



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

Planning Commission Staff Report Agenda Item No. 7 September 10, 2020

SUBJECT: General Plan Amendment No. 559; Environmental Review No. 7768
Senate Bill (SB) 244 Analysis - Fresno County Disadvantaged
Unincorporated Communities

NOTE: Appendix B, the County's SB 244 analysis document, is available to view or download at <https://www.co.fresno.ca.us/generalplan>

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(559) 600-4227

RECOMMENDATION:

- Recommend that the Board of Supervisors approve General Plan Amendment (GPA) No. 559 amending Section E - Non-Agricultural Rural Development of the County General Plan's Agriculture and Land Use Element by referencing disadvantaged unincorporated legacy communities within the County; and
- Include a new Appendix B-2 to the General Plan Policy Document consisting of an analysis of water, wastewater, stormwater drainage and structural fire protection needs or possible infrastructure deficiencies for the identified communities; and
- Recommend that the Board of Supervisors determine that above Recommended Actions are exempt from the California Environmental Quality Act and direct staff to file a Notice of Exemption with the Fresno County Clerk's Office; and
- Direct the Secretary to prepare a Resolution forwarding GPA No. 559 to the Board of Supervisors with a recommendation for approval, stating that the proposed changes to the County General Plan are consistent with the Fresno County General Plan and the requirements of SB 244.

EXHIBITS:

1. Location Map of Identified Legacy Communities
2. Proposed text changes to Section E of the General Plan Policy Document's Agriculture and Land Use Element
3. Public Comment/Correspondence During Public Review Draft
4. September 2, 2020 Correspondence from Leadership Counsel for Justice and Accountability

ENVIRONMENTAL DETERMINATION:

The recommended actions are exempt from the California Environmental Quality Act (CEQA) based on the following:

1. This type of activity is Categorically Exempt under 14 CCR 15306 Class 6 (Information Collection); and
2. It is exempt from CEQA under 14 CCR 15061(b)(3), as the recommended actions lack the potential for causing a significant effect on the environment and serve only to collect and summarize specified infrastructure information on disadvantaged unincorporated County legacy communities and possible funding sources for their infrastructure, as required by state law.

BACKGROUND/DISCUSSION:

Senate Bill No. 244 - Wolk (SB 244) was passed in 2011, requiring municipalities to address inequalities between unincorporated communities. The Bill sought to obtain an assessment of access to vital public services and evaluation of current states of infrastructure upon which identified communities rely. Government Code (GC) Section 65302.10, subd. (a). states that each city and county review and update the land use element of its general plan, based on available data, including, but not limited to, the data and analysis developed pursuant to GC Section 56430, regarding unincorporated island, fringe, or legacy communities inside or near its boundaries.

SB 244 requires, on or before the next due date for the next adoption of its housing element, that counties include in their general plan land use elements identification and analysis of underserved disadvantaged unincorporated communities (DUCs) within their unincorporated areas and outside city spheres of influence (SOIs). A DUC is defined as an inhabited and unincorporated community that includes 10 or more dwelling units in proximity or where 12 or more registered voters reside and has an annual median household income that is 80 percent or less of the statewide median housing income. In unincorporated county areas outside of SOIs, the only type of DUC is a legacy community which is at least 50 years old.

For identified communities, the general plan must include a description of the community; a map designating its location; an analysis of water, wastewater, stormwater drainage, and structural fire protection needs or deficiencies; and an analysis of benefit assessment districts or other financing alternatives that could make the extension of services financially feasible. It also requires that on or before the due date for each subsequent revision of its housing element, each city and county review, and amend if necessary, its general plan to update this analysis.

Within the San Joaquin Valley, reports have stated that more than 200 of these communities have been identified. The legacy communities identified by Fresno County are illustrated in Exhibit 1.

Staff is proposing the addition of text to Section E (Non-agricultural Rural Development) of the existing General Plan's Policy Document. The text, attached as Exhibit 2 and included in underlined italics, references SB 244 and the County's SB 244 Analysis as Appendix B-2 to the Policy Document.

Initiation

The County of Fresno adopted its updated Housing Element for the fifth-cycle planning period (2015-2023) in March of 2016. At the same time, the County was actively engaged in its General Plan Review/Comprehensive Zoning Ordinance Update (GPR/ZOU), and staff anticipated that an SB 244 Analysis would be included with that effort. The County's first draft of its SB 244 Analysis was included in the January 2018 release of the Public Review Draft - General Plan Review and Revision Background Report.

Due to timing constraints, length of time to complete the GPR/ZOU, and the need for the County to achieve a timely completion of its SB 244 Analysis, in 2019 the County determined to undertake its SB 244 Analysis as a stand-alone effort. Hence, General Plan Amendment No. 559 was initiated. The updated stand-alone SB 244 document reflects, in part, modifications based on public comments received related to that January 2018 release.

Public Outreach

In early 2020, the County held four community meetings on the topic of SB 244. Meetings were held on/at:

- January 28, 2020 - Riverdale Memorial District Office Memorial Hall
- January 29, 2020 - Fowler Branch Library
- January 30, 2020 - Tranquillity Branch Library
- March 10, 2020 - CPDES Hall, Easton

Community Meeting Flyers in both English and Spanish were also posted at 20 locations throughout the County, including post offices in Biola and Caruthers, the Del Rey Community Services District Community Hall, Westside Elementary School, Raisin City Market and the Cantua Creek Elementary School. Surveys in both English and Spanish were distributed at the community meetings to provide individuals an opportunity to submit written comments and concerns regarding their communities and provide their contact information.

As a General Plan Amendment, the County's Draft SB 244 Analysis was provided to several state and local agencies for review and comment. Agencies including irrigation and school districts; agencies providing sewer, water, drainage or fire protection services to identified communities; and other key reviewing agencies were given the opportunity to comment on the analysis document. Finally, a notice of document availability was also sent to organizations or individuals expressing prior interest in the County's SB 244 effort based on the release of the Public Review Draft-General Plan Review and Revision Background Report.

Staff also conducted field visits and took photographs of drainage infrastructure in late April and early May of 2019. Additionally, during rain events in the spring of 2020, staff went to those

communities that were cited as having flooding concerns by community organizations and took additional photographs.

ANALYSIS:

County Methodology

SB 244 describes the general characteristics of DUCs but does not provide specific guidance on how to identify them. To assist local governments in addressing the requirements of SB 244, the Governor's Office of Planning and Research (OPR) published a technical advisory memo in February 2013. The memo recommended data sources for identifying the income status of communities and mapping sources for identifying "communities" as defined by SB 244. It also referenced methodological guidance prepared by PolicyLink in collaboration with California Rural Legal Assistance. Based on the guidance provided by OPR and PolicyLink, the County identified DUCs in the Fresno County area by focusing on a combination of income status and parcel density.

Methodology Summary:

- Preliminary DUC determination was initiated with a County-retained consultant
- A methodology similar to Merced County's 2016 SB 244 effort was used by the consultant
- An American Community Survey five-year estimate of a \$57,444 income level was arrived at using 80% of the \$71,805 Median Household Income
- Potential communities were identified by a computer mapping/analysis program
- County-modified mapping/analysis resulted in identifying additional communities

Low Income Status

The County identified unincorporated communities that were 80 percent below the statewide median household income (MHI) and used Disadvantaged Communities shapefiles from the California Environmental Protection Agency (SB 535), Census Block Groups, and Census Designated Places (CDP). As stated above, the shapefile income data was based on the American Community Survey (ACS) 5-Year 2013-2017 Census. During 2013-2017, the statewide median household income was \$71,805.

Parcel Density

The County selected parcels that were outside of the spheres of influence of the fifteen cities within Fresno County, focusing on groupings of parcels that approximate the density of suburban and urban communities, with parcels that are small and close together defining what constitutes suburban or urban development.

To estimate density, the County calculated the number of parcels per square mile to identify development clusters similar in density to existing Census Designated Places (CDPs).

Parcel densities were calculated using the centroid (or middle point) of each parcel. The XY coordinates were extracted from the Fresno Parcel geodatabase layer, creating a new point layer from them.

The County then calculated parcel density using the ArcGIS spatial analyst kernel density tool. As a benchmark, the County relied on a density calculation methodology from the Community Equity Initiative (CEI) to establish a minimum threshold value for community density. This calculation was based on the developed portions of CDPs, which often have large undeveloped areas. Based on this methodology, the County selected unincorporated areas that were at least as dense as current Fresno County CDPs (approximately 250 parcels per square mile), which is consistent with CEI findings.

Some very small rural communities such as Camden Avenue Community and the East Adams Avenue Community were not originally identified based purely on the GIS-based methodology, so the County used available mapping aerial data and the centroid density layer to identify other areas that had 10 or more dwelling units in close proximity (per the Government Code definition of DUCs).

Combining the Data

After identifying areas that met the density threshold, the County added the low-income data layer to these areas. A new shapefile to identify DUCs was created by selecting areas that met both density and low-income thresholds. If a DUC did not have a known name, the County assigned a name based on associated CDPs. For communities outside of CDPs, the County used nearby roadway names or numbered County Service Areas as identifiers.

The results of the initial analysis were verified by using the Density-based Clustering tool in ArcGIS for both parcel density and address point density, and heat map visualization. With these tools, density was reanalyzed using 50 units per half-mile and 25 units per quarter-mile, to prevent anomalies in the analysis resulting from very large parcels in the western side of the County. The result was identification of six additional DUCs beyond the 30 previously identified with the methodology.

Summary of Communities

All 36 DUCs that the County identified are Legacy Communities, and many fall within CDP boundaries and are identified accordingly. The following table provides a listing of DUCs in Fresno County by size (in acres) and the number of parcels in each community. Figure 1 of the SB 244 Analysis document shows the Countywide distribution of DUCs, and Figures 1a through 1d show DUCs in the northwest, southwest, central, and south central areas of the County, respectively.

The analysis utilized to determine communities was undertaken in part to capture areas that may have not been designated by an historic place name. There are several areas and identified places in Fresno County that, although may have historic significance, do not meet all the criteria to be considered a DUC legacy community. Some examples include the communities of Friant, Centerville, Auberry, Tollhouse and Meadow Lakes.

These communities did not meet the lower income thresholds and/or fall within the PolicyLink methodology. Other identified places such as Bretz Mill, Dora Belle, Ockenden and Wildflower are portions of the larger Shaver Lake community and also exceed income level thresholds for DUCs. Other communities, such as Helm, contain multiple residences on a single parcel as part of housing for farm labor operation, and thus did not achieve the density or parcelization to be identified as a DUC using the County's methodology. Communities such as Rolinda did not possess the density and had generally higher income levels. The communities of Calwa and

Tarpey Village are located within the city spheres of influence of Fresno and Clovis, respectively, and were thus not part of the County's SB 244 analysis.

Communities Identified

Name	Size (acres)	Parcels
1. Ashlan Avenue Community	57	18
2. Biola Community	242	335
3. Britten Avenue/Cherry Avenue Community	20	26
4. Burrel Community	12	26
5. Camden Avenue Community	4	1
6. Carillo Avenue Community	20	28
7. Caruthers Community	453	787
8. Chestnut Avenue Community – Shady Lakes	26	2
9. Church Avenue/Floyd Avenue Community	44	36
10. Cornelia Avenue/Floral Avenue Community	60	38
11. CSA 30 Community – El Porvenir	29	61
12. CSA 32 Community – Cantua Creek	80	79
13. CSA 39 Zone A Community	19	52
14. CSA 39 Zone B Community	51	111
15. CSA 43 Community – Raisin City	38	75
16. CSA 49 Community – O’Neill Farms/Westside	93	15
17. Del Rey Community	108	316
18. East Adams Avenue Community	9	18
19. Easton Community	701	522
20. Five Points Community	16	3
21. Flamingo Mobile Home Community	9	1
22. Hayes Road Community/Perrin Colony	54	42
23. Hughes Avenue/Magnolia Avenue Community	40	30
24. Lanare Community	51	346
25. Laton Community	251	510
26. Lost Hills Community	172	162
27. Madera Avenue Community	22	27
28. Malaga Community	72	232
29. Monmouth Community	15	36
30. Parlier Avenue/Elm Avenue Community	36	30
31. Riverdale Community	501	1,042
32. Russell Avenue Community	158	51
33. Tombstone Territory	57	50
34. Tranquillity Community	157	296
35. Whitesbridge Community	139	24
36. Yuba Avenue Community	633	118

Summary of Financial Mechanisms

The County's SB 244 document lists potential funding mechanisms for infrastructure extension or improvement, including funding for existing community deficiencies and funding for expansion related to new development.

For existing deficiencies, many funding options require some form of assessment or repayment by property owners or the larger community. These mechanisms may include

- Assessment Districts
- Certificates of Participation
- General Obligation Bonds
- Infrastructure Financing Districts
- Mello-Roos Community Facilities Districts
- Revenue Bonds
- Tax Allocation Bonds
- User Rate Increases – with No Financing
- User Rate Increases – with Loans

New development infrastructure financing also often involves fees or taxes on property owners, although they can be isolated to those new properties receiving the benefit. Such funding mechanisms may include:

- Assessment Districts
- Developer-assisted Extensions
- Infrastructure Financing Districts
- Mello-Roos Community Facilities Districts

Table 3 of the SB 244 Analysis document lists a number of Federal and State funding programs. Program status and funding availability varies though, and some programs have no additional funding available at this this time. Some examples of funding options include:

- Community Development Block Grants (CDBG) (1974) (grants)
- United States Department of Agriculture Rural Development Program grants
- Safe Drinking Water State Revolving Fund grants and loans

Also, there are a few examples noted in the document of community service providers which have applied for or have utilized some of these programs for repair or replacement. Examples include:

- Biola received approximately \$11.4 million in grants to fund water system upgrades.
- Caruthers has sought assistance through Proposition 84 to assist with a new production well.
- County Service Area No. 30 El Porvenir sought state grants for a well water supply system and has been working toward completing its Fresno County Westside Groundwater Project, including construction of another potable water well, well site improvements, and water meter and valve replacements.
- For Tombstone Territory, Self-Help Enterprises prepared a preliminary engineering report to examine the feasibility of connecting the community to the City of Sanger for potable water; the study was funded by a grant from the California State Water Resources Board Division of Financial Assistance.

In 2016 the City of Kerman received \$3,230,000 through Proposition 1 and Drinking Water State Revolving Funds to connect the Double L Mobile Ranch Park located in the Church/Floyd community to the City's potable water system.

PUBLIC COMMENT:

Comments Related to Community Infrastructure

During the release of the public review draft document, staff received comments from the public in the form of four letters and 25 completed surveys distributed at the four community meetings held in early 2020 and completed by area residents. Copies of the comments received, including the surveys, have been included as Exhibit 3 of this staff report.

Some of the key concerns expressed included: the original draft document only focused on publicly-owned systems and that the public review draft document failed to discuss privately-owned community systems; document does not adequately discuss infrastructure deficiencies or incorrectly states the type of infrastructure available in particular communities; some communities do not illustrate the correct boundary, and staff site visits did not occur during rain events. Other comments included a lack of discussion of deficiencies for individual well and septic systems and the problems associated with reliance on individual wells, and lack of discussion regarding structural fire protection. Comments were also received regarding the County's methodology in defining and identifying DUCs.

Of the 25 community surveys returned to staff, almost all cited at least some specific concerns directly within areas applicable to SB 244. Specifically related to those surveys and comments made at the community meetings:

- West Park: need for a community sewer system; installation of sidewalks; and installation of a drainage system and storm drains.
- Riverdale: additional sidewalks; an improved storm drainage system; local area road repair to address some areas that have been neglected or are in very poor condition; and expansion of water service to non/underserved areas.
- Lanare: installation of a community sewer system; installation of sidewalks and a drainage system; and general street repair.
- Cantua Creek: safe potable water for drinking and cooking; Cantua has had bad water for years (non-drinkable) and a high water price; it is a low-income community of mostly farm workers who cannot afford current water prices and the grant received for help with good drinking water is running out; and reopening of the former volunteer fire station (Coalinga is the nearest servicing fire station).
- Three Rocks: installation of sidewalks; an improved water and sewer system; and an improved drainage system.
- Easton: installation of a water and sewer system; and improved drainage and sidewalks

Based on comments received, staff made updates to the document and provided a red-line/strike-through version on August 7, 2020 for the public to review. On August 24, 2020,

modifications were made to the document based on comments from the Fresno County Fire Protection District and a few minor corrections to the document.

Other Community Comments/Concerns (Non-SB 244)

At several of the community meetings, and in surveys returned to the County, several comments were made that were not germane to SB 244, but which represented concerns by individuals. Some of these concerns centered on high water and sewer rates, a lack of street lighting, and a lack of available social services or public transportation.

A summary of specific concerns is below.

- Riverdale: repainting of stores and remodeling stores to have a uniform look; adding water fountains, and establishing a community park and a community center for activities and that offers enrichment to the youth and anyone interested in helping the community; a local gymnasium; main street rejuvenation, including regular cleaning of main street and the downtown area; establishing a satellite office for the County Sheriff's Department; more Self-Help housing and new affordable residential complexes; local transparency with the Riverdale Public Utility District through a printed budget to be available to the public; streetlights or lamps around residential properties; programs for addictions; evaluation and treatment for depression in families; programs for help in cases of emergency (earthquakes, floods, shooting, missile attacks, other); efficient police surveillance; better control when fumigating the fields (fumigation occurs close to schools and families' homes during the day).
- West Park: streetlights; bus service.
- Lanare: public street lighting; street cleaning; housing code enforcement; more rounds done by the sheriff around the community; park improvements; programs for mental health and drug prevention/addiction; child care; transportation to get to the college; trash to be picked up throughout the community and community clean-up/trash events; repair of the community hall.
- Cantua Creek: street lights; mailboxes (currently only P.O. Box option); lower utility bills; emergency service clinic; low-cost internet service; a grocery store; a public park and/or a park for youth; a community facility; conversion of the vacant fire station for community events/use; better public transportation, including bus transportation; natural gas system for homes; a medical clinic; residents feel abandoned; cost of transportation to Fresno is difficult; ranchers reduce hours of work and employees want full-time work; want Supervisors to come to their communities; want Housing and Urban Development help; abandoned buildings breed fear; offer more community engagement; for people who own an electric car, the area to charge them is locked and people unsure of who has the keys; someone was told that the charging station needed an adapter a long time ago.
- Three Rocks: to have a park and sidewalks; the ability to build more houses (good families are leaving because of no housing); better/more parks.
- Easton: parks; more housing.

Response to Comment Letter by Leadership Counsel for Justice and Accountability

On September 2, 2020 staff received a comment letter from LCJA providing additional critiques of the County's SB 244 methodology. A copy of the letter received is attached as Exhibit 4 to this staff report and staff has provided the following information to rebut or clarify the concerns raised in this letter.

In 2018, LCJA filed a lawsuit against the County in part to require the County's preparation of the SB 244 Analysis document and incorporate it into the County's General Plan. On March 17, 2020, at the request of LCJA, the Superior Court set a 270-day deadline on the completion of the SB 244 Analysis document. Failure to meet this deadline could subject the County to sanctions.

Although LCJA requested that the Court require the County's SB 244 Analysis to exceed the statutory requirements, the Court's order only required the County to prepare its SB 244 Analysis "as required by Government Code Section 65302.10." The Court did not require that the County adopt the recommended approach from the Office of Planning and Research General Plan Guidelines, referenced in LCJA's letter at page 5.

As noted above, GC Section 65302.10, subd. (b) states that the County is required to review and update the Land Use Element of its General Plan to identify certain DUCs, and provide the following information, as relevant here:

"(2) For each identified community, an analysis of water, wastewater, stormwater drainage, and structural fire protection needs or deficiencies."

Because Section 65302.10, subd. (b)(2) does not specify how the County is to conduct its analysis, the Legislature left it to the discretion of the County to determine the appropriate analysis. The bulk of LCJA's comment letter to the Commission argues that the County's analysis is inadequate as it pertains to the infrastructure and service needs and deficiencies. However, LCJA's comments do not show that the County abused its discretion in analyzing water, wastewater, stormwater drainage, and structural fire protection needs or deficiencies.

To the contrary, County staff conducted a reasonable investigation and provided a reasonable analysis of each of the required categories of needs or deficiencies, well in excess of the statutory requirements:

- Staff updated the SB 244 Analysis document based on initial comments and concerns received, including comments by LCJA, raised during the first draft release of the SB 244 Analysis as part of the General Plan Public Review Background Report in January of 2018.
- Staff augmented that previous work completed by its General Plan Review Consultant using County staff with expertise in Geographic Information Systems to re-examine DUC identification methodology including relevant census tracts, established geographical layers of disadvantaged areas, and aerial photographs to identify additional DUCs.

- Staff collected data beyond Local Agency Commission’s Municipal Service Review documents to determine infrastructure deficiencies including outreach to service providers, meeting with fire district staff from both North Central and the Fresno County Fire Protection District, extracting available permit data for individual well and septic permits to estimate replacement frequency, and obtained private community system data and recent infrastructure connection project information from staff of the California Water Resources Board.
- County staff with knowledge of grading and drainage conducted multiple site visits, first to all identified DUCs in the late spring of 2019, and then for DUCs with noted flooding concerns in a rainy period during the spring of 2020.
- The County released an updated Public Review Draft of its SB 244 Analysis document in January of 2020 which included a listing of sources cited and photographs of staff site visits in addition to updated analysis.
- Staff conducted four community meetings and community outreach, which are not required under GC Section 65302.10, and prepared and processed questionnaires from residents of DUCs regarding infrastructure and service needs and deficiencies.
- As discussed above, staff collected reasonably available information regarding private wells and septic systems but could not inspect each such system due to private property rights and the amount of staff time required to investigate thousands of such systems.
- Based on comments received on the January 2020 Public Review Draft of the SB 244 Analysis document, staff updated the Analysis document and provided a first redline re-draft in early August of 2020, followed by an updated redline and final draft in late August of 2020; staff notified those individuals, agencies and organizations that had expressed interest in the County’s SB 244 effort of these revised drafts.
- For example, following comments by Leadership Counsel for Justice and Accountability (“LCJA”) and others, County staff made further site visits, including an additional site visit to Britten Avenue/Cherry Avenue to assess the possibility of flooding on unpaved roads and the ability of the fire apparatus from Easton station to traverse the roads. The current version of the SB 244 Analysis addresses these conditions in the Britten Avenue/Cherry Avenue community.
- The SB 244 Analysis document acknowledges complaints regarding infrastructure and service needs and deficiencies identified in comment letters (including in an earlier letter by LCJA) even where County staff was unable to independently verify the existence of such need or deficiency.
- Staff committed to community residents that it would include in its report to decision-makers other non-SB 244 concerns raised at community meetings and through received surveys, and staff has included this information in the noted Section above.

The LCJA comment letter asserts that the County should do more community outreach. This argument discounts the fact that, despite no legal obligation to do so, the County has already conducted community meetings and outreach. Further meetings are neither necessary, nor are they possible given that the unprecedented global pandemic caused by COVID-19 and the state's and County Health Officer's health and safety mandates in response have limited the County's ability to hold in-person community meetings.

Lastly, LCJA's comment letter claims that the County's SB 244 Analysis document violates numerous civil rights and housing laws, without providing authority which supports this position. LCJA's arguments are not relevant here, as the Commission's role is to help ensure that the County has a SB 244 Analysis that meets the requirements of Section 65302.10.

In sum, the LCJA comment letter does not require that the County make further changes to its SB 244 Analysis.

SUMMARY:

Updates and corrections were made to the document based on comments received on the January 2020 Public Review Draft. Those changes were reflected in red-line/strike-through drafts that were made available to the public in August of 2020. The County's SB 244 document acknowledges areas of infrastructure deficiency, including areas of flooding and standing water, water quality issues and known issues regarding wastewater treatment plants. Historical well and septic records were accessed, summarized and discussed for those DUCs not served by community sewer or water. The level of need and need for infrastructure improvement varies by community, and it is important to note, especially for smaller DUCs, that establishment of a community water or wastewater system may be infeasible due to the limited number of potentially-participating parcels. For larger DUCs in which there has been activity in considering or pursuing this infrastructure, staff has noted those efforts.

As described previously, participants in community meetings had many concerns outside the scope of SB 244 and basic infrastructure. Those concerns center around broader community issues, many of which extend well outside public works issues. Staff noted to those in attendance at the four community meetings that these matters, although they would be cited, are not areas to be addressed through the SB 244 process.

PLANNING COMMISSION MOTIONS:

Recommended Motion:

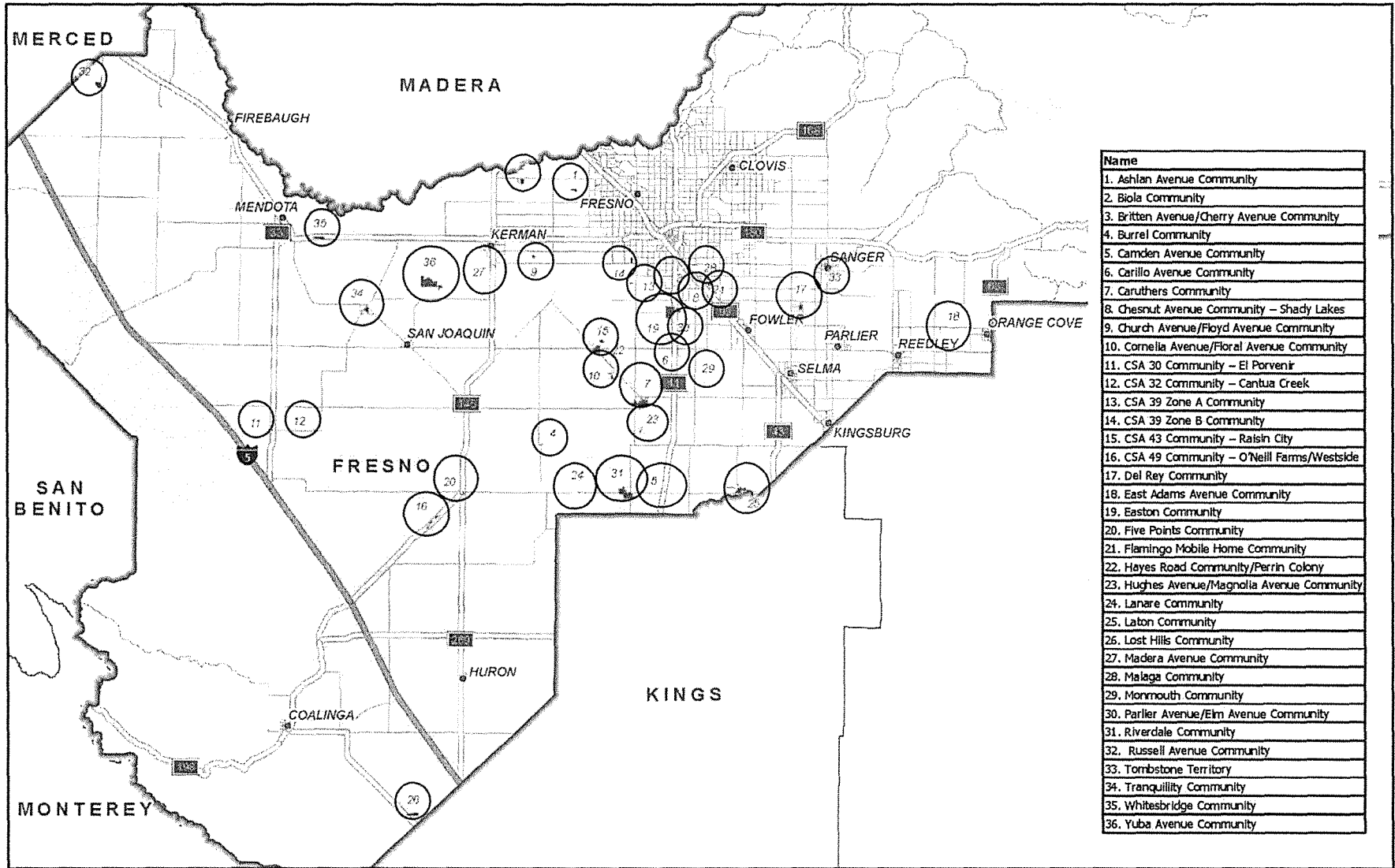
- Recommend that the Board of Supervisors approve General Plan Amendment (GPA) No. 559 amending Section E - Non-Agricultural Rural Development of the County General Plan's Agriculture and Land Use Element by referencing disadvantaged unincorporated legacy communities within the County; and
- Include a new Appendix B-2 to the General Plan Policy Document consisting of an analysis of water, wastewater, stormwater drainage and structural fire protection needs or possible infrastructure deficiencies for the identified communities; and
- Recommend that the Board of Supervisors determine that above Recommended Actions are exempt from the California Environmental Quality Act and direct staff to file a Notice of Exemption with the Fresno County Clerk's Office; and

- Direct the Secretary to prepare a Resolution forwarding GPA No. 559 to the Board of Supervisors with a recommendation for approval, stating that the proposed changes to the County General Plan are consistent with the Fresno County General Plan and the requirements of SB 244.

Alternative Motion:

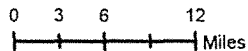
- Recommend that the Board of Supervisors deny General Plan Amendment (GPA) No. 559 (state reasons for denial recommendation); and
- Direct the secretary to prepare a Resolution documenting the Commission's Action.

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Name
1. Ashlan Avenue Community
2. Biola Community
3. Britten Avenue/Cherry Avenue Community
4. Burrel Community
5. Camden Avenue Community
6. Carillo Avenue Community
7. Caruthers Community
8. Chesnut Avenue Community – Shady Lakes
9. Church Avenue/Floyd Avenue Community
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11. CSA 30 Community – El Porvenir
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27. Madera Avenue Community
28. Malaga Community
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30. Parlier Avenue/Elm Avenue Community
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32. Russell Avenue Community
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34. Tranquillity Community
35. Whitesbridge Community
36. Yuba Avenue Community

Fresno County
Disadvantaged Unincorporated Communities



- Fresno County
- Disadvantaged Unincorporated Communities
- ACS 2017 Census Block Groups with MHI less than 80%
- SB 535 Disadvantaged Communities 2017



October 2, 2019

EXHIBIT 2

- b. The development should be designed to be compatible with existing uses on adjacent properties.
- c. The location of the proposed development shall satisfy one of the following conditions:
 - 1. The development should be on a major street or an intersection.
 - 2. The development should front on a road with existing commercial activity and should be within six hundred and sixty (660) feet of the nearest commercial use.
- d. Building height should not exceed the height of adjacent structures.
- e. Off-street parking should be sufficient for the proposed use.

Policy LU-E.26 The County shall require that industrial zone districts within the Monmouth Rural Settlement Area be consistent with the following criteria:

- a. Parcels shall be wholly or partially committed to existing industrial uses; and
- b. Industrial zoning shall be conditioned to permit only agriculturally-related industry.

Planned Rural Community

Policy LU-E.27 The County shall allow development within the designated Quail Lakes Planned Rural Community to proceed in accordance with the Specific Plan adopted at the time the designation was granted by the County. The County may grant amendments to the Specific Plan provided the overall density of development is not increased and the plan continues to demonstrate the following:

- a. The development will have no significant adverse impacts on groundwater;
- b. Public improvements within a Planned Rural Community shall be designed and constructed in a manner that is not growth inducing but would not preclude future annexation to a city;
- c. Impacts on Fresno County for the provision of services including, but not limited to, police, fire protection, schools, and other essential public services are adequately mitigated;
- d. The development will not have a net adverse fiscal effect on Fresno County;
- e. Provide a service delivery plan and a maintenance and operation program which will assure appropriate delivery of services and funding measures for the development; and
- f. Provide for monitoring of mitigation measures established by the required Environmental Impact Report.

Policy LU-E.28 The County shall not approve expansion of the existing Planned Rural Community designation or designate additional areas for such development.

Disadvantaged Unincorporated Communities – SB 244

SB 244 (Wolk, 2011) required cities and counties to address infrastructure and service needs of unincorporated disadvantaged communities within their general plans. SB 244 defines an unincorporated disadvantaged community as a place that contains 10 or more dwelling units in close proximity to one another; is either within a city Sphere of Influence (SOI), is an island within a city boundary, or is geographically isolated and has existed for more than 50 years (legacy community); and has a median household income that is 80 percent or less than the statewide median household income.

SB 244 further required that the general plan land use element be updated to: (1) identify unincorporated disadvantaged communities; (2) analyze for each identified community the water, wastewater, stormwater drainage, and structural fire protection deficiencies and needs; and (3) identify financial funding alternatives for the extension of services to identified communities.

The County conducted an SB 244 analysis which identified 36 unincorporated legacy communities based on meeting specified criteria. The analysis methodology, community descriptions, and discussion of community infrastructure, and potential infrastructure deficiencies, are attached as Appendix B-2 to this document.



EXHIBIT 3

CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

FIGHTING FOR JUSTICE, CHANGING LIVES

February 3, 2020

Sent via electronic and postal mail to: cmotta@fresnocountyca.gov
Chris Motta, Principal Planner
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RECEIVED
COUNTY OF FRESNO

FEB 03 2020

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

RE: Fresno County General Plan Draft SB244 Analysis

Mr. Motta,

California Rural Legal Assistance, Inc. (CRLA) is a non-profit law firm that has served rural communities throughout California for more than fifty years. CRLA's Community Equity Initiative specializes in environmental justice, equitable land use planning, and civil rights law.

This letter responds to the County of Fresno's January 3, 2020 request for comments on proposed changes to the SB244 analysis in the General Plan Policy Document (General Plan Amendment No. 559; Environmental Review No. 7768). CRLA works with several disadvantaged unincorporated communities in Fresno County and provides these comments to ensure the SB244 analysis accurately reflects conditions in those communities. CRLA also attaches and incorporates by reference two letters previously submitted to the County related to the General Plan that include a discussion of the SB244 analysis, as well as photographs of ongoing flooding in the community of West Park. The draft SB244 analysis fails to accurately identify infrastructure deficiencies in disadvantaged unincorporated communities in Fresno County and must be revised.

I. SB244 requires that Fresno County conduct a thorough analysis of the infrastructure deficiencies in DUCs within its jurisdiction

Senate Bill 244 (Wolk, 2011) mandates that jurisdictions identify disadvantaged unincorporated communities (DUCs) within their sphere of influence and analyze the infrastructure deficiencies within these communities. Government Code §65302.10(b)-(c) implements SB 244 and requires that the County identify each DUC that is within its boundaries and outside of any city sphere of influence, describe the community, demonstrate its location with a map, and provide an analysis of water, wastewater, storm water drainage, and structural fire protection needs or deficiencies within the community.

The SB 244 analysis must analyze water quality, water availability, sustainability of the water supply, wastewater or septic systems and their state of repair, the adequacy of existing storm water drainage systems for preventing flooding, and the structural fire protection needs in the

community. The analysis must consider the horizon year and the anticipated impacts of climate change.¹ The SB 244 analysis must also identify funding resources available to address the specific deficiencies in each community, as well as “opportunities to provide more efficient, high quality service through consolidation, extension of services, or other regional solutions to address inadequacy of services and infrastructure.”² The County should utilize the SB244 requirements chart published by the Offices of Planning and Research (OPR) to complete its disadvantaged communities analysis.³

II. Fresno County must do a complete analysis of water and wastewater deficiencies

The updated draft states that the County has not conducted an analysis of infrastructure needs for wastewater and drinking water systems not operated by the County or another public entity. This exclusion is impermissible and must be remedied. SB244 modified Gov't Code §35302.10 (b)(2) to require each jurisdiction to conduct an analysis of the “water, wastewater, stormwater drainage, and structural fire protection needs or deficiencies” in the community. This section does not include language limiting this analysis to publicly owned systems. Failure to conduct an analysis of privately owned systems excludes some of the most disadvantaged and vulnerable communities from the SB244 analysis, such as mobile home parks and state small water systems as defined in California Health and Safety Code § 116275. The County must include information about all wastewater and drinking water systems present in DUCs within its jurisdiction. Information about the privately-owned rural water systems can be located by contacting the Central Valley Regional Water Quality Control Board (RWB) and the State Water Resources Control Board (SWRCB)

III. The draft SB244 analysis does not accurately reflect infrastructure deficiencies in multiple communities

The draft SB244 analysis fails to accurately reflect infrastructure deficiencies in multiple disadvantaged unincorporated communities in Fresno County. We provide details of two of those communities below. The draft SB244 analysis also relies on documents that may be outdated and inaccurate. The updated draft analysis does not include a list of references relied upon to conduct the analysis; this information was included in the prior draft and is necessary for the public to evaluate the adequacy of the investigation conducted by the County.

Shady Lakes Community

Shady Lakes Mobile Home Park (Shady Lakes) is a disadvantaged unincorporated mobile home community located at 5568 S. Chestnut Ave, Fresno, CA 93725. The draft SB244 analysis

¹ OPR 2017 General Plan Guidelines, pg 66

² OPR 2017 General Plan Guidelines, pg 67

³ Id.

inaccurately states that the mobile home park is comprised of sixty-six (66) mobile homes. The park is comprised of sixty-two (62) mobile homes and five (5) detached single family homes. The draft SB244 analysis inaccurately states that Shady Lakes consists of one parcel totaling approximately six (6) acres. The park is situated on multiple parcels.

The draft SB244 analysis states that Shady Lakes utilizes a septic tank system for wastewater needs. It appears from the references in the analysis that the County relied on permit records from the Fresno County Department of Public Works and Planning to make this determination. This information is incorrect. The wastewater system in Shady Lakes is a privately-owned activated sludge treatment system that discharges effluent into a disposal pond—which the analysis inaccurately identifies as a stormwater pond—and a pastureland south of the park.⁴ The park owners recently excavated a second pond that is also part of the wastewater treatment system. Discharge Requirements for wastewater facilities in Fresno County are controlled by the Central Valley Regional Water Quality Control Board (RWB) and the County must contact that agency to obtain information regarding wastewater facilities. The RWB has issued multiple Notice of Violations to the owners of Shady Lakes in the past year for noncompliance with permitting requirements.

The County inaccurately states that stormwater is gathered by a gutter system and delivered to the onsite holding pond. Collected storm waters are directed to an existing infiltration basin operated by the Fresno Irrigation District that is located approximately 175 feet west of the disposal area behind a man-made earthen dike.⁵ The draft analysis erroneously states that there are no fire service deficiencies in the community. Residents report that at least one fire hydrant in the community is non-functional.

The County must ensure that the information reported in the SB244 analysis is accurate. It must conduct additional investigation into the infrastructure in Shady Lakes Mobile Home Park and update the SB244 appropriately.

West Park Community

The community of West Park is located on the southeast corner of the West Church Avenue and South Valentine Avenue intersection. The draft SB244 analysis identifies the community boundaries as coterminous with the boundaries of CSA 39 A/B; this is inaccurate. Many homes in West Park were excluded from CSA 39 A/B upon its creation and are consequently part of the community yet not included in the draft SB244 analysis. The County, by failing to include these residents in the draft analysis, fails to identify infrastructure deficiencies impacting the community.

⁴ Cal State Engineering, Inc. October 2019 Report of Waste Discharge Technical Report

⁵ Id.

CRLA submitted a comment letter to the County on May 4, 2018 describing in detail the infrastructure needs of the community of West Park. That letter is incorporated here by reference. The County fails to include almost any of the information included in that letter in its updated draft SB244 analysis, therefore failing to meet its obligations under SB244. Information that was submitted in the May 2018 letter includes the following.

The analysis of water in the community fails to identify that the water infrastructure in the area is not adequate to meet the needs of the community. At least ten homes in the community have been excluded from CSA 39 A/B and rely on private wells. These homes are experiencing a water emergency; they have nitrate and/or uranium contamination at levels unsafe for human consumption. Several private wells are drying up due to depleted groundwater sources; at least two wells have stopped producing entirely.⁶

The draft SB244 analysis misrepresents the drinking water problems in the community, incorrectly relying on documents from 2011 and failing to utilize the multiple engineering reports developed since 2015 that demonstrate the infrastructure inadequacies. For example, the draft SB244 analysis concludes that “there is no anticipation that the community will observe additional strain on its existing infrastructure.”⁷ A recent engineering report explicitly states that the existing water infrastructure in CSA 39 could not support additional connections but that new connections were needed for the homes previously excluded from the CSA.

The County recognized these insufficiencies and submitted an application in 2018 to the State Water Resources Control Board for planning funds for a project to connect homes with domestic wells into the CSA 39 system. The County can locate the correct information reflected in the supporting documentation for that application and update its SB244 analysis.

The County also failed to include the following information identified in the May 4, 2018 letter in its updated analysis.

West Park residents have individual septic systems at their homes; no wastewater system is present in the community. The SB 244 analysis for West Park recognizes this, but fails to recognize that the septic systems are inadequate for the community. Many septic systems are aging and failing, some are entirely non-functional. At least one home is forced to use portable toilets due to lack of functioning septic infrastructure; this has led to untreated sewage leaking onto the ground. The aging septic systems represent a public health and groundwater

⁶ CRLA Letter to County re General Plan May 2018

⁷ Fresno County General Plan Draft SB244 Analysis, pg 69

quality threat. Residents of West Park are seeking consolidation into the City of Fresno wastewater systems and have requested the City and County provide wastewater services to the community.⁸

Residents of West Park have continued to seek an extension of wastewater services to the community to address the inadequate wastewater facilities. Self-Help Enterprises and CRLA have met with County officials regarding this request. Accurate information about the wastewater needs of the community must be included in the SB244 analysis.

The draft SB244 analysis additionally failed to include information related to the flooding problems in the community. The County states that there are no problems with flooding in West Park, justifying this by stating that no reports of flooding were received in the winter of 2018-2019 or during the spring of 2019. CRLA and residents of West Park have repeatedly identified flooding problems in the community and have communicated these problems to the County. In CRLA's May 4, 2018 letter these issues were clearly identified. Residents of West Park again brought up the issue of flooding at a November 14, 2018 meeting about the General Plan held by the County. Residents submitted an additional letter on December 18, 2018. This letter includes an entire section on the flooding problem, including but not limited to the following excerpt as well as photographs:

One of the biggest issues is flooding, which in the rainy season has a profound impact on the ability of our children to safely walk in our community and to wait for the school bus in a safe place. We have attached several photographs of the flooding in our community taken in December 2018 after only two days of moderate rainy conditions. These flooding conditions force community members to walk in the middle of the road, make parking difficult, breed mosquitos that carry contagious and serious diseases, and make driving difficult and unsafe. These issues are compounded by the lack of lighting in our community, so it is very unsafe for someone trying to walk after dark in the winter because they must walk in the middle of the road, cannot be seen, and are at risk of being hit by a car. The flooding also is a health risk due to stagnant pools of water attracting mosquitos; this health risk is something the County must address in the general plan . . . We have spoken with County representatives on multiple occasions about the flooding problems in the community; we have also asked our attorney representatives to inquire about this issue.⁹

⁸ CRLA Letter to County re General Plan May 2018

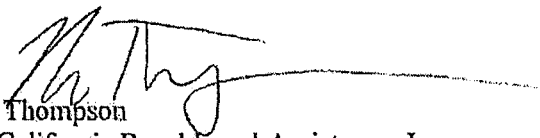
⁹ Letter to Public Works and Planning from Los Olvidados de West Park dated December 5, 2018

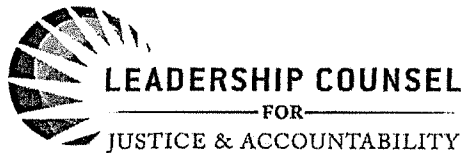
The County also supports its conclusion that West Park experiences no flooding issues by stating that staff visited West Park on April 26, 2019 and identified no flooding issues. April 26, 2019 had high temperature of ninety-seven (97) degrees. In fact, the week the County visited had three days over ninety (90) degrees and no precipitation. It was inappropriate for the County to choose a dry month with temperatures this high to visit the community and evaluate flooding problems. Simply asking a few residents would have provided more accurate information about the flooding issues. Residents of West Park have taken photographs of the flooding in the community; these photographs are included with this letter.

It is reasonable to assume that the draft SB 244 analysis inaccurately identifies the current conditions in other communities. The County must revise its SB244 analysis to accurately reflect the multiple infrastructure deficiencies that exist in West Park, Shady Lakes, and other communities.

The County has failed to meet its legal obligations in its updated draft SB244 analysis. Infrastructure needs from communities with privately-operated water and wastewater systems have been excluded entirely, and clearly communicated, detailed information about community needs has been ignored. The County has not conducted thorough research by contacting the appropriate agencies responsible for oversight of infrastructure systems, has relied on outdated documents even when it possesses more accurate information, and has failed to include infrastructure deficiencies that the Board of Supervisors has identified and is seeking funding to address. The draft SB244 analysis must undergo significant additional changes.

Sincerely,


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RECEIVED
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MAR 16 2020

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

March 13, 2019

Mohammed Khorsand
Senior Planner County of Fresno
Department of Public Works and Planning Development Services and Capital Projects Division
2220 Tulare Street Sixth Floor
Fresno, California 93721

RE: Disadvantage Unincorporated Communities SB 244 Analysis

Mr. Khorsand,

Thank you for the opportunity to provide comments on a crucial piece of the Fresno County General Plan, the analysis of certain infrastructure and service needs in disadvantaged unincorporated communities (“DUCs”) and funding mechanisms to address those needs pursuant to Government Code § 65302.10 and codified by Senate Bill 244 (2012) (“SB 244 Analysis” or “Analysis”). These comments build off of previous oral and written comments submitted by our organization, Leadership Counsel for Justice and Accountability (“LCJA”), on Fresno County’s revision of its 2000 General Plan (“General Plan Revision”) over the past several years, including on the County’s December 2017 Public Review Draft Background Report and Policy Document and the SB 244 Analysis contained therein.

We acknowledge some improvements in the January 2020 draft of the SB 244 Analysis (“January Draft Analysis” or “Analysis”), namely, the expansion of the methodology to identify DUCs which resulted in the identification of six additional DUCs. However, we note that numerous points included in our previous comments on the December 2017 Public Review Draft dated May 4, 2018 (“May 4th Letter”) and in other public comments. In addition, we acknowledge that the County hosted several workshops to allow the public to provide input on the SB 244 Analysis. To date, however, the County has provided no information about if and when it will incorporate the input provided into the Analysis.

The Analysis continues to fall short of the minimum requirements set forth in § 65302.10. The following comments are informed by input provided by residents of Fresno County DUCs at the County’s workshops and through our one-on-one communications with those and other residents. With these comments, we hope to assist the County in completing a SB 244 Analysis that complies with the law and will serve as a roadmap for the County to address some of the vast inequities in access to basic infrastructure and services that impact DUCs in Fresno County.

I. Failure to Include Complete and Accurate Information

The January 2020 Analysis omits information on water, wastewater, stormwater drainage, and structural fire protection deficiencies and needs provided by the public, including residents of disadvantaged communities, during public hearings and workshops and in comment letters. In addition, the Analysis fails to reflect visually apparent conditions within the DUCs identified as well as information relating to the deficiencies and needs in these communities which is readily accessible in reports, newspaper articles, and other public sources. Indeed, the Analysis indicates that it is based on LAFCo municipal service reviews and sphere of influence updates and the Fresno County Fire Protection District, as well as one trip that County staff made in April 2019 to observe stormwater drainage conditions. Notably, the Analysis does not state that the County used the information provided through public comments or any other source in preparing the Analysis.

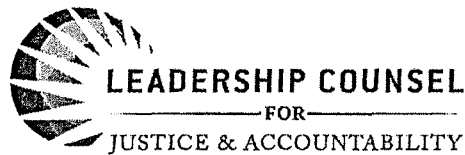
One example demonstrating inadequacy of the information relied upon in the Analysis is the Analysis' conclusion that no flooding issues exist in the community of Riverdale. Yet on January 28, 2020, the day that County staff hosted a public workshop in Riverdale on the SB 244 Analysis, four signs reading "FLOODED" were posted prominently Riverdale's main road, Mt. Whitney Avenue, in front of the Memorial Hall, the Catholic church, and Riverdale High School. Riverdale and Lanare residents raised flooding and inadequate drainage as deficiencies and needs during the workshop. Despite the evident stormwater drainage deficiencies and needs in Riverdale and Lanare, these needs and deficiencies are not acknowledged in the Analysis. To inform a complete analysis by the County, we have attached links to and portions of reports, newspaper articles, and other information for inclusion in the communities analysis throughout these comments.

II. Inadequate Analysis of Wastewater, Water, Fire Protection, and Stormwater Drainage Deficiencies and Needs

A. Inadequate Wastewater Analysis

For a number of DUCs, the SB 244 Analysis notes that respective communities are served by septic systems and identifies no deficiencies with respect to wastewater service. The Analysis fails to acknowledge the various public health and development barriers that are associated with domestic reliance upon septic tanks. The 2020 study, "A Health Impact Assessment on Fresno County's Pending General Plan Update¹," ("HIA") which LCJA published alongside Loma

¹ Health Impact Assessment on Fresno County's Pending General Plan Update included as attachment



Linda University, finds that within areas that do not have access to adequate wastewater infrastructure, residents are more likely to be exposed to dangerous pathogens in the soil on the property and neighborhoods are less likely to benefit from economic or community development.² Pathogen exposure puts residents at risk of physical illness and infections as well as mental health impacts³. With regards to economic and community development, many affordable housing and commercial developers require sewer infrastructure before they commit to developing land in communities and thus, a lack of such infrastructure in DUCs is a direct contributor to the lack of direly needed development in many DUCs and the persistence of vacant and underutilized parcels. The SB 244 analysis should take the HIA's findings into account and acknowledge that domestic reliance on septic tanks is itself a wastewater deficiency.

Further, the Analysis fails to identify deficiencies in existing septic systems serving properties within Fresno County DUCs. Many septic systems are aging and in need of repairs and replacement. These systems are currently or at risk of leaking or failing. Septic tank leakage and failure not only poses a serious public health threat; it can result in costly damage to housing which may strain the resources of many low-income families residing in County DUCs to repair. fully and accurately assess deficiencies in wastewater infrastructure, despite the significant health and community development impacts of inadequate wastewater services.

Further, in the case of Lanare, the Analysis' wastewater conclusion directly contradicts information contained in the Analysis by finding that no wastewater deficiencies exist, despite noting that Lanare community members report problems with septic systems in Lanare. The contradictory information and findings in the Analysis' wastewater analysis is at odds with the Government Code's requirement that general plans be "internally consistent." § 65300.5. The County must correct this deficiency in its final SB 244 Analysis.

B. Inadequate Water Analysis

The January 2020 Analysis fails to acknowledge deficiencies in water quality, quantity, accessibility and infrastructure that numerous DUCs face in Fresno County. For many DUCs, the descriptions of water needs and deficiencies relies on outdated data which is not consistent with the present reality. And while the County acknowledges the presence of certain water contaminants in some communities, it fails to acknowledge the water contaminants exceeding state MCL thresholds in certain communities and fails to say anything about water supply inadequacies due to groundwater depletion or inaccessibility of water to low-income residents due to high water prices. The County must correct these deficiencies, which we describe in

² Fresno County SB 244 Draft Analysis, page 5, 6, 25, 31, 42, 45, etc.

³ Health Impact Assessment on Fresno County's Pending General Plan Update, page 7

further detail below, in its final SB 244 Analysis. We urge the County to ensure that the SB 244 Analysis incorporates information held by Fresno County staff working on various water projects in DUCs as well as other relevant resources to ensure final SB 244 Analysis uses the most up-to-date and comprehensive information. Additionally, we urge the county to coordinate with the local Groundwater Sustainability Agency and add the relevant information regarding water quantity.

A few notable inaccuracies and deficiencies with respect to the January Draft Analysis' water analysis include:

- The Draft Analysis states that there is no water deficiency in Lanare. p. 133. However, the Arsenic treatment plant, which the report references, is not in operation and the community is currently at risk of experiencing contamination issues again. The community currently relies on a small water system and has no filtration system.
- With respect to Cantua Creek and El Porvenir, the January 2020 Analysis relies on outdated information from a 2017 Technical Memorandum and fails to incorporate relevant and current information from its own memorandum which it submitted to the State Water Resource Control Board on January 7, 2020. As the 2020 memorandum notes, Fresno County, starting in 2018, sought state funding in order to conduct new test wells for the groundwater project. Fresno County recently submitted a memorandum to the regarding the water contaminants in Cantua and El Porvenir as well as steps the County is taking to address the contaminants to remedy the issue. The memorandum identifies high levels of arsenic, 1,2,3-Trichloropropane, and Manganese, often exceeding the MCL, in the test well location for these communities⁴. The County must revise the Analysis to incorporate the information in the January 2020 memorandum into the assessments for both El Porvenir and Cantua Creek.
- With respect to Tombstone Territory, the January 2020 Analysis contains no description of water quality or quantity issues, despite the serious water quality and quantity deficiencies and needs in the community. Tombstone Territory relies on private wells. During the drought, half of the wells in the community went dry due to the lowering of the water table, leaving residents without water in their homes. While residents' used their savings to drill new and deeper wells, the community remains at risk due to groundwater depletion. In addition, various water quality tests performed in the community identify total coliform, nitrates, and 1,2,3, trichloropropane, in some cases exceeding state MCLs⁵. In addition, the City of Sanger received \$1 million in funding from the 2019/2020 FY state budget to connect Tombstone Territory to its water system,

⁴ See page 2 of Memorandum (attached)

⁵ See page 4 of Tombstone Preliminary Engineering Report (attached)



an important fact relevant to the status of Tombstone’s water deficiencies and needs which the Analysis does not reference⁶. We have attached as Attachment B the preliminary engineering report for this project.

Municipal Service Reviews prepared by Fresno County LAFCo pursuant to Government Code § 56430(b) are required to address the affordability of various infrastructure and services for individual communities, including the affordability of community water services. The January 2020 Analysis does not use the affordability information available in MSRs and fails entirely to mention the issue of water affordability. Many communities in Fresno County face unaffordable water rates, a fact which is well known to the County. County residents have long asked the County to address the high cost of water in various settings, most recently at Fresno County’s 2020 SB 244 workshops. At those workshops, residents from El Porvenir and Cantua Creek told staff during the public comment section that high water rates are a major hardship and concern in their communities which have resulted in residents’ struggling to pay water bills. Water rates that makes water service inaccessible to residents or result in financial hardship for residents to access the water quantities they need for day-to-day living is a water “deficiency” and “need” that the County must identify and analyze in its SB 244 Analysis.

C. Inadequate Fire Analysis

The County states that there are no fire needs in many of the communities and solely identifies what fire agency serves each community. However, there is no mention of average response times, fire hydrant infrastructure, or increased costs of housing insurance due to lack of fire protection

Lanare has experienced several large fires, including one that resulted in an injury and a loss of a home⁷. Tombstone has also experienced fires where firefighters were unable to save a home due to the lack of water and fire protecting infrastructure in the community. Several homeowners in Cantua Creek are experiencing increased homeowner’s insurance due to the distance from fire protection services. In the Britten Avenue/Cherry Avenue Community two unpaved roads which are the sole entrance and exit for residents and any emergency services proves to be a liability if an emergency were to occur. As a result of deep potholes creating severely unlevel roads, any vehicle, including a fire truck would not be able to get into or out of the community in an appropriate amount of time.

⁶ See press release stating \$1 million for Tombstone Territory Budget Line Item, <https://sd14.senate.ca.gov/news/6172019-senator-melissa-hurtado-secures-15-million-funding-safe-and-clean-drinking-water>

⁷ <https://www.fresnocountyfire.org/3-people-displaced-after-early-morning-house-fire-near-riverdale/>

The analysis of fire protection adequacy and deficiencies for each community must include fire protection infrastructure, such as number of fire hydrants and water pressure in communities, average and median response times to communities, and the number of incidents in communities. Each description on the fire infrastructure must be reassessed to address the efficiency and effectiveness as well as how the county plans to provide better services.

D. Inadequate Storm Drainage Analysis

The County's analysis states that it conducted site visits during the spring of 2019 for any sign of standing water and examining the log book of the County's road maintenance and operations department. One site visit, on a dry day, and reviewing log books does not suffice as a means to get accurate and comprehensive information. Moreover, all photos included in the SB 244 draft analysis show that the site visits were conducted on days with no precipitation, and thus no standing water would be present in communities, (see Attachment A). Staff must return to communities during the heavy rain days to adequately capture the stormwater drainage needs for communities.

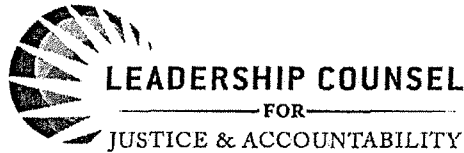
The analysis does not discuss the adequacy or inadequacy of infrastructure in communities in several communities. The draft analysis reports the following communities listed do not experience flooding, however, severe flooding even in light rain occurs in:

- Lanare
- Tombstone Territory
- Three Rocks (El Porvenir)
- Britten Avenue/Cherry Avenue
- Chestnut Avenue/Shady Lakes
- Flamingo Mobile Home Community
- Malaga
- Riverdale
- Tranquility
- San Joaquin

Fresno County must add community-specific information about the effectiveness of roadside ditches and other infrastructure to drain stormwater in DUCs. This is of particular importance given the likely increase in flood risks due to climate change and changing precipitation patterns.

III. Analysis of Infrastructure and Service Deficiencies Fails To Identify Visually Apparent Deficiencies and Deficiencies Identified During the Public Process

The current SB 244 draft analysis fails to address the adequacy of existing infrastructure and services to serve present and future needs of communities. We feel as though the current Fresno County draft of SB 244 does not reflect the intention behind the statute. SB 244 was crafted to "encourage investment in these communities and address the complex legal, financial, and



political barriers that contribute to regional inequity and infrastructure deficits within disadvantaged unincorporated communities⁸.” It is in the County’s best interest to fully identify the various infrastructural issues in communities to ensure that investment is focused on DUCs to enhance access to better health and opportunity.

Accordingly, we urge the County to use the Office of Planning and Research General Plan Guidelines⁹ which advise a broader analysis of services and infrastructure: police protection, sidewalks, lighting, libraries, schools, community centers, parks, alleys and other unsafe roads, transportation, preschools, and childcare providers. A comprehensive analysis can inform where and how the County can dedicate resources and leverage partnerships with community based organizations to address service and infrastructure deficiencies and further the health and wellbeing of neighborhoods and the County at large.

For decades many community residents have spoken to public electeds and staff about the deficiencies, lack of basic infrastructure and services needed in their communities for better access to opportunity and health. For example, residents in Lanare, Cantua Creek, El Porvenir, and Tombstone Territory have asked the county for attention to issues regarding transportation, community centers, parks, roads, lack of sidewalks, response times for firefighters and sheriffs, and lighting in their communities.

Unfortunately, this is the only planning document that DUCs needs are formally identified as required by the state of California. In order to adequately plan for communities, County staff must include the other needs that residents identified not solely what is legally required.

IV. Community Engagement

We recognize that the County held four workshops to gather resident feedback from the community on the SB 244 analysis. However, we must urge that county to improve their notification protocols and the structure of the meetings. For example, in Riverdale, the presentation was only available in English and being that the room was so small and no head sets were provided, it was difficult for residents to follow along. According to the 2017 5-Year ACS estimates, 60% of residents in Riverdale speak Spanish. Given this, it is imperative that the County provide adequate translation services and translated materials at County workshops in this and other areas in the County in order to comply with its obligations under state civil rights laws and to ensure the inclusion of residents. § 11135.

⁸ SB 244 http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120SB244

⁹ Office of Planning and Research General Plan Guidelines http://opr.ca.gov/docs/OPR_C4_final.pdf

Additionally, the presentations did not concretely ask for residents to provide feedback on the SB 244 analysis, as no questions were asked directly to residents. As for notification, many residents did not know about the workshops, because they did not receive a flyer. We ask that if the county wants to provide opportunities for engagement, they first notify residents with at least 2 week notice in their preferred language, at an accessible place in the community, and provide avenues for meaningful engagement. Additionally, we ask that all materials are adequately translated, including presentations being presented.

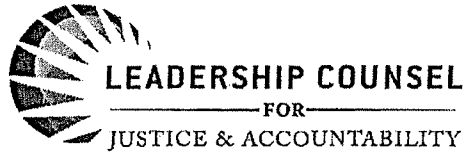
V. Compliance with Fair Housing and Civil Rights Laws

In adopting SB 244, the Legislature recognized the “distinct lack of public and private investment that threatens the health and safety” of residents of disadvantaged unincorporated communities and “fostered economic, social, and educational inequality.” It further declared its intent that, by complying the law, cities and counties begin to address barriers that “contribute to regional inequity and infrastructure deficits within disadvantaged unincorporated communities.” Stats. Ch. 513 (SB 244), §§ 2, 4. The County’s completion of its SB 244 Analysis consistent with the legal requirements set forth in § 65302.10 is an essential for its compliance with its duties not to discriminate and to affirmatively further fair housing under state and federal law.

The Fair Employment and Housing Act prohibits the County from discriminating, either intentionally or through the imposition of an unlawful discriminatory effect, in actions and omissions relating to land use that diminish housing opportunities based on race, country of origin, and other protected characteristics. Gov. Code § 12955(I). This prohibition encompasses County actions and omissions that relate to the provision or lack thereof of infrastructure and services, “such as water, sewer, and garbage collection” and “other municipal infrastructure and services.” 2 C.C.R. § 12161(b)(4).

Pursuant to Government Code Section 8899.50, public agencies must administer their “programs and activities relating to housing and community development in a manner to affirmatively further fair housing,” which means that the County must take meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.” § 8899.50(a)&(b). The County must “take no action that is materially inconsistent with its obligation to affirmatively further fair housing.” § 8899.50(b).

Failure by the County to accurately and thoroughly identify the water, wastewater, stormwater drainage, and structural fire protection deficiencies and needs in the County’s disadvantaged unincorporated communities, and the financing mechanisms available to address them would



perpetuate and entrench patterns of racial and ethnic segregation in the County and barriers to opportunity that result from these deficiencies. In order to comply with its requirements under Government Code sections 12955 and 8899.50, in addition to other state and federal fair housing and civil rights laws, the County must promptly address the deficiencies with the January 2020 Analysis that are described in this letter and adopt an analysis which meets the law's minimum requirements.

* * * * *

Thank you for your consideration of our suggestions above. While it is imperative that the county make these changes, we also ask for them to be done promptly given its long outstanding deadline of December 31, 2015. We look forward to reviewing an updated SB 244 analysis.

Sincerely,

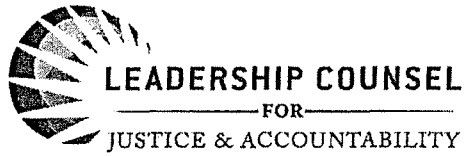
Leslie Martinez
Policy Advocate

cc: Rob Swanson, Deputy Attorney General, Environment Section, California DOJ

ATTACHMENTS

ATTACHMENT A: A screenshot of the temperature during sitevisits to determine deficiencies of storm drainage show that in April 2019, there were 0.00 inches of precipitation during those visits.

Tue 4/23	89° / 61°	Actual Temp	Precip 0.00 in	✓
Wed 4/24	93° / 64°	Actual Temp	Precip 0.00 in	✓
Thu 4/25	96° / 66°	Actual Temp	Precip 0.00 in	✓
Fri 4/26	95° / 64°	Actual Temp	Precip 0.00 in	✓
Sat 4/27	89° / 62°	Actual Temp	Precip 0.00 in	✓
Sun 4/28	88° / 57°	Actual Temp	Precip 0.00 in	✓
Mon 4/29	80° / 58°	Actual Temp	Precip 0.00 in	✓
Tue 4/30	74° / 57°	Actual Temp	Precip 0.00 in	✓



ATTACHMENT B: Tombstone Preliminary Engineers Report Attached as email attachment
ATTACHMENT C: CSA 30& CSA 32 MEMORANDUM attached as email attachment
ATTACHMENT D: A Health Impact Assessment on Fresno County General Plan Update
attached as email attachment.

March 6, 2020

Chris Motta,
Department of Public Works and Planning
Development Services and Capital Projects Division
2220 Tulare St., 6th Floor
Fresno, CA 93721

RECEIVED
COUNTY OF FRESNO

MAR 06 2020

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

Dear Mr. Motta,

I have an additional comment on the County's January 2020 Draft SB 244 analysis. If you have not done so already, would you please check to see whether the portion of the community of Friant depicted below meets the statutory definition of a disadvantaged community under SB 244.

The area contains single family homes and a trailer park. The roads for this residential area are unpaved.

Thank you,

Radley Reep
radleyreep@netzero.com
(559) 326-6227



March 5, 2020

Chris Motta,
Department of Public Works and Planning
Development Services and Capital Projects Division
2220 Tulare St., 6th Floor
Fresno, CA 93721

RECEIVED
COUNTY OF FRESNO
MAR 05 2020
DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

Dear Mr. Motta,

Below are comments on the County's January 2020 Draft SB 244 analysis.

1. Identifying Possible Disadvantaged Unincorporated Communities in Fresno County

Please find also attached a list of 165 census designated places and/or unincorporated communities within Fresno County. The information was taken from the following seven sources. (These sources may have applied different names to identical places.)

Wikipedia	117 unincorporated communities
Wikipedia	28 census designated places
Fresno County 2000 General Plan	10 unincorporated communities
Fresno County 2017 Draft Environmental Justice Element	52 disadvantaged places
Fresno County 2017 Draft Background Report	17 disadvantaged communities
Fresno County 2020 SB 244 Analysis	36 disadvantaged communities
Fresno LAFCO's 2020 SB 244 Analysis	18 disadvantaged communities

The attachment is not being provided because the 165 sites meet the statutory definition of disadvantage unincorporated communities for inclusion in the County's SB 244 report. The information is being provided as a courtesy to assist County planners in reaching their conclusion that no communities have been overlooked.

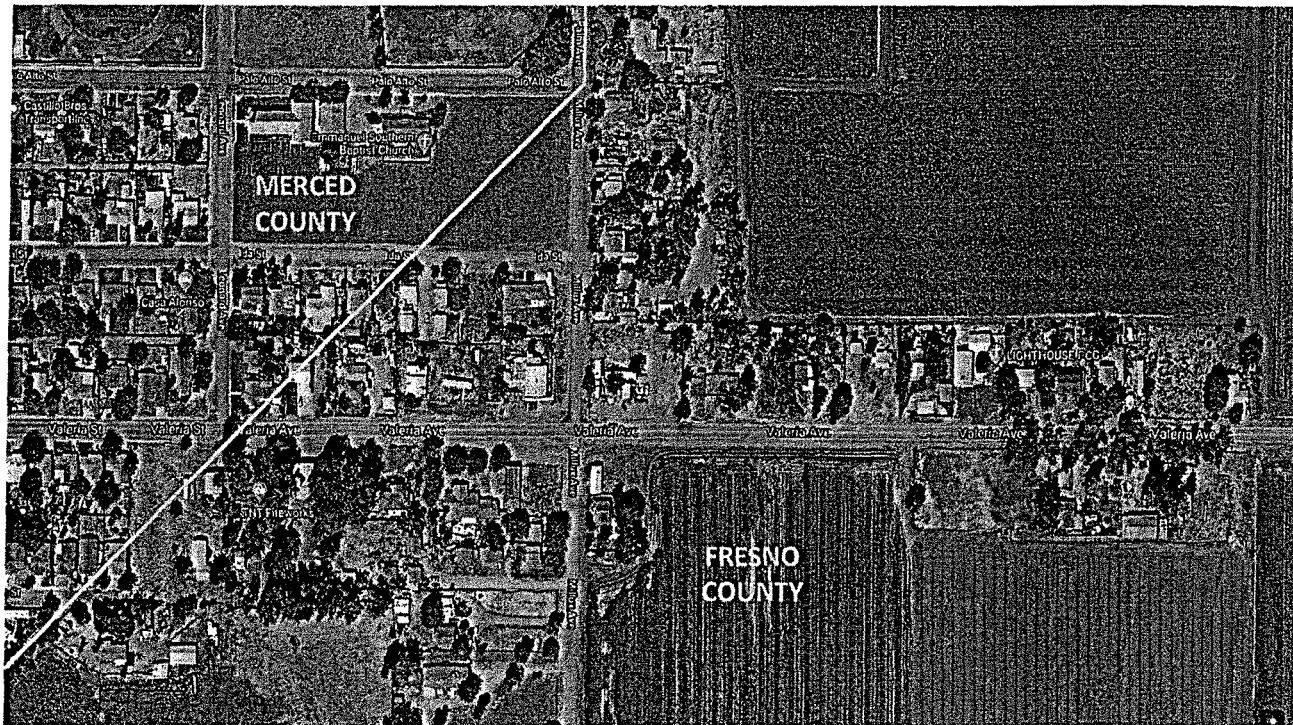
2. Disadvantaged Communities Possibly Overlooked

If you have not done so already, would you please check to see whether Dos Palos East and parts of the community of Centerville meet the statutory definition of disadvantaged communities under SB 244.

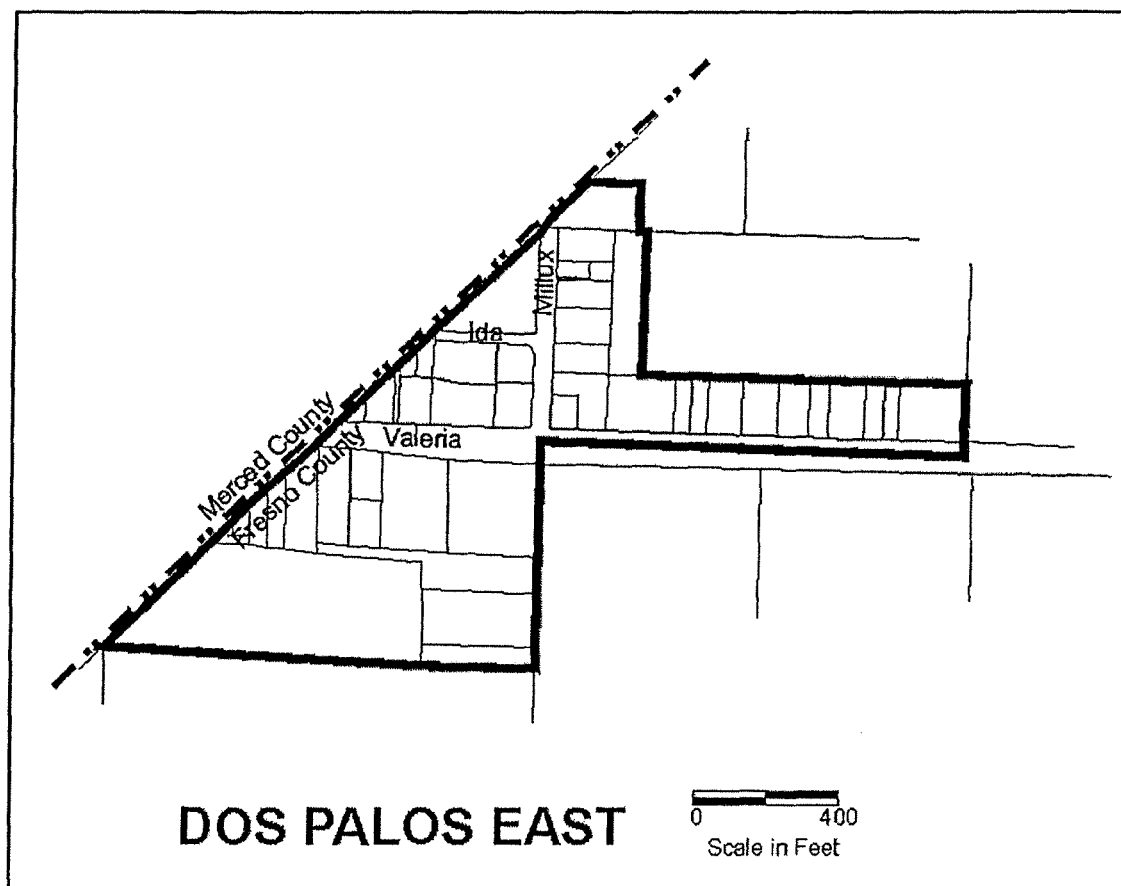
Dos Palos East is located just east of the Fresno County / Merced County boundary along the north and south sides of Valeria Avenue. The Community is shown as a Rural Settlement Area in Figure LU-1e of the 2000 General Plan.

Centerville is also shown as a Rural Settlement Area in Figure LU-1e of the 2000 General Plan. The portion of Centerville that may meet the definition of a disadvantaged unincorporated community under SB 244 is located at the intersection of Highway 180 (E. Kings Canyon Avenue) and Oliver Avenue. The area includes a trailer park.

Below are aerial views and diagrams from the 2000 General Plan for these two areas.



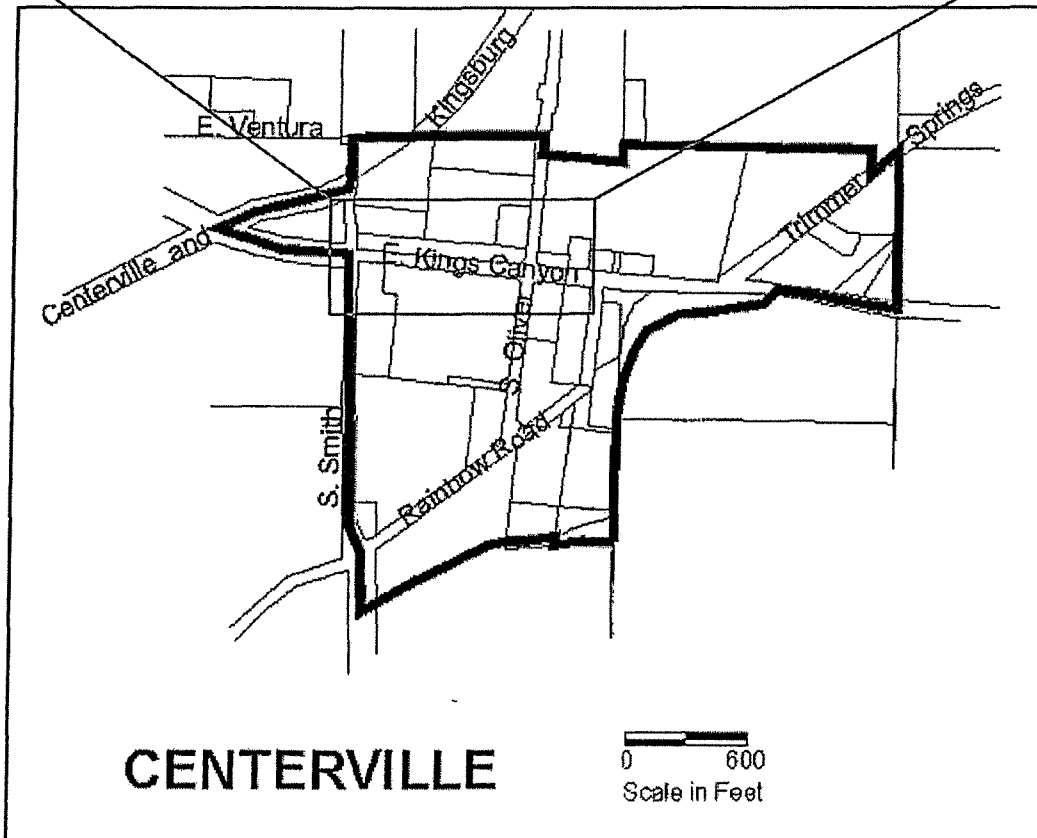
Aerial View of Dos Palos East



Dos Palos East as depicted in Figure LU-1e of the 2000 General Plan



Aerial View of Centerville showing the intersection at Highway 180 and Oliver Avenue



Centerville as depicted in Figure LU-1e of the 2000 General Plan

3. Staff Report to the Planning Commission and Board of Supervisors

County planning staff may have analyzed the two communities identified above and concluded that they did not meet the definition of disadvantaged unincorporated communities under SB 244.

I recommend that the County include in its staff report to the Planning Commission and Board of Supervisors a list of the communities that planners analyzed but decided not to describe in their SB 244 report. That list would include short explanations as to why each community was not among the 36 communities included in the County's SB 244 report (e.g., density too low, average median income too high, etc.). By providing this information, county residents will understand why various communities were not included in the draft report.

4. Amendment of (new text for) General Plan Section LU-E — NON-AGRICULTURAL RURAL DEVELOPMENT

At present, Section LU-E is divided in 6 subsections that set policy for four land use designations.

- | | |
|--|----------------------------------|
| 1. <u>"Rural Residential" designation</u> | Policies LU-E.1 through LU-E.13 |
| 2. Special Commercial Development in "Rural Residential" Areas | Policies LU-E.14 and LU-E.15 |
| 3. "Rural Residential" Development Restrictions | Policies LU-E.16 through LU-E.19 |
| 4. <u>"Foothill Rural Residential" designation</u> | Policy LU-E.20 |
| 5. <u>"Rural Settlement Area" designation</u> | Policies LU-E.21 through LU-E.26 |
| 6. <u>"Planned Rural Community" designation</u> | Policies LU-E.27 and LU-E.28 |

The County is proposing to add a 7th subsection entitled "Disadvantaged Unincorporated Communities – SB 244" to Section LU-E by affixing the wording shown below (in red) to the end of Section LU-E. County staff is not recommending that the introduction to Section LU-E be revised to introduce the new topic.

Disadvantaged Unincorporated Communities – SB 244

SB 244 (Wolk, 2011) required cities and counties to address infrastructure and service needs of unincorporated disadvantaged communities within their general plans. SB 244 defines an unincorporated disadvantaged community as a place that contains 10 or more dwelling units in close proximity to one another; is either within a city Sphere of Influence (SOI), is an island within a city boundary, or is geographically isolated and has existed for more than 50 years (legacy community); and has a median household income that is 80 percent or less than the statewide median household income.

SB 244 further required that the general plan land use element be updated to: (1) identify unincorporated disadvantaged communities; (2) analyze for each identified community the water, wastewater, stormwater drainage, and structural fire protection deficiencies and needs; and (3) identify financial funding alternatives for the extension of services to identified communities. The County conducted an SB 244 analysis which identified 36 unincorporated legacy communities based on meeting specified criteria. The analysis methodology, community descriptions, and discussion of community infrastructure, and potential infrastructure deficiencies, are attached as Appendix B-2 to this document.

Importantly, *Disadvantaged Unincorporated Communities* do **NOT** have a County land use "designation" or any policies specific to them. For these reasons, I feel it would be much better to have information about SB 244 legacy communities in the introduction to Section LU-E and not at the end. In addition, I feel Goal LU-E should be amended. Below is the existing text from the introduction and goal with the language that I recommend.

E. NON-AGRICULTURAL RURAL DEVELOPMENT

The vast majority of Fresno County's rural area is designated for agricultural, rangeland, or open space uses. However, the General Plan designates land for four types of rural development that are primarily residential in character: Rural Residential, Foothill Rural Residential, Rural Settlement Areas, and Planned Rural Communities.

This plan, however, restricts the designation of additional areas for such development because there is already a large inventory of vacant rural residential lots, additional rural residential development is not needed to accommodate projected unincorporated growth, and rural residential development has environmental and service impacts that can and should be avoided.

Rural Settlement Areas, which consist of small unincorporated residential *communities* surrounded by agriculture and other open space uses, have experienced little growth since their early founding. Substantial population growth in these areas is not anticipated in the future.

Planned Rural Community is an intermediate land use designation that provides for a density of development that is higher than that of the Rural Residential but still significantly lower than the General Plan's urban designations. This designation has been applied to a single location (Quail Lake Estates Specific Plan). This General Plan prohibits the designation of any additional land as Planned Rural Community for the same reasons cited above. These restrictive land use policies retain land use planning options for future generations.

Policies in this section provide for appropriate development in rural areas by directing development away from productive and potentially productive agricultural areas, limiting expansion of existing designated rural residential areas, and minimizing the environmental and service impacts of continued development within areas already designated for rural development. Related policies are included in Section LU-A, Agriculture; Section LU-B, Westside Rangeland; Section PF-C, Water Supply and Delivery; and Section PF-D, Wastewater Collection, Treatment, and Disposal.

Thirty six (36) of the county's rural communities meet the state's definition for legacy communities, which are geographically-isolated, disadvantaged unincorporated communities (DUCs) of 10 or more dwelling units in close proximity to one another in which the average median household income is less than 80% of the statewide median household income.

In 2020, the Department of Public Works and Planning analyzed the water, wastewater, stormwater drainage, and structural fire protection deficiencies and needs of these legacy communities, as well as the benefit assessment districts or other financing alternatives that could make the extension of services to legacy communities financially feasible. This information is contained in a report entitled "Disadvantaged Unincorporated Communities – County of Fresno 2020," (See Appendix M.)¹

Goal LU-E To provide for the continued development of areas already designated for non-agricultural rural-residential development and to meet the infrastructure and service needs of disadvantaged unincorporated legacy communities in a manner that minimizes environmental impacts and public infrastructure and service costs while restricting designation of new areas for such development.

¹ The County's SB 244 analysis is labeled "Appendix M" because the current appendices end with "L."

I thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script that reads "Radley Reep".

Radley Reep
radleyreep@netzero.com
(559) 326-6227

List of 165 Census Designated Places and/or Unincorporated Communities in Fresno County

(From Various Sources — Updated March 4, 2020)

The numbers in the row immediately below represent the total number of designated places and/or unincorporated communities that were listed in each of the identified sources of information. Per instructions within SB 244, Fresno County’s analysis (column 6) did not list communities located within the spheres of influence of any of the County’s 15 cities. In contrast, the LAFCO analysis (column 7) did identify such communities, but they are not listed on this chart.

The names of the 15 communities highlighted in yellow do not appear in any of the sources represented by the first five columns, namely, Wikipedia, the Fresno County 2000 General Plan or the Fresno County December 2017 draft update of the 2000 General Plan.

It’s important to note that these various sources could have used different names for the same places.

Wikipedia 117 Unincorporated Communities	Wikipedia 28 Census Designated Places (CDP)	Fresno County 2000 General Plan 10 Unincorporated Communities with Plans	Fresno County 2017 Draft Env. Justice Element 52 Disadvantaged Places (CalEPA)	Fresno County 2017 Draft Background Report 17 Disadvantaged Communities (2015)	Fresno County SB 244 Analysis 36 Disadvantaged Communities (January 2020 Draft)	LAFCO SB 244 Analysis 18 Disadvantaged Communities (January 2020 Draft)	
					Ashlan Avenue		
<u>Alder Springs</u>							
<u>Arbios</u>							
<u>Avocado</u>							
<u>Balch Camp</u>							
<u>Barstow</u>							
<u>Benito</u>			Benito				
<u>Big Bunch</u>							
	<u>Big Creek</u>						
	<u>Biola</u>	Biola		Biola CDP	Biola	Biola	
<u>Biola Junction</u>							
	<u>Bowles</u>		Bowles				
<u>Bretz Mill</u>							
					Britten / Cherry Avenues	Britten	
<u>Broadview Farms</u>			Broadview Farms				
<u>Bumess</u>							
<u>Burrel</u>					Burrel		
<u>Calflax</u>			Calflax				
	<u>Calwa</u>		Calwa				
<u>Camden</u>			Camden		Camden Avenue	Camden	
<u>Cameo</u>							
<u>Camp Sierra</u>							
	<u>Cantua Creek</u>		Cantua Creek	Cantua Creek CDP	CSA 32 / Cantua Creek Carillo Avenue	Cantua Creek Carillo	

	<u>Caruthers</u>	<u>Caruthers</u>	<u>Caruthers</u>	<u>Caruthers CDP</u>	<u>Caruthers</u>	<u>Caruthers</u>	
<u>Cecile</u>			<u>Cecile</u>				
<u>Cedar Crest</u>							
<u>Cedar Grove</u>							
<u>Cedarbrook</u>							
<u>Cella</u>			<u>Cella</u>				
	<u>Centerville</u>						
<u>Chaney Ranch</u>			<u>Chaney Ranch</u>				
					<u>Chestnut Ave. Shady Lakes</u>	<u>Shady Mobile Home Park</u>	
				<u>Church / Valentine Aves.</u>			
<u>Cincotta</u>							
<u>Clint</u>			<u>Clint</u>				
<u>Clotho</u>							
<u>Conejo</u>			<u>Conejo</u>				
					<u>Cornelia / Floral Avenues</u>		
<u>Crabtree</u>							
<u>Cromir</u>			<u>Cromir</u>				
					<u>CSA 39 Zone A</u>		
					<u>CSA 39 Zone B</u>		
<u>Deer Crossing</u>							
	<u>Del Rey</u>	<u>Del Rey</u>	<u>Del Rey</u>	<u>Del Rey CDP</u>	<u>Del Rey</u>	<u>Del Rey</u>	
<u>Dinkey Creek</u>							
<u>Dora Belle</u>							
<u>Dunlap</u>							
					<u>East Adams Avenue</u>		
	<u>Easton</u>	<u>Easton</u>	<u>Easton</u>	<u>Easton CDP</u>	<u>Easton</u>		
<u>Edmiston</u>							
					<u>CSA 30 / El Porvenir</u>		
<u>Elk</u>							
<u>Elm View</u>			<u>Elm View</u>		<u>Parlier / Elm Avenues</u>		
<u>Etheda Springs</u>							
<u>Figarden</u>							
<u>Five Points</u>			<u>Five Points</u>		<u>Five Points</u>		
					<u>Flamingo Mobile Home</u>	<u>Flamingo Mobile Home lodge</u>	
<u>Floyd</u>					<u>Church / Floyd Avenues</u>		
	<u>Fort Washington</u>						
	<u>Friant</u>	<u>Friant</u>					
<u>Giffen Cantua Ranch</u>							
<u>Glorietta</u>							
<u>Goldleaf</u>							
<u>Goodmill</u>							
<u>Gordon</u>							
<u>Gravesboro</u>							
				<u>Hayes Road Community</u>	<u>Hayes Road / Perrin Colony</u>	<u>Perrin</u>	
<u>Helm</u>			<u>Helm</u>				
<u>Herndon</u>			<u>Herndon</u>				
<u>Highway City</u>			<u>Highway City</u>				
<u>Hoffman Point</u>							

Hub						Hughes / Magnolia Aves.
Hume						
Hume Station						
Humphreys Station						
Huntington Lake						
Ingle			Ingle			
Ivesta						
Jamesan						
Kanawyers						
La Jolla Ranch			La Jolla Ranch			
Lacjac			Lacjac			
Lakeshore						
	Lanare	Lanare	Lanare	Lanare CDP	Lanare	
			Las Palmas			
	Laton	Laton	Laton	Laton CDP	Laton	Laton
Lerona						
Levis						
Locans			Locans			
Lone Star			Lone Star			
					Lost Hills	
	Malaga		Malaga	Madera Ave Community Malaga CDP	Madera Avenue Malaga	Malaga
Marshall Junction						
Mathews Mill						
Mattei						
	Mavfair					
Meadow Lakes						
Mervey Hot Springs			Mercy Hot Springs			
Miley			Miley			
	Minkler		Minkler			
Miramonte						
	Monmouth		Monmouth	Monmouth CDP	Monmouth	Monmouth
Mono Hot Springs						
Murietta Farm			Murietta Farm			
				Muscat / Valentine Aves.		
Muscatei						
Navelencia			Navelencia			
New Auberry	Auberry					
Ockenden						
Old Bretz Mill						
	Old Fig Garden					
Oleander						
Ora						
Oro Loma			Oro Loma			
Oxalis			Oxalis			
Panoche Junction						
Parkfield Junction						

<u>Piedra</u>						
<u>Pilibos Ranch</u>			Pilibos Ranch			
<u>Pinedale</u>			Pinedale			
<u>Pinehurst</u>						
<u>Pineridge</u>						
<u>Prather</u>						
<u>Pratton</u>			Patton [sic?]			
<u>Raco</u>						
	<u>Raisin City</u>		Raisin City	Raisin City CDP	CSA 43 / Raisin City	Raisin City
<u>Riverbend</u>						
	<u>Riverdale</u>	Riverdale	Riverdale	Riverdale GDP	Riverdale	Riverdale
<u>Rock Haven</u>						
<u>Rodgers Crossing</u>						
<u>Rolinda</u>			Rolinda			
					Russell Avenue	
			Sanger			
<u>Sawmill Flat</u>						
<u>Schilling</u>						
	<u>Shaver Lake</u>	Shaver Lake				
<u>Shaver Lake Heights</u>						
<u>Sierra Cedars</u>						
<u>Sierra Sky Park</u>						
<u>Snow Bend</u>						
	<u>Squaw Valley</u>					
	<u>Sunnyside</u>		Sunnyside			
<u>Tarpey</u>	<u>Tarpey Village</u>					
	<u>Three Rocks</u>		Three Rocks	Three Rocks CDP		
<u>Tollhouse</u>						
	<u>Tranquillity</u>	Tranquillity	Tranquillity	Tranquillity CDP	Tombstone Territory Tranquillity	Tranquillity
<u>Trimmer</u>						
<u>Turk</u>						
<u>Uva</u>						
<u>Vanguard</u>						
<u>Wahtoke</u>			Wahtoke			
<u>Westhaven</u>						
	<u>West Park</u>					West Park
<u>Westside</u>			Westside		CSA 49 / O'Neil Farms / Westside Whitesbridge	O'Neill Farms
<u>Wildflower</u>			Wildflower			
<u>Wineland</u>			Wineland			
<u>Wolf</u>						
<u>Wood Ranch</u>						
					Yuba Avenue	
<u>Zediker</u>						

Community Meetings- 25 Surveys Completed

	Riverdale	Lanare	West Park	Cantua Creek	Three Rocks	Easton	N/A								
1. What is your community name?	5	4	2	4	1	8	1								
2. Do you own your own home?	Yes	No	N/A												
	18	3	2												
3. How many miles away is the nearest fire station?	.5 Mi	1 Mi	2 Mi	2.5 Mi	3 Mi	4 Mi	5 Mi	25 Mi	N/A						
	3	2	2	1	6	2	3	1	5						
4. Does your water come from a well or a community system?	Well	Com Syst	Other	N/A											
	13	6	2	4											
5. Is your water safe to drink?	Yes	No	N/A												
	13	11	1												
6. Do you have a septic system or a community sewer system?	Septic	Com Sew	N/A												
	18	5	2												
7. Does your community have a storm drain system?	Yes	No	N/A												
	6	18	1												
8. Does your community have bus service?	Yes	No	NA												
	3	19	3												
9. How far do you travel to work?	.5 Mi	1 Mi	2 Mi	3 Mi	10 Mi	15 Mi	16 Mi	20 Mi	30 Mi	40 Mi	60 Mi	90 MI	100+ Mi	N/A	
	1	1	2	1	1	1	1	1	2	2	1	1	1	9	
10. Do you have sidewalks in your neighborhood?	Yes	No	N/A												
	4	20	1												
11. What language do you speak best?	English	Spanish	Other	N/A											
	15	9	0	1											

Exhibit 3 - Page 29

12. What would make your community more livable?

1.) I'd like to receive all notices the County sends out regarding steps to comply with SB 244.

2.) **Riverdale-** Repainting the stores and sidewalks would make our community more livable.

3.) **Riverdale-** As a young member of this community, it can be made more livable by adding sidewalks, water fountains, and possibly making a community center that offers enrichment to the youth and anyone interested in helping the community. If we compare our community to neighboring communities, the lack of factors that make our community livable is more apparent.

4.) **Riverdale-**Community park with a community center for activities, sidewalks, storm drain system, local area road repair (in areas very poor condition and neglected), regular cleaning of main street and downtown area, satellite office for County Sheriff's Deputies, main street rejuvenation such as painting and remodeling with a uniform look, more Self Help housing and affordable new living complexes, transparency through dispatched printed budget to be available to our disadvantaged community.

5.) **Riverdale-**We are in need of sidewalks and parks. Here we do not have a place to take our children to walk or play at a location that is within walking distance, street lights or lamps around the resident properties, a gymnasium.

6.) **Riverdale-**Programs for addictions, evaluation and treatment for depression in families, programs for help in cases of emergency, (earthquakes, floods, shooting, missile attacks, other), sidewalks, park, clean streets, water for the few areas that are drying out, a place to collect rain water for future droughts, efficient police surveillance, better control when fumigating the fields (they are done close to schools and families homes during the day).

7.) **West Park-** A sewer system, sidewalks, lights, drainage system, bus service.

8.) **West Park-** Sewage service, storm drains, lights, and sidewalks.

9.) **Lanare-** Improvements in the community such as a sewer system, sidewalks, public lighting, clean streets, housing code reinforcement, more rounds done by the sheriff around the community, park improvements.

10.) **Lanare-** To have a sewer system, sidewalks, public lighting, park improvements, programs for mental health, drug prevention/addiction programs, child care, transportation to get to the college, clean streets, code reinforcement.

11.) **Lanare-** We are in need of street lights, trash to be picked up throughout the community, housing code reinforcement, street repair. The center of our community is in very bad condition.

12.) **Lanare-** We are in need of a septic system, repair of the community hall, sidewalks, street lights, rainwater drainage, to collect trash every year like other cities do, enforce housing codes, notify the residents of meetings like this, send notification to the community center of Lanare- 20601 S. Grantland Ave., Riverdale, CA 93656.

13.) **Cantua Creek-** Safe drinking/cooking water, street lights, mailboxes (currently only P.O. Box option), lower utility bills, emergency service clinic, low cost internet service, grocery store, public park, community facility, it would be a great benefit to use the current fire station for community events/use.

14.) **Cantua Creek-** Have clean water and at an affordable price, public lighting, better public transportation, natural gas system for homes.

15.) Cantua Creek- Have clean water at an affordable price, an affordable price for sewer system, have a working fire station, bus transportation, a park for the youth, access to internet.

16.) Cantua Creek- Drinking water for a reasonable price, transportation, medical clinic, grocery store, internet access at a reasonable price, public lighting, a meeting room or a location to hold events for the community, possibly the use of the fire station that is not utilized.

17.) Three Rocks- To have a park and sidewalks, other than this, I would consider this town to be a safe place.

18.) Easton- We need a water system, we need a sewer system, and we need to be able to build houses. Good families are leaving because of no housing.

19.) Easton- Water/septic system, housing.

20.) Easton- Housing and parks.

21.) Easton- Water system, drainage, housing.

22.) Easton- Water/sewer.

23.) Easton- Housing.

County of Fresno
Disadvantaged Unincorporated Community Survey

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COUNTY OF FRESNO

JAN 28 2020

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

1. What is your Community's name? Riverdale
2. Do you own your own home? Yes or No (circle one)
3. How many miles away is the nearest fire station? 4 Miles
4. Does your water come from a well or a community system? Well or Community System (circle one)
5. Is your water safe to drink? Yes or No (circle one)
6. Do you have a septic system or a community sewer system? Septic or Community System (circle one)
7. Does your community have a storm drain system? Yes or No (circle one)
8. Does your community have bus service? Yes or No (circle one)
9. How far do you travel to work? 40 Miles
10. Do you have sidewalks in your neighborhood? Yes or No (circle one)
11. What language do you speak best? English / Spanish
12. What would make your community more livable? Community Park with a Community Center for Activities; Side walks; storm drain system; local area road repair (in areas very poor condition and neglected); regular cleaning of main street and downtown area; satellite Office for County Sheriff's Deputies; Main street rejuvenation such as painting and remodeling with a uniform look; more self help housing and affordable new living complexes. Transparency through dispatched printed budget available to our disadvantaged community.

13. If you would like to receive information about future meetings, please provide your contact information

Condado de Fresno
Encuesta comunitaria no incorporada en desventaja

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DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

1. ¿Cuál es el nombre de su Comunidad? Riverdale
2. ¿Tienes tu propia casa? Sí No (circule uno)
3. ¿A cuántas millas está la estación de bomberos más cercana? 1 Millas
4. ¿Su agua proviene de un pozo o de un sistema comunitario? Pozo o Sistema Comunitario (circule uno)
5. ¿Su agua es segura para beber? Sí o No (circule uno)
6. ¿Tiene un sistema séptico o un sistema de alcantarillado comunitario? Sistema séptico o comunitario (circule uno)
7. ¿Su comunidad tiene un sistema de drenaje pluvial? Sí No (circule uno)
8. ¿Su comunidad tiene servicio de autobús? Sí No (circule uno)
9. ¿Hasta dónde viajas para trabajar? 2 Millas
10. ¿Tienes aceras en tu vecindario? Sí o No (circule uno)
11. ¿Qué idioma hablas mejor? Español
12. ¿Qué haría que su comunidad sea más habitable? Necesitamos banquetas, parques, aquí no tenemos un lugar público donde llevar a nuestros hijos a caminar o jugar con ellos a una distancia a pie, lámpara/poste de luz en ~~el~~ las calles ~~entre~~ entre medio de las propiedades, Gimnasio

County of Fresno
Disadvantaged Unincorporated Community Survey

RECEIVED
COUNTY OF FRESNO

JAN 28 2020

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

1. What is your Community's name? Riverdale
2. Do you own your own home? Yes or No (circle one)
3. How many miles away is the nearest fire station? 0.5 Miles
4. Does your water come from a well or a community system? Well or Community System (circle one)
5. Is your water safe to drink? Yes or No (circle one)
6. Do you have a septic system or a community sewer system? Septic or Community System (circle one)
7. Does your community have a storm drain system? Yes or No (circle one)
8. Does your community have bus service? Yes or No (circle one)
9. How far do you travel to ^{school} ~~work~~? 1 Miles
10. Do you have sidewalks in your neighborhood? Yes or No (circle one)
11. What language do you speak best? English
12. What would make your community more livable? Repainting the stores
and sidewalks would make our community more livable.

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Disadvantaged Unincorporated Community Survey

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DEPARTMENT OF PUBLIC WORKS
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DEVELOPMENT SERVICES DIVISION

1. What is your Community's name? Riverdale

2. Do you own your own home? Yes or No (circle one)

3. How many miles away is the nearest fire station? 1 Miles

4. Does your water come from a well or a community system? Well or Community System (circle one)

5. Is your water safe to drink? Yes or No (circle one)

6. Do you have a septic system or a community sewer system? Septic or Community System (circle one)

7. Does your community have a storm drain system? Yes or No (circle one)

8. Does your community have bus service? Yes or No (circle one)

9. How far do you travel to work? ~~3~~ Miles

10. Do you have sidewalks in your neighborhood? Yes or No (circle one)

11. What language do you speak best? English

12. What would make your community more livable? As a young member of this community, it can be made more livable by adding sidewalks, water fountains, & possibly making a community center that offers enrichment to the youth & anyone interested in helping the community. If we compare our community with our neighboring communities, the lack of factors that make our community

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DEPARTMENT OF PUBLIC WORKS
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1. ¿Cuál es el nombre de su Comunidad? Riverdale, CA
2. ¿Tienes tu propia casa? Sí No (circule uno)
3. ¿A cuántas millas está la estación de bomberos más cercana? 4 Millas Es estación de bomberos
4. ¿Su agua proviene de un pozo o de un sistema comunitario? Pozo Sistema Comunitario (circule uno)
5. ¿Su agua es segura para beber? Sí No (circule uno)
6. ¿Tiene un sistema séptico o un sistema de alcantarillado comunitario? Sistema séptico comunitario (circule uno)
7. ¿Su comunidad tiene un sistema de drenaje pluvial? Sí No (circule uno)
8. ¿Su comunidad tiene servicio de autobuses? Sí No (circule uno) pero sólo pasa no tenemos aquí
9. ¿Hasta dónde viajas para trabajar? 40 Millas
10. ¿Tienes aceras en tu vecindario? Sí No (circule uno)
11. ¿Qué idioma hablas mejor? Español
12. ¿Qué haría que su comunidad sea más habitable? Programas de Prevención para adicciones, Evaluación y tratamiento para depresión en familias, Programa de ayuda en caso de emergencia (terrors, inundación, tiroteo, Ataque por un misil y otros. Aceras, parque, limpieza de calles, Agua para pozos que se están cavando, Donde coleccionar agua de lluvia para futuras sequías, Vigilancia policiaca eficiente, Mayor control en fumigación de campos (lo hacen cerca de escuelas y casas de familias en horas del día).

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1. What is your Community's name? _____
2. Do you own your own home? Yes or No (circle one)
3. How many miles away is the nearest fire station? _____ Miles
4. Does your water come from a well or a community system? Well or Community System (circle one)
5. Is your water safe to drink? Yes or No (circle one)
6. Do you have a septic system or a community sewer system? Septic or Community System (circle one)
7. Does your community have a storm drain system? Yes or No (circle one)
8. Does your community have bus service? Yes or No (circle one)
9. How far do you travel to work? _____ Miles
10. Do you have sidewalks in your neighborhood? Yes or No (circle one)
11. What language do you speak best? _____
12. What would make your community more livable? _____

*I'd like to receive all notices the County sends
out regarding steps to comply with SB 244.*

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DEPARTMENT OF PUBLIC WORKS
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1. ¿Cuál es el nombre de su Comunidad? Lanare
2. ¿Tienes tu propia casa? Sí o No (circule uno)
3. ¿A cuántas millas está la estación de bomberos más cercana? _____ Millas
4. ¿Su agua proviene de un pozo o de un sistema comunitario? Pozo o Sistema Comunitario (circule uno)
5. ¿Su agua es segura para beber? Sí o No (circule uno)
6. ¿Tiene un sistema séptico o un sistema de alcantarillado comunitario? Sistema séptico o comunitario (circule uno)
7. ¿Su comunidad tiene un sistema de drenaje pluvial? Sí o No (circule uno)
8. ¿Su comunidad tiene servicio de autobús? Sí o No (circule uno)
9. ¿Hasta dónde viajas para trabajar? 30 Millas
10. ¿Tienes aceras en tu vecindario? Sí o No (circule uno)
11. ¿Qué idioma hablas mejor? Español
12. ¿Qué haría que su comunidad sea más habitable? Mejoras en la comi
como, Drenaje, Banquetas, alumbrado público, calles limpias
reemplazamiento del código, Mas, Rondas de Sheriff
mejoras del parque

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DEPARTMENT OF PUBLIC WORKS
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1. ¿Cuál es el nombre de su Comunidad? Lanare
2. ¿Tienes tu propia casa? Sí No (circule uno)
3. ¿A cuántas millas está la estación de bomberos más cercana? 30 Millas
4. ¿Su agua proviene de un pozo o de un sistema comunitario? Pozo o Sistema Comunitario (circule uno)
5. ¿Su agua es segura para beber? Sí No (circule uno) ahora esta segura pero en el pasado NO
6. ¿Tiene un sistema séptico o un sistema de alcantarillado comunitario? Sistema séptico o comunitario (circule uno)
7. ¿Su comunidad tiene un sistema de drenaje pluvial? Sí o No (circule uno)
8. ¿Su comunidad tiene servicio de autobús? Sí o No (circule uno)
9. ¿Hasta dónde viajas para trabajar? 30 Millas
10. ¿Tienes aceras en tu vecindario? Sí o No (circule uno)
11. ¿Qué idioma hablas mejor? Español
12. ¿Qué haría que su comunidad sea más habitable? que tenga Drenaje Banquetas, alumbrado público, mejoras en el parque, programas de salud mental, prevención de drogas / y adictores, cuidado de niños trasporte al colegio calles limpias Reforzamiento del código

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DEPARTMENT OF PUBLIC WORKS
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DEVELOPMENT SERVICES DIVISION

1. ¿Cuál es el nombre de su Comunidad? Lanare
2. ¿Tienes tu propia casa? Sí o No (circule uno)
3. ¿A cuántas millas está la estación de bomberos más cercana? 3 Millas
4. ¿Su agua proviene de un pozo o de un sistema comunitario? Pozo o Sistema Comunitario (circule uno)
5. ¿Su agua es segura para beber? Sí o No (circule uno)
6. ¿Tiene un sistema séptico o un sistema de alcantarillado comunitario? Sistema séptico o comunitario (circule uno)
7. ¿Su comunidad tiene un sistema de drenaje pluvial? Sí o No (circule uno)
8. ¿Su comunidad tiene servicio de autobús? Sí o No (circule uno)
9. ¿Hasta dónde viajas para trabajar? _____ Millas
10. ¿Tienes aceras en tu vecindario? Sí o No (circule uno)
11. ¿Qué idioma hablas mejor? Español
12. ¿Qué haría que su comunidad sea más habitable? Ocupamos Luces en la calle.
Recoger la basura en la Comunidad. Enforcar los Codigos
de la Vivienda. Componer las calles. El Centro de Comunidad
esta en muy Mal condiciones.

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DEPARTMENT OF PUBLIC WORKS
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DEVELOPMENT SERVICES DIVISION

1. ¿Cuál es el nombre de su Comunidad? Lanare
2. ¿Tienes tu propia casa? Sí o No (circule uno)
3. ¿A cuántas millas está la estación de bomberos más cercana? 3 Millas
4. ¿Su agua proviene de un pozo o de un sistema comunitario? Pozo o Sistema Comunitario (circule uno)
5. ¿Su agua es segura para beber? Sí o No (circule uno)
6. ¿Tiene un sistema séptico o un sistema de alcantarillado comunitario? Sistema séptico o comunitario (circule uno)
7. ¿Su comunidad tiene un sistema de drenaje pluvial? Sí o No (circule uno)
8. ¿Su comunidad tiene servicio de autobús? Sí o No (circule uno)
9. ¿Hasta dónde viajas para trabajar? _____ Millas
10. ¿Tienes aceras en tu vecindario? Sí o No (circule uno)
11. ¿Qué idioma hablas mejor? English
12. ¿Qué haría que su comunidad sea más habitable? Ocupamos sistema septico,
Reparacion de Salon de Comunidad, Bancas, Luces en la calle,
Drenaje de Agua de lluvia, Recojer Basura cada Año
Como las ciudades hacen, Enforcar los Codigos de Viviendas,
Ocupamos que Notifiquen a los residentes de Estas Juntas,
Manden una Notification a el Centro de Comunidad de Lanare
20601 S. Grantland Ave, Riverdale Ca, 93656

County of Fresno

Disadvantaged Unincorporated Community Survey

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DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

1. What is your Community's name? West Park - Fresno

2. Do you own your own home? Yes or No (circle one)

3. How many miles away is the nearest fire station? 3 Miles

4. Does your water come from a well or a community system? Well or Community System (circle one)

5. Is your water safe to drink? Yes or No (circle one)

6. Do you have a septic system or a community sewer system? Septic or Community System (circle one)

7. Does your community have a storm drain system? Yes or No (circle one)

8. Does your community have bus service? Yes or No (circle one)

9. How far do you travel to work? _____ Miles

10. Do you have sidewalks in your neighborhood? Yes or No (circle one)

11. What language do you speak best? English

12. What would make your community more livable? _____

sewage service

storm drains

lights

sidewalks

Exhibit 3 - Page 42

County of Fresno
Disadvantaged Unincorporated Community Survey

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DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

1. What is your Community's name? West Park
2. Do you own your own home? Yes or No (circle one)
3. How many miles away is the nearest fire station? 5 Miles
4. Does your water come from a well or a community system? Well or Community System (circle one)
5. Is your water safe to drink? Yes or No (circle one)
6. Do you have a septic system or a community sewer system? Septic or Community System (circle one)
7. Does your community have a storm drain system? Yes or No (circle one)
8. Does your community have bus service? Yes or No (circle one)
9. How far do you travel to work? 10 Miles
10. Do you have sidewalks in your neighborhood? Yes or No (circle one)
11. What language do you speak best? English & Spanish
12. What would make your community more livable?
A Sewer System, sidewalks, lights, Drainage
System, Bus Service,

JAN 30 2020

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

County of Fresno Disadvantaged Unincorporated Community Survey

1. What is your Community's name? CANTUA CREEK
2. Do you own your own home? Yes or No (circle one)
3. How many miles away is the nearest fire station? _____ Miles Local CANTUA CREEK FIRE STATION OUT OF ORDER
4. Does your water come from a well or a community system? Well or Community System (circle one) canal
5. Is your water safe to drink? Yes or No (circle one)
6. Do you have a septic system or a community sewer system? Septic or Community System (circle one)
7. Does your community have a storm drain system? Yes or No (circle one) somewhat
8. Does your community have bus service? Yes or No (circle one) school bus and green commuter
9. How far do you travel to work? 100+ Miles
10. Do you have sidewalks in your neighborhood? Yes or No (circle one)
11. What language do you speak best? English
12. What would make your community more livable? safe drinking / looking water
street lights, mailboxes (currently P.O. only option),
lower utility bills, emergency service / clinic,
low cost internet service, grocery store, public park,
community facility, GREAT BENEFIT IF GIVEN
CURRENT FIRE STATION FOR COMMUNITY EVENTS/USE

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JAN 30 2020

DEPARTMENT OF PUBLIC WORKS
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DEVELOPMENT SERVICES DIVISION

1. ¿Cuál es el nombre de su Comunidad? Cantua Creek
2. ¿Tienes tu propia casa? Sí o No (circule uno)
3. ¿A cuántas millas está la estación de bomberos más cercana? El departamento de bomberos de Cantua no está en Millas Servicio.
4. ¿Su agua proviene de un pozo o de un sistema comunitario? no Pozo o Sistema Comunitario (circule uno)
5. ¿Su agua es segura para beber? Sí o No (circule uno)
6. ¿Tiene un sistema séptico o un sistema de alcantarillado comunitario? Sistema séptico o comunitario (circule uno)
7. ¿Su comunidad tiene un sistema de drenaje pluvial? Sí o No (circule uno)
8. ¿Su comunidad tiene servicio de autobús? Sí o No (circule uno) en parte
9. ¿Hasta dónde viajas para trabajar? 60 Millas
10. ¿Tienes aceras en tu vecindario? Sí o No (circule uno)
11. ¿Qué idioma hablas mejor? Español
12. ¿Qué haría que su comunidad sea más habitable? Agua para beber
a precio razonable, transporte
clínica médica, Tiendas de comida
casera a Internet con precio razonable.
A Alumbrado Público
Un Salon para Juntas o
Eventos de la Comunidad. Posiblemente
nos puedan dar el edificio abandonado de lo f

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DEPARTMENT OF PUBLIC WORKS
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DEVELOPMENT SERVICES DIVISION

1. ¿Cuál es el nombre de su Comunidad? Centiva Creek
2. ¿Tienes tu propia casa? no Sí o No (circule uno)
3. ¿A cuántas millas está la estación de bomberos más cercana? 2.0 Millas
4. ¿Su agua proviene de un pozo o de un sistema comunitario? no Pozo o Sistema Comunitario (circule uno)
5. ¿Su agua es segura para beber? no Sí o No (circule uno) ^{del canal}
6. ¿Tiene un sistema séptico o un sistema de alcantarillado comunitario? no Sistema séptico o comunitario (circule uno)
7. ¿Su comunidad tiene un sistema de drenaje pluvial? Sí No (circule uno) en una parte
8. ¿Su comunidad tiene servicio de autobús? Sí o No (circule uno)
9. ¿Hasta dónde viajas para trabajar? _____ Millas
10. ¿Tienes aceras en tu vecindario? Sí o No (circule uno)
11. ¿Qué idioma hablas mejor? Español
12. ¿Qué haría que su comunidad sea más habitable? Tener Agua Limpia
a un precio asequible - tener un precio
asequible al drenaje tener la Estacion
de bomberos trabajando - alguna tienda
transporte de Autobus. un parque
para distraccion de nuestros jovenes
acceso a internet

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DEPARTMENT OF PUBLIC WORKS
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DEVELOPMENT SERVICES DIVISION

1. ¿Cuál es el nombre de su Comunidad? CANTON CREEK, CA.
2. ¿Tienes tu propia casa? Sí No (circule uno)
3. ¿A cuántas millas está la estación de bomberos más cercana? 20 Millas
4. ¿Su agua proviene de un pozo o de un sistema comunitario? Pozo o Sistema Comunitario (circule uno)
Acueducto de California
5. ¿Su agua es segura para beber? Sí No (circule uno)
6. ¿Tiene un sistema séptico o un sistema de alcantarillado comunitario? Sistema séptico o comunitario
(circule uno)
7. ¿Su comunidad tiene un sistema de drenaje pluvial? Sí No (circule uno)
SOLO PARTE DE LA COMUNIDAD
8. ¿Su comunidad tiene servicio de autobús? Sí No (circule uno)
9. ¿Hasta dónde viajas para trabajar? 15 Millas
10. ¿Tienes aceras en tu vecindario? Sí No (circule uno)
SOLO EN PARTE.
11. ¿Qué idioma hablas mejor? ESPAÑOL
12. ¿Qué haría que su comunidad sea más habitable? TENER AGUA LIMPIA A UN
PRECIO ACCESIBLE,
ALUMBRADO PUBLICO, MEJOR SERVICIO DE TRANSPORTACION
PUBLICA; SISTEMA DE GAS NATURAL PARA
NUESTROS VIVIENDAS.

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DEPARTMENT OF PUBLIC WORKS
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DEVELOPMENT SERVICES DIVISION

1. ¿Cuál es el nombre de su Comunidad? TREE ROCKS
2. ¿Tienes tu propia casa? Sí o No (circule uno)
3. ¿A cuántas millas está la estación de bomberos más cercana? 25 Millas
4. ¿Su agua proviene de un pozo o de un sistema comunitario? Pozo Sistema Comunitario (circule uno)
5. ¿Su agua es segura para beber? Sí o No (circule uno)
6. ¿Tiene un sistema séptico o un sistema de alcantarillado comunitario? Sistema séptico o comunitario (circule uno)
7. ¿Su comunidad tiene un sistema de drenaje pluvial? Sí No (circule uno)
8. ¿Su comunidad tiene servicio de autobús? Sí o No (circule uno)
9. ¿Hasta dónde viajas para trabajar? 90 Millas
10. ¿Tienes aceras en tu vecindario? Sí o No (circule uno)
11. ¿Qué idioma hablas mejor? Español
12. ¿Qué haría que su comunidad sea más habitable? Tener un parque y Banquetas. Fuera de eso ya la considero una comunidad segura

County of Fresno

Disadvantaged Unincorporated Community Survey

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COUNTY OF FRESNO

MAR 10 2020

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

- 1. What is your Community's name? Easton
- 2. Do you own your own home? Yes or No (circle one)
- 3. How many miles away is the nearest fire station? 3 Miles
- 4. Does your water come from a well or a community system? Well or Community System (circle one)
- 5. Is your water safe to drink? Yes or No (circle one)
- 6. Do you have a septic system or a community sewer system? Septic or Community System (circle one)
- 7. Does your community have a storm drain system? Yes or No (circle one)
- 8. Does your community have bus service? Yes or No (circle one)
- 9. How far do you travel to work? 3 Miles
- 10. Do you have sidewalks in your neighborhood? Yes or No (circle one)
- 11. What language do you speak best? English
- 12. What would make your community more livable? Water / Sewer

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MAR 10 2020

DEPARTMENT OF PUBLIC WORKS
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DEVELOPMENT SERVICES DIVISION

1. What is your Community's name? Easton
 2. Do you own your own home? Yes or No (circle one)
 3. How many miles away is the nearest fire station? 1/2 Miles
 4. Does your water come from a well or a community system? Well or Community System (circle one)
 5. Is your water safe to drink? Yes or No (circle one)
 6. Do you have a septic system or a community sewer system? Septic or Community System (circle one)
 7. Does your community have a storm drain system? Yes or No (circle one)
 8. Does your community have bus service? Yes or No (circle one)
 9. How far do you travel to work? retired Miles
 10. Do you have sidewalks in your neighborhood? Yes or No (circle one)
 11. What language do you speak best? English
 12. What would make your community more livable? water/septic system
housing
-
-
-
-
-
-
-
-

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Disadvantaged Unincorporated Community Survey

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MAR 10 2020

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

1. What is your Community's name? Easton
2. Do you own your own home? Yes or No (circle one)
3. How many miles away is the nearest fire station? 2 1/2 Miles
4. Does your water come from a well or a community system? Well or Community System (circle one)
5. Is your water safe to drink? Yes or No (circle one)
6. Do you have a septic system or a community sewer system? Septic or Community System (circle one)
7. Does your community have a storm drain system? Yes or No (circle one)
8. Does your community have bus service? Yes or No (circle one)
9. How far do you travel to work? 0 Miles
10. Do you have sidewalks in your neighborhood? Yes or No (circle one)
11. What language do you speak best? English
12. What would make your community more livable? _____

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DEPARTMENT OF PUBLIC WORKS
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DEVELOPMENT SERVICES DIVISION

- 1. What is your Community's name? Easton
- 2. Do you own your own home? Yes or No (circle one)
- 3. How many miles away is the nearest fire station? 1/2 Miles
- 4. Does your water come from a well or a community system? Well or Community System (circle one)
- 5. Is your water safe to drink? Yes or No (circle one)
- 6. Do you have a septic system or a community sewer system? Septic or Community System (circle one)
- 7. Does your community have a storm drain system? Yes or No (circle one)
- 8. Does your community have bus service? Yes or No (circle one)
- 9. How far do you travel to work? office at home - various jobs - Fresno County Miles
- 10. Do you have sidewalks in your neighborhood? Yes or No (circle one)
- 11. What language do you speak best? English
- 12. What would make your community more livable? _____

We need a water system

We need a sewer system

We need to be able to build houses

Good families are leaving because of no housing.

County of Fresno
Disadvantaged Unincorporated Community Survey

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DEPARTMENT OF PUBLIC WORKS
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DEVELOPMENT SERVICES DIVISION

1. What is your Community's name? Easton
2. Do you own your own home? Yes or No (circle one)
3. How many miles away is the nearest fire station? 5 Miles
4. Does your water come from a well or a community system? Well or Community System (circle one)
5. Is your water safe to drink? Yes or No (circle one)
6. Do you have a septic system or a community sewer system? Septic or Community System (circle one)
7. Does your community have a storm drain system? Yes or No (circle one)
8. Does your community have bus service? Yes or No (circle one)
9. How far do you travel to work? 16 Miles
10. Do you have sidewalks in your neighborhood? Yes or No (circle one)
11. What language do you speak best? English
12. What would make your community more livable? _____

County of Fresno
Disadvantaged Unincorporated Community Survey

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DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

1. What is your Community's name? Easton
2. Do you own your own home? Yes or No (circle one)
3. How many miles away is the nearest fire station? _____ Miles
4. Does your water come from a well or a community system? Well or Community System (circle one)
5. Is your water safe to drink? Yes or No (circle one)
6. Do you have a septic system or a community sewer system? Septic or Community System (circle one)
7. Does your community have a storm drain system? Yes or No (circle one)
8. Does your community have bus service? Yes or No (circle one)
9. How far do you travel to work? 1/2 Miles
10. Do you have sidewalks in your neighborhood? Yes or No (circle one)
11. What language do you speak best? English
12. What would make your community more livable? housing, parks.

County of Fresno
Disadvantaged Unincorporated Community Survey

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MAR 10 2020

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

- 1. What is your Community's name? Easton
- 2. Do you own your own home? Yes or No (circle one)
- 3. How many miles away is the nearest fire station? 5 Miles
- 4. Does your water come from a well or a community system? Well or Community System (circle one)
- 5. Is your water safe to drink? Yes or No (circle one)
- 6. Do you have a septic system or a community sewer system? Septic or Community System (circle one)
- 7. Does your community have a storm drain system? Yes or No (circle one)
- 8. Does your community have bus service? Yes or No (circle one)
- 9. How far do you travel to work? 20 Miles
- 10. Do you have sidewalks in your neighborhood? Yes or No (circle one)
- 11. What language do you speak best? English
- 12. What would make your community more livable? Housing

Exhibit 3 - Page 55

County of Fresno
Disadvantaged Unincorporated Community Survey

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MAR 10 2020

DEPARTMENT OF PUBLIC WORKS
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DEVELOPMENT SERVICES DIVISION

1. What is your Community's name? Easton
2. Do you own your own home? Yes or No (circle one)
3. How many miles away is the nearest fire station? 3 Miles
4. Does your water come from a well or a community system? Well or Community System (circle one)
5. Is your water safe to drink? Yes or No (circle one)
6. Do you have a septic system or a community sewer system? Septic or Community System (circle one)
7. Does your community have a storm drain system? Yes or No (circle one)
8. Does your community have bus service? Yes or No (circle one)
9. How far do you travel to work? 2 Miles
10. Do you have sidewalks in your neighborhood? Yes or No (circle one)
11. What language do you speak best? english
12. What would make your community more livable? water system, drainage, housing

EXHIBIT 4



SB 244/GPA559

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SEP 02 2020

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

September 1, 2020

Planning Commission
Department of Public Works and Planning Development Services and Capital Projects Division
2220 Tulare Street Sixth Floor
Fresno, California 93721

RE: Disadvantage Unincorporated Communities SB 244 Analysis

Commissioners,

Thank you for the opportunity to provide comments on a crucial piece of the Fresno County General Plan, the analysis of certain infrastructure and service needs in disadvantaged unincorporated communities (“DUCs”)and funding mechanisms to address those needs pursuant to Government Code § 65302.10 and codified by Senate Bill 244 (2012) (“SB 244 Analysis”, “Analysis” or “August 24th Draft”). These comments build off of previous oral and written comments submitted by our organization, Leadership Counsel for Justice and Accountability (“LCJA”), on Fresno County’s revision of its 2000 General Plan (“General Plan Revision”) over the past several years, including on the County’s December 2017 Public Review Draft Background Report and Policy Document,the March 2019 update effort, and the SB 244 Analysis contained therein.

We acknowledge there are significant improvements in the August 24, 2020 draft of the SB 244 Analysis (“Analysis”), namely, the expansion of the list communities, the use of new uptodate information, and the updated narratives on flooding. In addition, we acknowledge that the County hosted several workshops to allow the public to provide input on the SB 244 Analysis.

The Analysis continues to fall short of the minimum requirements set forth in § 65302.10. The following comments are informed by input provided by residents of Fresno County DUCs at the County’s workshops and through our one-on-one communications with those and other residents. With these comments, we hope to assist the County in completing a SB 244 Analysis that complies with the law and will serve as a roadmap for the County to address some of the vast inequities in access to basic infrastructure and services that impact DUCs in Fresno County.

I. Inadequate Analysis of Wastewater, Water, Fire Protection, and Stormwater Drainage Deficiencies and Needs

A. Inadequate Wastewater Analysis

The SB 244 Analysis must include deficiencies associated with inadequate wastewater service and infrastructure including in those cases when a community relies on inadequate septic systems for their wastewater treatment and disposal.

The SB 244 Analysis notes that several DUCs are served by septic systems but fails to assess the adequacy of those services in most instances and fails to identify deficiencies with respect to wastewater service in most of those communities. Many communities have lots that are simply not large enough to allow for adequate wastewater treatment. This issue is addressed in Fresno County's own LAMP which sets minimum lot size for structures that rely on septic systems¹. This can lead to system failures as well as the leaching of untreated wastewater into soils and groundwater. Additionally, many septic systems are aging and in need of repairs and replacement. These systems are currently or at risk of leaking or failing. Septic tank leakage and failure not only poses a serious public health threat as discussed below; it can result in costly damage to housing which may strain the resources of many low-income families residing in County DUCs to repair.

The Analysis fails to acknowledge the various public health and development barriers that are associated with domestic reliance upon septic tanks. The 2020 study, "A Health Impact Assessment on Fresno County's Pending General Plan Update²," ("HIA") which LCJA published alongside Loma Linda University, finds that within areas that do not have access to adequate wastewater infrastructure, residents are more likely to be exposed to dangerous pathogens in the soil on the property and neighborhoods are less likely to benefit from economic or community development.³ Pathogen exposure puts residents at risk of physical illness and infections as well as mental health impacts⁴. With regards to economic and community development, many affordable housing and commercial developers require sewer infrastructure before they commit to developing land in communities and thus, a lack of such infrastructure in DUCs is a direct contributor to the lack of direly needed development in many DUCs and the persistence of vacant and underutilized parcels. The SB 244 analysis should take the HIA's

¹ Fresno County Land Area Management Program, page 45

² Health Impact Assessment on Fresno County's Pending General Plan Update

³ Fresno County SB 244 Draft Analysis, page 5, 6, 25, 31, 42, 45, etc.

⁴ Health Impact Assessment on Fresno County's Pending General Plan Update, page 7



findings into account and acknowledge that domestic reliance on septic tanks is itself a wastewater deficiency.

The County must list communities relying on septic tanks as having a wastewater deficiency. Listing the issue as a “community identified issue” grossly underestimates the public health impacts and the lack of access to opportunity and housing it creates for DUCs.

B. Inadequate Water Analysis

The SB 244 analysis should address deficiencies with respect to the delivery of water service, the quality of water, and availability of water (water quantity and high cost of water). The August 24 draft fails to mention an analysis about water supply inadequacies due to groundwater depletion or inaccessibility of water to low-income residents due to high water prices. The County must correct these deficiencies in its final SB 244 Analysis. Additionally, we urge the county to coordinate with the local Groundwater Sustainability Agency and add the relevant information regarding water quantity to the final SB 244 Analysis.

Many communities in Fresno County face unaffordable water rates, a fact which is well known to the County.⁵ Fresno County LAFCO includes an affordability analysis in several MSRs that review drinking water service in DUCs, most recently at Fresno County’s 2020 SB 244 workshops. Water rates that make water service inaccessible to residents or result in financial hardship for residents to access the water quantities they need for day-to-day living is a water “deficiency” and “need” that the County must identify and analyze in its SB 244 Analysis.

C. Inadequate Fire Analysis

The County states that there are no fire protection needs in many of the communities and solely identifies what fire agency serves each community. However, there is no mention of average response times or increased costs of housing insurance due to lack of fire protection in several communities.

We also question the multiple conclusions that DUCS are not facing deficiencies with respect to fire-protection services. Lanare has experienced several large fires, including one that resulted in

⁵ Fresno County residents raised this issue at the County’s SB 244 workshops. Residents from El Porvenir and Cantua Creek told staff during the public comment section that high water rates are a major hardship and concern in their communities which have resulted in residents’ struggling to pay water bills.

an injury and a loss of a home.⁶ Tombstone has also experienced fires where firefighters were unable to save a home due to the lack of water and fire protection infrastructure in the community. Several homeowners in Cantua Creek are experiencing increased homeowner's insurance due to the distance from fire protection services.

In addition, severe ingress and egress obstacles could hinder fire-response. In the Britten Avenue/Cherry Avenue Community two unpaved roads which are the sole entrance and exit for residents and any emergency services proves to be a liability if an emergency were to occur. As a result of deep potholes creating severely unlevel roads, any vehicle, including a fire truck would not be able to get into or out of the community in an appropriate amount of time.

The analysis of fire protection adequacy and deficiencies for each community must include fire protection infrastructure, and average and median response times to communities, and the number of incidents in communities. Each description must address effectiveness of fire protection services as well as how the county plans to provide better services.

D. Inadequate Storm Drainage Analysis

We appreciate staff's commitment to revisiting communities after a heavy rain day in March 2020 and their update to the storm drainage analysis for all communities. However,

⁶ <https://www.fresnocountyfire.org/3-people-displaced-after-early-morning-house-fire-near-riverdale/>



Fresno County must add community-specific information about the effectiveness and the lack of roadside ditches and other infrastructure to drain stormwater in DUCs. This is of particular importance given the likely increase in flood risks due to climate change and changing precipitation patterns.

In the Britten/ Cherry Ave Community, the Analysis confirms that there is no community storm drain system. It further states that unpaved road shoulders and/or adjacent agricultural lands absorb runoff from paved roads. This is inaccurate in that the road is not paved and when it rains, there is no runoff that can occur when there are 8 inch-12 inch deep swale holes that hold the water within the road. The residents can access the parking in front of their homes due to the standing flood waters. The report also states that no incident of flooding was reported during the winter of 2018 – 2019 or during the spring of 2019. Community members have reported incidences and no actions are taken by the County to repair the road.

II. Analysis of Infrastructure and Service Deficiencies Fails To Identify Visually Apparent Deficiencies and Deficiencies Identified During the Public Process

The current SB 244 draft analysis fails to address the adequacy of existing infrastructure and services to serve present and future needs of communities. We feel as though the current Fresno County draft of SB 244 does not reflect the intention behind the statute. SB 244 was crafted to “encourage investment in these communities and address the complex legal, financial, and political barriers that contribute to regional inequity and infrastructure deficits within disadvantaged unincorporated communities⁷.” It is in the County’s best interest to fully identify the various infrastructural issues in communities to ensure that investment is focused on DUCs to enhance access to better health and opportunity.

Accordingly, we urge the County to use the Office of Planning and Research General Plan Guidelines⁸ which advise a broader analysis of services and infrastructure: police protection, sidewalks, lighting, libraries, schools, community centers, parks, alleys and other unsafe roads, transportation, preschools, and childcare providers. A comprehensive analysis can inform where and how the County can dedicate resources and leverage partnerships with community based organizations to address service and infrastructure deficiencies and further the health and wellbeing of neighborhoods and the County at large.

⁷ SB 244 http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120SB244

⁸ Office of Planning and Research General Plan Guidelines http://opr.ca.gov/docs/OPR_C4_final.pdf

For decades many community residents have spoken to public electeds and staff about the deficiencies, lack of basic infrastructure and services needed in their communities for better access to opportunity and health. For example, residents in Lanare, Cantua Creek, El Porvenir, and Tombstone Territory have asked the county for attention to issues regarding transportation, community centers, parks, roads, lack of sidewalks, response times for firefighters and sheriffs, and lighting in their communities.

Unfortunately, this is the only planning document that DUCs needs are formally identified as required by the state of California. In order to adequately plan for communities, County staff must include the other needs that residents identified not solely what is legally required.

III. Community Engagement

We recognize that the County held four workshops to gather resident feedback from the community on the SB 244 analysis. However, we must urge that county to improve their notification protocols and the structure of the meetings. For example, in Riverdale, the presentation was only available in English and being that the room was so small and no head sets were provided, it was difficult for residents to follow along. According to the 2017 5-Year ACS estimates, 60% of residents in Riverdale speak Spanish. Given this, it is imperative that the County provide adequate translation services and translated materials at County workshops in this and other areas in the County in order to comply with its obligations under state civil rights laws and to ensure the inclusion of residents. § 11135.

Additionally, the presentations did not concretely ask for residents to provide feedback on the SB 244 analysis, as no questions were asked directly to residents. As for notification, many residents did not know about the workshops, because they did not receive a flyer. We ask that if the county wants to provide opportunities for engagement, they first notify residents with at least 2 week notice in their preferred language, at an accessible place in the community, and provide avenues for meaningful engagement. Additionally, we ask that all materials are adequately translated, including presentations being presented.

V. Compliance with Fair Housing and Civil Rights Laws

In adopting SB 244, the Legislature recognized the “distinct lack of public and private investment that threatens the health and safety” of residents of disadvantaged unincorporated communities and “fostered economic, social, and educational inequality.” It further declared its intent that, by complying the law, cities and counties begin to address barriers that “contribute to



regional inequity and infrastructure deficits within disadvantaged unincorporated communities.” Stats. Ch. 513 (SB 244), §§ 2, 4. The County’s completion of its SB 244 Analysis consistent with the legal requirements set forth in § 65302.10 is an essential for its compliance with its duties not to discriminate and to affirmatively further fair housing under state and federal law.

The Fair Employment and Housing Act prohibits the County from discriminating, either intentionally or through the imposition of an unlawful discriminatory effect, in actions and omissions relating to land use that diminish housing opportunities based on race, country of origin, and other protected characteristics. Gov. Code § 12955(l). This prohibition encompasses County actions and omissions that relate to the provision or lack thereof of infrastructure and services, “such as water, sewer, and garbage collection” and “other municipal infrastructure and services.” 2 C.C.R. § 12161(b)(4).

Pursuant to Government Code Section 8899.50, public agencies must administer their “programs and activities relating to housing and community development in a manner to affirmatively further fair housing,” which means that the County must take meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.” § 8899.50(a)&(b). The County must “take no action that is materially inconsistent with its obligation to affirmatively further fair housing.” § 8899.50(b).

Failure by the County to accurately and thoroughly identify the water, wastewater, stormwater drainage, and structural fire protection deficiencies and needs in the County’s disadvantaged unincorporated communities, and the financing mechanisms available to address them would perpetuate and entrench patterns of racial and ethnic segregation in the County and barriers to opportunity that result from these deficiencies. In order to comply with its requirements under Government Code sections 12955 and 8899.50, in addition to other state and federal fair housing and civil rights laws, the County must promptly address the deficiencies with the January 2020 Analysis that are described in this letter and adopt an analysis which meets the law’s minimum requirements.

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Thank you for your consideration of our suggestions above. While it is imperative that the county make these changes, we also ask for them to be done promptly given its long outstanding deadline of December 31, 2015. We look forward to reviewing an updated SB 244 analysis. Sincerely,

A handwritten signature in black ink, appearing to read 'Leslie Martinez'.

Leslie Martinez
Policy Advocate