



**BOARD OF SUPERVISORS
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: April 24, 2018-REVISED

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

CONTACT PERSON: Denise England PHONE: 636-5000

SUBJECT: Letter of Support for SB 495- Amending the Fish and Game Code

REQUEST(S):

That the Board of Supervisors:

Approve sending a letter of support for Senate Bill 495- Amending the Fish and Game Code

SUMMARY:

The community of Allensworth in southern Tulare County has faced ongoing challenges accessing safe drinking water for its residents. One of the community's existing wells has naturally-occurring arsenic that exceeds the level deemed safe for consumption. The community blends water from two supply wells to decrease the arsenic level. This has left the community with water that is always just under the safe drinking water standards' Maximum Contaminant Level (MCL) for arsenic. Additionally, despite having two supply wells the community only has a 40 gallon storage tank leaving the community vulnerable to water outages and shortages during electrical shutdowns and almost no fire flow to respond to emergencies.

The Allensworth Community Services District has a Safe Drinking Water Project to drill a new well to move forward in its quest to secure safe drinking water for the community of Allensworth and the Colonel Allensworth State Historic Park. It has been determined that a new well and larger storage tank are the most viable solution. The community worked diligently to find a new well site and found the only location available to be a parcel adjacent to the wildlife preserve. As such, the new well location is habitat to the endangered Blunt-Nosed Leopard Lizard. The Blunt-Nosed Leopard Lizard currently has fully protected status under the California Endangered Species Act. This means that zero disturbance of potential Blunt-Nosed Leopard

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Lizard habitat is allowed. Because there is no leniency, this has impeded Allensworth's pursuit for safe drinking water.

The community was able to drill a test well on the site and determined that good water can be produced from the proposed well. The test well process took nearly two years due to stringent compliance with the California Environmental Quality Act (CEQA) mitigation measures to protect the Blunt-Nosed Leopard Lizard. Unfortunately, similar mitigation for a larger production well is not feasible.

SB 495, introduced by Senator Vidak, proposes to add a new section to the California Fish and Game code which will allow the California Department of Fish and Wildlife discretion to issue an incidental take permit of the Blunt-Nosed Leopard Lizard specifically for the Allensworth Community Services District Safe Drinking Water Project. While this move does not guarantee a viable project for Allensworth, it does allow necessary discretion for the California Department of Fish and Wildlife providing a way for the Department to work collaboratively with the community on establishing feasible mitigation measures. Without this bill Allensworth has no feasible project and no way of accessing safe drinking water. As such, staff recommends taking a position of support on this bill and sending a letter conveying that position.

FISCAL IMPACT/FINANCING:

N/A

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's Strategic Plan includes an initiative to provide for the safety and security of the public which includes the goal of providing an adequate and safe water supply.

ADMINISTRATIVE SIGN-OFF:

Denise England
Water Resources Program Director

Cc: Auditor-Controller
County Counsel
County Administrative Office (2)

Attachment: Letter

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF LETTER OF)
SUPPORT FOR SB 495- AMENDING THE) Resolution No. _____
FISH AND GAME CODE)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: MICHAEL C. SPATA
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

Approved sending a letter of support for Senate Bill 495- Amending the Fish and Game
Code