., an average of three to eight gpm over a 24-hour period).

See also responses to Comments MBa-1 and MBa-2.

3.3.3 Response to Comment MBb-3:

The 170,000-gallon tanks would not experience "constant re-filling" as stated in the comment. Once initially filled, the water would be retained for emergency fire suppression needs. The tanks would only be re-filled if depleted during firefighting activities in and around the local community or during infrequent maintenance activities.

3.3.4 Response to Comment MBb-4:

The water usage for the CCC Campus at Auberry will be less than the school usage in the past. References to the amount of water used on a daily basis being fairly small are cited in this comment when discussing the size of the Septic System and the amount of drawdown resulting from the CCC use of the site. The facility will have low-flow plumbing fixtures compared to the typical plumbing fixtures from when the school was constructed. The Landscape will require limited irrigation compared to fully irrigated play fields and school grounds, and (as noted) the number of occupants on the CCC Campus is considerably less than when the school was fully occupied.

The need for the large storage tanks has very little to do with the daily usage by the CCC. The storage tank are necessary to have a large amount of water available for the Fire Sprinkler System to use if there is a fire in one of the buildings. Current requirements of the California Fire Code dictate the amount of water required to be stored onsite. Once the tanks are full, they will not need to be emptied or refilled except when there is maintenance performed on the tanks or a major fire event that requires a large drawdown.

3.3.5 Response to Comment MBb-5:

The water requirements for the day-to-day operations at the facility, and the methods used to prepare the estimates, are described in detail in Section 5.0 of the Water Supply Assessment (Appendix I of the Draft IS/MND). The daily operational water demand is estimated to range from 4,200 gallons per day to 11,350 gallons per day. Those volumes are equivalent to pumping continuously at three gpm to eight gpm, respectively, or pumping a 25-gpm well for 168 minutes to 454 minutes per day, respectively. The daily operational project water requirements are comparable to the per person per day water uses for the nearby mobile home parks referenced in the comment.

It is important to note that the daily water needs from the facility can be provided directly from the well, without the storage tanks. The two proposed 170,000-gallon tanks are for fire suppression water storage. Their size and volume are not linked to the daily water usage.

3.3.6 Response to Comment MBb-6:

Data and effects from the pumping tests referred to in this comment are discussed and cited five times in the Water Supply Assessment and its Appendix A (which are, collectively, Appendix I of the Draft IS/MND). See citations to *Melvin C. Simons Associates, 2007, Hydrogeologic Analysis, Midland-Pacific Auberry Project, Fresno County, California* on pages 11, 13, 23, and 24 in the Appendix I document.

Table 2 of the Melvin C. Simons Associates 2007 report is copied below. Between September 2003 and November 2006, a total of six separate aquifer pumping tests were conducted for the proposed development project. The duration of each test ranged from 10 days to 19 days and the average pumping rate for each test ranged from 50 gpm to 129 gpm. The pumping was particularly intense in November 2006, with three tests occurring in succession throughout the month. Based on the data from the cited report, a total of almost 4 million (4,000,000) gallons of groundwater were pumped during the well testing in November 2006. This total equates to an average pumping volume of almost 120,000 gallons per day. Thus, the pumping that is alleged to have damaged the commentor's wells occurred at rates that are 10 to almost 30 times greater than those that would occur to supply the daily project water needs.

In conclusion, the pumping tests referred to in this comment were considered in the evaluation and detailed analysis demonstrates that any potential effects from the CCC Auberry pumping would be miniscule compared to the alleged effects from the 2003 to 2006 offsite pumping.

TABLE 2. SUMMARY OF PUMPING TEST RESULTS						
Well Designation	Duration of test (days)	Month/year	Yield at end of test (gpm)	Average yield during test (gpm)	Specific capacity, end of test (gpm/ft)	Recovery (% @ - time)
Crockett	15.0	Sept. 03	52.5	69.3	0.16	53 @ 15 days
Crockett	12.0	Nov. 06	49.0	67.4	0.13	44 @ 9.0 days
Well 4 (Pond)	19.0	Nov/Dec 04	112.5	124.4	0.19	81 @ 6.2 days
Well 4 (Pond)	11.0	Nov. 06	116.5	129.3	0.20	90 @ 9.9 days
Well 1-05	12.0	Oct. 05	49.5	50.3	0.07	90 @ 1.4 days
Well 1-05	10.0	Nov. 06	51.5	51.0	0.07	90 @ 4.9 days
Notes: Other wells were drilled (e.g., Wells 5 and 2-05) but not tested because of low air-test yields.						

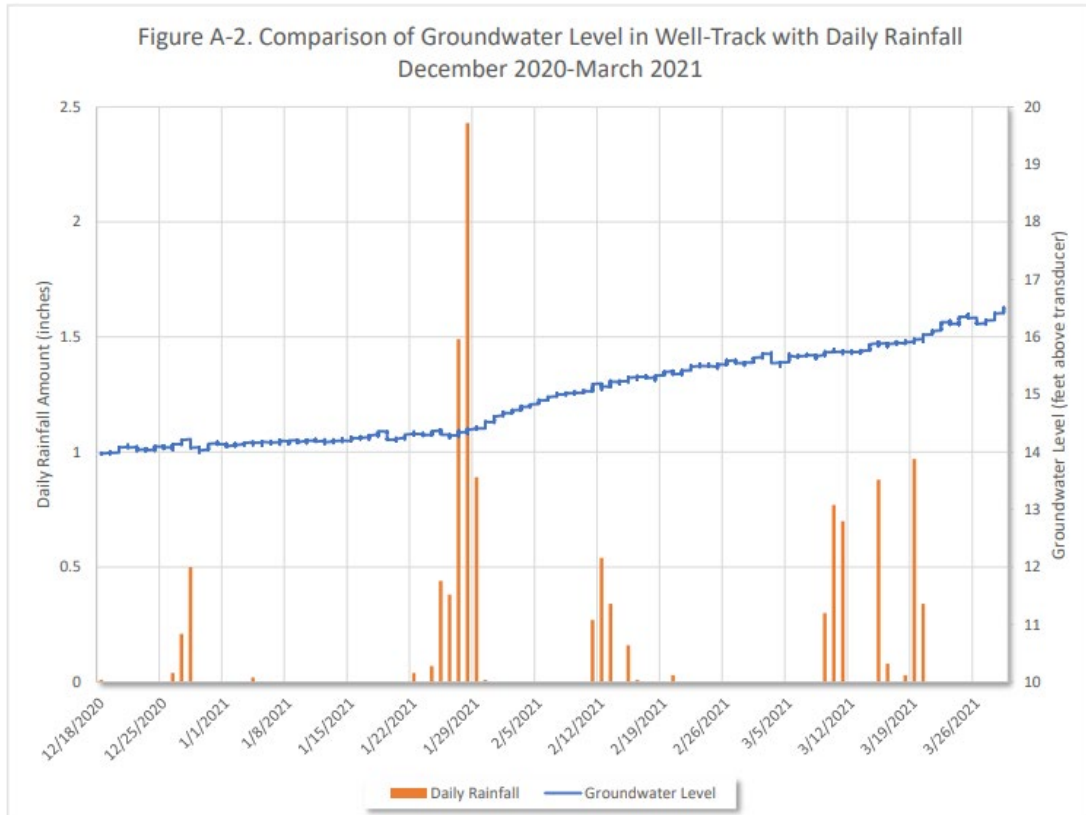
3.3.7 Response to Comment MBb-7:

Just as pumping of wells for the project may have an effect on water levels on adjacent properties, such as the Mt. Ararat MHP, pumping of wells on adjacent properties may also have an effect on water levels at the project site. Figure A-2 in Appendix A of the Water Supply Assessment shows the water levels in a well on the project site, referred to as Well-Track, from December 2020 to March 2021. As discussed in Appendix A of the Water Supply Assessment, Well-Track is the closest well on the project site to the Mt. Ararat MHP and during the period monitored, pumping did not occur in any wells on the project site, including the 25-gpm well near the Auberry Volunteer Fire Department building, referred to as Well-Fire. Thus, any fluctuations in groundwater levels at Well-Track would be due to outside influences, such as local rainfall and pumping of nearby offsite wells. The rainfall effects are reflected over periods of weeks to months, whereas pumping of nearby wells should be reflected in the data on a daily basis.

As can be seen on Figure A-2 in Appendix A of the Water Supply Assessment, which is reproduced below, there are very small water level fluctuations that occurred in Well-Track on a daily basis that range from approximately 0.01 ft to 0.15 ft, or about one-tenth (0.1) inch to 1.8 inches. Thus, the maximum effect that pumping of the Mt. Ararat MHP wells may be having on the water levels at the project site is in the range of one to two inches or less. As described in Comments MB-4 and MB-5, the well at Mt. Ararat MHP that is nearest to the project site pumps at 12 gpm, steady. Therefore, if pumping at 12 gpm at the Mt. Ararat well causes no more than one to two inches of drawdown in wells on the project site, then the calculated daily drawdown of 3.3 inches at the Mt. Ararat wells due to intermittent pumping on a day-to-day basis from the project well at 25 gpm is reasonable and completely consistent with the observed field measurements.

It is also worth noting that the drawdown within the casing of Well-Fire during pumping in August 2021 is estimated to have been in the range of 36 feet (see Figure A-4 in Appendix A of the Water Supply Assessment). That value is consistent with the drawdown in the main Mt. Ararat well of 27 feet while pumping of that well at 12 gpm, as reported in Comment MB-4.

Thus, the drawdown analysis presented in Appendix A of the Water Supply Assessment is consistent with the water level data measured in the field in 2020 and 2021 and with the reported behavior of the Mt. Ararat wells as reported by the commentor.



3.3.8 Response to Comment MBb-8:

As documented in detail in Appendix I to the Draft IS/MND and the responses to comments presented above, the existing analysis and conclusions are fully supported by the available data and consistent with the drawdowns related to pumping of the adjacent Mt. Ararat MHP wells. No further analysis is required.

Letter 3 (Cramer) – Ruth Cramer, Received August 24, 2023

August 23, 2023

→ To: Jerry Leek, Sr. Environmental Planner
Auberry Morgan

Subject: Notice of Intent, etc. August 2, 2023
CCC Auberry Center Project

The proposed revision to the Draft ISMAD fails to mention the issue of excessive pumping for water storage from the common groundwater aquifer that is shared by the residents of Auberry and New Auberry.

The plan for water storage has come to the attention of these residents; they are justly concerned about the impact on their homes and lives.

I urge that careful consideration of the Negative Impacts of the proposed overdrafting be given when preparing the Revised draft.

Ruth Cramer

RC-1

3.3.9 Response to Comment RC-1:

Comment Noted. The two proposed 170,000-gallon water storage tanks that would be installed as part of the Auberry CCC training facility are not sized based on the water needs for operation of the facility. The two tanks would provide water storage for local fire suppression needs. The tanks would be filled once constructed, and the water would be held in reserve until needed for fighting fires in the Auberry area. As described on Page 4-86 of the Draft Initial Study/Mitigated Negative Declaration (IS/MND), tank filling is recommended to be conducted under the following conditions to minimize potential temporary reductions in the water supply for the Mt. Ararat Mobile Home Park:

1. The two tanks should only be filled during rainy periods in the winter and early spring;
2. The two tanks should not be filled during the summer or fall, or during periods of extended drought; and
3. The pumping rate during tank filling should be reduced by 50 percent, to approximately 12.5 gallons per minute (gpm).

If the tanks are depleted for firefighting, they would be re-filled following these same recommendations, unless additional water was required on an emergency basis for on-going fire suppression needs.

As noted in several of the comments, the amount of water available from local wells is limited, such that adequate capacity is not currently available in the immediate area to provide sufficient water for fighting a wildland fire. Thus, the two 170,000-gallons tanks represent an asset to the community and significantly enhance firefighting resources in the immediate vicinity.

The day-to-day operational needs for the CCC training facility are described in detail in Section 5.0 of the Water Supply Assessment (which is Appendix I of the Draft IS/MND) and summarized on page 4-85 of the Draft IS/MND. Those needs range from approximately 4,200 gallons per day up to 11,350 gallons per day and are equivalent to pumping at a rate of 3 gpm to 8 gpm on a continuous basis, or equivalent to pumping the existing onsite 25-gpm well for 168 minutes to 454 minutes (i.e., 2 hours 48 minutes to 7 hours 34 minutes) each day. These pumping rates and durations are comparable to those that occur at mobile home parks in Auberry, according to comments received from the manager of the Mt. Ararat MHP, Mr. Mike Boland, and the available information shows that such pumping does not affect groundwater levels or volumes at adjacent properties.

In conclusion, pumping to fill the two 170,000-gallon water tanks would occur infrequently and only during periods when adequate groundwater is typically available, unless needed for an immediate local fire emergency. Pumping for the day-to-day facility operations is very small, is comparable to that which occurs at adjacent mobile home parks, and would not affect the water supply of nearby wells.

Letter 4 (Smith/Turner) – Brenda Smith and Winnie Turner, Received August 24, 2023

Re: CCC - AUBERRY

August 21, 2023

My name is Brenda Smith. I live in Mt Ararat mobile home park with my 89 year old mother, Winnie Turner.

I am writing this letter to voice our concerns regarding the purposed amount of water usage for the CCC site. We are functioning with 2 wells for the park that are producing less water every year. The idea of the CCC site continually to replenish two 140,000 gallon tanks is unthinkable.

We have drastically reduced our use of water. We have lost our lawns, trees and gardens to the water shortage here in the park. We catch rain water and use our laundry water to water what little plants we have. As I previously indicated my mother is 89 and has many health issues and lives on a very fixed income. She moved from Fresno in 1993 to live a quite peaceful life in this mobile home park. At this point if the water was to fail, due to the CCC sites outrageous water usage, she would lose her home and have no where to go. She is not the only person here in this predicament, they majority of residence are in the same boat.

We understand the importance of the CCC site, however, we would like you to reconsider the amount of water indicated that will be needed. This will make a difference to a very fragile elderly community.

Sincerely yours,


Brenda Smith


Winnie Turner

S/T-1

3.3.10 Response to Comment S/T-1:

Comment Noted. Please see previous response to comment RC-1.

Letter 5 (Moore) – B. Moore, Received August 24, 2023

RE: CCC - AUBERRY

August 22, 2023

Oh my, after learning of
the amount of water needed
to do this project, I have
one very important question,

Why, why do you need so
much water when the
school operated 400+ kids
or individuals for decades
and only had 45,000 gallon
storage. WHY.

Please think about the impact
this will have to us and
surrounding neighbors!

#7 Balm Moore

33751 Powerhouse Rd
Auberry, CA 93602

BM-1

3.3.11 Response to Comment BM-1:

Comment Noted. Please see previous response to comment RC-1.

Letter 6 (Linnanhall) – Jane Linnanhall, Received August 24, 2023

Pg 1

August 21, 2023

Re: California Conservation Corps
Auberry Center Project
Town of Auberry, Fresno County

I read the notice that was posted in the Mountain Press, your date of 8-2-23. I have lived in the Mt. Ararat Mobile Home Park for 12 years. We are a Senior Park of 55 and older. When I read your post I was devastated! And we are not the only ones, the surrounding communities would also be affected!

Your stating there would be 90 corps members and 36 staff all of them using water. Then tearing down a historical school and build more structures. In tearing down the structures 141,000 gallons of water will be used. We here are on a watering schedule and all conserve in our homes to have water

JL-1

pg 2

When the School was operating they had a 45,000 gallon Tank, Taught 400+ students when school was in and all went well and so was our Park. Now the plan is to drill a well, and use the existing one for this project at 140,000 gallons each. Why another well, the school did fine with one at 45,000 gallons. Have been advised the ccc will be pulling out 25, ~~000~~ gallons a minute during certain times a day until both are full.

JL-1
Cont.

Do you realize the severity here if this project goes through as proposed we have 36 homes here it would impact. What would we do/ where would we go if we have no water!

This Park is to be a place to enjoy in our later years. At 83 I'm not able to or want to relocate, This is my home!

Pg 3

Our homes would be worthless
and unable to sell. Now at
this age, which averages
around 70, are we to handle
such devastation as this.

Please I ask all of you to
reconsider this project. Your
cooperation in reviewing this
action will be greatly appreciated.
You dealing with numbers that
will significantly tear people
from their homes.

Perhaps you should come look
at all our faces & the homes
that would no longer be here.

Sincerely,

Jane E. Linnenbath
33751 Powerhouse Rd #25
Aubrey, Ca. 93602

JL-1
Cont.

3.3.12 Response to Comment JL-1:

Comment Noted. Please see previous response to comment RC-1.

Letter 7 (Capp) – Nita Capp Mt. Ararat MHP Resident, Received August 24, 2023

Mt Ararat MHP
AUBERRY, CA

Re: CCC

Nita Capp

I am a 93yr. old woman
I hope you soon live
with trying to move me
when we have no water
to drink or Bath.
shame on you.

NC-1

Space #10

3.3.13 Response to Comment MHPR-1:

Comment Noted. Please see previous response to comment RC-1.

Letter 8 (Hayworth) – Melinda Hayworth, Received August 24, 2023

RE: CCC- AUBERRY

This is so unfair! I am a senior citizen living in this mobile home park. With no water, how are we suppose to survive? We are on limited water as it is. We would not even be able to sell our homes in order to move. Housing is very hard to find not only up here, but anywhere, because of the fixed incomes we all live on.

Please don't do this. A lot of us will be ~~homeless~~ if you do!

Melinda Hayworth
33751 Powerhouse Rd #25B
Auberry, CA. 93602

LH-1

3.3.14 Response to Comment LH-1:

Comment Noted. Please see previous response to comment RC-1.

Letter 9 (CDFW) – Julie Vance – California Department of Fish and Wildlife, Received September 20, 2023

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



September 20, 2023

Terry Ash, Senior Environmental Planner
707 Third Street, 4th Floor
West Sacramento, California 95605
(916) 376-3824
terry.ash@dgs.ca.gov

**Subject: California Conservation Corps, Auberry Center Project (Project)
Draft Initial Study/Mitigated Negative Declaration (IS/MND)
State Clearing House (SCH) Number: 2020070014**

Dear Terry Ash:

The California Department of Fish and Wildlife (CDFW) received an Initial Study (IS)/Mitigated Negative Declaration (MND) from the California Conservation Corps (CCC) for the above—referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code.

While the comment period may have ended, CDFW would appreciate if you would still consider our comments.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection,

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Conserving California's Wildlife Since 1870

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and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

Water Pollution: Pursuant to Fish and Game Code Section 5650, it is unlawful to deposit in, permit to pass into, or place where it can pass into "Waters of the State" any substance or material deleterious to fish, plant life, or bird life, including non-native species. It is possible that without mitigation measures, implementation of the Project could result in pollution of Waters of the State from storm water runoff or Project-related erosion. Potential impacts to the wildlife resources that utilize any aquatic resources within Project limits include the following: increased sediment input from road or structure runoff; and toxic runoff associated with development activities and implementation. The Regional Water Quality Control Board and U.S. Army Corps of Engineers also have jurisdiction regarding discharge and pollution to Waters of the State. In this role, CDFW is responsible for providing, as available, biological expertise during public agency environmental review efforts (e.g., CEQA), focusing specifically on Project activities that have the potential to adversely affect fish and wildlife resources. CDFW provides recommendations to identify potential impacts and possible measures to avoid or reduce those impacts.

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PROJECT DESCRIPTION SUMMARY

Proponent: California Conservation Corps

Objective: The California Conservation Corps (CCC) Auberry Center Project (Proposed Project) will renovate an existing dilapidated elementary school with a modern facility. The Proposed Project would provide for a new residential, training, and operations facility for approximately 90 Corpsmembers and 26 staff. Remodeled and new building construction would total approximately 58,800 square feet (sf), and include 10 buildings consisting of an administration building, a Corpsmembers orientation, motivation, education, and training (COMET) building, staff living quarters, two housing buildings, an education building, a dining/recreation building, a warehouse, a multi-purpose building, apparatus garages, and a vehicle wash. The Project also includes a paved emergency crew and vehicle staging area, asphalt paved surfaces for driveways and parking, and concrete paving for service and staging areas and walkways. The center is intended to be designed to Zero Net Energy (ZNE) per the Governor's Executive Order (EO) B-18-12.

Location: The Proposed Project is located at 33367 North Auberry Road, immediately west of the Auberry Road and Powerhouse Road intersection, at the former Auberry Elementary School in Auberry, Fresno County, California within Assessor's Parcel Numbers (APNs) 128-560-12T and 128- 560-02T. The proposed Study Area is 29.89 acres, and the Project Area is 27.3 acres per IS/MND Project information.

The Project is situated at an elevation range between approximately 1,950 and 2,025 feet above Mean Sea Level (MSL) and is located within the Upper San Joaquin River Basin. Site drainage is primarily by sheet flow to the low-lying floodplains areas and existing Little Sandy Creek. This seasonal creek ranges from 15 to 25 feet wide and is characterized by sporadic flows during the wet season and dry during the dry season.

This region is characterized by blue oak/foothill-pine woodlands and is dotted with serpentine (Baldwin et al. 2012). The average annual precipitation for the region is 25.0 inches with an annual average of 3.6 inches of snowfall (Western Regional Climate Center 2019). The Project site is not located within or adjacent to a Habitat Conservation Plan (HCP) or a Natural Community Conservation Plan (NCCP).

Timeframe: N/A

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the CCC in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources.

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Editorial comments or other suggestions may also be included to improve the CEQA document.

CDFW's review of the Project's Draft IS/MND found that the State candidate listed endangered (SCE) Crotch's bumblebee (*Bombus crotchii*) was not considered in the Draft IS/MND or supporting biological technical studies for this project and needs to be evaluated and addressed prior to any approvals that would allow ground-disturbing activities. Further information on this species is listed below.

CDFW-1

CDFW found that there are potential impacts to several special-status species that were listed in the environmental document but for which necessary avoidance, minimization, or mitigation measures were not identified. The species needing additional mitigation measures include the State endangered (SE) East/Southern Sierra clade and federal species of concern (FSC) foothill yellow-legged frog (*Rana boylei*) and four species of special concern (SSC) including the western pond turtle (*Actinemys marmorata*), the greater mastiff bat (*Eumops perotis californicus*), the pallid bat (*Antrozous pallidus*), and the Townsend's big-eared bat (*Corynorhinus townsendii*). While the analysis and proposed avoidance, minimization, and mitigation measures were included in the document, CDFW is recommending additional mitigation measures below to reduce potential impacts to these species to less than significant levels.

CDFW-2

Special status plants listed in the Draft IS/MND that were determined to have the potential to occur within the Study Area based on a literature review and the habitats/vegetation communities identified during the field reconnaissance included: The California Rare Plant Rank (CRPR) tree-anemone (*Carpenteria californica*), the CRPR 1B.2 (plants rare, threatened, or endangered in California and elsewhere) Madera leptosiphon (*Limosella serrulatus*), Rawson's Flaming-trumpet (*Collomia rawsoniana*), orange lupine (*Lupinus citrinus* var. *citrinus*), oval-leaved viburnum (*Viburnum ellipticum*), and Tracy's eriastrum (*Eriastrum tracyi*), the CRPR 3.2 (plants about which more information is needed) Kings River monkeyflower (*Erythranthe acutidens*), and the CRPR 3 slender-stalked monkeyflower (*Erythranthe gracilipes*).

CDFW-3

The Draft IS/MND noted that there is marginally suitable upland habitat for the foothill yellow-legged frog (FYLF) and the western pond turtle (WPT) and states that a pre-construction clearance survey for FYLF and the WPT will be conducted within 48-hours prior to the start of construction. The Draft IS/MND also states that the Project site contains suitable habitat for the greater mastiff bat, pallid bat, and Townsend's big-eared bat, as well as suitable habitat within the Project site for the eight special-status plant species listed above. The Draft IS/MND noted that as per the California Natural Diversity Database (CNDDB), none of these plants are within proposed Project limits.

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Crotch's Bumble Bee (*Bombus crotchii*)

The Crotch's bumble bee (CBB) was not addressed in the CEQA document yet has the potential to occur within the Project site per aerial imagery showing disturbed grassland habitat within Project limits (CDFW 2023a). CBB was once common throughout most of central and southern California. However, it now appears to be absent from most of their range, especially in the central portion of its historic range within California's Central Valley (Hatfield et al. 2014). Analyses by the Xerces Society suggest there have been sharp declines in relative abundance by 98% and persistence by 80% over the last ten years (Xerces Society et al. 2018).

Nesting resources for CBB can include bare ground, rodent burrows, and other potential nesting sites that may support bumble bee colonies (Williams et al. 2014). Additional suitable CBB habitat includes areas of grasslands and upland scrub. CBB primarily nest in late February through late October underground in abandoned small mammal burrows but may also nest under perennial bunch grasses or thatched annual grasses, under brush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014, Hatfield et al. 2015). Overwintering sites utilized by CBB mated queens include soft, disturbed soil (Goulson 2010), or under leaf litter or other debris (Williams et al. 2014). The proposed Project site appears to contain disturbed grassland habitat, along with an area of oak trees along Little Sandy Creek (CDFW 2023a). These features may provide burrows, old bird nests, and/or dead trees or hollow logs, therefore, ground disturbance and vegetation removal associated with project activities have the potential to significantly impact local CBB populations.

CDFW recommends protocol surveys be conducted following the survey methods outlined in the Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species (CDFW 2023b). Survey efforts should include multiple on-site surveys and should be developed to detect foraging bumble bees and potential nesting sites (nesting surveys). Survey timing should be determined based on seasonality and when activity or foraging by CBB will most likely occur each year.

Project proponents may choose to assume presence and rely on habitat as an indicator of presence in lieu of, or in addition to, surveys. Due to the biological behavior of CBB, surveys should be conducted each year that project activities will occur. Even if surveys failed to detect CBB one year, project proponents should perform a full round of surveys each year that project activities will occur or assume presence and obtain take authorization (CDFW 2023b). Any detection of CBB prior to or during project construction warrants consultation with CDFW to discuss how to avoid take. If take cannot be avoided, take authorization through the acquisition of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

CDFW-4

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Foothill Yellow-legged Frog (*Rana boylei*)

Per the Project information in the Draft IS/MND, there is one documented CNDDB occurrence of foothill yellow-legged frog (FYLF) approximately five miles north of the Project area (CDFW 2023a).

Mitigation Measure BIO-1: Conduct Pre-Construction Sensitive Amphibian Surveys.

As listed in the Draft IS/MND, pre-construction sensitive amphibian surveys shall be conducted prior to initiation of Project construction. A pre-construction clearance survey for FYLF would occur within 48 hours prior to the start of construction. If FYLF are observed, construction work may not proceed until consultation with CDFW has taken place, and full avoidance measures (such as a minimum no disturbance buffer of 50 feet surrounding all burrows and other potential habitat features for FYLF and biological monitoring) are implemented and verified by CDFW or an ITP to authorize take of FYLF is obtained.

CDFW is concerned that this measure, as proposed, is not sufficient to avoid potential impacts to FYLF. These impacts could include burrow collapse, inadvertent entrapment, reduced reproductive success, reduction in health and vigor or eggs, larvae and/or young, and direct mortality of individual eggs, larvae, frogs, and froglets. FYLF, in this area, is protected as an endangered species under CESA and any potential take of FYLF would be unauthorized and in violation of CESA absent acquisition of an Incidental Take Permit (ITP) pursuant to Fish and Game Code 2081(b). The measure, as proposed in the Draft IS/MND would likely result in take of FYLF. Note that the installation of exclusionary fencing would limit where FYLF may want to move and may result in capture, which is a form of take as defined under Fish and Game Code Section 86. In addition, the measure, as proposed, would not allow for sufficient time to either coordinate with CDFW to develop measures to avoid take of this species or to obtain an ITP.

Figure 2.4, the Conceptual Site Plan in the Draft IS/MND, shows that an emergency vehicle staging area will be constructed with an approximately 100-foot easement for Little Sandy Creek behind it, and a new storm drain detention basin will be constructed between the housing areas and the creek, creating additional disturbance and potential habitat loss. CDFW recommends following the survey methods described in pages 16–22 of “A Standardized Protocol for Surveying Aquatic Amphibians” (Fellers and Freel 1995) except for the portion of the survey protocol advising the use of dip-netting techniques. Please note that dip-netting would constitute take as defined by Fish and Game Code § 86, and so it is recommended this survey technique be avoided or an ITP obtained. If any life stage of the FYLF (adult, metamorph, larvae, egg mass) is found, CDFW recommends consulting with CDFW to develop avoidance measures and evaluate permitting needs in order to avoid take of FYLF.

CDFW-5

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Mitigation Measure BIO-2: Conduct Pre-Construction Western Pond Turtle Surveys.

The Draft IS/MND states that pre-construction western pond turtle (WPT) clearance surveys shall be conducted within 48-hours prior to the start of construction. If WPT are observed in the construction zone, a qualified biologist shall relocate the WPT to a location away from the construction zone.

CDFW Mitigation Measures for WPT recommend that a qualified biologist conduct focused surveys for this species ten days prior to Project construction. In addition, CDFW recommends that focused surveys for nests occur during the egg-laying season (March through August) and that any nests discovered remain undisturbed until the eggs have hatched.

CDFW-6

Figure 4.2 Conceptual Site Plan listed under "Mitigation Measure BIO-1" above would also apply to potential additional impacts to the WPT and their habitat.

CDFW recommends that if any WPT are discovered at the site immediately prior to or during Project construction, they be allowed to move out of the area on their own.

Mitigation Measure BIO-3: Conduct Pre-Construction Bird Nesting Surveys.

The Draft IS/MND lists the nesting bird season as February 1 - August 31, however; CDFW recognizes the nesting bird season as February 1 through September 15 of any given year.

The Draft IS/MND states that a qualified wildlife biologist shall conduct pre-activity surveys for active nests no more than 14 days prior to the start of ground disturbance. However, CDFW recommends that these surveys occur no more than 10 days prior to the start of ground disturbance, to maximize the probability that nests that could potentially be impacted are detected.

CDFW-7

CDFW also recommends that surveys cover a sufficient area around the work site to identify nests and determine their status. A sufficient area means any area potentially affected by a project. In addition to direct impacts (i.e. nest destruction), noise, vibration, odors, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends a qualified biologist continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, CDFW recommends the work causing that change cease and CDFW be consulted for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests

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of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

CDFW-7

Contued

Mitigation Measure BIO-4: Special-Status Mammals Surveys

According to the information contained in the Draft IS/MND, suitable habitat is present for three special-status bat species (greater mastiff bat, pallid bat, and Townsend's big-eared bat) within and adjacent to the proposed Project site. In addition, there is a CNDDDB occurrence record of a greater mastiff bat on-site.

The Draft IS/MND states that if suitable roosting habitat is identified, a qualified biologist will conduct an evening bat emergence survey (within a week or less from the start of construction) that may include acoustic monitoring to determine whether or not bats are present. If bats are found, consultation with CDFW prior to initiation of disturbance of suitable roosting habitat will be required. If bats are not found during the pre-construction surveys, no further measures will be necessary.

CDFW acknowledges that the Project will conduct evening bat emergence surveys as listed above; however, CDFW is interested in when the Project proposes to identify where suitable roosting habitat is located?

CDFW-8

CDFW recommends focused surveys to establish species presence and seasonal usage of the Project site by bats and further recommends that this survey work occur immediately, with the ensuing results included in an updated and recirculated IS/MND for the project along with any appropriate avoidance, minimization, and mitigation measures. Focused survey methodology is advised to include visual surveys of bats (observation of presence of bats during foraging period), inspection for and mapping of suitable habitat or bat sign (guano), and the use of ultrasonic detectors during all dusk emergence and pre-dawn re-entry. To maximize detectability, surveys should be conducted within one 24-hour period and repeated at various times throughout the year.

CDFW recommends that acoustic monitoring be required due to the presence of suitable habitat "within and adjacent to the proposed Project site" as stated in the Draft IS/MND and that this work be completed, and the results included in an updated biological technical report and updated and recirculated IS/MND after all appropriate biological studies have been completed.

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If bats are found to occupy the Project site, CDFW recommends establishing a 100-foot no-disturbance buffer around roost sites, installing temporary exclusionary devices at the appropriate time of year to avoid take, and installing new roost sites prior to initiation of Project-related activities to allow enough time for bats to relocate. CDFW recommends consultation and specific notice to CDFW if bats may be disturbed by Project-related activities.

CDFW-8

Contued

Special-Status Plants

According to the information within the Draft IS/MND for the project, eight special-status plants, the tree-anemone, Rawson's Flaming-trumpet, Tracy's eriastrum, Kings River monkeyflower, slender-stalked monkeyflower, Madera leptosiphon, orange lupine, and the oval-leaved viburnum were determined to have the potential to occur within the Study Area. The riparian corridor associated with Little Sandy Creek is the only vegetation community/habitat onsite that supports potential habitat for these species. Since there are no proposed impacts to the riparian woodland, no special-status plant surveys are recommended.

CDFW typically recommends that the Project area be surveyed for special-status plants by a qualified botanist following the "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities" (CDFW 2018). This protocol, which is intended to maximize detectability, includes identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. In the absence of protocol-level surveys being performed, additional surveys may be necessary. Appropriate biological surveys, including plant surveys, are necessary to analyze both indirect and cumulative impacts from proposed Project activities and CDFW recommends that appropriate special status plant surveys be conducted with the results of those included in an updated and recirculated IS/MND for the Project.

CDFW-9

CDFW recommends special-status plant species be avoided whenever possible by delineating and observing a no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s) or specific habitat type(s) required by special-status plant species. If buffers cannot be maintained, then consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plant species.

If a State-listed plant species is identified during botanical surveys, consultation with CDFW is warranted to determine if the Project can avoid take. However, if take cannot be avoided, take authorization would need to occur through issuance of an ITP by CDFW to comply with Fish and Game Code section 1900 and California Code of Regulations, title 14, section 786.9, subdivision (b).

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Please note that implementation of certain mitigation measures such as the relocation of listed species would constitute take of listed species under the California Endangered Species Act (CESA), and erecting exclusion fencing could also result in take of listed species under CESA. Such take of any species listed under CESA would be unauthorized if an Incidental Take Permit (ITP) pursuant to Fish and Game Code Section 2081(b) was not acquired in advance of such actions. It is recommended to consult with CDFW before any ground disturbing activities commence and to obtain an ITP if take (including capture related to salvage and relocation) cannot be avoided.

CDFW-9

Contued

EDITORIAL COMMENTS AND/OR SUGGESTIONS

Nesting birds: CDFW encourages that Project implementation occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (as listed above), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.

Lake or Streambed Alteration Agreement (LSA Agreement): It is likely that some of the project activities will be subject to CDFW's regulatory authority pursuant to Fish and Game Code section 1600 et seq. If an LSA Agreement is needed, CDFW is required to comply with CEQA in the issuance or the amendment of an LSA Agreement. Therefore, for efficiency in environmental compliance, we recommend that any potential impacts to lakes or streams that may result from project activities be described, and mitigation for the disturbance be developed as part of the project's CEQA document. This will reduce the need for CDFW to require extensive additional environmental review for an LSA Agreement in the future. If inadequate or no environmental review has occurred for project activities that are subject to notification under Fish and Game Code section 1602, CDFW will not be able to issue the Final LSA Agreement until CEQA analysis for the project is complete. This may lead to considerable project delays.

CDFW-10

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals>.

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FILING FEES

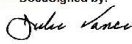
If it is determined that the Project has the potential to impact biological resources, an assessment of filing fees will be necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

CDFW appreciates the opportunity to comment on the Project to assist the CCC in identifying and mitigating the Project's impacts on biological resources.

More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). If you have any questions, please contact Kelley Nelson, Environmental Scientist, at the address provided on this letterhead, or by electronic mail at Kelley.Nelson@wildlife.ca.gov.

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Sincerely,

DocuSigned by:

FA83F09FE08945A...

Julie A. Vance
Regional Manager

ec: Krista Tomlinson – Environmental Program Manager
Larry Bonner – Senior Environmental Scientist
California Department of Fish and Wildlife

State.clearinghouse@opr.ca.gov
Governor's Office of Planning and Research

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LITERATURE CITED

- Baldwin, B. G., D. H. Goldman, D. J. Keil, R. W. Patterson, and T. J. Rosatti, editors. 2012. The Jepson Manual: vascular plants of California, Second Edition. University of California Press, Berkeley, USA.
- California Department of Fish and Wildlife. 2018. Protocols for surveying and evaluating impacts to special status native plant populations and sensitive natural communities. California Department of Fish and Wildlife, Sacramento, California, USA.
- California Department of Fish and Wildlife. 2023a. Biogeographic information and observation system [BIOS]. <https://wildlife.ca.gov/Data/BIOS>. Accessed August 31, 2023.
- California Department of Fish and Wildlife. 2023b. Survey considerations for California Endangered Species Act (CESA) Candidate bumble bee species. CDFW, Sacramento, California, USA.
- Fellers, G. M., and K. L. Freel. 1995. A standardized protocol for surveying aquatic amphibians. May 1995.
- Goulson, D. 2010. Bumblebees: behaviour, ecology, and conservation. Oxford University press, New York, USA.
- Hatfield, R., S. Colla, L. Jepsen, R. Richardson, R. Thorp, and S. Foltz Jordan. 2014. Draft International Union for Conservation of Nature (IUCN) assessments for North American *Bombus* spp. for the North American IUCN bumble bee specialist group. The Xerces Society for Invertebrate Conservation, www.xerces.org, Portland, OR.
- Hatfield, R., S., R. Jepsen, L. Thorp, L. Richardson, and S. Colla. 2015. *Bombus crotchii*. The International Union for Conservation of Nature red list of Threatened species.
- Williams, P., R. Thorp, L. Richardson, and S. Colla. 2014. Bumble bees of North America: An identification guide. Princeton University press, Princeton, New Jersey. 208pp.
- Western Regional Climate Center. 2019. Auberry, California. Available online: <https://wrcc.dri.edu/cgi-bin/cliMAIN.pl?ca0379>. Accessed: September 2023.
- Xerces Society for Invertebrate Conservation, Defenders of Wildlife, and Center for Food Safety. 2018. A petition to the state of California fish and game commission to list the Crotch bumble bee (*Bombus crotchii*), Franklin's bumble bee (*Bombus*

Residential Center, Auberry: New Residential Center
Final Mitigated Negative Declaration Approval

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franklini), Suckley cuckoo bumble bee (*Bombus suckleyi*), and western bumble
bee (*Bombus occidentalis occidentalis*) as Endangered under the California
Endangered Species Act. October 2018.

Residential Center, Auberry: New Residential Center
Final Mitigated Negative Declaration Approval

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Attachment 1

**MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
FOR CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
RECOMMENDED MITIGATION MEASURES**

**PROJECT: California Conservation Corps (CCC) Auberry Center
SCH No.: 2020070014**

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
Mitigation Measure 1: CBB Habitat Assessment	
Mitigation Measure 2: CBB Protocol Surveys	
Mitigation Measure 4: CBB Take Authorization	
Mitigation Measure 5: FYLF Protocol Surveys	
Mitigation Measure 7: FYLF Take Authorization	
Mitigation Measure 8: WPT Focused Surveys	
Mitigation Measure 10: Nesting Birds Protocol Surveys	
Mitigation Measure 12: Bat Species Focused Surveys, Including Acoustic Monitoring Surveys	
Mitigation Measure 14: Consultation With CDFW For Potential Project-Related Bat Disturbance	
Mitigation Measure 15: Special-Status Protocol Plant Surveys	
Mitigation Measure 18: Special-Status Plant Take Authorization	
<i>During Construction</i>	
Mitigation Measure 3: CBB Avoidance	
Mitigation Measure 6: FYLF Avoidance	
Mitigation Measure 9: WPT Avoidance	
Mitigation Measure 11: Nesting Bird No-Disturbance Buffers	
Mitigation Measure 13: No-Disturbance Buffers For Bat Roost Sites	
Mitigation Measure 16: Special-Status Plant Avoidance Buffers	
Mitigation Measure 17: Special-Status Plant Take Avoidance	

3.3.15 Response to Comment CDFW-1:

Crotch Bumble Bee

The project site has been highly disturbed from prior development as well as utilization of the site as a wildfire response staging area during November of 2020. As part of the staging activities, portions of the site were graded and prepared for parking using gravel, straw, and wood chips. Furthermore, a substantial portion of the project development area includes existing buildings, paved walkways, roadways, patio areas, sports courts, and other hardscape that would not provide habitat.

Disturbed grasslands on the site could provide marginal habitat for potential nesting, foraging, and overwintering habitat for the Crotch bumble bee. Because this species is a generalist forager and bees may nest and overwinter under thatch or in abandoned rodent burrows and locations change each year, temporary and permanent impacts due to removal of these habitats would not be expected to contribute substantially to the overall decline of this species unless an active nest or overwintering gyne (future queen) were to be impacted. Due to the highly disturbed nature of the project site as well as existing development, the project is not anticipated to have impacts to the crotch bumble bee. However, in response to CDFW's comment, Mitigation Measures BIO-5 has been added to Section 4 below.

3.3.16 Response to Comment CDFW-2:

Potential impacts to these special-status species will be reduced to less than significant with implementation of previously described and additional mitigation measures as explained below.

3.3.17 Response to Comment CDFW-3:

This comment reiterates the special-status plant discussion from the Draft IS/MND. See additional discussion and response to comment CDFW-9.

3.3.18 Response to Comment CDFW-4:

For discussion of the Crotch bumble bee, please see response to comment CDFW-1.

3.3.19 Response to Comment CDFW-5:

The Project area and the adjacent reach of Sandy Creek represent marginally suitable habitat for foothill yellow-legged frog (FLYF) and there is low probability of this species' occurrence onsite. FYLF are found in perennial rocky foothill and mountain streams and rivers with rocky substrate and open, sunny banks. The Sandy Creek bed adjacent to the Project is seasonal and comprised of sand and sediments deposited from upstream and local sources.

In addition to the proposed MM in the Draft IS/MND (BIO-1, see section 4), erosion control/wildlife fencing will be installed at 75 feet from the edge of the creek to prevent impacts to individual movement onto the Project site. This will be sufficient to reduce impacts to foothill yellow-legged frog to less-than-significant.

3.3.20 Response to Comment CDFW-6:

It is acknowledged that the uplands adjacent to Sandy Creek could represent nesting habitat for western pond turtles. Consequently, for the proposed MM BIO-2 in the Draft IS/MND the preconstruction survey will include a focused survey 10 days prior to construction searching for western pond turtle nests, and any discovered nests will remain undisturbed until the eggs have hatched (see Section 4, BIO-2).

For the preconstruction survey conducted within 48 hours of construction and during Project construction, individuals found onsite will be allowed to move out of the area on their own and will not be relocated.

In addition to these measures, erosion control/wildlife fencing will be installed at 75 feet from the edge of the creek to prevent impacts to individual movement onto the Project site (see Section 4, BIO-1). This will be sufficient to reduce impacts to western pond turtles to less-than-significant.

3.3.21 Response to Comment CDFW-7:

We acknowledge that the nesting bird season could extend to September 15, and that performing preconstruction nesting bird surveys within 10 days instead of 14 days prior to ground disturbance could maximize the probability that nests could be detected (see Section 4, BIO-3)

We believe the original proposed survey buffers (300 feet for raptors and 100 feet for non-raptor species protected under the MBTA) are sufficient to identify occupied nests that could be impacted by project construction because much of the surrounding lands are privately owned and subject to regular disturbances.

If an active nest is found, the avoidance buffer should be determined by a qualified biologist based on factors such as species, behavior of nest occupants, presence of visual/audio barriers. These measures will be sufficient to reduce impacts to protected birds and occupied nests.

3.3.22 Response to Comment CDFW-8:

It is acknowledged that there is the potential for roosting habitat for special status bats to be present in the structures and trees in the Project Area. Consequently, MM BIO-4 in the Draft IS/MND has been updated to require that the bat habitat assessment timeline occurs no less than a year prior to the start of construction. This will ensure there is adequate time to complete any necessary survey and mitigation actions within the appropriate timeframes prior to construction. The preparation of a Bat Management Plan as specified in MM BIO-4 would provide a site-specific and species-specific approach to avoiding, minimizing, and mitigating for impacts to roosting bats onsite, and would include acoustic and emergence surveys during the appropriate seasons. Further, the survey methodology specified in the measure for all necessary emergence surveys has been revised to require both visual and acoustic monitoring in order to determine the presence and species of any bats present.

As the conclusions of this updated measure remain consistent with those in the Draft IS/MND it is not deemed necessary to recirculate the IS/MND after this amendment.

If bats are found to occupy the site, the approved bat management plan will specify: a no-disturbance buffer, methodology for bat exclusion during the appropriate time of year to avoid take, and all necessary habitat mitigation measures, as well as the other items specified in the updated MM BIO-4 (see Section 4).

3.3.23 Response to Comment CDFW-9:

The special-status plants that are potentially occurring are species that are typically found in woodland, riparian communities. The project impacts are proposed in disturbed grassland and constructed habitats that were once the school grounds, including ball fields and lawns. There are no proposed impacts to woodland, riparian habitats, so no plant surveys are necessary.

3.3.24 Response to Comment CDFW-10:

Pre-construction nesting bird surveys will be performed and if found, active nests will be protected by an avoidance buffer to be determined by a qualified biologist. This will ensure that the Project does not result in violation of MBTA or relevant Fish and Game Code(s). See response to comment CDFW-7.

No stream or riparian impacts are anticipated, so an LSA Agreement is not required.

3.3.25 Response to Comment CDFW-11:

Comment Noted.

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4.0 REVISIONS TO THE DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

As a result of minor Project changes and comments received on the Draft IS/MND, revisions have been made to the Draft IS/MND text. These revisions include minor changes to mitigation measures, and do not constitute substantial revisions that would require recirculation of the document. According to Section 15073.5 of the CEQA Guidelines, a substantial revision shall mean:

- (1) A new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or
- (2) The lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required."

The revisions are provided below. Changes in text are identified by ~~strikeout~~ where text is removed and by underline where text is added.

4.1.1 Biological Resources

4.1.2 Biological Resources (IV) Environmental Checklist and Discussion

Would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐

Less than Significant Impact with Mitigation Incorporated.

4.1.2.1 Invertebrates and Fish

The Project Site does not provide suitable habitat for any special-status invertebrate or fish. Therefore, there will be no impact and these species are not discussed further.

The project could have marginal habitat for the Crotch bumble bee. The project site has been highly disturbed from prior development as well as utilization of the site as a wildfire response staging area during November of 2020. As part of the staging activities, portions of the site were graded and prepared for parking using gravel, straw, and wood chips. Furthermore, a substantial portion of the project development area includes existing buildings, paved walkways, roadways, patio areas, sports courts, and other hardscape that would not provide habitat.

Disturbed grasslands on the site could provide marginal habitat for potential nesting, foraging, and overwintering habitat for the Crotch bumble bee. Because this species is a generalist forager and bees may nest and overwinter under thatch or in abandoned rodent burrows and locations change each year, temporary and permanent impacts due to removal of these habitats would not be expected to contribute substantially to the overall decline of this species unless an active nest or overwintering gyne (future queen) were to be impacted. Due to the highly disturbed nature of the project site as well as existing development, the project is not anticipated to have impacts to the crotch bumble bee. However, implementation of Mitigation Measures BIO-5 will ensure impacts stay less than significant.

BIO-1: Conduct Pre-Construction Sensitive Amphibians Surveys. The following shall be conducted prior to initiation of Project construction:

Conduct a preconstruction clearance survey for foothill yellow-legged frogs within 48 hours prior to the start of construction. If foothill yellow-legged frogs are observed, work will not proceed until consultation with CDFW has taken place, and avoidance measures (such as ~~exclusionary fencing and~~ biological monitoring) will likely be required. In addition, erosion control/wildlife fencing will be installed at 75 feet from Little Sandy Creek to prevent impacts to individual movement onto the Project site.

BIO-2: Conduct Pre-Construction Northwestern pond turtle surveys. The following shall be conducted prior to initiation of Project construction:

- The preconstruction survey will include a focused survey 10 days prior to construction searching for western pond turtle nests, and any discovered nests will remain undisturbed until the eggs have hatched.
- Conduct a preconstruction clearance survey for Northwestern pond turtle within 48 hours prior to the start of construction. If Northwestern pond turtles are observed in the construction zone, a qualified biologist shall relocate the turtle to a location away from the construction zone.

BIO-3: Conduct Pre-Construction Bird Nesting Surveys. The following shall be conducted prior to initiation of Project construction:

- Conduct a preconstruction nesting raptor and bird survey of all suitable habitat on the Project site within 10 44 days of the commencement of construction during the nesting season (February 1 – September 15 ~~August 31~~). Where accessible, surveys should be conducted within 300 feet of the Project site for nesting raptors and within 100 feet of the Project site for nesting birds.
- If active nests are found, a no-disturbance buffer around the nest shall be established. The buffer distance shall be established by a qualified biologist in consultation with CDFW. The buffer shall be maintained until the fledglings are capable of flight and become independent of the nest tree, to be determined by a qualified biologist. Once the young are independent of the nest, no further

measures are necessary. Pre-construction nesting surveys are not required for construction activity outside the nesting season.

BIO-4: Special-Status Mammals Surveys. The following shall be conducted prior to demolition and project construction:

A qualified bat biologist shall conduct preconstruction roosting bat surveys a bat habitat assessment for all potential suitable roosting habitat onsite (i.e., trees and manufactured structures) no more less than a year prior to the start of construction activities.

- If suitable roosting habitat is identified in the structures onsite during the bat habitat assessment, a bat management plan will be prepared by a qualified bat biologist and submitted to CDFW. The Bat Management Plan will provide a site-specific approach to avoiding impacts to roosting bats and implementing appropriate mitigation strategies for the loss of bat roosting habitat present within the structures based on the results of the bat habitat assessment and subsequent emergence and acoustic surveys. The Bat Management Plan will include the following: guidelines and timing recommendations for follow-up emergence surveys of the structures at designated times throughout the bat active season, acoustic data collection and analysis, avoidance and minimization measures specific to the structure roosting habitat and species present, implementing no-disturbance buffers of active roosting sites, an exclusion plan during the appropriate time of year to avoid take (if necessary) of bats from the structure prior to demolition, and the development and implementation of species-appropriate alternative roosting habitat prior to exclusion. If no suitable roosting habitat is found no further measures are necessary.
- If suitable roosting habitat is found in trees that will be impacted onsite a qualified biologist shall conduct an evening bat emergence survey (during the bat active period - September 1 to October 15 or when evening temperatures are not below 45 degrees Fahrenheit and rain is not over ½ inch in 24 hours; or between March 1-April 15 with the same parameters) within a week or less from the start of construction that will may include acoustic monitoring to determine whether bats are present. If bats are found roosting in trees that cannot be avoided, the trees will be removed during the bat active period described above (outside of maternity season - April 15 to September 1 and hibernation season – October 16 to February 28) following the two-step tree removal process under the direction of a qualified bat biologist. Consultation with CDFW prior to initiation of disturbance of suitable roosting habitat shall be required. If bats are not found during the preconstruction surveys no bats are observed during the emergence survey(s) no further measures will be necessary.

- As much as feasible, vegetation and trees within the area that are not suitable for roosting bats will be removed first to provide a disturbance that might reduce the likelihood of bats using the habitat.
- Two-step tree removal will occur over two consecutive days under the supervision of a qualified bat biologist. On Day 1, small branches and small limbs containing no cavity, crevice, or exfoliating bark habitat on habitat trees (or outer fronds in the case of palm trees), as identified by a qualified bat biologist are removed first, using chainsaws only (i.e., no dozers, backhoes). The following day (Day 2), the remainder of the tree is to be felled/removed.

BIO-5: Conduct Pre-Construction Crotch Bumble Bee Surveys. Because Crotch bumble bee nest locations are chosen on an annual basis and the site provides marginal nesting habitat, a CDFW-approved Crotch bumble bee biologist shall conduct three weekly pre-construction nesting surveys with focus on detecting active nesting colonies with the third and final survey conducted within 24-hours immediately prior to ground disturbing activities that are scheduled to occur during the flight season (February through October). Surveys shall be completed at a minimum of one person-hour of searching per three acres of suitable habitat during suitable weather conditions (sustained winds less than 8 mph, mostly sunny to full sun, temperatures between 65 and 90 degrees Fahrenheit) at an appropriate time of day for detection (at least an hour after sunrise and at least two hours before sunset, though ideally between 9am-1pm). If no nests are found but the species is present, a full-time qualified biological monitor shall be present during initial vegetation or ground disturbing activities that are scheduled to occur during the queen flight period (February through March), colony active period (March through September), and/or gyne flight period (September through October). The Crotch bumble bee biologist shall immediately notify CDFW of the detection as further coordination may be required to avoid or mitigate certain impacts. If an active Crotch bumble bee nest is detected, an appropriate no disturbance buffer zone (including foraging resources and flight corridors essential for supporting the colony) shall be established around the nest to reduce the risk of disturbance or accidental take and the designated biologist shall coordinate with CDFW to determine if an Incidental Take Permit under Section 2081 of the California ESA will be required. Nest avoidance buffers may be removed at the completion of the flight season and/or once the qualified Crotch bumble bee biologist deems the nesting colony is no longer active and CDFW agrees with the determination.

Building demolition activities shall be allowed to commence prior to completion of the preconstruction nesting surveys if demolition activities will not impact potential Crotch bumble bee nesting or overwintering habitat. If initial grading is phased or delayed for any reason, the 24-hour pre-construction nesting survey will be repeated prior to ground-disturbing activities that are scheduled to occur during the same flight season (February through October) within potential Crotch bumble bee nesting habitat. Three pre-construction Crotch bumble bee nesting surveys shall be required in subsequent years of

construction whenever vegetation and ground disturbing activities are scheduled to occur during the flight season (February through October) if nesting habitat is still present or has re-established and will be affected.

4.1.3 Cultural Resources

CUL-1: Implement Measures to Protect Unanticipated Cultural, Archaeological, and/or Tribal Cultural Resources Discoveries. The following mitigation measure is intended to address the evaluation and treatment of inadvertent/unanticipated discoveries of potential tribal cultural resources (TCRs), archaeological, or cultural resources during a project's ground disturbing activities.

- If any suspected archaeological or cultural resources are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A professional archaeologist who meets the Secretary of Interior's Standards for Archaeology will make recommendations for further evaluation and treatment, as necessary.
- If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment, as necessary.
- When avoidance is infeasible, preservation in place is the preferred option for mitigation of TCRs, or archaeological or cultural resources under CEQA protocols, and every effort shall be made to preserve the resources in place, including through project redesign, if feasible. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the project area where they will not be subject to future impacts. Permanent curation of TCRs will not take place unless approved in writing by the California Native American Tribe(s) that is traditionally and culturally affiliated with the project area.
- The contractor shall implement any measures deemed by the CEQA lead agency to be necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil.
- Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, have been satisfied.

Human Remains

- If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the Fresno County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native American Most Likely Descendant (MLD) for the project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

4.1.4 Traffic

TRA-1: Construction Traffic Management Plan. Prior to commencing construction of the Proposed Project, a construction traffic control plan (Traffic Plan) shall be prepared by the Contractor, ~~California Department of Transportation~~, and in coordination with DGS and Fresno County. The traffic plan shall be detailed and comprehensive to adequately mitigate potential conflicts between traffic and construction-related activities. The Traffic Plan shall include, at a minimum, the following measures:

- A. Contractor's work within the ~~State's~~ County's right of way is subject to general permit conditions of ~~Caltrans~~ County' issued encroachment permit including implementing traffic controls, restricting work on holidays and weekends, and notifying the traffic management center daily.
- B. Adequate off-street worker parking shall be provided.
- C. A scheduling plan showing hours of operation to minimize congestion during peak hours and special events.
- D. Roadway disturbances shall be minimized during non-working hours; open trenches shall be covered with steel plates or by the use of temporary backfill during non-working hours.
- E. All paved surfaces disturbed during construction shall be repaved when work is complete.

4.1.5 Hydrology and Water Quality (X) Environmental Checklist and Discussion

The following text was added at RESD's request. Within the Draft IS/MND, Hydrology and Water Quality Section 4.10.3 checklist question (B) of the Draft Initial Study.

Will the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐

Less than Significant Impact.

4.1.5.1 Groundwater Supply

The Proposed Project site is not in proximity to a public water system and it is infeasible to extend service to the Project site. Four wells are currently located on the site. However, only one well is functional. Domestic water for the Proposed Project will be provided by the existing functional onsite well and a new well. The three non-functional wells will be destroyed and sealed in accordance with California and Fresno County Environmental Health regulations as part of the Project.

As discussed in Section 4.10.1, groundwater in the Auberry area does not occur within a groundwater basin but is pumped from deep within a fractured granitic aquifer system. Groundwater from the fractured granitic rocks is the sole source of water throughout the Auberry community and for the Project. GEOCON conducted testing of the existing supply well and additional monitoring in 2020 and 2021, both of which were dry years that were part of a multiple-year dry period. Analysis of the testing and monitoring data presented in the WSA (EMKO, 2023) indicates that the existing supply well produces approximately 25 gallons per minute (gpm).

The water demand for the proposed Project will consist of water needed during demolition and construction, for the daily potable demand once the Project facilities are operating, and to fill the two 170,000-gallon water tanks. The amount of water needed to meet each of these demands is estimated in the WSA. The demolition and construction are estimated to require 14 acre-feet of water over a one-year period, which equates to a pumping rate of 8.8 gpm. The daily potable demands for the Project facilities are estimated to range from a median daily flow of approximately 3 gpm up to a maximum daily average of almost 8 gpm. As shown in the WSA, the construction-related and daily potable water requirements are less than the capacity of the existing 25-gallon-per-minute onsite well. Tank filling will take approximately 9 days 11 hours using the existing well. A second well will be installed as part of the Project to provide a backup supply and to meet the requirements of the water system permit to be issued by the Division of Drinking Water.

Site-specific hydrogeologic parameters were used in an analytical model as part of the WSA (EMKO, 2023) evaluation to assess the effects of pumping groundwater to meet the Project's needs. The findings of the

analytical model were further verified by a series of volumetric calculations (EMKO, 2023). The nearest neighboring well to the site is located approximately 750 feet north of the existing supply well. This neighboring well provides water for a private residence and for the Mt. Ararat Mobile Home Park. The total predicted drawdown at the nearest neighboring well after pumping at 25 gpm for 9 days 11 hours to fill the two 170,000-gallon storage tanks is 6.1 feet. To meet the daily water demand once the facility is operational will require pumping at 25 gpm for a maximum of 7.5 hours each day. The predicted drawdown at the nearest neighboring well from the daily operational pumping is 3.3 inches. The water level in the nearest neighboring well will fully recover from the tank filling within approximately one to two weeks and will fully recover from the daily pumping before the end of the day, such that there will not be any cumulative drawdown from day to day due to the pumping.

The nearest neighboring well is reported to have initially been 800 feet deep but is currently 490 feet deep due to a collapse of the lower part of the well approximately 15 to 20 years ago. The pump is at a depth of 470 feet below the top of the well. The depth to groundwater, when pumping is not occurring, is approximately 100 feet below the top of the well. Thus, the neighboring well has an available water column of about 370 feet. Temporary drawdowns of 6.1 feet and 3.3 inches due to pumping for the Project represent approximately 1.6 percent and 0.07 percent, respectively, of the available water column. These small and temporary decreases in the available water column in the neighboring well should not have any effect on groundwater production and water availability for the Mt. Ararat Mobile Home Park and adjacent residence.

Since the average pumping rate during the demolition and construction period is only about one-third of the pumping rate to meet the daily demand once the facility is in operation, there will be no perceptible effects on the nearest neighboring well during demolition and construction.

Based on the analysis presented in the WSA, Project water use will not affect other nearby groundwater users such that there will be sufficient water available for existing water uses in the region, along with the Project water demand, during normal, single dry year, and multiple dry year periods for the anticipated life of the Project, which is anticipated to be greater than 20 years. Therefore, impacts to groundwater supply will be less than significant.

However, the shallower depth of the nearest neighboring well due to the collapse has reportedly reduced the sustainable pumping rate and appreciably extended the time it takes the water level in the well to recover after pumping. While the predicted effects of filling the two 170,000-gallon tanks will not result in significant impacts to the physical environment, the initial tank filling, subsequent maintenance draining/filling (anticipated every 5-10 years), and refilling after potential fire event should occur using the following protocols to minimize potential temporary reductions in the water supply to the Mt. Ararat Mobile Home Park due to any potential that ~~the initial~~ tank filling could further extend the time it takes the nearest neighboring well to recover:

1. The two tanks should only be filled during rainy periods in the winter and early spring;
2. The two tanks should not be filled during the summer or fall, or during periods of extended drought;

3. The pumping rate during tank filling should be reduced by 50 percent, to approximately 12.5 gpm.

Following these recommendations should minimize or prevent any interference between the tank filling and the water needs supplied by the nearest neighboring well.

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5.0 MITIGATION MONITORING AND REPORTING PLAN

5.1 Introduction

In accordance with CEQA, an MND that identifies adverse impacts related to construction and operation of the Project was prepared. The MND identifies mitigation measures that would reduce or eliminate these impacts.

Section 21081.6 of the Public Resources Code and Sections 15091(d) and 15097 of the State CEQA Guidelines require public agencies to adopt a reporting and monitoring program for changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. An MMRP is required for the proposed Project because the IS/MND identified potentially significant adverse impacts related to construction and operation of the proposed Project, and mitigation measures have been identified to mitigate these impacts. Adoption of the MMRP will occur along with approval of the proposed Project.

5.2 Purpose of the Mitigation Monitoring and Reporting Plan

This MMRP has been prepared to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during the construction and operation of the Proposed Project, as required. The MMRP may be modified by CCC or DGS during Project implementation, as necessary, in response to changing conditions or other Project refinements.

Table 5-1 has been prepared to assist the responsible parties in implementing the MMRP. This table identifies the category of significant environmental impact(s), individual mitigation measures, monitoring and mitigation timing, responsible person/agency for implementing the measure, monitoring, and reporting procedure, and notation space to confirm implementation of the mitigation measures. The numbering of the mitigation measures follows the numbering sequence in the IS/MND.

5.3 Roles and Responsibilities

CCC and DGS are responsible for oversight of compliance of the mitigation measures in the MMRP.

5.4 Mitigation Monitoring and Reporting Plan

The column categories identified in **Table 5-1** are described below.

- **Mitigation Measure** – This column lists the mitigation measures by number.
- **Monitoring Activity/Timing/Frequency/Schedule** – This column lists the activity to be monitored for each mitigation measure, the timing of each activity, and the frequency/schedule of monitoring for each activity.
- **Implementation Responsibility/Verification** – This column identifies the entity responsible for complying with the requirements of the mitigation measure and provides space for verification initials and date.

- **Responsibility for Oversight of Compliance/Verification** – This column provides the agency responsible for oversight of the mitigation implementation and is to be dated and initialed by the agency representative based on the documentation provided by the construction contractor or through personal verification by agency staff.
- **Outside Agency Coordination** – This column lists any agencies with which CAL FIRE and/or DGS may coordinate for implementation of the mitigation measure.
- **Comments** – This column provides space for written comments, if necessary.

Table 5-1
Residential Center, Auberry: New Residential Center
Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
<i>Air Quality</i>					
AQ-1: In accordance with SJVAPCD Rule 9510, a detailed AIA shall be prepared detailing the specific construction requirement (i.e., equipment required, hours of use) and operational characteristics associated with the proposed improvements. In accordance with this rule, emissions of NOX from construction equipment greater than 50 horsepower used or associated with the development Project shall be reduced by 20 percent from baseline (unmitigated) emissions and PM10 emissions by 45 percent. The Project shall demonstrate compliance with Rule 9510, including payment of all applicable fees, before the start of construction. Examples of MMs that will reduce emissions attributable to the Project in compliance with Rule 9510 include, but are not limited to, the following: During all construction activities, all diesel-fueled construction equipment including, but not limited to, rubber-tired dozers, graders, scrapers, excavators, asphalt paving equipment, cranes, and tractors shall be California Air Resources Board (CARB) Tier 4 Certified as set forth in Section 2423 of Title 13 of the California Code of Regulations, and Part 89 of	Action: Proper maintenance of equipment and compliance with Rule 9510 Timing: During construction activities	Construction Manager	CCC and Construction Manager		
		Initials	Initials		
		Date	Date		

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
Title 40 of the Code of Federal Regulations. - All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. Equipment maintenance records shall be kept on-site and made available upon request by the SJVAPCD. - The Project applicant shall comply with all applicable SJVAPCD rules and regulations. Copies of any applicable air quality permits and/or monitoring plans shall be provided to the County.					
AQ-2: In accordance with SJVAPCD Rule 9510, a detailed AIA shall be prepared detailing the operational characteristics associated with the Project. In accordance with this rule, operational emissions of NO_x shall be reduced by a minimum of 33.3 percent. (Emissions reductions are in comparison to the Project's operational baseline emissions presented in Table 2 of the Initial Study.) The Project shall demonstrate compliance with Rule 9510, including payment of all applicable fees, before the start of construction. Based on the findings of the AIA, the applicant shall pay the SJVAPCD a monetary sum necessary to offset the	Action: Compliance with Rule 9510 Timing: Prior to the start of construction activities	Construction Manager Initials Date	CCC and Construction Manager Initials Date		

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
required operational emissions that are not reduced by the emission reduction measures contained in the air impact assessment. The quantity of operational emissions that need to be offset shall be calculated in accordance with the methodologies identified in Rule 9510, Indirect Source Review, and approved by the SJVAPCD. Operational emissions reduction methods shall be selected under the direction of the SJVAPCD according to the AIA process detailed in, and required by Rule 9510, Indirect Source Review.					
Biological Resources					
BIO-1: Conduct Pre-Construction Sensitive Amphibians Surveys. The following shall be conducted prior to initiation of Project construction: Conduct a preconstruction clearance survey for foothill yellow-legged frogs within 48 hours prior to the start of construction. If foothill yellow-legged frogs are observed, work will not proceed until consultation with CDFW has taken place, and avoidance measures (such as biological monitoring) will likely be required. In addition, erosion control/wildlife fencing will be	Action: Sensitive Amphibian Surveys. Timing: Within 48 hours prior to the start of construction.	Project Biologist Initials Date	CCC, DGS Initials Date	USFWS, CDFW	

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
installed at 75 feet from Little Sandy Creek to prevent impacts to individual movement onto the Project site.					
BIO-2: Conduct Pre-Construction Northwestern pond turtle surveys. The following shall be conducted prior to initiation of Project construction: - The preconstruction survey will include a focused survey 10 days prior to construction searching for western pond turtle nests, and any discovered nests will remain undisturbed until the eggs have hatched. - Conduct a preconstruction clearance survey for Northwestern pond turtle within 48 hours prior to the start of construction. If Northwestern pond turtles are observed in the construction zone, a qualified biologist shall relocate the turtle to a location away from the construction zone.	Action: Northwestern pond turtle surveys Timing: Within 48 hours prior to the start of construction.	Project Biologist Initials Date	CCC, DGS Initials Date	USFWS, CDFW	
BIO-3: Conduct Pre-Construction Bird Nesting Surveys. The following shall be conducted prior to initiation of Project construction: Conduct a preconstruction nesting raptor and bird survey of all suitable habitat on the Project site within 10 days of the commencement of construction during the nesting season	Action: Special-Status Bird Surveys. Timing: Should construction occur during nesting season (February 1 –September	Project Biologist Initials	CCC, DGS Initials	CDFW	

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
(February 1 – September 15). Where accessible, surveys should be conducted within 300 feet of the Project site for nesting raptors and within 100 feet of the Project site for nesting birds. If active nests are found, a no-disturbance buffer around the nest shall be established. The buffer distance shall be established by a qualified biologist in consultation with CDFW. The buffer shall be maintained until the fledglings are capable of flight and become independent of the nest tree, to be determined by a qualified biologist. Once the young are independent of the nest, no further measures are necessary. Pre-construction nesting surveys are not required for construction activity outside the nesting season.	15), surveys shall occur within 14 days of commencement of construction.	_____ Date	_____ Date		
BIO-4: Special-Status Mammals Surveys. The following shall be conducted prior to demolition and project construction: A qualified bat biologist shall conduct a bat habitat assessment for all potential roosting habitat onsite (i.e., trees and manufactured structures) no less than a year prior to the start of construction activities. If suitable roosting habitat is identified in the structures onsite during the bat habitat	Action: Special-Status Bat Surveys. <i>If suitable roosting habitat is identified:</i> <i>Conduct evening emergence surveys.</i> Timing: Within 1 week or less from the start of construction activities.	Project Biologist _____ Initials _____ Date	CCC, DGS _____ Initials _____ Date	CDFW	

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
assessment, a bat management plan will be prepared by a qualified bat biologist and submitted to CDFW. The Bat Management Plan will provide a site-specific approach to avoiding impacts to roosting bats and implementing appropriate mitigation strategies for the loss of bat roosting habitat present within the structures based on the results of the bat habitat assessment and subsequent emergence and acoustic surveys. The Bat Management Plan will include the following: guidelines and timing recommendations for follow-up emergence surveys of the structures at designated times throughout the bat active season, acoustic data collection and analysis, avoidance and minimization measures specific to the structure roosting habitat and species present, implementing no-disturbance buffers of active roosting sites, an exclusion plan during the appropriate time of year to avoid take (if necessary) of bats from the structure prior to demolition, and the development and implementation of species-appropriate alternative roosting habitat prior to exclusion. If					

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
no suitable roosting habitat is found no further measures are necessary. If suitable roosting habitat is found in trees that will be impacted onsite a qualified biologist shall conduct an evening bat emergence survey (during the bat active period - September 1 to October 15 or when evening temperatures are not below 45 degrees Fahrenheit and rain is not over ½ inch in 24 hours; or between March 1- April 15 with the same parameters) that will include acoustic monitoring to determine whether bats are present. If bats are found roosting in trees that cannot be avoided, the trees will be removed during the bat active period described above (outside of maternity season - April 15 to September 1 and hibernation season - October 16 to February 28) following the two-step tree removal process under the direction of a qualified bat biologist no bats are observed during the emergence survey(s) no further measures will be necessary. As much as feasible, vegetation and trees within the area that are not suitable for roosting bats will be removed first to provide a disturbance					

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
that might reduce the likelihood of bats using the habitat. Two-step tree removal will occur over two consecutive days under the supervision of a qualified bat biologist. On Day 1, small branches and small limbs containing no cavity, crevice, or exfoliating bark habitat on habitat trees (or outer fronds in the case of palm trees), as identified by a qualified bat biologist are removed first, using chainsaws only (i.e., no dozers, backhoes). The following day (Day 2), the remainder of the tree is to be felled/removed.					
BIO-5: Conduct Pre-Construction Crotch Bumble Bee Surveys. Because Crotch bumble bee nest locations are chosen on an annual basis and the site provides marginal nesting habitat, a CDFW-approved Crotch bumble bee biologist shall conduct three weekly pre-construction nesting surveys with focus on detecting active nesting colonies with the third and final survey conducted within 24-hours immediately prior to ground disturbing activities that are scheduled to occur during the flight season (February through October). Surveys	Action: Preconstruction crotch bumble bee surveys. Timing: Three weekly pre-construction nesting surveys with focus on detecting active nesting colonies with the third and final survey conducted	Project Biologist _____ Initials _____ Date	CCC, DGS _____ Initials _____ Date	CDFW	

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
shall be completed at a minimum of one person-hour of searching per three acres of suitable habitat during suitable weather conditions (sustained winds less than 8 mph, mostly sunny to full sun, temperatures between 65 and 90 degrees Fahrenheit) at an appropriate time of day for detection (at least an hour after sunrise and at least two hours before sunset, though ideally between 9am-1pm). If no nests are found but the species is present, a full-time qualified biological monitor shall be present during initial vegetation or ground disturbing activities that are scheduled to occur during the queen flight period (February through March), colony active period (March through September), and/or gyne flight period (September through October). The Crotch bumble bee biologist shall immediately notify CDFW of the detection as further coordination may be required to avoid or mitigate certain impacts. If an active Crotch bumble bee nest is detected, an appropriate no disturbance buffer zone (including foraging resources and flight corridors essential for supporting the colony) shall be established around the nest to reduce the risk of disturbance or accidental take and the designated biologist shall coordinate with CDFW to determine if an Incidental Take Permit under Section 2081 of the California ESA will be required. Nest avoidance buffers	within 24-hours immediately prior to ground disturbing activities that are scheduled to occur during the flight season (February through October)				

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
may be removed at the completion of the flight season and/or once the qualified Crotch bumble bee biologist deems the nesting colony is no longer active and CDFW agrees with the determination. Building demolition activities shall be allowed to commence prior to completion of the preconstruction nesting surveys if demolition activities will not impact potential Crotch bumble bee nesting or overwintering habitat. If initial grading is phased or delayed for any reason, the 24-hour pre-construction nesting survey will be repeated prior to ground-disturbing activities that are scheduled to occur during the same flight season (February through October) within potential Crotch bumble bee nesting habitat. Three pre-construction Crotch bumble bee nesting surveys shall be required in subsequent years of construction whenever vegetation and ground disturbing activities are scheduled to occur during the flight season (February through October) if nesting habitat is still present or has re-established and will be affected.					

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
Cultural Resources					
CUL-1: Implement Measures to Protect Unanticipated Cultural, Archaeological, and/or Tribal Cultural Resources Discoveries. The following mitigation measure is intended to address the evaluation and treatment of inadvertent/unanticipated discoveries of potential tribal cultural resources (TCRs), archaeological, or cultural resources during a project's ground disturbing activities. - If any suspected archaeological or cultural resources are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A professional archaeologist who meets the Secretary of Interior's Standards for Archaeology will make recommendations for further evaluation and treatment, as necessary. - If any suspected TCRs are discovered during ground disturbing construction activities, all work shall cease within 100 feet of the find, or	Action: Implement unanticipated discoveries protocol. Timing: Ongoing and as needed during construction activities.	Construction Manager Initials Date	CCC, DGS Initials Date		

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
an agreed upon distance based on the project area and nature of the find. A Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with a geographic area shall be immediately notified and shall determine if the find is a TCR (PRC §21074). The Tribal Representative will make recommendations for further evaluation and treatment, as necessary. • When avoidance is infeasible, preservation in place is the preferred option for mitigation of TCRs, or archaeological or cultural resources under CEQA protocols, and every effort shall be made to preserve the resources in place, including through project redesign, if feasible. Culturally appropriate treatment may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, or returning objects to a location within the project area where they will not be subject to future impacts. Permanent curation of TCRs will not take place unless approved in writing by the California Native American Tribe(s) that is traditionally and culturally affiliated with the project area. • The contractor shall implement any measures deemed by the CEQA lead agency to be					

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
necessary and feasible to preserve in place, avoid, or minimize impacts to the resource, including, but not limited to, facilitating the appropriate tribal treatment of the find, as necessary. Treatment that preserves or restores the cultural character and integrity of a TCR may include Tribal Monitoring, culturally appropriate recovery of cultural objects, and reburial of cultural objects or cultural soil. • Work at the discovery location cannot resume until all necessary investigation and evaluation of the discovery under the requirements of the CEQA, have been satisfied. Human Remains • If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the Fresno County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the NAHC, which then will designate a Native					

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
American Most Likely Descendant (MLD) for the project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.					
Geology and Soils					
GEO-1: Discovery of Unknown Paleontological Resources. If any paleontological resources (i.e., fossils) are found during	Action: Implement operator training.	Project Paleontologist, Construction Manager	CCC, DGS		

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
Project construction, construction shall be halted immediately in the subject area and the area shall be isolated using orange or yellow fencing until RESD is notified and the area is cleared for future work. A qualified paleontologist shall be retained to evaluate the find and recommend appropriate treatment of the inadvertently discovered paleontological resources. In addition, in the event of an inadvertent find, sediment samples shall be collected and processed to determine the small fossil potential on the Proposed Project Site. If RESD resumes work in a location where paleontological remains have been discovered and cleared, RESD shall have a paleontologist onsite to observe any continuing excavation to confirm that no additional paleontological resources are in the area. Any fossil materials uncovered during mitigation activities shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.	Suspend work in the area of discovery. Notify CCC, DGS, and Qualified Paleontologist in the event of a discovery. Implement appropriate treatment of found materials. Timing: Ongoing and as needed during construction activities.	_____ Initials _____ Date	_____ Initials _____ Date		

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
Hazards and Hazardous Materials					
HAZ-1: Asbestos and Lead Based Paint Remediation Compliance. The proposed Project shall comply with all federal, state, and local regulations concerning asbestos. Prior to structure demolition, testing for both asbestos and lead based paint shall take place in all buildings to be demolished. If lead base paint or asbestos are found, a contractor registered by the contractor's state license board to remove asbestos and lead based paint shall conduct removal of all suspected materials. During demolition, water support shall be used to prevent the release of visible air emissions.	Action: Testing for both asbestos and lead based paint shall take place in all buildings to be demolished. Compliance with all federal, state, and local regulations concerning asbestos Timing: Prior to structure demolition	CCC, DGS _____ Initials _____ Date	CCC, DGS _____ Initials _____ Date	CARB, Cal/OSHA, County Division of Environmental Health	
Traffic					
TRA-1: Construction Traffic Management Plan. Prior to commencing construction of the Proposed Project, a construction traffic control plan (Traffic Plan) shall be prepared by the Contractor, in	Action: Traffic control plan. Timing: Prior to construction.	Construction Manager _____ Initials	CCC, DGS _____ Initials		

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
coordination with DGS and Fresno County. The traffic plan shall be detailed and comprehensive to adequately mitigate potential conflicts between traffic and construction-related activities. The Traffic Plan shall include, at a minimum, the following measures: A. Contractor's work within the County's right of way is subject to general permit conditions of County's issued encroachment permit including implementing traffic controls, restricting work on holidays and weekends, and notifying the traffic management center daily. B. Adequate off-street worker parking shall be provided. C. A scheduling plan showing hours of operation to minimize congestion during peak hours and special events. D. Roadway disturbances shall be minimized during non-working		Date	Date		

Residential Center, Auberry: New Residential Center
Final Mitigated Negative Declaration Approval

Mitigation Measure	Implementation Actions and Timing	Implementation Responsibility	Responsibility for Oversight of Compliance/ Verification	Agency Coordination	Comments
E. hours; open trenches shall be covered with steel plates or by the use of temporary backfill during non-working hours. All paved surfaces disturbed during construction shall be repaved when work is complete.					

To be signed when all mitigation measures have been completed:

California Conservation Corps

Signature

Printed Name

Date

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6.0 LIST OF ATTACHMENTS

Attachment A – Notice of Intent

Attachment B – Proof of Publication

Attachment C – CDFW Filing Fee Receipt

Attachment D – Draft Initial Study and Mitigated Negative Declaration for the Residential Center, Auberry: New Residential Center



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