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Summary Form for Electronic Document Submittal

Form F

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

SCH #: _____

Project Title: Basins and Stormwater Capture Project

Lead Agency: City of Los Banos

Contact Name: Charles Bergson, P.E.

Email: charles.bergson@losbanos.org Phone Number: 209-827-2466

Project Location: Los Banos (*City*) Merced (*County*)

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

See attached project description

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

See attached mitigation, monitoring, and reporting program

Revised September 2011

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

No known areas of controversy

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

Not applicable

PROJECT DESCRIPTION

Project Location

The Project is located in the City of Los Banos and unincorporated Merced County, California, approximately 125 miles south of Sacramento and 168 miles northwest of Bakersfield. The Project site is located on Merced County Assessor's Parcel Number(s) 082-020-024, 424-010-003, 424-010-004, and 073-220-014. The coordinates of the centroid of the Project site are 37° 05' 00.75" [N], 120° 49' 09.37" [W].

General Plan Designation and Zoning

Project Area	General Plan Designation	Zoning District
ONSITE		
Merced County	Agriculture/Medium Density Residential	A-1 General Agriculture
Los Banos (City)	Agriculture/Rural	Public Use/Institutional; A-1 General Agriculture
ADJACENT LANDS		
Merced County	Agriculture/Medium Density Residential	A-1 General Agriculture
Los Banos (City)	Agriculture/Rural, Low Density Residential, Park	A-1 General Agriculture; R-1 Low Density Residential, Park; Public Use/Institutional

Description of Project

The proposed Project would construct a basin for the purposes of surface and storm water capture as well as for incidental groundwater recharge with approximately three internal cells. The basin would provide multiple benefits in terms of storage, recharge, and re-regulation of various City and GWD water sources and possess a combined storage capacity of approximately 500 AF. GWD operates two canals near the Project site: the San Luis Canal bordering the site on the west and the Santa Fe Canal to the east. The San Luis Drain, which is part of the U.S. Bureau of Reclamation (USBR) Central Valley Project (CVP), is situated between the Santa Fe Canal and the Project site. From either canal, GWD could physically deliver floodwaters, storm drainage, CVP and local surface water supplies, or other existing water supplies from the Mendota Pool on the San Joaquin River.

The proposed Project would be surrounded with low lying embankments to contain the water supplies. The site would be separated into multiple cells with an interconnection between the cells, as well as have a connection at the northerly end to return water supplies to the San Luis Canal. The separation of the basin into three cells separated by levees would allow for access, installation, and repair of existing and future utilities that cross the site, in addition to access for operation and maintenance. The Area of Potential Effect (APE) for biological and cultural surveys is identified as approximately 180 acres with the multi-cell basin accounting for approximately 160 acres. Based on the canal water surface elevation compared to the proposed ground surfaces, turnouts to the property would require pumping plants to deliver the supplies. The basin would allow GWD to divert flows off either canal when there are capacity limitations in the canals or extra supplies, temporarily storing water on the site for later use, as well as

perform groundwater recharge activities. The City has multiple existing stormwater discharge outfalls to the San Luis Canal upstream and adjoining the Project site. Diverting these flows to the Project site can reduce the peaking flows in the canal, which would reduce possible downstream flooding and provide capacity flexibility for GWD operations.

The detention basin would contain the following components:

- Basin embankment heights would be less than six feet above the existing ground surface;
- Turnouts on each side of the property, one from the Santa Fe Canal and one from the San Luis Canal;
    - Major components of the turnouts would include a concrete structure, pumping plants with electrical motors, metering, discharge pipeline and outlet structure;
- Excavation would be balanced on site, if possible;
- Inter-basin cells connection structure; and
- Return flow structure and pipeline to the San Luis Canal.

The USBR San Luis Drain encroachment would be constructed with bore and jack or open cut methods. The discharge carrier pipeline would likely be cased with a steel pipeline sleeve. The City is in the process of developing other projects for sewer and drinking water pipelines that would also cross the drain and canals, however the turnout and pipeline off the Santa Fe Canal would likely be further south and may or may not be combined with other projects with one encroachment process. Due to budgetary processes and funding limitations, it is likely that the project will be constructed in phases, with the embankment earthwork, connections to the San Luis Canal and inter-basin structures being constructed first, then pump and electrical work, and the easterly turnout off the Santa Fe Canal constructed at a later date than the rest of the Project.

Construction Schedule

Construction of the Project is expected to be completed in phases, totaling nine to 12 months. Initially, the proposed basin embankments/cells, structures off the San Luis Canal, and basin inter-connection structures would be constructed over the course of approximately six months. The Project includes mobilization, site preparation, and berm construction surrounding the basin; earthwork and structures placement; Project turnouts, metering stands, and inter-basin and basin outfall structures. New berm construction would be less than six feet, measured from the exterior toe to the top of the new levee. The Project would include approximately three ponds/cells within the detention basin separated by berms. A 15-foot-wide drive/access road would be constructed to surround the basins. The proposed road would not require any special surfacing and would be used for maintenance access and operations. After construction completion, performance testing and demobilization would occur. At a later date, installation of the pumping plant and electrical service for the turnout off the San Luis Canal, crossing the USBR San Luis Drain (once federal approvals are obtained), and construction of an additional turnout and pump station off the Santa Fe Canal are proposed to be constructed, over about a three-month period.

Equipment

Construction equipment would likely include, but not be limited to, the following types:

- Excavators;
- Backhoes;

- Graders;
- Skid steers;
- Loaders;
- Hauling trucks;
- Scrapers;
- Sheepsfoot compactors;
- Dozers,
- Large tractor and large discing unit,
- Water trucks supplying water for dust control and conditioning soil for compaction; and
- Large watercannon and hoses.

Post-construction activities would include system testing, commissioning, and site clean-up. Construction will require temporary staging and storage of materials and equipment. Staging areas would be located onsite within the identified APE or at the City of Los Banos wastewater treatment plant property.

Operation and Maintenance

Management and operations of the basin would include monitoring existing nearby wells and flows in and out of the basins, plus estimated recharge quantities will be maintained to assist with City understanding and management of the groundwater levels and recharge. The City's operation of the basin would be consistent with the City's other similar facilities in that groundwater conditions would be monitored to minimize negative impacts on the surrounding areas (such as nearby wells, crops, and the existing wastewater treatment plant). Discing, mowing or spraying weeds will likely be required, as well as occasional grading of embankment roadways.

CHAPTER 5 MITIGATION, MONITORING, AND REPORTING PROGRAM

This MMRP has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Project in the City of Los Banos. The MMRP lists mitigation measures recommended in the IS/MND for the Project and identifies monitoring and reporting requirements.

Table 5-1: Mitigation, Monitoring, and Reporting Program presents the mitigation measures identified for the Project. Each mitigation measure is numbered with a symbol indicating the topical section to which it pertains, a hyphen, and the impact number. For example, AIR-2 would be the second mitigation measure identified in the Air Quality analysis of the IS/MND.

The first column of ***Table 5-1: Mitigation, Monitoring, and Reporting*** Program identifies the mitigation measure. The second column, entitled "When Monitoring is to Occur," identifies the time the mitigation measure should be initiated. The third column, "Frequency of Monitoring," identifies the frequency of the monitoring of the mitigation measure. The fourth column, "Agency Responsible for Monitoring," names the party ultimately responsible for ensuring that the mitigation measure is implemented. The last columns will be used by the Lead and Responsible Agencies to ensure that individual mitigation measures have been complied with and monitored.

Table 5-1: Mitigation, Monitoring, and Reporting Program

Mitigation, Monitoring, and Reporting Program						
Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
Biological Resources						
BURROWING OWL 4.2.1A	**(Take Avoidance Survey)**. A pre-construction "take avoidance" survey will be conducted by a qualified biologist for burrowing owl no less than 14 days prior to the onset of construction in the APE according to the methods described in the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012). The survey area will include all suitable habitat on and within 200 meters of the Project impact area, where accessible.	Prior to construction activities	Prior to construction activities	City of Los Banos with assistance of a qualified biologist	Precon Survey Memo	
4.2.1B	**(Avoidance of Active Nests)**. If Project activities are undertaken during the breeding season (February 1- August 31) and active nest burrows are identified on or within the APE, a 200-meter disturbance-free buffer will be established around these burrows. The buffers will be enclosed with temporary fencing to prevent construction equipment and workers from entering the setback area. Buffers will remain in place for the duration of the breeding season unless otherwise arranged with CDFW. After breeding season has ended and all young have left the nest, passive relocation of any remaining owls may take place as described below.	Prior to construction activities	Prior to construction activities	City of Los Banos with assistance of a qualified biologist	Site Inspection to verify construction of buffers.	
4.2.1C	**(Avoidance or Passive Relocation of Resident Owls)**. During the non-breeding season (September 1- January 31), resident owls occupying burrows in Project impact areas may either be avoided or passively relocated to alternative habitat. If the Applicant chooses to avoid active owl burrows within the APE during the non-breeding season, a 50-meter disturbance free buffer will be established around these burrows or alterative measures will be implemented in consultation with CDFW. These buffers will be enclosed with	Prior to construction activities	Prior to construction activities	City of Los Banos with assistance of a qualified biologist	Site Inspection to verify construction of buffers.	

Mitigation, Monitoring, and Reporting Program						
Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	temporary fencing and will remain in place until a qualified biologist determines that the burrows are no longer active. If the Applicant chooses to passively relocate owls during the non-breeding season, this activity will be conducted in accordance with a relocation plan prepared by a qualified biologist.					
SWAINSON'S HAWK 4.2.2A	**(Construction Timing)**. If feasible, Project construction will occur entirely outside the Swainson's hawk nesting season, typically defined as March 1- September 15.	Prior to construction activities	Prior to construction activities	City of Los Banos with assistance of a qualified biologist	n/a	
4.2.2B	**(Preconstruction Surveys)**. If construction activities must occur between March 1 and September 15, then within 10 days prior to the start of work, a qualified biologist will conduct preconstruction surveys from publicly accessible roads for Swainson's hawk nests within ½ miles of the APE.	Prior to construction activities	Prior to construction activities	City with assistance of a qualified biologist	Precon Survey Memo	
4.2.2C	**(Avoidance of Active Nests)**. Should any active nests be discovered within the survey area, an appropriate disturbance-free buffer will be established based on local conditions and agency guidelines. Disturbance free buffers will be identified on the ground with flagging, fencing, or by other easily visible means and will be maintained until a qualified biologist has determined that the young have fledged and are capable of foraging independently.	Prior to construction activities	Prior to construction activities	City of Los Banos with assistance of a qualified biologist	Site Inspection to verify construction of buffers.	
NESTING BIRDS 4.2.3A	**(Construction Timing)**. If feasible, the Project will be implemented outside of the avian nesting season, typically defined as February 1 to August 31.	Prior to construction activities	Prior to construction activities	City of Los Banos with assistance of a qualified biologist	n/a	
4.2.3B	**(Preconstruction Surveys)**. If construction is to 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	Prior to construction activities	Prior to construction activities	City with assistance of a qualified biologist	Precon Survey Memo	

Mitigation, Monitoring, and Reporting Program						
Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	lands within 250 feet for nesting migratory birds and 500 feet for raptors (i.e., birds of prey).					
4.2.3C	**(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.	Prior to construction activities	Prior to construction activities	City of Los Banos with assistance of a qualified biologist	Site Inspection to verify construction of buffers.	
Cultural Resources						
CUL-1	(**Archaeological Remains**): Should archaeological remains or artifacts be unearthed during any stage of project activities, work in the area of discovery shall cease until the area is evaluated by a qualified archaeologist. If mitigation is warranted, the project proponent shall abide by recommendations of the archaeologist.	During construction activities	Daily	City of Los Banos	Memo summarizing discovery.	
CUL-2	(**Human Remains**): In the event that any human remains are discovered on the Project site, the Merced County Coroner must be notified of the discovery (California Health and Safety Code, Section 7050.5) and all activities in the immediate area of the find or in any nearby area reasonably suspected to overlie adjacent human remains must cease until appropriate and lawful measures have been implemented. If the Coroner determines that the remains are not recent, but rather of Native American origin, the Coroner shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours to permit the NAHC to determine the Most Likely Descendent of the deceased Native American	During construction activities	Daily	City of Los Banos	Memo summarizing discovery.	
Geology and Soils						
GEO-1	**(Paleontological Resources)** Should paleontological resources be encountered on the Project site, all ground disturbing activities in the area shall stop. A	During construction activities	Daily	City of Los Banos	Memo summarizing discovery.	

Mitigation, Monitoring, and Reporting Program						
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	qualified paleontologist shall be contacted to assess the discovery. Mitigation may include monitoring, recording the fossil locality, data recovery and analysis, and a final report. Public educational outreach may also be appropriate. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the County of Merced for review, and (if paleontological materials are recovered) a paleontological repository, such as the University of California Museum of Paleontology					
Tribal Cultural Resources						
TCR-1	**(Sensitivity and Awareness Training)**: Prior to construction the applicant/contractor shall be required to provide a cultural resources and tribal cultural resources sensitivity and awareness training program (Worker Environmental Awareness Program [WEAP]) for all personnel involved in project construction, including field consultants and construction workers. The WEAP will be developed in coordination with an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology, as well as culturally affiliated Native American tribes. The WEAP shall be conducted before any project-related construction activities begin in the project site. The WEAP will include relevant information regarding sensitive cultural resources and tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The WEAP will also describe appropriate avoidance and impact minimization measures for cultural resources and tribal cultural resources that could be located at the project site and will outline what to do and who to contact if any potential cultural resources or tribal cultural	Prior to Construction	Once	City of Los Banos	Record of training attendance.	

Mitigation, Monitoring, and Reporting Program						
Item	Mitigation Measure	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
	resources are encountered. The WEAP will emphasize the requirement for confidentiality and culturally appropriate treatment of any discovery of significance to Native Americans and will discuss appropriate behaviors and responsive actions, consistent with Native American tribal values					
TCR-2	(**Inadvertent Discoveries**): In the case of any inadvertent discoveries at any time during the duration of construction or implementation, all work will be stopped within 100 feet of the discovery, and the City shall contact the Santa Rosa Rancheria Tachi-Yokut Tribe for further information, investigation, and guidance on the process for handling such discoveries.	During Construction	During ground disturbing activities	City of Los Banos	Memo summarizing discovery.	