



**RESOURCE  
MANAGEMENT AGENCY  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

KUYLER CROCKER  
District One

PETE VANDER POEL  
District Two

AMY SHUKLIAN  
District Three

EDDIE VALERO  
District Four

DENNIS TOWNSEND  
District Five

**AGENDA DATE:** May 19, 2020

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: Celeste Perez    PHONE: (559) 624-7010				

**SUBJECT:** Categorical Exemption for SE Water Groundwater Basin and Material Processing

**REQUEST(S):**  
That the Board of Supervisors:

1. Adopt the Categorical Exemption prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines per Section 15061 b (3) Common Sense Exemption, SE Water Grading and Mining Permit for a ground water basin and processing of material at Mike Clark Trucking Portable Ready Mix plant at 14180 Rd 192 in Poplar; and
2. Authorize the Environmental Assessment Officer, or designee, to sign and file the Notice of Exemptions with the County Clerk.

**SUMMARY:**  
In accordance with the California Environmental Quality Act (CEQA), Categorical Exemptions will provide CEQA compliance review for the whole of the project including processing of overburden material from the SE Water Groundwater Basin Expansion at Mike Clark Trucking Portable Ready Mix Plant. As such, RMA staff has determined that these activities are eligible for one categorical exemption (CE) under the CEQA guidelines.

SE Water LLC is expanding an existing groundwater basin located on the Northwest corner of Road 208 and Avenue 148 near the City of Porterville (Assessor's Parcel Number (APN) 236-150-012). The basin is approximately 64 acres and its purpose is primarily to bank water that is periodically available. Recovered water would be delivered to lawful recipients within the allowed places

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of the use of banked water. In order for the basin to function properly, the depth of the basin will be increased by approximately three feet. This will be accomplished by removing material from the basin. The estimated life of the project is approximately six months and approximately 49,000 cubic yards of material will be removed. The basin is in compliance with SGMA. SE Water has provided a grading plan to the County and the CE provides this project compliance with CEQA (Attachment A).

The applicant plans to remove excavated material commercially through local providers and has applied for a Surface Mine and Reclamation Permit (SMARA) with the County. A mine permit is required because the applicant is excavating over 1,000 cubic yards, or greater than one acre, of materials and selling this material commercially. The mine permit will be processed through the normal SMARA application process.

Mike Clarks Trucking is excavating the overburden material that cannot be stored or used on site, and uses it in their existing operations located at 14180 Road 192 in the community of Poplar. The site is within the Urban Development Boundary and allowed for commercial development. The zone for the property is M-1-MU (Light Industrial- Mixed Use). Ready mix plants are by right use within the M-1- MU zone. This CE provides this project compliance with CEQA (Attachment A).

**FISCAL IMPACT/FINANCING:**

No Net County Cost to the General Fund. The applicant has funded the drafting of the CEQA document(s).

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

These projects will enhance the water quality supply by streamlining the permit processing for agricultural ground water basins in compliance with SGMA. They will also supply Tulare County with jobs as well as improve quality of life.

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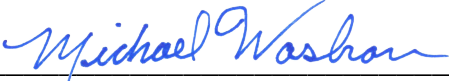
**DATE:** May 19, 2020

**ADMINISTRATIVE SIGN-OFF:**



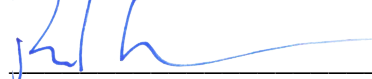
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Aaron R. Bock, MCRP, JD, LEED AP  
Assistant Director



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Michael Washam  
Associate Director



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Reed Schenke, P.E.  
Director

Cc: County Administrative Office

Attachment(s) A – SE Water LLC. / Mike Clark Trucking Categorical Exemption

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

IN THE MATTER OF CATEGORICAL )  
EXEMPTION FOR SE WATER ) Resolution No. \_\_\_\_\_  
GROUNDWATER BASIN AND MATERIAL )  
PROCESSING )

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE  
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD MAY 19, 2020, BY  
THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: JASON T. BRITT  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

1. Adopted the Categorical Exemption prepared pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines per Section 15061 b (3) Common Sense Exemption, SE Water Grading and Mining Permit for a ground water basin and processing of material at Mike Clark Trucking Portable Ready Mix plant at 14180 Rd 192 in Poplar; and
2. Authorized the Environmental Assessment Officer, or designee, to sign and file the Notice of Exemptions with the County Clerk.

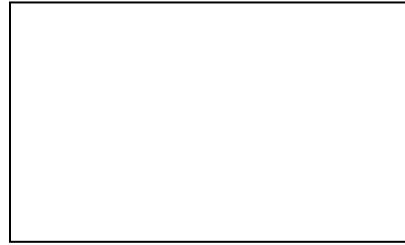
# **“Attachment A”**

SE Water LLC. / Mike Clark Trucking Categorical Exemption

# Notice of Exemption

To:  Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

Tulare County Clerk  
Room 105, Courthouse  
221 South Mooney Boulevard  
Visalia, California 93291



**Lead Agency:** Tulare County Resource Management Agency  
5961 South Mooney Blvd.  
Visalia, Ca 93277 (559-624-7000)  
Attn: [hguerra@co.tulare.ca.us](mailto:hguerra@co.tulare.ca.us) and [cprzybyl@co.tulare.ca.us](mailto:cprzybyl@co.tulare.ca.us)

*Date filed by Tulare County*

**Applicant(s):** SE Water, LLC PO Box 964 Visalia, CA, 93279 (559-786-1996) and Mike Clark Trucking, 19395 Avenue 144 Porterville, CA 93257 (559-854-7286)

**Project Title:** SE Water Groundwater Basin Expansion Grading and Mining Permit and Processing of Excess Material at an Existing Portable Ready Mix Plant in the M-1-MU Zone

**Project Location:** The basin is located at the Northwest corner of Road 208 and Avenue 148, Porterville, CA 93279 (APN 236-150-012). N ½ Section 36, Township 21 S, Range 26 E, MDB&M and the processing plant is located at 19395 Avenue 144, Porterville, CA 93257 (APN 302-040-003). N ½ Section 2, Township 22 S, Range 26 E, MDB&M

**Project Location - City:** Porterville **Project Location - County:** Tulare

**Description of Nature, Purpose, and Beneficiaries of Project:** The basins purpose is primarily to bank water that is periodically available in compliance with the Sustainable Groundwater Management Act. Recovered water would be delivered to lawful recipients within the allowed places of the use of banked water. In order for the basin to function properly, the depth of the basin will be increased by approximately three feet. This will be accomplished by removing material from the basin. The expansion of the basin will provide greater water recharge to the groundwater basin, providing a beneficial use. Mike Clarks Trucking is operating a portable ready mix plant located at 14180 Road 192 in the community of Poplar. The zone for the property is M-1-MU (Light Industrial-Mixed Use). Ready mix plants are by right use within the M-1- MU zone. This CE provides this project compliance with CEQA.

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Common Sense: CEQA guidelines 15061 (b)(3)
- Categorical Exemption:
- Statutory Exemptions:

**Reasons why project is exempt:** The use of Section 15061 (b)(3), Class 3 is applicable and appropriate as the project is compatible with this exemption. The basins purpose is primarily to bank water that is periodically available in compliance with the Sustainable Groundwater Management Act. Recovered water would be delivered to lawful recipients within the allowed places of the use of banked water. In order for the basin to function properly, the depth of the basin will be increased by approximately three feet. This will be accomplished by removing material from the basin. The expansion of the basin will provide greater water recharge to the groundwater basin, providing a beneficial use. The project is within the Poplar Urban Development Boundary and allowed for development. The current use is an allowed by right use within the Light Manufacturing- Mixed Use (M-1-MU) zone. As such, this project is considered ministerial under CEQA.

**Name of Public Agency Approving Project:** County of Tulare, Resource Management Agency

**Project Planner:** Chuck Przybylski, Planner **Area Code:** Telephone: 559-624-7000

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_ **Title:** Chief Environmental Planner

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_ **Title:** Environmental Assessment Officer  
Reed Schenke, PE

X Signed by Lead Agency

Date received for filing at OPR: \_\_\_\_\_ (if applicable)