



U.S. Department of Housing and Urban  
Development  
451 Seventh Street, SW  
Washington, DC 20410  
[www.hud.gov](http://www.hud.gov)  
[espanol.hud.gov](http://espanol.hud.gov)

## Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

### **Project Information**

**Project Name:** 21032-Biola-Groundwater-Recharge

**HEROS Number:** 900000010345886

**Project Location:** n/a, Biola, CA 93630

#### **Additional Location Information:**

The proposed basin expansion is on a parcel located south of Gettysburg alignment, approximately between 3rd St and 4th Street alignments. APN: 016-300-28ST Located in SW quarter of T13S/R18E/Sec16

#### **Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:**

The proposed Project includes four components, which were all evaluated under the provisions of the California Environmental Quality Act (CEQA). The first two items were funded with a Sustainable Groundwater Planning Grant from the California Department of Water Resources (DWR). 1. Installation of a turnout valve with a flow meter in the Fresno Irrigation District (FID) Herndon Canal. 2. Installation of approximately 2,075 linear feet of 18-inch pipeline to connect the turnout valve with an existing storm drain pipeline. Due to anticipated cost increases and expenditure deadlines with the DWR grant, the project was split into phases, and CDBG funding was requested for the following components, requiring evaluation under NEPA: 3. A three-acre expansion of an existing two-acre storm drainage basin for a five-acre total groundwater recharge basin. 4. Installation of a six-foot chain link fence around the enlarged drainage basin. The proposed expansion of the existing operational storm water basin will occur on property already owned by the Biola Community Services District.

### **Funding Information**

Grant Number	HUD Program	Program Name
B-21-UC-06-0003	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)

**Estimated Total HUD Funded Amount:** \$300,000.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$500,000.00

### **Mitigation Measures and Conditions [CFR 1505.2(c)]:**

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition
Permits, reviews, and approvals	The proposed Project will include, but not be limited to, the following regulatory requirements: * The adoption of a Mitigated Negative Declaration by the Biola Community Services District * California Department of Water Resources * Regional Water Quality Control Board * San Joaquin Valley Air Pollution Control District
Historic Preservation [National Historic Preservation Act of 1966, particularly sections 106 & 110; 36 CFR Part 800]	In the event that archaeological remains are encountered at any time during development or ground-moving activities within the entire Project area, all work in the vicinity of the find should be halted until a qualified archaeologist can assess the discovery and take appropriate actions as necessary.

#### Project Mitigation Plan

#### Determination:

<input checked="" type="checkbox"/>	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
<input type="checkbox"/>	Finding of Significant Impact

Preparer Signature:  Date: 8/23/2023

Name / Title/ Organization: Jonathan Avedian / FRESNO COUNTY

Certifying Officer Signature:  Date: 8/25/23

Name/ Title: Steven E. White / Director of Public Works & Planning / FRESNO COUNTY

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environment Review Record (ERR) for the activity / project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

**Environmental Assessment  
Determinations and Compliance Findings  
for HUD-assisted Projects  
24 CFR Part 58**

**Project Information**

**Project Name:** 21032-Biola-Groundwater-Recharge

**HEROS Number:** 900000010345886

**Responsible Entity (RE):** FRESNO COUNTY, PO Box 1247 Fresno CA, 93715

**RE Preparer:** Jonathan Avedian

**State / Local Identifier:**

**Certifying Officer:** Steven E. White

**Grant Recipient (if different than Responsible Entity):**

**Point of Contact:**

**Consultant (if applicable):**

**Point of Contact:**

**Project Location:** n/a, Biola, CA 93630

**Additional Location Information:**

The proposed basin expansion is on a parcel located south of Gettysburg alignment, approximately between 3rd St and 4th Street alignments. APN: 016-300-28ST  
Located in SW quarter of T13S/R18E/Sec16

**Direct Comments to:** The County of Fresno, Department of Public Works and Planning  
Attn: Jonathan Avedian  
2220 Tulare Street, 6th Floor  
Fresno, CA 93721  
(559) 600-4292  
javedian@fresnocountyca.gov

**Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:**

The proposed Project includes four components, which were all evaluated under the provisions of the California Environmental Quality Act (CEQA). The first two items were funded with a Sustainable Groundwater Planning Grant from the California Department of Water Resources (DWR). 1. Installation of a turnout valve with a flow meter in the Fresno Irrigation District (FID) Herndon Canal. 2. Installation of approximately 2,075 linear feet of 18-inch pipeline to connect the turnout valve with an existing storm drain pipeline. Due to anticipated cost increases and expenditure deadlines with the DWR grant, the project was split into phases, and CDBG funding was requested for the following components, requiring evaluation under NEPA: 3. A three-acre expansion of an existing two-acre storm drainage basin for a five-acre total groundwater recharge basin. 4. Installation of a six-foot chain link fence around the enlarged drainage basin. The proposed expansion of the existing operational storm water basin will occur on property owned by the Biola Community Services District.

**Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:**

The objective of the proposed project is to increase the amount of surface water recharged to the groundwater to offset water pumped from the aquifer. This project will help bring the Biola Community Services District into compliance with the goals of the Sustainable Groundwater Management Act. It will also create a more reliable water supply for dry years and provide increased storm water collection capacity for significant rain events.

**Existing Conditions and Trends [24 CFR 58.40(a)]:**

Not completing the project would result in no changes to the existing storm water collection and limited water recharge operations. Currently, the District operates a 2-acre storm water collection / recharge basin that would continue to function without the proposed project. The Biola CSD is located in the Kings sub-basin of the Tulare Lake basin, which has been designated as being subject to critical conditions of overdraft. The District pumped an average of 238 acre-feet per year from 2008 - 2015 to serve 1,600+ residents and businesses. Through the wastewater treatment plant, the District currently percolates about 80 acre-feet of water back to the aquifer. The storm drain system adds another 6 acre-feet per year in normal rainfall. This results in a net overdraft of approximately 152 acre feet per year. This would continue under the "No Project" alternative. The proposed project would recharge a minimum of 152

acre-fee of groundwater into the aquifer, making the District balanced between the amount pumped and the amount recharged.

**Maps, photographs, and other documentation of project location and description:**

[21032 Biola GW Recharge Location Map.pdf](#)

[21032 Biola Site Plan.pdf](#)

**Determination:**

✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

**Approval Documents:**

[CD21032\\_FONSI-signed.pdf](#)

**7015.15 certified by Certifying Officer  
on:**

**7015.16 certified by Authorizing Officer  
on:**

**Funding Information**

Grant / Project Identification Number	HUD Program	Program Name
B-21-UC-06-0003	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)

**Estimated Total HUD Funded,                      \$350,000.00  
Assisted or Insured Amount:**

**Estimated Total Project Cost [24 CFR 58.2 (a)                      \$350,000.00  
(5)]:**

**Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities**

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>		
<b>Airport Hazards</b> Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.
<b>Coastal Barrier Resources Act</b> Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.
<b>Flood Insurance</b> Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements.
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b>		
<b>Air Quality</b> Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project's county or air quality management district is in non-attainment status for the following: Ozone, Particulate Matter, <2.5 microns. This project does not exceed de minimis emissions levels or the screening level established by the state or air quality management district for the pollutant(s) identified above. The project is in compliance with the Clean Air Act. Calculations and analysis are detailed in the attached Air Quality Analysis.

<b>Coastal Zone Management Act</b> Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.
<b>Contamination and Toxic Substances</b> 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.
<b>Endangered Species Act</b> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A Biological Resource Evaluation was conducted by Colibri Ecological Consulting, LLC. No impacts to federally listed species or critical habitat were identified. This project has been determined to have No Effect on listed species. This project is in compliance with the Endangered Species Act without mitigation.
<b>Explosive and Flammable Hazards</b> Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.
<b>Farmlands Protection</b> Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	State of California has determined that groundwater recharge basins are a compatible use with agriculture in that they are allowed on lands under California Land Conservation Act (Williamson) Act. Additionally, the proposed Project would provide a beneficial use to the surrounding agricultural practices by ensuring a more reliable water supply for groundwater pumping. Therefore, this project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

<b>Floodplain Management</b> Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.
<b>Historic Preservation</b> National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The project was routed through California State Clearinghouse, #2019049087 Because unidentified cultural resources could be uncovered during proposed Project construction which could result in a potentially significant impact, mitigation has been incorporated. In the event that archaeological remains are encountered at any time during development or ground-moving activities within the entire Project area, all work in the vicinity of the find should be halted until a qualified archaeologist can assess the discovery and take appropriate actions as necessary. Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.
<b>Noise Abatement and Control</b> Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.
<b>Sole Source Aquifers</b> Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is located on a sole source aquifer. The region has an MOU or other working agreement with EPA for HUD projects impacting a sole source aquifer, and the MOU or working agreement excludes the project from further review. The project is in compliance with Sole Source Aquifer requirements.
<b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. No wetlands were identified on the project site. The only nearby wetland identified is the man-made Biola



		Wastewater Treatment Facility (classification PUBFx) located approximately 1/8 mile to the west, with developed commercial property in between.
<b>Wild and Scenic Rivers Act</b> Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.
<b>HUD HOUSING ENVIRONMENTAL STANDARDS</b>		
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b> Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

**Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]**

**Impact Codes:** An impact code from the following list has been used to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	Groundwater recharge is a compatible use with Agricultural zoned property, and is consistent with the general plan. This project is expanding an existing use on the subject parcel.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	1	The expanded basin, in addition to providing increased groundwater recharge capability, also functions as a storm water retention basin, and the additional storage capacity will reduce the likelihood of localized flooding from severe rain events.	
Hazards and Nuisances including	2	There are no known hazardous materials on site. There will be temporary noise impacts during construction but after the project is	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Site Safety and Site-Generated Noise		constructed the basin should not generate noise during operation.	
<b>SOCIOECONOMIC</b>			
Employment and Income Patterns	2	The project is not likely to have any significant impact on employment or income patterns. Short term construction related employment may increased during construction. Long term, the project may provide some benefit by helping to stabilize and/or replenish groundwater levels in a sustainable manner.	
Demographic Character Changes / Displacement	2	The proposed project will not impact demographics of the community, and will not displace any residents or impact any residential property.	
Environmental Justice EA Factor	2	No adverse impacts were identified regarding environmental justice. The community of Biola is socioeconomically disadvantaged, and the project will provide improved sustainability for their domestic water supply.	
<b>COMMUNITY FACILITIES AND SERVICES</b>			
Educational and Cultural Facilities (Access and Capacity)	2	The project will not create nor eliminate any residential property, nor will it impact any commercial operations. The project will not increase student population and will have no impact on educational or cultural facilities.	
Commercial Facilities (Access and Proximity)	2	The project will not create nor eliminate any residential property, nor will it impact any commercial operations. The project will not displace or impact commercial facilities.	
Health Care / Social Services (Access and Capacity)	2	The project will not create nor eliminate any residential property, nor will it impact any commercial operations. The project will have no impact on health care or social services.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	The project will not create nor eliminate any residential property, nor will it impact any commercial operations. The project will not generate solid waste in operation, and will have no impact on solid waste disposal or recycling.	

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>	<b>Mitigation</b>
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	The project will not generate any wastewater, and will have no impact on waste water or sanitary sewer systems.	
Water Supply (Feasibility and Capacity)	1	The community of Biola obtains all municipal water from wells. The expansion of the existing storm water retention basin to function as a groundwater recharge basin will have a positive benefit on the groundwater supply for the community. Construction activity may require the use of small quantities of water for dust control.	
Public Safety - Police, Fire and Emergency Medical	2	The project will not create nor eliminate any residential property, nor will it impact any commercial operations. The project will have no impact on public safety.	
Parks, Open Space and Recreation (Access and Capacity)	2	The project will not create nor eliminate any residential property, nor will it impact any commercial operations. The project will have no impact on parks, open space, and recreation.	
Transportation and Accessibility (Access and Capacity)	2	The project will not create nor eliminate any residential property, nor will it impact any commercial operations. The project, will have no impact on transportation and accessibility.	
<b>NATURAL FEATURES</b>			
Unique Natural Features /Water Resources	1	The expansion of the existing storm water basin will not occur on or near any unique natural features. The project will have a positive impact on groundwater by increasing capacity for groundwater recharge through expanding storm water retention capacity, and allowing access to surface irrigation water, for the purposes of recharging the local aquifer.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	The project will not introduce non-native vegetation. No impacts to federally listed species were identified through both research and field survey.	
Other Factors 1			
Other Factors 2			

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>CLIMATE AND ENERGY</b>			
Climate Change	1	The project is intended to increase groundwater recharge through both the capture of storm water runoff, as well as surface irrigation water supplies. This increased recharge is intended to maintain stable groundwater supply, even in years of drought. Additional basin capacity will also mitigate potential local flooding during heavy rain events.	
Energy Efficiency	1	By stabilizing and raising the underground water table level, the project will reduce power consumption needed for pumping of groundwater needed to supply the community.	

**Supporting documentation****Additional Studies Performed:**

The project was also evaluated under the provisions of the California Environmental Quality Act (CEQA). A Mitigated Negative Declaration was filed on June 7, 2019. State Clearinghouse #2019049087 As part of the CEQA evaluation, a Cultural Resources Survey and a Biological survey were conducted, and have been incorporated into the applicable sections of the NEPA review.

[Biola Recharge CEQA-Plus Exhibits July 2019.pdf](#)

[Biola Recharge CEQA NOD DFW Fees.pdf](#)

**Field Inspection [Optional]:** Date and completed by:

**List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:**

Development Services and Capital Projects, Attn: Chris Motta, Division Manager  
Development Services and Capital Projects, Current Planning, Attn: David Randall  
Development Services and Capital Projects, Policy Planning, ALCC, Attn: Mohammad Khorsand  
Development Services and Capital Projects, Zoning & Permit Review, Attn: Daniel Gutierrez  
Development Services and Capital Projects, Building & Safety/Plan Check, CASp, Attn: Mike Granat  
Resources Division, Solid Waste, Attn: Anniemarie Shelton  
Resources Division, Special Districts, Attn: Christopher Bump  
Development Engineering, Grading/Mapping Attn: Laurie Kennedy  
Road Maintenance and

Operations, Attn: Wendy Nakagawa Water and Natural Resources Division,  
Transportation Planning, Attn: Hector Luna Water and Natural Resources, General  
Plan, Attn: Yvette Quiroga Community Development Division / Water and Natural  
Resources Division, Attn: Augustine Ramirez, Division Manager Department of Public  
Health, Environmental Health Division, Attn: Kevin Tsuda/Deep Sidhu Biola  
Community Services District, Attn: Elaine Cervantes Regional Water Quality Control  
Board, Central Valley Region, Attn: [centralvalleyfresno@waterboards.ca.gov](mailto:centralvalleyfresno@waterboards.ca.gov)  
Southern San Joaquin Valley Information Center; Attn: Celeste Thomson California  
Dept. of Transportation (Caltrans), Attn: Dave Padilla/Isla Nicholas U.S. Fish and  
Wildlife Service, San Joaquin Valley Division, Attn: Matthew Nelson CA Department of  
Fish and Wildlife, Attn: [R4CEQA@wildlife.ca.gov](mailto:R4CEQA@wildlife.ca.gov) State Water Resources Control  
Board, Division of Drinking Water, Attn: Caitlin Juarez, Jose Robeldo San Joaquin  
Valley Unified Air Pollution Control District (PIC-CEQA Division), Attn: PIC Supervisor  
Fresno County Fire Protection District, Attn: [FKU.Prevention-Planning@fire.ca.gov](mailto:FKU.Prevention-Planning@fire.ca.gov)  
Native American Heritage Commission

**List of Permits Obtained:**

The proposed Project will include, but not be limited to, the following regulatory requirements: \* The adoption of a Mitigated Negative Declaration by the Biola Community Services District \* California Department of Water Resources \* Regional Water Quality Control Board \* San Joaquin Valley Air Pollution Control District

**Public Outreach [24 CFR 58.43]:**

The combined FONSI and Notice of Intent to Request Release of Funds was published on September 1, 2023 in The Business Journal. The Notice and EA was also posted online on the County's website at [www.fresnocountyca.gov/grants](http://www.fresnocountyca.gov/grants)

**Cumulative Impact Analysis [24 CFR 58.32]:**

The completion of this project will not contribute any identifiable negative cumulative impacts when considered in conjunction with reasonably foreseeable future actions. The intent of the project is to reduce the cumulative impact of groundwater overdraft; refer to discussion in No Action Alternative.

**Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]**

The District evaluated two alternatives: Alternative 1 - No Project Alternative 2 - Proposed Groundwater Recharge Project The project will expand an existing storm water basin connected to the community of Biola's existing storm water collection system, and install a connecting pipeline to an existing irrigation canal. There was vacant land available on on the District's parcel where the existing basin is located. No

other locations were considered. Because there were no feasible alternatives, none have been environmentally evaluated.

**No Action Alternative [24 CFR 58.40(e)]**

This Alternative would result in no changes to the existing water recharge operations. Currently, the District operates a 2-acre recharge basin that would continue to function without the proposed project. The Biola CSD is located in the Kings sub-basin of the Tulare Lake basin, which has been designated as being subject to critical conditions of overdraft. The District pumped an average of 238 acre-feet per year from 2008 - 2015 to serve 1,600+ residents and businesses. Through the wastewater treatment plant, the District currently percolates about 80 acre-feet of water back to the aquifer. The storm drain system adds another 6 acre-feet per year in normal rainfall. This results in a net overdraft of approximately 152 acre feet per year. This would continue under the "No Project" alternative. The proposed project would recharge a minimum of 152 acre-feet of groundwater into the aquifer, making the District balanced between the amount pumped and the amount recharged.

**Summary of Findings and Conclusions:**

The project is intended to bring the District into compliance with the Sustainable Groundwater Management Act by increasing groundwater recharge capacity. The project will have either no impact, or less than significant impacts with mitigation, on the environment. The project will have a positive impact on groundwater supply, lessening the impacts of future drought years and providing increased storm water retention, to lessen some weather-related impacts to the community associated with climate change.

**Mitigation Measures and Conditions [CFR 1505.2(c)]:**

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Historic Preservation [National Historic Preservation	In the event that archaeological remains are encountered at any time during development or ground-moving activities within the entire Project area, all work	N/A	The Biola Community Services District, as the	

Act of 1966, particularly sections 106 & 110; 36 CFR Part 800]	in the vicinity of the find should be halted until a qualified archaeologist can assess the discovery and take appropriate actions as necessary.		subrecipient, will be responsible for ensuring that they, or their project engineer, include the mitigation measure in the construction plans & specifications. The County of Fresno will ensure this requirement has been met prior to authorizing advertising for construction bids. The District, or their project engineer, will be responsible for ensuring the contractor complies during the construction portion of the project.	
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**Project Mitigation Plan**

**Supporting documentation on completed measures**

## APPENDIX A: Related Federal Laws and Authorities

### Airport Hazards

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

✓ No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

### Screen Summary

#### Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements.

#### Supporting documentation

[Biola Airports.jpg](#)

Are formal compliance steps or mitigation required?

Yes

✓ No



### Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

**This project is located in a state that does not contain CBRA units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.**

#### Compliance Determination

This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

#### Supporting documentation

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

**1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?**

- ✓ No. This project does not require flood insurance or is excepted from flood insurance.

Based on the response, the review is in compliance with this section.

Yes

**4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?**

Yes

- ✓ No

## Screen Summary

### Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements.

### Supporting documentation

#### Are formal compliance steps or mitigation required?

Yes

- ✓ No



## Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

**1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?**

☒ Yes

☐ No

### Air Quality Attainment Status of Project's County or Air Quality Management District

**2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?**

No, project's county or air quality management district is in attainment status for all criteria pollutants.

☒ Yes, project's management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply):

Carbon Monoxide

Lead

Nitrogen dioxide

Sulfur dioxide

- ✓ Ozone
- ✓ Particulate Matter, <2.5 microns
- Particulate Matter, <10 microns

**3. What are the *de minimis* emissions levels (40 CFR 93.153) or screening levels for the non-attainment or maintenance level pollutants indicated above**

Ozone	0.08	ppb (parts per million)
Particulate Matter, <2.5 microns	12.00	µg/m3 (micrograms per cubic meter of air)

**Provide your source used to determine levels here:**

The San Joaquin Valley Air Basin (SJVAB) is managed by the San Joaquin Valley Air Pollution Control District and is designated nonattainment for Ozone and PM2.5. The screening levels above are the national nonattainment thresholds.

**4. Determine the estimated emissions levels of your project. Will your project exceed any of the *de minimis* or threshold emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?**

- ✓ No, the project will not exceed *de minimis* or threshold emissions levels or screening levels.

**Enter the estimate emission levels:**

Ozone	ppb (parts per million)
Particulate Matter, <2.5 microns	µg/m3 (micrograms per cubic meter of air)

Based on the response, the review is in compliance with this section.

Yes, the project exceeds *de minimis* emissions levels or screening levels.

**Screen Summary**

**Compliance Determination**

The project's county or air quality management district is in non-attainment status for the following: Ozone, Particulate Matter, <2.5 microns. This project does not exceed

de minimis emissions levels or the screening level established by the state or air quality management district for the pollutant(s) identified above. The project is in compliance with the Clean Air Act. Calculations and analysis are detailed in the attached Air Quality Analysis.

**Supporting documentation**

[Air Quality Analysis.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

**1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?**

Yes

✓ No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

### Screen Summary

#### **Compliance Determination**

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.

#### **Supporting documentation**

[CoastalZoneMemo.pdf](#)

#### **Are formal compliance steps or mitigation required?**

Yes

✓ No

## Contamination and Toxic Substances

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)

1. **How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.**

American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening

☒ None of the Above

2. **Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)**

☒ No

**Explain:**

The project is a groundwater recharge basin that will not have any occupants. No site contamination has been reported on the project site. NEPAassist identified two TRI sites within 3000 feet; both had not record of violation in the 12 quarter reporting period.

Based on the response, the review is in compliance with this section.

Yes

### Screen Summary

### Compliance Determination



Site contamination was evaluated as follows: None of the above. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. The project is in compliance with contamination and toxic substances requirements.

**Supporting documentation**

[TRI Facility Report-Actigrow.pdf](#)  
[TRI Facility Report Sealed Air.pdf](#)  
[NEPAssist Analysis Drilldown-TRI.pdf](#)  
[Biola NEPAssist Report.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service ("FWS" and "NMFS" or "the Services").	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i> ); particularly section 7 (16 USC 1536).	50 CFR Part 402

**1. Does the project involve any activities that have the potential to affect species or habitats?**

No, the project will have No Effect due to the nature of the activities involved in the project.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

- ✓ Yes, the activities involved in the project have the potential to affect species and/or habitats.

**2. Are federally listed species or designated critical habitats present in the action area?**

No, the project will have No Effect due to the absence of federally listed species and designated critical habitat

- ✓ Yes, there are federally listed species or designated critical habitats present in the action area.

**3. What effects, if any, will your project have on federally listed species or designated critical habitat?**

- ✓ No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat. in the action area.

Document and upload all documents used to make your determination below. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate

May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.

Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

**6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.**

Mitigation as follows will be implemented:

- ✓ No mitigation is necessary.

Explain why mitigation will not be made here:

The official species list for the Project site included eight species listed as threatened or endangered under the FESA (USFWS 2018b, Table 1, Appendix A, Biological Resource Evaluation). Those species include the threatened vernal pool fairy shrimp (*Branchinecta lynchi*), the threatened Delta smelt (*Hypomesus transpacificus*), the threatened California red-

**Screen**

legged frog (*Rana draytonii*), the threatened California tiger salamander (*Ambystoma californiense*), the endangered blunt-nosed leopard lizard (*Gambelia sila*), the threatened giant garter snake (*Thamnophis gigas*), the endangered Fresno kangaroo rat (*Dipodomys nitratoides exilis*), and the endangered San Joaquin kit fox (*Vulpes macrotis mutica*).

**Summary**

None of these species has the potential to occur on or within 50 feet of the Project site due to a lack of habitat or because the Project site is outside the current known range of the species (Table 1). As identified in the official species list (USFWS 2018b, Appendix A), the Project site does not occur in designated or proposed critical habitat.

**Compliance Determination**

A Biological Resource Evaluation was conducted by Colibri Ecological Consulting, LLC. No impacts to federally listed species or critical habitat were identified. This project has been determined to have No Effect on listed species. This project is in compliance with the Endangered Species Act without mitigation.

**Supporting documentation**

[CD21032\\_Biological Resource Evaluation.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

✓ No

Yes

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

✓ No

Based on the response, the review is in compliance with this section.

Yes

### Screen Summary

#### **Compliance Determination**

Based on the project description the project includes no activities that would require further evaluation under this section. The project is in compliance with explosive and flammable hazard requirements.

#### **Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

✓ No

**Farmlands Protection**

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	<a href="#">7 CFR Part 658</a>

**1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?**

Yes

✓ No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

Although the property for the project is classified as prime farmland, it is not currently farmed, and a portion of the parcel is already developed as a stormwater retention basin. The State of California has determined that groundwater recharge basins are a compatible use with agriculture in that they are allowed on lands under Williamson Act Contract. Additionally, the proposed Project would provide a beneficial use to the surrounding agricultural practices by ensuring a more reliable water supply for groundwater pumping.

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

**Screen Summary****Compliance Determination**

State of California has determined that groundwater recharge basins are a compatible use with agriculture in that they are allowed on lands under California Land Conservation Act (Williamson) Act. Additionally, the proposed Project would provide a beneficial use to the surrounding agricultural practices by ensuring a more reliable water supply for groundwater pumping. Therefore, this project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

✓ No

**Floodplain Management**

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55

**1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]**

- 55.12(c)(3)
- 55.12(c)(4)
- 55.12(c)(5)
- 55.12(c)(6)
- 55.12(c)(7)
- 55.12(c)(8)
- 55.12(c)(9)
- 55.12(c)(10)
- 55.12(c)(11)

☒ None of the above

**2. Upload a FEMA/FIRM map showing the site here:**

[Biola CD21032\\_FIRMETTE.pdf](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use **the best available information** to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

**Does your project occur in a floodplain?**

☒ No

Based on the response, the review is in compliance with this section.

Yes



**Screen Summary**

**Compliance Determination**

This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.

**Supporting documentation**

[Biola CD21032\\_FIRMETTE\(1\).pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" <a href="https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf">https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf</a>

### Threshold

#### Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA ). (See the PA Database to find applicable PAs.)

No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

- ✓ Yes, because the project includes activities with potential to cause effects (direct or indirect).

### Step 1 – Initiate Consultation

#### Select all consulting parties below (check all that apply):

- ✓ State Historic Preservation Offer (SHPO) Completed

- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

- ✓ Big Sandy Rancheria of Western Mono Indians Completed

- |   |                         |
|---|-------------------------|
| ✓ Cold Springs Rancheria of Mono Indians  | Response Period Elapsed |
| ✓ Dunlap Band of Mono Indians             | Response Period Elapsed |
| ✓ Dunma Wo-Wah Tribal Government          | Response Period Elapsed |
| ✓ Kings River Choinumni Farm Tribe        | Response Period Elapsed |
| ✓ North Fork Mono Tribe                   | Completed               |
| ✓ Santa Rosa Rancheria Tachi Yokut Tribe  | Response Period Elapsed |
| ✓ Table Mountain Rancheria                | Response Period Elapsed |
| ✓ Traditional Choinumni Tribe             | Response Period Elapsed |
| ✓ Wuksache Indian Tribe/Eshom Valley Band | Response Period Elapsed |
- ✓ Other Consulting Parties

- |                                       |           |
|---------------------------------------|-----------|
| ✓ Native American Heritage Commission | Completed |
|---------------------------------------|-----------|

**Describe the process of selecting consulting parties and initiating consultation here:**

Tribes identified by NAHC were consulted.

Document and upload all correspondence, notices and notes (including comments and objections received below).

**Was the Section 106 Lender Delegation Memo used for Section 106 consultation?**

Yes  
No

***Step 2 – Identify and Evaluate Historic Properties***

1. Define the Area of Potential Effect (APE), either by entering the address(es) or

**uploading a map depicting the APE below:**

The APE identified in the cultural resources study included work proposed work (canal connection and pipeline) that was completed with non-Federal funds as a separate project. The full APE will include surface water delivery from the Fresno Irrigation District's Herndon Canal, at the north end of the Project area, through a new pipeline connected to an existing recharge basin. The City of Biola is approximately 13.6 miles northwest of Fresno. Specifically, the Project is 1.1 mile south of the San Joaquin River in Township 13 South, Range 18 East, Section 17, as shown on the U.S. Geological Survey (USGS) Biola quadrangle. The new pipe will run south from the Herndon Canal along N. Third Ave and connect into an existing pipeline that flows into an existing basin proposed for expansion at the south end of town.

**In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.**

Upload the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination below.

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
Herndon Canal (P-10-005573)	Not Eligible	Yes	✓ Not Sensitive

**Additional Notes:**

Applied Earthworks evaluated the Herndon Canal segment within the evaluated APE and found it to be historically significant for its association with the development of the county's agribusiness and colonization, and with E. B. Perrin, who is responsible for building the canal that led to the expansion of settlement at the turn of the twentieth century. However, due to the lack of historical integrity, this segment of the Herndon Canal is not eligible for inclusion.

**2. Was a survey of historic buildings and/or archeological sites done as part of the project?**

✓ Yes

Document and upload surveys and report(s) below.

For Archeological surveys, refer to HP Fact Sheet #6, Guidance on Archeological Investigations in HUD Projects.

Additional Notes:

Applied Earthworks conducted a search of records and pedestrian survey of the project site, and did not identify any previously unrecorded archaeological resources or historic-era built environment resources.

No

***Step 3 –Assess Effects of the Project on Historic Properties***

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. (36 CFR 800.5)] Consider direct and indirect effects as applicable as per guidance on direct and indirect effects.

**Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.**

✓ No Historic Properties Affected

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

**Document reason for finding:**

✓ No historic properties present.

Historic properties present, but project will have no effect upon them.

No Adverse Effect

Adverse Effect

**Screen Summary**

**Compliance Determination**

The project was routed through California State Clearinghouse, #2019049087  
Because unidentified cultural resources could be uncovered during proposed Project construction which could result in a potentially significant impact, mitigation has been incorporated. In the event that archaeological remains are encountered at any time

during development or ground-moving activities within the entire Project area, all work in the vicinity of the find should be halted until a qualified archaeologist can assess the discovery and take appropriate actions as necessary. Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.

**Supporting documentation**

[CD21032\\_Cultural Resources and Tribal\\_CEQA.pdf](#)  
[Biola CD21032\\_Cultural Resources Inventory.pdf](#)

**Are formal compliance steps or mitigation required?**

✓ Yes

No

## Noise Abatement and Control

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972  General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B

**1. What activities does your project involve? Check all that apply:**

New construction for residential use

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

✓ None of the above

### Screen Summary

#### **Compliance Determination**

Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.

#### **Supporting documentation**

#### **Are formal compliance steps or mitigation required?**

Yes

21032-Biola-Groundwater-  
Recharge

Biola, CA

900000010345886

✓ No



### Sole Source Aquifers

General requirements	Legislation	Regulation
<b>The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.</b>	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149

1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes

✓ No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

No

✓ Yes

3. Does your region have a memorandum of understanding (MOU) or other working agreement with Environmental Protection Agency (EPA) for HUD projects impacting a sole source aquifer?

✓ Yes

Document and upload MOU or Agreement below.

No

**4. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen**

☒ Yes

Document and upload where your project fits within the MOU or working agreement below. Based on the response, the review is in compliance with this section.

No

#### **Screen Summary**

##### **Compliance Determination**

The project is located on a sole source aquifer. The region has an MOU or other working agreement with EPA for HUD projects impacting a sole source aquifer, and the MOU or working agreement excludes the project from further review. The project is in compliance with Sole Source Aquifer requirements.

##### **Supporting documentation**

[HUD SSA MOU.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

☒ No

## Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

**1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order**

No

✓ Yes

**2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.**

**"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."**

✓ No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

## Screen Summary

**Compliance Determination**

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. No wetlands were identified on the project site. The only nearby wetland identified is the man-made Biola Wastewater Treatment Facility (classification PUBFx) located approximately 1/8 mile to the west, with developed commercial property in between.

**Supporting documentation**

[Biola Wetlands.jpg](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

### 1. Is your project within proximity of a NWSRS river?

✓ No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

### Screen Summary

#### Compliance Determination

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.

#### Supporting documentation

[Fresno County Nationwide Rivers Inventory.pdf](#)

#### Are formal compliance steps or mitigation required?

Yes

✓ No

## Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?

Yes

✓ No

Based on the response, the review is in compliance with this section.

### Screen Summary

#### Compliance Determination

No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

#### Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No