

Clovis Unified School District
Response to Comments Received
SHIELDS-LOCAN ELEMENTARY SCHOOL PROJECT
Initial Study/Mitigated Negative Declaration

September 18, 2018

This document presents the Clovis Unified School District's responses to the comments received on the Shields-Locan Elementary School Project Initial Study and Mitigated Negative Declaration during the 30-day public review period from July 23, 2018 to August 22, 2018. The response to each letter is presented below. Each of the comment letters received is attached for reference.

Email dated July 25, 2018, from the City of Fresno Fire Department, Fire Prevention and Technical Services Division, Ted Semonious, Deputy Chief

The City of Fresno comment provides information provided on the location and distances of the fire stations serving the school site, the fact that a City of Clovis fire station is the closest station to the site, and that there is an automatic aid agreement between the Cities of Clovis and Fresno, which could be modified or cancelled at any time.

In response, the District notes that the City of Fresno has approved substantial urban residential development adjacent to the school site, which would not have been approved and developed if the City of Fresno could not provide adequate urban services, including fire protection and emergency services. The school site is immediately adjacent to this development and such development is necessitating the construction of the new school. Since the City has not indicated that new school cannot be adequately served, a less than significant finding for this impact remains appropriate.

Letter dated July 30, 2018, from the County of Fresno Department of Public Health, Environmental Health Division, Deep Sidhu, R.E.H.S., Environmental Health Specialist

The District acknowledges all the comments made as appropriate and many of them (bullets 4 through 9) reflect existing regulations that the District must comply with. Responses to bullets 1, 2 and 3 regarding potential noise impacts are as follows:

Bullet 1 indicates concern about the school site being exposed to high noise levels from major streets. The school site has limited frontage on one collector street (Locan Avenue) and two future local streets (Cortland and Jewel Avenues). The noise impact analysis prepared for the Initial Study did not indicate any significant impacts to the school site due to traffic noise.

Bullet 2 indicates concern about short term construction noise. Mitigation Measures N-2a, b and c address this and will reduce potential impacts to a less than significant level.

Bullet 3 indicates concern with the potential for the school to expose nearby residents to elevated noise levels through the use of amplification equipment and crowd noise during athletic and special events. This was specifically addressed in the noise impact analysis prepared for the Initial Study. Mitigation Measures N-1a through d limit operational time for on-site recreational facilities and maintenance activities, prohibit the use of amplified sound/PA systems, and require a noise barrier consisting of a 6 foot solid masonry wall along the northern and western boundary of the school site that abuts residential uses.

Response to Comments Received on Shields-Locan Elementary School Project Initial Study and Mitigated Negative Declaration (continued)

Letter dated August 2, 2018, from Fresno Irrigation District, Laurence Kimura, P.E. Chief Engineer

The District's responses to the numbered items in the Fresno Irrigation District letter are as follows:

1. The comment indicating that FID does not own, operate or maintain any facilities located on the project site is noted.
2. The school site is immediately adjacent to urban residential development within the City of Fresno and is necessitated by this urban development. The District has entered into an extraterritorial service agreement with the City of Fresno to provide the school site with water and sewer service.
3. The District would potentially be interested in using surface water for landscape irrigation if available from FID.
- 4 and 5. Further clarification of the source of water and the extraterritorial service agreement should be obtained from the City of Fresno.
6. The District's engineer will contact FID to discuss requirements.
7. The City of Fresno has indicated it can serve the project with the imposition of the conditions of the extraterritorial service agreement, which is intended to minimize the impact on water supplies (i.e. the water supply necessary for the project will be provided by the District either through assignment of water entitlements associated with the property, the acquisition of additional surface water rights or the payment of a fee per acre-foot of water needed for the project to the City of Fresno).
8. Comment regarding the Sustainable Groundwater management Act adopted in 2014 is noted. This was discussed in on page 36 of the Initial Study under item E, 10, b.
- 9 and 10. The District is aware of the locations of the FID irrigation pipeline (Gow No. 99) in Locan Avenue 100 feet from west side of the site and the private pipeline (Gould No. 97) traversing the east side of the site. Any street or utility improvements that would affect the FID pipeline would require FID review and approval.
11. The District recognizes that FID will make additional comments and requests as the project progresses and more detail becomes available.

Letter dated August 27, 2018, from the Fresno Metropolitan Flood Control District (FMFCD), Gary Chapman, Engineering Technician III. (Note: although this letter was received after the August 22, 2018 comment deadline, the District has chosen to prepare a response.)

For more than 30 years, the District has worked with FMFCD to successfully develop numerous school sites and the stormwater drainage system improvements for those schools in accordance with the plans and polices of FMFCD and the District. As is our practice, we will continue to work with FMFCD to ensure that appropriate stormwater drainage improvements are provided for new school sites, with the District paying its appropriate fees. The provision of storm drainage services to schools and other urban development has traditionally not been a significant environmental issue in that FMFCD has extensive environmental policies and procedures to ensure that its drainage basins and drainage pipeline infrastructure are designed in a way that minimizes water quality impacts and stormwater capacity issues

Response to Comments Received on Shields-Locan Elementary School Project Initial Study and Mitigated Negative Declaration (continued)

and maximizes groundwater recharge. Being part of the FMFCD system also has the advantage of having a regional NPDES permit in compliance with EPA laws and requirements.

As requested in FMFCD's letter, the District fully intends to have FMFCD facilities serve the project. As further requested in the letter, the District intends to reach an agreement with FMFCD that will cover items 2a through d included in FMFCD's letter.

It is important to note that the District's engineer spoke with FMFCD on September 17, 2018 and confirmed that the FMFCD Master Plan can accommodate the stormwater generated from the school site without any additional mitigation measures related to stormwater runoff system capacity.

The Master Plan designates the school site area as being planned for medium to high density residential development. The school site is equivalent to a medium density residential development with regard to stormwater runoff potential, which means the school site will be generating less stormwater runoff than the Master Plan design. This is noted in the preliminary comment letter from FMFCD dated March 21, 2018.

Since FMFCD has not yet constructed the Master Plan basin for this area, the District will need to retain stormwater on site in a temporary basin until permanent facilities have been constructed. The District's construction documents show the construction of a 3.86 acre-foot basin at the northeast corner of Locan and Cortland. This basin is sized using the City's temporary storm drainage basin design criteria.

On Jul 25, 2018, at 11:08 AM, Theodore Semonious <Theodore.Semonious@fresno.gov> wrote:

I have a comment on the initial study. The reference to Fire Protection in that the Fresno Fire Department indicated that the closest fire station was between two and three miles is correct. However the closest fire station does not belong to the City of Fresno. That station is a City of Clovis fire station located 2.6 miles from the project. The closest Fresno fire station is 3.4 miles from the proposed intersection of Cornell and Locan, which is still not the entrance to the school.

I bring this to your attention because although Clovis has an automatic aid agreement with the City of Fresno, that agreement could be modified or canceled at any time. We have approved projects in the past based on that agreement. If the agreement were to terminate the fire response from the current fire station 10 would be significantly greater than 4 ½ minutes in travel time. The Building and Fire Codes require just about any building now to include fire sprinklers, so from the fire protection side, the project is acceptable with the agreement in place. Please keep in mind that the fire department is the first responder in medical emergencies. Those responses will also be delayed without that agreement.

This is not an attempt to require the construction of a new fire station, simply to bring attention to the fact that the highlighted section on page 42 may be misleading in saying that section 15. (a) is *less than significant*. Additional or modified language in that section may be appropriate.

Thanks in advance for taking this into consideration.

Ted Semonious
Deputy Chief
Fire Prevention and Technical Services Division
[Fresno Fire Department](#)
[559 908 9712 cell](#)
559 621 4101 office



County of Fresno

DEPARTMENT OF PUBLIC HEALTH

David Pomaville, Director
Dr. Ken Bird, Health Officer

July 30, 2018

LU0019372
PE 2600

Clovis Unified School District
Kevin Peterson (via e-mail)
Assistant Superintendent, Facility Services
1450 Herndon Avenue
Clovis, CA 93611

Dear Mr. Peterson:

SUBJECT: Clovis Unified School District; Shields and Locan Elementary School Project

LOCATION: Clovis, CA, APN(s) 310-230-24, 34

The Department of Public Health, Environmental Health Division has completed a review of the *Request for Preliminary Comment* for the proposed project and offers the following comments for consideration:

- The location of the proposed school site is adjacent to major thoroughfares. Construction and layout of the facility should take this into consideration during the design phase in an effort to reduce potentially significant noise impacts from traffic along the thoroughfares.
- Appropriate measures should be incorporated into the construction phase of the project to minimize potentially significant short-term localized noise impacts to noise sensitive receivers caused by the operation of construction equipment. Construction specifications for the project should require that all construction equipment is maintained according to the manufacturers' specifications, and that noise generating construction equipment is equipped with mufflers. In addition, consideration should be given to limiting noise-generating construction activities to daytime hours.
- The proposed project has the potential to expose nearby residents to elevated noise levels through the use of outdoor sound amplification equipment and crowd noise during athletic and special events. Consideration should be given to the layout and design of the facilities to provide shielding of sound amplification and noise generating items from the surrounding neighborhoods.
- As a measure to protect groundwater, all water wells (not intended for use) and septic systems within the property shall be properly destroyed by an appropriately licensed contractor. Contact the Department of Public Health, Water Surveillance Program at (559) 600-3357 for more information.
- If any underground petroleum storage tank(s) are discovered during construction activities, the applicant/property owner shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
- Prior to issuance of building permits for the swimming pool, the applicant shall submit complete pool

Promotion, preservation and protection of the community's health

1221 Fulton Mall / P.O. Box 11867 / Fresno, California 93775 / Phone (559) 600-3271 / FAX (559) 455-4646

Email: EnvironmentalHealth@co.fresno.ca.us ❖ www.co.fresno.ca.us ❖ www.fcdph.org

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facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. And prior to operations, the applicant shall apply for and obtain a permit to operate a Public Swimming Pool from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable. Contact the Recreational Health Program at (559) 600-3357 for more information.

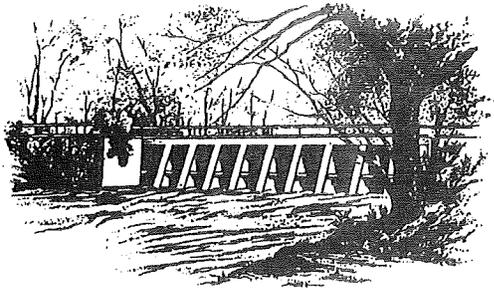
- Prior to issuance of building permits for proposed food facilities, the applicant shall submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. And prior to operations, the applicant shall apply for and obtain a permit to operate a food facility from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable. Contact the Consumer Food Protection Program at (559) 600-3357 for more information.
- Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (<http://cers.calepa.ca.gov/> or <https://www.fresnocupa.com/>). The default State reporting thresholds that apply are: ≥ 55 gallons (liquids), ≥ 500 pounds (solids), ≥ 200 cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
- All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. This Division discusses proper labeling, storage and handling of hazardous wastes.

If I can be of further assistance, feel free to contact me at (559) 600-3271.

Sincerely,



Deep Sidhu, R.E.H.S.
Environmental Health Specialist
Environmental Health Division



YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF
FRESNO
IRRIGATION DISTRICT

TELEPHONE (559) 233-7161
FAX (559) 233-8227
2907 S. MAPLE AVENUE
FRESNO, CALIFORNIA 93725-2208

August 2, 2018

Marianne Mollring
Clovis Unified School District
Facility Services
1450 Herndon Avenue,
Clovis, CA 93611

RE: General Plan Conformity – (Clovis Unified School District – Elementary School)
N/E Shields and Locan avenues

Dear Ms. Mollring:

The Fresno Irrigation District (FID) has reviewed the General Plan Conformity – (Clovis Unified School District – Elementary School) proposed elementary school site (kindergarten through sixth grade) to be operated by Clovis Unified School District, APN's: 310-230-24 and 34. FID has the following comments:

1. FID does not own, operate or maintain any facilities located on the subject property.
2. The proposed development lies within the City of Fresno Growth Area 2 and is not entitled to water under the current City of Fresno Conveyance Agreement. Growth Area 2 is a new issue under the recently executed agreement between the City of Fresno and FID. FID is exploring options with the City of Fresno regarding how to best handle future developments, if any, within the areas designated Growth Area 2.
3. In some instances in the past, FID has supplied CUSD with surface water for landscape irrigation purposes where available, and may be willing to provide said service for the proposed school. FID is considering whether CUSD will be allowed (or required) to enter into a Water Purchase Agreement and it will be based on actual water usage measured volumetrically. Potential tie-in locations and/or a conveyance pipeline from the Gould Canal will need to be discussed and determined based on the school's potential water demand estimates.

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BOARD OF DIRECTORS President RYAN JACOBSEN, Vice-President JERRY PRIETO, JR.
CHRISTOPHER WOOLF, GEORGE PORTER, GREGORY BEBERIAN, General Manager GARY R. SERRATO

4. It is unclear if this development will be reliant solely on groundwater as the primary source of water supply or a mixture of groundwater and surface water treated by the City of Fresno, but originating from FID. FID will need further clarification on the Extraterritorial Agreement executed between the City of Fresno and Clovis Unified in order to determine its potential impacts.
5. If treated surface water will be used, the City/CUSD must acquire additional water from a water purveyor, such as FID for that purpose, so as to not impact water supplies to or create water supply deficits in other areas of the City or in the groundwater basin. Water supply issues must be resolved before any further “hardening” of the water supply demand is allowed to take place.
6. Should Clovis Unified wish to move forward with the proposed project, CUSD and their engineer will be required to contact FID at their earliest convenience to discuss specific requirements.
7. FID is concerned that the proposed development may negatively impact local groundwater supplies including those areas adjacent to or neighboring the proposed development area. The area was historically native or rural residential with minimal to no water use. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed development result in a significant increase in dependence on groundwater, this deficit will increase. FID recommends the City of Fresno require the proposed development balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area’s existing groundwater overdraft problem.
8. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Fresno are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is completely reliant on groundwater pumping and SGMA will impact all users of groundwater and those who rely on it. The City of Fresno should consider the impacts of the development on the City’s ability to comply with requirements of SGMA.
9. For informational purposes, FID’s Gow No. 99 runs southerly along the west side of Locan Avenue, approximately 100 feet west of the subject property, crosses Locan Avenue and turns westerly along the south side of Shields Avenue, approximately 600 feet southwest of the subject property, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Shields Avenue, Locan Avenue, or in the vicinity of this pipeline, FID requires it review and approve of all plans.

10. For informational purposes, a private pipeline known as the Gould No. 97 traverses the easterly portion of the subject property, as shown on the attached FID exhibit map. FID does not own, operate or maintain this facility. FID's records indicate this line is active and will need to be treated as such. FID can supply the City with a list of known users upon request.

11. The above comments are not to be construed as the only request FID will have regarding this project. FID will make additional comments and requests as necessary as the project progresses and more detail becomes available.

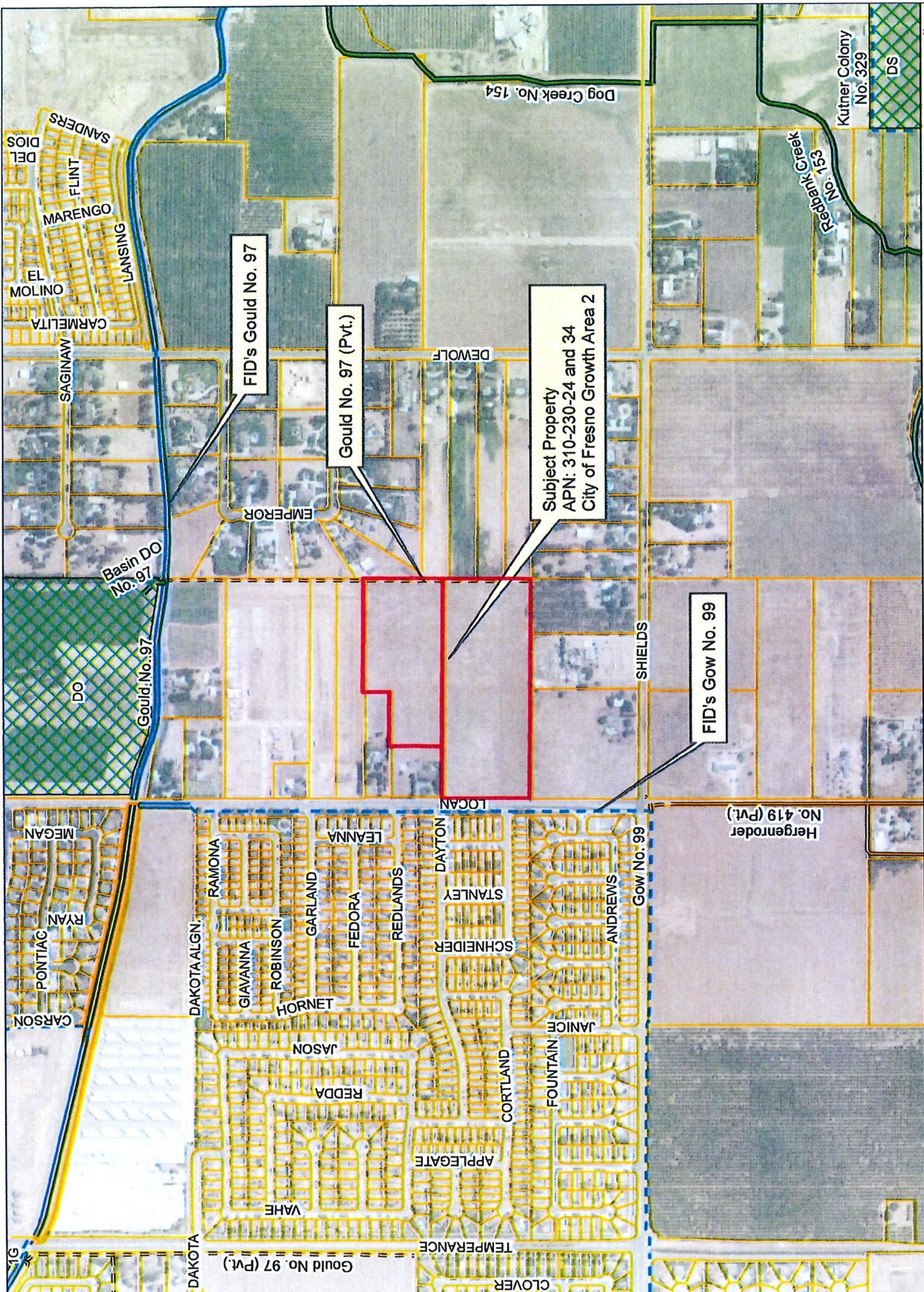
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or jlandrith@fresnoirrigation.com.

Sincerely,



Laurence Kimura, P.E.
Chief Engineer

Attachments



This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown are in their approximate location. Please contact the FID Engineering Dept. at (559) 233-7161 for further information on FID facilities.

Legend

- FID Canal
- Private Canal
- Abandoned Canal
- FID Pipeline
- Private Pipeline
- Abandoned Pipeline
- Stream Group
- Other-Creek/River
- Other-Pipeline
- FID Boundary
- Railroad
- Streets & Hwys
- Parcel
- FIMFCD Acquired Basins
- FIMFCD Proposed Basins

0 365 730 Feet

1 inch = 721.28 feet

Date Saved: 12/06/2018 4:35:44 PM
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North Arrow

Kutner Colony No. 329

Redbank Creek No. 153

Dog Creek No. 154

Basin DO No. 97

Gould No. 97

Gow No. 99

Hergenroder No. 419 (Pvt.)

Subject Property APN: 310-230-24 and 34 City of Fresno Growth Area 2

FID's Gould No. 97

Gould No. 97 (Pvt.)

FID's Gow No. 99

Streets: SAGINAW, EMPEROR, DEMOLF, SHIELDS, LOGAN, DAYTON, STANLEY, SCHNEIDER, ANDREWS, GOW No. 99, Hergenroder No. 419 (Pvt.), CLOVER, TEMPERANCE, DAKOTA, VAHE, REDDA, JASON, HORNET, GARLAND, FEDORA, REDLANDS, JAVANNA, ROBINSON, PONTIAC, RYAN, MEGAN, CARSON, DAKOTA ALGN., RAMONA, LEANNA, MARENGO, FLINT, SANDERS, DEL DIOS, EL MOLINO, CARMELITA, LANSING



Fresno Metropolitan Flood Control District

Capturing Stormwater since 1956

File 170.903
310. "DS"
550.20

August 27, 2018

Mr. Kevin Peterson, Assistant Superintendent
Facilities Services
Clovis Unified School District
1450 Herndon Avenue
Clovis, CA 93611

Dear Mr. Peterson,

**Clovis Unified School District
Notice of Intent to Adopt a Mitigated Negative
Declaration for the Shields – Locan Elementary
School Project (SCH #2018031007)
Drainage Area "DS"**

Please accept these comments on behalf of the Fresno Metropolitan Flood Control District (FMFCD).

FMFCD has reviewed the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration for the Shields-Locan Elementary School Project (Project) prepared by the Clovis Unified School District (CUSD). Previous to this document, FMFCD was consulted upon informally for comments regarding the Project. A letter was prepared, dated March 21, 2018 (Letter), that outlined all of the FMFCD requirements, said comments are by reference included herein and a copy of the Letter is attached hereto. While the NOI (Section 10, c, pages 36 and 37) makes reference to CUSD's intention to have FMFCD provide drainage service, the document does not adequately insure compliance with all of the FMFCD requirements stated in the Letter. As such, FMFCD will not provide drainage service to the Project unless all of the conditions set forth by the FMFCD are adequately addressed and clearly stated and agreed to by CUSD.

As stated in our previous Letter, FMFCD bears responsibility for storm water management within the Fresno-Clovis metropolitan area, including the area of the proposed Project. Within the metropolitan area, storm runoff produced by land development is collected and conveyed through pipelines to storm drainage retention basins. FMFCD has developed and FMFCD, the City of Fresno, County of Fresno, and City of Clovis have adopted the Storm Drainage and Flood Control Master Plan. This plan is implemented and financed from payments from

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Mr. Kevin Peterson
Clovis Unified School District
Shields – Locan Elementary School Project
(SCH #2018031007)
August 27, 2018
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each property owner in which drainage service is proposed by the plan. In other words, the owner of each property is required to contribute its pro-rata share to the cost of the public drainage system. It is this form of participation in the cost and/or construction of the drainage system that will mitigate the impact of development. However, as discussed below, school districts are also governed by the Education Code with regard to providing adequate drainage.

In review of the NOI, FMFCD offers the following comments and concerns:

Hydrology and Water Quality

First, in Section 10, “Hydrology and Water Quality,” CUSD indicates that this project will have a “less than significant” impact on existing drainage patterns (See 10c, page 36-37). The NOI is insufficient in this determination and does not adequately reference the Project’s impacts on creating or contributing to runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. The NOI implies that because the Project has the intention of FMFCD providing drainage service, all impacts related to the intensification of surface runoff will be addressed. Yet, there is no clear statement that CUSD will in fact receive service from FMFCD. Furthermore, in a quick reading of the items on page 36 of the Initial Study, FMFCD finds the discussion does not adequately address the issues of water quality, stormwater discharge, groundwater recharge, and the effect on the adopted Storm Drainage and Flood Control Master Plan. It appears that no one has actually studied the impacts of stormwater runoff because the NOI only makes reference to the FMFCD being responsible for managing urban stormwater and that CUSD must comply with FMFCD requirements, or provide its own drainage service/facilities. This is not a statement that reflects adequate mitigation of or impacts on existing or planned storm water drainage systems and this does not show that CUSD has evaluated any of the impacts of stormwater runoff. As the information in the NOI is inadequate, in order to comply with the California Environmental Quality Act (CEQA), CUSD will need to do additional review of the project and/or provide additional information in an environmental document. CUSD cannot rely on this document alone, because it is inadequate and vague.

In regards to water quality, the FMFCD and its co-permittees have a regional NPDES permit. However, this permit is for those entities that are in compliance with and participate in the community drainage system. The document does not address the impacts on water quality should the FMFCD not provide drainage service, as the Project would need to become individually compliant with EPA laws and regulations and could not rely on the FMFCD’s NPDES permit.

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Clovis Unified School District
Shields – Locan Elementary School Project
(SCH #2018031007)
August 27, 2018
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Utilities and Service Systems

Section 19 addresses “Utilities and Service Systems.” This section asks whether the Project would “Require or result in relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electrical power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?” CUSD responded that this impact is “Less Than Significant”. CUSD has not studied the Project and its impacts on the storm drainage system to adequately make this judgement. While the FMFCD has a Master Plan storm drainage system proposed for this area, the impacts to the existing or proposed system based upon the intensification of the Project land is unknown.

The proposed Project lies within FMFCD’s adopted Drainage Area “DS”. Storm drainage facilities to provide permanent drainage service to the Project do not yet exist and may be constructed in the future. These facilities may or may not be constructed with capacity adequate to provide drainage service for the Project. This capacity issue is dependent upon CUSD’s decision as to whether they desire service from FMFCD or discharge any stormwater to public streets that is not otherwise intercepted and disposed of in a system provided by CUSD. Please see the following comments regarding drainage service to the Project.

The Education Code requires that school districts either construct adequate drainage infrastructure or contract with another party to provide drainage service. Specifically, Education Code Section 17577 states:

In addition to the other powers granted the governing board of each school district may provide sewers and drains adequate to treat and/or dispose of sewage and drainage on or away from each school property. For this purpose it may construct adequate systems or acquire adequate disposal rights in systems constructed or to be constructed by others for these purposes without regard to their proximity. The cost thereof may be paid from the building fund, including any bond moneys therein.

Therefore, to reiterate options for drainage as specified in the Letter, CUSD may either:

1. Construct adequate permanent drainage infrastructure to provide drainage service to the Project site by retaining storm water on CUSD property or on other property in which CUSD acquires storage rights. Such infrastructure shall be constructed to provide the volume and capacity equivalent to the community drainage system (i.e. 6

**Mr. Kevin Peterson
Clovis Unified School District
Shields – Locan Elementary School Project
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August 27, 2018
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inches of rainfall) and comply with all State and Federal Statutes, including the EPA’s National Pollutant Discharge Elimination System permit regulations. Further, CUSD must construct any Master Plan Storm Drainage Facilities that are located within the Project or within off-site street improvements proposed for construction with the Project site. The permanent infrastructure shall be constructed and operated such that there is no discharge to the community drainage system without proper compensation to the FMFCD, by agreement; or

2. Reach an Agreement with FMFCD that shall include as a minimum:
 - a. FMFCD shall provide drainage service in the future when the downstream Master Plan System in Drainage Area “DS” is available;
 - b. The construction of temporary storage facilities on CUSD property or other property in which CUSD acquires rights to retain storm water until permanent storm drainage service is available;
 - c. An agreement that CUSD shall pay the project’s site’s proportionate share of the drainage system costs, currently estimated at \$289,052, within 60 days of the date of this letter, unless an alternate form of agreement is reached for payment in the future; and
 - d. Construction of any Master Plan Storm Drainage Facilities that are located within the project or within off-site street improvements proposed for construction within the project site. An exhibit showing the Master Plan Storm Drainage Facilities to be constructed with the project site is attached, as Exhibit No. 1.

The FMFCD must either; i) receive CUSD’s proportionate share payment within 60 days or enter into an agreement specifying that CUSD shall pay said share, or, if not paid, the FMFCD will not provide for the Project’s drainage service. CUSD must construct its own infrastructure as stated on Item # 1 above. Execution of an Agreement with FMFCD for construction of Master Plan Storm Drainage Facilities is also required to receive construction credits against the proportionate share payment.

The Project’s development may create sufficient additional runoff, based upon the Project’s intensification of the land, such that the drainage system must be modified to accommodate the Project. Therefore, due to the additional runoff, extensions of pipelines or larger pipelines

Mr. Kevin Peterson
Clovis Unified School District
Shields – Locan Elementary School Project
(SCH #2018031007)
August 27, 2018
Page 5 of 5

may be required to accommodate the drainage within the community drainage system. If such extensions or larger pipelines are required, CUSD will be responsible for the funding of all the additional facilities beyond those provided by the Master Plan. CUSD shall provide for the revising of the Master Plan for the Drainage Area “DS” system necessary to accommodate the Project’s runoff.

Should CUSD decide on Item #2 above, the Project must be developed to limit peak runoff to the capacity included for the CUSD Project within the Drainage Area “DS” system. Any future changes in the Project (beyond the initial Project) that materially alters any pervious areas may require additional payment to FMFCD for such intensification or CUSD must agree to retain sufficient stormwater onsite to mitigate the capacity impact to the Drainage Area “DS” system.

Considering our review of the NOI and the comments herein, FMFCD has determined that this Project, without mitigation and additional study as noted herein, may cause a potentially significant impact to the environment. A significant effect on the environment is defined as a substantial or potentially substantial adverse change in the environment. (Pub. Res. Code §§ 21068, 21100(d); 14 Cal. Code Regs § 15382.) The CEQA study does not provide enough information to adequately address the impacts of the Project on drainage and does not state what mitigation measures will be performed to reduce the impacts of the development of the Project. The consequence of the development of land is that it can generate significant storm water runoff and change drainage patterns due to site grading. Each of these consequences is significant enough that they must be mitigated.

Thank you for the opportunity to comment. Please keep our office informed on the development of this project. If you should have any questions or comments, please contact FMFCD at (559) 456-3292.

Very truly yours,



Gary Chapman
Engineering Technician III

GC/lrl

Attachment(s)

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FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File 170.907
310. "DS"

March 21, 2018

Mr. Kevin Peterson, Assistant Superintendent
Facilities Services
Clovis Unified School District
1450 Herndon Avenue
Clovis, CA 93611

Dear Mr. Peterson,

**Request for Preliminary Comment
Clovis Unified School District
Shields – Locan Elementary School Project
Drainage Area "DS"**

The Fresno Metropolitan Flood Control District (FMFCD) has received and reviewed the Request for Preliminary Comment for the Clovis Unified School District (CUSD), Shields - Locan Elementary School Project (Project) and the following comments are offered:

FMFCD bears responsibility for storm water management within the Fresno-Clovis metropolitan area, including the area of the Project site. The community has developed and adopted a Storm Drainage and Flood Control Master Plan and the participation of each property owner is essential in the planning of a regional approach. Within the metropolitan area, storm runoff produced by land development is to be controlled through a system of pipelines and storm drainage retention basins. The proposed Project has been Master Planned to be served by FMFCD's Drainage Area "DS" drainage system.

Because the Request for Preliminary Comment document invites written comments to solicit concerns that may become an environmental effect due to the Project, FMFCD hereby notifies CUSD that, based upon the description of the Project, there will be development that materially alters the natural surface of the land or restricts the imperviousness of the soil resulting in intensification of site runoff. CUSD's request does not clearly state whether it is CUSD's intention to have FMFCD provide drainage service, through payment of a proportionate share of the drainage system cost, or whether CUSD will provide its own drainage service as authorized by Section 17577 of the Education Code. This decision should be clearly identified in a California Environmental Quality Act (CEQA) study. Each property is required to contribute its pro-rata share to the cost of the public drainage system or provide adequate drainage infrastructure onsite. It is this form of participation in the drainage system that will mitigate the impact of development.

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The Education Code requires that school districts either construct adequate drainage infrastructure or contract with another party to provide drainage service. Specifically, Education Code Section 17577 states:

In addition to the other powers granted the governing board of each school district may provide sewers and drains adequate to treat and/or dispose of sewage and drainage on or away from each school property. For this purpose it may construct adequate systems or acquire adequate disposal rights in systems constructed or to be constructed by others for these purposes without regard to their proximity. The cost thereof may be paid from the building fund, including any bond moneys therein.

Therefore, the CEQA document must contain a determination that CUSD will either:

1. Construct adequate permanent drainage infrastructure to provide drainage service to the Project site by retaining storm water on CUSD property or on other property in which CUSD acquires storage rights. Such infrastructure shall be constructed to provide the volume and capacity equivalent to the community drainage system (i.e. 6 inches of rainfall) and comply with all State and Federal Statutes, including the EPA's National Pollutant Discharge Elimination System permit regulations. Further, CUSD must construct any Master Plan Storm Drainage Facilities that are located within the Project or within off-site street improvements proposed for construction with the Project site. The permanent infrastructure shall be constructed and operated such that there is no discharge to the community drainage system without proper compensation to the FMFCD, by agreement; or
2. Reach a comprehensive agreement with FMFCD that shall include as a minimum:
 - a. FMFCD shall provide drainage service in the future when the downstream Master Plan System in Drainage Area "DS" is available;
 - b. The construction of temporary storage facilities on CUSD property or other property in which CUSD acquires rights to retain storm water until permanent storm drainage service is available;
 - c. An agreement that CUSD shall pay the project site's proportionate share of the drainage system costs; and

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- d. Construction of any Master Plan Storm Drainage Facilities that are located within the project or within off-site street improvements proposed for construction within the project site. An exhibit showing the Master Plan Storm Drainage Facilities to be constructed with the project site is attached, as Exhibit No. 1.

In that CUSD, as the developer of the proposed Project, will not be required to initiate a formal building or grading permit entitlement, FMFCD must receive CUSD's proportionate share payment, as noted above, within 60 days of the approval of any CEQA action, unless an alternate form of agreement is executed for payment at a future date, regarding the Project or, if not paid, FMFCD will not provide for the Project site's drainage service. CUSD would then be required to construct its own infrastructure as stated in Item 1 above.

Permanent drainage service is currently not available to the Project in Drainage Area "DS".

FMFCD's future Master Plan drainage system in Drainage Area "DS" is designed to serve medium and high density residential land uses, identified on the current FMFCD Master Plan, and, as such, the future storm drainage facilities will have capacity to serve the density of the proposed Project (typically R-2 for elementary school sites). The preliminary drainage fee for the Project is \$289,052.

Considering the limited information available in the Request for Preliminary Comment, FMFCD has determined that this Project, without mitigation, may cause a potentially significant impact to the environment. A significant effect on the environment is defined as a substantial or potentially substantial adverse change in the environment. (Pub. Res. Code §§ 21068, 21100(d); 14 Cal. Code Regs § 15382.) The CEQA study must provide enough information to adequately address the impacts of the project on drainage and state what mitigation measures will be performed to reduce the impacts of the development of the project. The consequence of the development of land is that it can generate significant storm water runoff and change drainage patterns due to site grading. Each of these consequences is significant enough that they must be mitigated.

Additionally, if CUSD elects to provide its own permanent drainage service for the Project, arrangements must be made for adequate storage capacity, long term maintenance and basin design standards for safety, use of the basin to mitigate water use or replenish groundwater, emergency relief provision from the storm water basin, and removal of growth, landscaping, maintenance for vector control, removal of trash and debris, and removal of pollutants from sediment deposits.

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FMFCD requires that the storm drainage patterns for the proposed project conform to the Master Plan (as shown on Exhibit No. 1) and will require review and approval of all improvement plans for any proposed grading, construction of curb and gutter or storm drainage facilities for conformance to the Master Plan within the project area.

Jewel Avenue, part of Tract 6067, near the northeast corner of the Project, has been designed for drainage to drain south to the Master Plan inlet, located within the Project, as shown on Exhibit No. 1. If surface conveyance is not provided, a non-Master Plan pipe extension and inlets will need to be constructed to Jewel Avenue to provide permanent drainage service.

A minimum fifteen-foot (15') wide storm drain easement will be required whenever storm drain facilities are located on private property. No encroachments into the easement will be permitted including, but not limited to, foundations, roof overhangs, swimming pools, and trees.

The project is not in an area designated as flood prone on the latest Flood Insurance Rate Map available to FMFCD.

In an effort to improve storm runoff quality, outdoor storage areas shall be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system.

The District encourages, but does not require that roof drains from non-residential development be constructed such that they are directed onto and through a landscaped grassy swale area to filter out pollutants from roof runoff. However, if on-site inlets are proposed to be installed within landscape areas, they must be installed to FMFCD standards and, such installation, will require that CUSD enter into an agreement with the FMFCD for the on-site inlets.

Runoff from areas where industrial activities, product, or merchandise come into contact with and may contaminate storm water must be treated before discharging it off-site or into a storm drain. Roofs covering such areas are recommended. Cleaning of such areas by sweeping instead of washing is to be required unless such wash water can be directed to the sanitary sewer system. Storm drains receiving untreated runoff from such areas shall not be connected to the District's system. Loading docks, depressed areas, and areas servicing or fueling vehicles are specifically subject to these requirements. The District's policy governing said industrial site National Pollutant Discharge Elimination System ("NPDES") program requirements is available on the District's website at: www.fresnofloodcontrol.org or contact

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the District's Environmental Department, Daniel Rourke, for further information regarding these policies related to industrial site requirements.

Please also be aware that through these comments FMFCD is informing CUSD that if it opts to not participate in the FMFCD storm drainage program, CUSD may need to obtain its own NPDES permit. FMFCD, along with the Cities of Fresno and Clovis, Fresno County, and Fresno State are Co-Permittees under an individual State issued NPDES Phase I municipal storm water permit ("Phase I MS4") that allows CUSD to develop its campuses and discharge storm water offsite without obtaining its own permit. FMFCD has allowed CUSD's school sites to apply under its permit, which results in a significant cost savings to CUSD. CUSD would likely have to obtain separate permit coverage under the State's Phase II general storm water permit if it is not covered under FMFCD's permit and the other Co-Permittees' Phase I MS4 permit. Accordingly, CUSD would have to comply with individual development standards identified in FMFCD's Phase I MS4 permit that address facilities (over 5,000 square feet of impervious surface) that do not discharge into storm water management basins. CUSD would then have to build on-site storm water management controls, which would treat the storm water runoff before it entered FMFCD's storm drain system. Finally, CUSD must also develop source control strategies and plans to address pollutants generated on each school site, ranging from sediment to trash.

Thank you for the opportunity to comment. Please keep our office informed on the development of this project. If you should have any questions or comments, please contact FMFCD at (559) 456-3292.

Very truly yours,

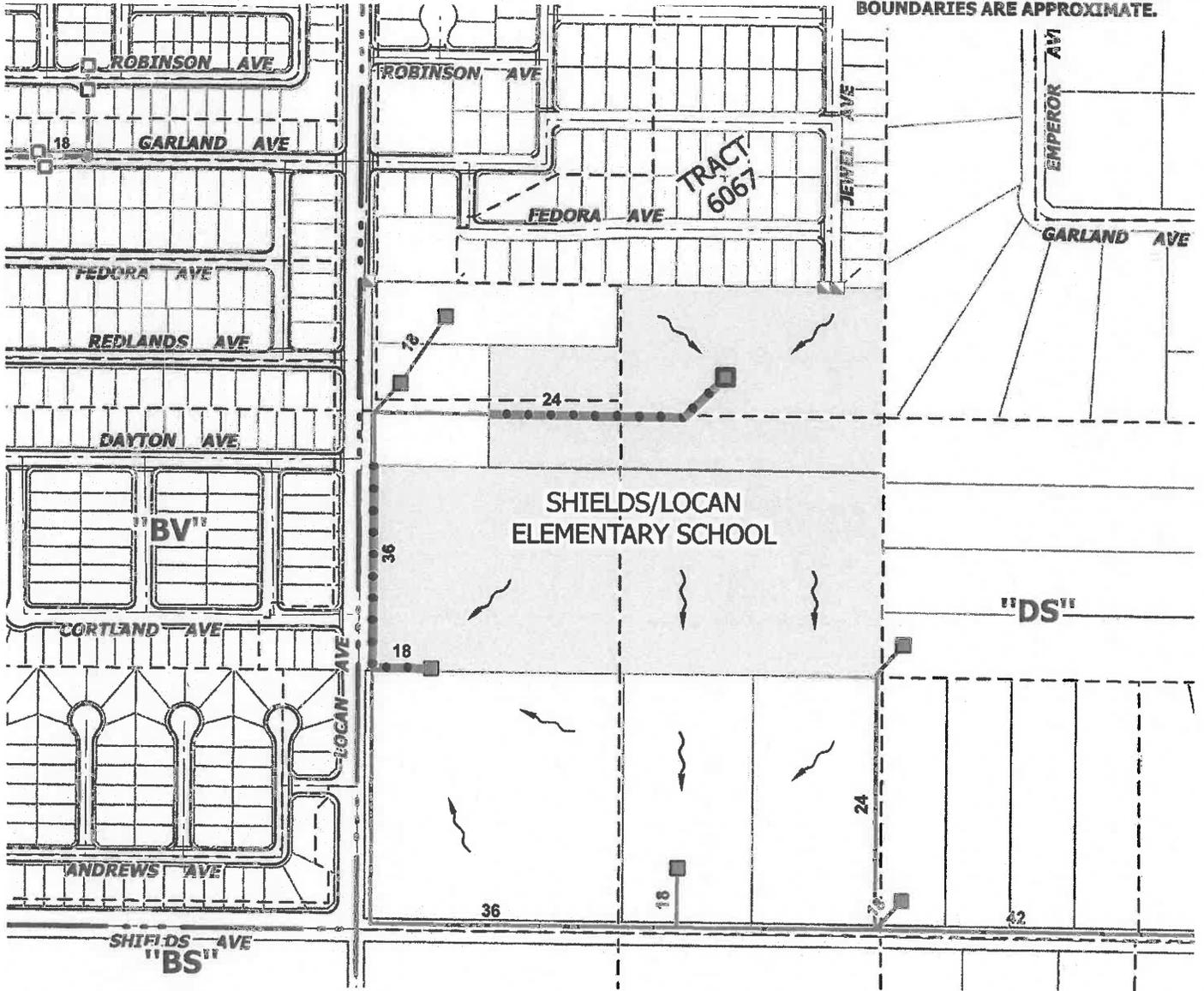


Gary Chapman
Engineering Technician III

GC/lrl

Attachment(s)

NOTE: THIS MAP IS SCHEMATIC. DISTANCES, AMOUNT OF CREDITABLE FACILITIES, AND LOCATION OF INLET BOUNDARIES ARE APPROXIMATE.



LEGEND

- Creditable Facilities (Master Plan Facilities To Be Constructed By Developer) - Pipeline (Size Shown) & Inlet
- Existing Master Plan Facilities
- Future Master Plan Facilities
- Private Facilities
- Inlet Boundary
- Direction Of Drainage
- Limits Of Project



1" = 400'

SHIELDS-LOCAN ELEMENTARY SCHOOL DRAINAGE AREA "DS"

EXHIBIT NO. 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

