



## Legislation Details (With Text)

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**Title:** Approve the acquisition of permanent and temporary construction easements from Earleen M. Leshar and the estate of Velda D. Leshar for APNs 580-040-07 and 580-040-07, located in the County of Fresno.

**Sponsors:** Department of Public Utilities

**Indexes:**

**Code sections:**

**Attachments:** 1. Table 1.pdf, 2. Vicinity Map - Leshar.pdf, 3. Purchase Agreement w detailed Exhibits and Legal Descriptions.pdf, 4. Leshar Permanent Easements APNs 580-040-07 and 08.pdf, 5. Leshar Temporary Construction Easements\_APNs 580-040-07 and 08.pdf

Date	Ver.	Action By	Action	Result
9/24/2015	1	City Council	approved	Pass

## REPORT TO THE CITY COUNCIL

**September 24, 2015**

**FROM:** THOMAS C. ESQUEDA, Director  
Department of Public Utilities

**BY:** MICHAEL CARBAJAL, Division Manager  
Department of Public Utilities - Water Division

## SUBJECT

Approve the acquisition of permanent and temporary construction easements from Earleen M. Leshar and the estate of Velda D. Leshar for APNs 580-040-07 and 580-040-07, located in the County of Fresno.

## RECOMMENDATIONS

Staff recommends that City Council:

1. Approve the acquisition of a permanent easement and temporary construction easements as shown in the attached Table for the construction of the Raw Water Pipeline from the Friant-Kern Canal to the Northeast Surface Water Treatment Facility (NESWTF).
2. Authorize the Director of Public Utilities, or his designee, to sign all documents on behalf of the

City.

## **EXECUTIVE SUMMARY**

The Department of Public Utilities, Water Division is finalizing the design of the Friant Kern Raw Water Pipeline to deliver raw water from the Friant-Kern Canal to the NESWTF. With bidding scheduled to begin in fall 2015, acquisition of easements for this pipeline project is necessary. The property owners Earleen M. Leshner and the estate of Velda D. Leshner have agreed to the compensation of \$161,140 for the acquisition of permanent pipeline right-of-way and \$28,640/year for the acquisition of temporary construction easement (see attachment Table 1).

## **BACKGROUND**

Presently, the City's contract with the United States Bureau of Reclamation (USBR) for Central Valley Project (CVP) surface water, travels nearly 55 miles in open canals from Friant Dam (Millerton Lake) to the NESWTF. The proposed Project consists of the construction and operation of a 5.6-mile raw water pipeline. The new pipeline reroutes the CVP water directly to the NESWTF and will eliminate nearly 47 miles from the conveyance distance. The Project will convey water in an enclosed system and greatly reduce the threat to water quality, in otherwise open canals which are exposed to contamination from environmental debris, and accidental or malicious acts. The pipeline will be constructed across numerous properties in unincorporated Fresno County and connected to the existing one-mile long segment of pipeline constructed in 2007. Additional benefits of the project include reduced power consumption, chemical utilization, and increased operational reliability at the NESWTF.

## **ENVIRONMENTAL FINDINGS**

An initial study and Mitigated Negative Declaration was prepared and adopted on June 14, 2012 for this project. A Notice of Determination was subsequently filed with the Fresno County Clerk's Office on June 19, 2012. The Proposed Project consists of the construction and operation of a 5.6-mile raw water supply pipeline northeast of the City of Fresno, in unincorporated Fresno County at the City's existing NESWTF. The Proposed Project would be located between the NESWTF near Chestnut and Behymer Avenues and the Friant-Kern Canal to the northeast. The purpose of the Proposed Project is to develop a reliable raw water conveyance system with reduced potential for water quality contamination that will bring the City's existing Central Valley Project (CVP) contract supply water directly from the Friant-Kern Canal to the NESWTF. This approval is to implement that project.

An analysis has been performed pursuant CEQA Guidelines §15162 to determine whether subsequent environmental review is required for the project. Based upon this analysis the following findings are made to support the determination that no subsequent environmental review is required:

1. No substantial changes are proposed in the project which will require major revisions of the previous Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In this case there are no changes to the project.
2. No substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of

previously identified significant effects. In this case, the proposed pipeline alignment has not changed.

3. There is no new information, which was not known and could not have been known at the time of the previous Mitigated Negative Declaration that the project will have significant effect not discussed in the Mitigated Negative Declaration.

Based upon these findings, it has been determined that no further environmental documentation is required for this project.

## **LOCAL PREFERENCE**

Local Preference was not considered because this action does not include a bid or an award of a City construction or services contract.

## **FISCAL IMPACT**

Approving acquisition of these easements will not impact the General Fund. Appropriations for the acquisition of these easements are included in Water Division's FY2016 Capital Improvement Program budget within the 2010 Water Revenue Bonds A-1 Fund (40101) Project construction is expected to start in winter 2015.

Attachments:

Table 1

Vicinity Map

Purchase Agreement w/detailed Exhibits and Legal Descriptions

Deed of Easements

Temporary Construction Easements