RESOLUTION NO. 2006-4

RESOLUTION OF THE BOARD OF DIRECTORS OF THE ARMONA COMMUNITY SERVICES DISTRICT APPROVING ENVIRONMENTAL DOCUMENTS AND ADOPTING MITIGATED NEGATIVE DECLARATION FOR WASTE WATER TREATMENT PLANT EXPANSION PROJECT SCH NO. 2005021063

The Board of Directors of the Armona Community Services District, a California Community Services District, duly formed and existing under the Community Services District Law, set out at California Government Code §§ 61000-61800, does hereby find as follows:

WHEREAS, on June 8, 2005, the Board adopted Resolution No. 2005-2, Resolution of the Board of Directors of the Armona Community Services District Approving Environmental Documents and Adopting Mitigated Negative Declaration for Waste Water Treatment Plant Expansion Project, which approved environmental documents and CEQA review for expansion of the capacity of the District's waste water treatment plant (WWTF) from .4 to .53 mgd mean daily inflow to head works; and

WHEREAS, subsequent to adoption of Resolution No. 2005-2, the District was advised by the Kings County Planning Agency to re-circulate the environmental documents approved under Resolution No. 2005-2; and

WHEREAS, at a regular meeting on June 14, 2006, the Board received the Initial Study, Environmental Checklist, Mitigation Monitoring Plan and proposed Mitigated Negative Declaration (collectively, "Environmental Documents"), copies of which are attached hereto as Exhibits A, B, C and D, respectively, and by reference incorporated herein, for the District's Waste Water Treatment Plant Expansion Project SCH 2005021063 (Project); and

WHEREAS, at the July 12, 2006 regular meeting, the Board set September 13, 2006, as the date for a public hearing to receive public comments on the Environmental Documents; and

WHEREAS, on August 10, 2006, the Environmental Documents were submitted to the State Clearinghouse and Kings County; and

WHEREAS, the SCH review period started on August 14, 2006 and ended on September 12, 2006; and

WHEREAS, the public hearing was duly noticed by publication of notice of hearing on August 12, 2006 and September 1, 2006; and

WHEREAS, the notice provides that the public comment period started on August 12, 2006 and ends at the conclusion of the public hearing on September 13, 2006.

GRISWOLD, LASALLE, COBB, DOWD & GIN, L.L.P.
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NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Board hereby adopts all of the findings set forth in the Initial Study and Environmental Checklist.

2. The Board, after considering all the evidence presented, (a) certifies that the Initial Study and Environmental Checklist, including the proposed Mitigation Monitoring Plan and proposed Mitigated Negative Declaration, is adequate and was prepared in compliance with the California Environmental Quality Act (CEQA), and the State CEQA Guidelines; (b) finds and declares that the Initial Study was presented to this Board and that prior to taking action on or approving the Project, this Board reviewed and considered the information contained in the Initial Study; and (c) finds and declares that the certification thereof reflects this Board's independent judgment and analysis.

3. The Board further finds and declares that no substantial evidence has been submitted for the record to show that the Project, with the mitigation measures stated in the Mitigated Negative Declaration, will have a significant effect on the environment.

4. Based on the foregoing, this Boards directs the staff of the District to prepare, execute, file and cause to be posted, the Notice of Determination and Mitigated Negative Declaration as required by law and to do and to undertake such other acts in connection therewith and in furtherance thereof as may be required by law or as are reasonably recommended or advisable.

WHEREFORE, this Resolution is passed and adopted by the Board of Directors of the Armona Community Services District on September 13, 2006, by the following vote:

AYES: Plooy, Bittner, Maciel, Danielson

NOES: None

ABSENT: Franco

ABSTAIN: None

ED BITTNER, Chairman of the Board of Directors

ATTEST:

JAMES MACIEL, SECRETARY

GRISWOLD, LASALLE,
COBB, DOWD & GIN, L.L.P.
511 NORTH DOUTY STREET
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CERTIFICATE OF SECRETARY

I, James Maciel, the duly appointed and acting Secretary of the Board of Directors of the Armona Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of the Armona Community Services District, duly held at Armona, California, on September 13, 2006.

DATED: September 13, 2006.

JAMES MACIEL, SECRETARY

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EXHIBIT A

(Initial Study)

GRISWOLD, LaSALLE,
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INITIAL STUDY

Armona Community Services District
Wastewater Treatment and Disposal Facilities Expansion Project

Project Description:

The Armona Community Services District (ACSD) proposes to expand the capacity of the existing wastewater treatment and disposal facilities from 0.40 million gallons per day (mgd) to 0.53 mgd average daily flow. The proposed improvements are shown in Figures 1 and 2, attached, and consist of the following:

a. Headworks/ Influent Pumps

The existing influent lift station consists of 3 self-priming centrifugal pumps each having a capacity of about 375 gpm at the average daily flow operating head. The proposed improvements consist of modification of the existing pumps to provide sufficient capacity during peak flow with only 2 pumps and maintaining one pump as a back up. The existing headworks and lift station structure would not be modified.

b. Treatment Ponds

The aerated lagoon treatment consists of four ponds, which operate in series. The first two ponds (Pond No. 4 and Pond No. 3), are aerated ponds equipped with 5 hp floating mechanical aerators. Pond No. 4 has 6 aerators and Pond No. 3 has 3 aerators. The last two ponds (Pond No. 2 and Pond No. 1) are oxidation ponds located downstream of the aeration ponds.

Improvements to the treatment ponds will consist of adding one 5 hp floating mechanical aerator to Pond No. 3. One of the existing floating aerators in Pond No. 3 will be relocated within the pond.

c. Pond No. 4 Repairs

It has been determined that seepage from Pond No. 4 occurred as a result of damage to the embankment during sludge removal operations and the existence of poorly graded sands below the embankment. The project includes improvements to repair the pond embankment and eliminate the seepage problem. The work includes restoring the embankment to its original grade/condition, removing the pervious sands below the western half of the pond and embankment, and replacing the material with a layer of relatively impervious materials (such as clays or clays and silts) to form a lining for the pond.

d. Effluent Pumps

The existing effluent pumps are located at the end of the treatment process downstream of Pond No. 1. The pumps provide a lift for the effluent allowing for gravity flow to the disposal ponds. The effluent pumps will be modified to provide additional capacity for the proposed design flow rate.

e. Disposal Ponds

The plant disposal consists of two storage/disposal ponds. The approximate combined storage capacity of the ponds is 76 acre-feet (or 25 million gallons). Additional disposal ponds (No.s 8 and 9) will be constructed south of disposal pond No. 6 as shown in Figure 2 to provide additional capacity for the anticipated future demands. Existing disposal pond No. 6 will be divided into two ponds (Pond No.s 6 and 7).

The expansion of storage capacity consists of construction of disposal ponds with a wet area of 12 acres and a storage capacity of 32 acre-feet.

Project Location:

The proposed project is located in Kings County at the existing wastewater treatment and disposal facilities owned and operated by the ACSD. The facilities are located south of the intersection of Hume Avenue and Oak Street in Section 4, Township 19 South, Range 21 East, Mount Diablo Base and Meridian.

Findings:

The proposed project requires the preparation of a Mitigated Negative Declaration pursuant to Section 15070, Article 6, Negative Declaration Process of the California Environmental Quality Act.

Basis of Finding:

The attached copy of the Environmental Checklist Form supports the finding.

Mitigation Measures:

As described in the Environmental Checklist:

Regulation VIII is a series of rules designed to reduce emissions of PM_{10} resulting from human activity and is required. Mitigation measures Require that the contractor comply with San Joaquin Valley Unified Air Pollution Control District Regulation VIII concerning fugitive dust rules.

The requirements of the National Pollutant Discharge Elimination System General Permit No. CAS000002 for Discharges of Storm Water Associates with Construction Activity (Waste Discharge Requirements, Order No. 99-08-DWQ) will be followed.

If, in the course of project construction or operation, any archaeological or historical resources are uncovered, discovered, or otherwise detected or observed, activities within fifty (50) feet of the find shall cease. A qualified archaeologist shall be contacted and advise the County of the site's significance. If the findings are deemed significant by the Kings County Planning Agency, appropriate mitigation measures shall be required prior to any resumption of work in the affected area of the project.

Submit an application to the Kings County Planning Commission for an update to the Conditional Use Permit for the property to maintain continuity with intended uses.

Noise producing equipment used during construction shall be restricted to the hours from 7:00 A.M. to 7:00 P.M., Monday through Friday, and 9:00 A.M. to 6:00 P.M. on Saturday and Sunday. Effective mufflers shall be fitted to gas-powered and diesel-powered equipment.

0 600 1200 Feet

PROVOST & PRITCHARD
ENGINEERING GROUP

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Figure 1
Armona CSD
Kings County, CA

Photography by AirPhoto USA, 2002

SCALE IN FEET

0 50 100 200

PROVOST & PRITCHARD

DESIGN ENGINEER: Michael G. Taylor

C.E. OWNER NUMBER: 30,081

DRAFTED BY: JS

CHECKED BY: MMK

ARMONA COMMUNITY SERVICES DISTRICT

WASTEWATER TREATMENT AND DISPOSAL FACILITIES EXPANSION PROJECT

FIGURE 2

WASTEWATER TREATMENT FACILITY SITE PLAN

SCALE: N.T.S.

DATE: 1/28/2005

JOB NO.: 21730402

DWG. NO.: 20050138

SHEET 2 OF 6 SHEETS

EXHIBIT B

(Environmental Checklist)

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ENVIRONMENTAL CHECKLIST FORM

1. **Project Title:**	Wastewater Treatment and Disposal Facilities Expansion Project
2. **Lead Agency Name and Address:**	Armona Community Services District 10956 14th Ave. Armona, CA 93202
3. **Contact Person and Phone Number:**	Michael Taylor, District Engineer (559) 449-2700
4. **Project Location:**	Armona Community Services District wastewater treatment and disposal facilities located in Section 4, Township 19 South, Range 21 East, Mount Diablo Base and Meridian (MDB&M). The facilities are located south of the intersection of Hume Avenue and Oak Street and extend south to Houston Avenue.
5. **Project Sponsors Name & Address: (Responsible Agency)**	Armona Community Services District 10956 14th Avenue Armona, CA 93202
6. **General Plan Designation:**	Public
7. **Zoning**	Public Facility

8. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

Refer to attached Initial Study

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings.)

Surrounding land uses are agricultural west, south and east of the property. Land use north of the property is agricultural and rural commercial.

10. Other agencies whose approval is required (e.g., permits, financing approval, or participation agreement)

Updated Waste Discharge Requirements are required from the Regional Water Quality Control Board.

Kings County Planning Commission

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

Determination (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared. ☒

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

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

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project. ☐

Signature: Kelly Granger — Date: 8/10/06

Printed Name: Kelly Granger — Title: Operations Manager

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact; is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact". The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses", may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c) (3) (D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state whether they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated", describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats, however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of issue should identify:

   a) the significance criteria or threshold, if any, used to evaluate each questions; and
   b) the mitigation measure identified, if any, to reduce the impact to less than significance.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the proposal:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Discussion: The proposed improvements are located at the existing wastewater treatment and disposal facilities. There is no scenic element to the existing site impacted by the proposed project. No new sources of substantial light are proposed that would adversely impact views in the area.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, no non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

Discussion: The proposed improvements are located at the existing wastewater treatment and disposal facilities. There is no existing agricultural land impacted by the proposed projects.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

Discussion: The proposed improvements will not generate additional air emission sources. Temporary construction activities associated with the proposed storage pond have the potential of short-term Air Quality Impacts.

The project is located within an existing wastewater treatment plant that may produce objectionable odors periodically. The project increases the amount of aeration to be incorporated into the treatment process and enables the treatment facilities to maintain effectiveness. The construction project itself does not involve activities or equipment that would generate objectionable odors.

A meeting was conducted with Mr. Hector Guerra and Mr. Leland Villalvazo of the SJVAPCD in December 2005. The original comments from the SJVAPCD were discussed with respect to the specifics of the project description and the existing facilities at the ACSD wastewater treatment facilities. Several of the comments are directed toward land use and growth issues that are not under the jurisdiction of the ACSD. The SJVAPCD now understands that Armona is not a city. Traffic issues are not within the control, nor are they affected by this project.

An additional comment was associated toward an emissions inventory. A spreadsheet that was supplied by the SJVAPCD was prepared for the ACSD and submitted to the SJVAPCD indicating that there are no emissions from the existing or proposed expansion. The project warrants a Mitigated Negative Declaration, which was prepared. Note that the ACSD has not received any odor complaints associated with the wastewater treatment facilities.

There will not be any new sources of air pollution created. Rules 2201, 4001, 4101, 4102, 4103, 4601 and 4641 do not apply.

The expansion project does not increase emissions from the site. The expansion project does not increase emissions from the site. Construction activities are regulated through permits required of the contractor. In summary, once SJVAPCD staff understood the aspects of the project, the concerns were alleviated.

Mitigation Measure: Regulation VIII is a series of rules designed to reduce emissions of PM_{10} resulting from human activity and is required. Mitigation measures to insure that air emissions will not create an adverse environmental impact will include requiring that the contractor comply with San Joaquin Valley Unified Air Pollution Control District Regulation VIII concerning fugitive dust rules.
Effectiveness of Measure: This measure will assure that dust produced from this project will be reduced to a less than significant level.
Implementation/Monitoring: This requirement shall be included in the conditions of approval and shall be implemented by the Kings County Planning Agency and the construction contractors. Monitoring shall be performed by the Armona Community Services District during project construction.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, or any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion: The proposed improvements are located at the existing wastewater treatment and disposal facilities. No biological resources have been identified during the use of the property. A Biological Resources Survey for the Conservation Element of the *Kings County General Plan* had been prepared by Robert B. Hansen, Hansen's Biological Consulting. This document identified and described plant communities existing in Kings County and provided an overview of special status species, which included federal and state endangered, threatened and candidate plant and animal species. Furthermore, this Survey also surveyed the literature and completed a preliminary field assessment to determine if special status species exist in Kings County. The location of natural plant communities and primary habitat areas for special status species are delineated in Exhibits 2, 3 and 4 of the Environmental Impact Analysis for the *1993 Kings County General Plan*. The project site is not identified as being the location of natural plant communities in Exhibits 2 and 3 and is not

identified as primary habitat areas for the San Joaquin kit fox in Exhibit 4. In addition, the California Environmental Protection Agency Federally Listed Species Habitats Map for Kings County, dated February of 1996, shows the nearest sightings of the San Joaquin kit fox at 7th and Dover Avenues (SJKF (207)) and at 26th and Fargo Avenues (SJKF (9)). The 7th and Dover sighting is more than ten (10) miles from the project site. The 26th and Fargo sighting is more than fourteen (14) miles from the project site. The project site does not contain any habitat and has been actively cultivated with agricultural crops in past years.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the proposal:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Discussion: The proposed improvements are located at the existing wastewater treatment and disposal facilities. No cultural resources have been identified during the use of the property. There are no known historical structures or monuments on the site. The project will involve limited grading or excavation. There are no unique geological features within the vicinity of the project area. There are no known fossil-bearing surficial sediments in the Armona area. There are no known burials within the project area.

There could be a disturbance or destruction of cultural or historic resources resulting from the construction activities associated with the project. Although there is no evidence of archaeological sites on the project site, there is the potential during project-related excavation and construction for the discovery of cultural resources. This impact is potentially significant, but can be mitigated to a less than significant level.

Mitigation Measure: If, in the course of project construction or operation, any archaeological or historical resources are uncovered, discovered, or otherwise detected or observed, activities within fifty (50) feet of the find shall cease. A qualified archaeologist shall be contacted and advise the County of the site's significance. If the findings are deemed significant by the Kings County Planning Agency, appropriate mitigation measures shall be required prior to any resumption of work in the affected area of the project.

Effectiveness of Measure: This measure will assure that any cultural resources are properly evaluated, and reduce this impact to a less than significant level.

Implementation/Monitoring: This requirement shall be included in the conditions of approval and shall be implemented by the Armona Community Services District, the Kings County Planning Agency and the construction contractors. Monitoring shall be performed by the Armona Community Services District of the Kings County Planning Agency during project construction.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOIL. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issues by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

Discussion: The proposed improvements are not located near a known earthquake fault. The proposed improvements are located at the existing wastewater treatment and disposal facilities.

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

Discussion: The proposed improvements are located at the existing wastewater treatment and disposal facilities. No hazardous materials have been encountered during the use of the property. Hazardous materials are not included in the operation of the facilities. The project is not located within an airport land use plan.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☒	☐	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alternation of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alternation of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Discussion: The proposed improvements are located at the existing wastewater treatment and disposal facilities. The proposed construction will not alter the hydrology or drainage of the project area or the surrounding area. Construction of the storage pond will retain any precipitation within the pond embankments.

The project sites are not located within floodplains pursuant to FEMA maps.

The Mosquito Abatement District expressed concerns regarding the existing ponds and imposed requirements to the proposed ponds. Concerns regarding access to the site was identified. Further, existing vegetation in the existing ponds was a concern and provides a potential for mosquitos. Deepening the ponds will alleviate the potential of vegetation in the ponds. Clear embankment area was also cited as a requirement.

If the construction will disturb more than five acres, compliance with the National Pollutant Discharge Elimination System General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity (Waste Discharge Requirements, Order No. 99-08-DWQ) will be required. Before construction begins, a Notice of Intent to comply with the Order must be submitted to the State Water Resources Control Board and a Storm Water Pollution Prevention Plan must be prepared. Any questions regarding the storm water permitting process should be directed to Ms. Lisa Gymer at (559) 445-6046 or check the State Water Quality Control Board's website at http://www.sswrcb.ca.gov for more information.

The project does not include dredging or discharge of fill materials to navigable waters or wetlands.

The nearest dams that could have any effect on Armona (on the Kings River or Kaweah River) are too far away to have any significant effect on Armona.

There is no potential seiche or tsunami due to the lack of a significant water body near the project site. The project site is flat, eliminating the possibility of mud flow.

Mitigation Measure: The requirements of the National Pollutant Discharge Elimination System General Permit No. CAS000002 for Discharges of Storm Water Associates with Construction Activity (Waste Discharge Requirements, Order No. 99-08-DWQ) will be followed.

One purpose of the project is to enhance the disposal capacity of the facilities. The project includes earthwork that will affectively break the existing shallow disposal pond into two (2) deeper disposal ponds. The smaller ponds will allow for more control of the water levels in the ponds. Similarly, the deeper ponds will improve the ability to maintain several feet of water depth, thereby reducing vegetation within the ponds.

The typical width of embankments is 12 feet. However, an embankment width of 20 feet will also be incorporated into the project where possible. Clear areas of at least 20 feet along embankments will be incorporated.

The project limits will be fenced along the property lines. Gates are included in the project. The main gate entrance to the facilities remains.

Effectiveness of Measure: This measure will assure that any storm water discharge associated with the construction activity are adequately mitigated. Potential for mosquito breeding environments will be reduced.
Implementation/Monitoring: This requirement shall be included in the conditions of approval and shall be implemented by the Armona Community Services District and the construction contractors. Monitoring shall be performed by the Regional Water Quality Control Board during project construction.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plans?	☐	☐	☐	☒

Discussion: The proposed improvements are located at the existing wastewater treatment and disposal facilities. The construction of these improvements is proposed to accommodate wastewater treatment and disposal needs for current land use and accommodate projected future development consistent with area land use planning. The Conditional Use Permit for the property (CUP No. 90-20) would require amendment to maintain continuity with the intended utilization of the property.

Mitigation Measure: Submit an application to the Kings County Planning Commission for an update to the Conditional Use Permit for the property to maintain continuity with intended uses.
Effectiveness of Measure: This measure will assure that site remains in compliance with the Kings County Zoning Ordinance.

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

Discussion: The proposed improvements are located at the existing wastewater treatment and disposal facilities. No mineral sources have been identified in the construction of the existing wells or the warehouse development.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport and public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Discussion: The proposed improvements are located at the existing wastewater treatment and disposal facilities. Noise impacts may be temporary during construction activities. Construction activities will increase noise levels at the project site. The type and number of equipment to be used are unknown. However, it is expected that the primary sources of noise during construction will include trucks, tractors, backhoes, compressors and similar equipment. However, construction activities will be temporary in nature and will generally occur during daylight hours. Construction noise impacts could result in annoyance or sleep disruption for nearby residents if nighttime operation were to occur or if equipment is not properly muffled or maintained.

Mitigation Measure: Noise producing equipment used during construction shall be restricted to the hours from 7:00 A.M. to 7:00 P.M., Monday through Friday, and 9:00 A.M. to 6:00 P.M. on Saturday and Sunday. Effective mufflers shall be fitted to gas-powered and diesel-powered equipment.

Effectiveness of Measure: These measures will reduce noise impacts during construction to a less than significant level.

Implementation/Monitoring: This requirement shall be included in the conditions of approval and shall be implemented by the Kings County Planning Agency and the construction contractors. Monitoring shall be performed by the Armona Community Services District during project construction.

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

Discussion: The proposed improvements are located at the existing wastewater treatment and disposal facilities. No person will be displaced by the construction or the improvements. The construction of these improvements is proposed to enhance wastewater treatment and disposal capacity for current land use and accommodate demands based on projected future development consistent with area land use planning.

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

Discussion: The construction of the wastewater treatment and disposal improvements will not create any demand for public services. The construction is proposed to enhance existing public service and reliability.

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

Discussion: The construction of wastewater treatment and disposal improvements will not create any demand on recreation facilities.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. TRANSPORTATION/TRAFFIC. Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☐	☒
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Result in inadequate parking capacity?	☐	☐	☐	☒
g) Conflict with adopted policies, plans or programs supporting alternative transportation (e.g.. bus turnouts, bicycle racks)?	☐	☐	☐	☒

Discussion: The construction of wastewater treatment and disposal improvements will not create any demand on transportation systems.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. UTILITIES AND SERVICE SYSTEMS.				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which services or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statues and regulations related to solid waste?	☐	☐	☐	☒

Discussion: A Report of Waste Discharge has been submitted to the Regional Water Quality Control Board for the purposes of obtaining updated Waste Discharge Requirements that would incorporate the proposed improvements. Projected demands to the wastewater treatment and disposal facilities would be accommodated with the proposed project.

The Mosquito Abatement District expressed concerns regarding the existing ponds and imposed requirements to the proposed ponds. Concerns regarding access to the site was identified. Further, existing vegetation in the existing ponds was a concern and provides a potential for mosquitos. Deepening the ponds will alleviate the potential of vegetation in the ponds. Clear embankment area was also cited as a requirement.

Mitigation Measure: One purpose of the project is to enhance the disposal capacity of the facilities. The project includes earthwork that will affectively break the existing shallow disposal pond into two (2) deeper disposal ponds. The smaller ponds will allow for more control of the water levels in the ponds. Similarly, the deeper ponds will improve the ability to maintain several feet of water depth, thereby reducing vegetation within the ponds.

The typical width of embankments is 12 feet. However, an embankment width of 20 feet will also be

incorporated into the project where possible. Clear areas of at least 20 feet along embankments will be incorporated.

The project limits will be fenced along the property lines. Gates are included in the project. The main gate entrance to the facilities remains.

Effectiveness of Measure: Potential for mosquito breeding environments will be reduced.

Implementation/Monitoring: This requirement shall be included in the conditions of approval and shall be implemented by the Armona Community Services District and the construction contractors. Monitoring shall be performed by the Armona Community Services District during project construction.

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

Discussion: The project analysis discloses that none of the above-listed effects will occur.

All project impacts listed as less than significant have a relationship to short-term effects.

There is no potential for cumulatively considerable impacts.

No such effects have been identified or can be foreseen.

EXHIBIT C

(Proposed Mitigation Monitoring Plan)

GRISWOLD, LaSALLE,
COBB, DOWD & GIN, L.L.P.
311 NORTH DOUTY STREET
P.O. BOX 330
HANFORD, CA 93232-0330

Mitigation Monitoring Plan
Wastewater Treatment Plant Expansion

III. AIR QUALITY.

Discussion: The proposed improvements will not generate additional air emission sources. Temporary construction activities associated with the proposed storage pond have the potential of short-term Air Quality Impacts.

The project is located within an existing wastewater treatment plant that may produce objectionable odors periodically. The project increases the amount of aeration to be incorporated into the treatment process and enables the treatment facilities to maintain effectiveness. The construction project itself does not involve activities or equipment that would generate objectionable odors.

A meeting was conducted with Mr. Hector Guerra and Mr. Leland Villalvazo of the SJVAPCD in December 2005. The original comments from the SJVAPCD were discussed with respect to the specifics of the project description and the existing facilities at the ACSD wastewater treatment facilities. Several of the comments are directed toward land use and growth issues that are not under the jurisdiction of the ACSD. The SJVAPCD now understands that Armona is not a city. Traffic issues are not within the control, nor are they affected by this project.

An additional comment was associated toward an emissions inventory. A spreadsheet that was supplied by the SJVAPCD was prepared for the ACSD and submitted to the SJVAPCD indicating that there are no emissions from the existing or proposed expansion. The project warrants a Mitigated Negative Declaration, which was prepared. Note that the ACSD has not received any odor complaints associated with the wastewater treatment facilities.

There will not be any new sources of air pollution created. Rules 2201, 4001, 4101, 4102, 4103, 4601 and 4641 do not apply.

The expansion project does not increase emissions from the site. The expansion project does not increase emissions from the site. Construction activities are regulated through permits required of the contractor. In summary, once SJVAPCD staff understood the aspects of the project, the concerns were alleviated.

Mitigation Measure: Regulation VIII is a series of rules designed to reduce emissions of PM_{10} resulting from human activity and is required. Mitigation measures to insure that air emissions will not create an adverse environmental impact will include requiring that the contractor comply with San Joaquin Valley Unified Air Pollution Control District Regulation VIII concerning fugitive dust rules.
Effectiveness of Measure: This measure will assure that dust produced from this project will be reduced to a less than significant level.

Implementation/Monitoring: This requirement shall be included in the conditions of approval and shall be implemented by the Kings County Planning Agency and the construction contractors. Monitoring shall be performed by the Armona Community Services District during project construction.

V. CULTURAL RESOURCES.

Discussion: The proposed improvements are located at the existing wastewater treatment and disposal facilities. No cultural resources have been identified during the use of the property. There are no known historical structures or monuments on the site. The project will involve limited grading or excavation. There are no unique geological features within the vicinity of the project area. There are no known fossil-bearing surficial sediments in the Armona area. There are no known burials within the project area.
There could be a disturbance or destruction of cultural or historic resources resulting from the construction activities associated with the project. Although there is no evidence of archaeological sites on the project site, there is the potential during project-related excavation and construction for the discovery of cultural resources. This impact is potentially significant, but can be mitigated to a less than significant level.
Mitigation Measure: If, in the course of project construction or operation, any archaeological or historical resources are uncovered, discovered, or otherwise detected or observed, activities within fifty (50) feet of the find shall cease. A qualified archaeologist shall be contacted and advise the County of the site's significance. If the findings are deemed significant by the Kings County Planning Agency, appropriate mitigation measures shall be required prior to any resumption of work in the affected area of the project.
Effectiveness of Measure: This measure will assure that any cultural resources are properly evaluated, and reduce this impact to a less than significant level.
Implementation/Monitoring: This requirement shall be included in the conditions of approval and shall be implemented by the Armona Community Services District, the Kings County Planning Agency and the construction contractors. Monitoring shall be performed by the Armona Community Services District of the Kings County Planning Agency during project construction.

VIII. HYDROLOGY AND WATER QUALITY.

Discussion: The proposed improvements are located at the existing wastewater treatment and disposal facilities. The proposed construction will not alter the hydrology or drainage of the project area or the surrounding area. Construction of the storage pond will retain any precipitation within the pond embankments.
The project sites are not located within floodplains pursuant to FEMA maps.

The Mosquito Abatement District expressed concerns regarding the existing ponds and imposed requirements to the proposed ponds. Concerns

regarding access to the site was identified. Further, existing vegetation in the existing ponds was a concern and provides a potential for mosquitos. Deepening the ponds will alleviate the potential of vegetation in the ponds. Clear embankment area was also cited as a requirement.

If the construction will disturb more than five acres, compliance with the National Pollutant Discharge Elimination System General Permit No. CAS000002 for Discharges of Storm Water Associated with Construction Activity (Waste Discharge Requirements, Order No. 99-08-DWQ) will be required. Before construction begins, a Notice of Intent to comply with the Order must be submitted to the State Water Resources Control Board and a Storm Water Pollution Prevention Plan must be prepared. Any questions regarding the storm water permitting process should be directed to Ms. Lisa Gymer at (559) 445-6046 or check the State Water Quality Control Board's website at http://www.sswrcb.ca.gov for more information.

The project does not include dredging or discharge of fill materials to navigable waters or wetlands.

The nearest dams that could have any effect on Armona (on the Kings River or Kaweah River) are too far away to have any significant effect on Armona.

There is no potential seiche or tsunami due to the lack of a significant water body near the project site. The project site is flat, eliminating the possibility of mud flow.

Mitigation Measure: The requirements of the National Pollutant Discharge Elimination System General Permit No. CAS000002 for Discharges of Storm Water Associates with Construction Activity (Waste Discharge Requirements, Order No. 99-08-DWQ) will be followed.

One purpose of the project is to enhance the disposal capacity of the facilities. The project includes earthwork that will affectively break the existing shallow disposal pond into two (2) deeper disposal ponds. The smaller ponds will allow for more control of the water levels in the ponds. Similarly, the deeper ponds will improve the ability to maintain several feet of water depth, thereby reducing vegetation within the ponds.

The typical width of embankments is 12 feet. However, an embankment width of 20 feet will also be incorporated into the project where possible. Clear areas of at least 20 feet along embankments will be incorporated.

The project limits will be fenced along the property lines. Gates are included in the project. The main gate entrance to the facilities remains.

Effectiveness of Measure: This measure will assure that any storm water discharge associated with the construction activity are adequately mitigated. Potential for mosquito breeding environments will be reduced.
Implementation/Monitoring: This requirement shall be included in the conditions of approval and shall be implemented by the Armona Community Services District and the construction contractors. Monitoring shall be

performed by the Regional Water Quality Control Board during project construction.

IX. LAND USE AND PLANNING.

Discussion: The proposed improvements are located at the existing wastewater treatment and disposal facilities. The construction of these improvements is proposed to accommodate wastewater treatment and disposal needs for current land use and accommodate projected future development consistent with area land use planning. The Conditional Use Permit for the property (CUP No. 90-20) would require amendment to maintain continuity with the intended utilization of the property.

Mitigation Measure: Submit an application to the Kings County Planning Commission for an update to the Conditional Use Permit for the property to maintain continuity with intended uses.
Effectiveness of Measure: This measure will assure that site remains in compliance with the Kings County Zoning Ordinance.

XI. NOISE.

Discussion: The proposed improvements are located at the existing wastewater treatment and disposal facilities. Noise impacts may be temporary during construction activities. Construction activities will increase noise levels at the project site. The type and number of equipment to be used are unknown. However, it is expected that the primary sources of noise during construction will include trucks, tractors, backhoes, compressors and similar equipment. However, construction activities will be temporary in nature and will generally occur during daylight hours. Construction noise impacts could result in annoyance or sleep disruption for nearby residents if nighttime operation were to occur or if equipment is not properly muffled or maintained.
Mitigation Measure: Noise producing equipment used during construction shall be restricted to the hours from 7:00 A.M. to 7:00 P.M., Monday through Friday, and 9:00 A.M. to 6:00 P.M. on Saturday and Sunday. Effective mufflers shall be fitted to gas-powered and diesel-powered equipment.
Effectiveness of Measure: These measures will reduce noise impacts during construction to a less than significant level.
Implementation/Monitoring: This requirement shall be included in the conditions of approval and shall be implemented by the Kings County Planning Agency and the construction contractors. Monitoring shall be performed by the Armona Community Services District during project construction.

XVI. UTILITIES AND SERVICE SYSTEMS.

Discussion: A Report of Waste Discharge has been submitted to the Regional Water Quality Control Board for the purposes of obtaining updated Waste Discharge Requirements that would incorporate the proposed improvements. Projected demands to the wastewater treatment and disposal facilities would be accommodated with the proposed project.

The Mosquito Abatement District expressed concerns regarding the existing ponds and imposed requirements to the proposed ponds. Concerns regarding access to the site was identified. Further, existing vegetation in the existing ponds was a concern and provides a potential for mosquitos. Deepening the ponds will alleviate the potential of vegetation in the ponds. Clear embankment area was also cited as a requirement.

Mitigation Measure: One purpose of the project is to enhance the disposal capacity of the facilities. The project includes earthwork that will affectively break the existing shallow disposal pond into two (2) deeper disposal ponds. The smaller ponds will allow for more control of the water levels in the ponds. Similarly, the deeper ponds will improve the ability to maintain several feet of water depth, thereby reducing vegetation within the ponds.

The typical width of embankments is 12 feet. However, an embankment width of 20 feet will also be incorporated into the project where possible. Clear areas of at least 20 feet along embankments will be incorporated.

The project limits will be fenced along the property lines. Gates are included in the project. The main gate entrance to the facilities remains.

Effectiveness of Measure: Potential for mosquito breeding environments will be reduced.

Implementation/Monitoring: This requirement shall be included in the conditions of approval and shall be implemented by the Armona Community Services District and the construction contractors. Monitoring shall be performed by the Armona Community Services District during project construction.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.

Discussion: The project analysis discloses that none of the above-listed effects will occur.

All project impacts listed as less than significant have a relationship to short-term effects.

There is no potential for cumulatively considerable impacts.

No such effects have been identified or can be foreseen.

EXHIBIT D

(Proposed Mitigated Negative Declaration)

GRISWOLD, LaSALLE,
COBB, DOWD & GIN, L.L.P.
311 NORTH DOUTY STREET
P.O. BOX 330
HANFORD, CA 93232-0330

MITIGATED NEGATIVE DECLARATION

Armona Community Services District
Wastewater Treatment and Disposal Facilities Expansion Project

Project Description:

The Armona Community Services District (ACSD) proposes to expand the capacity of the existing wastewater treatment and disposal facilities from 0.40 million gallons per day (mgd) to 0.53 mgd average daily flow. The proposed improvements are shown in Figures 1 and 2, attached, and consist of the following:

a. Headworks/ Influent Pumps

The existing influent lift station consists of 3 self-priming centrifugal pumps each having a capacity of about 375 gpm at the average daily flow operating head. The proposed improvements consist of modification of the existing pumps to provide sufficient capacity during peak flow with only 2 pumps and maintaining one pump as a back up. The existing headworks and lift station structure would not be modified.

b. Treatment Ponds

The aerated lagoon treatment consists of four ponds, which operate in series. The first two ponds (Pond No. 4 and Pond No. 3), are aerated ponds equipped with 5 hp floating mechanical aerators. Pond No. 4 has 6 aerators and Pond No. 3 has 3 aerators. The last two ponds (Pond No. 2 and Pond No. 1) are oxidation ponds located downstream of the aeration ponds.

Improvements to the treatment ponds will consist of adding one 5 hp floating mechanical aerator to Pond No. 3. One of the existing floating aerators in Pond No. 3 will be relocated within the pond.

c. Pond No. 4 Repairs

It has been determined that seepage from Pond No. 4 occurred as a result of damage to the embankment during sludge removal operations and the existence of poorly graded sands below the embankment. The project includes improvements to repair the pond embankment and eliminate the seepage problem. The work includes restoring the embankment to its original grade/condition, removing the pervious sands below the western half of the pond and embankment, and replacing the material with a layer of relatively impervious materials (such as clays or clays and silts) to form a lining for the pond.

d. Effluent Pumps

The existing effluent pumps are located at the end of the treatment process downstream of Pond No. 1. The pumps provide a lift for the effluent allowing for gravity flow to the disposal ponds. The effluent pumps will be modified to provide additional capacity for the proposed design flow rate.

e. Disposal Ponds

The plant disposal consists of two storage/disposal ponds. The approximate combined existing storage capacity of the ponds is 76 acre-feet (or 25 million gallons). Additional disposal ponds (No.s 8 and 9) will be constructed south of disposal pond No. 6 as shown in Figure 2 to provide additional capacity for the anticipated future demands. Existing disposal pond No. 6 will be divided into two ponds (Pond No.s 6 and 7).

The expansion of storage capacity consists of construction of disposal ponds with a wet area of 12 acres and a storage capacity of 32 acre-feet.

Project Location:

The proposed project is located in Kings County at the existing wastewater treatment and disposal facilities owned and operated by the ACSD. The facilities are located south of the intersection of Hume Avenue and Oak Street in Section 4, Township 19 South, Range 21 East, Mount Diablo Base and Meridian.

Findings:

Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A Mitigated Negative Declaration will be prepared.

Basis of Finding:

The attached copy of the Initial Study and Environmental Checklist Form support the finding.

The Mitigated Negative Declaration will be deemed final and effective if no appeal is filed in the manner specified by the California Environmental Quality Act (CEQA).

This Mitigated Negative Declaration was prepared pursuant to the California Environmental Quality Act.

Submitted by: Kelly Granger, Operations Manager
Armona Community Services District

8/10/06
Date

0 600 1200 Feet

EST. 2000
PROVOST & PRITCHARD
ENGINEERING GROUP
An Employee Owned Company

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Figure 1
Armona CSD
Kings County, CA

Photography by AirPhoto USA, 2002

PROVOST & PRITCHARD

DESIGN ENGINEER: Michael G. Taylor

DRAFTED BY: JS

CHECKED BY: MMK

ARMONA COMMUNITY SERVICES DISTRICT
WASTEWATER TREATMENT AND DISPOSAL FACILITIES EXPANSION PROJECT

FIGURE 2
WASTEWATER TREATMENT FACILITY SITE PLAN

SCALE: N.T.S.
DATE: 1/28/2
JOB NO. 21730
DWG. NO. 20050
SHEET 2 OF 6