

**FINAL
ENVIRONMENTAL IMPACT REPORT
SCH NO. 92122093**

SANITARY SEWER MASTER PLAN

CITY OF VISALIA

APRIL, 1994

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1.0 INTRODUCTION

The City of Visalia prepared a Draft EIR (DEIR) for the adoption and implementation of the City's proposed Sanitary Sewer Master Plan. One of the improvements that the Master Plan recommends is a new trunk line on Riggin. The City intends to install the Riggin line (between Shirk and Mooney) in 1995 and the Sewer Master Plan EIR also serves as the environmental document for this "project".

In compliance with the California Environmental Quality Act (CEQA), the City provided a 45-day public review period for the DEIR that began on February 25, 1994. At the commencement of the public, copies of the DEIR were submitted to the State Clearinghouse (for distribution to State agencies) and selected local agencies. In early March, 1994, property owners on Riggin Avenue (within the limits of the proposed trunk line project) were notified in writing that the DEIR had been completed and copies were available for their review at City Hall.

In early April, 1994, property owners on Riggin Avenue also were notified that the City Planning Commission would conduct a public hearing for the DEIR on April 25, 1994. Notice of the availability of the DEIR and the Planning Commission public hearing were published in the Visalia Times-Delta on March 7 and April 8, 1994.

At the close of the public review period on April 11, 1994, the City had received comment letters from four public agencies and one private party. Letters were submitted by the following:

- o State Office of Planning and Research (State Clearinghouse),
- o State Department of Transportation (Caltrans),
- o San Joaquin Valley Unified Air Pollution Control District,
- o Tulare County Planning and Development Department, and
- o Dr. Cary Tanner.

In compliance with CEQA, the City evaluated the comments submitted by these agencies and prepared written responses to the comments. This document contains the written comments and the City's responses. The comments and the City's responses to the comments, together with the DEIR, constitute the Final Environmental Impact Report (FEIR) for the Master Plan.

Section 2.0 of this document presents a summary of the information that was presented in the Master Plan DEIR. This summary includes a description of the project, a discussion of the impacts associated with the project, and a discussion of alternatives to the proposed project. The comment letters that were received by the City are presented in Section 3.0, while the City's responses to the comments are presented in Section 4.0. Section 5.0 presents the mitigation measures that the City will be expected to implement in order to reduce the significance of the identified potential adverse impacts that have been directly attributed to the project. A mitigation monitoring program is presented in Section 6.0. It should be noted that the final mitigation measures presented in Section 5.0 include revisions to the DEIR measures that reflect comments received during the public review period and clarifications deemed necessary by City staff.

2.0 DEIR SUMMARY

This section of the Final EIR presents a summary of the information contained in the Draft EIR that was prepared for the adoption and implementation of the proposed Sewer Master Plan.

PROJECT DESCRIPTION

The City of Visalia is proposing to adopt and implement a 50-year sewer system master plan that identifies the improvements needed to serve the planned land uses of the City's Land Use Element of the General Plan (2020 Plan), as well as future development outside of the 2020 Urban Development Boundary (UDB).

The Master Plan improvements that are recommended to serve "pre-2020" development and "post-2020" development are described below. A discussion of the two major trunk lines that the City tentatively intends to install by the year 2000 also is provided below.

Pre-2020 Development

Using the calibrated flow generation rates that were established for the existing land uses in Visalia, the flows that will be generated by the planned land uses within the City's 2020 UDB were estimated. Based on these estimated flows, the improvements that will be needed to serve future development through the year 2020 were identified. These major "pre-2020" development improvements are summarized below. Refer to Figure 2-2 of the DEIR for a graphical representation of the improvements and the timing of their installation.

Road 76-Sunnyview Line

8,800 feet of pipe to serve the area along Road 80 between State Route 198 and Goshen Avenue; 17,500 feet pipe and upgrading the lift station at Goshen Avenue and Camp Drive to serve the community of Goshen; and upgrading the lift station at the Airport to serve the community of Goshen and industrial development.

Avenue 276-Road 148 Line

34,300 ft of pipe to serve the area north of Caldwell between Santa Fe and Lovers Lane, the area north of Avenue 272 between Santa Fe and Road 148, and the area north of Caldwell between Lovers Lane and Road 148. 21,100 feet of pipe to serve the area east of Road 148 between Avenue 272 and Houston Avenue.

Shirk-Riggin Line

25,100 feet of pipe (with a connection to the existing Sunnyview line at Shirk) to serve the area along Riggin between Shirk and Santa Fe. 26,400 feet of pipe to extend the Shirk line to Walnut and serve the area along Riggin between Santa Fe and Road 152.

Avenue 320 Line

16,000 feet of pipe (with a connection to the Shirk line at Riggin) to serve the area along Avenue 320 between Shirk and Mooney.

Road 76 Line

15,800 feet of pipe (with a connection to the existing Road 76 line at Sunnyview) to serve the area north of Riggin between Road 76 and Shirk.

Post-2020 Development

Because the 2020 Plan policies encourage the preparation of a long-range, 50-year sewer master plan, some of the trunk lines identified above have been sized to serve lands that are between the 2020 UDB and the 2020 Urban Area Boundary (UAB) in addition to lands within the 2020 UDB. This approach to sizing trunk lines was considered cost-effective, long-range planning because the cost of "up-sizing" the pipe is relatively small when compared to the cost of installing new parallel or replacement lines in the future (to serve lands outside the 2020 UDB). However, this "up-sizing" of the lines to accommodate flows from areas outside the 2020 UDB potentially is "growth inducing" because it may result in pressures to prematurely develop lands outside of the 2020 UDB.

The planned post-2020 improvements tentatively include an extension of the planned Avenue 320 line east of Demaree to Road 148; and an extension of lines (that connect to the planned Road 148 line) to serve lands east of Road 152. For the purpose of sizing these post-2020 improvements (and the "downstream" pre-2020 trunk lines), it was assumed that the lands served will be developed with a combination of land uses; 70 percent residential, 20 percent commercial, and 10 percent open space. The planned post-2020 improvements also include lines in the northwest industrial area.

It should be noted that for the purpose of preparing the Master Plan, it was assumed that the area between the 2020 UDB and UAB south of Avenue 272 will not be developed with urban uses prior to the year 2040 because the City has expressed an interest in maintaining this area in agriculture as a buffer between Visalia and Tulare. Therefore, in an effort to reduce the potential for pressure to prematurely develop lands south of Avenue 272, the Avenue 276 line has been sized to serve only lands within the 2020 UDB. However, as recognized in the Master Plan, should the City's policy on development south of Avenue 272 change prior to the installation of the Avenue 276 line, this line could be used to serve future development south of Avenue 272 in accordance with the recommendations of the 2020 Plan. In that event, the alignment and diameter of the line may be subject to change.

Pre-2000 Improvement Projects

Prior to the 2000, the City tentatively plans to install the two major trunk lines that the Master Plan indicates will be needed to serve development during the initial growth period (1993-2000) of the 2020 Plan. The two trunk lines are the Shirk-Riggin line and the Avenue 276 line.

The Shirk-Riggin line will be installed first and the City has prepared preliminary plans for this project. A description of the Shirk-Riggin line project is given below. Plans for the Avenue 276 line and other Master Plan improvements will be prepared in the future.

Shirk-Riggin Trunk Line Project

The initial phase of the Shirk-Riggin line will connect to an existing 30-inch line in Sunnyview that currently terminates at Shirk, extend north approximately 1,800 feet to Riggin, where it will turn east and extend three miles to Mooney Boulevard. This initial phase of the line, which will range in diameter from 48 inches in Shirk to 27 inches at Mooney, will serve the area north and south of Riggin between Shirk and Mooney that is designated for development during the first growth period of the 2020 Plan (1993-2000). Subsequent extensions of the line will serve areas east of Mooney.

On Shirk Road, the City tentatively plans to install the new line within the existing right-of-way. The City expects that it will be necessary to close at least one lane of Shirk to through traffic during the installation of the line, which should take approximately four weeks. For the 1,200 foot segment of Shirk that is outside of the City Limits, the City will obtain an encroachment permit from Tulare County and comply with applicable County requirements.

On Riggin, the City plans to install most of the line outside of the paved section of the roadway to avoid disrupting the traffic flow on Riggin. However, the existing right-of-way, which typically is 40 feet wide, does not provide enough room outside of the paved section to accommodate the pipeline installation operation. The installation operation will require a working area approximately 40 to 50 feet wide in order to dig a trench up to 20 feet deep and stockpile the excavated material. Based on this need, the City intends to acquire additional right-of-way (on one-side of the roadway) to install the pipeline.

It should be noted that the City expects that Riggin eventually will be improved to a four-lane, divided roadway within a 110-foot right-of-way. Because the City wants to have the planned sewer line within the paved section of the future roadway, it was necessary for the City to establish a preliminary alignment for the future Riggin Avenue right-of-way before the alignment of the sewer line could be developed.

For the purpose of installing the sewer line, the City will acquire the additional right-of-way needed for the future widening of Riggin Avenue (on the side of the roadway that the pipeline will be installed). The additional right-of-way that is needed on the opposite side of the roadway from the pipeline most likely will be obtained by the City as the adjoining lands are developed. The City expects that the roadway actually will be widened at the time the adjoining lands are developed. Because much of the adjoining land is designated for development before the year 2000, portions of Riggin could be widened within the next six years. The future Riggin right-of-way and pipeline alignments are displayed in Figure of 2-3 of the DEIR.

The City expects to finalize the future Riggin Avenue right-of-way alignment and the alignment of the trunk line in early to mid-1994 and, shortly thereafter, start the process of acquiring the right-of-way needed to install the line. The installation of the line is expected to start in the spring of 1995 and be completed before the end of 1995.

POTENTIAL SIGNIFICANT PROJECT IMPACTS AND MITIGATION MEASURES

(NOTE: The following discussion of projects impacts and mitigation measures is presented below as it appeared in the Draft EIR. However, the final discussion of impacts and mitigation measures, as presented in Section 5.0 of this document, include revisions to the DEIR discussion that reflect comments received during the public review period and clarification deemed necessary by City staff.)

There are four identified potentially significant impacts that are directly attributable to the implementation of the Master Plan: (1) The loss of agricultural land during the installation of recommended improvements; (2) Deterioration of air quality due to the generation of dust during construction; (3) Loss of habitat for sensitive species; and (4) Premature development of land. A brief discussion of each impact and the (DEIR) mitigation measures is presented below.

Impact: Loss of Agricultural Land

If Master Plan improvements are installed outside of the existing street right-of-way in rural areas, as the Riggin trunk line will be, there potentially may be a loss of productive farm land, particularly during the actual installation of a line. It is estimated that approximately five acres of farmland will be lost per mile of pipeline when a line is installed through farm land. Therefore, if it is assumed that the three-mile Riggin line, the six-mile Avenue 276 line, and the four-mile Road 148 line will be installed through farm land (and the remaining lines will be installed within existing street rights-of-way), the Master Plan potentially will remove 65 acres of land from agricultural production.

It should be recognized, however, that when a line is installed through farm land, it may be possible to return the land to productive agricultural use after the line is installed, particularly if the effected land is planted in row crops. It also should be recognized that any farm land that will be effected by the installation of a trunk line eventually will be paved over because the lines will be installed within the planned right-of-way of a future roadway.

In the case of the proposed Riggin Avenue trunk line project, approximately 6.5 acres of grapes, 2.2 acres of row crops, and 250 walnut trees will be disturbed during the installation of the sewer line. All agricultural activities within the planned right-of-way for Riggin will have to be stopped when the roadway is widened in the future.

Mitigation: The City should, when practical, allow and encourage farmers to re-plant crops over the pipelines (following the installation of the line) and continue farming land (within the new right-of-way) until the roadway is widened.

Additionally, when possible, the City should attempt to minimize the disturbance of mature orchard trees and underground irrigation systems. In the event that any irrigation improvements are destroyed or damaged during the installation of the sewer line, the City should either replace the improvements or compensate the farmer for the cost of the improvements.

Residual Impact: With the recommended mitigation measures, the potential impact is reduced to a level of insignificance.

Impact: Generation of Dust During Construction

During the installation of Master Plan improvements, the clearing of the land along the pipeline alignment, the excavation and back-filling of the pipeline trench, and general grading activities may result in suspended dust particles, particularly under windy conditions. Dust generated during the installation of the lines may contribute to PM10 levels that exceed short-term standards established by the State Air Resources Board.

Mitigation: The City should implement the dust suppression measures recommended by the San Joaquin Valley Unified Air Pollution Control District (see Section 3.5.3).

Residual Impact: With the recommended mitigation measures, the potential impact is reduced to a level of insignificance.

Impact: Loss of Habitat for Sensitive Species

Because most of the Master Plan improvements will be installed in farm land or roadways, the Master Plan generally is not expected to have a significant direct impact on biological resources in the Visalia area. However, the impact of future projects will be evaluated on a project-by-project basis in subsequent studies.

In the case of the Shirk-Riggin project, because the City expects that the Shirk Avenue portion of the line will be installed in the roadway within the existing right-of-way, the installation should not have a significant adverse direct impact on plant or wildlife species in the construction area. Because, most of the Riggin line will be installed in farm land that is not considered viable habitat for sensitive species, the installation generally should not impact these species. However, the Modoc Ditch water storage basin on the north side of Riggin at Linwood potentially could serve as foraging or denning habitat for kit fox or other sensitive wildlife species. Therefore, the City intends to conduct a "pre-construction" survey (in accordance with Department of Fish and Game guidelines) of the southern portion of the basin to determine if it is actively used by sensitive species.

Mitigation: If it appears that future projects potentially will impact wildlife and plant species, mitigation measures will be identified in subsequent studies.

With respect to the Shirk-Riggin Project, if the results of the "pre-construction" survey of the water storage basin indicate that the basin provides sensitive species habitat that would be disturbed by the installation of the line, the City should consultant with the Department of Fish and Game to establish a plan for installing the line without adversely effecting the species.

Residual Impact: The potential impacts directly associated with the Master Plan will be reduced to a level of insignificance with the implementation of the recommended mitigation measures.

Impact: Premature Development of Land (Growth Inducing)

Some Master Plan improvements potentially may result in pressures to prematurely develop lands within the service area of the improvements. Specifically, the Master Plan recommends installing the Avenue 276 trunk line prior to the year 2000 to serve lands along Caldwell east of Santa Fe that are designated for development during the first growth phase of the 2020 Plan (1993-2000). However, lands south of the Avenue 276 alignment are designated for development after the year 2010, and there may be pressure to prematurely develop these lands after the line is installed. Furthermore, the south limit of the 2020 UDB is one-half mile south of the Avenue 276 alignment along Avenue 272 and pressures may arise to develop lands south of Avenue 272. Installation of the planned Riggin trunk line also may create pressures to prematurely develop lands.

Because the City has expressed an interest in maintaining the area south of Avenue 272 in agriculture as a buffer between Visalia and Tulare, the Avenue 276 line has been sized to serve only lands within the 2020 UDB.

Mitigation: The City should resist pressures to prematurely develop lands that can be served by installed Master Plan improvements by adhering to the growth phasing policies of the 2020 Plan. Policy 6.2.2 states that new or expanded urban development between the 2020 UDB and the UAB should be discouraged because the intervening area is largely agricultural land that generally is not suited for urban uses. Policy 6.2.3 refers to the factors that were considered in establishing the 2000, 2010, and 2020 UDBs for the 2020 Plan. Policy 6.2.3 also refers to compliance with a "build-out" criteria before development can occur outside of the 2010 and 2020 UDBs. This criteria is described in Appendix C of the Land Use Element. Policy 6.2.6 states that annexation of land outside of the current UDB may be permitted only if: a) the proposal is required for orderly and efficient land use planning within Visalia's planning area, and b) the land is designated consistent with the City's LUE Map.

As a means to delay the installation of the Avenue 276 line, the City should attempt to serve pre-2000 development in the area north of Caldwell and east of Santa Fe with an extension of the Caldwell line. As indicated in the Master Plan, it appears that a portion of the flows from the Early California Foods plant on Santa Fe can be diverted from the Caldwell line to the Walnut line, thereby allowing the Caldwell line to serve the area east of Santa Fe. Based on the flows reported in the Master Plan, approximately 300 to 400 acres of single-family residential development (east of Santa Fe) could be served by an extension of the Caldwell line if sewage from the Early California Foods plant was diverted to the Walnut line. It may be feasible to serve additional acreage east of Santa Fe with the Caldwell line if limited "bottlenecks" in the Walnut line (downstream of Santa Fe) were upgraded.

Residual Impact: With implementation of the recommended mitigation measures, the potential impact is reduced to a level of insignificance.

POTENTIAL SIGNIFICANT CUMULATIVE IMPACTS

The cumulative impacts attributable to the development of the planned land uses of the 2020 Plan are described in the Land Use Element Update EIR. These 2020 Plan impacts, which are considered "indirect" impacts of the Master Plan, are referenced in Section 3.0 of this document, as are the LUE EIR mitigation measures.

The LUE EIR indicates that with the implementation of the recommended mitigation measures, many of the 2020 Plan cumulative impacts are reduced to a level of insignificance. The potential cumulative 2020 Plan impacts that can not be mitigated to a level of insignificance are as follows:

- o Loss of approximately 13,000 acres of farm land to the development of urban land uses.

- o Creation of conflicts between agricultural activities and adjacent urban land uses.
- o Increase in vehicle traffic and congestion.
- o Generation of substantial levels of mobile source air pollutant emissions and a corresponding decrease in local air quality.
- o Increase in ground water pumping that may contribute to a long-term overdraft condition.
- o Loss of habitat for various wildlife species by urban development.
- o Increase in ambient noise levels which may affect potentially sensitive land uses.

PROJECT ALTERNATIVES

There are two identified alternatives to the proposed project. Each of the alternatives involves the adoption and implementation of a 50-year master plan. These alternatives seek to avoid the environmental impacts associated with implementation of the proposed Master Plan by modifying the alignment or timing of specific improvement projects. A discussion of these alternatives, as well as a "no-project" alternative, is presented below.

Alternative No. 1

Alternative No. 1 consists of adopting and implementing a 50-year master plan that has the same improvements as the proposed project. However, the planned Riggins trunk line would be installed within the existing right-of-way and minimal additional right-of-way would be required by the City to install the line. The potential benefit of this approach is that the installation process would not result in the loss of agricultural land.

It should be recognized, however, that the City expects this farm land ultimately will to be converted to urban used as the planned land uses of the 2020 Plan are developed and Riggins is widened. It should also be recognized that with this alternative both travel lanes in Riggins would have to be closed in order to accommodate the planned trenching and stockpiling operations (within the existing roadway easement/right-of-way), and the Tulare County Public Works Department typically does not allow both lanes of a major roadway to be closed. Therefore, this alternative is considered infeasible. It should be noted that with extensive shoring measures and stockpiling the excavated material either partially or entirely out of the existing right-of-way, it may be feasible to install the pipeline within the existing right-of-way and leave one travel lane open during the day (during the night both travel lanes would have to be open). However, the cost of this approach would be significantly higher than cost of the proposed installation method.

Otherwise, this alternative generally would be expected to have the same direct environmental impacts as the proposed project. With respect to "indirect" environmental impacts, the proposed project and Alternative No. 1 both will, to some degree, facilitate development of the planned land uses of the 2020 Plan. Therefore, the potential significant cumulative impacts associated with implementation of the 2020 Plan can be indirectly attributed to both the proposed project and the alternative project.

Alternative No. 2

Alternative No. 2 consists of adopting and implementing a 50-year master plan that has the same improvements as the proposed master plan with one exception. The alternative project would delay the installation of the planned Avenue 276 trunk line until the third growth period of the 2020 Plan (2011-2020) by installing a new relief line in Whitendale between Akers and Santa Fe (prior to the year 2000). It should be noted that it appears that the Whitendale line cannot serve all of the area designated for development east of Road 148, which means that the Avenue 276 line (or an equivalent project) will be needed during the third growth period.

The benefit of the Whitendale line is that it would eliminate some of the pressure to prematurely develop land that potentially will exist if the Avenue 276 line is installed during the initial growth period of the 2020 Plan. On the other hand, because the Whitendale line would be installed through an area that is fully developed, the construction will be significantly more disruptive than the installation of a new line in Avenue 276. Also, because existing improvements in Whitendale will have to be removed and replaced and extensive traffic control measures will have to be provided, the "cost per acre served" would be significantly higher for the Whitendale line than the Avenue 276 line.

"No Project" Alternative

With the "no project" alternative, the proposed Master Plan would not be adopted and the recommended improvements would not be constructed. Without a master plan, it is conceivable that the City would impose a moratorium on development after the limited unused capacity currently available in the existing trunk lines is utilized. However, a more likely scenario is that the improvements needed to serve future development would be planned and installed on a project-by-project basis, in much the same way that sewer improvement projects have been handled in the past.

As Visalia grows, the risks associated with future development without a city-wide comprehensive master plan increase. Trunk lines that are expected to serve future development through the year 2020, may be undersized to accommodate all of the flows that land uses will generate.

Without a long-range capital improvement program that establishes the timing of improvements (to serve developing areas during each growth period), pressures to prematurely develop areas in close proximity to existing lines may occur. Furthermore, if long-range improvement projects are not identified (with cost estimates), it may be difficult for the City to establish a rate/fee schedule that will consistently fund the total cost of individual projects.

"Environmentally Superior" Alternative

Of the alternatives considered, the environmentally superior alternative is the "No Project" Alternative with a moratorium on development because the direct and indirect impacts associated with the implementation of the Master Plan would be largely eliminated.

Of the remaining alternatives, the direct impacts associated with the installation of improvements vary somewhat depending on whether the improvements are installed in rural areas or developed areas, within existing right-of-way, or through agricultural

lands. The indirect and cumulative impacts associated with the remaining alternatives are comparable. However, based on the considerations mentioned above, the remaining alternatives are ranked for their environmental superiority as follows:

- 1) The proposed Master Plan.
- 2) The "No Project" Alternative without a development moratorium.
- 3) Alternative No. 2 - A master plan with a Whitendale relief line.

It should be noted that Alternative No. 1, a master plan with the Riggin line installed within the existing right-of-way, is considered infeasible with conventional trenching methods. With respect to the use of extensive shoring methods to install the line, the limited benefit that this alternative would provide does not outweigh the additional cost associated with the shoring.

3.0 DEIR COMMENTS

At the close of the public review period for the Draft EIR, the City had received a total of five comment letters; four from public agencies and one from a private party. These letters were submitted by the following:

- o State Office of Planning and Research (State Clearinghouse),
- o State Department of Transportation (Caltrans),
- o San Joaquin Valley Unified Air Pollution Control District,
- o Tulare County Planning and Development Department, and
- o Dr. Cary Tanner.

Copies of the submitted letters are presented following this page.

GOVERNOR'S OFFICE OF PLANNING AND RESEARCH

1400 TENTH STREET
SACRAMENTO, CA 95814

April 11, 1994

JOHN DUTTON
CITY OF VISALIA
707 WEST ACEQUILA
VISALIA, CA 93291

Subject: SEWER SYSTEM MASTER PLAN SCH #: 92122093

Dear JOHN DUTTON:

The State Clearinghouse has submitted the above named draft Environmental Impact Report (EIR) to selected state agencies for review. The review period is now closed and the comments from the responding agency(ies) is(are) enclosed. On the enclosed Notice of Completion form you will note that the Clearinghouse has checked the agencies that have commented. Please review the Notice of Completion to ensure that your comment package is complete. If the comment package is not in order, please notify the State Clearinghouse immediately. Remember to refer to the project's eight-digit State Clearinghouse number so that we may respond promptly.

Please note that Section 21104 of the California Public Resources Code required that:

"a responsible agency or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency."

Commenting agencies are also required by this section to support their comments with specific documentation.

These comments are forwarded for your use in preparing your final EIR. Should you need more information or clarification, we recommend that you contact the commenting agency(ies).

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact Mari Lemos at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Chiriatti, Jr.", written over a faint, illegible typed name.

Michael Chiriatti, Jr.
Chief, State Clearinghouse

Enclosures

cc: Resources Agency

DEPARTMENT OF TRANSPORTATION

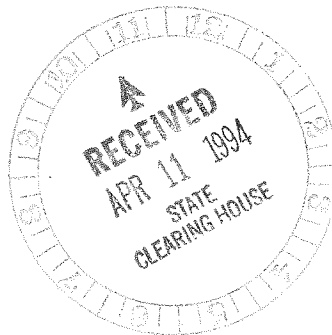
1352 West Olive Avenue
Post Office Box 12616
Fresno, California 93778



(209) 488-4088
TDD (209) 488-4066
FAX (209) 488-4221

April 6, 1994

4-11



2135-IGR/CEQA
6-TUL-GEN
SCH #921222093
SANITARY SEWER
MASTER PLAN

City of Visalia
707 West Acequia
Visalia, CA 93291

Attention: John Dutton

We have reviewed the Draft EIR for the Visalia Sanitary Sewer Master Plan and have the following comments:

Since the improvements will be crossing State Routes 63 and 198, encroachment permits from Caltrans will be required.

An encroachment permit must be obtained before beginning any work in the State right-of-way. Engineering drawings of all work are to be submitted with the application. Work planned within the right-of-way will be performed to State standards and specifications at no cost to the State. Questions regarding the encroachment permit process should be directed to Mr. Hal Avakian, Permits Engineer, at (209) 445-6578.

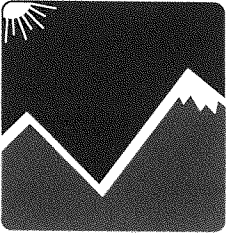
If you have any questions, please call Helen Fort at (209) 445-6785.

Sincerely,

A handwritten signature in cursive script that reads "Marc Birnbaum".

MARC BIRNBAUM, Chief
Advance Planning & Program Development

Received 4/8/94



San Joaquin Valley Unified Air Pollution Control District

April 6, 1994

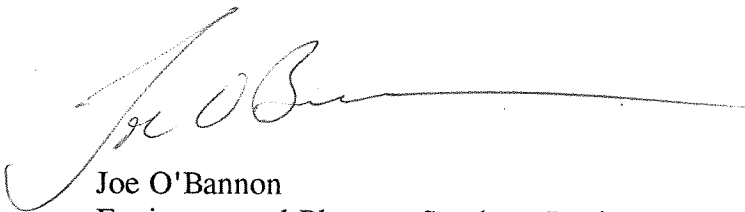
John S. Dutton
City Engineer
CITY OF VISALIA
707 W. Acequia Street
Visalia, CA 93291

Sanitary Sewer Master Plan Draft EIR

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (EIR) and has the following comments and suggestions.

The District is encouraged to see the degree of mitigations in the EIR related to short-term dust emissions and feels they are sufficient. The District also agrees that mitigations that relate to the operational phase of this project were dealt with satisfactorily in the 2020 Plan and the Land Use Element EIR.

The District appreciates the opportunity to comment on this Draft Environmental Impact Report. If you have any questions, please do not hesitate to contact me at (805) 861-3682.



Joe O'Bannon
Environmental Planner, Southern Region

APCD Ref#: S940044

David L. Crow
Executive Director/Air Pollution Control Officer

1999 Tuolumne Street, Suite 200 • Fresno, CA 93721 • (209) 497-1000 • FAX (209) 233-2057

Northern Region

4230 Kiernan Avenue, Suite 130 • Modesto, CA 95356
(209) 545-7000 • Fax (209) 545-8652

Central Region

1999 Tuolumne Street, Suite 200 • Fresno, CA 93721
(209) 497-1000 • Fax (209) 233-2057

Southern Region

2700 M Street, Suite 275 • Bakersfield, CA 93301
(805) 861-3682 • Fax (805) 861-2050

Tulare County
Planning and Development
Department

Tulare County Courthouse

Civic Center Rm. 111

Visalia, CA 93291-4593

209-733-6254 (Planning)

209-733-6282 (Building Permits)

209-730-2604 (FAX)

April 4, 1994

John Dutton, City Engineer
City of Visalia Public Works Department
707 West Acequia Street
Visalia, CA. 93291

Re: Draft Environmental Impact Report
for the Sanitary Sewer Master Plan
SCH No. 92122093

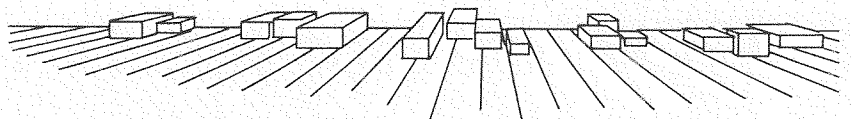
Dear Mr. Dutton,

We would like to thank you for the opportunity to comment on the Draft Environmental Impact Report for the Visalia Sewer Master Plan. Our concerns may be summarized as follows:

1. The discussion of the potential for growth-inducing impacts resulting from the project is based on flawed information. The section states that "It can be argued that adoption and implementation of the Master Plan is not, by itself, growth-inducing." The courts have not agreed with this interpretation of CEQA. I specifically refer to the case of the City of Antioch v. City Council of the City of Pittsburgh (1st Dist. 1986) 187 Cal.App.3d 1325. The Superior Court determined that installing major infrastructure has growth-inducing effects that should be analyzed. The DEIR may be restricted to discussing secondary impacts, but the document should analyze impacts that would occur under the most probable development scenarios. In addition, the cumulative impacts associated with the Land Use Element should be reflected in the Environmental Checklist and Explanation submitted for this project.
2. The discussion of short-term uses vs. long-term productivity on page 5-1 of the DEIR does not address the subject required under CEQA. Section 15126(e) of the Act requires that the EIR describe the cumulative and long-term effects of the proposed project which adversely affect the state of the environment (emphasis added). The DEIR has apparently misinterpreted this finding, and instead discusses the short-term economic uses of the land, rather than the short-term uses of the environment. The fact that development will increase the value of agricultural land is self-evident. Usage and productivity refer here to the environment, not economic considerations. In addition, the section needs to be expanded to explain why this project is needed at the present time, thus committing natural resources 50 years into the future, rather than reserving options for further alternatives.

George E. Finney, Director
Mary E. Beatle, Assistant Director

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3. On Page 4-9 of the Land Use Element (LUE) to the Visalia General Plan, it states that implementation of the LUE will require the preparation of a sewer master plan to identify, among other issues, the following: "Establish financing costs and a financing plan including development impact fees, and/or utility fee increases." There is no discussion contained within the DEIR concerning how the proposed sewer line expansion is to be funded. The "Overview" section on page 1-1 states that: "The Master Plan presents a Capital Improvement Program that details the timing and costs of the improvements." However, there was no evidence of this in the copy of the DEIR we received. Without this information, an adequate analysis of the potential impacts of the project on public services cannot be made. Therefore, we recommend that this additional information be provided and that the DEIR be recirculated to allow interested parties the opportunity to review the new material.
4. The mitigation measures listed for the potential significant project impacts are not obligatory, as presently drafted. The word "should" does not commit the City to carry out the measure. It is a moral imperative, rather than a legal obligation. The word "shall" must replace "should" in all proposed mitigation measures, so as to encumber the City of Visalia with the responsibility of ensuring that potential impacts to the environment are minimized, where appropriate.
5. The City's proposed measures to offset the loss of farm land resulting from the installation of pipe lines do not adequately mitigate the impact. The development of the Riggin line will require the removal of 6.5 acres of vineyards and 250 walnut trees. These crops take years to mature and begin producing. Although the property owners would be allowed to replant crops within the right-of-way for Riggin Avenue until the roadway is widened, there would appear to be no economic incentive to invest the time and money necessary to reestablish intensive agricultural uses for a limited time. This would result in an underutilization of prime agricultural land. Furthermore, this is only a stop-gap measure, since the farmland will still be lost when the road is actually widened. As stated in the LUE EIR, "Development... represents an irretrievable commitment to the conversion of prime agricultural lands to urban uses." The loss of prime agricultural land was determined to be a significant and unavoidable environmental impact, in conformance with Appendix G of the CEQA Guidelines, and should not be considered "reduced to a level of insignificance," as stated on page 3-8 of the DEIR.
6. The DEIR for the Sewer Master Plan relies on the cumulative impacts discussion contained within the final EIR adopted for the Land Use Element (LUE). However, some of the mitigation measures proposed in the LUE have not been carried out. For instance, Measure No. 4.2-1 states that:

In concert with farming interests, other communities and Tulare County, the City shall initiate a program for the long-term preservation of prime farmland to provide a method for establishing easements on prime farmland outside of urban growth boundaries in proportion to lands lost to urban development. The above effort

could be coordinated through a regional planning agency such as a Council of Governments or other body formed by a Joint Powers Agreement.

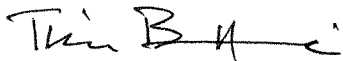
To date, no proposals have been submitted to Tulare County regarding this program. Similarly, neither the growth management system referred to in Measure 4.2-2(b), nor the right-to-farm ordinance described in Measure 4.2-3 have been adopted by the City of Visalia. We recommend that the City implement these measures in order to reduce the continuing loss of prime soils and to mitigate the adverse impacts of urban development on agricultural land.

7. The Environmental Checklist and Explanation contained within the NOP in Appendix I of the DEIR is inconsistent. The answers to 13(f) and 14(e) are shown in the checklist as "Maybe," while in the explanation they are listed as "Yes." Given the text accompanying each answer, it would appear that the checklist is in error.

Tulare County looks forward to working with the City of Visalia to address issues of mutual concern and the coordination of land use planning along our common boundaries. Please keep us informed of any further actions regarding this project.

If you have any questions, please feel free to call me or David Morrison, Planner II, at (209) 733-6313. Thank you, once again for the opportunity to comment.

Sincerely,



Tim Battin, Manager
Environmental Review Division

TB/dm

cc: George Finney, Planning and Development Director
Mary Beatie, Assistant Planning Director
David Morrison, Environmental Review
File

D. Lancy Allyn, M.D.
Robert M. Mochiziuki, M.D.
Cary Tanner, M.D.
Gregg S. Dersmore, M.D.
James B. Billys, M.D.

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HARRIS: March 31, 1994

John S. Dutton
City Engineer
Public Works
707 West Accquia St.
Visalia, CA 93291

Dear Mister Dutton:

We have received your note of March 9, 1994 outlining the sanitary sewer master plan for Riggan Avenue.

We recognize the need for such a project with city growth, consistent with the 20/20 plan.

For the record, however, we wish to state that we remain opposed to the widening of Riggan Avenue. Goshen Avenue, just a wee bit to the south, has been widened and provides adequate high volume traffic flow to this region. A similar road a bit to the north in a more undeveloped area would not only seem less destructive to the general ambience of the region, but also perhaps less costly in terms of altering established home sites as well as maintaining property values.

Thanks once again for sending your note.

Warm regards,



C. Tanner, M.D.
CT:kf

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4.0 CITY OF VISALIA'S RESPONSES TO COMMENTS

The City's responses to the comment letters presented in Section 3.0 are provided below (with a summary of each comment).

STATE OFFICE OF PLANNING AND RESEARCH (State Clearinghouse)

Comment: The letter submitted by the State Office of Planning and Research (OPR) is the standard notification that OPR provides to lead agencies at the close of the DEIR public review period. Any comment letters on the DEIR that were submitted by State agencies are transmitted with the OPR letter.

Response: No response is necessary.

STATE DEPARTMENT OF TRANSPORTATION (Caltrans)

Comment: Because Master Plan improvements will be crossing State Routes 63 and 198, encroachment permits must be obtained from Caltrans before beginning any work in the State right-of-way.

Response: The City intends to obtain an encroachment permit from Caltrans prior to working in the State right-of-way.

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

Comment: SJVUAPCD is pleased with the mitigation measures presented in the DEIR for the control of dust emissions during construction of Master Plan improvements. The District also agrees that the 2020 Plan and the LUE EIR deal satisfactorily with the mitigation of the long-term air quality impacts that will result from the development of the planned land uses of the 2020 Plan.

Response: No response necessary.

TULARE COUNTY PLANNING AND DEVELOPMENT DEPARTMENT

Comment No. 1: The County indicates that the discussion of the potential growth-inducing impacts of the project "is based on flawed information". The County cites a court finding that indicated the installation of major infrastructure has growth-inducing effects that should be analyzed. The County states that although the DEIR may be restricted to discussing secondary impacts, "the document should analyze impacts that would occur under the most probable development scenarios".

Response: The City's 2020 Plan established development boundaries for the community through the year 2020 and the distribution of residential, commercial, industrial, and other urban uses within those boundaries. To ensure that the development of the planned land uses is not constrained by infrastructure restrictions, the 2020 Plan included a policy that encouraged the preparation of a long-range sewer master plan.

In response to this policy, the City prepared a Sewer Master Plan to identify the improvements that are needed to serve the planned land uses of the 2020 Plan. Therefore, the sewer master plan is one component, among many, of the City's planning and development policies that promote orderly growth and development.

However, as discussed in Section 3.2.2 of the DEIR, it can be argued that some aspects of the Master Plan may be "growth inducing" because planned improvements potentially can result in pressures to prematurely develop lands. One potential growth inducing aspect of the Master Plan is that several trunk lines have been sized to serve the planned 2020 land uses as well as areas that are expected to develop after the year 2020. This was done because some trunk lines that serve pre-2020 development also will serve post-2020 development and the cost of "up-sizing" pipe (to serve post-2020 development) is relatively small when compared with the cost of installing new parallel or replacement lines in the future. This approach to sizing the new trunk line was considered cost-effective, long-range planning that was consistent with the policies of the 2020 Plan.

It should be noted that the draft Master Plan included a major trunk line in the Avenue 272 alignment to serve planning land uses in south and southeast Visalia. However, because Avenue 272 is the southern limit of the 2020 UDB, and the line was sized to serve post-2020 development, City staff recognized that a line in Avenue 272 could result in pressures to prematurely develop lands south of Avenue 272 (outside of the 2020 UDB). Therefore, the trunk line was shifted one-half mile north to the Avenue 276 alignment and "down-sized" to serve only lands within the 2020 UDB.

The potential for premature development of lands can largely be eliminated if the mitigation measures presented in Section 3.2.3 of the DEIR are implemented. These measures include adherence to the growth phasing policies of the 2020 Plan and, when possible, the use of existing lines to serve new development in order to delay the installation of planned trunk lines. Therefore, with implementation of the recommended mitigation measures, the potential growth inducing impacts of the project are not expected to be significant.

Comment No. 2: The County indicates that the discussion of short-term uses vs. long-term productivity in Section 5.2 of the DEIR does not address the subject required under CEQA. Section 15126 (e) of CEQA requires that the EIR describe the cumulative and long-term effects of the proposed project which adversely affect the state of the environment.

The County also indicates that an explanation of why the Master Plan is needed at the present time, thus committing natural resources 50 years into the future, rather than reserving options for further alternatives.

Response: The proposed adoption and implementation of the Master Plan will result in several identified potential "direct" adverse impacts. However, with the implementation of the recommended mitigation measures, all of the identified direct impacts will be reduced to a level of insignificance. With the recommended mitigation measures, the identified "direct" impacts are not expected to narrow the range of long-term beneficial uses of the environment.

A number of the cumulative impacts attributed to the development of the planned land uses of the 2020 Plan, which are considered "indirect" impacts of the Master Plan project, will reduce or eliminate long-term beneficial uses of the environment. As discussed in Section 6.0 of the LUE EIR, these potential significant adverse impacts include deterioration of air quality, increased traffic volumes, loss of agricultural land, increased groundwater consumption, and the loss of habitat for sensitive wildlife species.

With regard to the timing of the Master Plan, it was prepared at this time in order to comply with the policies of the 2020 Plan, which encouraged the development of a sewer master plan. Although the Master Plan identifies the improvements that are needed to serve the planned land uses of the 2020 Plan, as well as the area between the 2020 UDB and the UAB, many of the improvements will not be needed until after the year 2000, and in some cases, after the year 2010. Therefore, the Plan is not "committing natural resources 50 years into the future", but merely establishing a long-range capital improvement program. It also is understood that the Master Plan will be revisited every 5 to 10 years and updated as necessary to insure that the recommended improvements are consistent with future land use development plans.

Comment No. 3: There is no discussion contained within the DEIR concerning how the proposed Master Plan improvements are to be funded. Without this information, an adequate analysis of the potential impacts of the project on public services cannot be made. The County recommends that this information be provided and that the DEIR be recirculated.

Response: Section 3.10.2 of the DEIR states that "the City plans to totally fund the debt service and capital costs of the planned improvements with a combination of developer impact fees and monthly rate payments". The DEIR also states that with the proposed funding alternatives, implementation of the Master Plan should not create significant budgetary problems for the City.

The Master Plan presents five alternative combinations of developer impact fees and city-wide monthly utility rate increases to fund the recommended improvements for non-industrial uses. The City Council is expected to select the combination of impact fees and monthly rate increases that will fund the Master Plan improvement in

May or June of this year. It should be noted that the City intends to fund the improvements needed to upgrade the identified existing deficiencies with an increase in the monthly utility rates.

Developer impact fees will totally fund the installation of the Master Plan improvements in the Industrial Park. The monthly utility rate for industries in the Industrial Park will not be increased to fund the installation of Master Plan improvements. Outside of the Industrial Park, industries will fund Master Plan improvements through impact fees, not an increase in their monthly rates.

Because the DEIR describes how the Master Plan Improvements will be funded, the City does not believe that it is necessary to recirculate the DEIR.

Comment No 4.: The mitigation measures listed for the potential significant project impacts are not obligatory. The word "should" does not commit the City to carry out the measure. The word "shall" must replace "should" in all proposed mitigation measures.

Response: The City concurs that the EIR mitigation measures should include the word "shall" rather than "should". The mitigation measures presented in Section 5.0 of this document reflect this revision.

Comment No. 5: The City's proposed measures to offset the loss of farm land resulting from the installation of the sewer lines do not adequately mitigate the impact. The proposed Riggin trunk line project will require the removal of approximately 6.5 acres of grapes and 250 walnut trees. Although the property owners would be allowed to replant crops within the right-of-way, there would be no economic incentive to invest the time and money necessary to re-establish intensive agricultural uses for a limited time (until the roadway is widened).

Response: As discussed in the DEIR, it is expected that some of the Master Plan trunk line, including the Riggin line, will be installed in rural areas prior to the development of the adjoining lands. In these cases, it is likely that the trunk lines will be installed outside of the existing roadway right-of-way/easement because the existing right-of-way/easement typically is not wide enough to accommodate a conventional trenching operation without closing the travel lanes in both directions (which the County Public Works Department generally does not allow).

If trunk lines are installed outside of the existing right-of-way/easement in rural areas, there may be a loss of productive farm land during the installation process. As discussed in Section 3.2.2 of the DEIR, it is estimated that approximately five acres of crops per mile will be disrupted when a line is installed through farm land. Therefore, if it is assumed that the three-mile Riggin line, the six-mile Avenue 276 line, and four-mile Road 148 line will be installed through farm land (and the remaining lines will be installed within existing roadway rights-of-way/easements), the installation of Master Plan improvements potentially will remove 65 acres of land from agricultural production. In the case of the Riggin project, there are

approximately 6.5 acres of grapes, 2.2 acres of annual row crops, and approximately 250 walnut trees will be disrupted during the installation of the line.

However, the potential loss of farm land is considered a short-term impact because the lands are designated for urban uses under the City's 2020 Plan and it is expected that these lands will be developed with urban uses in the future. The long-term, cumulative impacts associated with the development of the planned land uses of the 2020 Plan are discussed in the LUE EIR.

In order to mitigate the short-term "loss-of-farm-land" impacts directly attributed to the installation of the Master Plan improvements, the City will allow and encourage farmers to re-plant crops over buried pipelines and continue farming the land until it is developed and the existing roadway is widened.

Because the loss of farm land that is directly attributable to Master Plan projects will be a short-term condition and the magnitude of the acreage effected is minimal (when compared to the total acreage of farm land around the Visalia area), the City still feels that the direct impacts of installing Master Plan improvements should be reduced to a level of insignificance if the recommended mitigation measures are implemented.

As noted in the discussion of project alternatives in Section 4.0 of the DEIR, with extensive shoring measures, it may be feasible to install the sewer line within the existing easement and leave one travel lane open during the day (and both lanes open in the evening). However, the cost of this approach would be significantly higher than the cost of the proposed installation approach.

Comment No. 6: The Sewer Master Plan DEIR relies on the cumulative impacts discussion contained within the Final EIR that was adopted for the update of the LUE. However, some the mitigation measures proposed in the LUE EIR have not been carried out. Specifically, the County refers to Measure No. 4.2-1, which states that the City, together with farming interests, other communities and Tulare County, shall initiate a program for the long-term preservation of prime farm land to provide a method for establishing easements on prime farmland outside of urban growth boundaries. The County also indicates that the growth management system that gives preference to development proposals contiguous to existing development (Measure 4.2-2b) or the right-to-farm ordinance (Measure 4.2-3) have been adopted by the City.

Response: The City acknowledges that mitigation measures contained in the LUE Final EIR have not been implemented to date. It is expected that many of the mitigation measures will be implemented in a phased manner as development occurs and Visalia grows, and in accordance with the LUE Implementation Work Program schedule.

With regard to Measure 4.2-1 (farm land preservation program), the City intends to comply with the intent of this measure and work with

the County and other cities to establish controls on the development of prime farm lands outside of the 2020 UDB. Until such controls are established, the City intends to rely on the 2020 Plan's growth-phasing policies and staged growth boundaries to control the development of farm land on the perimeter of the community. These policies discourage the development of new urban uses between the 2020 UDB and the UAB, and refer to a "build-out" criteria that must be satisfied before development can occur outside of the 2010 and 2020 UDBs. The 2020 Plan policies also establish the criteria for annexing land outside of the current UDB.

The City also intends to comply with Measure 4.2-3 and pursue a right-to-farm ordinance in the future. In the meantime, the City is requiring new residential projects that develop adjacent to farm lands designated for agricultural uses (and expected to remain in agricultural production indefinitely) to provide a non-inhabitable buffer that separates the development from the farm land. The purpose of this buffer is to allow farmers to continue their standard farming practices without impacting the adjoining residents.

Comment No. 6: The County identifies an inconsistency in the Notice of Preparation that was prepared for the DEIR. Items 13(f) and 14(e) are marked as "maybe" in the Initial Study Checklist while the discussion of these items indicates that they were marked "yes".

Response: The identified items are marked incorrectly in the Initial Study Checklist. They should have been marked "yes". The discussion of these items correctly reflects a "yes" marking in the Checklist. It should be noted that the Notice of Preparation was prepared and circulated prior to the preparation of the DEIR and the incorrect marking of the two Checklist items was not a factor in the evaluation of the environmental impacts of the project, as discussed in the DEIR.

DR. CARY TANNER

Comment No. 1: Dr. Tanner recognizes the need for the Riggin Avenue trunk line project to serve new development that is consistent with the City's 2020 Plan.

Response: No response is necessary.

Comment No. 2: Dr. Tanner is opposed to the widening of Riggin Avenue. Dr. Tanner states that Goshen Avenue, "just a wee bit to the south", has been widened and provides adequate volume traffic capacity. A similar road "a bit to the north in more undeveloped area would not only seem less destructive to the general ambience of the region, but also less costly in term of altering established home sites as well as maintaining property values".

Response: As discussed in Section 2.0 of the DEIR, for the purpose of installing the sewer line, the City will acquire the additional right-of-way needed for the future widening of Riggin Avenue (on the side the of the roadway that the pipeline will be installed). The additional right-of-way

that is needed (for the widening of the roadway) on the opposite side of the roadway from the pipeline most likely will be obtained by the City as the adjoining lands are developed. Although the City is proposing to acquire right-of-way at this time, it is anticipated that the roadway will not be widened until the adjoining lands are developed.

The City's General Plan promotes the establishment of "arterial" roadways on a one-mile grid. Because Riggin Avenue is located on this grid, as is Goshen Avenue, located one mile south of Riggin, it is a designated arterial that ultimately will be improved to a four-lane, divided roadway within a 110-foot right-of-way.

5.0 FINAL EIR MITIGATION MEASURES

This section presents the final mitigation measures that the City is expected to implement in order to reduce the identified potential environmental impacts that are directly attributed to the adoption and implementation of the Visalia Sewer Master Plan to a level of insignificance. Mitigation measures for the cumulative impacts associated with implementation of the City's 2020 Plan, which are considered "indirect" impacts of the Master Plan project, are presented in the LUE EIR.

As noted in Section 2.0, the final project impacts and mitigation measures include revisions to the Draft EIR impacts and mitigation measures that reflect comments received during the public review period and clarifications deemed necessary by City staff.

Impact: Loss of Farm Land

See Section 2.0 of this document for a discussion of the impact.

Mitigation: The City shall, when practical, allow and encourage farmers to re-plant crops over the pipelines (following the installation of the line) and continue farming land (within the new right-of-way) until the roadway is widened.

Additionally, when possible, the City shall attempt to minimize the disturbance of mature orchard trees and underground irrigation systems. In the event that any irrigation improvements are destroyed or damaged during the installation of the sewer line, the City shall either replace the improvements or compensate the farmer for the cost of the improvements.

Impact: Generation of Dust During Construction

See Section 2.0 of this document for a discussion of the impact.

Mitigation: In order to mitigate the potential short-term impacts associated with the installation of Master Plan lines, the City shall ensure that the following dust control measures are implemented:

- 1) All material excavated or graded shall be sufficiently watered to prevent excessive dust generation. Watering shall occur at least twice a day, preferably in the late morning and at the end of the work day.
- 2) All clearing, grading and excavation activities shall cease when the wind speed exceeds 30 mph for one hour.
- 3) All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive dust.
- 4) The area disturbed by clearing, grading, and excavation activities shall be minimized at all times.
- 5) On-site vehicles speeds shall not exceed 15 mph.

- 6) All internal combustion engines operating on the site shall be properly maintained and well tuned.

Impact: **Premature Development of Land**

See Section 2.0 of this document for a discussion of the impact.

Mitigation: The City shall resist pressures to prematurely develop lands that can be served by installed Master Plan improvements by adhering to the growth phasing policies of the 2020 Plan. Policy 6.2.2 states that new or expanded urban development between the 2020 UDB and the UAB should be discouraged because the intervening area is largely agricultural land that generally is not suited for urban uses. Policy 6.2.3 refers to the factors that were considered in establishing the 2000, 2010, and 2020 UDBs for the 2020 Plan. Policy 6.2.3 also refers to compliance with a "build-out" criteria before development can occur outside of the 2010 and 2020 UDBs. This criteria is described in Appendix C of the Land Use Element. Policy 6.2.6 states that annexation of land outside of the current UDB may be permitted only if: a) the proposal is required for orderly and efficient land use planning within Visalia's planning area, and b) the land is designated consistent with the City's LUE Map.

As a means to reduce the significance of the potential growth inducing impacts attributed to the Avenue 276 trunk line, the City shall serve, as feasible, pre-2000 development in the area north of Caldwell and east of Santa Fe with an extension of the Caldwell line in order to delay the installation of the trunk line. As indicated in the Master Plan, it appears that a portion of the flows from the Early California Foods plant on Santa Fe can be diverted from the Caldwell line to the Walnut line, which would allow the Caldwell line to serve the area east of Santa Fe. Based on the flows reported in the Master Plan, approximately 300 to 400 acres of single-family residential development (east of Santa Fe) could be served by an extension of the Caldwell line if sewage from the Early California Foods plant was diverted to the Walnut line. It may be feasible to serve additional acreage east of Santa Fe with the Caldwell line if limited "bottlenecks" in the Walnut line (downstream of Santa Fe) were upgraded.

Impact: **Loss of Habitat for Sensitive Species**

See Section 2.0 of this document for a discussion of the impact.

Mitigation: If it appears that future projects potentially will impact wildlife and plant species, mitigation measures will be identified in subsequent studies.

With respect to the Shirk-Riggin Project, if the results of the "pre-construction" survey of the water storage basin indicate that the basin provides sensitive species habitat that would be disturbed by the installation of the line, the City shall consultant with the Department of Fish and Game to establish a plan for installing the line without adversely effecting the species.

Impact: Loss of Valley Oak Trees

The planned alignment of the Riggan Avenue trunk line indicates that the line generally will be outside of the drip line of the valley oak trees that flank Riggan. The most significant encroachment of the pipeline within the drip lines of the trees will occur in the group of trees on the south side of Riggan immediately west of Demaree where it appears that the sewer line will be approximately 20 feet within the drip line of one tree and on the fringe of the drip lines of two other trees.

Mitigation: Because it appears that three oak trees potentially could be effected to some degree by the installation of the sewer line, the City shall endeavor to minimize the extent to which these trees are disturbed during the installation process. Pursuant to the City's policy of planting three oak trees for each tree that is damaged or removed, the City shall plant a minimum of nine new oak trees within the Riggan Avenue right-of-way.

6.0 MITIGATION MONITORING PROGRAM

In compliance with Section 21081.6 of the Public Resources Code, the City of Visalia prepared a mitigation monitoring program to ensure that the final mitigation measures presented in Section 5.0 of this document are implemented. The mitigation monitoring program is presented on the following page.

**NEW SANITARY SEWER MASTER PLAN
MITIGATION MONITORING PROGRAM**

The following measures were included in the Final EIR for the City's New Sewer Master Plan to mitigate potentially significant environmental effects. As the lead agency, the City of Visalia is responsible for monitoring the performance of these mitigation measures. In accordance with Section 21081.6 of the Public Resources Code, the City shall complete this monitoring program to ensure that the mitigation measures are implemented.

<u>Potential Impact</u>	<u>Mitigation Measure</u>	<u>Implementation Period</u>	<u>Monitoring Milestone</u>	<u>Completion Verification Name</u>	<u>Date</u>	<u>Remarks</u>
1) Dust generation during construction	Dust suppression measures identified in the Final EIR	During construction	On-going during construction			
2) Loss of agricultural land	Allow farmers to re-plant crops over the pipeline and continue farming within the new right-of-way until the roadway is widened	Following installation of the pipeline	On-going (until the roadway is widened)			
3) Loss of habitat for sensitive animal species	Conduct a "pre-construction" survey of potential habitat areas to assess use by sensitive species If survey indicates that habitat would be disturbed by installation of line, City shall consultant with State DF&G	Prior to construction	On-going (until construction begins)			
4) Premature development of land	Resist pressures to prematurely develop lands by adhering to the growth policies of the 2020 Plan. Delay the installation of the Ave 276 line by serving pre-2000 development in the area north of Caldwell and east of Santa Fe with an extension of the Caldwell line.	Following adoption of the Master Plan	On-going (until build-out of the 2020 Plan)			
5) Loss of Valley Oak Trees (Potential damage to 3 trees along Riggan Ave)	The City shall endeavor to minimize the extent to which oak trees are disturbed during the installation process. Pursuant to the City's policy of planting three oak trees for each oak tree that is damaged or removed, the City shall plant a minimum of nine new oak trees within the Riggan Avenue right-of-way.	During construction	On-going during construction			12 months after construction is completed