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**FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCO)**  
**EXECUTIVE OFFICER'S REPORT**

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CONSENT AGENDA ITEM No. 5B

**DATE:** October 14, 2015

**TO:** Fresno Local Agency Formation Commission

**FROM:** David E. Fey, AICP, LAFCo Executive Officer 

**SUBJECT:** **Consider Approval: City of Parlier "Reorganization 15-01 (Avila-South)."** A reorganization submitted by the City of Parlier to annex 48.87 acres to the City of Parlier and detach from the Kings River Conservation District and the Consolidated Irrigation District for territory located on the south side of South Avenue and west of the Avila Street Alignment (**LAFCo File No. RO-15-9**).

**Applicant:** City of Parlier

**Land Owners/Parties of Real Interest:** City of Parlier; Nachhtar Dhaliwal; Gurdial Dhaliwal; Jagtar Dhaliwal; Affordable Housing Land Consultants, LLC; Richard Nicholas; Penny Nicholas; William Chiasson; Janie Chiasson; and Helen Nicholas

*(Documents referenced in this report may be found on LAFCo's website at [www.fresnolaftco.org](http://www.fresnolaftco.org))*

**RECOMMENDATION: Approve by Taking the Following Actions**

- A. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that prior to approving the proposed annexation, the environmental effects of the project as shown in the CEQA documents prepared, adopted, and submitted by the Lead Agency, were reviewed and considered, and determine these documents to be adequate pursuant to CEQA Guidelines Section 15096.
- B. Find that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).
- C. Assign the distinctive short form designation "Reorganization 15-01 (Avila-South)" and approve the reorganization (annexation and detachments) subject to the following conditions of approval:
  - 1. Pursuant to Fresno LAFCo policy 103-05, the Executive Officer shall record the approved application if all conditions have been satisfied and once he or she has determined that the facts pertaining to the application during the time of recording are materially similar to those facts considered by the Commission when the application was approved. Facts, as used in the proceeding sentence, is defined to include, but is not limited to, whether or not the proposed project is materially similar to the project described in any application before the Commission.

2. Prior to issuing a certificate of completion, the executive officer will be provided with evidence that a Preliminary Endangerment Assessment (PEA) has been completed in accordance with the DTSC PEA guidance document dated October 2013.

D. Find pursuant to CKH that:

1. The territory is uninhabited; and
2. All landowners and affected agencies have consented to the reorganization.

E. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH and the 30-day reconsideration period.

### **Background**

On February 18, 2015, the City of Parlier adopted Resolution No. 2015-11 initiating reorganization of 48.87 acres in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The reorganization is to annex 48.87 acres to the City of Parlier and detach from the Kings River Conservation District and Consolidated Irrigation District.

The territory presently proposed for annexation (Tentative Tract Map No. 5615) was included in an annexation in 2006, but the developer pulled out of the annexation due to the recession and now the landowner desires to develop the tentative tract. Due to map extensions granted by the State, the map is still in effect. A Certificate of Filing has been issued by the LAFCo Executive Officer.

On April 5, 2006, the City, in accordance with State law requirements, pre-zoned the proposed territory to appropriate zone districts consistent with the City of Parlier's General Plan. On April 5, 2006, the Parlier City Council also considered the Negative Declaration prepared by the City of Parlier.

On August 22, 2006, the County of Fresno determined that the annexation was consistent with the Standards for Annexation and on August 21, 2015, Bernard Jimenez, Assistant Director of the Fresno County Public Works and Planning in an e-mail stated that the County's original determination that the proposed annexation is consistent with the City/County MOU remains the same.

### **Discussion**

The proposal consists of the annexation of 48.87 acres to the City of Parlier and detachment from the Kings River Conservation District and the Consolidated Irrigation District for territory located on the south side of South Avenue and west of the Avila Street Alignment. Tentative Tract Map No. 5615 includes 169 single-family lots and is pre-zoned R-1 by the City.

Conditions No. 2 was added to staff's recommendation in response to comments received from Janet Gardner, Environmental Health Specialist with the Fresno County Environmental Health Division who expressed concern with soil contamination around the former railroad tracks and possible human contact with contaminated soils. She stated that the previous development on an adjacent parcel required the developer to enter into an agreement with the Department of

Substances Control (DTSC) for the evaluation and cleanup of arsenic contaminated soils and recommended the developer of this parcel also be required to do the same.

### **Proposal / Land Use**

- The territory is within the City of Parlier's Sphere of Influence, and is adjacent to the city limits to the north (**Figure 1**).
- The proposal consists of the annexation of 48.87 acres to the City of Parlier and detachment from the Kings River Conservation District and the Consolidated Irrigation District.
- The City of Parlier pre-zoned the territory to the R-1 and M-1 Zone Districts.
- TTM No. 5615 was approved in 2006 and is still in effect. The map includes 169-single-family lots.
- The subject territory is located on the south side of South Avenue and west of the Avila Street Alignment (**Figure 2**). The territory is uninhabited.
- The proposed development and reorganization conform to the City of Parlier's General Plan.

### **Environmental Determination**

Consideration of this reorganization requires the Commission to review and consider the Negative Declaration prepared and certified by the City for "Reorganization 15-01 (Avila-South)" and Change of Zone (Pre-Zone) under the requirements of the California Environmental Quality Act ("CEQA").

The City of Parlier Issued a Notice of Compliance with the Final EIR for the Parlier General Plan Update with regard to former APNs 355-020-35, 36, and 38 (now APNs 355-021-20, 21, and 42). The City of Parlier also approved a Negative Declaration for APN 355-021-19.

As Responsible Agency, the Commission is required to review and consider the City's environmental documents prior to taking its action. If the Commission determines that these documents are adequate, pursuant to CEQA, it may make the required findings provided under "Recommendations" above.

### **Consistency with LAFCo Policies, Standards and Procedures**

- The Proposal was prezoned R-1 and M-1 which are consistent with the City's General Plan land use designation.
- The County has determined that the Proposal is consistent with the Memorandum of Understanding (Master Tax Sharing Agreement) and the Standards for Annexation between the City of Parlier and County of Fresno.
- The territory will not detach from the Fresno County Fire Protection District because the District is contracted to provide fire protection services to the City of Parlier. Therefore, it is not necessary to have a fire transition agreement in place.

Accordingly, the Proposal is consistent with the CKH and LAFCo Policies, Standards, and Procedures, including, but not limited to, Sections 100 and 200.

## **APPLICATION INFORMATION**

### **1. Subject Territory**

<b>Acreage:</b>	48.87
<b>Current Land Use:</b>	Vacant
<b>Number of Residences/ Population:</b>	0 Residences; 0 Population
<b>Registered Voters:</b>	Voters: 0
<b>Assessor Parcel Number(s):</b>	355-021-19, 20, 21, and 42

### **2. Proposed Development:** 169 single-family lots pre-zoned R-1 by the City.

### **3. Surrounding Territory:** To the north is rural residential and ag land; to the west are unincorporated parcels planned for low-density residential development and zoned AE-20 in the County; to the south is vacant land planned and zoned for urban uses, including a church and apartments; and to the east are unincorporated parcels planned for low-density residential development and zoned AE-20 within Fresno County.

### **4. Consistency with Adopted Sphere of Influence (SOI):** The territory lies within the City of Parlier's sphere of influence that was adopted by LAFCo

### **5. Existing Service Agencies and Proposed Service Changes:**

<b>Service</b>	<b>Existing Service</b>	<b>Change</b>
Water	Private Well	City of Parlier
Sewer	City of Parlier	No Change
Fire Protection	Fresno Co. Fire Protection District	No Change.

(See Service Plan on our website at [www.fresnolafco.org](http://www.fresnolafco.org))

### **6. Cities and Districts Included Wholly or Partially Within the Subject Territory**

County of Fresno	Fresno County Library
State Center Community College District	Parlier Unified School District
Consolidated Irrigation District	Parlier Cemetery District
County Service Area No. 35	Fresno County Fire Protection District
Kings River Conservation District	Sierra-Kings Hospital District
Consolidated Mosquito Abatement Dist.	West Fresno Co. Red Scale Protect. Dist.

### **7. Costs and Other Changes Affecting Residents or Landowners:** There will no costs or other changes that would affect residences or landowners.

### **8. Agencies and Individuals Submitting Comments:** (see Correspondence and Comments reference in the staff report on our website at [www.fresnolafco.org](http://www.fresnolafco.org))

- Bart Bohn, former County Administrative Officer
- Bernard Jimenez, Deputy Director of Planning, Planning and Public Works Dept.
- Will Kettler, Manager, Fresno County Development Services Division

- Laurel Prysiazny, County Librarian
- Janet Gardner, Environmental Health Specialist III, Fresno Co. Dept. of Public Health
- David Padilla, Assoc. Transportation Planner, Office of Planning & Local Assistance
- Janet Gardner, Environmental Health Specialist, Environmental Health Division
- Betsy Lichti, Senior Sanitary Engineer, State Water Resources Control Board

9. **Territory Boundaries:** The boundaries of the proposed annexation **are** definite and certain. The County Assessor has determined that the map and legal description **is not adequate** to file with the State Board of Equalization.

10. **Compliance with the Requirements of CEQA:**

**Lead Agency:** City of Parlier

**Level of Analysis:** Initial Study

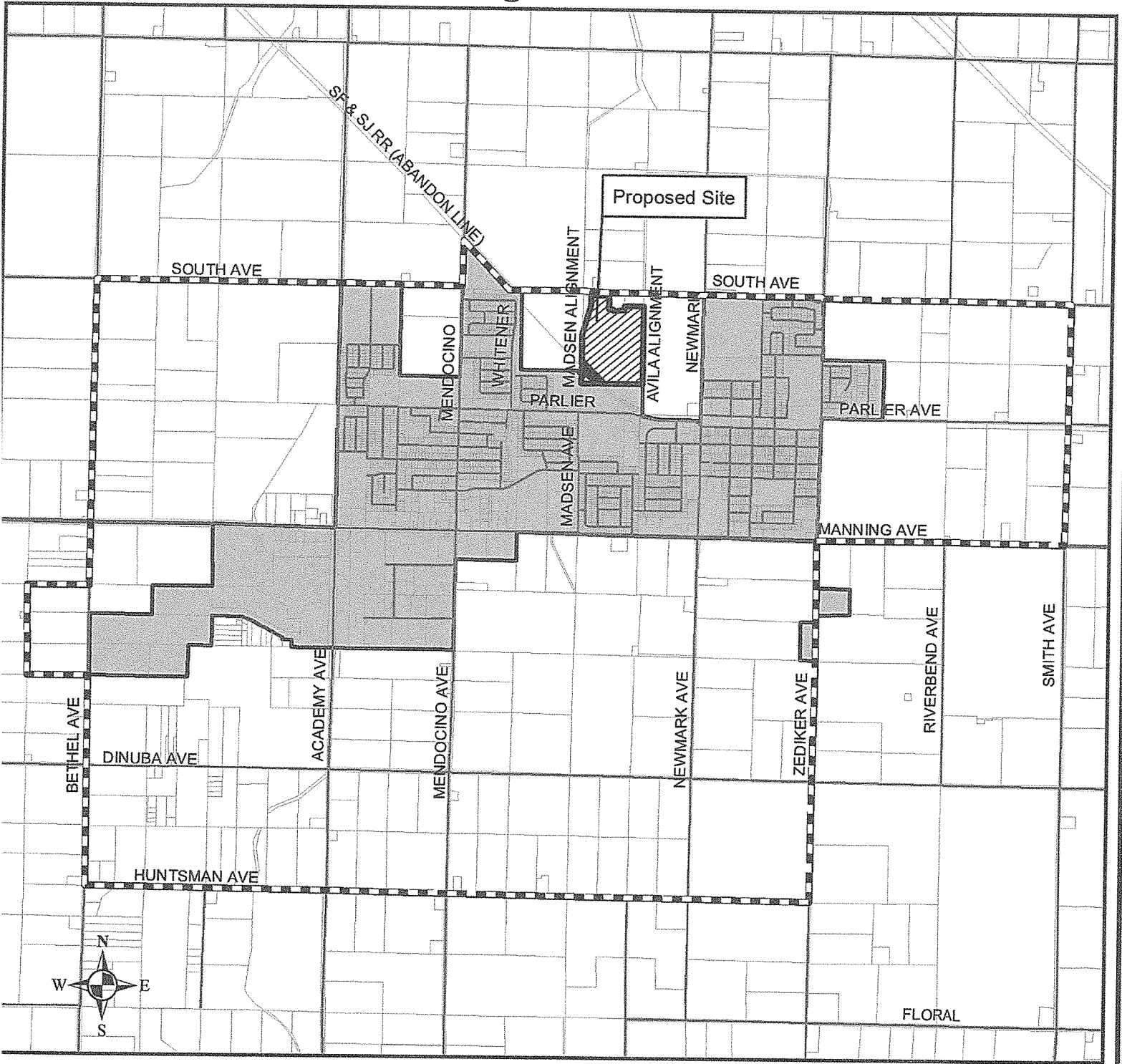
**Finding:** Negative Declaration




11. **Public Notice of Hearing:** Public notice concerning this Proposal was issued by the Executive Officer pursuant to State law.

12. **Individuals and Agencies Receiving this Report**

- Ken Price, LAFCo Counsel
- Bernard Jimenez, Deputy Director of Fresno Co. Public Works and Planning
- Will Kettler, Development Services Div. Mgr., Fresno Co. Public Works and Planning
- Mark Johnson, Chief, Fresno County Fire Protection District
- Randy Shilling, Interim District Manager, Kings River Conservation District
- Phil Desatoff, Consolidated Irrigation District
- Bruce O'Neal, Contract Planner, City of Parlier
- Shun Patlan, Community Development/Public Works Supervisor, City of Parlier
- Israel Lara, City Manager, City of Parlier

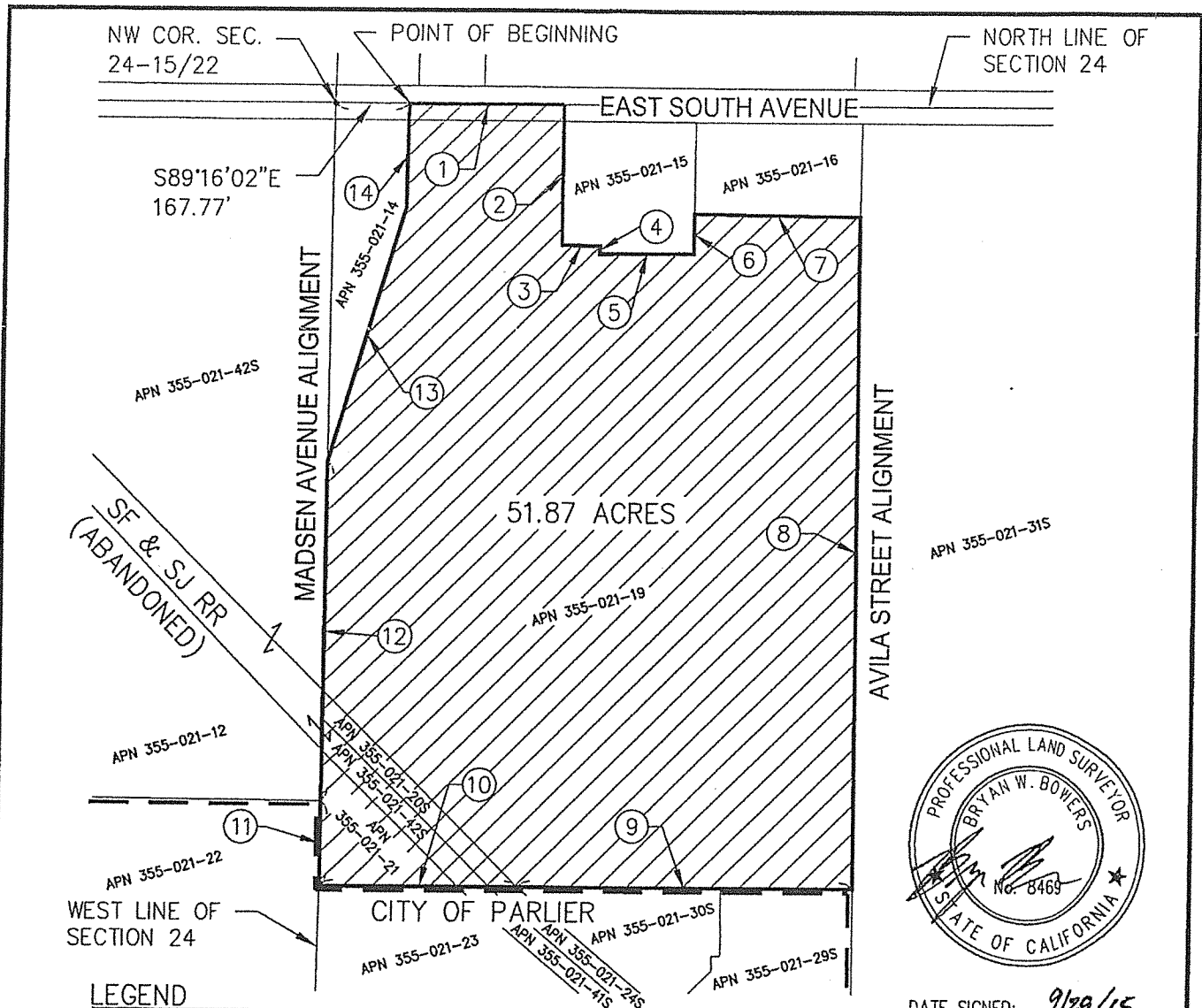
# Figure 1



-  Avila-South SW RO No. 15
-  Sphere of Influence
-  City Limits, Parlier

## Avila-South SW Reorganization City of Parlier

# Figure 2



DATE SIGNED: 9/29/15

## LEGEND

--- EXISTING CITY BOUNDARY LINE

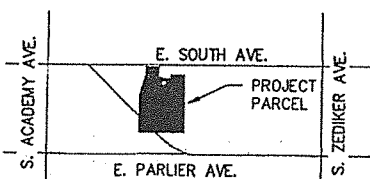


AREA TO BE DETACHED FROM THE KINGS RIVER CONSERVATION DISTRICT AND THE CONSOLIDATED IRRIGATION DISTRICT AND ANNEXED TO THE CITY OF PARLIER

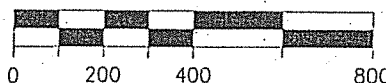
## Disclaimer:

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

## LOCATION MAP



SCALE IN FEET



## COURSES

1.	S89°16'02"E	431.17'
2.	S00°43'58"W	347.39'
3.	S89°16'02"E	106.42'
4.	S00°43'58"W	20.75'
5.	S89°16'02"E	195.39'
6.	N00°43'58"E	103.62'
7.	S89°16'02"E	412.88'
8.	S00°12'51"W	1,716.42'
9.	N89°12'17"W	746.79'
10.	N89°12'17"W	567.66'
11.	N00°18'24"E	225.76'
12.	N00°18'24"E	897.32'
13.	N13°58'13"E	606.01'
14.	N05°35'15"E	267.45'

EST. 1968  
**PROVOST & PRITCHARD**  
CONSULTING GROUP  
An Employee Owned Company

CITY OF PARLIER  
REORGANIZATION NO. 15-01  
Annexation to the City of Parlier and detachment from the Kings River Conservation District and the Consolidated Irrigation District  
APN'S: 355-021-19, 20S, 21

SCALE:  
1" = 400'  
DATE: 09/29/15  
51.87 ACRES  
SHEET 1 OF 1



## County of Fresno

ADMINISTRATIVE OFFICE  
**BART BOHN**  
COUNTY ADMINISTRATIVE OFFICER

August 22, 2006

Lou Martinez, City Manager  
City of Parlier  
1100 E. Parlier Avenue  
Parlier, CA 93648

**COPY**

Dear Mr. Martinez:

SUBJECT: City of Parlier – Reorganization No. 06-02

In accordance with Article II, Section 2.2 of the Memorandum of Understanding between the City of Parlier, the Parlier Redevelopment Agency and the County of Fresno, we have reviewed the annexation proposal described in the Notice of Intent letter from Bruce O'Neal, Contract Planner for the City of Parlier, dated April 25, 2006.

Pursuant to discussions with Mr. O'Neal, additional parcels were considered for inclusion in the proposed annexation. On August 3, 2006, Department of Public Works and Planning staff received confirmation from Mr. O'Neal that the City of Parlier had amended the Reorganization No. 06-02 request to include APNs 355-020-35, 36 and 38, along with the abandoned railroad right-of-way located in the unincorporated portion of the west half of the northwest quarter of Section 24, Township 15 South, Range 22 East and identified as portions of APNs 355-020-81s and 85s.

We have determined that the proposed annexation, as amended on August 3, 2006, and as depicted on Exhibit "A", is consistent with the Standards for Annexation contained in Exhibit 1 of the Memorandum of Understanding.

We appreciate that a Right-to-Farm notice was imposed as a condition of approval of Vesting Tentative Tract Map No. 5612, and would recommend that the City include the full right-of-way for South Avenue consistent with County policies.

If you have any questions, you may contact me at (559) 488-1710 or Bernard Jimenez at (559) 262-4497.

Very truly yours,

Bart Bohn  
County Administrative Officer

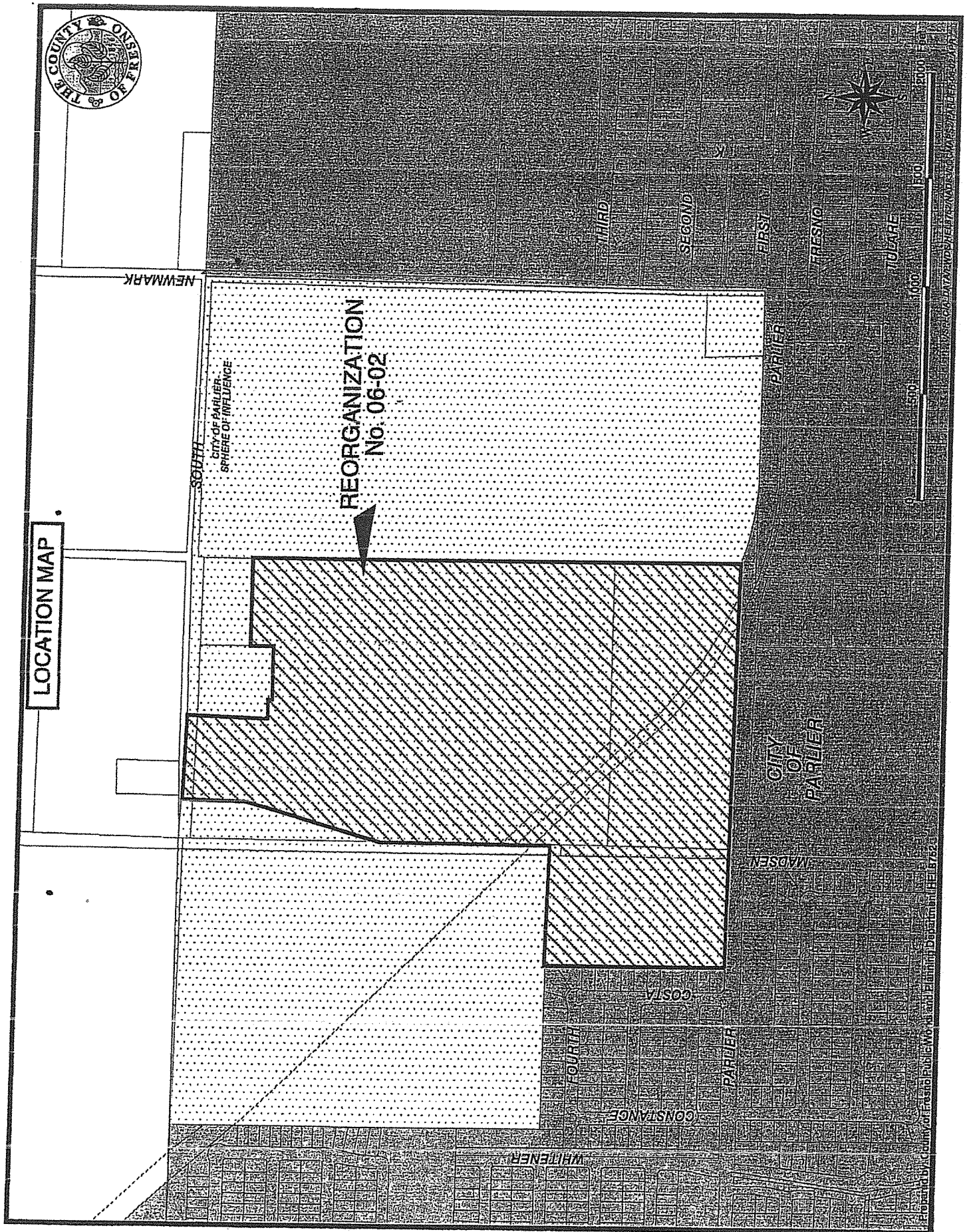
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G:\4360Devs&Plan\PLANNING\ANNEXATIONS\Cities & Districts\Parlier\Reorganization No. 06-02\NOI ResponseLetter 080306.doc

c: Brandi Orth, Principal Administrative Analyst  
Alan Weaver, Director, Department of Public Works and Planning  
Lynn Gorman, Deputy Director of Planning  
Bernard Jimenez, Manager, Development Services Division  
Margie McHenry, Senior Planner, Policy Planning Unit  
Rick Ballantyne, Interim Executive Officer, LAFCo



EXHIBIT 'A'



**Reorganization No. 06-02  
City of Parlier**

**SUMMARY REVIEW OF STANDARDS FOR ANNEXATION**

The City of Parlier Reorganization No. 06-02 at the southeast corner of South Avenue and the Madsen Avenue alignment can be found to be consistent with the City of Parlier-County of Fresno Memorandum of Understanding standards for annexation based on the following consideration of specific standards:

- **The proposal must be consistent with the adopted sphere of influence of the city and not conflict with the goals and policies of the Cortese-Knox-Hertzberg Act.**

The proposed 81.0-acre annexation is consistent with the City of Parlier Sphere of Influence and not in conflict with the Cortese-Knox-Hertzberg Act.

- **The proposal must be consistent with city general and specific plans, including adopted goals and policies.**

On April 5, 2006, the Parlier City Council approved a general plan amendment from Low Density to Medium Low Density and rezoning from AE-20 (Fresno County) to R-1 for APNs 355-020-46 and 82s, and Vesting Tentative Tract Map No. 5612 for APN 355-020-46. Of the other parcels included in the annexation, APN 355-020-35 is designated Light Industrial, APN 355-020-36 is designated Public Facility – Park, and APN 355-020-38, along with those portions of APNs 353-020-81s and 85s included in the annexation area, are designated Low Density Residential. The City has determined that the project is consistent with its General Plan.

- **Pursuant to CEQA, the proposal must mitigate any significant adverse effect on continuing agricultural operations on adjacent properties, to the extent reasonable and consistent with the applicable general and specific plan.**

Areas to the east, west and north are developed with agricultural uses. The City of Parlier imposed a condition of approval of Vesting Tentative Tract Map No. 5612 requiring that a "right-to-farm" notice be recorded on each lot in the subdivision.

- **A proposal for annexation is acceptable if one of the following conditions exist:**

1. **There is existing substantial development, provided the City confines its area requested to that area needed to include the substantial development and create logical boundaries.**

Not applicable

2. **Development exists that requires urban services which can be provided by the City.**

Not applicable

3. **If no development exists, at least 50% of the area proposed for**

**annexation has:**

- (i) Approved tentative subdivision map (single-family residential)**
- (ii) Approved site plan (for uses besides single-family residential)**

The Parlier City Council approved Vesting Tentative Tract Map No. 5612 for a 169-lot residential subdivision on April 5, 2006. Approximately 48.87 acres of the proposed 81.0-acre annexation area (60 percent) will be subdivided into 169 residential lots. The balance of the property will include a 6.72-acre parcel south of the proposed subdivision developed with a residence, an 11.19-acre parcel developed with an existing packing house and three residences, a 10.72-acre parcel currently devoted to agricultural uses, an undeveloped 1.95-acre parcel, and an area of abandoned railroad right-of-way.

- **The proposal would not create islands. Boundaries must ultimately minimize creation of peninsulas and corridors, or other distortion of boundaries.**

The proposed annexation area adjoins existing city limits to the south and west. The annexation, as designated on the attached Exhibit "A", is consistent with the Standards for Annexation contained in Exhibit I of the Memorandum of Understanding.

**For any of the following circumstances a proposal for annexation is presumed to comply with all standards for annexation:**

- **The request for annexation is by a city for annexation of its own publicly-owned property for public use.**

Not applicable

- **The request for annexation is by a city in order to facilitate construction of public improvements or public facilities which otherwise could not be constructed.**

Not applicable

- **The request for annexation is to remove an unincorporated island or substantially surrounded area.**

Not applicable.

- **The request for annexation is for an industrial or regional commercial project for which a development application has been made and no significant adverse environmental impact will result that cannot be mitigated or overridden by a necessary public purpose. Condition(s) assuring the financing or completion of necessary development infrastructure before completion of annexation shall be made a part of the proposal.**

- The request for annexation is for an industrial or regional commercial project for which a development application has been made and no significant adverse environmental impact will result that cannot be mitigated or overridden by a necessary public purpose. Condition(s) assuring the financing or completion of necessary development infrastructure before completion of annexation shall be made a part of the proposal.

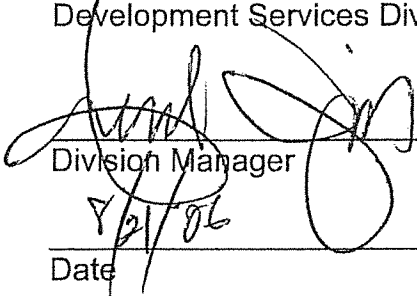
Not applicable

- The annexation is intended to mitigate or otherwise comply with standards/conditions required by another agency with respect to another development annexation.

Not applicable

Prepared in response to the Notice of Intent received on April 27, 2006, and subsequently amended on August 3, 2006, filed by the City of Parlier for Reorganization No. 06-02.

Department of Public Works and Planning  
Development Services Division



Division Manager

8/21/06  
Date

## **Fleming, Candace Lynn**

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**From:** Jimenez, Bernard  
**Sent:** Friday, August 21, 2015 1:52 PM  
**To:** Fleming, Candace Lynn  
**Subject:** RE: Reorganization 15-01 (Avila-South) - Parlier Reorganization

Candie, the County's original determination that the proposed annexation is consistent with the City/County MOU remains the same. Thanks.

Bernard Jimenez, Deputy Director of Planning  
Public Works and Planning  
Ph: (559) 600-4234  
fax: (559) 600-4548

Public Works and Planning is continuing to work to improve customer services provided by the Department. Your feed back on how we are doing would be greatly appreciated. Please take a few minutes to complete our short Customer Service Survey at the following link: [Short Customer Service Survey](#)

Thank you.

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**From:** Fleming, Candace Lynn  
**Sent:** Friday, August 21, 2015 8:56 AM  
**To:** Jimenez, Bernard <[BJimenez@co.fresno.ca.us](mailto:BJimenez@co.fresno.ca.us)>  
**Cc:** Fey, David <[dfey@co.fresno.ca.us](mailto:dfey@co.fresno.ca.us)>  
**Subject:** Reorganization 15-01 (Avila-South) - Parlier Reorganization

Good Morning Bernard,

LAFCo received an application to annex 48.87 acres (TTM 5615, APN 355-020-46) to the City of Parlier. This territory was previously included with the City of Parlier's Reorganization No. 06-02 that was denied by the Commission because of some environmental issues. The City of Parlier submitted the MOU letter that was used for the denied reorganization for the present reorganization. I have attached a copy of the MOU letter, signed by Bart Bohn, along with a map showing the proposed territory for the current application. Dave wanted me to affirm with you that the application is still consistent with the City/County MOU. For your information, I am also attaching the application, Resolution of initiation, resolution approving the General Plan amendment, and resolution approving the tentative map.

There are also two additional APNs that will need to be included and they are: APN 355-021-20 and 355-021-21.

Thank you.

Candie

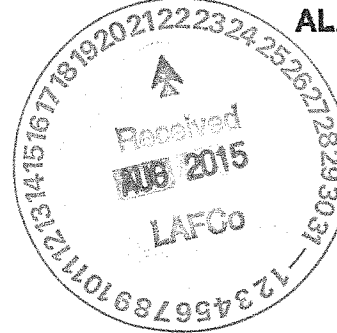


# County of Fresno

## DEPARTMENT OF PUBLIC WORKS AND PLANNING

ALAN WEAVER

DIRECTOR



DATE: August 20, 2015

TO: David E. Fey, AICP, Executive Officer

FROM: William M. Kettler, Manager  
Development Services Division  
Department of Public Works and Planning

SUBJECT: City of Parlier, "Reorganization 15-01 (Avila-South)"; LAFCo File No. RO-15-9

This is in response to your notice dated August 4, 2015, regarding an annexation application submitted by the City of Parlier to LAFCo known as "Reorganization 15-01 (Avila-South)"; LAFCo File No. RO-15-9.

1. County plan designation for the area:

The subject territory is designated as Agriculture within the County adopted Parlier-West Parlier Community Plan.

2. Consistency of the proposal with adopted County General and Community Plans and Policies.

The County's General Plan directs urban density uses to incorporated cities and unincorporated communities where necessary support services are available or planned for. Annexation and development of the subject territory represents a logical continuation of the existing development pattern within the City of Parlier's Sphere of Influence (SOI) in conformance with the Amended and Restated Memorandum of Understanding (MOU).

3. Any pending County plans, projects (i.e. Community Development, roads, etc.) or development permits:

None.

4. Other related comments:

On August 22, 2006, the "City of Parlier, Reorganization No. 06-02" was determined to be consistent with the Amended and Restated MOU between the City of Parlier and the County of Fresno provided that the City of Parlier revises its SOI by removing the Kearney Research and Extension Center and United States Agriculture Department Sciences Center from the City's SOI. On March 16, 2011, LAFCo approved the Parlier SOI Update, USOI-155 that reduced the City of Parlier's SOI by 640 acres by removing the Kearney Research and Extension Center and United States Agriculture Department Sciences Center from the City's SOI. The abandoned A.T. and S.F. Railroad easement, APNs 355-021-19, 20s and 21 (formerly APNs 355-020-46, 86s and 38) were approved for annexation, but were not annexed to the City of Parlier as part of Reorganization No. 06-02. The proposed Reorganization No. 15-01 includes annexation of the abandoned A.T. and S.F. Railroad easements.

5. Recommendations:

It is recommended that the City of Parlier include the full width right-of-way along South Avenue.

William M. Kettler, Development Services Manager  
Department of Public Works and Planning

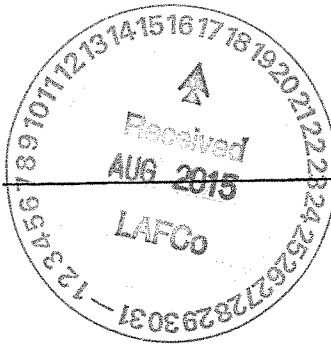
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8/20/15  
Date

### DEVELOPMENT SERVICES DIVISION

2220 Tulare Street, Sixth Floor / Fresno, California 93721 / Phone (559) 600-4497 / 600-4540 / 600-4022 / FAX 600-4200  
Equal Employment Opportunity • Affirmative Action • Disabled Employer



## INTER OFFICE MEMO

Fresno County Public Library

Date: August 17, 2015

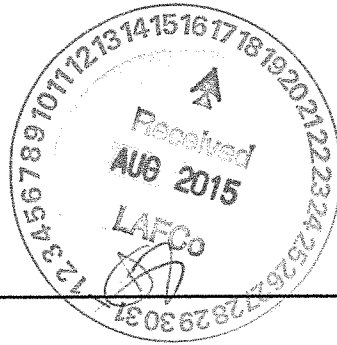
To: David E. Fey, AICP, Executive Office

From: Laurel Prysiaczny, County Librarian

Subject: City of Parlier Designation "Reorganization 15-01 (Avila-South)" LAFCo File No. RO-15-9

Area to be detached from the Kings River Conservation District and Consolidated Irrigation District and Annexed to the City of Parlier. It has no impact on any historic properties within the affected area.

\*\*If upon construction and digging there are any archaeological findings, they should not be disturbed until the right authorities are contacted.



**County of Fresno**  
**DEPARTMENT OF PUBLIC HEALTH**  
**DAVID POMAVILLE, DIRECTOR**

August 17, 2015

LU0018160  
2620

Mr. David E. Fey  
Local Agency Formation Commission  
2607 Fresno Street, Suite B  
Fresno, CA 93721

Dear Mr. Fey:

PROJECT NO: RO-15-9  
SUBJECT: City of Parlier Designation "Reorganization 15-01 (Avila-South)

1. Adequacy and availability of existing and proposed community water and sewer systems:
2. Need for services other than those proposed:
3. Effect of project on air or water quality:
4. Related County plans or projects:
5. Other comments:
  - The Environmental Health Division has concerns with soil contamination from around the former railroad tracks and possible human contact with contaminated soils. Site assessments conducted in this area revealed arsenic contaminated soils in and around the area of the former railroad tracks. These soils may have been spread in the area when the elevated railroad tracks berm was removed. Previous development on an adjacent parcel required the developer to enter into an agreement with the Department of Substances Control (DTSC) for the evaluation and cleanup of arsenic contaminated soils. This Department did not receive a routing for the City of Parlier Reorganization 15-01 and is concerned that other responsible agencies may also not have been given the opportunity to comment upon the proposed project, specifically in relation to the potential soil contamination. It is unknown whether the Initial Study completed for the proposed project adequately addressed and/or offered appropriate mitigation for the known arsenic concerns within the project area.
  - This parcel is located adjacent to the Kash Inc/Parlier Disposal Site (SWIS# 10-CR-0004). To protect human health and the old disposal site, development of the parcel should preclude access to the disposal site through the use of block walls and/or fencing.

Drinking water, which meets state quality standards for public water systems, is a precious commodity that must be protected. Existing standards for water well construction and destruction are designed to protect groundwater quality, thereby protecting the public health. The expense associated with proper destruction of a well is infinitesimally small in comparison to the expense of cleaning up contaminated groundwater.

***Promotion, preservation and protection of the community's health***  
1221 Fulton Mall / P.O. Box 11867 / Fresno, California 93775 / Phone (559) 600-3271 / FAX (559) 455-4646  
Email: [EnvironmentalHealth@co.fresno.ca.us](mailto:EnvironmentalHealth@co.fresno.ca.us) ♦ [www.co.fresno.ca.us](http://www.co.fresno.ca.us) ♦ [www.fcdph.org](http://www.fcdph.org)  
Equal Employment Opportunity ♦ Affirmative Action ♦ Disabled Employer



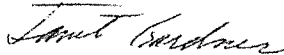
David E. Fey  
RO-15-9  
August 17, 2015  
Page 2 of 2

The Fresno County Department of Public Health is concerned that abandoned water wells are not being properly destroyed, particularly with respect to new development projects. As city boundaries expand, community services are provided to areas originally served only by individual domestic and agricultural wells. Improper abandonment of such wells presents a significant risk of contaminating the city's community water supply. For this reason, when development occurs, it is extremely important to ensure the safe and proper destruction of all abandoned water wells.

- As a measure to protect groundwater, all water wells and septic systems within the property shall be properly destroyed by an appropriately licensed contractor.
- If any underground petroleum storage tank(s) are discovered during the project, the applicant/property owner shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
- Appropriate measures should be incorporated into the project to minimize potentially significant noise impacts to neighboring noise sensitive receivers during construction activities.

If I can be of more assistance, please contact me at (559) 600-3271.

Sincerely,



Janet Gardner, R.E.H.S., M.P.H.  
Environmental Health Specialist III  
Environmental Health Division



# Fresno Local Agency Formation Commission

Date: August 4, 2015  
To: State Department of Health Services  
From: David E. Fey, AICP, Executive Officer *DF*  
Subject: City of Parlier Designation "Reorganization 15-01 (Avila-South)"  
LAFCo File No. RO-15-9

The attached application has been filed for processing with the Local Agency Formation Commission (LAFCo) office. In accordance with Government Code Section 56386, we are requesting your agency's assistance in reviewing and commenting on this application. At this time we are requesting information on the following particular factors:

1. Adequacy and availability of existing and proposed community water systems:

*see attached comments*

2. Need for services other than those proposed:

3. Effect of project on water quality:

4. Related State or County plans or projects:

5. Other comments:

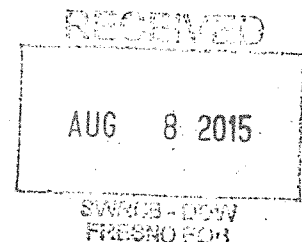
In order to proceed with the processing of this application, please return your comments to this office by **August 17, 2015**. Your assistance is greatly appreciated. Thank you.

*DeB Buehls, SACCB-DNO*  
Signature and Title

*8/21/15*  
Date

DEF:cf

Attachment: Application, Map, Legal Description, Service Plan, Resolution





EDMUND G. BROWN JR.  
GOVERNOR

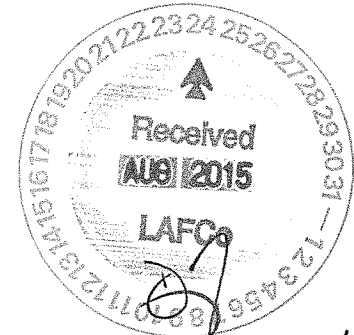
MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

**State Water Resources Control Board**  
Division of Drinking Water

August 21, 2015

Mr. David Fey, AICP, Executive Officer  
Fresno LAFCO  
2607 Fresno Street, Suite B  
Fresno, CA 93721

RE: City of Parlier— Reorganization No. 15-01 (Avila-South)  
Public Water System No. 1010025



*Please forward to  
City / OK*

Dear Mr. Fey:

The State Water Resources Control Board – Division of Drinking Water (Division) has received a request from the Fresno LAFCO for review and comment on the City of Parlier Reorganization No. 15-01 (Avila-South), which proposes annexation of 48.87 acres to the City of Parlier (City). The intended development of this annexed property would be a 169-lot single family residential subdivision. The Division has evaluated the City's ability to provide a reliable supply of water to its existing customers in addition to the proposed new connections associated with this annexation. This evaluation shows that the City is marginally able to meet current maximum day demand (MDD) with existing active sources and storage. The additional demand resulting from the development of the 169 lots may further stress the existing system, but may not lead to any reduction in actual service.

The City has reported that it currently provides water to a population of over 12,000 through 2,505 service connections. The City utilizes four active wells and three standby wells to meet its water demands. All of the standby wells have elevated levels of DBCP confirmed above the DBCP MCL of 0.2 ug/L. The City is required by regulation to limit the use of standby wells to no more than 5 consecutive days and 15 calendar days per year without public notification. In essence, these wells are deemed to be available for emergency use only, and are not approved to be used to routinely supply domestic water.

The tables below present the City's water demands and source capacity (based on the capacity of active wells only), calculated from production records reported to the Division annually and information from the 2012 inspection report. Note that California Code of Regulations (CCR) specifies the following:

CCR, Section 64554(a) requires public water systems to have the ability to meet Maximum Day Demand (MDD) with water sources (wells) alone.

CCR, Section 64554(a)(1) further requires systems with 1,000 or more service connections to be able to meet four hours of peak hourly demand (PHD) with sources, storage capacity and/or emergency connections.

CCR, Section 64554(c) requires community water systems using only groundwater to be able to meet MDD with the highest capacity source off-line.

**City of Parlier Water Demands**

Demands	2010-2014 Five Year Average	Forecasted demand with an additional 169 connections
Average Day Demand	1,438 gallons per minute	1,600 gallons per minute
Maximum Day Demand (MDD)	2,946 gallons per minute	3,391 gallons per minute
Peak Hour Demand (PHD)	4,419 gallons per minute	5,070 gallons per minute

**City of Parlier Source Capacities**

Active Source Capacity	4,600 gallons per minute
Active Source Capacity w/ highest producing source off-line	3,000 gallons per minute

**Capacity Evaluation**

CCR Title 22 Section 64554 (a) and(c) require that community water systems using only groundwater to be capable of meeting maximum day demand with source capacity alone, and with the highest-capacity source offline. The Water System currently meets this criterion, but would not with the additional 169 service connections. The maximum day demand for the Water System with additional 169 service connections is 3,391 gpm which is greater than the capacity with biggest source offline of 3,000 gpm. The Water System has a total storage of 1.25 MG, which is capable of meeting the differential maximum day demand of 391 gpm. The Divisions evaluation of the City of Parlier's source and storage capacities, and ability to meet MDD and PHD, is attached.

California Code of Regulations (CCR) Title 22 Section 64554 (a) (1) requires that the systems with 1,000 or more service connections be able to meet four hours of peak hourly demand (PHD) with source capacity, storage capacity, and/or emergency source connections. Based on the evaluation by the Division, the Water System is estimated to currently provide 15 hours of PHD and would be able to provide 10 hours of PHD with the additional 169 service connections (calculated with highest producing source offline).

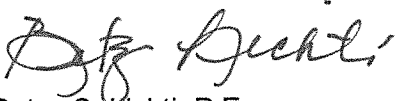
The Division concludes that the City of Parlier can satisfactorily meet the MDD and PHD with the source and storage capacity for the existing system, and should be able to adequately meet the additional demand of the proposed 169 service connections largely due to the size of the storage tank (1.25 MG). **Therefore, the Division does not oppose the annexation proposed under Reorganization No. 15-01 (Avila-South).**

Given the fact that the City may not technically be able to meet the MDD with source capacity alone and with highest producing source offline per CCR 64554(a) and (c), it is highly recommended that the City closely monitor water demands, ensuring continuation of water conservation programs regardless of the drought status. To meet the MDD into the future, without

impacting the water service provided to existing customers, the Division strongly encourages the City to evaluate additional source capacity, which could include provision of treatment on one of the existing standby wells or development of a new well as part of the proposed subdivision.

If you have any questions regarding this matter, please contact me at (559) 447-3300.

Sincerely,



Betsy S. Lichti, P.E.  
Senior Sanitary Engineer, Fresno District  
SOUTHERN CALIFORNIA BRANCH  
DRINKING WATER FIELD OPERATIONS

BSL/sp

Attachment: City of Parlier Source Capacity Evaluation

cc: Mr. Domingo Morales, Public Works Director  
City of Parlier  
1100 E. Parlier Avenue  
Parlier, CA 93648

**CITY OF PARLIER - SOURCE CAPACITY EVALUATION**  
**August 2015**

**Table 1. Current Demand**

	CY 2010	CY 2011	CY 2012	CY 2013	CY 2014	5-Year Average
Service Connections	2329	2374	2329	2505	2505	2408.4
Annual Production	946.42 MG	762.67 MG	693.65 MG	744.881 MG	632.27 MG	755.9782 MG
Ave. Day Demand (ADD)	1800 gpm	1450 gpm	1320 gpm	1420 gpm	1200 gpm	1438 gpm
Max Month	0.77 gpm/sc	0.61 gpm/sc	0.57 gpm/sc	0.57 gpm/sc	0.48 gpm/sc	0.6 gpm/sc
Max Day Demand* (MDD)	144.6 MG	116.17 MG	86.08 MG	104.92 MG	78.32 MG	106.018 MG
	4020 gpm	3230 gpm	2390 gpm	2910 gpm	2180 gpm	2946 gpm
Peak Hourly Demand (PHD)	1.73 gpm/sc	1.39 gpm/sc	1.03 gpm/sc	1.25 gpm/sc	0.94 gpm/sc	1.268 gpm/sc
	6030 gpm	4845 gpm	3585 gpm	4365 gpm	3270 gpm	4419 gpm
	2.59 gpm/sc	2.08 gpm/sc	1.54 gpm/sc	1.87 gpm/sc	1.4 gpm/sc	1.896 gpm/sc

\*The City has not consistently reported actual maximum day usage on the annual reports. MDD is therefore calculated assuming a 4% historical max month/max day factor, which was consistent with the limited data available.

**Table 2. Current Source and Storage Capacity**

Well	Well 2A	Well 4A*	Well 5A*	Well 6	Well 7	Well 8*	Well 9A
Capacity (gpm)	1600	1600	750	600	800	1650	1600
Active Source Capacity	4600 gpm	*standby, not included in total Active Source Capacity					
w/o biggest source	3000 gpm						
Storage	Capacity	Storage Capacity = 15 hours					
Well 9A Tank	1250000	PHD not met by wells*					
Total Gallons	1250000	*PHD - (source capacity w/o biggest source)					

**Table 3. Demand With Proposed New Development**

<i>Hypothetical: Add 169 Service Connections</i>			
Service Connections	2674		
Annual Production	841 MG		
Ave. Day Demand	1600 gpm		
	0.60 gpm/sc		
Max Month	122 MG		
	3391 gpm		
Max Day Demand	1.27 gpm/sc		
	5070 gpm		
Peak Hourly Demand	1.90 gpm/sc		

<i>Hypothetical: Add 169 Service Connections</i>			
Storage Capacity		=	10.1 hours
PHD not met by wells*			
*PHD - (source capacity w/o biggest source)			