

**Clovis Unified School District
 Response to Comments Received
 NEW DISTRICT FACILITIES PROJECT
 Initial Study/Mitigated Negative Declaration
 (State Clearinghouse No. 2022110544)**

August 4, 2023

This document presents the Clovis Unified School District’s response to the comments received on the New District Facilities Project Initial Study and Mitigated Negative Declaration. The 30-day public review period ran from June 30, 2023, through July 31, 2023. The District received three comment letters within the public review period (see table below). Each comment letter is presented in this document followed by the response of the District.

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Comment Letter 1

From: [Chris Lundeen](#)
To: [Scott Odell](#); dave.padilla@dot.ca.gov; davidh@ci.clovis.ca.us; [David Merchen](#); developmentreview@fresnofoodcontrol.org; genea@ci.clovis.ca.us; Jesus@cityofclovis.com; KTsuda@co.fresno.ca.us; lilyc@ci.clovis.ca.us; mikeh@ci.clovis.ca.us; ReneeM@cityofclovis.com; rickf@ci.clovis.ca.us; R3Hd@pge.com; SeanS@ci.clovis.ca.us; CEQA@valleyair.org; TiffanyL@cityofclovis.com; R4CEQA@wildlife.ca.gov
Subject: RE: Clovis Unified New District Facilities Project (SE Fowler & Herndon)
Date: Wednesday, July 12, 2023 9:45:03 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.png](#)
[image004.png](#)
[DRC2022-028 FID Comments.pdf](#)
[RE CEQA Request for Preliminary Comment - CUSD New District Facilities Project.msg](#)

Good morning Scott,

FID previously reviewed and commented on the subject property on July 7, 2022, as Development Review Committee Application No. 2022-028. Those comments and conditions still apply, and a copy has been attached for your reference. We also provided the same comments in response to the CEQA request, email attached for reference.

Thank you,

Christopher G. Lundeen
Engineering Technician III
[Fresno Irrigation District](#)
2907 S. Maple Avenue
Fresno, CA 93725
Phone: (559) 233-7161 x7410
Fax: (559) 233-8227
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From: Scott Odell <scott@odellplanning.com>
Sent: Friday, June 30, 2023 9:50 AM
To: dave.padilla@dot.ca.gov; davidh@ci.clovis.ca.us; David Merchen <davidm@ci.clovis.ca.us>; Engineering Review <Engr-Review@fresnoirrigation.com>;

developmentreview@fresnofloodcontrol.org; genea@ci.clovis.ca.us; Jesus@cityofclovis.com;
KTsuda@co.fresno.ca.us; lilyc@ci.clovis.ca.us; mikeh@ci.clovis.ca.us; ReneeM@cityofclovis.com;
rickf@ci.clovis.ca.us; R3Hd@pge.com; SeanS@ci.clovis.ca.us; CEQA@valleyair.org;
TiffanyL@cityofclovis.com; R4CEQA@wildlife.ca.gov

Subject: Clovis Unified New District Facilities Project

Good Morning,

On behalf of the Clovis Unified School District, this is to inform you that the Initial Study and Mitigated Negative Declaration for the New District Facilities Project are available for review and comment (see attached notice). The 30-day public review period begins today and ends on Monday, July 31, 2023.

The documents are available on the District website <https://www.cusd.com/EnvironmentalReports.aspx> under Fowler/Herndon and on the State Clearinghouse website <https://ceqanet.opr.ca.gov/2022110544/2>. Please let me know if you have any issues accessing the documents.

Thank you,

Scott B. Odell, AICP

Principal Planner/President

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CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

July 7, 2022

Lily Cha
Planning and Development Services Department
City of Clovis
1033 Fifth Street
Clovis, CA 93612

RE: Development Review Committee Application No. 2022-028
S/E Herndon and Fowler avenues
FID's Clovis No. 115 and Clovis – S. Br. No. 115

Dear Ms. Cha:

The Fresno Irrigation District (FID) has reviewed the Development Review Committee Application No. 2022-028 for which CUSD is planning the construction of two buildings with on-site improvements, APNs: 491-050-74ST, 550-020-45T, 47T. FID has the following comments:

Summary of Requirements:

- FID Board Approval.
- Review and Approval of all Plans.
- Replace 30" CIP-MCP with 30" ASTM C-361 B25 RGRCP (with MacWrap).
- Replace 20" RCP-M with 24" ASTM C-361 B25 RGRCP (with MacWrap).
- Execute Pipeline Substitution with Easement Agreement(s).
- Execute additional Agreement(s), if necessary.
- Project Fees.
- No Encroachments (i.e. trees, monuments, fences, PUE, etc.).

Area of Concern – Clovis No. 115

1. FID's active Clovis No. 115 runs westerly along the south side of Herndon Avenue and traverses the north side of the subject property in a 17-foot wide exclusive easement per Doc. No. 83102166 O.R.F.C, as shown on the attached FID exhibit map, and will be impacted by the future development.
2. No as-builts plans exist for this section of the Clovis No. 115 however, FID believes it was constructed in 1983 (39 years old) as 30-inch inside diameter Cast-in-Place Monolithic Concrete Pipe (CIP-MCP). CIP-MCP is non reinforced

1

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BOARD OF DIRECTORS

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GEORGE PORTER GREGORY BEBERIAN General Manager BILL STRETCH

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monolithic pipe that is easily damaged, extremely prone to leakage and does not meet FID's minimum standards for developed (residential, industrial, commercial) parcels or urban areas must be replaced.

3. FID requires CUSD confirm the pipelines construction. If in fact it is constructed as CIP-MCP, FID requires the CUSD replace the existing pipeline with new 30-inch diameter ASTM C-361 B25 Rubber Gasket Reinforced Concrete Pipe (RGRCP) with MacWrap and in accordance with FID standards and that the CUSD enter into an agreement with FID for that purpose. FID's minimum easement requirement for 30-inch pipe is 30 feet. CUSD will be required to grant FID the necessary exclusive easement width of 13 feet to make up for the difference.

Area of Concern – Clovis - S. Br. No. 115

1. FID's active Clovis – S. Br. No. 115 runs southerly, traverses the subject property in a 15-foot wide exclusive easement per Doc. No. 6025, Book 6392, Page 513 O.R.F.C., cross Fowler Avenue, continues southerly along the west side of Fowler Avenue and crosses Tollhouse Avenue approximately 860 feet south of the subject property, as shown on the attached FID exhibit map and will be impacted by the future development.
2. FID records indicate this section of the Clovis – S. Br. No. 115 was installed on 1975 (47 years old) as 20-inch inside diameter Reinforced Mortar Concrete Pipe (RCP-M). RCP-M does not meet FID's minimum standards for developed (residential, industrial, commercial) parcels or urban areas and must be replaced.
3. FID requires CUSD replace the existing pipeline with new 24-inch diameter ASTM C-361 B25 Rubber Gasket Reinforced Concrete Pipe (RGRCP) with MacWrap and in accordance with FID standards and that the CUSD enter into an agreement with FID for that purpose. FID's minimum easement requirement for 24-inch pipe is 20ft. CUSD will be required to grant FID the necessary exclusive easement width of 5 feet to make up for the difference.

General Comments

1. FID requires the CUSD and/or the CUSD's engineer meet with FID at their earliest convenience to discuss specific requirements, e.g. easement width and alignment, right-of-way width and alignment, pipeline alignment, depth and size, fees, etc.
2. In recent years, the most significant issue with pipelines has been caused by tree root intrusion into pipe joints. The roots enter through the rubber gasketed joint, thus creating a non-water tight joint causing leaks. If the roots continue to grow, the roots will eventually clog the pipe and reduce the flow capacity of the pipeline. This problem causes disruption to FID's customers and increases the risk of flooding in upstream open channel sections. Subsequent pipeline repairs

can be very disruptive to public infrastructure, as well as to FID's operations. The leaking pipelines and pipeline repairs also increase the liability of all parties involved. FID may require external wrap be installed at all pipeline joints within the subject property or any areas where root intrusion may be a future concern based on the proposed improvement at the time of review. This method involves using mastic material that can be externally applied to pipe joints to provide a permanent seal against root intrusion. The product that has been approved is known as MacWrap from Mar Mac. FID is open to other products, but they would need to be reviewed and approved by FID.

3. The installation of tracer wire, per FID standards and requirements, will be required.
4. FID requires its review and approval of all improvement plans which affect its property/easements and canal/pipeline facilities including but not limited to Sewer, Water, Fresno Metropolitan Flood Control District (FMFCD), Street, Landscaping, Dry Utilities, and all other utilities.
5. FID requires the CUSD to submit for FID's approval a grading and drainage plan which shows that the proposed development will not endanger the structural integrity of the pipeline(s), or result in drainage patterns that could adversely affect FID.
6. All existing trees, bushes, debris, old canal structures, pumps, canal gates, and other non- or in-active FID and private structures must be removed within FID's property/easement and the development project limits.
7. No large earthmoving equipment (paddle wheel scrapers, graders, excavators, etc.) will be allowed within FID's easement and the grading contractor will be responsible for the repair of all damage to the pipeline(s) caused by contractors grading activities.
8. FID requires its easements be shown on all maps/plans with proper recording information, and that FID be made a party to signing all final maps/plans.
9. Footings of retaining walls shall not encroach onto FID property/easement areas.
10. Trees will not be permitted within FID's property/easement areas.
11. FID is concerned about the potential vibrations caused by construction efforts near existing District facilities as it may cause damage to FID's canals, pipelines and culverts. The developer and contractor(s) must keep all large equipment, construction material, and soil stockpile outside of FID's easement and a minimum of 30 feet away from existing cast-in-place concrete pipe. CUSD

and/or its contractor(s) will be responsible for all damages caused by construction activities.

12. As with Agency projects, there will be considerable time and effort required of FID's staff to plan, coordinate, engineer, review plans, prepare agreements, and inspect the project. FID's cost for associated plan review will vary and will be determined at the time of the plan review.

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

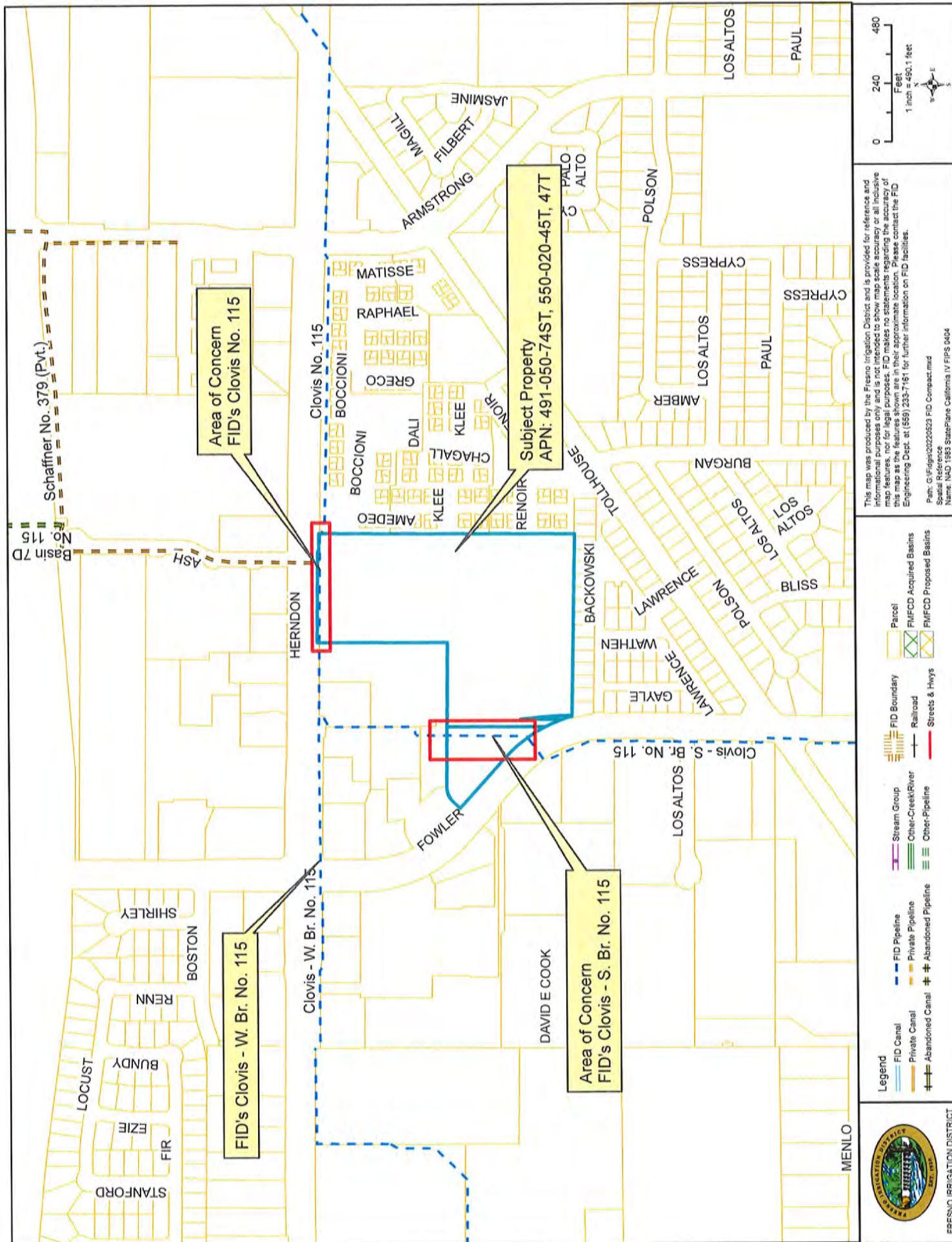
Thank you for submitting the proposed project for our review. We appreciate the opportunity to review and comment on the subject documents for this project. If you have any questions, please feel free to contact Chris Lundeen at (559) 233-7161 extension 7410 or clundeen@fresnoirrigation.com.

Sincerely,



Laurence Kimura, P.E.
Chief Engineer

Attachment



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

Path: G:\Figs\20220523 FID Compact.mxd
 Spatial Reference
 Name: NAD 1983 StatePlane California IV FIPS 9404

Response to Comment Letter No. 1, dated July 12, 2023, from Fresno Irrigation District, Christopher G. Lundeen, Engineering Technician III

The July 7, 2022, Fresno Irrigation District (FID) letter referenced in the comment and appearing previously on pages 2 through 9 of this Response to Comments document was incorporated as Appendix 2 to the Initial Study. Table 2 on page 11 of the Initial Study states that Clovis Unified School District must comply with FID requirements as shown in Initial Study Appendix 2. Thus, FID's requirements for this project have been incorporated into the document.



Comment Letter 2

State of California – Natural Resources Agency

DEPARTMENT OF FISH AND WILDLIFE

Central Region

1234 East Shaw Avenue

Fresno, California 93710

(559) 243-4005

www.wildlife.ca.gov

GAVIN NEWSOM, Governor

CHARLTON H. BONHAM, Director



July 20, 2023

Denver Stairs, Assistant Superintendent, Facilities Services

Clovis Unified School District

1450 Herndon Avenue

Clovis, California 93611

(559) 327-9260

denverstairs@cusd.com

Subject: New District Facilities Project-Clovis Unified School District Project (Project)

Mitigated Negative Declaration (MND)

State Clearing House (SCH) Number: 2022110544

Dear Denver Stairs:

The California Department of Fish and Wildlife (CDFW) received a Mitigated Negative Declaration (MND) from the Clovis Unified School District (CUSD) for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Denver Stairs, Assistant Superintendent
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sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

In this role, CDFW is responsible for providing, as available, biological expertise during public agency environmental review efforts (e.g., CEQA), focusing specifically on Project activities that have the potential to adversely affect fish and wildlife resources. CDFW provides recommendations to identify potential impacts and possible measures to avoid or reduce those impacts.

PROJECT DESCRIPTION SUMMARY

Proponent: Clovis Unified School District

Objective: This will be a phased Project. Phase 1 of the Project proposes to construct and operate a new Special Education Administration building, an Online School building and associated improvements on 16.61 acres. The Special Education facility will include a reception/lobby area, administration offices, operations, and school services, meeting, and conference rooms, and break rooms; and will house the Clovis Infant Toddler Intervention (CITI) Kids program. This building will total about 24,167 square feet. The Online School facility will include administration offices, reception/lobby, classrooms, flex rooms, teacher offices, a computer lab, and Science, Technology, Engineering and Math (STEM) labs, and will total about 27,399 square feet. A future phase would consist of the construction and operation of District administrative offices in several buildings totaling about 90,000 square feet.

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Location: The Project would be located southeast of the intersection of North Fowler and East Herndon Avenues in the City of Clovis, Fresno County, within Assessor's Parcel Numbers (APNs): 491-050-74ST, 550-020-45T, and 550-020-47T. Per Project information, the proposed Project site is highly urbanized and includes noise, traffic, ornamental trees, and shrubs along the eastern and southern boundaries within adjacent residences. The site is bordered by commercial shopping, residential development, and busy streets. The Project site is not within the boundaries of a habitat conservation plan, a natural community conservation plan, or other approved local, regional, or State habitat conservation plan. Per CNDDDB aerial imagery, the proposed Project site contains ruderal vegetation, small mammal burrows, and has been graded previously.

Timeframe: Construction of Phase 1 will begin in Fall 2023 and is anticipated to be completed and operational by Fall 2024. The timing for the future phase construction is uncertain at this time.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist CUSD in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

There are special-status resources that may utilize the Project site and/or surrounding area, and these resources need to be evaluated and addressed prior to any approvals that would allow ground-disturbing activities. CDFW is concerned regarding potential impacts to special-status species including, but not limited to, the State candidate-listed endangered (SCE) Crotch bumblebee (*Bombus crotchii*).

Crotch Bumble Bee (*Bombus crotchii*)

The Crotch bumble bee (CBB) was not addressed in the CEQA document and has the potential to occur within the Project site per aerial imagery showing disturbed grassland habitat within Project limits (CDFW 2023a). CBB was once common throughout most of central and southern California. However, it now appears to be absent from most of their range, especially in the central portion of its historic range within California's Central Valley (Hatfield et al. 2014). Analyses by the Xerces Society et al. (2018) suggest there have been sharp declines in relative abundance by 98% and persistence by 80% over the last ten years.

Nesting resources quantified can include bare ground, rodent burrows, and other potential nesting sites that may support bumble bee colonies (Williams et al. 2014).

Comment 1

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Comment 1 (Continued) Additional suitable CBB habitat includes areas of grasslands and upland scrub. CBB primarily nest in late February through late October underground in abandoned small mammal burrows but may also nest under perennial bunch grasses or thatched annual grasses, under brush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014; Hatfield et al. 2015). Overwintering sites utilized by CBB mated queens include soft, disturbed soil (Goulson 2010), or under leaf litter or other debris (Williams et al. 2014). Therefore, ground disturbance and vegetation removal associated with project activities have the potential to significantly impact local CBB populations.

Comment 2 CDFW recommends that a habitat assessment be conducted for suitable CBB habitat prior to construction. If suitable habitat for CBB is present, CDFW recommends surveys be conducted following the survey methods outlined in the Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species (CDFW 2023b). Survey efforts should include multiple on-site surveys and should be developed to detect foraging bumble bees and potential nesting sites (nesting surveys). Survey timing should be determined on a project-by-project basis based on seasonality and when activity or foraging will most likely occur each year.

Survey efforts and results should be submitted to CDFW prior to initiation of ground disturbance. If ground-disturbing activities will occur during the overwintering period (October through February), consultation with CDFW is warranted to discuss how to implement project activities and avoid take. Any detection of CBB prior to or during project implementation warrants consultation with CDFW to discuss how to avoid take. If take cannot be avoided, take authorization through the acquisition of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

Project proponents may choose to assume presence and rely on habitat as an indicator of presence in lieu of, or in addition to, surveys. CBB move nests sites each year; therefore, surveys should be conducted each year that project activities will occur. Even if surveys from a particular project site failed to detect CBB one year, project proponents should perform a full round of surveys each year that project activities will occur or assume presence (CDFW 2023b).

EDITORIAL COMMENTS AND/OR SUGGESTIONS

Comment 3 **Nesting birds:** CDFW encourages that Project implementation occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February 1 through September 15), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.

Denver Stairs, Assistant Superintendent
 Clovis Unified School District
 July 20, 2023
 Page 5

Comment 3
 (Continued)

To evaluate Project-related impacts on nesting birds, CDFW recommends that a qualified biologist conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the work site to identify nests and determine their status. A sufficient area means any area potentially affected by a project. In addition to direct impacts (i.e., nest destruction), noise, vibration, odors, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends a qualified biologist continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, CDFW recommends the work causing that change cease and CDFW be consulted for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

If it is determined that the Project has the potential to impact biological resources, an assessment of filing fees will be necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project

Denver Stairs, Assistant Superintendent
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approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

CDFW appreciates the opportunity to comment on the Project to assist CUSD in identifying and mitigating the Project's impacts on biological resources.

More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). If you have any questions, please contact Kelley Nelson, Environmental Scientist, at the address provided on this letterhead, or by electronic mail at Kelley.Nelson@wildlife.ca.gov.

Sincerely,

DocuSigned by:

37BF80A1646F41C...

Gerald Hatler for Julie A. Vance
Regional Manager

ec: Krista Tomlinson – Environmental Program Manager
Larry Bonner – Senior Environmental Scientist
California Department of Fish and Wildlife

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LITERATURE CITED

- California Department of Fish and Wildlife (CDFW). 2023a. Biogeographic Information and Observation System (BIOS). Accessed July 11, 2023.
<https://www.wildlife.ca.gov/Data/BIOS>.
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- Goulson, D. 2010. Bumblebees: behaviour, ecology, and conservation. Oxford University Press, New York. 317pp.
- Hatfield, R., Colla, S., Jepsen, S., Richardson, L., Thorp, R., and S. Foltz Jordan. 2014. Draft IUCN Assessments for North American *Bombus* spp. for the North American IUCN Bumble Bee Specialist Group. The Xerces Society for Invertebrate Conservation, www.xerces.org, Portland, OR.
- Hatfield, R., Jepsen, S., Thorp, R., Richardson, L., and S. Colla. 2015. *Bombus crotchii*. The IUCN Red List of Threatened Species.
- Williams, P., Thorp, R., Richardson, L., and S. Colla. 2014. Bumble bees of North America: An Identification guide. Princeton University Press, Princeton, New Jersey. 208pp.
- Xerces Society for Invertebrate Conservation, Defenders of Wildlife, and Center for Food Safety. 2018. A petition to the state of California fish and game commission to list the Crotch bumble bee (*Bombus crotchii*), Franklin's bumble bee (*Bombus franklini*), Suckley cuckoo bumble bee (*Bombus suckleyi*), and western bumble bee (*Bombus occidentalis occidentalis*) as Endangered under the California Endangered Species Act. October 2018.

Attachment 1

**MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
FOR CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
RECOMMENDED MITIGATION MEASURES**

**PROJECT: New District Facilities-Clovis Unified School District
SCH No.: 2022110544**

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
Mitigation Measure 1: CBB Habitat Assessment	
Mitigation Measure 2: CBB Surveys	
<i>During Construction</i>	
Mitigation Measure 3: CBB Avoidance	

Response to Comment Letter No. 2, dated July 20, 2023, from California Department of Fish and Wildlife, Central Region, Gerald Hatler for Julie A. Vance, Regional Manager

Response to Comment 1.

Table 4-2, in the Biological Resource Evaluation (BRE), Appendix B of the Initial Study, identified the Crotch bumble bee as a special status wildlife species, S1 (State Critically Imperiled) and S2 (State Imperiled) with the potential to occur within the project area. However, the first paragraph of Section 4.2 Special Status Species inadvertently omitted an analysis of the likely presence of the Crotch Bumble Bee (CBB). The last sentence of this paragraph is amended as follows: "There are no grasslands or native shrub habitats that would support **Crotch bumble bee (*Bombus crotchii*)**, California glossy snake (*Arizona elegans occidentalis*), northern California legless lizard (*Anniella pulchra*), coast horned lizard (*Phrynosoma blainvillii*), and blunt-nosed leopard lizard (*Gambelia sila*).

The BRE is based on a biological survey of the proposed project site that was conducted on September 13, 2022, to determine the locations and extent of natural vegetation communities, and the potential for occurrences of special-status plant and wildlife species. A map illustrating California Natural Diversity Database (CNDDDB) historical presence of the CBB is provided in after the text of this response. The nearest recorded species occurrence, dated April 19, 1899, is about five or more miles southwest of the project site.

The project site has been previously disturbed by historical agriculture activities and adjacent commercial and residential development. The lack of habitat, ongoing site disturbance (plowing for weed control) is the rational for the determination of a less than significant impact.

Section 4 of the Initial Study, page 28, is also amended as follows: "And due to the highly disturbed habitat of the project site, the northern California legless lizard, blunt-nosed leopard lizard, **Crotch Bumble Bee**, and giant garter snake and the lack of local presence make the presence of these species unlikely.

Response to Comment 2.

A recent site visit was conducted on July 21, 2023, by David Young, Odell Planning & Research Senior Project Manager. The following plant species were observed: Bermuda grass (*Cynodon dactylon*), goathead (*Tribulus terrestris*), Parry false tarplant (*Centromadia parryi*), Russian thistle (*Salsola kali*), golden star thistle (*Centaurea solstitialis*), American bird's-foot trefoil (*Acmispon americanus*), prickly lettuce (*Latuca serriola*), Stiff tumbleweed (*Amaranthus albus*), Broncho grass (*Bromus diandrus*), Asthama weed (*Conyza bonariensis*), horseweed (*Erigeron canadensis*), Spotted sandmat (*Euphorbia maculata*), and telegraph weed (*Heterotheca grandiflora*).

The site is characterized as highly disturbed with scattered stands of ruderal or invasive plant species. The ground has been plowed between September 13, 2022, and July 21, 2023. Crotch's bumblebee inhabits grassland and scrub areas. Its food plants include milkweed, dustymaidens, lupines, medics, phacelias, and sage (Hatfield, R. et al 2015). These species were not observed on the proposed project site. The dominant vegetation on the site is Bermuda grass as seen in the photographs.

Photographs comparing the project site during the two site visits are provided on the following page.



Photograph 1, View Facing East, September 13, 2022



Photograph 2, Same View Facing East, July 21, 2023



Photograph 3, View Facing North, September 13, 2022



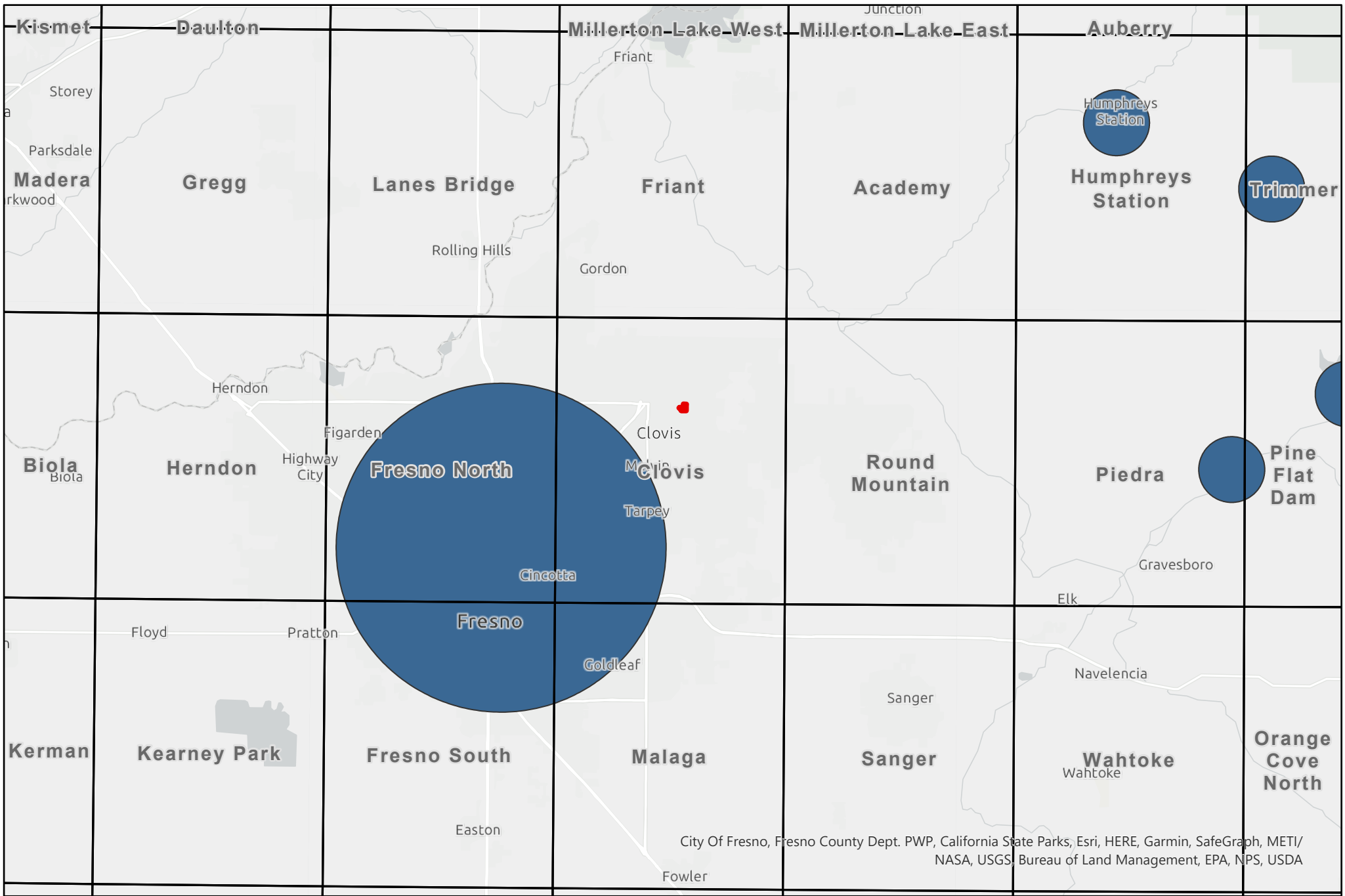
Photograph 4, View Facing North, July 21, 2023

Response to Comment 3.

The project site is vacant and devoid of any trees or shrubs. There are some ornamental trees and shrubs on nearby residential lots, but these are urbanized areas with substantial activity, including vehicles, backyard pools/recreational activity, noisy landscape maintenance equipment, and pets. Therefore, the potential for the project site and adjacent areas to have appreciable nesting activity was considered low. Nevertheless, it is noted that the first phase of construction will start in October, outside of the bird nesting season. The timing for the second phase is unknown at this time but the establishment of the substantial buildings and parking areas of the first phase and its associated operational activities would deter bird nesting activity.

Literature Cited.

Hatfield, R.; S. Jepsen, R. Thorp, L. Richardson, and S. Colla. 2015. *Crotch's Bumblebee, International Union for Conservation of Nature Red List of Threatened Species 2015.*

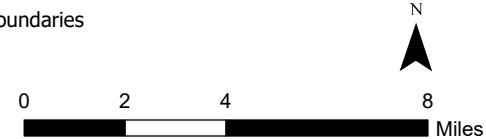


Bombus crotchii

Clovis Unified District Facilities Project
 Clovis Unified School District

ODELL Planning & Research, Inc.
 Environmental Planning • School Facility Planning • Demographics

- Project Site
- USGS 24k Topo Map Boundaries
- Bombus crotchii*



California Department of Transportation

DISTRICT 6 OFFICE
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July 27, 2023

FRE-168-R8.169
Mitigated Negative Declaration (MND)
New District Facilities Project
SCH# 2022110544

<https://ld-igr-gts.dot.ca.gov/district/6/report/26860>

SENT VIA EMAIL

Denver Stairs, Assistant Superintendent
Facility Services
Clovis Unified School District
1450 Herndon Avenue
Clovis, CA 93611

Dear Mx. Stairs:

Thank you for the opportunity to review the Initial Study and Mitigated Negative Declaration for the New District Facilities Project which proposes to construct 2 administrative and school buildings for the first phase with a future phase adding three administrative offices. The project is located on the southeast quadrant of Herndon Avenue and Fowler Avenue in the City of Clovis, approximately 0.42 miles south of the State Route (SR) 168 and Fowler Avenue interchange and 1.2 miles east of the SR 168 and Herndon Avenue interchange.

This project was previously reviewed as the City of Clovis' Development Review Committee (DRC) application 2022-028, a Scope of Work (SOW) for a Traffic Impact Analysis (TIA) Report, and the Draft TIA with this office having no major comments on the application and previous documents.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. It is recommended that the project contribute to all applicable Impact Fee programs, such as the City's Development Fee and the Regional Transportation Mitigation Fee (RTMF) program to ensure that the developments contribute to its fair share toward future improvement needs.

2. Alternative transportation policies should be applied to the development. An assessment of multimodal facilities should be conducted to develop an integrated multimodal transportation system to serve and help alleviate traffic congestion resulting from the project and related development in the area of the City. The assessment should include the following:
 - a. Pedestrian walkways should not only be limited to the project's internal connectivity but be connected to existing walkways and transit facilities outside the project area.
 - b. The project should consider coordinating connections to local and regional bicycle pathways to encourage the use of bicycles for commuter and recreational purposes.
 - c. Non-motorized facilities, such as bike racks, showers, and water fountains, should also be considered for the project site to help encourage multi-modal transportation.
 - d. If transit is not available within 1/4-mile of the project area, transit should be extended to provide services to high-activity centers of the project.
3. As part of the statewide effort to reduce greenhouse gas emissions, Caltrans recommends the project proponents consider the installation of public Level 2 Electric Vehicle (EV) and DC Fast Charging EV charging stations.
4. Active Transportation Plans and Smart Growth efforts support the state's 2050 Climate goals. Caltrans supports reducing VMT and GHG emissions in ways that increase the likelihood that people will use and benefit from a multimodal transportation network

If you have any other questions, please call or email Christopher Xiong at (559) 908-7064 or Christopher.Xiong@dot.ca.gov.

Sincerely,



DAVID PADILLA, Branch Chief
Transportation Planning – North

C: State Clearinghouse

Response to Comment Letter No. 3, dated July 27, 2023, from California Department of Transportation, District 6 Office, David Padilla, Branch Chief, Transportation Planning North

Response to Comment 1

The project would be subject to any traffic impact fee programs applicable to other similar development projects in the City.

Response to Comment 2

No significant impacts resulted from the project Traffic Impact and VMT Analyses, but the District will endeavor to enhance alternative transportation opportunities for the project.

Response to Comment 3

Potential greenhouse gas emissions resulting from the project were found to be less than significant with the incorporation of Mitigation Measure GHG-1:

Mitigation Measure GHG-1: In addition to the implementation of Mitigation Measure AQ-1, the following additional measures shall be implemented to ensure the project includes BMPs:

- a. Building mechanical equipment and appliances shall be electrically powered. The installation of natural-gas service/infrastructure shall be prohibited.
- b. Meet current CALGreen Tier 2 standards for electric vehicle (EV) parking spaces, except that all EV parking spaces required by the code shall be “EV-capable” instead of “EV-ready”.

Response to Comment 4

Caltrans’ support of reducing VMT and GHG emissions in ways that increase the likelihood that people will use and benefit from a multimodal transportation network is noted. The District also supports reducing VMT and GHG emissions.