

# ATTACHMENT A



Building Industry Association  
of Fresno/Madera Counties, Inc.

April 12, 2018

Mohammad Khorsand  
County of Fresno  
Department of Public Works and Planning  
Policy Planning Unit  
2220 Tulare Street, Sixth Floor  
Fresno, CA 93721

RE: Notice of Preparation

Dear Mr. Khorsand:

Thank you for sending me the Notice of Preparation of an Environmental Impact Report (EIR) for the County's General Plan.

The Building Industry Association (BIA) is requesting that the County include in the EIR an area depicted on the attached map for consideration of residential uses. We believe that this area should be included for the following reasons:

1. There is a housing shortage in Fresno County and the lack of new homes is driving up prices.
2. Current restrictions and cost of fees are driving home buyers to Madera County, which is depriving Fresno County of tax revenue.
3. Although the area is currently served by wells, surface water could be acquired for the area.
4. The area is currently used as grazing land, which is low value.
5. Any environmental and endangered species impacts can be mitigated as has been done for other projects in the area.
6. Designating the area as residential will lessen the impact on more productive farmland adjacent to Fresno and Clovis.

If you have any questions, please contact me at (559) 226-5900 by email at [mikep@biafm.org](mailto:mikep@biafm.org).

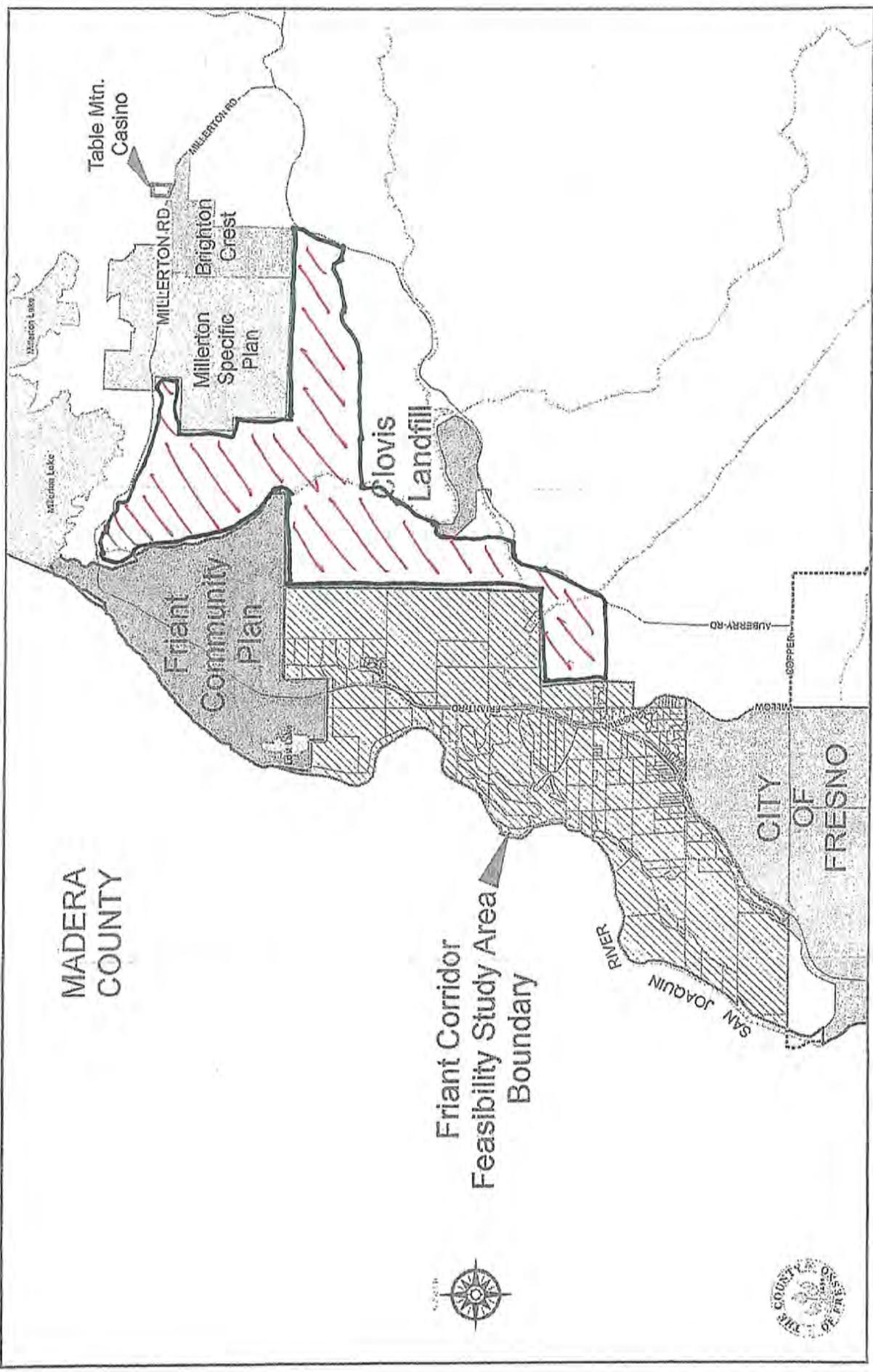
Sincerely,

A handwritten signature in black ink, appearing to read "Michael Prandini", is written over a horizontal line.

Michael Prandini  
President & CEO

MADERA COUNTY

Friant Corridor  
Feasibility Study Area  
Boundary



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MAR 16 2018



**MALAGA COUNTY WATER DISTRICT**

3580 SOUTH FRANK STREET - FRESNO, CALIFORNIA 93725  
PHONE: 559-485-7353 - FAX: 559-485-7319

FRESNO COUNTY  
DEPT. OF  
PUBLIC WORKS & PLANNING

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March 13, 2018

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MAR 19 2018

Fresno County  
Dept. of Public Works & Planning  
Administration

Mr. Steven E. White, Director  
Fresno County  
Department of Public Works and Planning  
2220 Tulare Street, 6<sup>th</sup> Floor  
Fresno, Ca 93721

Re: Malaga County Water District Comments on County of Fresno 2040 General Plan Public Review Draft (December 2017) Released January 26, 2018.

Dear Mr. White,

The Malaga County Water District ("District") hereby submits the following comments to the Public Review Draft of the County of Fresno General Plan Review/2040 General Plan.

General Plan Background Report

The General Plan Background Report ("Background Report") contains limited information about the Malaga Community (the term "Malaga Community" as used herein refers generally to the area bordered by North Avenue to the north, American Avenue to the south, Maple Avenue to the west, and Sunnyside Avenue to the east). The information in the Background Report about the Malaga Community is generally limited to some of the services provided to the community by the District.

In addition to the limited scope of information in the Background Report, the District is also concerned that much of the information in the Background Report related to the services provided by the District is inaccurate or outdated. For example, in the Background Report's description of services provided to the Malaga Census Designated Place ("CDP"), the Report relies exclusively on a 2007 Municipal Service Review for the District and a 2013 Kings Basin Disadvantaged Communities Pilot Project Study ("KBDAC Study") to state facts about water and sewer service provided to the Malaga CDP by the District, many of those facts are erroneous or outdated as follows:

Water (page 3-69)

1. "Water is provided to this area by the Malaga County Water District through 2 groundwater wells." The District currently has 3 water wells.
2. "The water infrastructure is sufficient to serve the current population." This statement is true.
3. "The KBDAC Study noted, however, that Malaga's drinking water exceeded acceptable standards for DBCP and arsenic." This statement is erroneous. There exists a DBCP plume within the Malaga County Water District service area which has caused the District to take wells out of service and replace them with new, deeper, lined, wells to avoid the plume. Results of routine water quality testing showed DBCP in drinking water delivered by the District as non-detectable without filtration. Similarly, while arsenic is present in the District's drinking water above the public health goal standard, levels of arsenic in the District's drinking water are well below the maximum contaminant level as set by the California Department of Water Resources, without filtration.

#### Wastewater: (page 3-69)

1. "The sewer infrastructure is sufficient to serve the current population." This statement is true.
2. "The KBDAC Study reported that there have been problems with infiltration." This statement is erroneous. The KBDAC Study reported that the District potentially has excessive infiltration. However, the District is unaware of the source of the KBDAC conclusion that the District may potentially have excessive infiltration in that the District has a sewer system maintenance program that includes regular cleaning and inspection of the sewage collection system to prevent infiltration and sanitary sewer overflows. Regular cleaning and inspection of the District's sanitary sewer collection system has not detected any infiltration problems and if an infiltration problem is detected, the District has a response plan in place and will take any and all necessary measures eliminate the infiltration or potential infiltration.

There are additional examples of outdated or erroneous information regarding services provided by the District in Chapter 6 of the Background Report as follows:

#### Section 6.1 Water

Similar to the examples above, information set forth in the Background Report related to the water service provided by the District (at page 6-9) is based on the District's 2007 Municipal Service Review. As a result of using outdated information, the findings and conclusion in the Background Report are largely erroneous or outdated.

#### Section 6.2 Wastewater Collection and Treatment.

The information set forth in the Background Report related to the wastewater service

provided by the Malaga County Water District (at page 6-20) is based on the District's 2007 Municipal Service Review and on various reports from the "Central Valley Water Board" by which we believe the County of Fresno to mean the Central Valley Regional Water Quality Control Board, the validity of which being contested by the Malaga County Water District. As a result of using outdated or contested information, the findings and conclusion in the Background Report are largely erroneous or outdated.

#### Section 6.4 Solid and Hazardous Waste Disposal and Recycling.

Similarly, the information provided in the Background Report related to solid waste collection services provided by the Malaga County Water District (page 6-7) is based on the 2007 MSR and as a result is outdated and incomplete.

The District also provides a wide range of vital services through its recreation department which do not appear to be contained in the Background Report.

The District is concerned that the Background Report contains significant erroneous and outdated information related to the services provided by not only the District but by all agencies providing services in unincorporated communities in the County. The District is ready and willing to provide current information regarding services provided by the District and encourages the County to reach out to all agencies providing services in the County agency providing services to confirm the accuracy of the information contained in the Background Report.

Fresno County General Plan Policy Document.

#### Part II: Goals and Policies.

##### Economic Development Element.

Under paragraph ED-A.7 the County is amending this Goal/Policy from locating new industry within Cities and unincorporated communities to encouraging the location of new industry within the unincorporated County and specifically within the Malaga, Calwa, and Golden State Industrial corridor. This policy, at least as it relates to Malaga, appears to be in direct contradiction to the proposed Environmental Justice Element of the Fresno County General Plan. ("FCEJE") Under CalEnviroScreen 3.0 scores, generated by the California Environmental Agency ("Cal EPA") referenced in the FCEJE, the Malaga Census Tract (Tract 6019001500) has the 5<sup>th</sup> highest score in the State of California with a pollution burden percentile of 99.99 and disadvantaged population characteristics percentile of 92.77. Considering that the Malaga Census Tract extends eastward to Temperance Avenue, well beyond the Malaga Community, the Malaga Community with its proximately to State Route 99 corridor and industrial development in and around the Malaga Community, certainly would score much higher. The high pollution burden and high disadvantaged population characteristics of the Malaga Community are, as the FCEJE states: "largely a result of inappropriate zoning (e.g., residential uses located adjacent to industrial uses)." The high ranking of the Malaga Community by Cal EPA is the result of or aggravated by locating heavy industrial,

manufacturing and commercial uses adjacent to residential area, schools, and parks within the Malaga Community without correlating mitigation measures and policies such as those in the FCEJE goals. Any increase industrial saturation or intensity in or around the Malaga Community as proposed in Section ED-A.7 will result in not only greater pollution burden on the residents of the Malaga Community, but will also further limit the community's access to retail and other service uses which coupled with a lack of public transportation will require the residents of the Malaga Community to drive to obtain basic services such as groceries, basic household goods, and health and well-being services with greater frequency. In addition to the excessive pollution and lack of services, the current and proposed land use and zoning within the Malaga Community has resulted in poor road conditions and inadequate circulation patterns for the high frequency of truck traffic in the Malaga Community, inadequate availability of housing particularly low-income housing, inadequate open space and parks, and inadequate economic opportunity for the residents of the Malaga Community.

In short, the current Land Use Policies of the County and the new proposed Land Use Policies including Section ED-A.7 violate most of the policy goals of the FCEJE listed at pages 2-206 - 2-207 of the draft policy document together with numerous existing General Plan Policies and Goals.

Given the challenges of the Malaga Community and the proposed increase of intensity in industrial uses in the Malaga Community, the County should prepare a specific plan for the Malaga Community which identifies, among other things, the need for development standards in the Malaga Community (e.g. circulation, roads, and aesthetics), parks and recreation facilities and open spaces, retail and residential/retail mixed use development, and identify areas for new residential development particularly low-income housing in the Malaga Community. The Malaga County Water District is currently working in conjunction with Fresno County LAFCo in the preparation of a Municipal Service Review that includes not only the services provided by the Malaga County Water District, but the needs of the Malaga Community. The Malaga County Water District provides services to the Malaga Community beyond those set forth in the Background Report. The Malaga County Water District primarily through its Recreation Department and Community Center facilities provides community food distribution, senior activities, afterschool and summer youth and teen programs, conducts town hall meetings related to such issues as public safety and many other vital service in addition to the traditional services provided by a recreation district. These services are provided to the greater Malaga Community without regard to whether or not a person receiving or participating in such services is a resident of the Malaga County Water District. In recent years, providing these services has become increasingly difficult due to the rise in need for such services due in part to the ever increasing burden of the residents of the Malaga Community as defined by Cal EPA and the County of Fresno, and a static level of funding

The Malaga County Water District looks forward to working with the County to mitigate the impacts of the County's concentration of industrial, manufacturing, and commercial uses within the Malaga Community and providing necessary services to improve the health, safety, and welfare of the residents of the greater Malaga Community through the development of a Malaga Community specific plan or other mitigating measures.

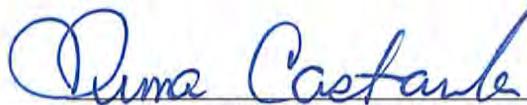
Very truly yours,



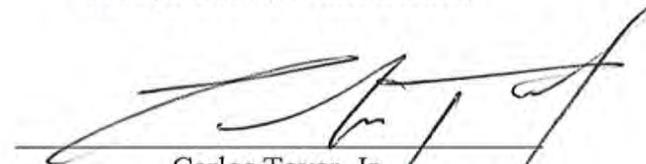
Charles Garabedian, Jr.  
President  
Malaga County Water District



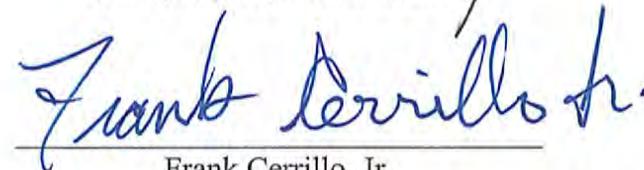
Salvador Cerrillo  
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Irma Castaneda  
Director  
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Carlos Tovar, Jr.  
Director  
Malaga County Water District



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Director  
Malaga County Water District