INITIAL STUDY CHECKLIST

1. Project title:	Tonyville Water Distribution System Rehabilitation and Reliability Project
2. Lead agency:	Lindsay-Strathmore Irrigation District 23260 Round Valley Road Lindsay, CA 93247
3. Contact person:	Dennis R. Keller Dennis R. Keller Consulting Civil Engineer, Inc. (559) 732-7938
4. Project location:	Unincorporated Community of Tonyville (Figure 1, Appendix A) Road 216, between Avenue 254 and Avenue 252, Tulare County Section 30, T19S, R21E Mount Diablo Base and Meridian
5. Latitude, Longitude:	36°15'52" N, 119°05'25" W
6. General plan designation:	Mixed Use
7. Zoning:	Rural Residential (R-A); General Commercial/Mixed Use (C-2/MU)
8. Description of project:	The Lindsay-Strathmore Irrigation District (District) provides water for domestic and agricultural irrigation purposes. The Proposed Project consists of replacing existing old water pipelines and eliminating distribution system dead ends. Most proposed Project features (pipelines, valves, water services and connections) will be located underground. Existing fire hydrants will be replaced. The pipeline will be located in the public right-of-way or in recorded easements. Figure 2 (Appendix A) shows the location of the pipelines. The total length of pipeline to be replaced is about 4,400 lineal feet. Construction activities include excavation, pipe installation, backfill and surface restoration. The Proposed Project includes an additional 1,300 feet of new water pipeline that will be used to interconnect the dead ends. The Proposed Project also includes the installation of a new engine driven standby power generator located at the District's surface water treatment plant.

9. Surrounding land uses and setting:	Rural area on valley floor along the east side of the Central Valley near the lower foothills. The area surrounding the Proposed Project is extensively farmed, being principally planted to citrus. Surrounding land uses include agricultural and mixed use.
10. Other public agencies whose approval is required	County of Tulare; State Water Resources Control Board, California; and San Joaquin Valley Air Pollution Control District.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and subsequent discussion on the following pages.

☐ Aesthetics	☐ Agriculture & Forestry	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation/Traffic	☐ Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☒ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Dennis R. Keller — 09 January 2024

Signature — Date

Dennis R. Keller, Consulting Civil Engineer — Lindsay-Strathmore Irrigation District

Printed name — For

Issues:

I. AESTHETICS **Would the project:**	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Discussion

a. **No Impact.** The Proposed Project does not result in a change in the scenic characteristics of the area and its surroundings. The Proposed Project would occur within District owned lands, executed easements and Tulare County road rights-of-ways.

b. **No Impact.** There are no scenic resources on or near the Proposed Project. The Project is not located adjacent to or near a state scenic highway.

c. **No Impact.** The Proposed Project consists of the installation of new underground pipelines and a standby generator at the existing surface water treatment facility. Public views and existing visual character will not be affected.

d. **No Impact.** The Proposed Project would not create a new source of substantial light or glare. New underground facilities will be replacing existing underground facilities resulting in no net change in lighting at the site of the Proposed Project.

II. AGRICULTURE & FORESTRY RESOURCES	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. **Would the project:**

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined in Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Discussion

a. **No Impact.** The Proposed Project will be contracted within public rights-of-ways, executed easements or on District owned land and will not remove any land from agricultural production.

b. **No Impact**. The Proposed Project area is currently zoned R-A (Rural Residential) and C-2/MU (General Commercial/Mixed Use).

c. **No Impact**. There are no forest lands within the limits of the Proposed Project.

d. **No Impact**. There are no forest lands within the limits of the Proposed Project.

e. **No Impact**. See previous responses to Items (a) through (d).

III. AIR QUALITY	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact

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

Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.	☐	☐	☒	☐

Discussion

The air quality impacts from the construction activities and the annual operation and maintenance activities from the operation of the Proposed Project have been evaluated using the California Emissions Estimator Model (CalEEMod). The results have been compared against thresholds established by the San Joaquin Valley Air Pollution Control District and are estimated to be below any threshold. A summary of the emissions estimates is attached for reference.

a. **No Impact.** The Proposed Project would not conflict with any applicable air quality plan. During construction, however, the District and the selected contractors would be required to comply with the San Joaquin Valley Air Pollution Control District's Regulation VIII. The standby generator will be required to meet San Joaquin Valley Air Pollution Control District permitting requirements.

b. **No Impact.** Air emissions estimates for construction and operations do not indicate a significant increase for any non-attainment pollutant.

c. **No Impact.** See response to Items (a) and (b).

d. **No Impact.** The Proposed Project consists of the installation of water pipelines and appurtenances. The standby generator will be tested for operations on a monthly basis. The Proposed Project will not result in other continuous emissions, such as objectionable odors. See responses to Items (a) and (b).

IV. BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	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?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

IV. BIOLOGICAL RESOURCES (continued)

Discussion

A Biological Evaluation Report was completed in October, 2023, that included a field survey completed in September, 2023. Identification of special status species included a search of the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB) and California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Vascular Plants of California. The Report has been attached for reference.

a. **Less Than Significant with Mitigation Incorporation.** The Report established that the potential exists for construction-related mortality and/or disturbances of nesting raptors and birds. The Report determined that the magnitude of the potential impacts could be reduced to a less than significant level through the incorporation of the following mitigation practices: scheduling of construction during low risk times of year (i.e., construction timing), preconstruction surveys and avoidance of active nests. The Report also recommended the establishment of construction and monitoring of active nests, if necessary, for the Swainson's Hawk. Preventive measures will be incorporated into construction documents to avoid potential impacts.

   Based upon the biological field survey, the Report concluded that less than significant impacts would occur to special status plants and special status animal species within the Proposed Project's vicinity and subsequent Mitigation Measures are not required.

b. **No Impact.** The biological survey did not establish the presence of sensitive natural communities or designated critical habitat. The Project site contains no aquatic features for riparian considerations.

c. **No Impact.** The biological field survey conducted in September, 2023, did not identify any wetlands on the Proposed Project site.

d. **No Impact.** The biological field survey established that the Project site "does not contain or adjoin any geographic features that could function as a wildlife movement corridor." The Proposed Project does not result in features that impedes movement of common native wildlife.

e. **No Impact.** The Proposed Project does conflict with the General Plan Policies of Tulare County (2023). The Proposed Project Site does not present a change in the designated land uses for the Project area and the Tonyville Hamlet Plan (2017). See response to Item (b).

f. **No Impact.** No Habitat Conservation Plan has been identified for, or that includes, the Proposed Project area. Since the Proposed Project does not result in any change to existing land use and associated conditions, it not expected to conflict with any local, regional or state conservation plans.

V. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Discussion

A Class III Inventory/Phase I Survey was completed for the Proposed Project site in January, 2024 that included field surveys, record surveys and tribal contacts. A field survey was conducted on December 7, 2023. No cultural resources were identified within the surveyed area that warranted consideration for the National Register of Historic Places (NRHP) or the California Register of Historical Resources (CRHR). The Report is attached for reference.

a. **No Impact.** The Survey report did not identify the presence of a historical resource within the Proposed Project area. The Proposed Project area consists of actively maintained roadways and agricultural land areas. The elements of the Proposed Project will be constructed within the actively maintained lands.

b. **No Impact.** The Proposed Project area consists of actively maintained roadways and agricultural land areas. The elements of the Proposed Project will be constructed within the actively maintained lands. The Survey report did not identify presence of any archaeological resources within or adjacent to the Proposed Project site.

c. **No Impact.** The Proposed Project area consists of actively maintained roadways and agricultural land areas. The elements of the Proposed Project will be constructed within the actively maintained lands. No formal cemetery is located within the Proposed Project area. Measures shall be implemented during construction to address discovery of human remains or other archaeological resources.

VI. ENERGY **Would the project:**	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

Discussion

a. **No Impact.** The Proposed Project consists of replacing existing pipelines with new pipelines and providing additional interconnecting pipelines to improve water delivery. The proposed standby power generator would only operate during monthly testing and power outages.

b. **No Impact.** The Proposed Project does not include elements that would be associated with state or local energy efficiency plans.

VII. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

VII. GEOLOGY AND SOILS (continued)

Discussion

a. **No Impact.** The Proposed Project location is not shown in an area designated to be affected by active earthquake fault zones or landslide and liquefaction zones as reviewed through the California Geological Survey Information Warehouse web-based regulatory mapping tool.

b. **No Impact.** Proposed Project locations consist of roadways or graded areas and shoulders. The Proposed Project area will be restored to existing conditions following pipeline installation. Construction specifications for the Proposed Project will require compaction of all disturbed areas which will minimize the potential for erosion.

c. **No Impact.** According to the National Resource Conservation Service (Soil Conservation Service), the Proposed Project area includes Exeter Loam, Honcut Sandy loam and San Joaquin Loam. The soil summary does not list any geologic hazards such as soil instability or subsidence. See response to Item (a).

d. **No Impact.** The Proposed Project does not include the construction of permanent dwelling buildings.

e. **No Impact.** Criteria does not apply. The Proposed Project does not include installation of septic tanks or alternative wastewater disposal systems.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

Discussion

a. **Less than Significant Impact.** Estimates of greenhouse gases resulting from the construction activities and the annual operation and maintenance activities from the operation of the Proposed Project have been determined using the California Emissions Estimator Model (CalEEMod). The San Joaquin Valley Air Pollution Control District does not have an annual greenhouse emissions standard. The results are estimated to be below the interim threshold of 10,000 metric tons (MT) established by the California Air Resources Board. A summary of the emissions estimates is attached for reference.

b. **No Impact.** The Proposed Project would not conflict with any applicable plan, policy or regulation adopted for reducing the emissions of greenhouse gases.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires.	☐	☐	☐	☒

IX. HAZARDS AND HAZARDOUS MATERIALS (continued)

Discussion

a. **Less than Significant Impact.** The operation of the standby power generator element of the Proposed Project will require periodic transport of fuel used for equipment operation. The quantity of fuel and infrequent refueling will not represent a significant hazard. The transport, use and storage of fuel will be in accordance with regulatory requirements.

b. **Less than Significant Impact.** The operation of the Proposed Project will require fuel used for equipment operation. The quantity of fuel will not represent a significant hazard. The site for the proposed standby generator lies behind security fencing and locked gates.

c. **No Impact.** The Proposed Project is not located within one-quarter mile of an existing or proposed school.

d. **No Impact.** The Proposed Project will not be constructed on a hazardous materials site. The Proposed Project site is not on the Cortese List.

e. **No Impact.** The Proposed Project site is not located within an airport land use plan. The nearest public airstrip (Exeter) is approximately three (3) miles away.

f. **No Impact.** The Proposed Project site is not located near a private airstrip. The nearest private airstrip (Eckert Field) is approximately six (6) miles away.

g. **No Impact.** There are no emergency response plans which involve the Proposed Project site.

h. **No Impact.** Wildlands are not considered present within the Project area. The Proposed Project site consists of leveled residential and agricultural land and roadways. No changes in adjacent land uses are proposed.

X. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would.				
i) result in substantial erosion or siltation on- or off-site;	☐	☐	☐	☒
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☐	☒
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☐	☒
iv) impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

IX. HYDROLOGY AND WATER QUALITY (continued)

Discussion

a. **No Impact.** The Proposed Project consists of the installation of new water pipelines, appurtenances and water services. The Proposed Project, whether during construction or following completion, will not degrade water quality. Construction requirements, such as a Storm Water Pollution Prevention Plan (SWPPP), will be utilized to prevent water quality impacts during construction of the improvements.

b. **No Impact.** The water system uses treated surface water and will not result in community growth that would increase groundwater use. The Proposed Project does not include any groundwater extraction facilities. The Proposed Project replaces existing water pipelines and services.

c(i). **No Impact.** The Proposed Project area consists of leveled and paved land. Elements of the Proposed Project will be constructed at existing grades. No changes to existing grades on or adjacent to the Project site are proposed. The Proposed Project would not substantially alter the existing drainage pattern of the area.

c(ii). **No Impact.** The Proposed Project area consists of leveled and paved land. The Proposed Project includes additional concrete equipment pads and paving that will be constructed at existing grades. The amount of impervious area would not substantially alter the existing drainage quantity of the area.

c(iii). **No Impact.** The Proposed Project area is served by a stormwater drainage system that discharges to a channel that is close to the Project area. The amount of impervious surface resulting from the Proposed Project reflects existing conditions. See response to Item (d).

c(iv). **No Impact.** The Proposed Project is located in Zone X – 0.2 percent annual chance flood hazard. Proposed Project elements consist of buried water pipelines, related appurtenances and water services that will not impede or redirect flood flows. Fire hydrants will not impede or redirect flood flows. National Flood Hazard Layer Firmette maps are attached in Appendix E for reference.

d. **No Impact.** The Proposed Project consists of water pipelines, related appurtenances and services which do not require chemicals that pose a risk of pollution during a flood event. The operation of the District's surface water treatment plant and standby engine generator uses chemicals and fuel. The facilities are/will be constructed at elevations to minimize flooding potential.

The Proposed Project site is located approximately 115 miles from the Pacific Ocean and separated by the coastal mountain ranges (elevation of approximately 3,000 ft). Consequently, the Proposed Project site is not subject to inundation by tsunami. The Proposed Project site is not located adjacent to an enclosed body of water that could be subject to a seiche. The Proposed Project site is not located in an area where mud flows occur.

e. **No Impact.** The Proposed Project does not include any water quality or groundwater management considerations.

XI. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigation an environmental effect?	☐	☐	☐	☒

Discussion

a. **No Impact.** The Proposed Project area encompasses the unincorporated community of Tonyville.

b. **No Impact.** There are no conflicts between the Proposed Project and the Tulare County General Plan. The Proposed Project will occur with existing public rights-of-way and District owned land and easements.

XII. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Discussion

a. **No Impact.** The Proposed Project is primarily located within existing public road rights-of-ways and will not result in a loss of mineral resources.

b. **No Impact.** The Proposed Project is primarily located within public road rights-of-ways and does not impact any resource recovery site.

XIII. NOISE

Would the project in:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

XII. NOISE (continued)

Discussion

a. **Less than Significant Impact.** During construction, the potential exists for noise to occur in excess of the Tulare County's General Plan standards. The Project's construction specifications will require construction activities to follow all applicable laws and limit noise generation. Due to the rural location and agricultural nature of the Proposed Project area, any noise created by construction would be consistent with agricultural equipment and would not adversely impact adjacent residents. Upon completion, the Proposed Project will not cause an increase in existing noise levels.

b. **Less than Significant Impact.** The potential for construction-related vibrations exists. Due to the rural location and agricultural nature of the Proposed Project area, vibration resulting from construction would be consistent with that from agricultural equipment and would not adversely impact adjacent residents. Upon completion, the Proposed Project will not cause an increase in existing vibration levels.

c. **No Impact.** The Proposed Project site is not located within an airport land use plan. The nearest public airstrip is approximately 3.4 miles west of the Proposed Project.

XIV. POPULATION AND HOUSING **Would the project:**	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion

a. **No Impact.** The purpose of the Proposed Project is to replace existing water pipelines to improve water delivery capabilities and to install additional pipelines and valves for operational improvements to the water distribution system.

b. **No Impact.** The Proposed Project is primarily located with public road rights-of-ways. Proposed pipeline alignments accommodate existing housing.

XV. PUBLIC SERVICES **Would the project:**	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☒	☐

Discussion

No Impact. The Proposed Project will not require, nor facilitate the need for, additional governmental services. No changes to service ratios, service times or other public service performance objectives will occur. Construction sequencing of the improvements will be used to minimize any potential impacts during construction.

XVI. RECREATION	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion

a. **No Impact.** See response to Item XIII(a) – Population and Housing.

b. **No Impact.** The Proposed Project does not include or require expansion of any recreational facilities.

XVII. TRANSPORTATION/TRAFFIC **Would the project:**	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b) (Criteria for Analyzing Transportation Impacts).	☐	☐	☐	☒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d) Result in inadequate emergency access?	☐	☐	☐	☒

Discussion

a(i) **No Impact.** The Proposed Project elements are located underground with the exception of valve boxes and water services which are to be installed at finish grade elevations and replacement fire hydrants. All construction activities will be performed within County rights-of-ways and on District owned lands. A County encroachment permit will establish requirements to maintain effectiveness of streets at locations of pipeline installations.

a(ii) **No Impact.** The Proposed Project does not conflict with § 15064.3 (b). The Proposed Project does not represent a Land Use or Transportation Project. The construction of the Proposed Project can be accomplished by local contractors which will minimize the vehicle miles traveled.

a(iii) **No Impact.** The Proposed Project elements are located underground, with the exception of valve boxes and water services which are to be installed at finish grade elevations and replacement fire hydrants.

a(iv) **No Impact.** The Proposed Project will not result in the alteration of the present access to the Proposed Project site. Therefore, existing emergency access would be maintained.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒
ii) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

Discussion

a(i). **No Impact.** The cultural resources survey completed for the Proposed Project (Item V) did not identify a listed or eligible for listing tribal cultural resource within the Project area.

a(ii). **No Impact.** The cultural resources survey completed for the Proposed Project (Item V) did not identify any tribal cultural resource having significance with the Project area.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmeotal effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably forseeable future development during normal, dry and multiple dry years.	☐	☐	☐	☒
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒
e) Comply with federal, state, and local management and reduction statutes and regulations to solid waste?	☐	☐	☐	☒

XIX. UTILITIES AND SERVICE SYSTEMS (continued)

Discussion

a. **Less than Significant Impact.** The Proposed Project consists of constructing new water distribution pipelines in existing roadway rights-of-ways that are maintained for traffic and residential purposes and replacing an existing pipeline with a new water distribution pipeline along the same alignment to minimize the disturbance to agricultural (farmed) lands. The Proposed Project will not change the conditions of the Project area.

b. **No Impact.** The elements of the Proposed Project replace existing water distribution pipelines, appurtenances and services that will use existing water supplies. The Proposed Project does not require new water supplies.

c. **No Impact.** The Proposed Project addresses drinking water delivery capabilities. The Proposed Project does not result in additional wastewater flows (demands).

d. **No Impact.** The Proposed Project does not result in a change in the solid waste generation or disposal of the existing facilities. The construction phase of the Proposed Project will generate additional solid waste on a temporary basis. Specifications will require proper handling and disposal of construction-related materials. In general, the construction-related materials (i.e., concrete, soil, etc.) can be recycled by existing landfill facilities.

e. **No Impact.** Specifications will require proper handling and disposal of construction-related materials.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, powerlines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

Discussion

a. **No Impact.** The Cultural Resources Report did not establish the presence of listed or eligible historical resources, or otherwise supported as significant resources.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Discussion

a. **Less Than Significant Impact.** As described in the previous sections, the Proposed Project will not result in any significant adverse impacts. Short-term related impacts that might occur during construction will be mitigated to a less than significant level based on Proposed Project design and/or construction specification requirements.

b. **No Impact.** The Proposed Project is not part of a past or future project. No projects or associated elements have been identified that rely on the completion of the Proposed Project. Therefore, the individual considerations of the Proposed Project and their described potential impacts do not have related impacts that need to be collectively analyzed as part of other projects.

c. **No Impact.** No direct or indirect adverse effects on the human population have been identified through the completion of this Initial Study.

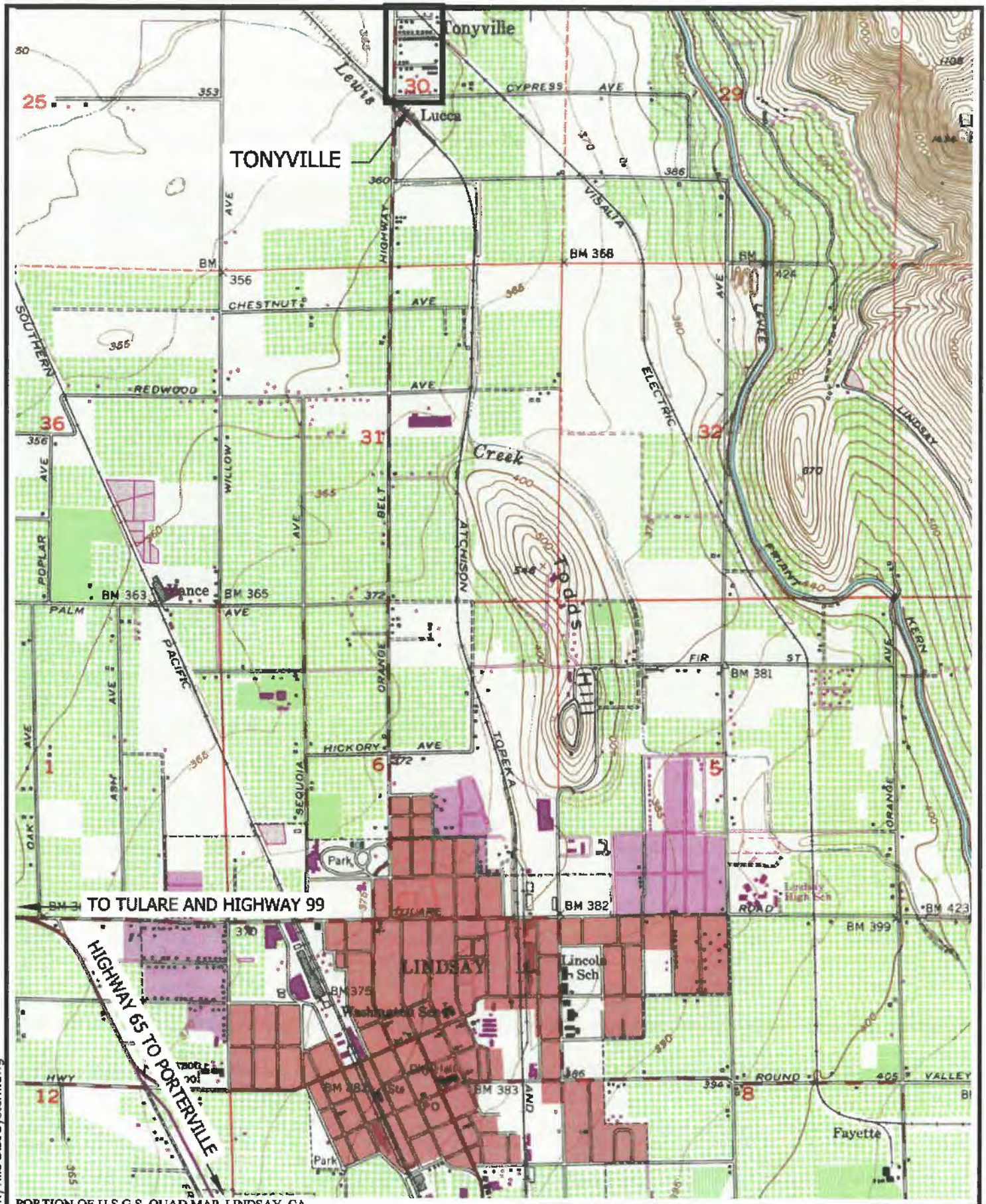
APPENDIX A

PROPOSED PROJECT LOCATION MAPS

TONYVILLE WATER DISTRIBUTION SYSTEM
REHABILITATION AND RELIABILITY PROJECT

LINDSAY-STRATHMORE IRRIGATION DISTRICT

FIGURE 1



PORTION OF U.S.G.S. QUAD MAP, LINDSAY, CA

0 2000' 4000'

SCALE: 1" = 2000'-0"

PROJECT LOCATION MAP

TONYVILLE WATER DISTRIBUTION SYSTEM REHABILITATION AND RELIABILITY PROJECT

LINDSAY-STRATHMORE IRRIGATION DISTRICT

DRK, CCE, INC.

L:\TONYVILLE\Tonyville Dist System.dwg

FIGURE 2

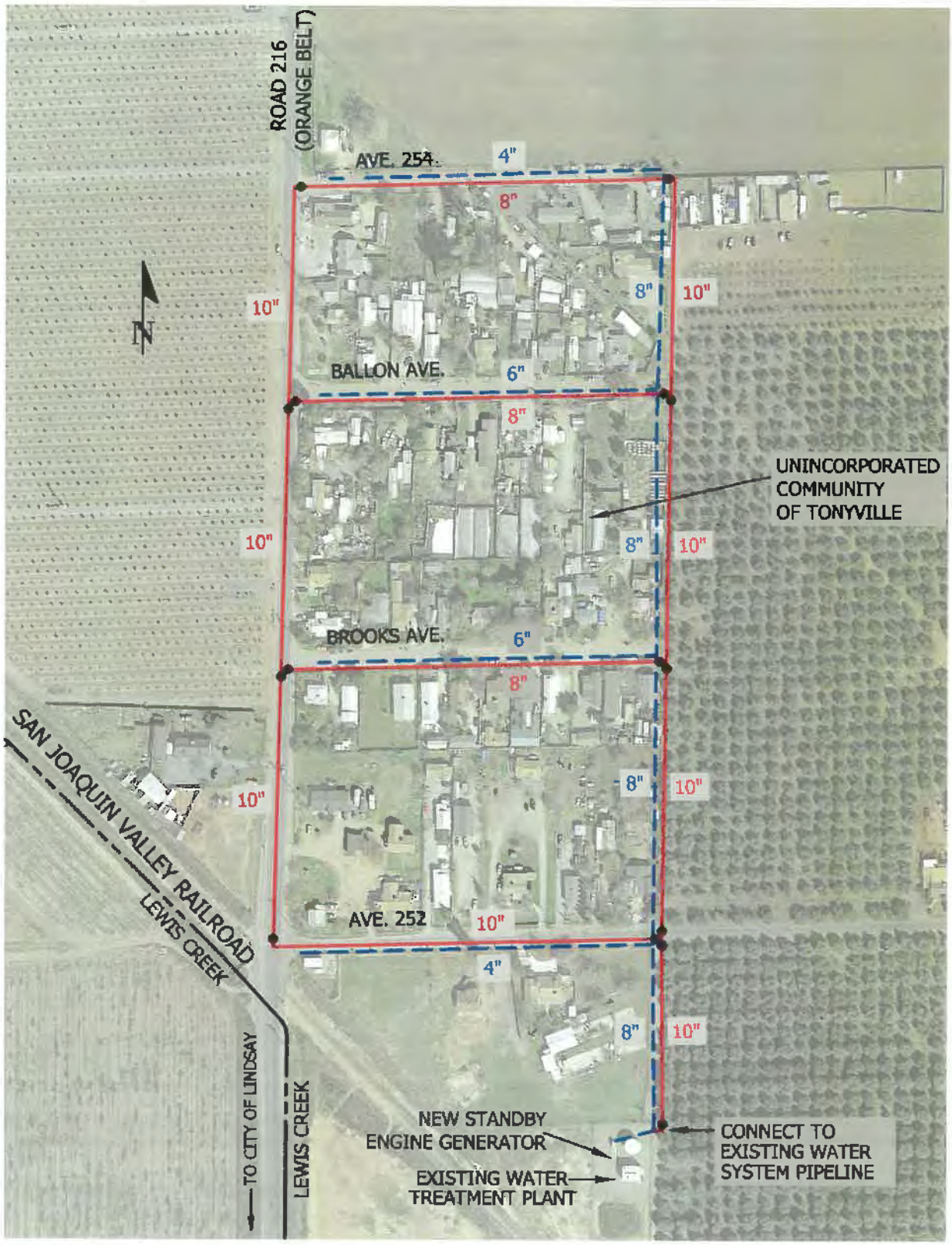


IMAGE SOURCE: GOOGLE EARTH

0 200 400 Feet

LEGEND

- EXISTING TONYVILLE SYSTEM
- PROPOSED PIPELINES
- PROPOSED GATE VALVES

PROPOSED WATER SYSTEM IMPROVEMENTS

TONYVILLE WATER DISTRIBUTION SYSTEM REHABILITATION AND RELIABILITY PROJECT

LINDSAY-STRATHMORE IRRIGATION DISTRICT

DRK, CCE, INC.

L:\LSID - TONYVILLE\Figure 2-Tonyville Water System Improvements-2023.dwg

APPENDIX B

AIR EMISSIONS/GREENHOUSE GASES ESTIMATES

TONYVILLE WATER DISTRIBUTION SYSTEM
REHABILITATION AND RELIABILITY PROJECT

LINDSAY-STRATHMORE IRRIGATION DISTRICT

ESTIMATED EMISSIONS
TONYVILLE WATER DISTRIBUTION SYSTEM REHABILITATION AND RELIABILITY PROJECT
LINDSAY-STRATHMORE IRRIGATION DISTRICT

The estimated Project construction and operational air emissions are summarized below. The emission estimates were generated using the California Emissions Estimator Model (CalEEMod) version 2016.3.2. based upon the installation of 8-inch diameter water main, gate valves, water services, connections and emergency generator over a 240 day construction schedule. The full CalEEMod emissions estimate report is available for review at the District office.

Pollutant	Federal Status (Attainment, Nonattainment or Unclassified)	Nonattainment Rates (Marginal, Moderate, Serious, Severe or Extreme)	Threshold of Significance for the Area (if applicable (Tons/Year) (1)	Construction Emissions (Tons/Year)	Operations Emissions (Tons/Year) (2)
Carbon Monoxide (CO)	Attainment	NA	100	1.6	0.05
Ozone (O_3)	Nonattainment	Extreme	10 (EPA De Minimis)	Unknown (Note 3)	Unknown (Note 3)
Oxides of Nitrogen (NO_x)	Unknown	-	10	1.5	0.03
Particulate Matter (PM_{10})	Attainment	NA	15	0.12	3.8
Reactive Organic Gases (ROG)	Unknown	-	10	0.2	0.02
Sulfur Dioxide (SO_2)	Attainment	NA	100 (EPA De Minimis)	0.004	0.0002
Volatile Organic Compounds (VOC)	Unknown	-	50 (EPA De Minimis)	Unknown (Note 3)	Unknown (Note 3)
Particulate Matter ($PM_{2.5}$)	Nonattainment	Serious	15	0.08	0.38
CO2e (Greenhouse Effect)	Does not apply	-	10,000 Metric Tons (California Air Resources Board)	303	19
Lead (Pb)	Attainment	NA	25 (EPA De Minimis)	Unknown (Note 3)	Unknown (Note 3)

Notes:

1. San Joaquin Valley Air Pollution Control District adopted thresholds, unless otherwise noted.
2. Results reflect CalEEMod light industrial land use. The Project consists of water pipelines, manually operated gate valves and residential water services and will not result in significant changes to existing operations. The Project does include the installation of an 80 kw diesel fueled standby engine generator for emergency operation of the water system's surface treatment plant.
3. Not calculated by CalEEMod.

APPENDIX C

BIOLOGICAL RESOURCES REPORT

TONYVILLE WATER DISTRIBUTION SYSTEM REHABILITATION AND RELIABILITY PROJECT

LINDSAY-STRATHMORE IRRIGATION DISTRICT

LIVE OAK
ASSOCIATES, INC.

BIOLOGICAL EVALUATION
TONYVILLE WATER SYSTEM DISTRIBUTION PIPELINE IMPROVEMENT PROJECT
TULARE COUNTY, CALIFORNIA

Prepared by

LIVE OAK ASSOCIATES, INC.
Austin Pearson, Vice President
Natalie E. Neff, Staff Ecologist

Prepared for:

Craig Wallace
Lindsay-Strathmore Irrigation District
23260 Round Valley Road
Lindsay, CA 93247

September 19, 2023

PN 2822-01

EXECUTIVE SUMMARY

The Lindsay-Strathmore Irrigation District proposes to replace and construct approximately 6,400 feet of pipeline within existing road right-of-way along agricultural and ruderal/developed lands within the unincorporated community of Tonyville ("project site") in Tulare, County. The work will consist of replacing existing water pipelines, eliminating dead ends, and replacing existing fire hydrants. The project site is located along the following streets: Avenue 254, Ballon Ave, Brooks Ave, Avenue 252, Road 216 from Avenue 252 to Avenue 254, and an unnamed road parallel to Road 216 from the Lindsay-Strathmore Water Treatment Plant to Avenue 254. Live Oak Associates, Inc. (LOA) conducted an investigation of the biotic resources of the project site and assessed potential impacts to those resources pursuant to the California Environmental Quality Act (CEQA). The project site was surveyed on September 29, 2023, for its biotic habitats, the plants and animals occurring in those habitats, and significant habitat values that may be protected by state and federal law.

Two biotic habitats/land uses were found on site: ruderal/developed and agricultural. All areas of the project site are disturbed, however, suitable habitat is available for disturbance tolerant species. Both habitat types are of low quality for sensitive native wildlife and unsuitable for rare plant species. In addition, waters of the U.S. and sensitive habitats are absent from the project site.

The project has the potential to result in construction-related mortality of nesting migratory birds and raptors, including Swainson's hawk, protected under the federal Migratory Bird Treaty Act and related state laws. Mortality of protected avian species would be considered a significant impact of the project under CEQA. By either implementing the project outside of the nesting seasons or by avoiding active nests identified during preconstruction surveys, the project applicant can reduce the magnitude of this potential impact to a less than significant level.

The project will either have no impact or a less than significant impact, as defined by CEQA, on the following biotic resources: Special status plant species; special status animal species that would not likely use the site (i.e., the project site is outside their typical range or habitats of the site are not suitable for them); special status animal species that may occasionally use habitats of the project site for cover and foraging; wildlife movement corridors; sensitive natural communities and designated critical habitat; and waters of the State or U.S. The project is not in conflict with any habitat conservation plans or local policies.

TABLE OF CONTENTS

1.0 INTRODUCTION

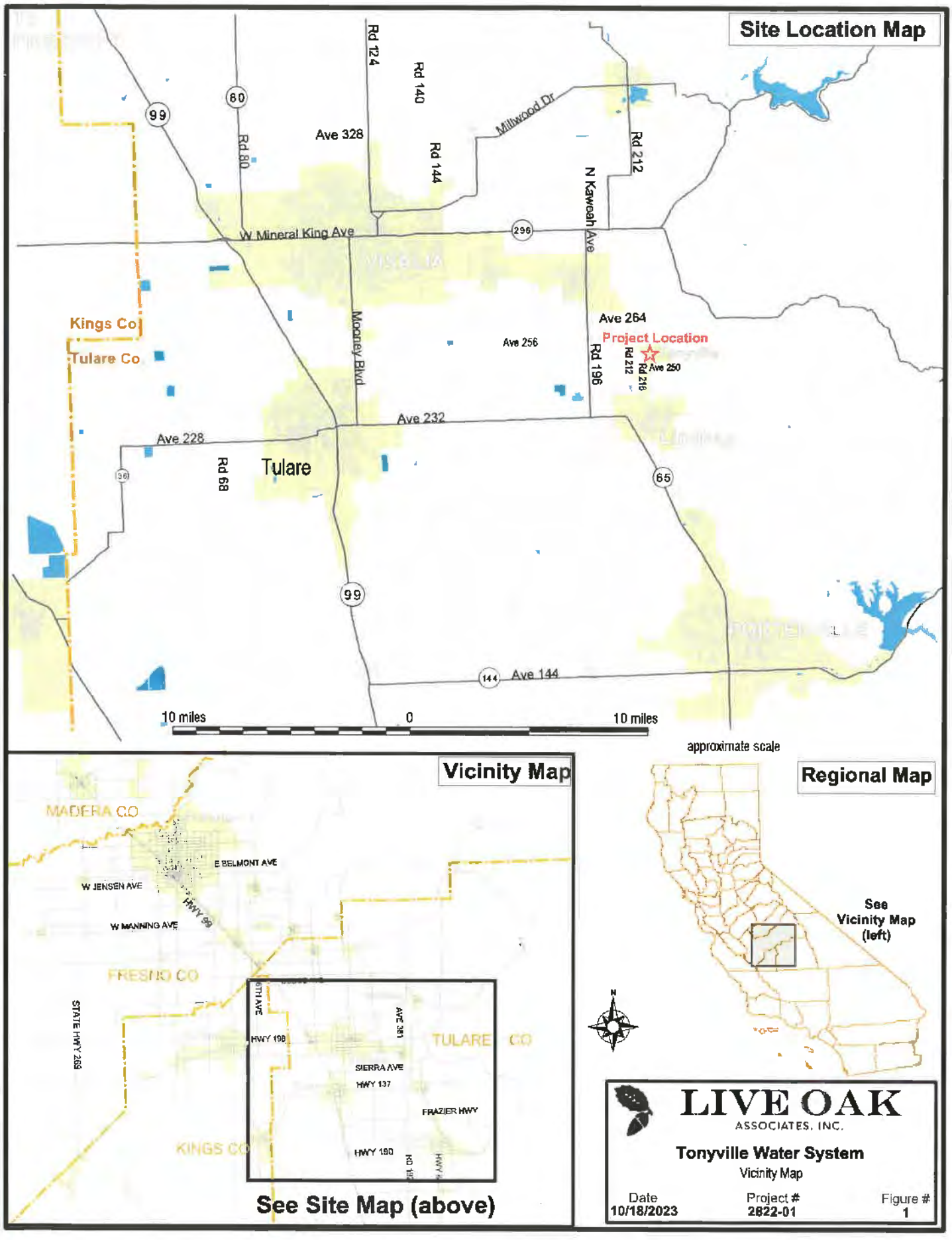
This report, prepared by Live Oak Associates, Inc. (LOA), describes the biological resources of an approximately 6,400 linear foot alignment ("project site" or "site") proposed for development ("project"), and assesses potential project-related impacts to those resources. Specifically, this report describes the biotic habitats of the project site, evaluates the suitability of each habitat for special status plant and animal species, identifies potentially significant impacts to sensitive or protected biological resources from the project and proposes measures that, if implemented, would mitigate those impacts to a less than significant level as defined by the California Environmental Quality Act (CEQA).

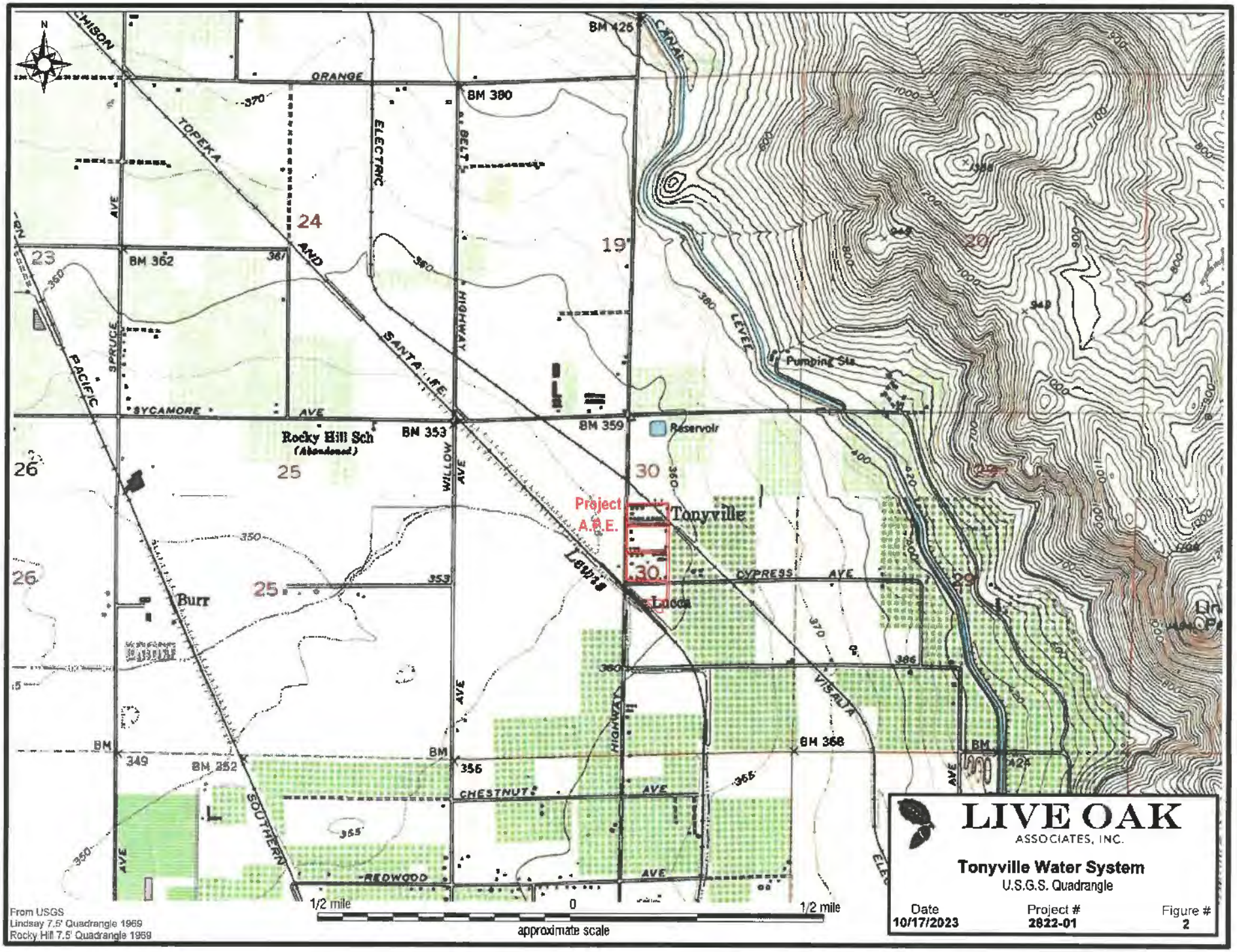
1.1 PROJECT LOCATION

The project site is located approximately 2 miles northwest of Lindsay and 4 miles southeast of Exeter in Tonyville, a Census Designated Place (CDP) in Tulare County (Figure 1). The project site is located along multiple residential and agricultural roads in Tonyville that include the following: Ave. 254, Ballon Ave., Brooks Ave., Avenue 252 (ends directly west of the olive orchard)., Road 216 (Orange Belt Hwy.) from Avenue 252 to Avenue 254, and an unmarked agricultural road that runs parallel to Road 216 between the residential neighborhood and an olive orchard from the Lindsay-Strathmore water treatment plant to Avenue 254. The site can be found on the Lindsay U.S. Geological Survey (USGS) 7.5-minute quadrangle, Section 30, Township 19 South, Range 27 East; Mount Diablo Base and Meridian (Figure 2).

1.2 PROJECT DESCRIPTION

The Lindsay-Strathmore Irrigation District (District) provides water for both domestic and agricultural irrigation purposes. The Proposed Project consists of replacing existing old domestic water pipelines with new pipelines, constructing new pipeline, replacing existing fire hydrants, and eliminating dead ends in its Tonyville water system. The total estimated length of pipeline to be installed is approximately 6,400 lineal feet, which includes 4,900 feet of pipeline replacement and 1,500 feet of new water pipeline that will be used to interconnect pipeline and eliminate dead ends.


Site Location Map
Rd 124
Rd 140
Rd 144
Millwood Dr
Rd 212
N Kaweah Ave
Rd 80
Ave 328
W Mineral King Ave
296
80
99
Kings Co
Tulare Co
Mooney Blvd
Ave 264
Project Location
Ave 256
Rd 196
Rd 212
Rd 216
Ave 250
Ave 232
Ave 228
Rd 68
Tulare
198
65
99
144
Ave 144
10 miles
0
10 miles
approximate scale
Vicinity Map
MADERA CO
E BELMONT AVE
W JENSEN AVE
HWY 99
W MANNING AVE
FRESNO CO
STATE HWY 269
6TH AVE
HWY 198
AVE 381
TULARE CO
SIERRA AVE
HWY 137
FRAZIER HWY
KINGS CO
HWY 190
RD 192
HWY 43
See Site Map (above)
Regional Map
See Vicinity Map (left)
N
LIVE OAK
ASSOCIATES, INC.
Tonyville Water System
Vicinity Map
Date
10/18/2023
Project #
2822-01
Figure #
1


Project A.P.E.
Tonyville
Rocky Hill Sch
(Abandoned)
Burr
Lucca
Reservoir
Pumping Sta
ORANGE
SYCAMORE AVE
CYPRESS AVE
CHESTNUT AVE
REDWOOD AVE
TOPEKA AND SANTA FE
PACIFIC
SOUTHERN
ELECTRIC
HIGHWAY
WILLOW AVE
LEVEE
CANAL
VISALIA
Lewis
BM 425
BM 380
BM 362
BM 359
BM 353
BM 368
BM 252
BM 349
BM 356
1/2 mile
0
1/2 mile
approximate scale
From USGS
Lindsay 7.5' Quadrangle 1969
Rocky Hill 7.5' Quadrangle 1969
LIVE OAK
ASSOCIATES, INC.
Tonyville Water System
U.S.G.S. Quadrangle
Date
10/17/2023
Project #
2822-01
Figure #
2

The pipelines will be located in the public right-of-way or in dedicated easement. Most project features, such as pipelines, valves, water services and connections, will be located underground. Construction activities will include excavation, pipe installation, backfill, testing and surface restoration.

1.3 REPORT OBJECTIVES

This report summarizes a biological study conducted by LOA to facilitate environmental review pursuant to CEQA. As such, the report's objectives are to:

- Characterize the project site's existing biological resources, including biotic habitats, flora and fauna, soils, and aquatic resources
- Evaluate the project site's potential to support sensitive resources such as special status species, sensitive natural communities, and jurisdictional waters and wetlands
- Summarize all state and federal natural resource protection laws that may be relevant to project implementation
- Identify and discuss potential project-related impacts to biological resources within the context of CEQA and other state and federal laws
- Identify avoidance and mitigation measures that would reduce the magnitude of project-related impacts in a manner consistent with CEQA and species-specific guidelines

1.4 STUDY METHODOLOGY

The analysis of impacts, as discussed in Section 3.0 of this report, is based on the known and potential biotic resources of the project site (discussed in Section 2.0). Sources of information used in the preparation of this analysis include: (1) the *California Natural Diversity Data Base* (CDFW 2023); (2) the *Inventory of Rare and Endangered Vascular Plants of California* (CNPS 2023); (3) manuals, reports, and references related to plants and animals of the Sierra Nevada Foothills region; and (4) other available planning documents and biological studies from the general project vicinity. A field survey of the project site was conducted on September 29, 2023, by LOA biologist Natalie Neff. The surveys entailed a systematic drive and walk across the project site to ensure full visual coverage of the site, while noting principal land uses and associated plant and animal species, and mapping habitat suitable for special status species and other sensitive or protected biological resources.

2.0 EXISTING CONDITIONS

2.1 REGIONAL SETTING

The project site is located in the eastern Tulare basin which lies in the southeast portion of the San Joaquin Valley and west of the southern end of the Sierra Nevada. The site is within the CDP of Tonyville, situated approximately 4-miles southeast of the city of Exeter. Immediately surrounding areas consist of residential, agricultural, and ruderal lands. A small reservoir (approximately 4-acres) sits approximately .25 miles north of the northmost edge of the project site. The principal water feature of the region is the Friant-Kern Canal which runs north to south and is approximately 1-mile northeast of the project site at its closest point.

Average annual precipitation in the general vicinity is approximately 12 inches, 85% of which falls between the months of October and March. Storm-water runoff is expected to readily infiltrate into the onsite soil.

2.2 PROJECT SITE

The project site consists of residential development, an olive orchard, the Lindsay-Strathmore water treatment plant, roadsides, and a fallow field. The site has been utilized for residential development, industrial, and agricultural purposes since the early 1900s. The site is relatively flat with an elevation of approximately 360 feet National Geodetic Vertical Datum (NGVD) (Figure 2).

Soils of the site comprise the following soil mapping units:

- Porterville clay, 0-2 percent slopes (463612)
- Exeter loam, 0-2 percent slopes (463589)

These soil mapping units are not considered hydric. The soils of the project site have been substantially altered through agriculture and residential development. As a result, the soils of the site no longer maintain their native soil characteristics and would, therefore, have no particular significance to biological resources of the site.

2.3 BIOTIC HABITATS

The project site contained two biotic habitats characterized as ruderal/developed and agricultural. An aerial view of the site is presented in Figure 3. A list of vascular plants identified on the site is presented in Appendix A. A list of terrestrial vertebrates using or potentially using the project site is presented in Appendix **B**. Representative photos of the site are presented in Appendix C.

2.3.1 Ruderal/Developed

Most of the project site consists of ruderal/developed biotic habitat including disturbed roadside along the highway and residential neighborhoods, paved, gravel, and dirt roads and a fallow field. The ruderal/developed areas were vegetated with ornamental plants that had escaped from yards, ornamental trees, and common disturbance tolerant weedy species. Prickly pear *(Portulaca oleraceae)*, roses *(Rosa sp.)*, marigolds *(Tagetes sp.)*, bermuda grass *(Cynodon dactylon)*, common purslane *(Portulaca oleraceae)*, and small fruit trees *(Prunus sp.)* were common in the ruderal/developed areas near residential houses. Weedy and disturbance tolerant plants such as prostrate knotweed *(Polypogon monspeliensis)*, common spikeweed *(Centromadia pungens)*, wild oat *(Avena sp.)*, ripgut brome *(Bromus diandrus)*, and others were prevalent along Road 216, the fallow field, and in the gravel road around the water treatment plant.

Ruderal/developed habitats of the project site offer suitable nesting habitat to disturbance tolerant birds. For example, mourning doves *(Zenaida macroura)* and northern mockingbirds *(Mimus polyglottos)* could nest in the ornamental trees within or immediately adjacent to the project site. Ground nesting birds like killdeer (*Charadrius vociferus*) are highly disturbance tolerant and could nest in the gravel near the water treatment plant or in the fallow field.

The site provides habitat for mammals associated with human altered environments like raccoons *(Procyon lotor)*, coyotes *(Canis latrans)*, and striped skunks *(Mephitis mephitis)*. Such species would be expected to utilize and pass through the site. Small mammals expected to occur in this habitat type include Botta's pocket gopher *(Thomomys bottae)* and deer mice *(Peromyscus maniculatus)*.

2.3.2 Agricultural

One section of the project site consists of the margins of an olive orchard *(Olea europa)*, located in between residential backyards and the first row of olive trees. The olive orchard supported some native and non-native species including American black nightshade *(Solanum Americanum)*, silverleaf nightshade *(Solanum elaeagnifolium)*, prickly lettuce *(Latuca serriola)* and others.

The site's olive orchard is of marginal habitat value for some native wildlife species that have adapted to make use of certain agricultural lands of the region, such as Brewer's blackbirds *(Euphagus cyanocephalus)*, which could nest in the trees. The site does not provide suitable foraging habitat for large raptors, though a Swainson's hawk *(Buteo swainsonii)* was spotted flying over the project site at the time of the September survey.

A few common reptile species such as the common side-blotched lizard (*Uta stansburiana*), Pacific gopher snake (*Pituophis catenifer catenifer*), and western rattlesnake (*Crotalus viridis*) would be expected to occur on the site.

A few small mammal species may occur in the project site's agricultural orchard such as Botta's pocket gopher, California ground squirrel *(Otospermophilus beecheyi)* deer mice, and Audobon cottontail *(Sylvilagus audubonni)*.

Mammalian predators such as coyotes and raccoons could potentially forage in the orchard and would be expected to pass through the site from time to time.


LEGEND
Project A.P.E.
Proposed Water Pipelines
Existing Water Pipelines
Habitats / Land Cover
Ruderal / Developed
4.00 Acres
Agriculture
0.45 Acres
Ave 254
Ballon Ave
Brooks Ave
Cypress Ave
Rd 216
Staging Area
LIVE OAK
ASSOCIATES, INC.
Tonyville Water System
Biotic Habitats / Land Cover
Date
10/18/2023
Project #
2822-01
Figure #
3
300'
0
150'
300 feet
Source:
USDA FSA Aerial Photography Field Office 10/30/2022

2.4 SPECIAL STATUS PLANTS AND ANIMALS

Many species of plants and animals within the state of California have low populations, limited distributions, or both. Such species may be considered "rare" and are vulnerable to extirpation as the state's human population grows and the habitats these species occupy are converted to agricultural and residential uses. As described more fully in Section 3.2, state and federal laws have provided the CDFW and the U.S. Fish and Wildlife Service (USFWS) with a mechanism for conserving and protecting the diversity of plant and animal species native to the state. A sizable number of native plants and animals have been formally designated as threatened or endangered under state and federal endangered species legislation. Others have been designated as "candidates" for such listing. Still others have been designated as "species of special concern" by the CDFW. The California Native Plant Society (CNPS) has developed its own set of lists (i.e., California Rare Plant Ranks, or CRPR) of native plants considered rare, threatened, or endangered (CNPS 2023). Collectively, these plants and animals are referred to as "special status species."

The California Natural Diversity Data Base (CNDDB) was queried for special status plant and animal occurrences in the nine USGS 7.5-minute quadrangles containing and surrounding the project site: *Exeter, Rocky Hill, Chickencoop Canyon, Cairns Corner, Lindsay, Frazier Valley, Woodville, Porterville,* and *Success Dam.* A number of special status plants and animals were returned in the query and are summarized below in Table 1. Sources of information for this table included *California's Wildlife, Volumes I, II, and III* (Zeiner et. al 1988-1990), *California Natural Diversity Data Base* (CDFW 2023), *The Jepson Manual: Vascular Plants of California, second edition* (Baldwin et al 2012), the *California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California* (CNPS 2023), *Calflora.org,* and *eBird.org.*

TABLE 1. LIST OF SPECIAL STATUS SPECIES POTENTIALLY OCCURRING IN THE PROJECT VICINITY

PLANTS (Adapted from CDFW 2023 and CNPS 2023)

Species Listed as Threatened or Endangered under the State and/or Federal Endangered Species Act

Species	Status	Habitat/Range	*Occurrence within the Project Site
Kaweah Brodiaea (*Brodiaea insignis*)	CE, CRPR 1B.2	Occurs in granitic or clay soils in cismontane woodlands, meadows, seeps, valley, and foothill grasslands at elevations of 490- 4,500 feet. Blooms April-June. Found only in the Tule and Kaweah River drainages.	**Absent:** The project site lies outside of the elevation range of this species and suitable habitat is absent.
Springville Clarkia (*Clarkia springvillensis*)	FT, CE, CRPR 1B.2	Occurs in chaparral, cismontane woodland, valley, and foothill grasslands with granitic soil between 985 and 2,430 ft. in elevation. Blooms May-July.	**Absent:** The project site lies outside of the elevation range of this species and suitable habitat is absent.
Striped Adobe-Lily (*Fritillaria striata*)	CT, CRPR 1B.1	Occurs in heavy clay soils of cismontane woodland and valley and foothill grassland between 800 and 2,920 ft. in elevation. Blooms February-April.	**Absent:** The project site lies outside of the elevation range of this species and suitable habitat is absent.
San Joaquin Woollythreads (*Monolopia congdonii*)	FE, CRPR 1B.2	Occurs in sandy soils in shadscale scrub and valley grassland, between 195 and 2,600 ft. in elevation. Blooms February-May.	**Absent.** The project site lies outside of the known range for this species and suitable habitat is absent.
San Joaquin Adobe Sunburst (*Pseudobahia peirsonii*)	FT, CE, CRPR 1B.1	Occurs in foothill grasslands in heavy clay soils of the Porterville and Centerville series, between 300 and 2,625 ft. in elevation. Blooms March-April.	**Unlikely.** Although clay soils are present on a portion of the project site, urban and agricultural land disturbance have altered the habitat too much to support this species. The closest sighting was in 1953, approximately 3 miles south of the project site.
Keck's Checkerbloom (*Sidalcea keckii*)	FE, CRPR 1B.1	Occurs in cismontane woodland and valley and foothill grassland habitat with serpentine and/or clay soils between 525 and 2,230 ft. in elevation. Blooms April-May.	**Absent:** The project site lies outside of the elevation range of this species and suitable habitat is absent.

CNPS-listed Species

Earlimart Orache (*Atriplex cordulata* var. *erecticaulis*)	CRPR 1B.2	Occurs in alkaline soils of valley and foothill grasslands between 230 and 395 ft. in elevation. Blooms August-September	**Absent.** Suitable habitat and soils for this species are absent from the project site.
Lesser Saltscale (*Atriplex minuscula*)	CRPR 1B.1	Occurs in cismontane woodland and valley and foothill grasslands of the San Joaquin Valley; alkaline/sandy soils; blooms May-October; elevation 50-660 ft.	**Absent.** Suitable habitat and soils for this species are absent from the project site.
Subtle Orache (*Atriplex subtilis*)	CRPR 1B.2	Occurs in valley and foothill grasslands of the San Joaquin Valley; blooms August-October; elevation 130-330 ft.	**Absent:** The project site lies outside of the elevation range of this species and suitable habitat is absent.

TABLE 1. LIST OF SPECIAL STATUS SPECIES POTENTIALLY OCCURRING IN THE PROJECT VICINITY

PLANTS (Adapted from CDFW 2023 and CNPS 2023)

CNPS-listed Species (cont.)

Species	Status	Habitat	*Occurrence within the Project Site
Recurved Larkspur (*Delphinium recurvatum*)	CRPR 1B.2	Occurs in alkaline soils of cismontane woodland and valley and foothill grasslands in elevations 100 – 2,000 feet. Blooms March-June.	**Unlikely.** Although the project site is within range and common spikeweed was found on site (a plant associated with recurved larkspur), decades of agricultural and urban use of the site have created very low to unsuitable habitat conditions for this species.
Calico Monkeyflower (*Diplacus pictus*)	CRPR 1B.2	Occurs around granitic outcrops or gooseberry shrubs in broadleaf upland forest and cismontane woodland in granitic soils between 330 and 4270 ft. in elevation. May occur in disturbed areas. Blooms March-May.	**Unlikely.** Although in range, decades of agricultural and urban use of the site have created unsuitable habitat for this species.
Spiny-sepaled Button Celery (*Eryngium spinasepalum*)	CRPR 1B.2	Found in vernal pools, swales and valley and foothill grasslands at the eastern edge of the San Joaquin Valley and in the Tulare basin; elevation between 330 and 840 ft.. Blooms April to May.	**Absent.** Decades of agricultural and urban use of the site have created unsuitable habitat conditions for this species. Vernal pools and other suitable wetland features are absent from the site.
Alkali-Sink Goldfields (*Lasthenia chrysantha*)	CRPR 1B.1	Occurs in valley grassland, alkali sink, wetland riparian areas less than 328 ft. in elevation in the southern Sacramento Valley and San Joaquin Valley. Blooms February – June.	**Absent.** Suitable habitat in the form of vernal pools is absent from the site and immediately surrounding lands.
Madera Leptosiphon (*Leptosiphon serrulatus*)	CRPR 1B.2	Occurs in openings in cismontane woodland between 980 and 1,400 ft. in elevation. Blooms April-May.	**Absent.** Suitable habitat for this species is absent from the project site. Moreover, the project site is situated outside of this species' elevational range.
Shining Navarretia (*Navarretia nigelliformis ssp. radians*)	CRPR 1B.2	Occurs in cismontane woodland, vernal pools, and valley and foothill woodland. Blooms May to July.	**Absent.** Suitable habitat in the form of vernal pools is absent from the site and immediately surrounding lands.
California Alkali Grass (*Puccinellia simplex*)	CRPR 1B.2	Occurs in alkali sinks and flats within grassland and chenopod scrub habitats of the Central Valley, San Francisco Bay area and western Mojave Desert; elevations below 3,000 feet. Blooms March-May.	**Absent.** Suitable habitat and soils for this species are absent from the project site.
Chaparral Ragwort (*Senecio aphanactis*)	CRPR 2B	Drying alkaline flats in coastal scrub, chaparral, and cismontane woodland habitats at elevations between 20 and 855 meters. Blooms Jan. – April.	**Absent.** Suitable habitat and soils for this species are absent from the project site.

TABLE 1. LIST OF SPECIAL STATUS SPECIES POTENTIALLY OCCURRING IN THE PROJECT VICINITY

ANIMALS (adapted from CDFW 2023)

Species Listed as Threatened or Endangered under the State and/or Federal Endangered Species Act

Species	Status	Habitat	*Occurrence within the Project Site
Vernal Pool Fairy Shrimp (*Branchinecta lynchi*)	FT	Primarily found in vernal pools of California's Central Valley.	**Absent.** Suitable habitat in the form of vernal pools is absent from the site and immediately surrounding lands.
Crotch Bumble Bee (*Bombus crotchii*)	CCE	This bee is found in Coastal California east to the Sierra-Cascade crest and south into Mexico, where it occupies open grassland and scrub habitats. Constructs nests underground in animal burrows. Overwintering sites are likely in soft soils or in debris or leaf litter. Its food plant genera include *Antirrhinum*, *Phacelia*, *Clarkia*, *Dendromecon*, *Eschscholzia*, and *Eriogonum*.	**Unlikely.** Though an occurrence was documented approximately 4 miles northeast of the project site, it occurred in 1956 and suitable habitat is no longer present on the project site.
Valley Elderberry Longhorn Beetle (*Desmocerus californicus dimorphus*)	FT	Lives in mature elderberry shrubs of California's Central Valley and Sierra foothills.	**Absent.** The USFWS has revised its understanding of VELB distribution to exclude the San Joaquin Valley south of Merced County Furthermore, blue elderberry shrubs required by this species are absent from the site.
Foothill Yellow-Legged Frog- South Sierra DPS *(Rana boylii pop. 5)*	FPE, CE	Found in or near rocky streams in a variety of habitats. Use submerged rocks and debris for cover. Requires gravel or rocks in moving water near stream margins for reproduction.	**Absent.** Aquatic habitat needed to support this species is absent from project site.
California Condor (*Gymnogyps californionus*)	FE, CE, CFP	Scavenge for carrion in habitats ranging from Pacific beaches to mountain forests and meadows. They nest in caves on cliff faces in mountains up to 6,000 ft. in elevation. Their size makes take-off difficult, leading them to use high perches for easier take-offs.	**Unlikely.** Although Condors have been spotted near the project site, no suitable foraging or nesting habitat is available. At most, a condor would fly over the site in passing.
Swainson's Hawk *(Buteo swainsoni)*	CT	Summer migrant in the Central Valley. Forages in grasslands and fields close to riparian areas.	**Present.** A Swainson's hawk was spotted flying over the site during the September 29, 2023 survey. Four nesting occurrences have been documented less than 10 miles from the project site. While the project site itself does not provide suitable foraging or nesting habitat, suitable habitat exists nearby.
Tricolored Blackbird (*Agelaius tricolor*)	CT, CSC	Breeds colonially near fresh water in dense bulrush, cattails, or thickets of willows or shrubs. Occasionally nests in wheat fields. Forages in a wide variety of habitats.	**Absent.** Suitable nesting and foraging habitat is absent from the project site.
Tipton Kangaroo Rat (*Dipodomys nitratoides nitratoides*)	FE, CE	Inhabits valley saltbrush scrub, valley sink scrub, and grassland habitats located from the Valley floor to 300 ft. in elevation.	**Absent.** Suitable habitat is absent from the project site. Furthermore, the most recent and closest occurrence is from 1943 approximately 10.3 miles southwest from the project site.

TABLE 1. LIST OF SPECIAL STATUS SPECIES POTENTIALLY OCCURRING IN THE PROJECT VICINITY

ANIMALS (adapted from CDFW 2023)

Species Listed as Threatened or Endangered under the State and/or Federal Endangered Species Act

Species	Status	Habitat	*Occurrence within the Project Site
San Joaquin Kit Fox (*Vulpes macrotis mutica*)	FE, CT	Desert alkali scrub, annual grasslands of California's San Joaquin Valley and Tulare Basin, extending west into San Luis Obispo County. This species may forage in adjacent agricultural habitats.	**Possible.** Four occurrences of San Joaquin Kit fox have been recorded within 5 miles of the project site, the closet occurring approximately 2 miles southwest of the project site. Three of these sightings are from 1975, with the most recent from 2001. However, the site provides marginal habitat for this species at best and no suitable burrows were found during the September 29, 2023 survey. If a kit fox were to occur on the project site, it would only be as a transient passing through.

State Species of Special Concern

Western Spadefoot (*Spea hammondii*)	CSC	Primarily occurs in grasslands, but also occurs in valley and foothill hardwood woodlands. Requires vernal pools or other temporary pools for breeding.	**Absent.** Suitable breeding habitat in the form of vernal pools or other temporary bodies of water are absent from the site and surrounding lands.
Western Pond Turtle (*Emys marmorata*)	CSC	Associated with permanent bodies of water for breeding. Requires partially submerged rocks or logs for basking sites. Eggs are deposited in a variety of soil types near water's edge. Seasonal hibernation/estivation includes use of upland habitat from water sources including ground squirrel burrows and loose substrate for burying themselves.	**Absent.** Suitable habitat is absent from the project site and adjacent lands.
Northern California Legless Lizard (*Anniella pulchra*)	SSC	Occurs in sparsely vegetated areas of beach dunes, chaparral, pine-oak woodlands, desert scrub, sandy washes, and stream terraces with sycamores, cottonwoods, or oaks. Requires moist soils.	**Absent.** Suitable habitat is absent from the project site.
Pallid Bat (*Antrozous pallidus*)	SSC	Roosts in rocky outcrops, cliffs, and crevices with access to open habitats for foraging. May also roost in caves, mines, hollow trees and buildings.	**Unlikely.** Suitable roosting habitat is absent from the site and foraging habitat is marginal.
Western Mastiff Bat (*Eumops perotis californicus*)	SSC	Frequents open, semi-arid to arid habitats, including conifer, and deciduous woodlands, coastal scrub, grasslands, palm oasis, chaparral and urban. Roosts in cliff faces, high buildings, and tunnels.	**Unlikely.** Suitable roosting habitat is absent from the site and foraging habitat is marginal.
Townsend's Big-eared bat (*Corynorhinus townsendii*)	SSC	Primarily a cave-dwelling bat, but may also roost in tunnels, buildings, other human-made structures, and hollow trees. Occurs in a variety of habitats.	**Unlikely.** Suitable roosting habitat is absent from the site and foraging habitat is marginal.
American Badger (*Taxidea taxus*)	CSC	This species inhabits open and dry sections of grasslands, shrub, and forest habitats with friable soil.	**Unlikely.** The project site provides marginal habitat, at best, for this species.

* Explanation of Occurrence, Designations, and Status Codes

Present: Species observed on the site at time of field surveys or during recent past.
Likely: Species not observed on the site, but it may reasonably be expected to occur there on a regular basis.
Possible: Species not observed on the site, but it could occur there from time to time.
Unlikely: Species not observed on the site, and would not be expected to occur there except, perhaps, as a transient
Absent: Species not observed on the Site and precluded from occurring there because habitat requirements not met.

STATUS CODES

FE	Federally Endangered
FT	Federally Threatened
FPT	Federally Proposed Threatened
FC	Federal Candidate
FPD	Federally (Proposed) Delisted
CE	California Endangered
CT	California Threatened
CSC	California Species of Special Concern
CRPR	California Rare Plant Ranking
CFP	California Fully Protected
CCE	California Candidate Endangered

2.5 JURISDICTIONAL WATERS

Jurisdictional waters include rivers, creeks, and drainages that have a defined bed and bank and which, at the very least, carry ephemeral flows. Jurisdictional waters also include lakes, ponds, reservoirs, and wetlands. Such waters may be subject to the regulatory authority of the USACE, the CDFW, and the Regional Water Quality Control Board (RWQCB). See Section 3.2.8 of this report for additional information.

Jurisdictional waters are absent from the site.

2.6 CALIFORNIA SENSITIVE NATURAL COMMUNITIES

California Sensitive Natural Communities are natural communities designated by CDFW as those that are of limited distribution, distinguished by significant biological diversity, home to special status plant and animal species, of importance in maintaining water quality or sustaining flows, etc.

No habitats designated as a Sensitive Natural Community by CDFW or any other sensitive habitats are present on the site or surrounding lands.

2.7 WILDLIFE MOVEMENT CORRIDORS

Wildlife movement corridors are routes that animals regularly and predictably follow during seasonal migration, dispersal from native ranges, daily travel within home ranges, and inter-

population movements. Movement corridors in California are typically associated with valleys, rivers and creeks supporting riparian vegetation, and ridgelines.

Wildlife movement corridors are absent from the project site.

2.8 DESIGNATED CRITICAL HABITAT

The USFWS often designates areas of "critical habitat" when it lists species as threatened or endangered. Critical habitat is a specific geographic area(s) that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection.

Designated critical habitat is absent from the project site and surrounding lands.

3.0 RELEVANT GOALS, POLICIES, AND LAWS

3.1 CALIFORNIA ENVIRONMENTAL QUALITY ACT

In California, any project carried out or approved by a public agency that will result in a direct or reasonably foreseeable indirect physical change in the environment must comply with CEQA. The purpose of CEQA is to ensure that a project's potential impacts on the environment are evaluated and methods for avoiding or reducing these impacts are considered before the project is allowed to move forward. A secondary aim of CEQA is to provide justification to the public for the approval of any projects involving significant impacts on the environment.

According to Section 15382 of the CEQA Guidelines, a significant effect on the environment means a "substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic interest." Although the lead agency may set its own CEQA significance thresholds, project impacts to biological resources are generally considered to be significant if they would meet any of the following criteria established in Appendix G of the CEQA Guidelines:

- 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 CDFW or USFWS.
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by CDFW or USFWS.
- Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal. filling, hydrological interruption, or other means.
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Furthermore, CEQA Guidelines Section 15065(a) requires the lead agency to make "mandatory findings of significance" if there is substantial evidence that a project may:

- Substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of an endangered, rare or threatened species.
- Achieve short-term environmental goals to the detriment of long-term environmental goals.
- Produce environmental effects that are individually limited but cumulatively considerable, meaning that the incremental effects of the project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects.

3.2 OTHER RELEVANT LAWS AND POLICIES

3.2.1 General Plan Policies of Tulare County and Tonyville Hamlet Plan

In compliance with CEQA, the lead agency must consider conformance with applicable goals and policies of the General Plan of the County of Tulare. The Tulare County General Plan released an update in 2003 that is valid through 2030. Furthermore, the County adopted the Tonyville Hamlet plan in 2017. Implementation of goals in these plans is accomplished via a set of policies specific to each goal.

Relevant biological resource goals of the Tulare County General Plan and Tonyville Hamlet Plan include:

- protecting rare and endangered species;
- limiting development in environmentally sensitive areas;
- protecting riparian areas though habitat preservation, designation as open space or recreational land uses, bank stabilization and development controls;
- supporting the preservation and management of wetland and riparian plant communities for passive recreation, groundwater recharge, and wildlife habitats;
- encouraging the planting of native trees, shrubs, and grasslands preserve;
- requiring open space buffers between development projects and significant watercourse, riparian vegetation, wetlands, and other sensitive habitats and natural communities;
- coordinating with other government land management agencies to preserve and protect biological resources;

- supporting the conservation and management of oak woodland communities and their habitats;
- implementing pesticide controls to limit effects on natural resources; and
- supporting the establishment and administration of a mitigation banking program.

3.2.2 Threatened and Endangered Species

In California, imperiled plants and animals may be afforded special legal protections under the California Endangered Species Act (CESA) and/or Federal Endangered Species Act (FESA). Species may be listed as "threatened" or "endangered" under one or both Acts, and/or as "rare" under CESA. Under both Acts, "endangered" means a species is in danger of extinction throughout all or a significant portion of its range, and "threatened" means a species is likely to become endangered within the foreseeable future. Under CESA, "rare" means a species may become endangered if their present environment worsens. Both Acts prohibit "take" of listed species, defined under CESA as "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill" (California Fish and Game Code, Section 86), and more broadly defined under FESA to include "harm" (16 USC, Section 1532(19), 50 CFR, Section 17.3). The USFWS commonly interprets "take" to include the loss of habitat utilized by a listed species.

When state and federally listed species have the potential to be impacted by a project, the USFWS and CDFW must be included in the CEQA process. These agencies review the environmental document to determine the adequacy of its treatment of endangered species issues and to make project-specific recommendations for the protection of listed species. Projects that may result in the "take" of listed species must generally enter into consultation with the USFWS and/or CDFW pursuant to FESA and CESA, respectively. In some cases, incidental take authorization(s) from these agencies may be required before the project can be implemented.

3.2.3 California Fully Protected Species

The classification of certain animal species as "fully protected" was the State of California's initial effort in the 1960s, prior to the passage of the California Endangered Species Act (CESA), to identify and provide additional protection to those species that were rare or faced

possible extinction. Following CESA enactment in 1970, many fully protected species were also listed as California threatened or endangered. The list of fully protected species are identified, and their protections stipulated, in California Fish and Game Code Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and fish (5515). Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take, except in conjunction with necessary scientific research and protection of livestock.

3.2.4 Migratory Birds

The Federal Migratory Bird Treaty Act (FMBTA: 16 USC 703-712) prohibits killing, possessing, or trading in any bird species covered in one of four international conventions to which the United States is a party, except in accordance with regulations prescribed by the Secretary of the Interior. The name of the act is misleading, as it actually covers almost all birds native to the United States, even those that are non-migratory. The FMBTA encompasses whole birds, parts of birds, and bird nests and eggs.

Native birds are also protected under California state law. The California Fish and Game Code makes it unlawful to take or possess any non-game bird covered by the FMBTA (Section 3513), as well as any other native non-game bird (Section 3800), even if incidental to lawful activities.

3.2.5 Birds of Prey

Birds of prey are also protected in California under provisions of the State Fish and Game Code, Section 3503.5, 1992), which states that it is "unlawful to take, possess, or destroy any birds in the order *Falconiformes* or *Strigiformes* (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered "taking" by the CDFW.

3.2.6 Nesting Birds

In California, protection is afforded to the nests and eggs of all birds. California Fish and Game Code (Section 3503) states that it is "unlawful to take, possess, or needlessly destroy the nest or eggs of any bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Breeding-season disturbance that causes nest abandonment and/or loss of reproductive effort is considered a form of "take" by the CDFW.

3.2.7 Habitat Conservation Plans and Natural Community Conservation Plans

Section 10 of the federal Endangered Species Act establishes a process by which non-federal projects can obtain authorization to incidentally take listed species, provided take is minimized and thoroughly mitigated. A Habitat Conservation Plan (HCP), developed by the project applicant in collaboration with the USFWS and/or NMFS, ensures that such minimization and mitigation will occur, and is a prerequisite to the issuance of a federal incidental take permit. Similarly, a Natural Community Conservation Plan (NCCP), developed by the project applicant in collaboration with CDFW, provides for the conservation of biodiversity within a project area, and permits limited incidental take of state-listed species.

3.2.8 Wetlands and Otber Jurisdictional Waters

Section 404 of the federal Clean Water Act (CWA) regulates the discharge of dredged or fill material into "navigable waters" (33 U.S.C. §1344), defined in the CWA as "the waters of the United States, including the territorial seas" (33 U.S.C. §1362(7)). The CWA does not supply a definition for waters of the U.S., and that has been the subject of considerable debate since the CWA's passage in 1972. A variety of regulatory definitions have been promulgated by the two federal agencies responsible for implementing the CWA, the Environmental Protection Agency (EPA) and USACE. These definitions have been interpreted, and in some cases, invalidated, by federal courts.

Waters of the U.S. are presently defined by the EPA and USACE's joint 2023 Revised Definition of 'Waters of the U.S.' Rule (2023 WOTUS Rule), issued in January 2023 and amended in August 2023. Generally speaking, waters of the U.S. include:

- Waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide
- The territorial seas
- Interstate waters
- Impoundments of waters otherwise defined as waters of the United States under the definition
- Tributaries to other waters of the U.S. that are relatively permanent, standing or continuously flowing bodies of water
- Wetlands adjacent to other waters of the U.S. that have a continuous surface connection to those waters

The 2023 WOTUS Rule also defines a number of exclusions from the definition of waters of the U.S., many of which are longstanding exclusions from earlier regulatory regimes. These generally include:

- Waste treatment systems
- Prior converted cropland
- Ditches excavated wholly in and draining only dry land that do not carry a relatively permanent flow of water
- Certain artificial features, e.g. irrigation basins, swimming pools, borrow pits, and artificially irrigated areas
- Swales and erosional features characterized by low volume, infrequent, or short duration flow

All activities that involve the discharge of dredge or fill material into waters of the U.S. are subject to the permit requirements of the USACE. Such permits are typically issued on the condition that the applicant agrees to provide mitigation that result in no net loss of wetland functions or values.

Under the Porter-Cologne Water Quality Control Act of 1969, the State Water Resources Control Board (SWRCB) has regulatory authority to protect the water quality of all surface water and groundwater in the State of California ("waters of the State"). Nine RWQCBs oversee water quality at the local and regional level. The RWQCB for a given region regulates

discharges of fill or pollutants into waters of the State through the issuance of various permits and orders. Discharges into waters of the State that are also waters of the U.S. require a Section 401 Water Quality Certification from the RWQCB as a prerequisite to obtaining a Section 404 Clean Water Act permit. Discharges into waters of the State that are not also waters of the U.S. require Waste Discharge Requirements (WDRs), or waivers of WDRs, from the RWQCB.

The SWRCB and RWQCBs also administer the federal National Pollution Discharge Elimination System (NPDES) program, which is concerned with the discharge of stormwater and other pollutants into water bodies. Projects that disturb one or more acres of soil must obtain coverage under the SWRCB's current NPDES Construction Stormwater General Permit. A prerequisite for permit coverage is the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer. Other types of pollutant discharges into waters of the U.S., such as wastewater, may require coverage under a different NPDES general permit, and in some cases an individual permit.

CDFW has jurisdiction over the bed and bank of natural drainages and lakes according to provisions of Section 1601 and 1602 of the California Fish and Game Code. Activities that may substantially modify such waters through the diversion or obstruction of their natural flow, change or use of any material from their bed or bank, or the deposition of debris require a Notification of Lake or Streambed Alteration. If CDFW determines that the activity may adversely affect fish and wildlife resources, a Lake or Streambed Alteration Agreement will be prepared. Such an agreement typically stipulates that certain measures will be implemented to protect the habitat values of the lake or drainage in question.

4.0 IMPACTS AND MITIGATIONS

The project considered in this evaluation of impacts to biological resources is the construction of approximately 6,400 feet of water pipelines and replacement of fire hydrants in the unincorporated community of Tonyville, in Tulare County, California. This analysis assumes that most of the site will primarily experience temporary disturbance with a limited amount of permanent disturbance associated with fire hydrant replacement.

4.1 POTENTIALLY SIGNIFICANT PROJECT IMPACTS

4.1.I Potential Project Impacts to Nesting Birds

Potential Impacts. The project site has the potential to be used for nesting by a variety of birds, and raptors, protected by state and federal law. If project construction takes place during the nesting season, birds nesting on the site could be injured or killed by construction activities or disturbed such that they would abandon their nests. Significant construction-related disturbance is also a possibility for birds nesting adjacent to the project site. Construction-related mortality of nesting birds and disturbance leading to nest abandonment would violate state and federal laws and constitute significant impacts of the project.

Mitigation. To avoid and minimize the potential for construction-related mortality/disturbance of nesting birds and raptors, the following measures will be implemented:

> ***Measure 4.1.1a (Construction Timing).*** If feasible, the project will be implemented outside of the avian nesting season, typically defined as February 1 to August 31.
>
> ***Measure 4.1.1b (Preconstruction Surveys).*** If construction must occur between February 1 and August 31, a qualified biologist will conduct pre-construction surveys for active bird nests within 10 days prior to the start of construction. The survey area will encompass the site and accessible surrounding lands within 250 feet for nesting migratory birds and 500 feet for raptors (i.e., birds of prey).
>
> ***Measure 4.1.1c (Avoidance of Active Nests).*** Should any active nests be discovered in or near proposed construction zones, the biologist will identify a suitable construction-free buffer around the nest. This buffer will be identified on the ground with flagging or fencing and will be maintained until the biologist has determined that the young have fledged and are capable of foraging independently.

Implementation of the above measures will ensure that the project does not significantly impact nesting birds and raptors, and that the project is in compliance with state and federal laws.

4.1.2 Potential Project Impacts to the Swainson's Hawk

Potential Impacts: Swainson's hawk, a state-listed species, is known to nest within the vicinity of the project site. On September 29, 2023 LOA biologist Natalie Neff spotted a Swainson's Hawk flying over the project site. Suitable nest trees are absent from the project site but do occur on surrounding lands. The majority of the site does not provide any suitable foraging habitat due to the amount of residential and agricultural development. A small portion of ruderal field slated to be used for staging provides the only foraging habitat and it is marginal, at best. The temporary loss of less than an acre of marginal foraging habitat is not considered a significant impact due to the abundance of similar or higher value foraging habitat available in the vicinity.

The high level of human and vehicular activity associated with residential, industrial, and agricultural operations is such that, even if Swainson's hawks are nesting in any of the trees at the time of construction, they would be unlikely to distinguish project construction activities from existing ambient disturbance. While the likelihood is low, the possibility exists for construction activities to disturb nesting Swainson's hawks, should they be nesting adjacent to the project site at the time of construction. Construction-related disturbance leading to nest abandonment is a potentially significant impact of the project. Moreover, such incidents would violate the Migratory Bird Treaty Act, California Fish and Game Code, and the California Endangered Species Act.

The following mitigation measures would reduce impacts to nesting Swainson's hawks to a less than significant level.

> ***Measure 4.1.2a (Construction Timing).*** To avoid impacts to nesting Swainson's hawks, construction activities will occur, where possible, outside the nesting season, typically defined as March 1-September 15.
>
> ***Mitigation 4.1.2b (Pre-construction Surveys).*** If the project must be constructed between March 1 and September 15, a qualified biologist will conduct pre-construction surveys for Swainson's hawk nests on and within ½ mile of the project site within 30 days of the onset of these activities.
>
> ***Mitigation 4.1.2c (Establish Buffers).*** Should any active nests be discovered in or near proposed construction zones, the biologist will identify a suitable construction-free buffer

around the nest. This buffer will be identified on the ground with flagging or fencing, and will be maintained until the biologist has determined that the young have fledged.

Mitigation 4.1.2d (Monitor Nest). Should construction activity be necessary within the designated buffer around an active Swainson's hawk nest, a qualified biologist will monitor the nest daily for one week, and thereafter once a week, for the duration of the activity or until the nest is no longer active, whichever comes first. Should construction activity within the buffer change such that a higher level of disturbance will be generated, monitoring will occur daily for one week and then resume the once-a-week regime. If, at any time, the biologist determines that construction activity may be compromising nesting success, construction activity within the designated buffer will be altered or suspended until the biologist determines that the nest is no longer at risk of failing.

Implementation of the above measures will ensure that the project does not significantly impact Swainson's hawks and is in compliance with state and federal laws.

4.2 LESS THAN SIGNIFICANT PROJECT IMPACTS

4.2.1 Potential Project Impacts to Special Status Plants

Potential Impacts. Seventeen (17) special status plant species have been documented in the project vicinity (see Table 2). While it is difficult to know if suitable habitat for special status plant species ever existed on the project site, decades of farming on the site have resulted in unsuitable habitat conditions for all 17 of these plant species.

Because these species have no appreciable potential to occur on the site, no project-related impacts are anticipated. Impacts to special status plants are considered less than significant under CEQA.

Mitigation. Mitigation measures are not warranted.

4.2.2 Potential Project Impacts to Special Status Animal Species Absent from or Unlikely to Occur Within the Project Site

Potential Impacts. Of the sixteen (16) special status animal species that potentially occur in the general vicinity of the site, fourteen (14) are considered absent from or unlikely to occur within the project site due to the absence of suitable habitat and/or the project site's being situated outside of the species' known distribution (see Table 2). These include the vernal pool fairy shrimp, crotch bumble bee, valley elderberry longhorn beetle, foothill yellow legged frog, western

spadefoot, western pond turtle, northern California legless lizard, California condor, tricolored blackbird, Tipton kangaroo rat, pallid bat, western mastiff bat, Townsend's big-eared bat, and American badger. (see Table 1). The project is expected to have an insignificant effect or no effect on these species through construction mortality/disturbance or loss of habitat because there is little or no likelihood that they are present.

Mitigation. Mitigation is not warranted.

4.2.3 Potential Project Impacts to Special Status Animal Species that May Occur on the Project Site as Occasional or Regular Foragers but Breed Elsewhere

Potential Impacts. One (1) special status animal, the San Joaquin kit fox, has the potential to pass through the site, but would not breed on the site or near enough to the site that they could experience project-related disturbance at their den site (see Table 2). Foraging individuals of this species would not be vulnerable to construction-related injury or mortality because they are highly mobile and would be expected to simply avoid active work areas.

The project site does not offer any unique foraging habitat, with many square miles of similar to higher quality foraging habitat abundant in the region. Therefore, the project is not expected to adversely affect this species through loss of foraging habitat. Potential project impacts to the San Joaquin kit fox are therefore considered less than significant.

Mitigation. Mitigation is not warranted.

4.2.4 Potential Project Impacts to Waters of the United States and California

Potential Impacts. As noted in Section 2.5 of this report, the project site contains no aquatic features. As a result, the project would have no impact on waters of the State or U.S.

4.2.5 Potential Project Impacts to Wildlife Movement Corridors

Potential Impacts. The project site does not contain or adjoin any geographic features that could function as a wildlife movement corridor. Therefore, the project will have no impact on wildlife movement corridors.

Mitigation. Mitigation is not warranted.

4.2.6 Project Impacts to Sensitive Natural Communities and Designated Critical Habitat

No Impact. Sensitive Natural Communities and Designated Critical Habitat are absent from the project site and surrounding lands. Project development would have no impact on Sensitive Natural Communities or Designated Critical Habitat.

Mitigation. No mitigation is warranted.

4.2.7 Consistency with Local Policies and Habitat Conservation Plans

Impact. No Habitat Conservation Plans are in place in the project vicinity that would cover activities on the project site. The project area is outside sensitive biological resource areas identified in the Tulare County General Plan. As such, the project appears to be in compliance with the General Plan and Tonyville Hamlet Plan policies pertaining to biological resources and is not subject to any local policies dealing with biological resource issues.

Mitigation. Mitigation is not warranted.

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APPENDIX A: VASCULAR PLANTS OF THE PROJECT SITE

APPENDIX A
VASCULAR PLANTS OF THE PROJECT SITE

The plant species listed below have been observed within or adjacent to the project site during site surveys conducted by Live Oak Associates, Inc., on June 13, 2023. The Arid West U.S. Fish and Wildlife Service wetland indicator status for each plant has been shown following the common name of the plant species.

OBL - Obligate
FACW - Facultative Wetland
FAC - Facultative
FACU - Facultative Upland
UPL - Upland
+/- - Higher/lower end of category
NR - No review
NA - No agreement
NI - No investigation

AMARANTHACEAE – Amaranth Family		
Amaranthus albus	Pigweed Amaranth	FACU
Amaranthus palmeri	Palmer Amaranth	FACU
Amaranthus blitoides	Mat Amaranth	FACU
Chenopodium album	Lamb's Quarters	FACU
ASPHODELACEAE- Aloe Family		
Aloe sp.	Ornamental Aloe	
ASPARAGACEAE- Asparagus Family		
Agave sp.	Ornamental Agave	UPL
ASTERACEAE - Sunflower Family		
Centromadia pungens	Common Spikeweed	FAC
Erigeron bonariensis	Asthmaweed	FACU
Erigeron canadensis	Canada Horseweed	FACU
Helianthus annuus	Annual Sunflower	FACU
Helminthotheca echioides	Bristly Ox Tongue	FAC
Lactuca serriola	Prickly Lettuce	FACU
Tagetes spp.	Cultivated Marigold	
ARECACEAE- Palm Family		
Washingtonia robusta	Mexican Fan Palm	UPL
BRASSICACEAE - Mustard Family		
Sisymbrium irio	London Rocket	UPL
CACTACEAE- Cactus Family		
Opuntia sp.	Prickly Pear Cactus	UPL
Pachyereus sp.	Mexican Fence Post Cactus	UPL
CHENOPODACEAE- Goosefoot Family		
Salsola tragus	Russian Thistle	FACU
CONVOLVULACEAE – Morning Glory Family		
Convolvulus arvensis	Field Bindweed	UPL
CYPERACEAE- Sedge Family		
Cyperus eragrostis	Tall Flatsedge	FACW
EUPHORBIACEAE – Spurge Family		

Croton setigerus	Doveweed	UPL
FAGACEAE- Oak Family		
Quercus lobata	Valley Oak	FACU
GERANIACEAE - Geranium Family		
Erodium cicutarium	Red-stemmed Filaree	UPL
OLEACEAE- Olive Family		
Olea europaea	Dwarf Olive	
LYTHRACEAE – Loosestrife Family		
Punica granatum	Pomegranate	UPL
MALVACEAE – Mallow Family		
Abutilon theophrasti	Velvetleaf	UPL
Malva parviflora	Cheeseweed	UPL
Malvella leprosa	Alkali Mallow	FACU
POACEAE - Grass Family		
Avena sp.	Wild Oat	UPL
Bromus diandrus	Ripgut	UPL
Cynodon dactylon	Bermuda Grass	FACU
Echinochloa crus-galli	Barnyard Grass	FACW
Hordeum murinum ssp. *leporinum*	Barley	FACU
Paspalum urvillei	Valleygrass	FAC
Poa sp.	Cultivated Lawn Grass	
Polypogon monspeliensis	Rabbitfoot Grass	FACW
Sorgum halepense	Johnsongrass	FACU
POLYGONACEAE - Buckwheat Family		
Polygonum aviculare	Prostrate Knotweed	FAC
Rumex Crispus	Curly Dock	FAC
PORTULACACEAE- Purselane Family		
Portulaca oleracea	Common Purslane	FAC
ROSACEAE—Rose Family		
Prunus sp.	Ornamental Fruit Tree	UPL
Rosa sp.	Cultivated Rose	UPL
SOLANACEAE – Nightshade Family		
Solanum americanum	American Black Nightshade	FACU
Solanum elaeagnifolium	Silverleaf Nightshade	UPL
SIMAROUBACEAE- Quassia Family		
Alianthus altissima	Tree of Heaven	
ULMACEAE- Elm Family		
Ulmus spp.	Ornamental Elm	
VITACEAE- Grapevine Family		
Vitis. Spp.	Cultivated Grapes	
ZYGOPHYLLACEAE- Caltrop Family		
Tribulus terrestris	Punctureviné	UPL

APPENDIX B: TERRESTRIAL VERTEBRATE SPECIES POTENTIALLY OCCURRING ON THE PROJECT SITE

APPENDIX B
TERRESTRIAL VERTEBRATE SPECIES POTENTIALLY OCCURRING ON THE PROJECT SITE

The species listed below are those that may reasonably be expected to use the habitats of the project site. The list was not intended to include birds that are vagrants or occasional transients. Its purpose was rather to include those species that may be expected to routinely and predictably use the project site during some or all of the year. An asterisk denotes a species observed within or adjacent to the site during surveys conducted on September 29, 2023.

CLASS: REPTILIA (Reptiles)
ORDER: SQUAMATA (Lizards and Snakes)
SUBORDER: SAURIA (Lizards)
FAMILY: PHRYNOSOMATIDAE
Western Fence Lizard (*Sceloporus occidentalis*)
Side-blotched Lizard (*Uta stansburiana*)
SUBORDER: SERPENTES (Snakes)
FAMILY: COLUBRIDAE (Colubrids)
Gopher Snake (*Pituophis melanoleucus*)
Common Kingsnake (*Lampropeltis getulus*)
Common Garter Snake (*Thamnophis sirtalis*)
FAMILY: VIPERIDAE (Vipers)
Western Rattlesnake (*Crotalus viridis*)

CLASS: AVES (Birds)
ORDER: CICONIIFORMES (Herons, Storks, Ibises and Relatives)
FAMILY: CATHARTIDAE (American Vultures)
Turkey Vulture (*Cathartes aura*)
ORDER: Galliformes (Turkey, Grouse, Chicken)
FAMILY: Phasianidae (Pheasants, Chicken, Turkey and Relatives)
*Domestic Chicken (*Gallus gallus domesticus*)
ORDER: FALCONIFORMES (Vultures, Hawks, and Falcons)
FAMILY: ACCIPITRIDAE (Hawks, Old World Vultures, and Harriers)
Red-tailed Hawk (*Buteo jamaicensis*)
Sharp-Shinned Hawk (*Accipiter striatus*)
Cooper's Hawk (*Accipiter cooperii*)
Red-Shouldered Hawk (*Buteo lineatus*)
*Swainson's Hawk (*Buteo swainsoni*)
FAMILY: FALCONIDAE (Caracaras and Falcons)
American Kestrel (*Falco sparverius*)
ORDER: CHARADRIIFORMES (Shorebirds, Gulls, and relatives)
FAMILY: CHARADRIIDAE (Plovers and relatives)
*Killdeer (*Charadrius vociferus*)
FAMILY: LARIDAE (Skuas, Gulls, Terns and Skimmers)
Ring-billed Gull (*Larus delawarensis*)
California Gull (*Larus californicus*)

ORDER: COLUMBIFORMES (Pigeons and Doves)
FAMILY: COLUMBIDAE (Pigeons and Doves)
*Rock Dove (*Columba livia*)
Eurasian Collared Dove (*Streptopelia decaocto*)
*Mourning Dove (*Zenaida macroura*)
ORDER: STRIGIFORMES (Owls)
FAMILY: TYTONIDAE (Barn Owls)
Common Barn Owl (*Tyto alba*)
FAMILY: STRIGIDAE (Typical Owls)
Great Horned Owl (*Bubo virginianus*)
ORDER: APODIFORMES (Swifts and Hummingbirds)
FAMILY: TROCHILIDAE (Hummingbirds)
Anna's Hummingbird (*Calypte anna*)
Rufous Hummingbird (*Selasphorus rufus*)
Black-chinned Hummingbird (*Archilochus alexandri*)
ORDER: PICIFORMES (Woodpeckers and relatives)
FAMILY: PICIDAE (Woodpecker and Wrynecks)
Northern Flicker (*Colaptes chrysoides*)
ORDER: PASSERIFORMES (Perching Birds)
FAMILY: TYRANNIDAE (Tyrant Flycatchers)
Black Phoebe (*Sayornis nigricans*)
Say's Phoebe (*Sayornis saya*)
Western Kingbird (*Tyrannus verticalis*)
FAMILY: CORVIDAE (Jays, Magpies, and Crows)
California Scrub Jay (*Aphelocoma californica*)
American Crow (*Corvus brachyrhynchos*)
Common Raven (*Corvus corax*)
FAMILY: ALAUDIDAE (Larks)
Horned Lark (*Eremophila alpestris*)
FAMILY: HIRUNDINIDAE (Swallows)
Cliff Swallow (*Hirundo pyrrhonota*)
Barn Swallow (*Hirundo rustica*)
FAMILY: PARIDAE (Titmice and Relatives)
Oak Titmouse (*Baeolophus inornatus*)
FAMILY: AEGITHALIDAE (Bushtit)
Bushtit (*Psaltriparus minimus*)
FAMILY: TROGLODYTIDAE (Wrens)
House Wren (*Troglodytes aedon*)
Bewick's Wren (*Thryomanes bewickii*)
FAMILY: TURDIDAE (Thrushes)
American Robin (*Turdus migratorius*)
FAMILY: MIMIDAE (Mockingbirds and Thrashers)
*Northern Mockingbird (*Mimus polyglottos*)
FAMILY: STURNIDAE (Starlings)
*European Starling (*Sturnus vulgaris*)
FAMILY: MOTACILLIDAE (Wagtails and Pipits)

American Pipit (*Anthus rubescens*)

FAMILY: PTILOGONATIDAE (Silky Flycatchers)

Phainopepla (*Phainopepla nitens*)

FAMILY: PARULIDAE (Wood Warblers and Relatives)

Orange-Crowned Warbler (*Vermivora celata*)
Yellow Warbler (*Dendroica petechia*)
Yellow-Rumped Warbler (*Dendroica coronata*)
Common Yellowthroat (*Geothlypis trichas*)
Wilson's Warbler (*Wilsonia pusilla*)

FAMILY: THRAUPIDAE (Tanagers)

Western Tanager (*Piranga ludoviciana*)

FAMILY: EMBERIZIDAE (Emberizines)

Spotted Towhee (*Pipilo maculatus*)
White-Crowned Sparrow (*Zonotrichia leucophrys*)
Dark-Eyed Junco (*Junco hyemalis*)

FAMILY: ICTERIDAE (Blackbirds, Orioles and Allies)

Western Meadowlark (*Sturnella neglecta*)
Great-Tailed Grackle (*Quiscalus mexicanus*)
Brewer's Blackbird (*Euphagus cyanocephalus*)
Brown-headed Cowbird (*Molothrus ater*)
Bullock's Oriole (*Icterus bullockii*)

FAMILY: FRINGILLIDAE (Finches)

House Finch (*Carpodacus mexicanus*)
Lesser Goldfinch (*Carduelis psaltria*)
American Goldfinch (*Spinus tristis*)

FAMILY: PASSERIDAE (Old World Sparrows)

*House Sparrow (*Passer domesticus*)

CLASS: MAMMALIA (Mammals)

ORDER: DIDELPHIMORPHIA (Marsupials)

FAMILY: DIDELPHIDAE (Opossums)

Virginia Opossum (*Didelphis virginiana*)

FAMILY: TALPIDAE (Moles)

Broad-Footed Mole (*Scapanus latimanus*)

ORDER: CHIROPTERA (Bats)

FAMILY: PHYLLOSTOMIDAE (Leaf-nosed Bats)

Southern Long-nosed Bat (*Leptonycteris curasoae*)

FAMILY: VESPERTILIONIDAE (Evening Bats)

Yuma Myotis (*Myotis yumanensis*)
California Myotis (*Myotis californicus*)
Western Pipistrelle (*Pipistrellus hesperus*)
Big Brown Bat (*Eptesicus fuscus*)

FAMILY: MOLOSSIDAE (Free-tailed Bat)

Brazilian Free-tailed Bat (*Tadarida brasiliensis*)

ORDER: LAGOMORPHA (Rabbits, Hares, and Pikas)

FAMILY: LEPORIDAE (Rabbits and Hares)

Audubon Cottontail Rabbit (*Sylvilagus audubonii*)

ORDER: RODENTIA (Rodents)

FAMILY: SCIURIDAE (Squirrels, Chipmunks, and Marmots)

California Ground Squirrel (*Otospermophilus beecheyi*)

FAMILY: GEOMYIDAE (Pocket Gophers)

*Botta's Pocket Gopher (*Thomomys bottae*)

FAMILY: HETEROMYIDAE (Pocket Mice and Kangaroo Rats)

San Joaquin Pocket Mouse (*Perognathus inornatus*)

FAMILY: MURIDAE (Old World Rats and Mice)

Western Harvest Mouse (*Reithrodontomys megalotis*)

Deer Mouse (*Peromyscus maniculatus*)

Norway Rat (*Rattus norvegicus*)

House Mouse (*Mus musculus*)

ORDER: CARNIVORA (Carnivores)

FAMILY: CANIDAE (Foxes, Wolves, and relatives)

Coyote (*Canis latrans*)

*Domestic Dog (*Canis lupus familiaris*)

Red Fox (*Vulpes vulpes*)

Gray fox (*Urocyon cinereoargenteus*)

FAMILY: PROCYONIDAE (Raccoons and relatives)

Raccoon (*Procyon lotor*)

FAMILY: MEPHITIDAE (Skunks)

Striped Skunk (*Mephitis mephitis*)

FAMILY: FELIDAE (Cats)

*Feral Cat (*Felis domesticus*)

Bobcat (*Lynx rufus*)

APPENDIX C:
SELECT PHOTOGRAPHS OF THE PROJECT SITE

Photo 1: Facing North on Road 216.

Photo 2: Example of residential street with plants and trees.

Photo 3: Another view of a residential street. Small trees and large oak (outside project side) featured.

Photo 4: Walking between the olive orchard on the right and residential backyards on the left.

Photo 5: Example of trees and bushes immediately adjacent to project site. Orchard to the left and residential neighborhood to the right.

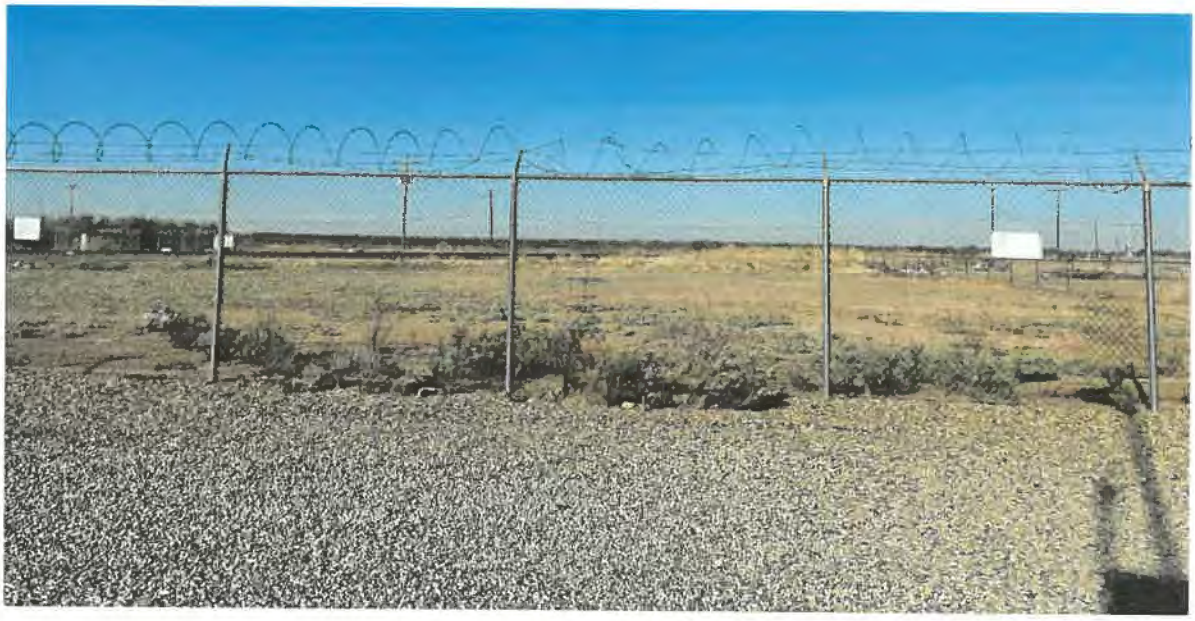

Photo 6: Ruderal field adjacent to the water treatment plant Potential staging site.

Photo 7: Inside the water treatment plant with the ruderal field to the right and the drainage basin and large eucalyptus in the foreground.

Photo 8: Water treatment plant

APPENDIX D

CULTURAL RESOURCES REPORT

TONYVILLE WATER DISTRIBUTION SYSTEM
REHABILITATION AND RELIABILITY PROJECT

LINDSAY-STRATHMORE IRRIGATION DISTRICT

ASM affiliates
Archaeology • History • Ethnography • Architectural History

ASM Project Number: 44980.00

4 January 2024

Craig Wallace, General Manager
Lindsay-Strathmore Irrigation District
PO Box 846
23260 Round Valley Road
Lindsay, CA 93247

RE: Lindsay-Strathmore Irrigation District, Tonyville Water System Project, Tulare County, California

Dear Mr. Wallace:

This letter documents completion of a Phase I cultural resources survey for the proposed Lindsay-Strathmore Irrigation District (LSID), Tonyville Water System Project (Project). The Project study area consists of the proposed pipeline upgrades to existing water infrastructure in additional to new pipeline components. The Project study area is situated in census designated Tonyville in Tulare County, California (Figure 1). Specifically, the study area is located in Section 30 (T19S/R27E; MDBM). With an applied 50-foot (ft) survey buffer to the Project components, the study area totals approximately 12.3-acres (ft) This study was conducted by ASM Affiliates to assist in compliance with the California Environmental Quality Act (CEQA). Peter A. Carey, M.A. RPA, served as Principal Investigator.

In summary, one previous linear study transected a portion of the study area, and no cultural resources are known to exist within it. One response was received to AB 52 outreach letters from the Dunlap Band of Mono Indians deferring to the Tule River Indian Tribe, the Wuksache Indian Tribe/Eshom Valley Band, and the Santa Rosa Rancheria Tachi Yokut Tribe. An intensive Phase I pedestrian survey of the entire 12.3-ac study area did not result in the identification of any cultural resources. A determination of ***no significant impacts*** is recommended for the proposed LSID Tonyville Water System Project.

Method of Study

Records Search

A records search completed at the Southern San Joaquin Valley Information Center (IC), California State University, Bakersfield, in 2022 that covered the current study area was utilized for this study. The records search review was completed in order to determine whether the study area had been previously surveyed for cultural resources, and/or whether any such resources were known to exist on it. The records search was completed to determine: (i) if prehistoric or historical archaeological sites had previously been recorded within the study area; (ii) if the project area had been systematically surveyed by archaeologists prior to the initiation of this field study; and/or (iii) whether the region of the field project was known to contain archaeological sites and to thereby

be archaeologically sensitive. Records examined included archaeological site files and maps, the National Register of Historic Places, Historic Property Data File, California Inventory of Historic Resources, and the California Points of Historic Interest.

According to the IC records, one previous linear study had been conducted along the westernmost corridor of the study area (Table 1; see Figure 2), and no cultural resources are known to exist within it. One additional block study had been conducted within 0.5-miles (mi) of the study area (Table 2; Figure 2) resulting in the recordation three cultural resources within that same radius (Table 3; Figure 3).

Table 1. Reports within the Study Area

Report No.	Year	Author (s)/Affiliation	Title
TU-00631	1974	Williams, Charlotte/ Individual Consultant	Exeter Area, Avenue 280 R198-R204, Road 216 A 252-R 256, Avenue 256 R 204 - R 216

Table 2. Reports within 0.5-mi of the Study Area

Report No.	Year	Author (s)/Affiliation	Title
TU-01613	2012	Pruett, Catherine Lewis/ Three Girls and a Shovel, LLC.	A Cultural Resources Assessment for the Tonyville Water Intertie Project, Tulare County, California

Table 3. Resources within the 0.5-mi of the Study Area

Primary #	Type	Description
P-54-000315	Site	Prehistoric, lithic scatter, habitation debris
P-54-004614	Structure	Friant-Kern Canal
P-54-004632	Structure	Atchison, Topeka, Santa Fe Railroad Branch Line

Though not included in the IC results, a review of topographic quadrangles and aerial imagery of the study area identified the Visalia Electric Railroad (segments previously recorded elsewhere as P-34-004034) running through the northeast corner of the study area. The Visalia Electric Railroad operated between 1905 and 1924 and was made obsolete when the automobile became more affordable and gained widespread usage. Previously recorded segments of the Visalia Electric Railroad have been recommended not eligible for inclusion in the National Register of Historic Resources (NRHP) or California Register of Historical Resources (CRHR).

Additionally, a *Sacred Lands File* request was submitted to the Native American Heritage Commission (NAHC) on 5 December 2023. Outreach letters were sent on 5 December 2023 to tribes listed on a previously obtained NAHC contact-list with follow-up emails set 30 days later. The *Sacred Lands File* results were received on 21 December 2023 stating there were no known

sacred sites or tribal cultural resources in the vicinity of the study area. No additional tribes from those ASM sent letters on 5 December 2023 were listed on the 21 December 2023 contact-list.

One response was received by phone on 4 January 2023 from the Dunlap Band of Mono Indians deferring to the Tule River Indian Tribe, the Wuksache Indian Tribe/Eshom Valley Band, and the Santa Rosa Rancheria Tachi Yokut Tribe. No other responses have been received as of the writing of this memo. The results of the *Sacred Lands File* are provided in Appendix A along with a table detailing the correspondence with tribes.

Field Survey

An intensive Phase I survey of the 12.3-ac study area was conducted on 7 December 2023 by ASM Assistant Archaeologist Daniel Ware, B.A. The study area consisted of a residential tract development and a paved road right-of-way surrounded by agricultural land (Figure 4, 5). The proposed upgrades to the existing pipeline and additional pipeline routes will connect all components to existing tanks, wells, and associated infrastructure that are modern in age (Figure 6). Every accessible area of the study area was surveyed using 15-meter parallel transects.

The portion of the study area shown on topographic quadrangles and aerial imagery as being transected by the Visalia Electric Railroad (P-54-004034) was intensely investigated. The study area in that location consists of existing paved and dirt roads and residential yards adjacent to agricultural land and orchards. No evidence of the Visalia Electric Railroad grade or features were identified within the study area. The resource no longer exists within the study area and, therefore, an update was not completed.

A sparse scatter of modern refuse (e.g., paper, carboard, clothing, plastics) was noted throughout the study area. Soils throughout the study area are quaternary deposits. Surface visibility was excellent throughout the accessible portions of the study area. No cultural resources of any kind were identified.

Study Results and Recommendations

No cultural resources of any kind were identified as a result of the Phase I survey of the proposed LSID Tonyville Water System Project study area. Therefore, the development and use of the LSID Tonyville Water System Project does not have the potential to result in adverse impacts to significant or unique cultural resources and a determination of ***no significant impacts*** is recommended for the Project.

Please feel free to contact me if you have any questions.

Sincerely,

Peter A Lang

Peter A. Carey, M.A., RPA
Director

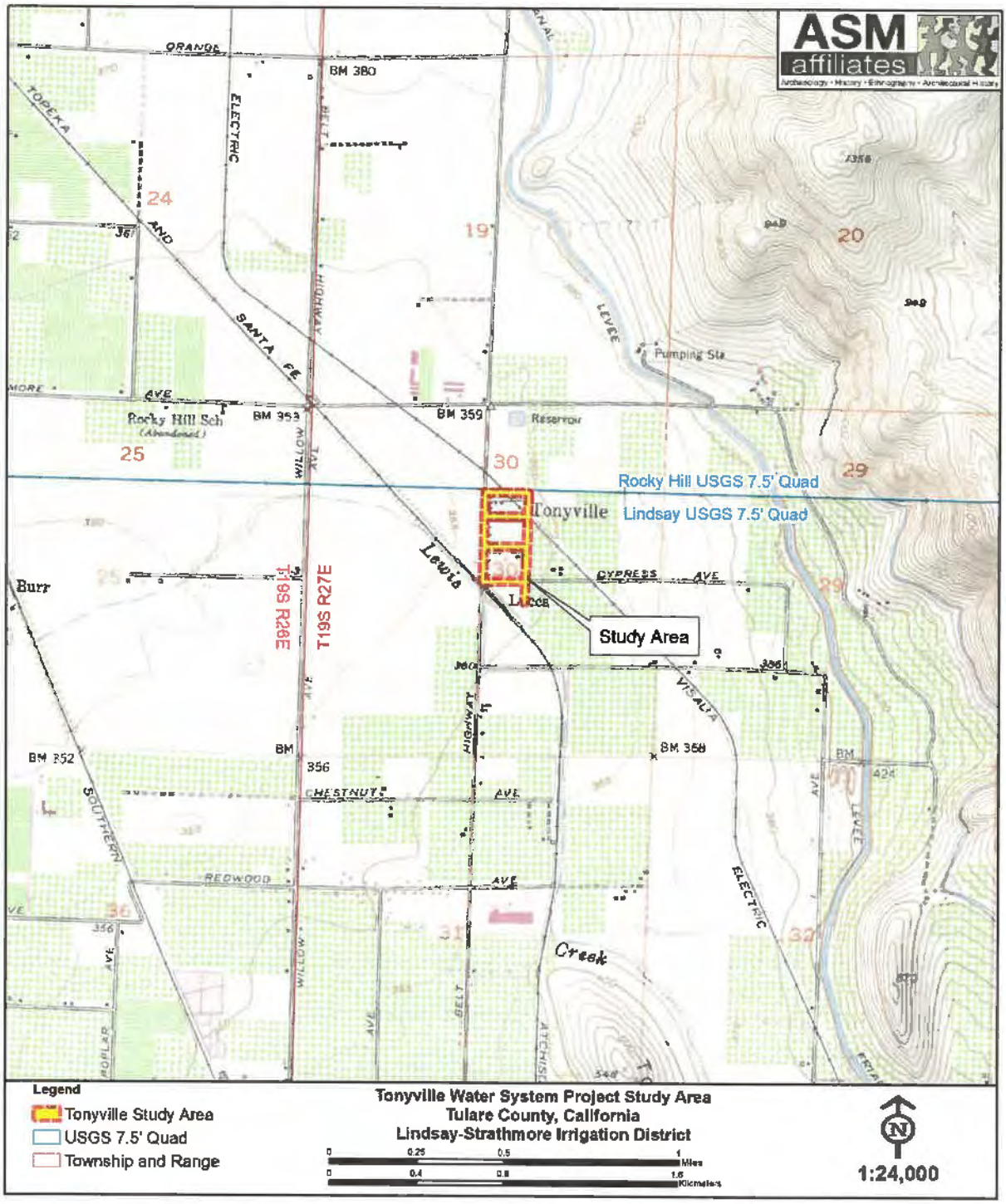

Figure 1. **Location of LSID Tonyville Water System Project study area, Tulare County, California.**

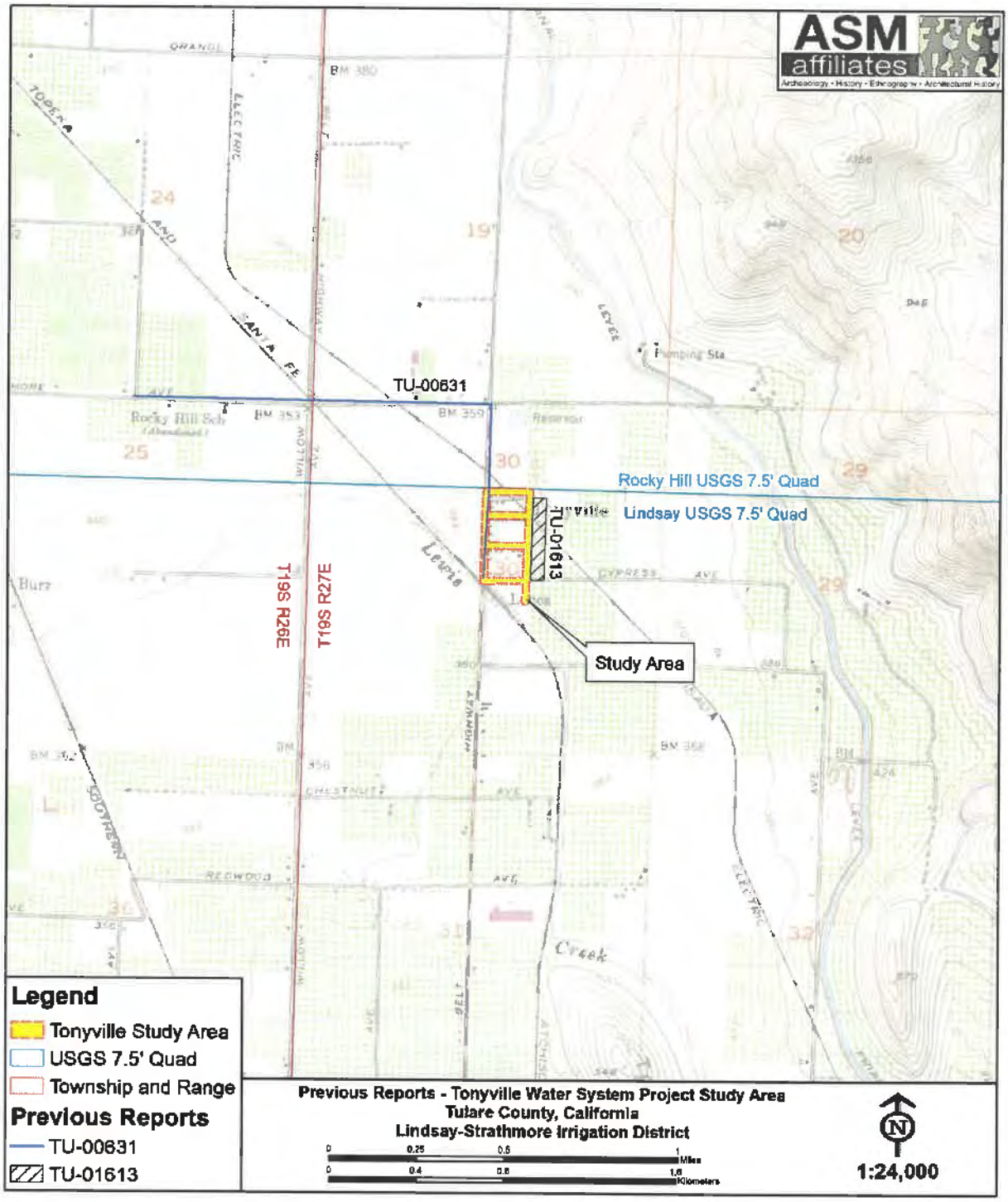

Figure 2. **Previously Reports map of the LSID Tonyville Water System Project study area, Tulare County, California.**

Figure 3. **Previous Resources map of the LSID Tonyville Water System Project study area, Tulare County, California. Note the Visalia Electric Railroad (P-54-004034) which was not included in the records search results.**

Figure 4. **LSID Project study area corridor overview, looking south.**

Figure 5. **LSID Project study area corridor overview, looking east.**

Figure 6. LSID Project study area corridor overview, looking south.

APPENDIX E

FLOOD HAZARD MAP

TONYVILLE WATER DISTRIBUTION SYSTEM
REHABILITATION AND RELIABILITY PROJECT

LINDSAY-STRATHMORE IRRIGATION DISTRICT

National Flood Hazard Layer FIRMette

FEMA

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- **SPECIAL FLOOD HAZARD AREAS**
  - Without Base Flood Elevation (BFE) Zone A, V, A99
  - With BFE or Depth Zone AE, AO, AH, VE, AR
  - Regulatory Floodway
- **OTHER AREAS OF FLOOD HAZARD**
  - 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainag areas of less than one square mile Zone
  - Future Conditions 1% Annual Chance Flood Hazard Zone X
  - Area with Reduced Flood Risk due to Levee. See Notes. Zone X
  - Area with Flood Risk due to Levee Zone D
- **OTHER AREAS**
  - NO SCREEN Area of Minimal Flood Hazard Zone X
  - Effective LOMRs
  - Area of Undetermined Flood Hazard Zone
- **GENERAL STRUCTURES**
  - Channel, Culvert, or Storm Sewer
  - Levee, Dike, or Floodwall
- **OTHER FEATURES**
  - 20.2 / 17.5 Cross Sections with 1% Annual Chance
  - Water Surface Elevation
  - Coastal Transect
  - Base Flood Elevation Line (BFE)
  - Limit of Study
  - Jurisdiction Boundary
  - Coastal Transect Baseline
  - Profile Baseline
  - Hydrographic Feature
- **MAP PANELS**
  - Digital Data Available
  - No Digital Data Available
  - Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represe an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 12/6/2023 at 1:06 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

NOTES TO USERS

map is for use in administering the National Flood Insurance Program. It not necessarily identify all areas subject to flooding, particularly from local ge sources of small size. The community map repository should be ted for possible updated or additional flood hazard information.

ition more detailed information in areas where Base Flood Elevations y and/or floodways have been determined, users are encouraged to consult ood Profiles and Floodway Data and/or Summary of Stillwater Elevations contained within the Flood Insurance Study (FIS) report that accompanies this. Users should be aware that BFEs shown on the FIRM represent ed whole-foot elevations. These BFEs are intended for flood insurance purposes only and should not be used as the sole source of flood ion information. Accordingly, flood elevation data presented in the FIS should be utilized in conjunction with the FIRM for purposes of uction and/or floodplain management.

ted Base Flood Elevations shown on this map apply only landward of orth American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should ware that coastal flood elevations are also provided in the Summary of ter Elevations tables in the Flood Insurance Study report for this jurisdiction. tions shown in the Summary of Stillwater Elevations tables should be used for uction and/or floodplain management purposes when they are higher than vations shown on this FIRM.

tions of the floodways were computed at cross sections and interpolated en cross sections. The floodways were based on hydraulic considerations ated to requirements of the National Flood Insurance Program. Floodway and other pertinent floodway data are provided in the Flood Insurance report for this jurisdiction.

ed areas not in Special Flood Hazard Areas may be protected by flood ol structures. Refer to Section 2.4 "Flood Protection Measures" of the Insurance Study report for information on flood control structures for this ction.

projection used in the preparation of this map was Universal Transverse tor (UTM) Zone 11. The horizontal datum was NAD 83, GRS80 spheroid. vious to datum, spheroid, projection or UTM zones used in the production of r for adjacent jurisdictions may result in slight positional differences in map es across jurisdiction boundaries. These differences do not affect the acy of this FIRM.

elevations on this map are referenced to the North American Vertical Datum 8. These flood elevations must be compared to structure and ground ions referenced to the same vertical datum. For information regarding ersion between the National Geodetic Vertical Datum of 1929 and the h American Vertical Datum of 1988, visit the National Geodetic Survey te at http://www.ngs.noaa.gov or contact the National Geodetic Survey at lowing address:

ational Geodetic Survey
, NW
ver Spring, MD 20910-3282
(301) 713-3242

ional current elevation, description, and/or location information for bench s shown on this map please contact the Information Services Branch e National Geodetic Survey at (301) 713-3242, or visit its website at www.ngs.noaa.gov.

base (100-year) elevations shown on this FIRM were derived from U.S. Geological ey Digital Orthophoto Quadrangles produced at a scale of 1:12,000 from raphy dated 1997 or later.

map reflects more detailed and up-to-date stream channel configurations those shown on the previous FIRM for this jurisdiction. The floodplains and ays that were transferred from the previous FIRM may have been adjusted ation to these new stream channel configurations. As a result, the Flood s and Floodway Data tables in the Flood Insurance Study Report (which ins authoritative hydraulic data) may reflect stream channel distances that ffer slightly from those shown on this map.

ndary lines shown on this map are based on the best data available at the of publication. Because changes due to annexations or de-annexations may occurred after this map was published, map users should contact appropriate unity officials to verify current corporate limit locations.

to refer to the separately printed Map Index for an overview map showing out of map panels; community map repository addresses; and a Listing of unities table containing National Flood Insurance Program dates for each unity as well as a listing of the panels on which each community is located.

ct the FEMA Map Service Center at 1-800-358-9616 for information on ble products associated with this FIRM. Available products may include ously issued Letters of Map Change, a Flood Insurance Study report, and/or versions of this map. The FEMA Map Service Center may also be reached t 1-800-358-9620 and its website at http://www.fema.gov.

have questions about this map or questions concerning the National Flood ce Program in general, please call 1-877-FEMA MAP (1-877-336-2627) or e FEMA website at http://www.fema.gov.

LEGEND

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDA BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual flood (100-year flood), also known as the base flood, is the flood that has chance of being equaled or exceeded in any given year. The Special Flood Hazard Area land subject to inundation by the 1% annual chance flood. Areas of Special Flood Hazard i Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-s elevation of the 1% annual chance flood.

ZONE A	No Base Flood Elevations determined.
ZONE AE	Base Flood Elevations determined.
ZONE AH	Flood depths of 1 to 3 feet (usually areas of ponding); Base Elevations determined.
ZONE AO	Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); a depths determined. For areas of alluvial fan flooding, velocities determined.
ZONE AR	Special Flood Hazard Area formerly protected from the 1% annual c flood by a flood control system that was subsequently decertified. A addition that the former flood control system is being restored to p protection from the 1% annual chance or greater flood.
ZONE A99	Area to be protected from 1% annual chance flood by a Federal protection system under construction; no Base Flood Elev determined.
ZONE V	Coastal flood zone with velocity hazard (wave action); no Base Elevations determined.
ZONE VE	Coastal flood zone with velocity hazard (wave action); Base Elevations determined.

FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kep of encroachment so that the 1% annual chance flood can be carried without substantial inc in flood heights.

OTHER FLOOD AREAS

Zone X — Areas of 0.2% annual chance flood; areas of 1% annual chance flo average depths of less than 1 foot or with drainage areas less t 1 square mile; and areas protected by levees from 1% annual chance

OTHER AREAS

ZONE X — Areas determined to be outside the 0.2% annual chance floodplain.

Zone D — Areas in which flood hazards are undetermined, but possible.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS

OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas

- 1% annual chance floodplain boundary
- 0.2% annual chance floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Area zone boundary dividing Special Flood Hazard Areas of different Flood Elevations, flood depths or flood velocities.
- 513 — Base Flood Elevation line and value; elevation in feet*
- (EL 987) — Base Flood Elevation value where uniform within zone; el in feet*

* Referenced to the North American Vertical Datum of 1988

- Cross section line
- Transect line
- 87°07'45", 32°22'30" — Geographic coordinates referenced to the North Amer Datum of 1983 (NAD 83), Western hemisphere
- 7°45"N — 1000-meter Universal Transverse Mercator grid values, zon 11
- 600000 FT — 5000-foot grid ticks: California State Plane coordinate system, zone IV (FIPSZONE 0405), Lambert Conformal Con projection
- DX5510 — Bench mark (see explanation in Notes to Users section of this panel)
- M1.5 — River Mile

MAP REPOSITORY
Refer to listing of Map Repositories on Map Index

EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP June 16, 2009

EFFECTIVE DATES OF REVISION(S) TO THIS PANEL

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your Insura Agent or call the National Flood Insurance Program at 1-800-638-6620.

MAP SCALE 1" = 1000'

PANEL 1305E

FIRM
FLOOD INSURANCE RATE

TULARE COUNTY, CALIFORNIA AND INCORPORATED AREAS

PANEL 1305 OF 2550

(SEE MAP INDEX FOR FIRM PANEL LAYO

CONTAINS

COMMUNITY	NUMBER	PANEL
VISALIA, CITY OF	[illegible]	[illegible]
TULARE COUNTY	[illegible]	[illegible]

Notice to User: The Map Number shown below sh used when placing map orders; the Community shown above should be used on insurance applicat subject community.

MAP NUM
06107C1

EFFECTIVE D
JUNE 16,

Federal Emergency Management Ag