County of Kings

## Armona Community Services District New District Office Project

Draft Initial Study / Mitigated Negative Declaration

November 2019

Prepared for: Armona Community Services District

Prepared by: Provost & Pritchard Consulting Group 130 N. Garden Street, Visalia, California 93291 PRITCHARD CONSULTING GROUP An Employee Owned Company



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### Acronyms & Abbreviations

AAM	Annual Arithmetic Mean
AB	Assembly Bill
AC	asphalt contrete
ACOE	U.S. Army Corps of Engineers
ACSD	Armona Community Services District
ADA	Americans with Disabilites Act
AHERA	Asbestos Hazard Emergency Response Act
AL-10	Limited Agriculture 10-acre minimum
APE	Area of Potential Effect
APN	Assessor's Parcel Number(s)
AQ	
BE	Biological Evaluation
BPS	Best Performance Standards
CAAQS	California Ambient Air Quality Standards
CARB	California Air Resources Board
CCAA	California Clean Air Act of 1988
CCAP	Climate Change Action Plan
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CFCs	chlorofluorocarbons
СН4	methane
CRHR`	

Acronyms & Abbreviations Armona Community Services District, New District Office Project IS/MND

CNDDB	California Natural Diversity Database
СО	carbon monoxide
CO <sub>2</sub>	carbon dioxide
County	
District	Armona Community Services District
DOC	California Department of Conservation
DTSC	California Department of Toxic Substances Control
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FCP	
FIP	
FMMP	Farmland Mapping and Monitoring Program
GHG	Greenhouse Gas Emissions
HFCs	Hydrofluorocarbons
HUC	Hydrologic Unit Code
KWRA	Kings Waste and Recycling Authority
LEAs	Local Education Agencies
MBTA	
MND	
MMRP	Mitigation Monitoring and Reporting Program
MU	
NAAQS	National Ambient Air Quality Standards
NAHC	

Acronyms & Abbreviation Armona Community Services District, New District Office Project IS/MND

NESHAP	National Emission Standards for Hazardous Air Pollutants
ND	Negative Declaration
NPDES	National Pollution Discharge Elimination System
NO <sub>2</sub>	nitrogen dioxide
NWP	
O <sub>3</sub>	ozone
OHWM	Ordinary High-Water Mark
OS	Open Space Element
Pb	lead
PF	
PFCs	perfluorocarbons
PM <sub>2.5</sub>	
PM <sub>10</sub>	
РРВ	parts per billion
PPM	
PRC	
QSD	Qualified SWPPP Developer
RC	
RWOCB	
SHC	Scenic Highway Code
SIVAB	San Joaquin Valley Air Basin
SIVAPCD	San Joaquin Valley Air Pollution Control District
SCMA	Sustainable Croundwater Management Act
SOM2A	sustainable Gioundwater management Act
502	sultur dioxide

Acronyms & Abbreviations Armona Community Services District, New District Office Project IS/MND

SRA	State Responsibility Area
SR	State Route
SWPPP	Stormwater Pollution Prevention Plan
TAC	
TSCA	
USACE	U.S. Environmental Protection Agency
VdB	
WDR	Waste Discharge Requirements

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### **Chapter 1 Introduction**

Provost & Pritchard Consulting Group (Provost & Pritchard) has prepared this Initial Study/Mitigated Negative Declaration (IS/MND) on behalf of the County of Kings (County) to address the environmental effects of the Armona Community Services District's proposed *District Office Project* (Project). This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 *et seq.* The District is the CEQA lead agency for this proposed Project.

The site and the Project are described in detail in the Chapter 2 Project Description.

### **1.1 Regulatory Information**

An Initial Study (IS) is a document prepared by a lead agency to determine whether a project may have a significant effect on the environment. In accordance with California Code of Regulations Title 14 (Chapter 3, Section 15000, *et seq.*)-- also known as the CEQA Guidelines-- Section 15064 (a)(1) states that an environmental impact report (EIR) must be prepared if there is substantial evidence in light of the whole record that the proposed Project under review may have a significant effect on the environment and should be further analyzed to determine mitigation measures or project alternatives that might avoid or reduce project impacts to less than significant levels. A negative declaration (ND) may be prepared instead if the lead agency finds that there is <u>no</u> substantial evidence in light of the whole record that the project may have a significant effect on the environment. An ND is a written statement describing the reasons why a proposed Project, not otherwise exempt from CEQA, would not have a significant effect on the environment and, therefore, why it would not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a ND or *mitigated* ND shall be prepared for a project subject to CEQA when either:

- a. The IS shows there is no substantial evidence, in light of the whole record before the agency, that the proposed Project may have a significant effect on the environment, or
- b. The IS identified potentially significant effects, but:
  - 1. Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed IS/MND is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur is prepared, and
  - 2. There is no substantial evidence, in light of the whole record before the agency, that the proposed Project *as revised* may have a significant effect on the environment.

### 1.2 Document Format

This IS/MND contains four chapters and four appendices, as follows:

Chapter 1 Introduction, provides an overview of the essential CEQA regulations and this document's format and content.

Chapter 2 Project Description, provides a detailed description of Project components and objectives.

**Chapter 3 Impact Analysis**, presents the CEQA checklist and environmental analysis for all impact areas, mandatory findings of significance, and feasible mitigation measures. If the Project does not have the potential to significantly impact a given issue area, the relevant section provides a brief discussion of the reasons why no impacts are expected. If the Project could have a potentially significant impact on a resource, the issue area discussion provides a description of potential impacts, and appropriate mitigation measures and/or permit requirements that would reduce those impacts to a less than significant level.

The analyses of environmental impacts in **Chapter 3** are separated into the following categories:

Potentially Significant Impact. This category is applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less than significant level. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

Less than Significant with Mitigation Incorporated. This category applies where the incorporation of mitigation measures would reduce an effect from a "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measure(s), and briefly explain how they would reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).

Less Than Significant Impact. This category is identified when the proposed Project would result in impacts below the threshold of significance, and no mitigation measures are required.

No Impact. This category applies when a project would not create an impact in the specific environmental issue area. "No Impact" answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency, which show that the impact does not apply to the specific project (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

Chapter 4 Mitigation Monitoring and Reporting Program (MMRP), provides the proposed mitigation measures, implementation timelines, and the entity/agency responsible for ensuring implementation.

**Appendix A, Appendix B,** and **Appendix C,** at the end of this document contain the following technical reports, respectively: CalEEMod Output Files, Biological Evaluation Report and Cultural Resources Information.

### **Chapter 2 Project Description**

### 2.1 Project Background and Objectives

#### 2.1.1 Project Title

Armona Community Services District, District Office Project

#### 2.1.2 Lead Agency Name and Address

County of Kings Kings County Government Center 1400 W Lacey Boulevard Hanford, CA 93230

#### 2.1.3 Contact Person and Phone Number

Lead Agency Contact County of Kings, Community Development Agency Chuck Kinney, Deputy Director – Planning Division (559) 852-2674

CEQA Consultant Provost & Pritchard Consulting Group Mary E. Beatie, Environmental Project Manager (559) 636-1166

#### 2.1.4 Project Location

The proposed new District Office building and associated parking areas will be constructed within an approximately 0.5-acre area of the 7.5-acre Well No. 3 water treatment facility parcel owned and operated by the Armona Community Services District (District or ACSD). A new driveway from 14<sup>th</sup> Avenue will serve the new building and a water line will be extended within the easterly right-ofway of 14<sup>th</sup> Avenue to serve a new fire hydrant opposite the driveway entrance. The District-owned parcel is located at 10116 14<sup>th</sup> Avenue, also identified as Assessor Parcel No. (APN) 017-010-036. The Project APN is situated approximately 600 feet South of Lacey Boulevard along the west side of 14<sup>th</sup> Avenue, immediately south of an old drive-in theater site (see **Figure 2-2** and **Figure 2-3**).

#### 2.1.5 Latitude and Longitude

Building Site APE (approx. center):	Lat: 36.326, Long: -119.71
Waterline/Hydrant APE (approx. median point of Waterline):	Lat: 36.326, Long: -119.709

#### 2.1.6 General Plan Designation

Table 2-1. Kings County General Plan Designations	
Project Area	General Plan Designation
Project Site	Mixed Use
Adjacent Lands:	
North	Mixed Use
East	Mixed Use
South	Public
West	Limited Agriculture

#### 2.1.7 **Zoning**

#### Table 2-2. Kings County Zone Districts

Project Area	Zone District
Project Site	MU (Mixed Use)
Adjacent Lands:	
North	MU (Mixed Use)
East	MU (Mixed Use)
South	PF (Public Facilities)
West	AL-10 (Limited Agriculture, 10-acre minimum parcel size)

#### 2.1.8 **Description of Project**

#### 2.1.8.1 Project Purpose and Objectives

The District's current District Office is marginally adequate to serve the present population. The office is a small converted house that is crowded and needs to be upgraded to satisfy ADA requirements. Instead of upgrading this small converted house, there is vacant land on the north edge of their Well No. 3 water treatment plant property they own hat is adequate to accommodate a new District Office building. This new District Office would be adequately sized to serve the District now and for many years to come. The new building would house a new board room for holding monthly board meetings, a drive-through window to receive utility bill payments, adequate working space for office staff, and adequate storage space for District records.

#### 2.1.8.2 Project Description

The Armona Community Services District proposes to construct a new 2,800 square foot (sq. ft.) District office on a roughly 0.5-acre project area portion of a roughly 7.5-acre parcel it owns and operates as the Well No. 3 water treatment plant in Kings County, at 10116 14th Avenue, also identified as APN 017-010-036. The parcel on which the Project will be located has approximately 580 feet of frontage on the west side of 14th Avenue and is approximately 557 feet in depth; an estimated overall size of 324,00 square feet. The Last Chance Ditch, an agricultural water conveyance facility, forms the westerly border of the area. The Project area lies approximately 600 feet south of 14th Avenue's intersection with Lacey Boulevard, south of and adjacent to the old drive-in theater site.

The proposed new office building will be situated at the northeast corner of the Project parcel on an approximately 0.5-acre portion (25,224 square feet) enclosed by 6-foot chain link fence. The fenced

area will have approximately 94 feet of frontage along 14th Avenue. The building will have a side yard set-back of 19 feet off the north property line, and a front yard set-back of 139 feet west off the front property line/14th Avenue right-of-way. The Project area and building will include:

- Security 6-ft chain-link fencing around the building; the fenced area will be approximately 264feet x 94-feet. An automatic slide gate will be provided at the entry driveway and will be open during business hours of 8 AM until 5 PM. There will also be two (2) 10-foot swing gates at the west side of the property for access to the basin.
- Twenty standard parking stalls and two ADA parking stalls. The parking and driveway areas will be paved with asphalt concrete (AC). A 13-foot by 22-foot concrete pad will be provided underneath the porte-cochère.
- A foyer area at the front building entry for guest waiting
- An "open area" central office space
- An Administrative Assistant private office
- A District Manager private office
- A Board meeting/conference room with seating for approximately 40-45 people
- A drive-up teller window on the south side of the building with a 14-inch x 22-inch portecochère
- A small break room/kitchen area
- Two unisex restrooms
- An 8-feet x 40-feet seatrain storage unit at the rear of the fenced area of the building and set on a 10-feet x 51-feet concrete pad.

Access to the new building will be provided by a new County-standard two-way drive approach onto 14th Avenue. This driveway will be approximately 167 feet (on center) north of the existing driveway to the south.

The water main that is located in 14th Avenue will be extended to the north approximately 165 feet and a new fire hydrant will be installed.

The site is currently developed with the following uses:

- A 47,448 cubic foot (CF) drainage basin (approximately 197-ft x 107-feet)
- A 2,250-sf operations/shop building
- A 2,730-sf fenced chemical storage pad containing water treatment chemicals in three separate containment areas (2-foot concrete walls set on 12-inch concrete curbing), as follows:
  - o Westerly containment area: Sodium permanganate, sodium hydroxide, and sodium hypochlorite
  - o Center containment area: Ferric sulfate and polyaluminum chloride
  - o Easterly containment area: sulfuric acid
- 76-feet Diameter (D) x 24-feet Height (H) water storage tank
- 8-feet D x ~ 41-feet Length Hydropneumatic tank
- An enclosed standby generator
- A pad mounted transformer
- A sewer lift station
- A backwash recycle pump

The building will have a flat roof line with a parapet wall which shield from ground view of any roof-top mounted mechanical devices. Exterior finish will be stucco painted in a muted natural tone.

All utilities are currently provided to the site; the new building will therefore connect to all utilities on-site. A water main line currently extends north within 14th Avenue to serve an existing fire hydrant on site just east of the existing pump station as shown on the site plan. This water line is proposed to be extended north from its current "T" stub to serve a new fire hydrant to be installed on the east side of 14th Avenue opposite the proposed new driveway to the office building.

#### 2.1.8.3 Construction

Construction of the Project is anticipated to be completed within six months, which will include site preparation, construction of the office building, connection and extension of the water line in 14<sup>th</sup> Avenue, installation of the new fire hydrant at the terminus of the extended water line, paving and fencing. Construction equipment will likely include backhoes, graders, skid steers, loaders, and hauling trucks.

Generally, construction will occur between the hours of 8am and 5pm, Monday through Friday, excluding holidays. Post-construction activities will include site clean-up. Temporary staging and storage of materials and equipment will occur within the Project site.

Although construction is not expected to generate hazardous waste, construction equipment has the potential to contain various hazardous materials such as diesel fuel, hydraulic oil, grease, solvents, adhesives, paints, and other petroleum-based products.

#### 2.1.8.4 **Operation and Maintenance**

The District will be responsible for operation and maintenance of the new office building and associated parking lot.

#### 2.1.9 Surrounding Land Uses and Setting

The Project area is primarily surrounded by land in agricultural production with associated rural residential homes, a closed drive-in theater adjacent to the north, and the Grangeville Cemetery about <sup>1</sup>/<sub>4</sub> mile to the south. The Project parcel is bounded on the west by the Last Chance Canal, an approximately 65-ft wide agricultural water conveyance facility operated by the Last Chance Ditch Company.

#### 2.1.10 Other Public Agencies Whose Approvals or Permits May Be Required

San Joaquin Valley Air Pollution Control District – rules and regulations (Regulation VIII, Rule 9510; Regulation IV, Rule 4702)

Kings County Fire Department (re: fire hydrant installation)

Kings County Encroachment Permit

Kings County Building Permit

#### 2.1.11 Consultation with California Native American Tribes

Assembly Bill 52 (AB 52; codified at Public Resources Code (PRC) Section 21080.3.1, *et seq.*) requires that a lead agency, within 14 days of determining that it will undertake a project, must notify in writing any California Native American Tribe traditionally and culturally affiliated with the geographic area of the project if that Tribe has previously requested notification about projects in that geographic area. The notice must briefly describe the project and inquire whether the Tribe wishes to initiate request formal consultation. Tribes have 30 days from receipt of notification to request formal consultation. The lead agency then has 30 days to initiate the consultation, which then continues until the parties come to an agreement regarding necessary mitigation or agree that no mitigation is needed, or one or both parties determine that negotiation occurred in good faith, but no agreement will be made.

The County of Kings has one letter on file from the Santa Rosa Rancheria Tachi Yokut Tribe requesting to be notified of proposed projects within the Kings County area. On June 27, 2019 the County of Kings sent by certified mail a letter notifying the Tribe of the proposed Project, providing a general description and location of the project as required by the PRC, and requesting whether the Tribe wishes to consult further about the project. The Tribe was given the allowed 30-day requirement to respond. The County of Kings has received written correspondence from the Santa Rosa Rancheria Tachi Yokut Tribe pursuant to PRC Section 21080.3.1 initiating consultation. The Tachi Yokut Tribe has provided comments that due to tribal history and cultural sensitivity of this area the tribe requests tribal monitoring on all ground disturbance related to this project.

All documents related to formal consultation with the Santa Rosa Rancheria Tachi Yokut Tribe pursuant to PRC 21083.1 is contained in **Appendix C**. All other information gathered from informal NAHC sacred lands search and/or tribal correspondence, as well as results of CHRIS records search is also contained in **Appendix C** and is discussed in further detail in **Sections 3.6** and **3.19** of **Chapter 3**.

#### Chapter 2: Project Description

Armona Community Service District, New District Office Project IS/MND



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## Chapter 2: Project Description Armona Community Service District, New District Office Project IS/MND



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Figure 2-2. Area of Potential Effect Map

#### Chapter 2: Project Description

Armona Community Service District, New District Office Project IS/MND



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Figure 2-3. Site Plan Map

Chapter 2: Project Description Armona Community Service District, New District Office Project IS/MND



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Figure 2-4. Site Topography Map

#### Chapter 2: Project Description Armona Community Service District, New District Office Project IS/MND



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Figure 2-4. Kings County Armona Community Plan Land Use Map

#### Chapter 2: Project Description

Armona Community Service District, New District Office Project IS/MND



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Figure 2-5. Kings County Zoning Map

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### **Chapter 3 Impact Analysis**

This Chapter reflects the CEQA Guidelines Appendix G Checklist format and contains the analysis of potential project-related impacts for twenty environmental topics, as well as Mandatory Findings of Significance. Where the analysis determines the Project could have potentially significant impacts on the environment mitigation measures are recommended to avoid the impact or reduce the impact to less than significant. This chapter allows the County of Kings, the CEQA Lead Agency, to meet the requirements of CEQA Guidelines for preparation of an initial study.

Potential impacts for the environmental topics analyzed on the following pages are separated into the following categories:

- **Potentially Significant Impact.** This category is applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less than significant level. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required
- Less Than Significant with Mitigation Incorporated. This category applies where the incorporation of mitigation measures would reduce an effect from "Potentially Significant" to "Less Than Significant" levels. The lead agency must describe the mitigation measure(s) and briefly explain how such mitigation would reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).
- Less Than Significant Impact. This category is identified when the Project would result in impacts below the threshold of significance and no mitigation measures are required.
- No Impact. This category applies when a Project would not create an impact in the specific environmental issue area. "No Impact" answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency, which show that the impact does not apply to the specific Project (e.g., the Project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on Project-specific factors as well as general standards (e.g., the Project will not expose sensitive receptors to pollutants, based on a Project-specific screening analysis.)

### 3.1 Environmental Factors Potentially Affected

As indicated by the discussions of existing and baseline conditions, and impact analyses that follow in this Chapter, environmental factors not checked below would have no impacts or less than significant impacts resulting from the project. Environmental factors that are. checked below would have potentially significant impacts resulting from the project. Mitigation measures are recommended for each of the potentially significant impacts that would reduce the impact to less than significant.



DETERMINATION: (To be completed by the Lead Agency) On the basis of this initial evaluation:

- I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Signature

<u>Chuck Kinney</u> Printed Name

	10-	29-	19
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Date <u>Deputy Director - Planning</u> Title

 $\Box$ 

### 3.2 Aesthetics

#### Table 3-1. Aesthetics Impacts

Aesthetics Impacts				
Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			$\boxtimes$	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				
<ul> <li>d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</li> </ul>				

#### 3.2.1 Environmental Setting

Within Kings County, agricultural land is the predominant open space landscape, representing approximately 91 percent of all unincorporated land within the County<sup>1</sup>. The Kings River is the closest scenic resource to the Project site and is over two miles to the north. Land in the vicinity consists of relatively flat irrigated farmland. Agricultural practices in the vicinity consist of row crop, field crop, and orchard cultivation. Rural roadways and local water distribution canals are in the immediate vicinity. The proposed Project, involving the addition of a small ancillary office to the project parcel's existing water treatment facility, would be consistent with the aesthetics of the area.

<sup>&</sup>lt;sup>1</sup>County of Kings, 2035 Kings County General Plan, January 26, 2010 page I-3. Website: <u>https://www.countyofkings.com/home/showdocument?id=, 3108</u> accessed July 29, 2019.

#### 3.2.2 Regulatory Setting

#### 3.2.2.1 Federal

There are no federal regulations, plans, programs, or guidelines associated with aesthetics that are applicable to the proposed Project.

#### 3.2.2.2 State

Scenic Highway Program: California's Scenic Highway Program was created by the Legislature in 1963. Its purpose is to preserve and protect scenic highway corridors from change which would diminish the aesthetic value of lands adjacent to highways. The State laws governing the Scenic Highway Program are found in the Streets and Highway Code (SHC) Section 260, *et seq.* A highway may be officially designated "scenic" depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. The State Scenic Highway System includes a list of highways that are either eligible for designation as scenic highways or have been so designated. These highways are identified in SHC Section 263. A list of California's scenic highways and map showing their locations may be obtained from Caltrans' Scenic Highway Coordinators.<sup>2</sup>

#### 3.2.2.3 Local

2035 Kings County General Plan Policies: The Open Space Element of the 2035 Kings County General Plan describes scenic resources within the county. This element identifies portions of the Kings River as a scenic natural asset and the Coast Ranges of the county's southwest edges as a distinctive visual backdrop, which are visible along State Route 41 from the northern county line to Kettleman City which lies at the eastern base of the Ranges. The South Fork of the Kings River is approximately six miles (as the crow flies) northwest of the Project site.

As one of the agricultural Counties in the Central San Joaquin Valley, Kings County's agricultural land serves a significant role in the County's agriculturally based economy, and production of food and fiber for the rest of the Country. In addition to their economic value and commodity production, the vast stretches of field crops, orchards and vineyards are also valued for their scenic beauty and representation of Kings County's identity.

Kings County Development Code: The Kings County Development Code establishes lighting regulations for Mixed Use zones. It states that "All new proposed uses shall preserve the existing nighttime

<sup>2</sup> State of California, Streets and Highways Code. Website:

https://leginfo.legislature.ca.gov/faces/codes\_displayexpandedbranch.xhtml?tocCode=SHC&division=1.&title=&part=&chapter =&article=, accessed July 29, 2019.

environment by ensuring that the outdoor lighting for the use is so arranged and/or hooded as to reflect light away from adjoining properties."<sup>3</sup>

General Plan goals, objectives, and policies pertaining to aesthetics:

- RC OBJECTIVE D3.1: Ensure that, in development decisions affecting riparian environments, the conservation of fish and wildlife habitat and the protection of scenic qualities are balanced with other purposes representing basic health, safety, and economic needs.
- OS GOAL B1: Maintain and protect the scenic beauty of Kings County.
- OS OBJECTIVE B1.1: Protect and enhance views from roadways which cross scenic areas or serve as scenic entranceways to cities and communities.
- OS Policy B1.1.1: Coordinate with the Kings County Association of Governments to explore designation of State Route 41, between State Route 33 and the Kern County line, as an Official State Scenic Highway through the Caltrans Transportation Enhancement program.
- OS OBJECTIVE B1.3: Protect the scenic qualities of human-made and natural landscapes and prominent view sheds.
- OS Policy B1.3.2: Protect the visual access to Kings River and other prominent watercourses by locating and designing new development to minimize visual impacts and obstruction of views of scenic watercourses from public lands and rights-of-way.

#### 3.2.3 Impact Assessment

#### a) Would the project have a substantial adverse effect on a scenic vista?

Less than Significant Impact. The Project site is predominately surrounded by agricultural lands. The scenic vista identified by the General Plan is not within the viewshed of these features and the site does not stand out from its surroundings in any remarkable fashion. Therefore, the impact would be less than significant.

### b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Less than Significant Impact. The Scenic Highway Program<sup>4</sup> was created to preserve and protect designated scenic highway corridors from change that would diminish the aesthetic value of lands

<sup>4</sup> State Scenic Highways Streets and Highways Code – SHC Division 1, Article 2.5 [230-635]

<sup>&</sup>lt;sup>3</sup>Kings County *Development Code, Mixed Use Zoning Districts*, Article 7 Page 7-12: Website:

https://www.countyofkings.com/home/showdocument?id=19849, accessed August 5, 2019

https://leginfo.legislature.ca.gov/faces/codes\_displayexpandedbranch.xhtml?tocCode=SHC&division=1.&title=&part=&chapter =&article= Accessed July 29, 2019.

adjacent to highways. A highway may be officially designated "scenic" depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view.

There are no trees, rock outcroppings, or historical buildings near a designated state scenic highway that would be substantially damaged by the Project. The nearest highway that is eligible for listing as a state scenic highway is a portion of SR 41, from its intersection with SR 33 through to the San Luis Obispo County line. At the closest point, this is approximately 54 miles southwest from the Project site. There would be no impact.

# c) In non-urbanized areas would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public view are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

No Impact. The Project site is primarily surrounded by agricultural uses and water infrastructure and is located amid lands zoned for agriculture. The new facilities will blend in with existing uses and the proposed Project will not substantially degrade the visual character of the area. There would be no impact.

### d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less than Significant Impact. Construction is to occur between the hours of 8am to 5pm, Monday through Friday; excluding holidays per the Conditional Use Permit (CUP) application. Therefore, there would be no vehicular traffic on site during nighttime hours when vehicle headlights have the potential to create glare, and once construction is completed there would be no daytime vehicular traffic relevant to the Project. Accordingly, the exterior lighting of the Project will comply with the Kings County Development code and ensure that the outside lighting is arranged or hooded as to reflect light away from the adjoining properties. Therefore, the impact would be less than significant.

#### 3.3 Agriculture and Forestry Resources

Table 3-2. Agriculture and Forestry Impacts

	Agriculture and Forest Resources Impacts				
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				$\boxtimes$
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				$\boxtimes$
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				
d)	Result in the loss of forest land or conversion of forest land to non-forest use?				
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				$\boxtimes$

#### 3.3.1 Environmental Setting

In 2017, Kings County was ranked 10th among California counties in agricultural production, with its top commodity being milk. The County is ranked 1st among California counties in cotton lint and cotton seed production; 3rd in the production of milk and cream, apricots, and tomatoes (processing); and is ranked 5th among California counties in the production of the following commodities: silage, pistachios, and peaches.<sup>5</sup>

A review of the "Important Farmlands" mapping by the California Department of Conservation's (DOC's) Farmland Mapping and Monitoring Program (FMMP) and as shown in **Figure 3-1**, the FMMP for Kings County designates the Project site as Prime Farmland.

<sup>&</sup>lt;sup>5</sup> County of Kings, *Kings County Agricultural Report*, 2018. Website: <u>https://www.countyofkings.com/home/showdocument?id=20326</u>e accessed July 23, 2019.

The FMMP provides statistics on conversion of farmland to nonagricultural uses. Of the total land area that was inventoried (890,798 acres), in 2016, Kings County had approximately 479,839 acres of Important Farmlands (including Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance) and an additional 338,243 acres of grazing land. The remaining 72,654 acres of land were Urban and Built-up Land, Other Land, and Water Area. In the period between 2014 and 2016, Important Farmlands showed a net decrease of 27,694 acres within the County.<sup>6</sup> Pursuant to Kings County's Priority Agricultural Land Model,<sup>7</sup> the Project site is identified as being within designated classifications of Mixed-Use Land.

#### 3.3.2 Regulatory Setting

#### 3.3.2.1 Federal

There are no federal regulations, plans, programs, or guidelines associated with agriculture and forestry resources that are applicable to the proposed Project.

#### 3.3.2.2 State

Farmland Conservancy Program: The Department of Conservation's (DOC) Farmland Conservancy Program (FCP) seeks to encourage the long-term, private stewardship of agricultural lands through the voluntary use of agricultural conservation easements. The FCP provides grant funding for easements and planning projects that support statewide agricultural land conservation.

Farmland Mapping and Monitoring Program (FMMP): The FMMP produces maps and statistical data used for analyzing impacts to California's agricultural resources. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called Prime Farmland. The maps are updated every two years with the use of a computer mapping system, aerial imagery, public review, and field reconnaissance.

The California DOC's 2012 FMMP is a non-regulatory program that produces "Important Farmland" maps and statistical data used for analyzing impacts on California's agricultural resources. The Important Farmland maps identify eight land use categories, five of which are agriculture related: prime farmland, farmland of statewide importance, unique farmland, farmland of local importance, and grazing land – rated according to soil quality and irrigation status. Each is summarized below<sup>8</sup>:

<sup>&</sup>lt;sup>6</sup> County of Kings, *Kings County Agricultural Report,* 2018. Website: <u>https://www.countyofkings.com/home/showdocument?id=19239</u>, accessed June 9, 2019.

<sup>&</sup>lt;sup>7</sup> County of Kings, 2035 Kings County General Plan, Resource Conservation Element, January 26, 2010, Figure RC-13. Website: https://www.countyofkings.com/home/showdocument?id=3112, accessed June 9, 2019

<sup>&</sup>lt;sup>8</sup> California Department of Conservation. FMMP – Report and Statistics. https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx. Accessed 23 July 2019.
• PRIME FARMLAND (P): Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

• FARMLAND OF STATEWIDE IMPORTANCE (S): Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture.

Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

• UNIQUE FARMLAND (U): Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated but may include non- irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.

• FARMLAND OF LOCAL IMPORTANCE (L): Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.

• GRAZING LAND (G): Land on which the existing vegetation is suited to the grazing of livestock. The minimum mapping unit for Grazing Land is 40 acres.

• URBAN AND BUILT-UP LAND (D): Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

• OTHER LAND (X): Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

•WATER (W): Perennial water bodies with an extent of at least 40 acres.

#### 3.3.2.3 Local

2035 Kings County General Plan: The Resource Conservation Element of the 2035 Kings County General Plan describes how agricultural resources continue to remain one of the highest valued assets within Kings County. Since 1969, the County has implemented several programs, ordinances, and policies to sustain agriculture. Recently, Kings County has developed the "Priority Agricultural Land Model" by using geographic information system (GIS) data and other relevant information resources

to evaluate farmland resources throughout the County. The model established a "highest to lowest" priority designation of all agricultural growing areas<sup>9</sup>.

Kings County Development Code: The Kings County Development Code establishes the basic regulations under which land within the county unincorporated areas is developed. This includes allowable or conditional uses, building setback requirements, and development standards. Pursuant to State law<sup>10</sup>, the zoning ordinance must be consistent with the Kings County General Plan. The basic intent of the Kings County Development Code is to preserve, promote and protect the public health, safety, comfort, convenience, prosperity and general welfare via the orderly regulation of land uses throughout the unincorporated area of the County.

Zoning Districts:MU, Mixed Use: The purpose of the MU zone districts are intended to allow a vertical and horizontal mix of business, office, and housing within common building structures as well as encourage private investment, revitalization of community commercial areas and visual community distinction. Standards in the Mixed-Use district are intended to reduce reliance on the automobile, create pedestrian oriented environments, and support social interaction by allowing resident to work, shop and play within walking distance to where they live.

#### 3.3.3 Impact Assessment

#### a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

**No Impact**. The proposed Project site is already developed and operates as a water treatment facility, a non-agricultural use, even though it remains designated as Prime Farmland by the FMMP. See **Figure 3-1** The addition of the small office building to the site already developed with water treatment facilities (a non-agricultural use) would not be expected to convert the Prime Farmland designation to Urban and Built Up designation. Even if the FMMP were to change the map designation it would not result in a significant physical impact on the environment as a conversion to a non-agricultural use since the site is already in non-agricultural use Therefore, there would be no impact.

# b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. There are no Williamson Act Preserves or contracts on the Project site, nor are any of the adjacent lands subject to the Williamson Act. Therefore, there would be no impact.

 <sup>&</sup>lt;sup>9</sup> County of Kings, 2035 Kings County General Plan, Resource Conservation Element, January 26, 2010, Page RC-19. Website: <a href="https://www.countyofkings.com/home/showdocument?id=3112">https://www.countyofkings.com/home/showdocument?id=3112</a>, accessed July 23, 2019.
 <sup>10</sup> Government Code Section 65860. Website:

http://leginfo.legislature.ca.gov/faces/codes\_displaySection.xhtml?lawCode=GOV&sectionNum=65860, accessed July 23, 2019.

#### c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact. The Project site is not zoned for forest land, timberland, or timberland production. The Project site does not contain forestland or timberland. No impact would occur.

#### d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. As discussed in impact analysis c) above, there are no forests or timberland within the Project vicinity. Therefore, there would be no impact.

# e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. As discussed in impact analysis a) above, the proposed Project may not cause the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, but if it did, it would not result in a significant physical impact on the environment as a conversion to a non-agricultural use since the site is already in non-agricultural use. As discussed in impact analysis c) above, the Project site is not located on or in the vicinity of forestland, and therefore would not convert forest land to non-forest use. No impact would occur.

### Chapter 3: Impact Analysis – Agriculture and Forestry Resources Armona Community Service District, New District Office Project IS/MND



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## 3.4 Air Quality

#### Table 3-3. Air Quality Impacts

Air Quality Impacts							
Wou	ld the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact		
a)	Conflict with or obstruct implementation of the applicable air quality plan?			$\boxtimes$			
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard?			$\boxtimes$			
c)	Expose sensitive receptors to substantial pollutant concentrations?			$\boxtimes$			
d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?			$\boxtimes$			

### 3.4.1 Environmental Setting

The Project lies within the eight-county San Joaquin Valley Air Basin (SJVAB), which is managed by the San Joaquin Valley Air Pollution Control District (SJVAPCD). Air quality in the SJVAB is influenced by a variety of factors, including topography, local and regional meteorology. National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) have been established for the following criteria pollutants: carbon monoxide (CO), ozone (O<sub>3</sub>), sulfur dioxide (SO<sub>2</sub>), nitrogen dioxide (NO<sub>2</sub>), particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), and lead (Pb). The CAAQS also set standards for sulfates, hydrogen sulfide, and visibility.

Air quality plans or attainment plans are used to bring the applicable air basin into attainment with all state and federal ambient air quality standards designed to protect the health and safety of residents within that air basin. Areas are classified under the Federal Clean Air Act as either "attainment", "non-attainment", or "extreme non-attainment" areas for each criteria pollutant based on whether the NAAQS have been achieved or not. Attainment relative to the State standards is determined by the California Air Resources Board (CARB). The San Joaquin Valley is designated as a State and Federal extreme non-attainment area for O<sub>3</sub>, a State and Federal non-attainment area for PM<sub>2.5</sub>, a State non-attainment area for PM<sub>10</sub>, a Federal and State attainment area for CO, SO<sub>2</sub>, and NO<sub>2</sub>, and a State attainment area for sulfates, vinyl chloride and Pb.<sup>11</sup>

<sup>&</sup>lt;sup>11</sup> San Joaquin Valley Air Pollution Control District, *Ambient Air Quality Standards and Valley Attainment Status*. Website: . <u>http://www.valleyair.org/aqinfo/attainment.htm</u>, accessed April 2019.

### 3.4.2 Methodology

CalEEMod Output Files contained in **Appendix A**, were prepared using CalEEmod Version 2016.3.2 for the Project in July 2019. The model provides results for both short-term construction emissions and long-term operational emissions. The sections below detail the methodology of the air quality and greenhouse gas emissions report and its conclusions.

Short-Term Construction-Generated Emissions: The model includes emissions generated by off-road equipment, haul trucks, and worker commute trips. Emissions were quantified based on anticipated construction schedules and construction equipment requirements provided by the Project applicant. All assumptions were based on the default parameters contained in the model. Localized air quality impacts associated with the proposed Project would be minor and were qualitatively assessed.

Long-Term Operational Emissions: All assumptions were based on the default parameters contained in the model. All results fell below adopted thresholds for criteria pollutants. Localized air quality impacts associated with the proposed Project would be minor and were qualitatively assessed.

### 3.4.3 Regulatory Setting

#### 3.4.3.1 Federal

U.S. Environmental Protection Agency: At the Federal level, the EPA has been charged with implementing national air quality programs. The EPA's air quality mandates are drawn primarily from the Clean Air Act (CAA), which was signed into law in 1970. Congress substantially amended the CAA in 1977 and again in 1990.

Federal Clean Air Act: The CAA required the EPA to establish National Ambient Air Quality Standards (NAAQS), and also set deadlines for their attainment. Two types of NAAQS have been established: primary standards, which protect public health, and secondary standards, which protect public welfare from non-health-related adverse effects, such as visibility restrictions.

The CAA also required each State to prepare an air quality control plan referred to as a State Implementation Plan (SIP). The CAA Amendments of 1990 added requirements for States with nonattainment areas to revise their SIPs to incorporate additional control measures to reduce air pollution. The SIP is periodically modified to reflect the latest emissions inventories, planning documents, and rules and regulations of the air basins as reported by their jurisdictional agencies. The EPA has responsibility to review all State SIPs to determine conformance with the mandates of the CAA, and the amendments thereof, and determine if implementation will achieve air quality goals. If the EPA determines a SIP to be inadequate, a Federal Implementation Plan (FIP) may be prepared for the nonattainment area that imposes additional control measures.

Toxic Substances Control Act: The Toxic Substances Control Act (TSCA) first authorized the EPA to regulate asbestos in schools and Public and Commercial buildings under Title II of the law, which is also known as the Asbestos Hazard Emergency Response Act (AHERA). AHERA requires Local Education Agencies (LEAs) to inspect their schools for ACBM and prepare management plans to

reduce the asbestos hazard. The Act also established a program for the training and accreditation of individuals performing certain types of asbestos work.

National Emission Standards for Hazardous Air Pollutants: Pursuant to the CAA of 1970, the EPA established the National Emission Standards for Hazardous Air Pollutants (NESHAP). These are technology-based source-specific regulations that limit allowable emissions of hazardous air pollutants.

#### 3.4.3.2 State

**California Air Resources Board:** The CARB is the agency responsible for coordination and oversight of State and local air pollution control programs in California and for implementing the California Clean Air Act of 1988. Other CARB duties include monitoring air quality (in conjunction with air monitoring networks maintained by air pollution control districts and air quality management districts, establishing California Ambient Air Quality Standards (CAAQS), which in many cases are more stringent than the NAAQS, and setting emissions standards for new motor vehicles. The emission standards established for motor vehicles differ depending on various factors including the model year, and the type of vehicle, fuel and engine used.

**California Clean Air Act**: The CCAA requires that all air districts in the State endeavor to achieve and maintain CAAQS for ozone, CO, SO<sub>2</sub>, and NO<sub>2</sub> by the earliest practical date. The CCAA specifies that districts focus particular attention on reducing the emissions from transportation and area-wide emission sources, and the act provides districts with authority to regulate indirect sources. Each district plan is required to either (1) achieve a five percent annual reduction, averaged over consecutive 3-year periods, in district-wide emissions of each nonattainment pollutant or its precursors, or (2) to provide for implementation of all feasible measures to reduce emissions. Any planning effort for air quality attainment would thus need to consider both State and Federal planning requirements.

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Summary of Ambient Air Quality Standards & Attainment Designation						
		California Standard	s*	National Standar	ˈds*	
Pollutant	Averaging Time	Concentration*	Attainment Status	Primary	Attainment Status	
Ozone	1-hour	0.09 ppm	Nonattainment/ Severe	-	No Federal Standard	
(O <sub>3</sub> )	8-hour	0.070 ppm	Nonattainment	0.075 ppm	Nonattainment (Extreme)**	
Particulate Matter	AAM	20 µg/m³	Nonottoinmont	-	Attainment	
(PM <sub>10</sub> )	24-hour	50 µg/m³	Nonattainment	150 µg/m³	Attainment	
Fine Particulate	AAM	12 µg/m <sup>3</sup>	Negetteingent	12 µg/m <sup>3</sup>	Negetteingenet	
Matter (PM <sub>2.5</sub> )	24-hour	No Standard	Nonattainment	35 µg/m <sup>3</sup>	Nonattainment	
	1-hour	20 ppm		35 ppm		
Carbon Monoxide	8-hour	9 ppm	Attainment/	9 ppm	Attainment/ Unclassified	
(CO)	8-hour (Lake Tahoe)	6 ppm	Unclassified	-		
Nitrogen Dioxide	AAM	0.030 ppm	Attainmont	53 ppb	Attainment/	
(NO <sub>2</sub> )	1-hour	0.18 ppm	Allainment	100 ppb	Unclassified	
	AAM	-			Attainment/ Unclassified	
Sulfur Dioxide	24-hour	0.04 ppm	Attainment			
(SO <sub>2</sub> )	3-hour	-	7 ddininond	0.5 ppm		
	1-hour	0.25 ppm		75 ppb		
	30-day Average	1.5 μg/m³		-	-	
Lead (Pb)	Calendar Quarter	-	Attainment		No Designation/	
	Rolling 3-Month Average	_		0.15 µg/m³	Classification	
Sulfates (SO <sub>4</sub> )	24-hour	25 µg/m³	Attainment			
Hydrogen Sulfide (H <sub>2</sub> S)	1-hour	0.03 ppm (42 μg/m³)	Unclassified			
Vinyl Chloride (C <sub>2</sub> H <sub>3</sub> Cl)	24-hour	0.01 ppm (26 μg/m³)	Attainment			
Visibility-Reducing Particle Matter	8-hour	Extinction coefficient: 0.23/km- visibility of 10 miles or more due to particles when the relative humidity is less than 70%.	Unclassified	No Federal Standards		

#### Table 3-4. Summary of Ambient Air Quality Standards and Attainment Designation

\* For more information on standards visit: http//www.arb.ca.gov.research/aaqs/aaqs2.pdf

\*\* No Federal 1-hour standard. Reclassified extreme nonattainment for the Federal 8-hour standard May 5, 2010. \*\*\*Secondary Standard Source: CARB 2015; SJVAPCD 2019

Assembly Bills 1807 & 2588 - Toxic Air Contaminants: Within California, TACs are regulated primarily through AB 1807 (Tanner Air Toxics Act) and AB 2588 (Air Toxics Hot Spots Information and Assessment Act of 1987). The Tanner Air Toxics Act sets forth a formal procedure for CARB to designate substances as TACs. This includes research, public participation, and scientific peer review before CARB designates a substance as a TAC. Existing sources of TACs that are subject to the Air Toxics Hot Spots Information and Assessment Act are required to: (1) prepare a toxic emissions inventory; (2) prepare a risk assessment if emissions are significant; (3) notify the public of significant risk levels; and (4) prepare and implement risk reduction measures.

#### 3.4.3.3 Local

Kings County General Plan: California State Law requires every city and county to adopt a comprehensive General Plan to guide its future development. The General Plan essentially serves as a "constitution for development"— the document that serves as the foundation for all land use decisions. The 2035 Kings County General Plan includes various elements, including air quality and greenhouse gases, that address local concerns and provides goals and policies to achieve its development goals. The following objectives and policies that address air quality:

- <u>AQ OBJECTIVE C1.1</u>: Accurately assess and mitigate potentially significant local and regional air quality and climate change impacts from proposed projects within the County.
- <u>AQ Policy C1.1.1</u>: Assess and mitigate project air quality impacts using analysis methods and significance thresholds recommended by the SJVAPCD and require that projects do not exceed established SJVAPCD thresholds.
- <u>AQ Policy C1.1.3</u>: Ensure that air quality and climate change impacts identified during CEQA review are minimized and consistently and fairly mitigated at a minimum, to levels as required by CEQA.
- <u>AQ OBJECTIVE E1.1:</u> Increase the use of energy conservation features, renewable sources of energy, and low-emissions equipment in new and existing development projects within the County.

San Joaquin Valley Air Pollution Control District: The SJVAPCD is the agency primarily responsible for ensuring that NAAQS and CAAQS are not exceeded and that air quality conditions are maintained in the SJVAB, within which the proposed Project is located. Responsibilities of the SJVAPCD include, but are not limited to, preparing plans for the attainment of ambient air quality standards, adopting and enforcing rules and regulations concerning sources of air pollution, issuing permits for stationary sources of air pollution, inspecting stationary sources of air pollution and responding to citizen complaints, monitoring ambient air quality and meteorological conditions, and implementing programs and regulations required by the CAA and the CCAA.

The SJVAPCD Rules and Regulations that are applicable to the proposed Project include, but are not limited to, the following:

Regulation VIII (Fugitive Dust Prohibitions), Regulation VIII (Rules 8011-8081): This regulation is a series of rules designed to reduce particulate emissions generated by human activity, including construction and demolition activities, carryout and trackout, paved and unpaved roads, bulk material handling and storage, unpaved vehicle/traffic areas, open space areas, etc. If a non-residential area is 5.0 or more acres in area, a Dust Control Plan must be submitted as specified in Section 6.3.1 of Rule 8021. Additional requirements may apply, depending on total area of disturbance.

San Joaquin Valley Air Pollution Control District Thresholds of Significance: Projects that produce emissions that exceed the significance thresholds identified in Table 3-4 shall be considered significant for a project level and/or cumulatively considerable impact to air quality.

#### 3.4.3.4 Regulatory Attainment Designations

Under the CCAA, the CARB is required to designate areas of the State as attainment, nonattainment, or unclassified with respect to applicable standards. An "attainment" designation for an area signifies that pollutant concentrations did not violate the applicable standard in that area. A "nonattainment" designation indicates that a pollutant concentration violated the applicable standard at least once, excluding those occasions when a violation was caused by an exceptional event, as defined in the criteria. Depending on the frequency and severity of pollutants exceeding applicable standards, the nonattainment designation can be further classified as serious nonattainment, severe nonattainment, or extreme nonattainment, with extreme nonattainment being the most severe of the classifications. An "unclassified" designation signifies that the data does not support either an attainment or nonattainment designation. The CCAA divides districts into moderate, serious, and severe air pollution categories, with increasingly stringent control requirements mandated for each category.

The EPA designates areas for ozone, CO, and NO<sub>2</sub> as "does not meet the primary standards," "cannot be classified," or "better than national standards." For SO<sub>2</sub>, areas are designated as "does not meet the primary standards," "does not meet the secondary standards," "cannot be classified," or "better than national standards." However, the CARB terminology of attainment, nonattainment, and unclassified is more frequently used. The EPA uses the same sub-categories for nonattainment status: serious, severe, and extreme. In 1991, EPA assigned new nonattainment designations to areas that had previously been classified as Group I, II, or III for PM<sub>10</sub> based on the likelihood that they would violate national PM<sub>10</sub> standards. All other areas are designated "unclassified." The State and national attainment status designations pertaining to the SJVAB are summarized in **Table 3-4**. The SJVAB is currently designated as a nonattainment area with respect to the State  $PM_{10}$  standard, ozone, and  $PM_{2.5}$  standards. The SJVAB is designated nonattainment for the NAAQS 8-hour ozone and  $PM_{2.5}$  standards. On September 25, 2008, the EPA re-designated the San Joaquin Valley to attainment status for the  $PM_{10}$  NAAQS and approved the  $PM_{10}$  Maintenance Plan.

### 3.4.4 Impact Analysis

#### a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

Less than Significant Impact. As noted in impact assessment b) and c) below, implementation of the proposed Project would not result in short-term or long-term increases in emissions that would exceed applicable thresholds of significance. Projects that do not exceed the recommended thresholds would not be considered to conflict with or obstruct the implementation of applicable air quality plans. Project related impacts to air quality would be considered less than significant.

#### b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Less than Significant Impact.

Estimated short-term construction-generated emissions and long-term operational emissions are summarized in Table 3-4, and Table 3-5, respectively.

Short-Term Construction-Generated Emissions: Construction-generated emissions are temporary in duration, lasting approximately six months total. The construction of the proposed Project would result in the temporary generation of emissions associated with site grading and excavation, motor vehicle exhaust associated with construction equipment and worker trips, as well as the movement of construction equipment on unpaved surfaces. The temporary generation of construction emissions would not cause thresholds for criteria pollutants to be exceeded. The impact of operations and maintenance generated emissions would be considered less than significant.

Long-Term Operational Emissions: As indicated, in Table 3-6 operation of the proposed Project would not result in a substantial increase in emissions nor exceed adopted thresholds for criteria pollutants. The impact of operations and maintenance generated emissions would be considered less than significant.

Table 3-5. Unmitigated Short-Term Construction-Generated Emissions of Criteria Air Pollutants

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Short-Term Construction-Generated Emissions of Criteria Air Pollutants						
	Annual Emissions (Tons/Year) <sup>(1)</sup>					
Source	ROG	NOx	CO	<b>PM</b> <sub>10</sub>	PM <sub>2.5</sub>	
2020	0.2445	0.6138	0.4825	0.0442	0.0353	
SJVAPCD Significance Thresholds:	10	10	100	15	15	
Exceed SJVAPCD Thresholds?	No	No	No	No	No	

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1. Emissions were quantified using CalEEmod Version 2016.3.1. Refer to **Appendix A** for modeling results and assumptions. Totals may not sum due to rounding.

Long-Term Operations-Generated Emissions of Criteria Air Pollutants - Unmitigated							
	Annual Emissions (Tons/Year)(1)				)		
Source	ROG	NOx	CO	<b>PM</b> <sub>10</sub>	PM <sub>2.5</sub>		
Area	0.1204	0.0000	0.0004	0.0000	0.0000		
Energy	0.001	0.0166	0.0140	0.001	0.001		
Mobile	0.0886	1.1749	0.8184	0.2047	0.0578		
Water and Waste	-	-	-	0.0000	0.0000		
Total Proposed Project Emissions:	0.2108	1.1915	0.8328	0.2059	0.0591		
SJVAPCD Significance Thresholds:	10	10	100	15	15		
Exceed SJVAPCD Thresholds?	No	No	No	No	No		

#### Table 3-6. Unmitigated Long-Term Operations-Generated Emissions of Criteria Air Pollutants

2. Emissions were quantified using CalEEmod Version 2016.3.1. Refer to **Appendix A** for modeling results and assumptions. Totals may not sum due to rounding.

#### c) Would the project expose sensitive receptors to substantial pollutant concentrations?

#### Less than Significant Impact.

Toxic Air Contaminants: Implementation of the Project would not result in the long-term operation of any major onsite stationary sources of TACs, nor would Project implementation result in a substantial increase in vehicle trips along area roadways, in comparison to existing conditions. However, construction of the proposed Project may result in temporary increases in emissions of diesel-exhaust particulate matter (DPM) associated with the use of off-road diesel equipment during construction. Health-related risks associated with diesel-exhaust emissions are primarily associated with long-term exposure and associated risk of contracting cancer. As such, the calculation of cancer risk associated with exposure of to TACs are typically calculated based on a long-term (e.g., 70-year) period of exposure. The use of diesel-powered construction equipment, however, would be temporary and episodic and would occur over a relatively large area. Construction activities would occur over an approximate six-month construction period which would constitute less than 1 percent of the typical 70-year exposure period. As a result, exposure to construction-generated DPM would not be anticipated to exceed applicable thresholds (i.e. incremental increase in cancer risk of 10 in one million). Furthermore, no sensitive land uses have been identified in the vicinity of the proposed construction areas. For these reasons, this impact would be considered less than significant.

Naturally Occurring Asbestos: Naturally occurring asbestos, which was identified by ARB as a TAC in 1986, is located in many parts of California and is commonly associated with ultramafic rock. The

Project site is not located near any areas that are likely to contain ultramafic rock<sup>12</sup>. As a result, risk of exposure to asbestos during the construction process would be considered less than significant.

**Fugitive Dust**: Construction of the proposed Project would include ground-disturbing activities which would be anticipated to result in increased emissions of airborne particulate matter. The proposed Project would be required to comply with SJVPACD Regulation VIII (Fugitive PM<sub>10</sub> Prohibitions). Mandatory compliance with SJVAPCD Regulation VIII would reduce emissions of fugitive dust from the Project site. As a result, localized emissions of airborne particulate matter emitted during construction would be considered less than significant.

# d) Would the project result in other emissions (such as those leading to odors adversely affecting substantial number of people?

Less than Significant Impact: Implementation of the proposed Project would not result in long-term emissions of odors. However, construction of the proposed Project would involve the use of a variety of gasoline or diesel-powered equipment that would emit exhaust fumes. Exhaust fumes, particularly diesel-exhaust, may be considered objectionable by some people. However, construction activities will be short term and occur over six months. As a result, short-term construction activities would not expose a substantial number of people to frequent odorous emissions. The office building will have approximately two employees; and will generate minimal daily traffic trips. Therefore, impacts related to pollutant concentrations are considered less than significant.

<sup>&</sup>lt;sup>12</sup> Van Gosen, B.S. and J.P. Clinkenbeard. 2011. Report Historic Asbestos Mines, Historic Asbestos Prospects, and Other Natural Occurrences of Asbestos in California – California Geological Survey map Sheet 59. United States Geological Survey. Website: https://pubs.usgs.gov/of/2011/1188/, accessed August 5, 2019.

## 3.5 Biological Resources

Table 3-7. Biological Resources Impacts

Biological Resources Impacts								
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact				
<ul> <li>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</li> </ul>								
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?								
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				$\boxtimes$				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				$\boxtimes$				
<ul> <li>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</li> </ul>				$\boxtimes$				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?								

### 3.5.1 Environmental Setting

The Project site is located in the unincorporated community of Armona in northern Kings County, which lies within the lower San Joaquin Valley, part of the Central Valley of California. The Valley is bordered by the Sierra Nevada Mountain Ranges to the east, the Coast Ranges to the west, the Klamath Mountains and Cascade Range to the north, and the Transverse Ranges and Mojave Desert to the south.

Like most of California, the San Joaquin Valley experiences a Mediterranean climate. Warm, dry summers are followed by cool, moist winters. Summer temperatures often reach above 90 degrees Fahrenheit, and the humidity is generally low. Winter temperatures are often below 60 degrees

Fahrenheit during the day and rarely exceed 70 degrees. On average, the Central Valley receives approximately 12 inches of precipitation in the form of rainfall yearly, most of which occurs between October and March.

The Project is located approximately 7-miles (as the crow flies) southeast of the Kings River, within the Mussel Slough watershed; Hydrologic Unit Code (HUC): 180300122003<sup>13</sup>. The nearest surface water feature is the channelized Last Chance Ditch, which runs directly west of the water treatment plant.

The Project site consists of an approximate 0.5-acre section in the northeast corner of an approximate 7.5-acre parcel that is currently developed with the District's water treatment plant. There are two existing paved drive approaches from 14<sup>th</sup> Avenue and a paved parking lot adjacent to the maintenance building, which is surrounded by enclosed accessory buildings used for storage and activities related to maintenance of the existing water well site. Most of the remaining site is comprised of compacted dirt and gravel. Various equipment, machinery, and tanks sit atop concrete pads. An approximate 107-ft by 197-ft. stormwater drainage basin occupies the northwest corner of the parcel. The perimeter of the water treatment plant parcel is enclosed with chain link fence with privacy slats.

The following information about the site and biological observations are from the Biological Evaluation (BE) **Appendix B.** 

One biological community was identified within the Project area, identified as: "Developed". The Project site is located directly east of the water treatment plant's stormwater drainage basin and north of the plant's existing accessory buildings. Immediate surrounding land uses beyond the fenced water treatment plant parcel consist of development in the form of an abandoned drive-in movie theater to the north and paved 14<sup>th</sup> Avenue adjacent to the east with agricultural and rural residential land uses beyond. The Last Chance Ditch irrigation water conveyance facility lies immediately adjacent to the west property boundary of the District's parcel with orchard and row crops, rural residential, fallow fields beyond. . The Grangeville Cemetery is roughly a 1/8 mile south of the District parcel. The Project area is accessible by paved roads and compacted dirt roads. The habitats of the Project area and surrounding lands are disturbed or frequently maintained and therefore of relatively low quality for most native wildlife species.

A thorough search of the CNDDB for published accounts of special status plant and animal species was conducted for the *Hanford* 7.5-minute quadrangle that contains the Project site in its entirety, and for the 8 surrounding quadrangles: *Riverdale, Laton, Burris Park, Lemoore, Remnoy, Stratford, Guernsey,* and *Waukena.* Provost & Pritchard biologist, Brooke Fletcher performed a reconnaissance-level field survey of the Project site and surrounding area on June 19, 2019. At that time, the site and surrounding areas were assessed for suitable habitats of various wildlife species, including those identified by the CNDDB 9-quad search. These species, and their potential to occur within the Project area are listed in **Table 3-8** and **Table 3-9** on the following pages. The BE report which

<sup>&</sup>lt;sup>13</sup>EPA Waters GeoViewer. Website: <u>https://www.epa.gov/waterdata/waters-geoviewer,</u> accessed July 8, 2019.

further describes methodology, sources, regulatory status, and significance criteria is available in its entirety as **Appendix B** at the end of this document.

List of Special Status Plants with Potential to Occur Onsite and/or in the Vicinity					
Species	Status	Habitat	Occurrence on Project Site		
brittlescale ( <i>Atriplex</i> depressa)	CNPS 1B	Found in the San Joaquin Valley and Sacramento Valley in alkali or clay soils in shadescale scrub, valley grassland, alkali sink, and sometimes riparian communities at elevations below 1050 feet. Equally likely to occur in wetlands and non-wetlands. Blooms June – October.	<b>Absent</b> . The disturbed/developed habitat of the Project area is unsuitable for this species.		
California alkali grass (Puccinellia simplex)	CNPS 1B	Found in the San Joaquin Valley and other parts of California in saline flats and mineral springs within valley grassland and wetland-riparian communities at elevations below 3000 feet. Blooms March – May.	Absent. The disturbed/developed habitat of the Project area is unsuitable for this species.		
Earlimart orache ( <i>Atriplex cordulata var.</i> <i>erecticaulis</i> )	CNPS 1B	Found in the San Joaquin Valley in saline or alkaline soils, within valley or foothill grasslands, at elevations below 325 feet. Equally likely to occur within wetlands and non- wetlands. Blooms August – September.	<b>Absent</b> . The disturbed/developed habitat of the Project area is unsuitable for this species.		
lesser saltscale ( <i>Atriplex</i> <i>minuscula</i> )	CNPS 1B	Found in the San Joaquin Valley in playas; sandy, alkaline soils in shadescale scrub, valley grassland, and alkali sink communities at elevations below 300 feet. Blooms April – October.	<b>Absent</b> . The disturbed/developed habitat of the Project area is unsuitable for this species.		
mud nama (Nama stenocarpa)	CNPS 2B	Found in intermittently wet areas such as freshwater wetlands, lake margins, and streambanks at elevations below 2600 feet. Blooms March – October.	<b>Absent</b> . The disturbed/developed habitat of the Project area is unsuitable for this species.		
Panoche pepper-grass (Lepidium jaredii ssp. album)	CNPS 1B	Occurs on washes and alluvial fans in valley and foothill grassland communities. Often confined to clay and gypsum-rich soils on steep slopes. Found at elevations between 225 feet – 3300 feet. Blooms February – June.	<b>Absent.</b> The disturbed/developed habitat of the Project area is unsuitable for this species.		
recurved larkspur ( <i>Delphinium recurvatum</i> )	CNPS 1B	Found in the San Joaquin Valley and other parts of California. Occurs in poorly drained, fine, alkaline soils in grassland at elevations between 100 feet and 1965 feet. Most often found in non-wetlands, but occasionally found in wetlands. Blooms March – June.	Absent. The disturbed/developed habitat of the Project area is unsuitable for this species.		

Table 3-8	List of S	necial Status	Plants with	Potential to	Occur (	Onsita	and/or in t	the Vicinity
I able 3-0.	LISCOLO	pecial Status	Fiants with	Folential to	Occur	Unsite	anu/or m	the vicinity

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Species	Status	Habitat	Occurrence on Project Site
subtle orache ( <i>Atriplex subtilis</i> )	CNPS 1B	Found in the San Joaquin Valley in saline depressions at elevations below 230 feet. Blooms June – October.	Absent. The disturbed/developed habitat of the Project area is unsuitable for this species.
brittlescale ( <i>Atriplex depressa</i> )	CNPS 1B	Found in the San Joaquin Valley and Sacramento Valley in alkali or clay soils in shadescale scrub, valley grassland, alkali sink, and sometimes riparian communities at elevations below 1050 feet. Equally likely to occur in wetlands and non-wetlands. Blooms June – October.	<b>Absent</b> . The disturbed/developed habitat of the Project area is unsuitable for this species.
California alkali grass (Puccinellia simplex)	CNPS 1B	Found in the San Joaquin Valley and other parts of California in saline flats and mineral springs within valley grassland and wetland-riparian communities at elevations below 3000 feet. Blooms March – May.	<b>Absent</b> . The disturbed/developed habitat of the Project area is unsuitable for this species.
Earlimart orache ( <i>Atriplex cordulata var.</i> erecticaulis)	CNPS 1B	Found in the San Joaquin Valley in saline or alkaline soils, within valley or foothill grasslands, at elevations below 325 feet. Equally likely to occur within wetlands and non- wetlands. Blooms August – September.	Absent. The disturbed/developed habitat of the Project area is unsuitable for this species.
lesser saltscale ( <i>Atriplex</i> <i>minuscula</i> )	CNPS 1B	Found in the San Joaquin Valley in playas; sandy, alkaline soils in shadescale scrub, valley grassland, and alkali sink communities at elevations below 300 feet. Blooms April – October.	<b>Absent</b> . The disturbed/developed habitat of the Project area is unsuitable for this species.
mud nama (Nama stenocarpa)	CNPS 2B	Found in intermittently wet areas such as freshwater wetlands, lake margins, and streambanks at elevations below 2600 feet. Blooms March – October.	Absent. The disturbed/developed habitat of the Project area is unsuitable for this species.
Panoche pepper-grass (Lepidium jaredii ssp. album)	CNPS 1B	Occurs on washes and alluvial fans in valley and foothill grassland communities. Often confined to clay and gypsum-rich soils on steep slopes. Found at elevations between 225 feet – 3300 feet. Blooms February – June.	<b>Absent.</b> The disturbed/developed habitat of the Project area is unsuitable for this species.
recurved larkspur ( <i>Delphinium recurvatum</i> )	CNPS 1B	Found in the San Joaquin Valley and other parts of California. Occurs in poorly drained, fine, alkaline soils in grassland at elevations between 100 feet and 1965 feet. Most often found in non-wetlands, but occasionally found in wetlands. Blooms March – June.	<b>Absent</b> . The disturbed/developed habitat of the Project area is unsuitable for this species.

# Chapter 3: Impact Analysis – Biological Resources Armona Community Service District, New District Office Project IS/MND

Species	Status	Habitat	Occurrence on Project Site
subtle orache ( <i>Atriplex subtilis</i> )	CNPS 1B	Found in the San Joaquin Valley in saline depressions at elevations below 230 feet. Blooms June – October.	Absent. The disturbed/developed habitat of the Project area is unsuitable for this species.
brittlescale ( <i>Atriplex depressa</i> )	CNPS 1B	Found in the San Joaquin Valley and Sacramento Valley in alkali or clay soils in shadescale scrub, valley grassland, alkali sink, and sometimes riparian communities at elevations below 1050 feet. Equally likely to occur in wetlands and non-wetlands. Blooms June – October.	<b>Absent</b> . The disturbed/developed habitat of the Project area is unsuitable for this species.
California alkali grass ( <i>Puccinellia simplex</i> )	CNPS 1B	Found in the San Joaquin Valley and other parts of California in saline flats and mineral springs within valley grassland and wetland-riparian communities at elevations below 3000 feet. Blooms March – May.	<b>Absent</b> . The disturbed/developed habitat of the Project area is unsuitable for this species.
Earlimart orache ( <i>Atriplex cordulata var.</i> erecticaulis)	CNPS 1B	Found in the San Joaquin Valley in saline or alkaline soils, within valley or foothill grasslands, at elevations below 325 feet. Equally likely to occur within wetlands and non- wetlands. Blooms August – September.	Absent. The disturbed/developed habitat of the Project area is unsuitable for this species.

#### EXPLANATION OF OCCURRENCE DESIGNATIONS AND STATUS CODES

Present:	Species observed on the site at time of field surveys or during recent past
Likely:	Species not observed on the site, but it may reasonably be expected to occur there on a regular basis
Possible:	Species not observed on the site, but it could occur there from time to time
Unlikely:	Species not observed on the site, and would not be expected to occur there except, perhaps, as a transient
Absent:	Species not observed on the site, and precluded from occurring there due to absence of suitable habitat

#### STATUS CODES

FE	Federally Endangered	CE	California Endangered
FΤ	Federally Threatened	CT	California Threatened
FPE	Federally Endangered (Proposed)	CCT	California Threatened (Candidate)
FPT	Federally Threatened (Proposed)	CFP	California Fully Protected
FC	Federal Candidate	CSC	California Species of Concern
		CWL	California Watch List
		CCE	California Endangered (Candidate)
		CR	California Rare
<u>CNPS</u>	LISTING		
1A	Plants Presumed Extirpated in California	2A	Plants Presumed Extirpated in
1B	Plants Rare, Threatened, or Endangered in		California, but more common elsewhere
	California and elsewhere	2B	Plants Rare, Threatened, or Endangered in California, but more common elsewhere

	List of Special Status Animals with Potential to Occur Onsite and/or in the Vicinity					
Species	Status	Habitat	Occurrence on Project Site			
blunt-nosed leopard lizard ( <i>Gambelia sila</i> )	FE, CE, CFP	Inhabits semi-arid grasslands, alkali flats, low foothills, canyon floors, large washes, and arroyos, usually on sandy, gravelly, or loamy substrate, sometimes on hardpan. Often found where there are abundant rodent burrows in dense vegetation or tall grass. Cannot survive on lands under cultivation. Known to bask on kangaroo rat mounds and often seeks shelter at the base of shrubs, in small mammal burrows, or in rock piles. Adults may excavate shallow burrows but rely on deeper pre-existing rodent burrows for hibernation and reproduction.	<b>Unlikely.</b> The disturbed habitats onsite and in the surrounding areas are unsuitable for this species. The nearest observation of this species was recorded in 1990, approximately 8 miles south of the Project in valley sink scrub habitat.			
burrowing owl ( <i>Athene</i> <i>cunicularia</i> )	CSC	Resides in open, dry annual or perennial grasslands, deserts, and scrublands with low growing vegetation. Nests underground in existing burrows created by burrowing mammals, most often ground squirrels.	Unlikely. Ground squirrels and burrows were absent from the Project area and surrounding lands at the time of the field survey, likely due to use of rodenticides. The frequently disturbed Project site comprised of compacted dirt and gravel substrate is unsuitable for this species. At most, a burrowing owl individual could potentially pass over or through the site but would not be expected to nest or forage within or adjacent to proposed impact areas. The nearest observation of this species was recorded in 2006, approximately 8.5 miles northwest of the Project in grassland habitat.			
California glossy snake ( <i>Arizona</i> <i>elegans</i> <i>occidentalis</i> )	CSC	Inhabits arid scrub, rocky washes, grasslands, and chaparral. Prefers open areas with loose soil for easy burrowing.	<b>Absent.</b> The disturbed habitats of the Project area and surrounding lands are unsuitable for this species. Furthermore, the Project site is outside of the known range of this species. The only recorded observation of this species in the vicinity corresponds to a historic collection (1939) approximately 13 miles north of the Project.			
California tiger salamander ( <i>Ambystoma</i> <i>californiense</i> )	FT, CT, CWL	Requires vernal pools or seasonal ponds for breeding and small mammal burrows for aestivation. Generally found in grassland and oak savannah plant communities in central California from sea level to 1500 feet in elevation.	<b>Absent.</b> The highly disturbed habitats of the Project area and surrounding lands are unsuitable for this species. Suitable breeding and aestivation habitat are absent from the Project site. Based on recorded observations, this species likely occurs the uncultivated grasslands and vernal pools near Cross Creek and Cottonwood Creek, approximately 12 miles east-northeast of the Project.			

#### Table 3-9. List of Special Status Animals with Potential to Occur Onsite and/or in the Vicinity

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Species	Status	Habitat	Occurrence on Project Site		
San Joaquin kit fox	FE,	Underground dens with multiple	Unlikely. In the past 25 years there have		
(Vulpes macrotis	СТ	entrances in alkali sink, valley grassland,	been two recorded observations of this		
<i>mutica</i> )		and woodland in valleys and adjacent	species within 5 miles of the Project site.		
		foothills.	However, the highly disturbed habitats of the		
			Project area and fragmentation of the		
			surrounding lands are unsuitable for this		
			species. Furthermore, the Project area is		
			enclosed in chain link fence with privacy slats.		
			The Project is located approximately 65 miles		
			east-southeast of the nearest known core		
			population in Ciervo-Panoche Natural Are		
			Although some populations of San Joaquin		
			Kit Fox in other parts of California have		
			adapted to an urbanized environment,		
			modern kit fox occurrences are locally scarce.		
			At most, this species could conceivably pass		
			through the Project area during dispersal		
			movements.		
Swainson's hawk	СТ	Nests in large trees in open areas	Unlikely. Swainson's hawks are relatively		
(Buteo swainsoni)		adjacent to grasslands, grain or alfalfa	common in this portion of the Central Valley.		
		fields, or livestock pastures suitable for	There are several known nest trees in the		
		supporting rodent populations.	vicinity of the Project, the nearest recorded in		
			2016 at a location approximately 6 miles east		
			of the site. However, nesting and foraging		
			habitat onsite and in the immediate vicinity o		
			the Project is marginal, at best due to		
			frequent human disturbance and absence of		
			native trees large enough to support a raptor		
			a raptor nest. At most, a Swainson's Hawk		
			individual could pass over the site to forage		
			over fallow fields or row crops in the vicinity.		
Tipton kangaroo	FE,	Burrows in soil. Often found in	Unlikely. The disturbed habitats of the		
rat (Dipodomys	CE	grassland and shrubland.	Project areas are generally unsuitable for this		
nitratoides			species. No burrow precincts or tail drags		
nitratoides)			were observed during the field survey. The		
			nearest observation of this species was		
			recorded in 2008 in iodine bush scrub habitat		
			approximately 7 miles southwest of the		
			Project site. This occurrence record contains		
			a note which states, "this is a completely		
	0.015		isolated population."		
tricolored blackbird	CCE,	Nests colonially near fresh water in	Unlikely. Suitable nesting and foraging		
(Agelaius tricolor)	CSC	dense cattails or tules, or in thickets of	habitat are absent from the Project area.		
		riparian shrubs. Forages in grassland			
		and cropland. Large colonies are often			
		tound on dairy farm forage fields.			

# Chapter 3: Impact Analysis – Biological Resources

		÷	-	
Armona	Community	Service District	, New District	Office Project IS/MND

Species	Status	Habitat	Occurrence on Project Site		
valley elderberry	FT	Lives in mature elderberry shrubs of	Absent. Suitable elderberry habitat is absent		
longhorn beetle		the Central Valley and foothills. Adults	within Project areas. Furthermore, the		
(Desmocerus		are active March to June.	Project is not located within the presumed		
californicus			historical range or presumed current		
dimorphus)			distribution of this species. In 2014 USFWS		
			published findings suggesting that previous		
			CNDDB observations of this species within		
			Tulare and Kings Counties should be		
			discounted. (See expanded discussion in		
			Appendix B		
vernal pool fairy	FT	Occupies vernal pools, clear to tea-	Absent. Suitable vernal pool habitat for this		
shrimp		colored water, in grass or mud-	species is absent from the Project area and		
(Branchinecta		bottomed swales, and basalt depression	surrounding lands.		
lynchi)	DD.	pools.			
vernal pool tadpole	FE	Occurs in vernal pools, clear to tea-	Absent. Suitable vernal pool habitat for this		
shrimp ( <i>Lepidurus</i>		colored water, in grass or mud-	species is absent from the Project area and		
packardı)		bottomed swales, and basalt depression	surrounding lands.		
	666	pools.			
western pond turtle	CSC	An aquatic turtle of ponds, marshes,	Absent. Suitable aquatic habitat is absent		
(Emys marmorata)		slow-moving rivers, streams, and	from the Project area and the vicinity.		
		irrigation ditches with riparian	opland habitat for nesting and wintering is		
		vegetation. Requires adequate basking	absent.		
		fields to deposit ages			
western snowy	FT	Typically found on sandy beaches salt	<b>Possible</b> The Project is located within the		
ployer (Charadrius	CSC	pond levees and shores of large alkali	historic and current breeding range of this		
alexandrinus	000	lakes.	species. Although there have been no		
nivosus)	alinius lakes.		recorded observations of this species in the		
			past 30 years in the vicinity of the Project, the		
			excavated stormwater drainage basins onsite		
			could be considered suitable nesting habitat.		
western spadefoot	CSC	Prefers open areas with sandy or	Absent. The highly disturbed habitats of the		
(Spea hammondii)		gravelly soils, in a variety of habitats	Project area and surrounding lands are		
		including mixed woodlands, grasslands,	unsuitable for this species. Wetland or vernal		
		coastal sage scrub, chaparral, sandy	pools for breeding and burrows for		
		washes, lowlands, river floodplains,	aestivation are absent from the Project site.		
		alluvial fans, playas, alkali flats,	Furthermore, an abundance of American		
		foothills, and mountains. Vernal pools	bullfrogs, an apex predator of this species,		
		or temporary wetlands, lasting a	were observed within the adjacent Last		
		minimum of three weeks, which do not	Chance Ditch. Based on recorded		
		contain bullfrogs, fish, or crayfish are	observations, this species likely occurs the		
		necessary for breeding.	uncultivated grasslands and vernal pools near		
			Cross Creek and Cottonwood Creek,		
			approximately 12 miles east-northeast of the		
			Project.		

# Chapter 3: Impact Analysis – Biological Resources Armona Community Service District, New District Office Project IS/MND

Species	Status	Habitat	Occurrence on Project Site		
yellow-headed	CSC	Nests colonially in dense emergent	Absent. Suitable nesting and foraging habitat		
blackbird		wetland thickets (often cattails or tules;	are absent from the Project area. The nearest		
(Xanthocephalus		rarely willows) over water. Nests,	, observation of this species corresponds to a		
xanthocephalus)		roosts, and forages in fresh emergent	2016 report of a nesting colony within a canal		
		wetland. Also forages in open fields but overgrown with emergent vege			
		prefers moist ground.	approximately 12 miles southwest of the		
			Project site.		

#### EXPLANATION OF OCCURRENCE DESIGNATIONS AND STATUS CODES

Present:	Species observed on the site at time of field surveys or during recent past
Likely:	Species not observed on the site, but it may reasonably be expected to occur there on a regular basis
Possible:	Species not observed on the site, but it could occur there from time to time
Unlikely:	Species not observed on the site, and would not be expected to occur there except, perhaps, as a transient
Absent:	Species not observed on the site, and precluded from occurring there due to absence of suitable habitat

#### STATUS CODES

FE	Federally Endangered	CE	California Endangered		
FΤ	Federally Threatened	CT	California Threatened		
FPE	Federally Endangered (Proposed)	CCT	California Threatened (Candidate)		
FPT	Federally Threatened (Proposed)	CFP	California Fully Protected		
FC	Federal Candidate	CSC	California Species of Concern		
		CWL	California Watch List		
		CCE	California Endangered (Candidate)		
		CR	California Rare		
<u>CNPS LISTING</u>					
1A	Plants Presumed Extirpated in California	2A	Plants Presumed Extirpated in		
1B	Plants Rare, Threatened, or Endangered in		California, but more common elsewhere		
	California and elsewhere	2B	Plants Rare, Threatened, or Endangered in California, but		
			more common elsewhere		

### 3.5.2 Regulatory Setting

#### 3.5.2.1 Federal and State

Threatened and Endangered Species: Threatened and Endangered Species Permits may be required from the USFWS and/or CDFW if activities associated with a Project have the potential to result in the "take" of a species listed as threatened or endangered under the federal and/or state Endangered Species Acts. "Take" is defined by the state of California as "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill" (California Fish and Game Code, Section 86). "Take" is more broadly defined by the federal Endangered Species Act to include "harm" (16 USC, Section 1532(19), 50 CFR, Section 17.3). The CDFW and the USFWS are responding agencies under CEQA. Both agencies review CEQA documents in order to determine the adequacy of their treatment of endangered species issues and to make project-specific recommendations for their conservation.

**Designated Critical Habitat**: When species are listed as threatened or endangered, the USFWS often designates areas of "Critical Habitat" as defined by section 3(5)(A) of the federal Endangered Species Act (ESA). Critical Habitat is a term defined in the ESA as a specific geographic area that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection. Critical Habitat is a tool that supports the continued conservation of imperiled species by guiding cooperation with the federal government. Designations only affect federal agency actions or federally funded or permitted activities. Critical Habitat does not prevent activities that occur within the designated area. Only activities that involve a federal permit, license, or funding and are likely to destroy or adversely modify Critical Habitat will be affected.

**Migratory Birds**: The Federal Migratory Bird Treaty Act (MBTA: 16 USC 703-712) prohibits killing, possessing, or trading in any bird species covered in one of four international conventions to which the United States is a party, except in accordance with regulations prescribed by the Secretary of the Interior. The name of the act is misleading, as it actually covers almost all bird's native to the United States, even those that are non-migratory. The MBTA encompasses whole birds, parts of birds, and bird nests and eggs. Additionally, California Fish and Game Code makes it unlawful to take or possess any non-game bird covered by the MBTA (Section 3513), as well as any other native non-game bird (Section 3800).

**Birds of Prey**: Birds of prey are protected in California under provisions of Fish and Game Code (Section 3503.5), which states that it is unlawful to take, possess, or destroy any birds in the order Falconiformes (hawks and eagles) or Strigiformes (owls), as well as their nests and eggs. The bald eagle and golden eagle are afforded additional protection under the federal Bald and Golden Eagle Protection Act (16 USC 668), which makes it unlawful to kill birds or their eggs.

**Nesting Birds**: In California, protection is afforded to the nests and eggs of all birds. California Fish and Game Code (Section 3503) states that it is "unlawful to take, possess, or needlessly destroy the nest or eggs of any bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Breeding-season disturbance that causes nest abandonment and/or loss of reproductive effort is considered a form of "take" by the CDFW.

Wetlands and other "Jurisdictional Waters": The U.S. Army Corps of Engineers (USACE) regulates the filling or grading of Waters of the United States (Waters of the U.S.) under the authority of Section 404 of the Clean Water Act. Natural drainage channels and adjacent wetlands may be considered Waters of the U.S. or "jurisdictional waters" subject to the jurisdiction of the USACE. The extent of jurisdiction has been defined in the Code of Federal Regulations (CFR) and clarified by federal courts.

On June 29, 2015 the U.S. Environmental Protection Agency (EPA) and USACE jointly issued the Clean Water Rule (33 CFR 328.3) as a synthesis of statute, science, and U.S. Supreme Court decisions. The Clean Water Rule (33 CFR 328.3) defines Waters of the U.S. to include the following:

- 1) All waters used in interstate or foreign commerce (also known as "traditional navigable waters"), including all waters subject to the ebb and flow of the tide;
- 2) All interstate waters including interstate wetlands;
- 3) The territorial seas;
- 4) All impoundments of Waters of the U.S.;
- 5) All tributaries of waters defined in Nos. 1 through 4 above, where "tributary" refers to a water (natural or constructed) that contributes flow to another water and is characterized by the physical indicators of a bed and bank and an Ordinary High-Water Mark (OHWM);
- 6) Adjacent waters, defined as either (a) located in whole or in part within 100 feet of the OHWM of waters defined in Nos. 1 through 5 above, or (b) located in whole or in part within the 100-year floodplain and within 1,500 feet of the OHWM of waters defined in Nos. 1 through 5 above;
- 7) Western vernal pools, prairie potholes, Carolina bays and Delmarva bays, pocosins, and Texas coastal prairie wetlands, if determined on a case-specific basis to have a significant nexus to waters defined in Nos. 1 through 3 above;
- 8) Waters that do not meet the definition of adjacency, but are determined on a case-specific basis to have a significant nexus to waters defined in Nos. 1 through 3 above, and are either (a) located in whole or in part within the 100-year floodplain of waters defined in Nos. 1 through 3 above, or (b) located within 4,000 feet of the OHWM of waters defined in Nos. 1 through 5 above.

The 2015 rule also redefines exclusions from jurisdiction, which include:

- 1) Waste treatment systems;
- 2) Prior converted cropland;
- 3) Artificially irrigated areas that would revert to dry land should application of irrigation water to the area cease;
- 4) Groundwater;
- 5) Stormwater control features constructed to convey treat or store stormwater created in dry land; and
- 6) Three types of ditches: (a) ditches with ephemeral flow that are not a relocated or excavated tributary, (b) ditches with intermittent flow that are not a relocated or

excavated tributary or that do not drain wetlands, and (c) ditches that do not flow, either directly or through another water, to a traditional navigable water.

A ditch may be a Water of the U.S. only it if meets the definition of "tributary" and is not otherwise excluded under the provision.

As determined by the United States Supreme Court in its 2001 *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers (SWANCC)* decision, channels and wetlands isolated from other jurisdictional waters cannot be considered jurisdictional on the basis of their use, hypothetical or observed, by migratory birds. Similarly, in its 2006 consolidated *Carabell/Rapanos* decision, the U.S. Supreme Court ruled that a significant nexus between a wetland and other navigable waters must exist for the wetland itself to be considered a navigable and therefore jurisdictional water. Furthermore, the Supreme Court clarified that the Environmental Protection Agency (EPA) and the USACE will not assert jurisdiction over ditches excavated wholly in and draining only uplands and that do not carry a relatively permanent flow of water.

The USACE regulates the filling or grading of Waters of the U.S. under the authority of Section 404 of the Clean Water Act. The extent of jurisdiction within drainage channels is defined by "ordinary high-water marks" on opposing channel banks. All activities that involve the discharge of dredge or fill material into Waters of the U.S. are subject to the permit requirements of the USACE. Such permits are typically issued on the condition that the applicant agrees to provide mitigation that result in no net loss of wetland functions or values. No permit can be issued until the RWQCB issues a Section 401 Water Quality Certification (or waiver of such certification) verifying that the proposed activity will meet state water quality standards.

Under the Porter-Cologne Water Quality Control Act of 1969, the State Water Resources Control Board has regulatory authority to protect the water quality of all surface water and groundwater in the State of California ("Waters of the State"). Nine RWQCBs oversee water quality at the local and regional level. The RWQCB for a given region regulates discharges of fill or pollutants into Waters of the State through the issuance of various permits and orders. Discharges into Waters of the State that are also Waters of the U.S. require a Section 401 Water Quality Certification from the RWQCB as a prerequisite to obtaining certain federal permits, such as a Section 404 Clean Water Act permit. Discharges into all Waters of the State, even those that are not also Waters of the U.S., require Waste Discharge Requirements (WDRs), or waivers of WDRs, from the RWQCB. The RWQCB also administers the Construction Storm Water Program and the federal National Pollution Discharge Elimination System (NPDES) program. Projects that disturb one or more acres of soil must obtain a Construction General Permit under the Construction Storm Water Program. A prerequisite for this permit is the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer. Projects that discharge wastewater, storm water, or other pollutants into a Water of the U.S. may require a NPDES permit.

CDFW has jurisdiction over the bed and bank of natural drainages and lakes according to provisions of Section 1601 and 1602 of the California Fish and Game Code. Activities that may substantially modify such waters through the diversion or obstruction of their natural flow, change or use of any material from their bed or bank, or the deposition of debris require a Notification of Lake or Streambed Alteration. If CDFW determines that the activity may adversely affect fish and wildlife

resources, a Lake or Streambed Alteration Agreement will be prepared. Such an agreement typically stipulates that certain measures will be implemented to protect the habitat values of the lake or drainage in question.

As illustrated on Figure 3 of **Appendix B**, there is an isolated excavated stormwater drainage basin directly west of the new office building site and the excavated Last Chance Ditch further west beyond the fenced water treatment plant boundary. There are two cement-lined settling ponds incorporated into the water treatment plant near the western fence line. The Project does not propose impacts to any water features nor are there any water features present within the Project area. Therefore, it is reasonable to assume that jurisdictional waters are absent onsite and will not be impacted by Project activities.

#### 3.5.2.2 **Local**

2035 Kings County General Plan Policies: The 2035 Kings County General Plan sets forth the following goals and policies that protect biological resources and which have potential relevance to the Project:

- Preserve land that contains important natural plant and animal habitats.
- Require that development in or adjacent to important natural plant and animal habitats minimize the disruption of such habitats.
- Ensure that, in development decisions affecting riparian environments, the conservation of fish and wildlife habitat and the protection of scenic qualities are balanced with other purposes representing basic health, safety, and economic needs.
- Balance the protection of the County's diverse plant and animal communities with the County's economic needs.
- Require mitigation measures to protect important plant and wildlife habitats.
- Require as a primary objective in the review of development projects the preservation of healthy native oaks and other healthy native trees.
- Maintain to the maximum extent practical the natural plant communities utilized as habitat by threatened and endangered species.

2035 Armona Community Plan Policies: As an unincorporated community within the County, Kings County has adopted the Armona Community Plan (Chapter 10 of the 2035 Kings County General Plan) which contains goals and policies unique to the community of Armona while remaining consistent with the overreaching Kings County General Plan. The Armona Community Plan contains the following goals and policies regarding conservation of biological resources, and which have potential relevance to the Project:

- Encourage infill development and compact growth for the North Expansion Area that is planned for residential and commercial development.
- Protect biological resources of significance within the Community Planning Area.
- Prevent the disturbance or destruction of historic natural resources within the community from encroachment of new development or loss through disinterest and abandonment.
- Slough remnants within the Armona Planning Area shall be preserved and integrated into the natural open space features of proposed development.

• New development located on undisturbed land within the fringe area of the Armona Community Planning Area shall be required to provide a pre-construction biological survey to determine the presence of any rare or endangered species within the project area if the land falls within or is adjacent to quad maps with known special status species or sensitive habitats as determined by a review of the county's Sensitive Resources Lists. Land continuously cultivated since 1985, or before will not be considered wetlands or sensitive species habitat. If Federal or State listed rare or endangered species are identified and observed, the local lead agency and any other responsible state or federal agency shall be notified immediately.

#### 3.5.3 Impact Analysis

a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Less Than Significant Impact with Mitigation Incorporated.

# Project-Related Mortality and/or Disturbance of Nesting Raptors, Migratory Birds, and Special Status Birds (Including Western Snowy Plover)

According to the Biological Evaluation Report contained in **Appendix B**, the frequent disturbance, lack of vegetation, and absence of rodent burrows, the Project area provides little-to-no or no foraging habitat for most avian species. However, the disturbance tolerant, ground-nesting killdeer often thrives in this type of environment. At the time of the field survey a pair of killdeer were observed in the early stages of nest-building and exhibiting defensive behavior on the south side of the water treatment plant in a similar environment with substrate comprised of compacted dirt and gravel. If a killdeer were nesting within the APE during construction, an individual could be killed or injured by Project-related activities. Furthermore, construction activities could disturb nesting birds elsewhere onsite or in the vicinity, resulting in nest abandonment. Project construction activities that adversely affect the nesting success of raptors and migratory birds or result in the mortality of individual birds constitutes a violation of State and federal laws and is considered a significant impact under CEQA.

The Project is located within the historic and current breeding range of the interior population of the western snowy plover. Loss of wetland and alkaline lake habitat in the Tulare Basin has had a substantial effect on nesting plovers. In the Central Valley, nesting habitat for this species now consists primarily of agricultural evaporation ponds and sewage ponds. Some western snowy plovers reside year-round within the Central Valley and some migrate to the California coasts for winter. Although an observation of this species has not been recorded in the vicinity of the Project in over 30 years, the settling ponds and stormwater drainage basin provide suitable nesting habitat. If a western snowy plover were nesting in the vicinity, an individual could be killed or injured, or could be disturbed, resulting in nest abandonment. Project activities that adversely affect nesting success or result in mortality of western snowy plovers would violate State and federal laws and would be considered a significant impact under CEQA. Wintering individuals or flocks would be expected to

fly away from Project-related disturbance, avoiding potential mortality and injury outside of nesting season.

At the time of the field survey, no trees large enough to support a raptor nest were observed within 500 feet of the Project site and the well-manicured yard of the water treatment plant does not represent suitable foraging habitat. Therefore, the occurrence of a raptor, including a special status Swainson's hawk onsite would be highly unlikely.

The Project does not involve the removal of any trees or shrubs, and habitats onsite are suboptimal for foraging and nesting. A swath of superior nesting and foraging habitat in the vicinity is available in the form of orchards and fallow fields. For these reasons, loss of nesting and/or foraging habitat would not be considered a potentially significant impact under CEQA.

Implementation of the following measures will reduce potential impacts to nesting birds, including the special status western snowy plover to a less than significant level under CEQA, and will ensure compliance with State and federal laws protecting these avian species.

**Mitigation.** The following measures will be implemented during or prior to the start of construction:

**BIO-1a (Avoidance):** The Project's construction activities shall occur, if feasible, between September 1 and January 31 (outside of nesting bird season) in an effort to avoid impacts to nesting birds.

**BIO-1b** (*Pre-construction Survey*): If activities must occur within nesting bird season (February 1 to August 31), a qualified biologist shall conduct pre-construction surveys for active nests within 30 days prior to the start of construction. The survey shall include the proposed work area and surrounding lands within 150 feet. If no active nests are observed, no further mitigation is required.

**BIO-1c (Establish Buffers):** On discovery of any active nests near work areas, the biologist shall determine appropriate construction setback distances based on applicable CDFW and/or USFWS guidelines and/or the biology of the species in question. Construction buffers shall be identified with flagging, fencing, or other easily visible means, and shall be maintained until the biologist has determined that the nestlings have fledged.

#### **Project-Related Impacts to Special Status Plant Species**

Eight special status plant species have been documented in the Project vicinity, including brittlescale (Atriplex depressa), California alkali grass (*Puccinellia simplex*), Earlimart orache (*Atriplex cordulata var. erecticaulis*), lesser saltscale (*Atriplex miniscula*), mud nama (*Nama stenocarpa*), Panoche pepper-grass (*Lepidium jaredii ssp. album*), recurved larkspur (*Delphinium recurvatum*), and subtle orache (*Atriplex subtilis*). As explained in **Table 3-8**, all of the aforementioned plant species are absent from the Project area due to past and ongoing disturbance and/or the absence of suitable habitat. Therefore, the implementation of the Project will have no effect on individual plants or regional populations of these special status plant species. Mitigation measures are not warranted.

# Project-Related Impacts to Special Status Animal Species Absent From, or Unlikely to Occur on, the Project Site

Of the 15 regionally occurring special status species, 14 are considered absent or unlikely to occur within the Project area due to past or ongoing disturbance and/or absence of suitable habitat. As explained in **Table 3-9**, the following 8 species were deemed absent from the Project area: California glossy snake (*Arizona elegans occidentalis*), California tiger salamander (*Ambystoma californiense*), valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), vernal pool fairy shrimp (*Branchinecta lynchi*), vernal pool tadpole shrimp (*Lepidurus packardi*), western pond turtle (*Emys marmorata*), western spadefoot (*Spea hammondii*), and yellow-headed blackbird (*Xanthocephalus xanthocephalus*). The following 6 species were deemed unlikely to occur within the Project area: bluntnosed leopard lizard (*Gambelia sila*), burrowing owl (*Athene cunicularia*), San Joaquin kit fox (*Vulpes macrotis mutica*), Swainson's hawk (*Buteo swainsoni*). Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*), and tricolored blackbird (*Agelaius tricolor*). Since it is highly unlikely that these species would occur onsite, implementation of the Project should have no impact on these 14 special status species through construction mortality, disturbance, or loss of habitat. Mitigation measures are not warranted.

# b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

No Impact. According to the Biological Evaluation Report, riparian habitat including sensitive natural communities are absent from the Project APE. Therefore, implementation of the Project will not impact riparian habitat or sensitive natural communities.

# c) Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. According to the Biological Evaluation Report riparian habitat, aquatic features, including wetlands and associated sensitive natural communities are absent from the Project APE. Therefore, implementation of the Project will not impact State or federally protected wetlands.

# d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

No Impact. Potential impacts to migratory birds have been discussed above in impact assessment a). The Project site does not contain features likely to serve as a wildlife movement corridor, nor does it represent suitable denning or roosting habitat. Therefore, the Project will not impact wildlife movement corridors or impede the use of wildlife nursery sites.

# e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. The Project is consistent with the goals and policies of the Kings County General Plan and the Armona Community Plan. Therefore, implementation of the Project will not conflict with any local policies or ordinances protecting biological resources.

#### f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. There are no known habitat conservation plans in the vicinity of the project. Therefore, there will be no impact.

## 3.6 Cultural Resources

Table 3-10. Cultural Resources Impacts

Cultural Resources Impacts						
Would t	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact		
a) Cause a substantia significance of a hi §15064.5?	al adverse change in the storical resource pursuant to		$\boxtimes$			
b) Cause a substantia significance of an to §15064.5?	al adverse change in the archaeological resource pursuant					
c) Disturb any humar outside of dedicate	remains, including those interred ed cemeteries?		$\boxtimes$			

### 3.6.1 Environmental Setting<sup>14</sup>

Kings County is located in the southern San Joaquin Valley in an area known to have been the home of the Tachi tribe of Yokut Native Americans. The Tachi Yokuts lived north of Tulare Lake and westward to the hills near Coalinga. Archaeological evidence indicates that the historic Native American people were "the last in a series of hunting or hunting-gathering populations" to live in the Tulare Lake region. Artifacts collected from archaeological sites in the vicinity of the lake, primarily along a former (lower) lake shoreline, include over 325 Clovis-type lithic Projectile points. Clovis points are typically considered index fossils of an early North American stone tool technology developed 11,000 to 13,000 years ago. Therefore, human occupation of the Tulare Lake margin probably began more than 10,000 years ago.

The 2035 Kings County General Plan identifies four sites in the County that are listed on the National Register of Historic Places, and three additional sites that have been designated as California Historical Landmarks. Three of the sites on the National Register are in Hanford: the Taoist Temple; the old County Courthouse; and the Carnegie Library. The fourth site is the Witt archaeological site near Dudley Ridge.<sup>15</sup> None of these sites are proximate to the Project site. The three California Historical Landmarks are the Mussel Slough Tragedy site south of Hardwick; the Kingston Town site north of Hardwick; and the El Adobe de los Robles Rancho west of Lemoore. These sites are located in the unincorporated portions of the County and none are proximate to the Project parcel. The 2035 General Plan also identifies 16 additional historic sites of local importance. The sites include seven

 <sup>&</sup>lt;sup>14</sup> Kings County, 2035 Kings County General Plan EIR, Pg. 4.5-1, June 2009. Website: <u>https://www.countyofkings.com/home/showdocument?id=5897</u>, accessed July 29, 2019.
 <sup>15</sup> National Park Service, National Register of Historic Places, website: <u>https://www.nps.gov/subjects/nationalregister/data-downloads.htm</u>, access July 29, 2019

cemeteries and two churches located in Corcoran, Lemoore, Grangeville, and other rural areas in the northern County. Additional sites include the original site of Lemoore, Avenal Ranch, Kettleman Hills fossil beds, and First High School on the Kings River<sup>16</sup>. The proposed Project site is not located within or proximate any of these sites, except the Grangeville Cemetery which is located approximately 1/8 mile south of the Project parcel.

### 3.6.2 **Regulatory Setting**

#### 3.6.2.1 Federal

There are no federal regulations, plans, programs, or guidelines associated with cultural resources that are applicable to the proposed Project.

#### 3.6.2.2 State

California Environmental Quality Act: The proposed Project is subject to CEQA which requires public or private projects financed or approved by public agencies to assess their effects on historical resources. CEQA uses the term "historical resources" to include buildings, sites, structures, objects or districts, each of which may have historical, prehistoric, architectural, archaeological, cultural, or scientific importance. CEQA states that if implementation of a project results in significant effects on historical resources, then alternative plans or mitigation measures must be considered; however, only significant historical resources need to be addressed (CCR 15064.5, 15126.4). For the purposes of this CEQA document, a significant impact would occur if project implementation:

- Causes a substantial change in the significance of a historical resource
- Causes a substantial adverse change in the significance of an archaeological resource
- Disturbs any human remains, including those interred outside of formal cemeteries

Therefore, before impacts and mitigation measures can be identified, the significance of historical resources must be determined. CEQA guidelines define three ways that a property may qualify as a historical resource for the purposes of CEQA review:

- If the resource is listed in or determined eligible for listing in the California Register of Historical Resources (CRHR)
- If the resource is included in a local register of historical resources, as defined in Section 5020.1(k) of the PRC or identified as significant in an historical resource survey meeting the requirements of Section 5024.1(g) of the PRC unless the preponderance of evidence demonstrates that it is not historically or culturally significant
- The lead agency determines the resource to be significant as supported by substantial evidence in light of the whole record (CCR, Title 14, Division 6, Chapter 3, Section 15064.5(a))

<sup>&</sup>lt;sup>16</sup> Ibid, Pg. 4.5-2.

Each of these ways of qualifying as a historical resource for the purpose of CEQA is related to the eligibility criteria for inclusion in the CRHR (PRC 5020.1(k), 5024.1, 5024.1(g)).

A historical resource may be eligible for inclusion in the CRHR if it:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage
- Is associated with the lives of persons important in our past
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values
- Has yielded, or may be likely to yield, information important in prehistory or history Properties that area listed in or eligible for listing in the National Register of Historic Places are considered eligible for listing in the CRHR, and thus are significant historical resources for the purpose of CEQA (PRC Section 5024.1(d)(1)).

Public Resources Code §5097.5: California Public Resources Code §5097.5 prohibits excavation or removal of any "vertebrate paleontological site…or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands." Public lands are defined to include lands owned by or under the jurisdiction of the state or any city, county, district, authority or public corporation, or any agency thereof. Section 5097.5 states that any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands is a misdemeanor.

Health and Safety Code §7050.5: Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper and dignified treatment of the remains and associated grave artifacts.

#### 3.6.2.3 Local

Kings County General Plan Policies: The 2035 Kings County General Plan Resource Conservation Element includes a goal with supporting objectives and policies related to archaeological, cultural, and historical resources. Those policies that are pertinent to the Project are included below:

• <u>RC Policy I1.1.3</u>: Encourage the protection of cultural and archaeological sites with potential for placement on the National Register of Historic Places and/or inclusion in the California Inventory of Historic Resources.

- <u>RC Policy I1.2.1</u>: Participate in and support efforts to identify significant cultural and archaeological resources and protect those resources in accordance with PRC 5097.9 and 5097.993.
- <u>RC Policy I1.2.2</u>: Continue to solicit input from local Native American communities in cases where development may result in disturbance to sites containing evidence of Native American activity and/or to sites of cultural importance.
- <u>RC Policy I1.2.3</u>: Address archaeological and cultural resources in accordance with CEQA for discretionary land use applications<sup>17</sup>.

### 3.6.3 Impact Assessment

# a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?

Less Than Significant with Mitigation Incorporated. A record search of files and maps was conducted on June 24, 2019 at the Southern San Joaquin Valley Archaeological Information Center, California State University, Bakersfield. These investigations did not identify any potential historic resources on site.

The 2035 Kings County General Plan identifies four sites in the County that are listed on the National Register of Historic Places, and three additional sites that have been designated as California Historical Landmarks. Three of the sites on the National Register are in Hanford: the Taoist Temple; the old County Courthouse; and the Carnegie Library. The fourth site is the Witt archaeological site near Dudley Ridge. None of these sites are proximate to the Project site. The three California Historical Landmarks are the Mussel Slough Tragedy site south of Hardwick; the Kingston Town site north of Hardwick; and the El Adobe de los Robles Rancho west of Lemoore. These sites are located in the unincorporated portions of the County and none are proximate to the Project parcel. The 2035 General Plan also identifies 16 additional historic sites of local importance. The sites include seven cemeteries and two churches located in Corcoran, Lemoore, Grangeville, and other rural areas in the northern County. Additional sites include the original site of Lemoore, Avenal Ranch, Kettleman Hills fossil beds, and First High School on the Kings River. The proposed Project site is not located within or proximate any of these sites, except the Grangeville Cemetery which is located approximately 1/8 mile south of the Project parcel.

<sup>&</sup>lt;sup>17</sup> County of Kings, *2035 Kings County General Plan*, p. RC-53, January 26, 2010). Website: <u>https://www.countyofkings.com/home/showdocument?id=3112</u>, accessed July 29, 2019.

# b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less Than Significant with Mitigation Incorporated. A record search of files and maps was conducted on June 24, 2019 at the Southern San Joaquin Valley Archaeological Information Center, California State University, Bakersfield. These investigations determined that two previous cultural resource studies had been conducted in the project area, KI-00272 and KI-00190. There have been no other studies within the one-half mile radius.

A Sacred Lands File Request was also completed by the Native American Heritage Commission (NAHC) on 24 June 2019. No sacred sites or tribal cultural resources were known to exist within the Project area or vicinity. Outreach letters were sent to tribal organizations (listed below) on the contact list provided by the NAHC in an effort to gather any additional information that may exist.

- 1. Kings River Choinumni Farm Tribe, Stan Alec
- 2. Santa Rosa Indian Community of the Santa Rosa Rancheria [Tachi Yokuts Tribe], Rueben Barrios Sr., Chairperson
- 3. Table Mountain Rancheria of California, Leanne Walker-Grant, Chairperson
- 4. Table Mountain Rancheria of California, Bob Pennell, Cultural Resources Director
- 5. Tule River Indian Tribe, Neil Peyron, Chairperson
- 6. Wuksache Indian Tribe/Eshom Valley Band, Kenneth Woodrow, Chairperson

An email response was received form the Santa Rosa Rancheria Tachi-Yokut Tribe regarding their request to have "tribal monitoring on all ground disturbances related with this project." (See **Appendix C)** No other responses were received from the tribes above.

No additional cultural resources studies or work are therefore recommended. Although it is unlikely that discovery of archeological resources will occur during construction or operation of the Project, the CHRIS center at CSUB does recommend implementation of CUL-1 and CUL-2 in order to reduce any potential impacts to subterranean discoveries to less than significant.

*Mitigation Measure CUL-1(Archaeological Resources):* A qualified archaeological monitor shall be present during all Project-related ground disturbance activities, to identify any unearthed cultural resource discoveries and make the appropriate mitigation recommendations. The District shall implement all recommendations of the archaeologist necessary to avoid or reduce to a less than significant level potential impacts to cultural resource. Appropriate actions could include a Data Recovery Plan or preservation in place.

*Mitigation Measure CUL-2 (Tribal Monitoring):* In order to avoid the potential for impacts to historic and prehistoric archaeological resources, the following measures shall be implemented, as necessary, in conjunction with the construction of the Project:

a. **Cultural Resources Alert on Project Plans.** The project proponent shall note on any plans that require ground disturbing excavation that there is a potential for exposing buried cultural resources.
- b. **Pre-Construction Briefing.** The project proponent shall retain Santa Rosa Rancheria Cultural Staff to provide a pre-construction briefing to construction staff regarding the discovery of cultural resources and the potential for discovery during ground disturbing activities, which will include information on potential cultural material finds and on the procedures to be enacted if resources are found.
- c. **Stop Work Near any Discovered Cultural Resources.** Should previously unidentified cultural resources be discovered during construction of the project, the project proponent shall cease work within 100 feet of the resources, and Kings County Community Development Agency (CDA) shall be notified immediately. The archaeologist shall review and evaluate any discoveries to determine if they are historical resource(s) and/or unique archaeological resources under CEQA.
- d. Mitigation for Discovered Cultural Resources. If the professional archaeologist determines that any cultural resources exposed during construction constitute a historical resource and/or unique archaeological resource, he/she shall notify the project proponent and other appropriate parties of the evaluation and recommended mitigation measures to mitigate the impact to a less-than-significant level. Mitigation measures may include avoidance, preservation in-place, recordation, additional archaeological testing and data recovery, among other options. Treatment of any significant cultural resources shall be undertaken with the approval of the Kings County CDA. The archaeologist shall document the resources using DPR 523 forms and file said forms with the California Historical Resources Information System, Southern San Joaquin Valley Information Center. The resources shall be photo-documented and collected by the archaeologist for submittal to the Santa Rosa Rancheria's Cultural and Historical Preservation Department. The archaeologist shall be required to submit to the County for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the area of discovery shall not be allowed until the preceding steps have been taken.
- e. Native American Monitoring. Prior to any ground disturbance, the project proponent shall offer the Santa Rosa Rancheria Tachi Yokut Tribe the opportunity to provide a Native American Monitor during ground disturbing activities during both construction and decommissioning. Tribal participation would be dependent upon the availability and interest of the Tribe.
- f. **Disposition of Cultural Resources.** Upon coordination with the Kings County Community Development Agency, any pre-historic archaeological artifacts recovered shall be donated to an appropriate Tribal custodian or a qualified scientific institution where they would be afforded applicable cultural resources laws and guidelines.

# c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Less than Significant Impact with Mitigation Incorporated. No formal cemeteries or other places of human internment are known to exist on the Project site; however, in accordance with Health and Safety Code Section 7050.5 and Public Resource Code Section 5097.98, if human remains are uncovered, Mitigation Measure CUL-3 would be implemented.

*Mitigation Measure CUL-3 (Human Remains*): In order to avoid the potential for impacts to buried human remains, the following measures shall be implemented, as necessary, in conjunction with the construction of the Project:

- a. Pursuant to State Health and Safety Code Section 7050.5(e) and Public Resources Code Section 5097.98, if human bone or bone of unknown origin is found at any time during on- or off-site construction, all work shall stop in the vicinity of the find and the Kings County Coroner shall be notified immediately. If the remains are determined to be Native American, the Coroner shall notify the California State Native American Heritage Commission (NAHC), who shall identify the person believed to be the Most Likely Descendant (MLD. The project proponent and MLD, with the assistance of the archaeologist, shall make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines Sec. 15064.5(d)). The agreed upon treatment shall address the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. California Public Resources Code allows 48 hours for the MLD to make their wishes known to the landowner after being granted access to the site. If the MLD and the other parties do not agree on the reburial method, the project will follow Public Resources Code Section 5097.98(e) which states that ". . . the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."
- b. Any findings shall be submitted by the archaeologist in a professional report submitted to the project applicant, the MLD, the Kings County Community Development Agency, and the California Historical Resources Information System, Southern San Joaquin Valley Information Center. .

### 3.7 Energy

Table 3-11. Energy Impacts

Energy Impacts						
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact		
<ul> <li>Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resource during project construction or operation?</li> </ul>	s, 🗆					
<ul> <li>b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?</li> </ul>	r 🗌					

#### 3.7.1 Environmental Setting

Southern California Edison (SCE) is the primary electric and the Southern California Gas Company for power utility purveyors in the Project area. The majority of the energy consumed in Kings County is for non-residential purposes. The proposed office building will utilize electricity for its power source.

Construction equipment and construction worker vehicles operated during Project construction would use fossil fuels. This fuel would likely be consumed by this equipment at another job site, even if this Project were not undertaken. And even if not, the fuel energy use for this project would be temporary and short-term and would be incidental compared to annual consumption. The Project does not include a residual component that would require significant additional energy input. The marginal increases in fossil fuel use resulting from Project construction are not expected to have significant impacts on energy resources.

#### 3.7.2 Regulatory Setting

#### 3.7.2.1 Federal

There are no federal regulations, plans, programs, or guidelines associated with energy that are applicable to the proposed Project.

#### 3.7.2.2 State

There are no State regulations, plans, programs, or guidelines associated with energy that are applicable to the proposed Project.

#### 3.7.2.3 Local

There are no local regulations, plans, programs, or guidelines associated with energy that are applicable to the proposed Project.

#### 3.7.3 Impact Assessment

#### a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less Than Significant Impact. As discussed in Section 3.4, the Project would not exceed any air emission thresholds during construction or operation. The Project would comply with construction best management practices as part of construction. Once completed, the Project would be mostly passive in nature and would not use an excessive or wasteful amount of energy to power the building. Fuel use for travel to the building would not increase significantly as those trips are already occurring to and from the current District office location. Therefore, the Project would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation.

# b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less Than Significant Impact. The construction and on-going operation of the District Office would not consume significant amounts of energy and as such would not obstruct a state or local plan for renewable energy or energy efficiency. This impact would be less than significant.

### 3.8 Geology and Soils

Table 3-12. Geology and Soils Impacts

	Geology and Soils Impacts						
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact		
a)	Directly or indirectly cause potentially substantial adverse effects, including the risk of loss, injury, or death involving:						
	<ul> <li>Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</li> </ul>						
	ii) Strong seismic ground shaking?			$\boxtimes$			
	<ul> <li>iii) Seismic-related ground failure, including liquefaction?</li> </ul>						
	iv) Landslides?			$\boxtimes$			
b)	Result in substantial soil erosion or the loss of topsoil?			$\square$			
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?						
d)	Be located on expansive soil, as defined in Table 18-1- B of the most recently adopted Uniform Building Code creating substantial direct or indirect risks to life or property?						
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				$\boxtimes$		
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?						

#### 3.8.1 Environmental Setting

#### 3.8.1.1 Geology and Soils

The project is located near the northern boundary of the unincorporated community of Armona in Kings County, in the southern section of California's Great Valley Geomorphic Province, or Central Valley. The Sacramento Valley makes up the northern third and the San Joaquin Valley makes up

the southern two-thirds of the geomorphic province. Both valleys are watered by large rivers flowing west from the Sierra Nevada Range, with smaller tributaries flowing east from the Coast Ranges. Most of the surface of the Great Valley is covered by Quaternary (present day to 1.6 million years ago) alluvium. As stated in the 2035 Kings County General Plan, soil preservation is of the utmost importance. The County shares responsibility of the soil responsibility with several Conservation Districts and various agencies and organizations in the community.<sup>18</sup>

#### 3.8.1.2 Faults and Seismicity

The proposed Project site is not located within an Alquist-Priolo Earthquake Fault Zone and no known faults cut through the local soil at the site. The nearest mapped principal fault is the San Andreas Fault, located approximately 58.6 miles south-southwest of the proposed Project site. The San Andreas Fault is the dominant active tectonic feature of the Coast Ranges and represents the boundary of the North American and Pacific plates. A smaller fault zone, the Nunez Fault is approximately 41.9 miles west-southwest of the site. The closest major fault, Poso Creek Fault is located approximately 42.8 miles south-southeast of the Project site and has a slip rate of <0.2 mm.

#### 3.8.1.3 Liquefaction

The potential for liquefaction, which is the loss of soil strength due to seismic forces, is dependent on soil types and density, depth to groundwater, and the duration and intensity of ground shaking. The portion of Kings County where the Project is located has a low to moderate liquefaction risk.

#### 3.8.1.4 Soil Subsidence

Subsidence occurs when a large land area settles due to over-saturation or extensive withdrawal of ground water, oil, or natural gas. These areas are typically composed of open-textured soils, high in silt or clay content, that become saturated. The Project site is dominated by nord fine sandy loam, with a low to moderate risk of subsidence.

#### 3.8.1.5 Dam and Levee Failure

Corcoran Reservoir is located approximately 12 miles southeast, and the Project site and adjacent lands lies within the inundation zone for Pine Flat Dam.

#### 3.8.2 Regulatory Setting

#### 3.8.2.1 Federal

There are no federal regulations, plans, programs, or guidelines associated with geology and soils that are applicable to the proposed Project.

<sup>&</sup>lt;sup>18</sup> County of Kings, 2035 Kings County General Plan, p. RC-53, January 26, 2010). Website: https://www.countyofkings.com/home/showdocument?id=3112, accessed July 29, 2019.

#### 3.8.2.2 State

California Alquist-Priolo Earthquake Fault Zoning Act: The Alquist-Priolo Earthquake Fault Zoning Act (originally enacted in 1972 and renamed in 1994) is intended to reduce the risk to life and property from surface fault rupture during earthquakes. The statute prohibits the location of most types of structures intended for human occupancy across the traces of active faults and regulates construction in the corridors along active faults.

**California Building Standards Code**: The California Code of Regulations (CCR) Title 24 is assigned to the California Building Standards Commission, which, by law, is responsible for coordinating all building standards. The California Building Code incorporates by reference the International Building Code with necessary California amendments. The International Building Code is a widely adopted model building code in the United States published by the International Code Council. About one-third of the text within the California Building Standards Code has been tailored for California earthquake conditions.

#### 3.8.2.3 Local

There are no local regulations, plans, programs, or guidelines associated with geology and soils that are applicable to the proposed Project.

#### 3.8.3 Impact Assessment

# a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

a-i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Less Than Significant Impact. The proposed Project site does not lie within an Alquist-Priolo Earthquake Fault Zone. Kings County has no known major fault systems within its territory. The greatest potential for geologic disaster in Kings County is posed by the San Andreas Fault, which is located approximately four miles west of the Kings County line boundary within Monterey County. Another large fault that may pose potential geologic hazards for Kings County is the White Wolf fault located in Kern County near Arvin and Bakersfield<sup>19</sup>.

Therefore, the proposed Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death associated with an unlikely event of a ruptured earthquake fault lines. As such, impacts will be less than significant.

<sup>&</sup>lt;sup>19</sup>County of Kings, 2035 Kings County General Plan, Health and Safety Element, Page HS-6, January 26, 2010 https://www.countyofkings.com/home/showdocument?id=13515, accessed July 29, 2019

#### a-ii) Strong seismic ground shaking?

Less Than Significant Impact. According to the Kings County Seismic Safety Map<sup>20</sup>, the Project site is located in Seismic Zone V-1. The generalized geologic formations in this zone are moderately thick marine and continental sedimentary deposits overlying the granitic basement complex. Amplification of shaking that would affect low to medium-rise structures is relatively high but the distance to either of the fault systems that are expected sources of the shaking is sufficiently great that the effect should be minimal<sup>21</sup>. The risk of adverse effects to the Project from ground shaking from an earthquake on these faults would be less than significant.

#### a-iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. The Project site is mapped within a low to moderate risk of liquefaction or subsidence hazard zone as indicated on Figure HS-2 of the 2035 Kings County General Plan. The risk of adverse effects from the Project regarding liquefaction or subsidence would be less than significant.

#### a-iv) Landslides?

No Impact. The Project site is in an area of minimal landslide potential<sup>22</sup>. In addition, the site is relatively flat; therefore, there is no potential for a landslide to occur and no impacts to the Project from landslides are predicted.

#### b) Would the project result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. Dischargers whose projects disturb one (1) or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity Construction General Permit Order 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. These activities could expose soils to erosion processes and the extent of erosion would vary depending on slope steepness/stability, vegetation/cover, concentration of runoff, and weather conditions. Earth disturbing activities associated with the Project would include minor grading building pad, parking and driveway, minor, excavation for building footings, and infrastructure construction across roughly 0.5-acre of land. The Project will therefore not require a Construction General Permit or a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer (QSD). Therefore, the impact would be less than significant.

<sup>&</sup>lt;sup>20</sup> Ibid, Figure HS-2.

<sup>&</sup>lt;sup>21</sup> Ibid, Page HS-9.

<sup>&</sup>lt;sup>22</sup> Ibid, Figure HS-3.

#### c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Less Than Significant Impact. The proposed Project area and the immediate surrounding lands do not have any substantial grade changes in the topography that would expose people or structures to potential substantial adverse effects on, or offsite, such as landslides, lateral spreading, subsidence, liquefaction or collapse. Any impact would be less than significant.

# d) Would the project be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial direct or indirect risks to life or property?

No Impact. Figure HS-4 on Page 13 of the Health and Safety Element of the 2035 Kings County General Plan, shows that the Project site is not located on expansive soil. There would be no impact.

# e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. The proposed Project does not include the construction of septic tanks or other alternative wastewater disposal systems. There would be no impact.

# f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than Significant Impact with Mitigation Incorporation. No known paleontological resources exist within the Project area. As the Project would require ground-disturbing activities, it is possible that an undiscovered paleontological resource may be impacted by ground disturbing activities. Therefore, the proposed Project will comply with the Cultural Resources mitigation measures **CR-1** through **CR-3** set forth in Section 3.6.3. Any impacts would be less than significant with mitigation incorporation.

### 3.9 Greenhouse Gas Emissions

Table 3-13. Greenhouse Gas Emissions Impacts

Greenhouse Gas Emissions Impacts						
Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact		
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			$\boxtimes$			
<ul> <li>b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</li> </ul>	of 🗌					

#### 3.9.1 Environmental Setting

The Earth's climate has been warming for the past century. It is believed that this warming trend is related to the release of certain gases into the atmosphere. Greenhouse gases (GHG) absorb infrared energy that would otherwise escape from the Earth. As the infrared energy is absorbed, the air surrounding the Earth is heated. An overall warming trend has been recorded since the late 19<sup>th</sup> century, with the most rapid warming occurring over the past two decades. The 10 warmest years of the last century all occurred within the last 15 years. It appears that the decade of the 1990s was the warmest in human history (National Oceanic and Atmospheric Administration, 2010). The following is a brief description of the most commonly recognized GHGs.

#### 3.9.1.1 Greenhouse Gases

Commonly identified GHG emissions and sources include the following:

- **Carbon dioxide** (CO<sub>2</sub>) is an odorless, colorless natural greenhouse gas. CO<sub>2</sub> is emitted from natural and anthropogenic sources. Natural sources include the following: decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic out gassing. Anthropogenic sources include the burning of coal, oil, natural gas, and wood.
- Methane (CH4) is a flammable greenhouse gas. A natural source of methane is the anaerobic decay of organic matter. Geological deposits, known as natural gas fields, also contain methane, which is extracted for fuel. Other sources are from landfills, fermentation of manure, and ruminants such as cattle.
- Nitrous oxide (N<sub>2</sub>O), also known as laughing gas, is a colorless greenhouse gas. Nitrous oxide is produced by microbial processes in soil and water, including those reactions that occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load.

- Water vapor is the most abundant, and variable greenhouse gas. It is not considered a pollutant; in the atmosphere, it maintains a climate necessary for life.
- Ozone (O<sub>3</sub>) is known as a photochemical pollutant and is a greenhouse gas; however, unlike other greenhouse gases, ozone in the troposphere is relatively short-lived and, therefore, is not global in nature. Ozone is not emitted directly into the atmosphere but is formed by a complex series of chemical reactions between volatile organic compounds, nitrogen oxides, and sunlight.
- Aerosols are suspensions of particulate matter in a gas emitted into the air through burning biomass (plant material) and fossil fuels. Aerosols can warm the atmosphere by absorbing and emitting heat and can cool the atmosphere by reflecting light.
- Chlorofluorocarbons (CFCs) are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface). CFCs were first synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. CFCs destroy stratospheric ozone; therefore, their production was stopped as required by the Montreal Protocol in 1987.
- Hydrofluorocarbons (HFCs) are synthetic chemicals that are used as a substitute for CFCs. Of all the greenhouse gases, HFCs are one of three groups (the other two are perfluorocarbons and sulfur hexafluoride) with the highest global warming potential. HFCs are human made for applications such as air conditioners and refrigerants.
- Perfluorocarbons (PFCs) have stable molecular structures and do not break down through the chemical processes in the lower atmosphere; therefore, PFCs have long atmospheric lifetimes, between 10,000 and 50,000 years. The two main sources of PFCs are primary aluminum production and semiconductor manufacture.
- Sulfur hexafluoride (SF<sub>6</sub>) is an inorganic, odorless, colorless, nontoxic, nonflammable gas. It has the highest global warming potential of any gas evaluated. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.

#### 3.9.1.2 Effects of Climate Change

There are uncertainties as to exactly what the climate changes will be in various local areas of the earth, and what the effects of clouds will be in determining the rate at which the mean temperature will increase. There are also uncertainties associated with the magnitude and timing of other consequences of a warmer planet: sea level rise, spread of certain diseases out of their usual geographic range, the effect on agricultural production, water supply, sustainability of ecosystems, increased strength and frequency of storms, extreme heat events, air pollution episodes, and the consequence of these effects on the economy.

Emissions of GHGs associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors are contributing to global climate change. About three-quarters of human emissions of CO<sub>2</sub> to the global atmosphere during the past 20 years are due to fossil fuel burning. Atmospheric concentrations of CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O have increased 31 percent, 151 percent, and 17 percent respectively since the year 1750 (CEC 2008). GHG emissions are typically expressed in

carbon dioxide-equivalents (CO<sub>2</sub> $\ell$ ), based on the GHG's Global Warming Potential (GWP). The GWP is dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. For example, one ton of CH<sub>4</sub> has the same contribution to the greenhouse effect as approximately 21 tons of CO<sub>2</sub>. Therefore, CH<sub>4</sub> is a much more potent GHG than CO<sub>2</sub>.

#### 3.9.2 Methodology

An Air Quality and Greenhouse Gas Emissions Evaluation Report (**Appendix A**) was prepared in July 2019. The sections below detail the methodology of the report and its conclusions.

#### 3.9.2.1 Short-Term Construction-Generated Emissions

Short-term construction emissions associated with the Project were calculated using CalEEmod, Version 2016.3.2. Emissions' modeling was assumed to occur over an approximate six-month period and covering a site area of 0.5-acres. Remaining assumptions were based on the default parameters contained in the model. Modeling assumptions and output files are included in **Appendix A**.

#### 3.9.2.2 Long-Term Operational Emissions

Long-term operational emissions associated with the Project are estimated to be minimal in nature. Maintenance will be provided on an as needed basis by existing staff, and the operational equipment, such as the use of stationary electric pumps, will be similar to the existing system which results in negligible emissions. Modeling assumptions and output files are included in Appendix A.

#### 3.9.2.3 Thresholds of Significance

CEQA Guidelines Amendments became effective March 18, 2010. Included in the Amendments are revisions to the Appendix G Initial Study Checklist. In accordance with these Amendments, a project would be considered to have a significant impact to climate change if it would:

- a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or,
- b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

In accordance with SJVAPCD's CEQA Greenhouse Gas Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects<sup>23</sup>, proposed projects complying with Best Performance Standards (BPS) would be determined to have a less-than-significant impact. Projects not complying with BPS would be considered less than significant if operational GHG emissions would be reduced or mitigated by a minimum of 29 percent, in comparison to business-as-usual (year 2004) conditions. In addition, project-generated emissions complying with an approved plan

<sup>&</sup>lt;sup>23</sup> San Joaquin Valley Air District, *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA*, December 2009. Website: <u>https://www.valleyair.org/Programs/CCAP/12-17-09/3%20CCAP%20-</u>%20FINAL%20LU%20Guidance%20-%20Dec%2017%202009.pdf, accessed August 5, 2019.

or mitigation program would also be determined to have a less-than-significant impact.

#### 3.9.3 **Regulatory Setting**

#### 3.9.3.1 Federal

Although climate change and GHG reduction is a concern at the federal level; currently there are no regulations or legislation that have been enacted specifically addressing GHG emissions reductions and climate change at the project level.

#### 3.9.3.2 State

Assembly Bill 32 - California Global Warming Solutions Act of 2006: AB 32 (Health and Safety Code Sections 38500, 38501, 38510, 38530, 38550, 38560, 38561–38565, 38570, 38571, 38574, 38580, 38590, 38592–38599 "et seq.,") requires that Statewide GHG emissions be reduced to 1990 levels by the year 2020. The gases that are regulated by AB 32 include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, nitrogen trifluoride, and sulfur hexafluoride. The reduction to 1990 levels will be accomplished through an enforceable Statewide cap on GHG emissions that will be phased in starting in 2012. To effectively implement the cap, AB 32 directs CARB to develop and implement regulations to reduce Statewide GHG emissions from stationary sources. AB 32 specifies that regulations adopted in response to AB 1493 should be used to address GHG emissions from vehicles. However, AB 32 also includes language stating that if the AB 1493 regulations cannot be implemented, then CARB should develop new regulations to control vehicle GHG emissions under the authorization of AB 32.

AB 32 requires that CARB adopt a quantified cap on GHG emissions representing 1990 emissions levels and disclose how it arrives at the cap, institute a schedule to meet the emissions cap, and develop tracking, reporting, and enforcement mechanisms to ensure that the State achieves reductions in GHG emissions necessary to meet the cap. AB 32 also includes guidance to institute emissions reductions in an economically efficient manner and conditions to ensure that businesses and consumers are not unfairly affected by the reductions.

Senate Bill 97 - CEQA: Greenhouse Gas Emissions: Senate Bill 97, signed in August 2007, acknowledges that climate change is an important environmental issue that requires analysis under CEQA. This bill directs the Governor's Office of Planning and Research to prepare, develop, and transmit to the Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions, by July 1, 2009. The Resources Agency is required to certify or adopt those guidelines by January 1, 2010. Amendments to the CEQA guidelines took effect March 18, 2010. The revisions include a new section (Sec. 15064.4) that specifically addresses the potential significance of GHG emissions. Section 15064.4 calls for a "good-faith effort" to "describe, calculate or estimate" GHG emissions. Section 15064.4 further States that a lead agency "should" consider several factors when assessing the significance of impacts from GHG emissions on the environment, including: the extent to which the project would increase or reduce GHG emissions; whether project emissions exceed an applicable threshold of significance; and the extent to which the project complies with "regulations or requirements adopted to implement a Statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions." The guidelines also State

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that a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements of previously approved plan or mitigation program (Sec. 15064(h)(3)). However, the guidelines do not require or recommend a specific analytical methodology or provide quantitative criteria for determining the significance of GHG emissions.

**Cap-and-Trade Regulation**: The cap-and-trade regulation is a key element in California's climate plan. It sets a Statewide limit on sources responsible for 85 percent of California's greenhouse gas emissions and establishes a price signal needed to drive long-term investment in cleaner fuels and more efficient use of energy. The cap-and-trade rules came into effect on January 1, 2013 and apply to large electric power plants and large industrial plants. In 2015, they will extend to fuel distributors (including distributors of heating and transportation fuels). At that stage, the program will encompass nearly 85 percent of the State's total greenhouse gas emissions.

GHG emissions addressed by the cap-and-trade regulation are subject to an industry-wide cap on overall GHG emissions. The cap-and-trade regulation sets a firm limit or cap on GHGs, which declines approximately 3 percent each year beginning in 2013. Any growth in emissions must be accounted for under the cap, such that a corresponding and equivalent reduction in emissions must occur to allow any increase. The cap-and-trade regulation will help California achieve its goal of reducing GHG emissions to 1990 levels by the year 2020, and ultimately achieving an 80% reduction from 1990 levels by 2050. As such, the CARB has determined that the cap-and-trade regulation meets the requirements of AB 32.

#### 3.9.3.3 **Local**

San Joaquin Valley Air Pollution Control District

SJVAPCD Climate Change Action Plan: On August 21, 2008, the SJVAPCD Governing Board approved the District's Climate Change Action Plan with the following goals and actions:

Goals:

- Assist local land-use agencies with California Environmental Quality Act (CEQA) issues relative to projects with GHG emissions increases.
- Assist Valley businesses in complying with mandates of AB 32.
- Ensure that climate protection measures do not cause increase in toxic or criteria pollutants that adversely impact public health or environmental justice communities.

#### Actions:

- Authorize the Air Pollution Control Officer to develop GHG significance threshold(s) or other mechanisms to address CEQA projects with GHG emissions increases. Begin the requisite public process, including public workshops, and develop recommendations for Governing Board consideration in the spring of 2009.
- Authorize the Air Pollution Control Officer to develop necessary regulations and instruments for establishment and administration of the San Joaquin Valley Carbon

Exchange Bank for voluntary GHG reductions created in the Valley. Begin the requisite public process, including public workshops, and develop recommendations for Governing Board consideration in spring 2009.

- Authorize the Air Pollution Control Officer to enhance the District's existing criteria pollutant emissions inventory reporting system to allow businesses subject to AB 32 emission reporting requirements to submit simultaneous streamlined reports to the District and the State of California with minimal duplication.
- Authorize the Air Pollution Control Officer to develop and administer voluntary GHG emission reduction agreements to mitigate proposed GHG increases from new projects.
- Direct the Air Pollution Control Officer to support climate protection measures that reduce GHG emissions as well as toxic and criteria pollutants. Oppose measures that result in a significant increase in toxic or criteria pollutant emissions in already impacted area.

SJVAPCD CEQA Greenhouse Gas Guidance: On December 17, 2009, the SJVAPCD Governing Board adopted "Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA" and the policy, "District Policy—Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency." The SJVAPCD concluded that the existing science is inadequate to support quantification of the impacts that project specific greenhouse gas emissions have on global climatic change. The SJVAPCD found the effects of project-specific emissions to be cumulative, and without mitigation, that their incremental contribution to global climatic change could be considered cumulatively considerable. The SJVAPCD found that this cumulative impact is best addressed by requiring all projects to reduce their greenhouse gas emissions, whether through project design elements or mitigation.

The SJVAPCD's approach is intended to streamline the process of determining if project-specific greenhouse gas emissions would have a significant effect. Projects exempt from the requirements of CEQA, and projects complying with an approved plan or mitigation program would be determined to have a less than significant cumulative impact. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources and have a certified final CEQA document.

Best performance standards (BPS) to address operational emissions of a project would be established according to performance-based determinations. Projects complying with BPS would not require specific quantification of GHG emissions and would be determined to have a less than significant cumulative impact for GHG emissions. Projects not complying with BPS would require quantification of GHG emissions and demonstration that operational greenhouse gas emissions have been reduced or mitigated by 29 percent, as targeted by CARB's AB 32 Scoping Plan. Furthermore, quantification of GHG emissions would be required for all projects for which the lead agency has determined that an Environmental Impact Report is required, regardless of whether the project incorporates BPS.

Bay Area Air Quality Management District's Thresholds for Significance: Bay Area Air Quality Management District's approach to developing a threshold of significance for GHG emissions is to identify the emissions level for which a project would not be expected to substantially conflict with existing California legislation adopted to reduce Statewide GHG emissions. If a project would generate GHG emissions above the threshold level, it would be considered to contribute substantially to a cumulative impact and would be considered significant. If mitigation can be applied to lessen the emissions such that the project meets its share of emission reductions needed to address the cumulative impact, the project would normally be considered less than significant. Although the proposed Project is not located in the Bay Area, the Bay Area Air Quality Management District's thresholds for significance are based on the Statewide AB 32 objectives and will be used to quantify potential impacts related to GHG emissions. For land use development projects, the threshold is compliance with a qualified GHG Reduction Strategy or annual emissions less than 1,100 metric tons per year (MT/yr) of CO<sub>2</sub>e. For stationary source projects, such as those requiring a permit from a local air district to operate, the threshold is 10,000 MT/yr of CO<sub>2</sub>e.

2035 Kings County General Plan: The 2035 Kings County General Plan adopted by the Kings County Board of Supervisors on January 26, 2010 recognizes the problem of air pollution and climate change within the San Joaquin Valley. The Air Quality Element of the General Plan sets forth a number of objectives that are very important to Kings County, including ensuring that growth occurs in ways that protect and enhance county residents' health, and complying with air quality regulations. General Plan Air Quality goals and objectives, with respect to GHGs, that are pertinent to the project include:

- <u>AQ Goal G1</u>: Reduce Kings County's proportionate contribution of GHG emissions and the potential impact that may result on climate change from internal governmental operations and land use activities within its authority.
- <u>AQ Objective G1.1</u>: Identify and achieve GHG emission reduction targets consistent with the County's proportionate fair share as may be allocated by ARB and the Kings County Association of Governments<sup>24</sup>.

#### 3.9.4 Impact Assessment

# a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? And

Less Than Significant Impact.

#### Short-Term Construction-Generated Emissions

Estimated construction-generated emissions are summarized in **Table 3-14**. As indicated, construction of the Project would generate maximum annual emissions of approximately 430.6072 metric tons of carbon dioxide equivalent (MTCO<sub>2</sub> $\ell$ ). Construction-related production of GHGs would be temporary and last approximately six months and would not exceed adopted thresholds.

#### Table 3-14. Short-Term Construction-Generated GHG Emissions

<sup>&</sup>lt;sup>24</sup> County of Kings, 2035 Kings County General Plan, Air Quality Element. Page AQ-30, January 26, 2010. Website: https://www.countyofkings.com/home/showdocument?id=13513, accessed July 29, 2019.

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Short-Term Construction-Generated GHG Emissions				
Year	Emissions (MT CO <sub>2</sub> e) <sup>(1)</sup>			
2019	74.6794			
AB 32 Consistency Threshold for Land-Use Development Projects*	1,100			
AB 32 Consistency Threshold for Stationary Source Projects*	10,000			
Exceed Threshold?	No			

1. Emissions were quantified using the CalEEmod, Version 2016.3.2. Refer to **Appendix A** for modeling results and assumptions. Totals may not sum due to rounding.

\* As published in the Bay Area Air Quality Management District's CEQA Air Quality Guidelines. Available online at <a href="http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa\_guidelines\_may2017-pdf.pdf?la=en">http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa\_guidelines\_may2017-pdf.pdf?la=en</a> Accessed 10 July 2019.

#### Long-Term Operational Emissions

Estimated long-term operational emissions are summarized in **Table 3-15**. As indicated, operation of the Project would generate maximum annual emissions of approximately 489.9422 metric tons of carbon dioxide equivalent (MTCO<sub>2</sub>e).

#### Table 3-15. Long-Term Operational GHG Emissions

Long-Term Operational GHG Emissions				
	Emissions (MT CO <sub>2</sub> e) <sup>(1)</sup>			
Estimated Total Annual Operational CO <sub>2</sub> e Emissions	489.9422			
AB 32 Consistency Threshold for Land-Use Development Projects*	1,100			
AB 32 Consistency Threshold for Stationary Source Projects*	10,000			
Exceed Threshold?	No			

2. Emissions were quantified using the CalEEmod, Version 2016.3.2. Refer to **Appendix A** for modeling results and assumptions. Totals may not sum due to rounding.

\* As published in the Bay Area Air Quality Management District's CEQA Air Quality Guidelines. Available online at <u>http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa\_guidelines\_may2017-pdf.pdf?la=en</u> Accessed 10 July 2019.

Long-term operational emissions will mainly consist of traffic trips generated by the District employees and board members. These trips are already occurring to the current District office in Armona. There is no population growth associated with the Project. Long-term emissions would not exceed adopted thresholds.

Both the short-term and long-term GHG emissions are below the AB 32 consistency thresholds for land-use development projects. Therefore, Project-related emissions of GHGs would be less than significant.

# b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact. In accordance with SJVAPCD's recommended guidance, projectgenerated GHG emissions would be considered less than significant if it meets any one the following 3 criteria: (1) the Project complies with applicable BPS; (2) operational GHG emissions would be reduced or mitigated by a minimum of 29 percent in comparison to business-as usual (year 2004) conditions; or (3) project-generated emissions would comply with an approved plan or mitigation program.

The Project complies with the AB 32 consistency threshold for stationary source projects. Therefore, implementation of the Project is not anticipated to conflict with any applicable plan, policy or regulation for reducing the emissions of GHGs, nor will the proposed Project have a significant impact on the environment. The impact would be considered less than significant.

### 3.10 Hazards and Hazardous Materials

Table 3-16. Hazards and Hazardous Materials Impacts

	Hazards and Hazardous Materials Impacts					
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact	
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?					
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?					
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?					
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?					
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				$\boxtimes$	
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			$\boxtimes$		
g)	Expose people or structures either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?					

#### 3.10.1 Environmental Setting

#### 3.10.1.1 Hazardous Materials

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. Government Code (GC) Section 65962.5 requires the California Environmental Protection Agency (CalEPA) to develop at least annually an updated Cortese List. The Department of Toxic Substances Control (DTSC) is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List. DTSC's

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EnviroStor database provides DTSC's component of Cortese List data (DTSC, 2010). In addition to the EnviroStor database, the State Water Resources Control Board (SWRCB) Geotracker database provides information on regulated hazardous waste facilities in California, including underground storage tank (UST) cases and non-UST cleanup programs, including Spills-Leaks-Investigations-Cleanups (SLIC) sites, Department of Defense (DOD) sites, and Land Disposal program. A search of the DTSC EnviroStor database and the SWRCB Geotracker performed on June 6, 2019 determined that there are no known active hazardous waste generators or hazardous material spill sites within the Project site or immediate surrounding vicinity.

#### 3.10.1.2 Airports

The Hanford Municipal Airport is located approximately 4.5 miles east-southeast and the Visalia Municipal Airport is located approximately 11.6 miles east-southeast of the Project site.

#### 3.10.1.3 Emergency Response Plan

The Kings County Office of Emergency Management coordinates the development and maintenance of the Kings County Emergency Operations Plan.

#### 3.10.1.4 Sensitive Receptors

Armona Union Academy School is approximately 0.7 miles southwest of the Project site.

#### 3.10.2 Regulatory Setting

#### 3.10.2.1 Federal

Hazardous Materials - U.S. Environmental Protection Agency: The U.S. Environmental Protection Agency (EPA) was established in 1970 to consolidate in one agency a variety of Federal research, monitoring, standard-setting and enforcement activities to ensure environmental protection. EPA's mission is to protect human health and to safeguard the natural environment — air, water, and land — upon which life depends. EPA works to develop and enforce regulations that implement environmental laws enacted by Congress, is responsible for researching and setting national standards for a variety of environmental programs, and delegates to States and tribes the responsibility for issuing permits and for monitoring and enforcing compliance. Where national standards are not met, EPA can issue sanctions and take other steps to assist the states and tribes in reaching the desired levels of environmental quality.

Toxic Substances Control Act/Resource Conservation and Recovery Act/Hazardous and Solid Waste Act: The Toxic Substances Control Act (1976) and the Resource Conservation and Recovery Act of 1976 (RCRA) established a program administered by the EPA for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act (HSWA), which affirmed and extended the "cradle to grave" system of regulating hazardous wastes.

Clean Water Act/SPCC Rule: The Clean Water Act (CWA) (33 U.S.C. Section 1251, et seq., formerly the Water Pollution Control Act of 1972), was enacted with the intent of restoring and maintaining the chemical, physical, and biological integrity of the waters of the United States. As part of the Clean Water Act, the EPA oversees and enforces the Oil Pollution Prevention regulation contained in Title 40 of the CFR, Part 112, which is often referred to as the "SPCC rule" because the regulations describe the requirements for facilities to prepare, amend and implement Spill Prevention, Control, and Countermeasure (SPCC) Plans. A facility is subject to SPCC regulations if a single oil storage tank has a capacity greater than 660 gallons, or the total above ground oil storage capacity exceeds 1,320 gallons, or the underground oil storage capacity exceeds 42,000 gallons, and if, due to its location, the facility could reasonably be expected to discharge oil into or upon the "navigable waters" of the United States. Other federal regulations overseen by the EPA relevant to hazardous materials and environmental contamination include Title 40, CFR, Chapter 1, Subchapter D – Water Programs and Subchapter I – Solid Wastes. Title 40, CFR, Chapter 1, Subchapter D, Parts 116 and 117 designate hazardous substances under the Water Pollution Control Act. Title 40, CFR, Part 116 sets forth a determination of the reportable quantity for each substance that is designated as hazardous. Title 40, CFR, Part 117 applies to quantities of designated substances equal to or greater than the reportable quantities that may be discharged into waters of the United States.

#### 3.10.2.2 State

**California Environmental Protection Agency (CalEPA)**: CalEPA was created in 1991 by Governor's Executive Order. The California Air Resources Board (CARB), the Department of Pesticide Regulation (DPR), the Department of Resources Recycling and Recovery (CalRecycle), the Department of Toxic Substances Control (DTSC), the Office of Environmental Health Hazard Assessment (OEHHA) and the State Water Resources Control Board (SWRCB) were placed under the CalEPA umbrella to create cabinet-level voices for the protection of human health and the environment and to assure the coordinated deployment of State resources.<sup>25</sup> The mission of CalEPA is to restore, protect, and enhance the environment to ensure public health, environmental quality, and economic vitality under Title 22 of the CCR.<sup>26</sup>

Department of Toxic Substances Control (DTSC): DTSC is a department of CalEPA and is the primary agency in California that regulates hazardous waste, clean-up of existing contamination, and looks for ways to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of RCRA and the Health and Safety Code. Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. GC Section 65962.5 (commonly referred to as the Cortese List) includes DTSC-listed hazardous waste facilities and sites, SWRCB Division of Drinking Water lists of contaminated drinking water wells, sites listed by the SWRCB as having UST leaks and which have had a discharge of hazardous wastes or materials into the water or

 <sup>&</sup>lt;sup>25</sup> California Environmental Protection Agency. Website: <u>https://calepa.ca.gov/about/</u>, accessed July 2019.
 <sup>26</sup> State of California, *Title 22, Division 2, California Code of Regulation, Chapter 3. Sage Drinking Water and Toxic Enforcement Act of 1986, Article 6. Clear and Reasonable Warnings*. Website: https://oehha.ca.gov/media/downloads/crnr/12601proposed20regulatory20text5.pdf, accessed August 2019.

groundwater, and lists from local regulatory agencies of sites that have had a known migration of hazardous waste/material.<sup>27</sup>

Unified Program: The Unified Program (CCR Title 27, Division 1, Subdivision 4, Chapter 1, Sections 15100- 15620) consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of the following six environmental and emergency response programs.<sup>28</sup>

- Hazardous Waste Generator (HWG) program and Hazardous Waste On-site Treatment activities;
- Aboveground Storage Tank (AST) program Spill Prevention Control and Countermeasure Plan requirements;
- Underground Storage Tank (UST) program;
- Hazardous Materials Release Response Plans and Inventory (HMRRP) program;
- California Accidental Release Prevention (CalARP) program;
- Hazardous Materials Management Plans and Hazardous Materials Inventory Statement (HMMP/HMIS) requirements.

The Secretary of CalEPA is directly responsible for coordinating the administration of the Unified Program. The Unified Program requires all counties to apply to the CalEPA Secretary for the certification of a local unified program agency. Qualified cities are also permitted to apply for certification. The local Certified Unified Program Agency (CUPA) is required to consolidate, coordinate, and make consistent the administrative requirements, permits, fee structures, and inspection and enforcement activities for these six program elements in the county. Most CUPAs have been established as a function of a local environmental health or fire department.

Hazardous Waste Management Program: The Hazardous Waste Management Program (HWMP) regulates hazardous waste through its permitting, enforcement, and Unified Program activities in accordance with HHSC Section 25135, *et seq.* The main focus of HWMP is to ensure the safe storage, treatment, transportation, and disposal of hazardous wastes.

State Water Resources Control Board (SWRCB): The SWRCB was created by the California legislature in 1967. The mission of SWRCB is to ensure the highest reasonable quality for waters of the State, while allocating those waters to achieve the optimum balance of beneficial uses. The joint authority of water allocation and water quality protection enables SWRCB to provide comprehensive protection for California's waters.

California Department of Industrial Relations – Division of Occupational Safety and Health (Cal/OSHA): In California, every employer has a legal obligation to provide and maintain a safe and healthful workplace for employees, according to the California Occupational Safety and Health Act of 1973

<sup>&</sup>lt;sup>27</sup> California Department of Toxic Substances Control. <u>http://www.dtsc.ca.gov/</u> Accessed July 6, 2019.

<sup>&</sup>lt;sup>28</sup> California Environmental Protection Agency. <u>http://www.calepa.ca.gov/cupa/</u> Accessed July 6, 2019.

(per Title 8 of the CCR). The Division of Occupational Safety and Health (Cal/OSHA) program is responsible for enforcing California laws and regulations pertaining to workplace safety and health and for providing assistance to employers and workers about workplace safety and health issues. Cal/OSHA regulations are administered through Title 8 of the CCR. The regulations require all manufacturers or importers to assess the hazards of substances that they produce or import and all employers to provide information to their employees about the hazardous substances to which they may be exposed.

#### 3.10.2.3 Local

Kings County General Plan Policies: The 2035 Kings County General Plan Health and Safety Element includes an objective and policy related to environmental hazards and hazardous materials. The policy that is pertinent to the Project is included below:

- HS Objective B1.5: Ensure adequate protection of County residents form new generations of toxic or hazardous waste substances.
- HS Policy B1.5.1: Evaluated development applications to determine the potential for hazardous waste generation and be required to provide sufficient financial assurance that is available to the County to cover waste cleanup and/or site restoration in instances where the site has been abandoned or the business operator is unable to remove hazardous materials form the site.

#### 3.10.3 Impact Assessment

# a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? and;

Less Than Significant Impact. There would be no transport, use, or disposal of hazardous materials associated with the construction and operation of the Project, with the exception of diesel fuel and oils contained in construction equipment.

#### b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact. There are no designated hazardous materials transportation routes in the vicinity of the proposed Project site. Additionally, there would be no transport, use, or disposal of hazardous materials associated with the construction and operation of the Project, with the exception of diesel fuel for construction equipment. Any potential accidental hazardous materials spills during Project construction are the responsibility of the contractor to remediate in accordance with industry best management practices and State and County regulations. Any impacts would therefore be less than significant.

# c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact: The proposed Project will not emit hazardous emissions or involve the transport or handling of any hazardous materials. The Armona Union Academy school is in the area but is more than <sup>1</sup>/<sub>4</sub> mile to the southwest from the Project site. Impacts would be less than significant.

#### d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact. The Project area and the parcel within which it lies does not involve land that is listed as an active hazardous materials site pursuant to Government Code Section 65962.5 and is not included on the lists compiled by the Department of Toxic Substances Control described in Section 65962.5 above. Both the State Water Board's Geotracker and Department of Toxic Substances Control EnviroStor websites were checked for contaminated groundwater or sites in the area and none were found at or adjacent to the Project site. There would be no impact.

#### e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

No Impact. The Hanford Municipal Airport is located approximately 4.5 miles east-southeast and the Visalia Municipal Airport is located approximately 11.6 miles east-southeast of the Project. The Project site is therefore not within two miles of these airports. There would be no impact.

# f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. The proposed Project would comply with the Kings County Emergency Plan<sup>29</sup>. Both 14th Avenue and Lacey Blvd. are listed as secondary evacuation routes pursuant to Figure HS-20 (Evacuation routes) which is located within the Health and Safety Element of the 2035 Kings County General Plan. Therefore, Project-related impacts to emergency evacuation routes or emergency response routes on local roadways would be considered less than significant.

# g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Less Than Significant Impact. The Project area is largely surrounded by agriculture and does not lie within a State Responsibility Area or area designated for wildland fire risk. The Project would,

<sup>&</sup>lt;sup>29</sup>2015 Kings County Emergency Operations Plan <u>https://www.countyofkings.com/departments/public-safety/office-of-</u> <u>emergency-management/preparedness/plans</u>, accessed October 21, 2019

therefore, not expose people or structures, either directly or indirectly to any risks involving wildfires. Therefore, the impact would be less than significant.

### 3.11 Hydrology and Water Quality

#### Table 3-17. Hydrology and Water Quality Impacts

	Hydrology and Water Quality Impacts						
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact		
a)	Violate any water quality standards or waste discharge requirements, or otherwise degrade surface or ground water quality?			$\boxtimes$			
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?						
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			$\boxtimes$			
	<ul> <li>Result substantial erosion or siltation on-or off- site;</li> </ul>			$\boxtimes$			
	<ul> <li>(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or offsite;</li> </ul>			$\boxtimes$			
	(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff			$\boxtimes$			
	(iv)Impede or redirect flood flows?			$\boxtimes$			
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?						
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?						

#### 3.11.1 Environmental Setting

The climate in Kings County can be classified as Mediterranean with average rainfall rates of 7.6 inches annually, occurring primarily between November and April<sup>30</sup>. Hydrology in the Project area is associated with the Tulare Lake Hydrologic Region, containing three main subbasins. The Tulare Lake subbasin, within which Armona is located, is in the northern alluvial fan and basin subarea characterized by southwest to south flowing rivers, creeks, and irrigation canal systems that convey water from the Sierra Nevada to the west toward the Tulare Lake Bed. The southern portion of the

<sup>&</sup>lt;sup>30</sup> County of Kings, 2035 Kings County General Plan, Health and Safety Element, p. HS-2, January 26, 2010. Website: <u>https://www.countyofkings.com/home/showdocument?id=13515</u> accessed August 5, 2019.

basin is internally drained by the Kings, Kaweah, Tule, and Kern Rivers<sup>31</sup>. The Tulare Lake Basin comprises the drainage area of the San Joaquin Valley south of the San Joaquin River and is essentially a closed basin because surface water drains north into the San Joaquin River only in years of extreme rainfall.

Last Chance Ditch lies adjacent to the west property line of the Project parcel, roughly 300 feet west of the proposed Project area.

#### 3.11.2 Regulatory Setting

#### 3.11.2.1 Federal

**Clean Water Act**: The Clean Water Act (CWA) is intended to restore and maintain the chemical, physical, and biological integrity of the nation's waters (33 CFR 1251). The regulations implementing the CWA protect waters of the U.S. including streams and wetlands (33 CFR 328.3). The CWA requires States to set standards to protect, maintain, and restore water quality by regulating point source and some non-point source discharges. Under Section 402 of the CWA, the National Pollutant Discharge Elimination System (NPDES) permit process was established to regulate these discharges.

Federal Emergency Management Agency (FEMA) Flood Zones: The National Flood Insurance Act (1968) makes available federally subsidized flood insurance to owners of flood-prone properties. To facilitate identifying areas with flood potential, FEMA has developed Flood Insurance Rate Maps (FIRM) that can be used for planning purposes. Flood hazard areas identified on the Flood Insurance Rate Map are identified as a Special Flood Hazard Area (SFHA). SFHA are defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30. Moderate flood hazard areas, labeled Zone B or Zone X (shaded) are also shown on the FIRM, and are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood. The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2-percent-annual-chance flood, are labeled Zone C or Zone X (un-shaded).

#### 3.11.2.2 State

State Water Resources Control Board: The SWRCB has jurisdiction over water quality issues in California. The SWRCB is governed by the Porter-Cologne Water Quality Act (Division 7 of the Water Code (WC)), which establishes the legal framework for water quality control activities by the

<sup>&</sup>lt;sup>31</sup> California Department of Water Resources, California's Groundwater Bulletin 118, Tulare Lake Hydrologic Region, San Joaquin Valley Groundwater Basin, Kaweah Subbasin, 2016. Website: <u>https://water.ca.gov/-/media/DWR-Website/Web-</u> Pages/Programs/Groundwater-Management/Bulletin-118/Files/B118-Interim-Update-2016.pdf, accessed August 5, 2019.

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SWRCB. The intent of the Porter-Cologne Act is to regulate factors which may affect the quality of waters of the State to attain the highest quality which is reasonable, considering a full range of demands and values. Much of the implementation of the SWRCB's responsibilities is delegated to its nine Regional Boards. The Project area is located within the Central Valley Regional Water Quality Control Board (CVRWQCB). The CVRWQCB administers the NPDES storm water-permitting program in the Central Valley region. Construction activities on one acre or more are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). Additionally, CVRWQCB is responsible for issuing Waste Discharge Requirements Orders under WC Section 13260, Article 4, Waste Discharge Requirements.

For projects proposing ground disturbance of one acre or greater, the SWRCB requires a Storm Water Pollution Prevention Plan (SWPPP) as a requirement of the NPDES to regulate water quality associated with construction or industrial activities.

**Recycled Water Policy**: The Water Recycling Act of 1991 (WC Section 1357,5 *et seq.*) established a Statewide goal to recycle a total of 700,000 acre-feet of water per year (AFY) by the year 2000 and 1,000,000 AFY by the year 2010. In February 2009, the SWRCB adopted its Recycled Water Policy (SWRCB Resolution No. 2009-0011), the purpose of which is to increase the beneficial use of recycled water from municipal wastewater sources in a manner that fully implements State and Federal water quality laws. The policy directs the State to rely less on variable annual precipitation and more on sustainable management of surface waters and groundwater, together with enhanced water conservation, water reuse and the use of stormwater. As a part of the new recycled water policy, the SWRCB adopted the following four goals for California:

- 1. Increase the use of recycled water over 2002 levels by at least one million AFY by 2020 and by at least two million AFY by 2030.
- 2. Increase the use of stormwater over use in 2007 by at least 500,000 AFY by 2020 and by at least one million AFY by 2030.
- 3. Increase the amount of water conserved in urban and industrial uses by comparison to 2007 by at least 20 percent by 2020.
- 4. Included in these goals is the substitution of as much recycled water for potable water as possible by 2030.

In the new policy, the SWRCB also discussed several practical impacts of the greater use of recycled water in the State. Those impacts include the following:

- Groundwater salt and nutrient control: The SWRCB imposed a requirement that consistent salt and nutrient management plans be prepared for each basin and subbasin in California. Such plans must include a significant stormwater use and recharge component.
- Landscape irrigation: The SWRCB discussed issues involving the permitting of landscape irrigation projects that use recycled water, including the control of incidental runoff of recycled water.
- Groundwater recharge: The SWRCB addressed site-specific approvals of groundwater recharge projects using recycled water, emphasizing that such projects must not lower the water quality within a groundwater basin.

• Chemicals of emerging concern: The SWRCB further addressed chemicals of emerging concern (CEC), knowledge of which is currently "incomplete." An advisory panel will advise the Water Board regarding actions involving CECs, as they relate to the use of recycled water.

The wide-ranging ramifications of using recycled water, coupled with the aggressive goals established by the SWRCB for such future use in California, demonstrates that the new Recycled Water Policy will have a significant impact on land use activities within the State for many years to come.

Department of Water Resources (DWR): WC Section 10004, *et seq.* requires that DWR update the State Water Plan every five years. The Plan is currently undergoing its 2018 update; the most recent adopted version is from 2013.

For Update 2013, DWR worked with researchers at the University of California, Davis, to quantify how much growth might occur in the Tulare Lake Hydrologic Region through 2050. The model was used to estimate a year 2050 urban footprint under the scenarios of alternative population growth and development density. Each of the growth scenarios shows a decline in irrigated acreage over existing conditions, but to varying degrees. Irrigated crop acreage declines, on average, by about 90 thousand acres by year 2050 as a result of low population growth and urbanization in Tulare Lake region, while the decline under high population growth was higher by about 200 thousand acres. The change in water demand from 2006 to 2050 is estimated for the Tulare Lake Hydrologic Region for the agriculture and urban sectors under nine growth scenarios and 13 scenarios of future climate change. Urban demand increased under all nine growth scenarios tracking with population growth. Agricultural water demand decreases under all future scenarios due to reduction in irrigated lands as a result of urbanization and background water conservation. Groundwater resources were evaluated for performance under the plausible futures, resulting in 198 scenarios showing the change in groundwater storage from 2013 to 2050. About 95 percent of the futures lead to groundwater declines in the Tulare Lake Hydrologic Region and about 50 percent of the futures lead to declines greater than 10 percent.<sup>32</sup>

**Government Code 65302 (d)**: A conservation element for the conservation, development, and utilization of natural resources including water and its hydraulic force, forests, soils, river and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. That portion of the conservation element including waters shall be developed in coordination with any County-wide water agency and with all district and city agencies which have developed, served, controlled or conserved water for any purpose for the County or city for which the plan is prepared. Coordination shall include the discussion and evaluation of any water supply and demand information described in Section 65352.5, if that information has been submitted by the water agency to the city or County. The conservation element may also cover:

<sup>&</sup>lt;sup>32</sup> California Department of Water Resources, *California Water Plan Update 2013, Tulare Lake Hydrologic Region,* 2013. Website: <u>https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/California-Water-Plan/Docs/Update2013/Regional-</u> <u>Reports/Water-Plan-Update-2013-Tulare-Lake-Regional-Report.pdf,</u> accessed July 10, 2019.

- 1. The reclamation of land and waters.
- 2. Prevention and control of the pollution of streams and other waters.
- *3.* Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan.
- 4. Prevention, control, and correction of the erosion of soils, beaches, and shores.
- 5. Protection of watersheds.
- 6. The location, quantity and quality of the rock, sand and gravel resources.
- 7. Flood control.

Sustainable Groundwater Management Act: On September 16, 2014 Governor Edmund G. Brown, Jr. signed historic legislation to strengthen local management and monitoring of groundwater basins most critical to the State's water needs. The three bills, SB 1168 (Pavley), SB 1319 (Pavley), and AB 1739 (Dickinson) together makeup the Sustainable Groundwater Management Act (SGMA). SGMA comprehensively reforms groundwater management in California. The intent of the Act is to place management at the local level, although the State may intervene to manage basins when local agencies fail to take appropriate responsibility. The Act provides authority for local agency management of groundwater and requires creation of groundwater sustainability agencies and implementation of plans to achieve groundwater sustainability within basins of high and medium priority including the Tulare Lake Sub-basin. The Act took effect on January 1, 2015 and will be implemented over the course of next several years and decades.

#### 3.11.2.3 Local

#### Kings County General Plan Policies:

The 2035 Kings County General Plan Health and Safety Element has the following goal and policies related to flood hazards:

- <u>HS GOAL A4</u>: Prevent unnecessary exposure of people and property to flood damage.
- <u>HS Policy A4.1.1</u>: Review new development proposals against current Federal Emergency Management Agency (FEMA) digital flood insurance rate maps and California Department of Water Resource special flood hazard maps to determine project site susceptibility to flood hazard.
- <u>HS Policy A4.1.5</u>: Regulate development, water diversion, vegetation removal, and grading to minimize any increase in flood damage to people and property.
- <u>HS Policy A4.1.7</u>: Consider and identify all areas subject to flooding in the review of all land divisions and development projects.

#### 3.11.3 Impact Assessment

# a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less than Significant Impact. The project will not involve the disposal of any wastewater and will contain storm runoff in the existing on-site retention basin and therefore would not violate any waste discharge requirements. Water quality for domestic/potable use is controlled by the CSD

itself pursuant to State water quality regulations. It is not anticipated that the building construction will degrade either surface- or ground-water quality.

#### b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project would impede sustainable groundwater management of the basin?

Less than Significant Impact. The Mid-Kings River Groundwater Sustainability Agency holds jurisdiction over the proposed Project area and is responsible for developing and adopting a Groundwater Sustainability Plan to minimize significant impacts to lowering groundwater levels and promote aquifer replenishment in accordance with the States adopted Sustainable Groundwater Management Act by 2020. The proposed Project is intended for the District's daily activities which will include nominal domestic level increase in water use primarily for restroom operations and clean drinking water. The Project will also increase groundwater recharge by way of diverting the Project's stormwater run-off to the existing onsite drainage basin. Therefore, the impacts would be less than significant.

# c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

- (i) result in substantial erosion or siltation on- or off-site;
- (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;
- (iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
- (iv) impede or redirect flood flows?

No Impact. The proposed Project would not alter any existing drainage patterns of the site area such that substantial erosion or siltation on- or -off site would result nor would it alter the course of any streams or rivers as there are none in immediate proximity to the site. The rate and amount of surface runoff from local storms may increase slightly due to the addition of building and parking impervious surfacing. However, the drainage basin is sized to retain all stormwater run-off on site and so as to not result in flooding on- or off-site. The proposed Project would not contribute additional runoff water that would exceed the capacity of existing or planned stormwater drainage facilities. Additionally, the project would not impede or redirect flood flows (see Figure 3-2).

# d) Would the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundations?

No Impact. There are no streams, rivers or other significant water bodies that could result in flood hazard, tsunami, or seiche and thereby risk release of pollutants due to project inundations. The Project area is a mile away from a 100-Year flood zone (Figure 3-2).

# e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No Impact. There is no water quality control plan or adopted sustainable groundwater management plan applicable to the Project site. Therefore, the Project would not conflict with or obstruct implementation of such plans. There would be no impact.

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6/25/2019 : G:\Armona CSD - 2173\217319002-District Office\GIS\Map\Flood.mxd Figure 3-2. FEMA 100-year Flood Zone Map

### 3.12 Land Use and Planning

#### Table 3-18. Land Use and Planning Impacts

	Land Use and Planning Impacts						
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact		
a)	Physically divide an established community?				$\bowtie$		
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?						

#### 3.12.1 Environmental Setting

The proposed new District office will be constructed on a roughly 0.5-acre portion of a roughly 7.5acre parcel owned and operated by the Armona CSD as an existing Well No. 3 water treatment plant. The Last Chance Ditch, an agricultural water conveyance facility, forms the westerly border of the Project area. The Project area lies approximately 600 feet south of 14th Avenue's intersection with Lacey Boulevard, south of and adjacent to the old drive-in theater site. The land use designation is Mixed Use for the Project area.

#### 3.12.2 Regulatory Setting

#### 3.12.2.1 Federal

There are no federal regulations, plans, programs or guidelines associated with land use and planning that are applicable to the proposed Project.

#### 3.12.2.2 State

There are no State regulations, plans, programs or guidelines associated with land use and planning that are applicable to the proposed Project.

#### 3.12.2.3 **Local**

Kings County General Plan: The 2035 Kings County General Plan Land Use Element has the following policy related to land uses within the County:

• LU GOAL B1 Protect agricultural lands throughout the County, and in particular along the edges of community districts and Urban Fringe by maintaining large parcel sizes and preventing the premature development of incompatible urban uses.

#### 3.12.3 Impact Assessment

#### a) Would the project physically divide an established community?

No Impact. The construction and location of the proposed new office building will be on 0.5-acre portion of a 7.5- acre parcel owned by the District. It would not physically divide a community. There would be no impact.

#### b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

No Impact. The potential for the Project to conflict with the Kings County 2035 General Plan and Kings County Zoning Ordinance, is discussed below.

#### **General Plan**

The 2035 Kings County General Plan designates the project site as "Mixed Use." The Mixed Use Designations are intended for application in unincorporated community downtowns or community core areas, and integrate a mixture of commercial, residential, and office type uses that are often segregated into separate land use areas. Therefore, the planned installation of the Armona Community Service District office facilities would be consistent with the General Plan Land Use Element.

#### Zoning

As designated in the Kings County Zoning Plan, the entire Project site is currently zoned "Mixed Use (MU)." As provided in Article 7 of the Kings County Development Code, public buildings including special district offices are listed as a conditionally permitted use in this Mixed Use zoning district. Therefore, the Project would be consistent with the development code upon the granting of the subject Conditional Use Permit for the project.

### 3.13 Mineral Resources

#### Table 3-19. Mineral Resources Impacts

	Mineral Resources Impacts						
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact		
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				$\boxtimes$		
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				$\boxtimes$		

#### 3.13.1 Environmental Setting

Few commercial mining and mineral extraction activities occur in Kings County. Currently, only limited excavation of soil, sand, and some gravel is excavated for commercial use. In 2009, the County had only one surface mining permit for a non-active grave; operation, and two agricultural reclamation sites that were fully reclaimed. Historical local mines that are now closed include an open pit gypsum mine and a mercury mine in southwestern Kings County. Open pit mining is regulated by the State Mining and Reclamation Act (SMARA).<sup>33</sup> There are no mining sites located on the proposed Project area.

#### 3.13.2 Regulatory Setting

#### 3.13.2.1 Federal

There are no federal regulations, plans, programs or guidelines associated with mineral resources that are applicable to the proposed Project.

#### 3.13.2.2 State

There are no State regulations, plans, programs or guidelines associated with mineral resources that are applicable to the proposed Project.

<sup>&</sup>lt;sup>33</sup> County of Kings, 2035 Kings County General Plan, Resource Conservation Element, Page RC-33, 34. Website: <u>https://www.countyofkings.com/home/showdocument?id=3112</u>, accessed August 5, 2019.
### 3.13.2.3 **Local**

There are no local regulations, plans, programs or guidelines associated with mineral resources that are applicable to the proposed Project.

### 3.13.3 Impact Assessment

## a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. Mineral resources will generally be located near natural rivers or streams. The Project is approximately five miles (as the crow flies) southeast of the Kings River. There are no open mines within Kings County. Therefore, there would be no impacts.

# b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. Mentioned in impact assessment a) above, mineral resources would potentially be located near natural rivers or streams and the Project area is located approximately five miles (as the crow flies) southeast of the Kings River. Furthermore, the proposed Project is not delineated on a local land use plan as a locally important mineral resource recovery site, therefore, the existence of the propose Project will not result in the loss of availability of any mineral resources. There would be no impact.

### 3.14 Noise

Table 3-20. Noise Impacts

	Noise Impacts						
	Would the project result in:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact		
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?						
b)	Generation of excessive groundborne vibration or groundborne noise levels?			$\boxtimes$			
c)	For a project located the vicinity of a private airstrip or within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?						

### 3.14.1 Environmental Setting

The project is located near the northern boundary of the unincorporated community of Armona in Kings County, CA. The Project area is bounded by Last Chance Ditch to the west, 14th Avenue to the east, a vacant parcel and Lacey Blvd to the north and agricultural fields to the south. The Project components are located on the Project site and in the 14th Avenue right-of-way. 14th Avenue, which is the main connection between the small community of Grangeville (population 467) and town of Armona (population 4561). Highway 198 runs southwest to northeast through the southern area of Armona. The City of Hanford (city limit boundary) is 1.3 miles east of the Project area.

### 3.14.2 Regulatory Setting

### 3.14.2.1 Federal

<u>Federal Vibration Policies</u>: The Federal Railway Administration (FRA) and the Federal Transit Administration (FTA) have published guidance relative to vibration impacts. According to the FRA, fragile buildings can be exposed to ground-borne vibration levels of 0.5 PPV without experiencing structural damage<sup>34.</sup> The FTA has identified the human annoyance response to vibration levels 75 to 80 VdB.

### 3.14.2.2 State

There are no State regulations, plans, programs or guidelines associated with noise that are applicable to the proposed Project.

### 3.14.2.3 **Local**

The Noise Element of the 2035 Kings County General Plan serves as the primary policy statement for the unincorporated areas of the County to maintain and improve the noise environment in the County. It should be noted that the County does not have specific zoning or general plan requirements related to vibration.

**Table 3-21** shows the County maximum allowable noise exposure from Transportation Noise Sources. **Table 3-22** shows the County maximum allowable noise exposure from Stationary Noise Sources (non-transportation noise). The information presented in **Table 3-21** and **Table 3-22** comes from the Noise element for the Kings County General Plan.<sup>35</sup>

 <sup>&</sup>lt;sup>34</sup> U.S. Department of Transportation, Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, September 2018. Page 118. Website: <u>https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123\_0.pdf</u>, accessed August 5, 2019.
 <sup>35</sup> County of Kings, *2035 Kings County General Plan*, page N-38, January 26, 2010. Website: <u>https://www.countyofkings.com/home/showdocument?id=13517</u> accessed August 5, 2019.

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Noise Standards fo	Noise Standards for New Uses Affected by Transportation Noise Sources					
New Land Use	Sensitive <sup>1</sup> Outdoor Area	Sensitive Interior Area	Notes			
Residential	60	45	5			
Residence in Ag Zones	65	45	6			
Transient lodging	65	45	3,5			
Hospitals, Nursing Homes	60	45	3,4,5			
Theaters, Auditoriums		35	3			
Churches, meeting Halls, schools, Libraries, etc.	60	40	3			
Office Buildings	65	50	3			
Commercial Buildings	65	50	3			
Playgrounds, Parks, etc.	70		3			
Industry	65	50	3			

#### Table 3-21. Noise Standards for New Uses Affected by Transportation Noise Sources

Notes:

1. Sensitive areas are defined in the acoustic terminology section.

2. Interior noise level standards are applied within noise-sensitive areas of the various land uses, with windows and doors in the closed positions.

3. Where there are no sensitive exterior spaces proposed for these uses, only the interior noise level standard shall apply.

4. Hospitals are often noise-generating uses. The exterior noise level standards for hospitals are applicable on it at clearly identified

areas designated for outdoor relaxation by either hospital staff or patients.

5. If this use is affected by railroad or aircraft noise, a maximum (Lmax) noise level standard of 70 dB shall be applied to all sleeping rooms with windows closed to reduce the potential for sleep disturbance during nightime noise events.

6. Due to the noise-generating nature of agricultural activities, it is understood that residences constructed on agriculturally designated land uses may be exposed to elevated noise levels. As a result, a 65 dB CNEL exterior noise level standard is applied to

noise-sensitive outdoor areas of these uses.

dB= Decibels

CNEL= Community Noise Equivalent Level Source: Kings County 2035 General Plan

#### Table 3-22. Non-Transportation Noise Standards

Non-Transportation Noise Standards						
Average (Leq)/Maximum (Lmax) <sup>1</sup>						
Receiving Land Use	Outdoo	or Area <sup>2</sup>	Interior <sup>3</sup>	Notes		
	Daytime	Nighttime	Daytime/Nighttime			
All Residential	55/75	50/70	35/55			
Transient lodging	55/75		35/55	5,6		
Hospitals, Nursing Homes	55/75		35/55	6		
Theaters, Auditoriums			30/50	6		
Churches, meeting Halls, schools, Libraries, etc.	55/75		35/60	6		
Office Buildings	60/75		45/65	6		
Commercial Buildings	55/75		45/65	6		
Playgrounds, Parks, etc.	65/75			6		

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Non-Transportation Noise Standards						
	Avera	ige (Leq)/Maximum				
Receiving Land Use	Outdoo	or Area <sup>2</sup>	Interior <sup>3</sup>	Notes		
	Daytime	Nighttime	Daytime/Nighttime			
Industry	60/80		50/70	6		

Notes: Items 1-6 Ibid.

### 3.14.3 Impact Assessment

### a) Would the project generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant Impact. Implementation of the Project has the potential to result in short-term construction noise impacts to surrounding land uses due to construction activities. Construction noise represents a short-term impact on ambient noise levels. Although most of the types of exterior construction activities associated with the Project will not generate continually high noise levels, occasional single-event disturbances from grading and construction activities are possible. **Table 3-23** depicts typical construction equipment noise. Construction equipment noise is controlled by the EPA's Noise Control Program pursuant to Part 204 of Title 40, Code of Federal Regulations *Noise Emission Standards for Construction Equipment*<sup>36</sup>).

During the construction phase of the Project, noise from construction activities will add to the ambient noise environment in the immediate area. Activities involved in construction would generate maximum noise levels, as indicated in **Table 3-23**, ranging from 77 to 85 dB at a distance of 50-feet. Construction activity for the new office building would commence in the in early of 2020. Construction is anticipated to be completed within six-months.

Construction activities are expected to occur during normal daytime working hours in compliance with the Kings County General Plan Noise Element. Based on information provided in **Table 3-23** and the noise attenuation formula from the California Department of Transportation's (Caltrans) Technical Noise Supplement to the Traffic Noise Analysis Protocol. Considering the maximum sound level of 75 dBA Lmax from the Kings County Non-Transportation Noise Standard, construction of the Project is not anticipated to impact neighboring agricultural areas. Therefore, noise resulting from short-term, transient construction activity will not result in significant adverse impacts to the nearby sensitive receptor Armona Union Academy School which is 0.7 miles southwest of the project area.(see **Figure 2-1**). Construction activities associated with the Project will be subject to N Policy B1.1.3 of Kings County's General Plan Noise Element even though the anticipated noise levels at adjacent sensitive receptors will not exceed the maximum sound level

<sup>&</sup>lt;sup>36</sup> EPA Noise Control Program, Website: <u>https://www.law.cornell.edu/cfr/text/40/part-204</u>, accessed July 31, 2019.

from the Kings County Non-Transportation Noise Standard. Therefore, the impact would be less than significant.

### b) Would the project generate excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact. Ambient vibration levels in residential areas are typically 50 VdB, which is well below human perception. The operation of heating/air conditioning systems and slamming of doors produce typical indoor vibrations that are noticeable to humans but not considered adverse or significant.

Construction activity can result in ground vibration, depending upon the types of equipment used and proximity to receptors. Operation of construction equipment causes ground vibrations, which spread through the ground and diminish in strength with distance from the source generating the vibration. Building structures that are founded on the soil in the vicinity of the construction site respond to these vibrations, with varied results. Ground vibrations as a result of typical construction activities very rarely reach vibration levels that will damage structures but can cause low rumbling sounds and detectable vibrations for buildings very close to the site. Construction activities that generally create the most severe vibrations are blasting and impact pile driving. Neither of these activities will be needed to construct the Project.

Vibration levels from various types of construction equipment are shown in **Table 3-23**. The primary concern with construction vibration is building damage. Therefore, construction vibration is generally assessed in terms of PPV. Using the highest vibration level shown in **Table 3-23** (Lv 87), the anticipated vibration level at 100 feet, 150 feet, and 200 feet is 75, 71, and 69 VdB, respectively.

Construction activities associated with the Project would likely require the use of various types of equipment including bulldozers and dump trucks. Based on the vibration levels provided in **Table 3-23**, ground vibration generated by common construction equipment would be 75 VdB or less at a distance of 100 feet or more. The Project area is primarily surrounded by land in agricultural production with associated rural residential homes, a closed drive-in theater adjacent to the north, and the Grangeville Cemetery about <sup>1</sup>/<sub>4</sub> mile to the south. The Project parcel is bounded on the west by the Last Chance Canal, an approximately 65-ft wide agricultural water conveyance facility operated by the Last Chance Ditch Company. As a result, the anticipated vibration levels at the nearest off-site structures will not exceed vibration levels greater than 75 VdB. Therefore, no mitigation measures are needed. Any impacts would be less than significant.

Vibration Source Levels for Construction Equipment				
Equipment	PVV at 25 ft (in/sec)	Approximate Lv* at 25 ft		
Large bulldozer	0.089	87		
Caisson drilling	0.089	87		
Loaded trucks	0.076	86		
Jackhammer	0.035	79		
Small bulldozer	0.003	58		

#### Table 3-23. Vibration Source Levels for Construction Equipment

\*RMS velocity in decibels (VdB) re 1 micro inch/second

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport,

# would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The Project is not located within the vicinity of a private airstrip or of a public airport or public use airport. The Hanford Municipal Airport is the closest public airport and is located approximately 4.5 miles east of the Project area. Therefore, there will be no impact.

## 3.15 Population and Housing

Table 3-24. Population and Housing Impacts

	Population and Housing Impacts						
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact		
a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				$\boxtimes$		
b)	Displace substantial numbers of existing people housing, necessitating the construction of replacement housing elsewhere?				$\boxtimes$		

### 3.15.1 Environmental Setting

Armona is one of four unincorporated communities located in Kings County. Since 1980, Kings County's population has increased at an annual average growth rate of 3.8 percent. However, much of the increase is inflated due to the opening of Avenal State Prison (1987), Corcoran State Prison I and II (1988), the California Substance Abuse Treatment Facility (1997), and expansion of Naval Air Station Lemoore (NAS Lemoore). Discounting military and correctional institutions, Countywide population still increased at a rate of approximately two percent annually since 1980<sup>37</sup>.

### 3.15.2 Regulatory Setting

### 3.15.2.1 Federal

There are no federal regulations, plans, programs, and guidelines associated with population or housing that are applicable to the proposed Project.

### 3.15.2.2 State

California Housing Element Law: State law requires each city and county to adopt a general plan for future growth. This plan must include a Housing Element that identifies housing needs for all economic segments and provides opportunities for housing development to meet that need. At the State level, the California Department of Housing and Community Development estimates the relative share of California's projected population growth that could occur in each county in the

<sup>&</sup>lt;sup>37</sup> County of Kings, *Kings County 2035 General Plan,* January 26, 2010, Page I-4. Website: <u>https://www.countyofkings.com/home/showdocument?id=3108</u>, accessed August 5, 2019.

State based on Department of Finance population projections and historic growth trends. Kings County Association of Governments provides the regional housing needs and numbers to the council. The council then assigns a share of the regional housing need to each of its cities and counties. The process of assigning shares provides cities and counties the opportunity to comment on the proposed allocations.

The California Department of Housing and Community Development oversees the process to ensure that the councils of governments distribute their share of the State's projected housing need. Each city and county must update its general plan housing element on a regular basis (typically, every five to eight years). Among other things, including incorporating policies, the housing element must identify potential sites that could accommodate the city's share of the regional housing need. Before adopting an update to its housing element, the city or county must submit a draft to the California Department of Housing and Community Development for review. The department advises the local jurisdiction as to whether its housing element complies with the provisions of California housing element law.

The councils of governments are required to assign regional housing shares to the cities and counties within their regions on a similar five-year schedule. At the beginning of each cycle, the California Department of Housing and Community Development provides population projections to the councils of governments, which then allocate shares to their cities and counties. The shares of the regional need are allocated before the end of the cycle so that the cities and counties can amend their housing elements by the deadline.

### 3.15.2.3 **Local**

There are no local regulations, plans, programs, or guidelines associated with population or housing that are applicable to the proposed Project.

### 3.15.3 Impact Assessment

# a) Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No Impact. The proposed Project will construct a new 2,800 square foot District office on a roughly 0.5-acre portion of a roughly 7.5-acre parcel owned by ACSD in Kings County, at 10116 14th Avenue. The proposed Project would not directly induce population growth because it proposes no new housing; there would be no impact.

# b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. The new office building will be constructed on the District's already established parcel that does not contain or have any residential housing in the immediate area. Therefore, there would be no impact.

### 3.16 Public Services

#### Table 3-25. Public Services Impacts

	Public Services Impacts						
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact		
a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:						
	Fire protection?				$\square$		
	Police protection?				$\boxtimes$		
	Schools?				$\square$		
	Parks?				$\boxtimes$		
	Other public facilities?				$\boxtimes$		

### 3.16.1 Environmental Setting

Kings County Water District services the entire Project area.

Fire Protection: The nearest fire station is Kings County Fire Department, Armona Station #5 which is located approximately 1.1 miles south of the Project area.

Police Protection: The closest law enforcement agency is Kings County Sherriff's office, Hanford Station, which is 2.4 miles east of the Project area.

School: The closest school is Armona Union Academy School which is 0.7 miles east southeast of the APE area.

Parks: There are two parks within the vicinity of the Project. Armona Recreation District, Grangeville Cemetery is 0.21 miles south and Recreation Park, Hood Park is 1 mile south of the Project area.

Other Public Facilities: The closest active landfill site in Kings County is Avenal Regional Landfill at 201 North Hydril Road, Avenal. The closest hazardous materials landfill is the Waste Management Kettleman Hills facility which is approximately 34 miles southwest of the Project area.<sup>38</sup>

### 3.16.2 Regulatory Setting

### 3.16.2.1 Federal

There are no federal regulations, plans, programs or guidelines associated with public services that are applicable to the proposed Project.

### 3.16.2.2 State

There are no State regulations, plans, programs or guidelines associated with recreation that are applicable to the proposed Project.

#### 3.16.2.3 Local

Kings County General Plan Policies: The 2035 Kings County General Plan Health and Safety Element has the following goal related to public services:

- HS GOAL C2: Support Countywide safety through adequate law enforcement, quality fire protection, emergency preparedness, and accessibility in times of emergency.
- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

No Impact. The proposed Project will not rely on the addition or alteration of any public services from fire, law enforcement, schools, parks, or other public facilities. There would be no impacts.

<sup>&</sup>lt;sup>38</sup> County of Kings 2035 General Plan, January 26, 2010, pages LU-9 through LU-10. <u>https://www.countyofkings.com/home/showdocument?id=15995</u>, Accessed October 21, 2019.

## 3.17 Recreation

Table 3-26. Recreation Impacts

	Recreation Impacts						
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact		
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				$\boxtimes$		
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				$\boxtimes$		

### 3.17.1 Environmental Setting

Kings County currently owns and maintains three parks (Burris, Hickey, and Kingston) which are located in the northern portions of the County and surrounded by agricultural areas. Two community parks also exist within the County but are supported and maintained by the Community Service Districts of Kettleman City and Armona for each respective park.<sup>39</sup>

The two nearest parks are Armona Recreation District, Grangeville Cemetery and Recreation, Hood Park both of which are less than 2 miles from the Project area.

### 3.17.2 Regulatory Setting

### 3.17.2.1 Federal

There are no federal regulations, plans, programs or guidelines associated with recreation that are applicable to the proposed Project.

### 3.17.2.2 State

There are no State regulations, plans, programs or guidelines associated with recreation that are applicable to the proposed Project.

<sup>&</sup>lt;sup>39</sup> County of Kings2035 Kings County General Plan Open Space Element, January 26, 2010. Website: <u>https://www.countyofkings.com/home/showdocument?id=13519</u>, accessed August 5, 2019.

### 3.17.2.3 Local

There are no local regulations, plans, programs or guidelines associated with recreation that are applicable to the proposed Project.

### 3.17.3 Impact Assessment

# a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

No Impact. The proposed Project will not increase the use of nor will it cause any deterioration of any existing neighborhood and regional parks or other recreational facilities. Therefore, there would be no impact.

# b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No Impact. The proposed Project does not include recreational facilities and there is no population growth resulting directly from Project implementation. Therefore, construction or expansion of nearby recreational facilities will not be necessary. There would be no impact.

### 3.18 Transportation

#### Table 3-27. Transportation Impacts

	Transportation Impacts						
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact		
a)	Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			$\boxtimes$			
b)	Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?			$\boxtimes$			
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				$\boxtimes$		
d)	Result in inadequate emergency access?				$\boxtimes$		

### 3.18.1 Environmental Setting

The proposed new District Office building and associated parking areas will be constructed within the northeast corner of a 7.5-acre parcel owned by ACSD. A new driveway from 14<sup>th</sup> Avenue will serve the new building. The District-owned parcel is located at 10116 14<sup>th</sup> Avenue, also identified as APN 017-010-036 and contains the District's current water treatment and related service facilities. The Project APN is situated approximately 600 feet south of Lacey Boulevard along the west side of 14<sup>th</sup> Avenue, immediately south of the old Drive-In Theater site (see **Figure 2-2** and **Figure 2-3**). The completed and fenced area of the office building and parking area will occupy approximately 0.5 acres of the 7.5-acre parcel.

The nearest airport to the Project area is Hanford Municipal which is located approximately 4.5 miles southeast of the Project area.

### 3.18.2 Regulatory Setting

### 3.18.2.1 Federal

Federal Clean Air Act: The Federal Clean Air Act, coupled with TEA 21, and foreseeable legislation, requires that the RTP integrate transportation and air quality during the planning process. The 1990 California Clean Air Act (CCAA) Amendment requires the following stipulations in order to receive federal funding:

- Establish a permitting program that achieves no net increase in stationary source emissions;
- Develop a strategy to reduce vehicle trips, use and miles traveled;
- Increase average vehicle ridership to 1.5 persons per vehicle during commute hours;
- Establish Best Available Retrofit Control Technology (BARCT) requirements for all permitted sources; and

• Development of indirect and area source programs.

Several federal regulations govern transportation issues. They include:

- Title 49, CFR, Sections 171-177 (49 CFR 171-177), governs the transportation of hazardous materials, the types of materials defined as hazardous, and the marking of the transportation vehicles.
- 49 CFR 350-399, and Appendices A-G, Federal Motor Carrier Safety Regulations, address safety considerations for the transport of goods, materials, and substances over public highways.

49 CFR 397.9, the Hazardous Materials Transportation Act of 1974, directs the U.S. Department of Transportation to establish criteria and regulations for the safe transportation of hazardous materials.

### 3.18.2.2 State

State of California Transportation Department Transportation Concept Reports: Each District of the State of California Transportation Department (Caltrans) prepares a Transportation Concept Report (TCR) for every state highway or portion thereof in its jurisdiction. The TCR usually represents the first step in Caltrans' long-range corridor planning process. The purpose of the TCR is to determine how a highway will be developed and managed so that it delivers the targeted LOS and quality of operations that are feasible to attain over a 20-year period, otherwise known as the "route concept" or beyond 20 years, for what is known as the "ultimate concept".

SR 41 is designated as Segment 5 in the vicinity of the Project area and has a route concept rationale of LOS C with this portion of the route being primarily rural. Two-lane portions within this segment are planned to be improved to 4 lanes within the next 20 years<sup>40</sup>.

SR 43 is designated as Segment 17 in the vicinity of the Project area and has a route concept rationale of LOS D assigned to all of the rural portions of Route 43. A LOS D route concept rationale is due to the interregional importance of this route and the anticipated traffic volumes<sup>41</sup>. It is anticipated to be improved for operational and safety purposes only under the route concept. Under the ultimate viable concept within 25 years, operational and safety improvements are proposed for Segment 17 of SR 43.

State Route 198 is designated as Segments 7 and 8 in the Project vicinity which operates between LOS B and LOS C for the majority of its length.

### 3.18.2.3 Local

Kings County General Plan Policies: The 2035 Kings County General Plan has the following goals and objectives for traffic and circulation:

<sup>&</sup>lt;sup>40</sup> California Department of Transportation, District 6, State Route 41 Traffic Concept Report, [date]. Website: <u>http://www.dot.ca.gov/dist6/planning/tcrs/index.htm</u>, accessed on ~
<sup>41</sup> Ibid. Or is this one for SR 43??

- C GOAL A1: Provide a coordinated countywide circulation system with a variety of safe and efficient transportation alternatives and modes that interconnect cities, community districts, adult education facilities, and adjoining cities in neighboring counties, and meets the growing needs of residents, visitors, and businesses.
- C OBJECTIVE A1.3: Maintain an adequate LOS for County roadways and ensure proper maintenance occurs along critical routes for emergency response vehicles.
- C GOAL C1: Integrate through the County's regional transportation system, an efficient and coordinated goods and people moving network of highways, railroads, public transit, and non-motorized options that reduce overall fuel consumption and associated air emissions.

### 3.18.3 Impact Assessment

## a) Would the project conflict with a program, plan, ordinance or policy for the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact. The proposed new District Office building and associated parking areas will be constructed within the northeast corner of a 7.5-acre parcel owned by ACSD. A new driveway from 14<sup>th</sup> Avenue will serve the new building. Construction traffic associated with the proposed Project would be temporary, lasting approximately 12 months for excavation of soil, grading, site preparation, and construction of the new office building. Operational traffic consists of as-needed maintenance trips. There would not be a significant adverse effect to existing roadways in the area.

There are no pedestrian or bicycle facilities in the vicinity of the area. Therefore, the proposed Project would not conflict with any congestion management plan or any other applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system.

# b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Less Than Significant Impact. CEQA Guidelines Section 15064.3 describes specific considerations for evaluating a project's transportation impacts. Subpart (a) indicates that vehicle miles traveled (or VMT-- the amount and distance of automobile travel attributable to a project) is the most appropriate measure of transportation impacts. VMT exceeding an adopted regional threshold of significance may indicate a significant impact. Subpart (b) sets forth four criteria for analyzing transportation impacts under this regulation, as follows:

1) Land Use Projects. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Also, projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

<u>Response: A regional threshold of significance has not been determined by the County or the Kings County</u> Association of Governments (the local Metropolitan Planning Organization or MPO). Currently Armona is served generally by the Kings Area Rapid Transit which provides "flex route" bus service (with a preservice reservation) to Armona. The stop nearest the site is at Railroad Avenue & Jackson Street. This stop is roughly 0.65 miles south of the site, just slightly over one-half mile. The Project involves construction of a new office that will replace the current office located less than a mile south on 14<sup>th</sup> Avenue from the proposed new location in Armona.

2) Transportation Project.

<u>Response</u>: The new District Office building project is not a transportation project and as such is not subject to this criterion.

3) Qualitative Analysis.

<u>Response</u>: The vehicle miles travelled would be transferred from the current office location at to the new office site which is just 0.8 miles north on 14th Avenue. <u>Vehicle trips to the new district office are expected to</u> <u>reflect trips to the current office based upon existing customer base; no new trips are expected to be generated.</u> <u>Although the office location is being moved, it could be closer to some customers and farther away from others,</u> <u>so total VMT to the new office is not expected to change substantially from baseline conditions.</u>

4) Methodology:

<u>Response</u>: Vehicle trips and VMT are not anticipated to change significantly since the Project involves replacing an older office with a newer office where the same functions will be provided in a more modern facility with more square footage. Customers will be able to come to the new office to pay bills in person as they do at the current location.

Based upon the analysis above, <u>total VMT to the new office is not expected to change substantially</u> <u>from baseline conditions.</u> The impact would be less than significant.

## c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. The Project will not create any hazards to a geometric design feature. Therefore, there will be no impact.

### d) Would the project result in inadequate emergency access?

No Impact. The Project does not propose new roadway design features or permanent alterations to roadways. No construction or maintenance vehicles would obstruct the existing roadways. Therefore, there would be no impacts to emergency access on local roadways.

### 3.19 Tribal Cultural Resources

#### Table 3-28. Tribal Cultural Resources Impacts

	Tribal Cultural Resources Impacts						
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact		
a)	Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:						
i)	Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or						
ii)	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.						

### 3.19.1 Environmental Setting

The Project lies within the homeland of the Southern Valley Yokuts. At the time of first contact with the Spanish missionaries, the Yokuts people, which also includes northern valley and foothill groups, collectively inhabited the San Joaquin Valley as well as the eastern foothills of the Sierra Nevada from the Fresno River southward to the Kern River.

### 3.19.2 Regulatory Setting

### 3.19.2.1 Federal

There are no federal regulations, plans, programs, and guidelines associated with tribal cultural resources that are applicable to the proposed Project.

### 3.19.2.2 State

California Environmental Quality Act and the CEQA Guidelines (PRC 21000, *et seq.*; CCR Title 14, Chapter 3, Section 15000. *et seq.*): CEQA is applicable to discretionary actions by State or local lead agencies. Under CEQA, lead agencies must analyze impacts to cultural resources, generally (see Section 3.6 and Tribal Cultural Resources, specifically. This section discusses impacts to cultural

resources directly related to Native American Tribes of the Project area. The distinction for Tribal Cultural Resources is that they are described as a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe.

### 3.19.2.3 **Local**

No local policies regarding tribal cultural resources apply to the proposed Project.

### 3.19.3 Impact Assessment

# a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

A record search of site files and maps was conducted on 19 June 2019 at the Southern San Joaquin Valley Archaeological Information Center, California State University, Bakersfield. These investigations determined that the study area had been surveyed previously twice and that one historic resource was known to exist within the one-half mile radius, P-16-000128, Last Chance Ditch.

A Sacred Lands File Request was also completed by the Native American Heritage Commission (NAHC) on 24 June 2019. No sacred sites or tribal cultural resources were known in the Project area or vicinity. Outreach letters were sent to tribal organizations (listed below) on the contact list was provided by the NAHC.

- 1. Kings River Choinumni Farm Tribe, Stan Alec
- 2. Santa Rosa Indian Community of the Santa Rosa Rancheria [Tachi Yokut Tribe], Rueben Barrios Sr., Chairperson
- 3. Table Mountain Rancheria of California, Leanne Walker-Grant, Chairperson
- 4. Table Mountain Rancheria of California, Bob Pennell, Cultural Resources Director
- 5. Tule River Indian Tribe, Neil Peyron, Chairperson
- 6. Wuksache Indian Tribe/Eshom Valley Band, Kenneth Woodrow, Chairperson

Follow-up phone calls were also made to the contact list on 24 June 2019. No concerns or information about tribal cultural resources was obtained as a result of this outreach (**Appendix C**).

 A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. Less than Significant Impact with Mitigation Incorporated. Kings County, as a public lead agency has received a formal request for notification from Santa Rosa Indian Community of the Santa Rosa Rancheria State tribes, pursuant to AB52. (Appendix C).

It is concluded, barring evidence to the contrary, that there is little or no chance the Project will cause a substantial adverse change to the significance of a tribal cultural resource as defined. Nonetheless, Mitigation Measures CUL-1 through CUL-3, described above in **Section 3.6**, are recommended in the event cultural materials or human remains are unearthed during excavation or construction..

### 3.20 Utilities and Service Systems

#### Table 3-29. Utilities and Service Systems Impacts

	Utilities and Service Systems Impacts						
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact		
a)	Require or result in the relocation or construction of new or expanded water, wastewater or storm water drainage, electrical power, natural gas, or telecommunications facilities the construction or relocation of which could cause significant environmental effects?						
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			$\boxtimes$			
c)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?						
d)	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?						
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			$\boxtimes$			

### 3.20.1 Environmental Setting

### 3.20.1.1 Water Supply

Wastewater Services / Facilities: Wastewater collection and treatment is not provided in the rural parts of Kings County, such as where the Project area is located. Instead, development outside of incorporated cities and community service districts typically relies on individual septic systems for wastewater disposal and treatment.

Water: Surface water is provided in Kings County by a network of rivers, creeks, canals, reservoirs, and the aqueduct. Principal among these features are the Kings River, Cross Creek, and the California Aqueduct. The natural water source is from snow and watershed runoff in the Sierra Nevada Mountain Range to the east. The construction of Pine Flat, Success, Terminus, and Isabella Dams in the Sierra Nevada Mountains have helped to control flooding within the Central Valley. The dams also help in timing the release of surface water to valley water users. The rivers supply much of the surface water used for irrigation and serve to assist in ground water recharge efforts that support ground water pumping for agriculture, domestic and industrial uses.

Agricultural water supplies are typically provided by irrigation canals and supplemented by groundwater wells. In the rural parts of Kings County, potable water is typically provided by individual groundwater wells.

Solid Waste: The Kings Waste and Recycling Authority (KWRA) was formed in September 1989 by agreement between the cities of Lemoore, Hanford, Corcoran, and the County of Kings to provide a regional approach to all waste management activities in Kings County. Solid waste is first directed to the KWRA facility and then transferred to Chemical Waste Management, Inc.'s Kettleman Hills Facility, which operates both municipal waste and hazardous waste landfills at their site west of Interstate 5 along SR 41.

Non-recyclable materials are transferred to the B-17 Landfill Unit at the Chemical Waste Management, Inc. (CWMI) Kettleman Hills Facility located on SR-41 in Kettleman Hills. The B-17 Landfill Unit has a maximum disposal rate of 2,000 tons per day, and currently accepts an average of 1,350 tons per day (http://kettlemanhillslandfill.wm.com/fact-sheets/2011/facility-overview.jsp).

The total permitted capacity of B-17 Landfill Unit is 18.4 million cubic yards according to Page 2-3 in Section 2.3 of the Draft Subsequent Environmental Impact Report (DSEIR) for Conditional Use Permit (CUP) No. 04-01 for the B-17 Landfill Project. The Waste Management Kettleman Hills B-17 Landfill 2016 Airspace Report (www.calrecycle.ca.gov/SWFacilities/Directory/16-AA-0021/Document/306996) lists a remaining capacity of approximately 15,843,300 cubic yards for B-17.

Page 2-3 in Section 2.3 of the DSEIR for CUP No. 04-01 for the B-17 Landfill Project also states that the facility will be permitted to receive up to 2,000 tons per day of non-hazardous waste (municipal solid waste and designated waste) for disposal, 6 days per week (except Sundays) from 8:00 a.m. until 6:00 p.m. There is no limit on Class II soils that are received for beneficial use, such as daily or intermediate cover, or wastes received for use alternative daily cover (ADC).

### 3.20.2 Regulatory Setting

### 3.20.2.1 Federal

**Clean Water Act-Section 404**<sup>42</sup>: The federal Clean Water Act (CWA, 33 USC 1251-1376), as amended by the Water Quality Act of 1987, is the major federal legislation governing water quality. The objective of the CWA is "to restore and maintain the chemical, physical, and biological integrity of the Nation's water." Important applicable sections of the Act are as follows:

- Sections 303 and 304 provide for water quality standards, criteria, and guidelines.
- Section 401 requires an applicant for any federal permit that proposes an activity which may result in a discharge to "waters of the United States" to obtain certification from the state

<sup>&</sup>lt;sup>42</sup> Environmental Protection Agency, *Section 404 of the Clean Water Act*. Website: <u>https://www.epa.gov/cwa-404/permit-program-under-cwa-section-404</u>, accessed August 5, 2019.

that the discharge will comply with other provisions of the Act. The Regional Water Quality Control Board (RWQCB) provides certification.

- Section 402 establishes the National Pollutant Discharge Elimination System (NPDES), a permitting system for the discharge of any pollutant (except for dredge or fill material) into waters of the United States. This permit program is administered by the RWQCB.
- Section 404 establishes a permit program for the discharge of dredge or fill material into waters of the United States. The U.S. Army Corps of Engineers (ACOE) administers this permit program.

Wetlands and other waters of the U.S. are subject to the jurisdiction of the ACOE and Environmental Protection Agency (EPA) under Section 404 of the Clean Water Act. Wet areas that are not regulated by this Act do not have a hydrologic link to other waters of the U.S., either through surface or subsurface flow. The ACOE has the authority to issue a permit for any discharge, fill, or dredge of wetlands on a case-by-case basis, or by a general permit. General permits are handled through a Nationwide Permit (NWP) process. These permits allow specific activities that generally create minimal environmental effects. Projects that qualify under the NWP program must fulfill several general and specific conditions under each applicable NWP. If a proposed project cannot meet the conditions of each applicable, an individual permit would likely be required from the ACOE.

National Pollutant Discharge Elimination System: Discharge of treated wastewater to surface water(s) of the U.S., including wetlands, requires an NPDES permit. In California, the RWQCB administers the issuance of these federal permits.

Obtaining a NPDES permit requires preparation of detailed information, including characterization of wastewater sources, treatment processes, and effluent quality. Any future development that exceeds one acre in size would be required to comply with NPDES criteria, including preparation of a Stormwater Pollution Prevention Plan (SWPPP) and the inclusion of BMPs to control erosion and offsite transport of soils.

### 3.20.2.2 State

State Water Resources Control Board (SWRCB): Waste Discharge Requirements Program. State regulations pertaining to the treatment, storage, processing, or disposal of solid waste are found in Title 27, CCR, Section 20005 et seq. (hereafter Title 27). I n general, the Waste Discharge Requirements (WDRs) Program (sometimes also referred to as the "Non-Chapter 15 (Non-15) Program") regulates point discharges that are exempt pursuant to Subsection 20090 of Title 27 and not subject to the Federal Water Pollution Control Act. Exemptions from Title 27 may be granted for nine categories of discharges (e.g., sewage, wastewater, etc.) that meet, and continue to meet, the preconditions listed for each specific exemption. The scope of the WDRs Program also includes the discharge of wastes classified as inert, pursuant to Section 20230 of Title 27. Several programs are administered under the WDR Program, including the Sanitary Sewer Order and recycled water programs.

Regional Water Quality Control Boards: The primary responsibility for the protection of water quality in California rests with the State Water Resources Control Board (State Board) and nine Regional

Water Quality Control Boards. The State Board sets statewide policy for the implementation of state and federal laws and regulations. The Regional Boards adopt and implement Water Quality Control Plans (Basin Plans) which recognize regional differences in natural water quality, actual and potential beneficial uses, and water quality problems associated with human activities.

National Pollutant Discharge Elimination System (NPDES) Permit. As authorized by the Clean Water Act (CWA), the National Pollutant Discharge Elimination System (NPDES) Permit Program controls water pollution by regulating point sources that discharge pollutants into water of the United States. In California, it is the responsibility of Regional Water Quality Control Boards (RWQCB) to preserve and enhance the quality of the state's waters through the development of water quality control plans and the issuance of waste discharge requirements (WDRs). WDRs for discharges to surface waters also serve as NPDES permits<sup>43</sup>

California Department of Water Resources: The California Department of Water Resources (DWR) is a department within the California Resources Agency. The DWR is responsible for the State of California's management and regulation of water usage.

### 3.20.2.3 Local

AB 939: The California Integrated Waste Management Act of 1989 (also known as AB 939) required each city and county in California to prepare plans for solid waste management that demonstrate a reduction in the amount of solid waste sent to landfill, as well as a long-term plan to ensure implementation of diversion programs and adequate disposal capacity. The Countywide Integrated Waste Management Plan (Kings County 1995) contains goals, objectives, and policies designed to protect public health, safety, and well-being; preserve the environment; and provide for the maximum feasible conservation of natural resources and energy. The county has established a hierarchy (listed from most to least desirable) of waste prevention (source reduction), reuse, recycling, composting, and disposal. The Countywide Integrated Waste Management Plan includes a mandatory Source Reduction and Recycling Element as required by AB 939, as well as a Household Hazardous Waste Element.

### 3.20.3 Impact Assessment

### a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities the construction or relocation of which could cause significant environmental effects?

Less Than Significant Impact. All water, wastewater, power and communication utilities are currently provided to the site. Water, wastewater, power and communication utilities for the new building will be extended from these existing services on-site. The storm water drainage basin is sized and

<sup>&</sup>lt;sup>43</sup> California State Water Resources Control Board. National Pollutant Discharge Elimination System (NPDES). Site Available: <u>http://www.waterboards.ca.gov/water\_issues/programs/npdes/</u>. Accessed August 5, 2019

constructed already for full development of the site and will not need to be enlarged. An existing water line that terminates in 14<sup>th</sup> Avenue opposite the existing pump station will be extended north to serve a new fire hydrant on the east side of 14<sup>th</sup> Avenue to be installed opposite the proposed new driveway. Therefore, the impact would be less than significant.

# b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. There is no anticipated increase in water demand resulting from implementation of the Project. The Project will not impede sustainable groundwater management of the Tulare Lake subbasin, nor will it substantially decrease ground water supplies. Therefore, the impact would be less than significant.

# c) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less Than Significant Impact: The proposed Project will not generate any additional or excessive wastewater from operation beyond the day to day activities of the office. The only staff that will be present on a day to day basis will be the general manager and one additional support staff member. ACSD has the capacity to maintain the office building and therefore, there the impacts would be less than significant

# d) Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impact. The proposed Project will not generate any additional or excessive solid waste from operation beyond the day to day activities of the office. The only staff that will be present on a day to day basis will be the general manager and one additional support staff member.

Project construction will generate minimal amounts of solid waste. Any construction debris that is not recycled will be received at the KWRA. The KWRA facility is approximately nine miles southeast of the Project area. Any impacts will be less than significant.

# e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact. Implementation of the Project involves the construction of a new office building for the District and is not anticipated to produce significant or excessive amounts of solid waste beyond a domestic level. Furthermore, the Project would continue to comply with any federal, State, and local regulations regarding solid waste. Any impacts will be less than significant.

### 3.21 Wildfire

Table 3-30. Wildfire Impacts

	Wildfire Impacts						
lf lo	ocated in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact		
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?			$\square$			
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?						
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?						
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?						

### 3.21.1 Environmental Setting

The proposed Project is not located in or near State Responsibility Area (SRA) or lands classified as very high fire hazard severity zones. The Project area and the adjacent lands lie within a local responsibility area with Kings County Fire Department, Armona Station No. 5 being approximately 1.1 miles south of the project area.

### 3.21.2 Regulatory Setting

### 3.21.2.1 Federal

There are no federal regulations, plans, programs, or guidelines associated with wildfire that are applicable to the proposed Project.

### 3.21.2.2 State

There are no State regulations, plans, programs, or guidelines associated with wildfire that are applicable to the proposed Project.

### 3.21.2.3 Local

There are no Local regulations, plans, programs, or guidelines associated with wildfire that are applicable to the proposed Project.

### 3.21.3 Impacts Analysis

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

## a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. The Project would not impair the policies set forth in the Armona Community Plan, subset to the Kings County General Plan 2035 regarding Fire Protection and Emergency Medical Services. There would be no impact.

# b) Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

**No Impact**. The Project is not located in or near an SRA, nor is it classified as a very high fire hazards severity zone. The Project would not impair the policies set forth in the Armona Community Plan, subset to the Kings County General Plan 2035 regarding Fire Protection and Emergency Medical Services. The Community of Armona is serviced by local County Fire Station, Armona No. 5 centrally located on 14<sup>th</sup> Avenue, north of Highway 198. The surrounding terrain is flat, without any excessive slopes. The Project is not in an area that typically experiences prevailing winds or other factors that might expose the occupants to any wildfire risks. The Project is located on the San Joaquin Valley floor with the surrounding lands being relatively flat used for agricultural purposes. The area is not at risk for downstream flooding and is not located in a flood zone (See **Figure 3-3**). There would be no impact

# c) Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

No Impact. The Project would not require the installation or maintenance of associated infrastructure that would exacerbate fire risk or result in any temporary or ongoing impacts to the environment. There would be no impact.

### d) Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Less Than Significant Impact. The Project is not located in or near an SRA, nor is it classified as a very high fire hazards severity zone. The Project would not impair the policies set forth in the Armona Community Plan, subset to the Kings County General Plan 2035 regarding Fire Protection and Emergency Medical Services. The Community of Armona is serviced by local County Fire Station, Armona No. 5 centrally located on 14<sup>th</sup> Avenue, north of Highway 198. The surrounding terrain is flat, without any excessive slopes. The Project is not in an area that typically experiences prevailing winds or other factors that might expose the occupants to any wildfire risks. The Project

is located on the San Joaquin Valley floor with the surrounding lands being relatively flat used for agricultural purposes. The area is not at risk for downstream flooding and is not located in a flood zone (See **Figure 3-3**). Therefore, the impacts would be less than significant.

# Chapter 3: Impact Analysis – Wildfire Armona Community Service District, New District Office Project IS/MND



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Figure 3-3. Fire Hazard Severity Zone Map

## 3.22 Mandatory Findings of Significance

#### Table 3-31. CEQA Mandatory Findings of Significance Impacts

Mandatory Findings of Significance Impacts								
	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact			
a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?							
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?							
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?							

### 3.22.1 Impact Assessment

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less than Significant Impact with Mitigation Incorporated: The analysis conducted in this Initial Study/Mitigated Negative Declaration results in a determination that the Project, with incorporation of mitigation measures, will have a less than significant effect on the environment. The potential for impacts to biological resources, cultural resources, geology and soils and tribal cultural resources from the implementation of the Project will be less than significant with the incorporation of the mitigation measures discussed in **Chapter 4 Mitigation Monitoring and Reporting Program**. Accordingly, the Project will involve no potential for significant impacts through the degradation of the quality of the environment, the reduction in the habitat or population of fish or wildlife,

including endangered plants or animals, the elimination of a plant or animal community or example of a major period of California history or prehistory.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less Than Significant Impact with Mitigation Incorporated: CEQA Guidelines Section 15064(i) States that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of cumulative effects of a project must be conducted in connection with the effects of past projects, other current projects, and probable future projects. The Project will include the construction of a new office building to meet the needs to District's daily activities

The Project would not result in direct or indirect population growth. Therefore, implementation of the Project would not result in significant cumulative impacts and all potential impacts would be reduced to less than significant through the implementation of mitigation measures and basic regulatory requirements incorporated into future Project design.

# c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant Impact with Mitigation Incorporated: The proposed Project will not result in substantial adverse effects on human beings, either directly or indirectly. With implementation of the mitigation measures discussed in **Chapter 4 Mitigation Monitoring and Reporting Program** and the implementation of Best Management Practices and general safety protocols during construction and maintenance of the proposed Project, impacts will be less than significant.

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# Chapter 4 Mitigation Monitoring and Reporting Program

				_		
Mitigation Monitoring and Reporting Program						
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance	
Biole	ogical Resources		•			
Nesting Birds						
BIO-1a: Avoidance:						
The Project's construction activities shall occur, if feasible, between September 16 and January 31 (outside of nesting bird season) in an effort to avoid impacts to nesting birds.	Prior to the start of construction and during construction	N/A	Armona Community Services District	Documentation of start and stop dates of construction.		
BIO-1b: Pre-construction Survey						
If activities must occur within nesting bird season (February 1 to September 15), a qualified biologist shall conduct pre-construction surveys for active nests within 30 days prior to the start of construction. The survey shall include the proposed work area and surrounding lands within 0.5 mile. If no active nests are observed, no further mitigation is required. Raptor nests are considered "active" upon the nest-building stage. All other nests are considered "active" by the presence of eggs or young.	Prior to the start of construction	Once, prior to the start of construction	Armona Community Services District	Documentation of start, stop, and resumption dates of construction, written report from qualified biologist of results of pre-construction survey, and record of mitigation carried out.		
BIO-1c: Establish Buffers						
On discovery of any active nests near work areas, the biologist shall determine appropriate construction setback distances based on applicable CDFW and/or USFWS guidelines and/or the biology of the species in question. Construction buffers shall be identified with flagging, fencing, or other easily visible means, and shall be maintained until the biologist has determined that the nestlings have fledged.	Prior to the start of construction and during construction	Once, prior to the start of construction or as determined by biologist	Armona Community Services District	Documentation of start, stop, and resumption dates of construction, written report from qualified biologist of results of pre-construction survey, and record of mitigation carried out.		

### Chapter 4: Mitigation Monitoring and Reporting Program Armona Community Service District, New District Office Project IS/MND

Million (Los Manifestores and Descardore Descardores								
Mitigation Monitoring and Reporting Program								
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance			
Cul	Cultural Resources							
CUL-1: Archaeological Resources								
During the project ground disturbance activities, a qualified archaeological monitor shall be present to identify any unearthed cultural resources and make the appropriate mitigation recommendations. A list of qualified consultants can be found at www.chrisinfo.org. The District shall implement all recommendations of the archaeologist necessary to avoid or reduce to a less than significant level potential impacts to cultural resource. Appropriate actions could include a Data Recovery Plan or preservation in place.	During all ground disturbing activities.	Continuously during all ground disturbing activities.	Armona Community Services District	Written report prepared by qualified archaeologist documenting findings and actions taken to mitigate impact.				
CUL-2: Tribal Monitoring								
<ul> <li>A representative from the Santa Rosa Rancheria Tachi-Yokut Tribe shall be present during all ground disturbances in the project area and make the appropriate mitigation recommendations based on any and all findings.</li> <li>a. Cultural Resources Alert on Project Plans. The project proponent shall note on any plans that require ground disturbing excavation that there is a potential for exposing buried cultural resources.</li> <li>b. Pre-Construction Briefing. The project proponent shall retain Santa Rosa Rancheria Cultural Staff to provide a pre-construction briefing to construction staff regarding the discovery of cultural resources and the potential for discovery during ground disturbing activities, which will include information on potential cultural material finds and on the procedures to be enacted if resources are found.</li> <li>c. Stop Work Near any Discovered Cultural Resources. Should previously unidentified cultural resources be discovered during construction of the project, the project proponent shall cease work within 100 feet of the resources, and Kings County Community Development Agency (CDA) shall be notified immediately. The archaeologist shall review and evaluate any discoveries to determine if they are historical resource(s) and/or unique archaeological resources under CEQA.</li> </ul>	During all ground disturbing activities.	Continuously during all ground disturbing activities.	Armona Community Services District	Documented records by the District of dates of ground disturbing activities, name of Tribal representative present, any mitigation recommended by the Tribal representative and District actions taken on recommended mitigation.				

### Chapter 4: Mitigation Monitoring and Reporting Program Armona Community Service District, New District Office Project IS/MND

	Mitigation Monitoring and Reporting Program						
	Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance	
d	<b>Mitigation for Discovered Cultural Resources.</b> If the professional archaeologist determines that any cultural resources exposed during construction constitute a historical resource and/or unique archaeological resource, he/she shall notify the project proponent and other appropriate parties of the evaluation and recommended mitigation measures to mitigate the impact to a less-than-significant level. Mitigation measures may include avoidance, preservation in-place, recordation, additional archaeological testing and data recovery, among other options. Treatment of any significant cultural resources shall be undertaken with the approval of the Kings County CDA. The archaeologist shall document the resources using DPR 523 forms and file said forms with the California Historical Resources Information System, Southern San Joaquin Valley Information Center. The resources shall be photodocumented and collected by the archaeologist for submittal to the Santa Rosa Rancheria's Cultural and Historical Preservation Department. The archaeologist shall be required to submit to the County for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the area of discovery shall not be allowed until the preceding steps have been taken.						
e.	<b>Native American Monitoring.</b> Prior to any ground disturbance, the project proponent shall offer the Santa Rosa Rancheria Tachi Yokut Tribe the opportunity to provide a Native American Monitor during ground disturbing activities during both construction and decommissioning. Tribal participation would be dependent upon the availability and interest of the Tribe.						
f.	<b>Disposition of Cultural Resources.</b> Upon coordination with the Kings County Community Development Agency, any pre-historic archaeological artifacts recovered shall be donated to an appropriate Tribal custodian or a qualified scientific institution where they would be afforded applicable cultural resources laws and guidelines.						

### Chapter 4: Mitigation Monitoring and Reporting Program Armona Community Service District, New District Office Project IS/MND

Mitigation Monitoring and Reporting Program						
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance	
CUL-3: Human Remains	•	·				
<ul> <li>If human remains are uncovered, or in any other case when human remains are discovered during construction, the Kings County Coroner and the Santa Rosa Rancheria will be notified to arrange proper treatment and disposition. If the remains are identified— on the basis of archaeological context, age, cultural associations, or biological traits—as those of a Native American, California Health and Safety Code 7050.5 and Public Resource Code 5097.98 require that the Coroner notify the NAHC within 24 hours of discovery. The NAHC will then identify the Most Likely Descendent (MLD) who will determine the manner in which the remains are treated.</li> <li>a. Pursuant to State Health and Safety Code Section 7050.5(e) and Public Resources Code Section 5097.98, if human bone or bone of unknown origin is found at any time during on- or off-site construction, all work shall stop in the vicinity of the find and the Kings County Coroner shall be notified immediately. If the remains are determined to be Native American, the Coroner shall notify the California State Native American Heritage Commission (NAHC), who shall identify the person believed to be the Most Likely Descendant (MLD. The project proponent and MLD, with the assistance of the archaeologist, shall make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines Sec. 15064.5(d)). The agreed upon treatment shall address the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. California Public Resources Code allows 48 hours for the MLD to make their wishes known to the landowner after being granted access to the site. If the MLD and the other parties do not agree on the reburial method, the project will follow Public Resources Code Section 5097.98(e) which states that " the landowner or his or her authorized representative sha</li></ul>	During all ground disturbing activities.	Continuously during all ground disturbing activities.	Armona Community Services District	In coordination with archaeologist, written documentation by the District of date/time of suspected human remains found, notifications to Coroner and Tribe and NAHC and written record if remains found are determined to be human. Follow-up documentation of compliance with requirements of CA H&S Code and PRC and notification of MLD and actions taken to treat remains.		
# Chapter 4: Mitigation Monitoring and Reporting Program Armona Community Service District, New District Office Project IS/MND

Mitigation Monito	oring and Reporting	Program			
Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
Geology	and Soils Resources				
GEO-3: Paleontological Resources					
See CUL-1 through CUL-3 above	During all ground disturbing activities.	Continuously during all ground disturbing activities.	Armona Community Services District	Written documentation of compliance consistent with Methods above in coordination with qualified archaeologist and/or geo-archaeologist.	
Tribal	Cultural Resources				
TRI-3: Tribal Cultural Resources					
See CUL-1 through CUL-3 above	During all ground disturbing activities.	Continuously during all ground disturbing activities.	Armona Community Services District	Written documentation of compliance consistent with Methods above in coordination with qualified archaeologist and/or geo-archaeologist.	

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## Appendix A

**CalEEMod Output Files** 

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Armona CSD District Office - Kings County, Annual

## **Armona CSD District Office**

Kings County, Annual

## **1.0 Project Characteristics**

#### 1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
General Office Building	26.00	1000sqft	0.60	26,000.00	0
Parking Lot	22.00	Space	0.20	8,800.00	0

#### **1.2 Other Project Characteristics**

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	37
Climate Zone	3			Operational Year	2020
Utility Company	Pacific Gas & Ele	ectric Company			
CO2 Intensity (Ib/MWhr)	641.35	CH4 Intensity (Ib/MWhr)	0.029	N2O Intensity (Ib/MWhr)	).006

#### 1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use -

Construction Phase - The project is anticipated to take approximately 6 months.

Construction Off-road Equipment Mitigation -

Table Name	Column Name	Default Value	New Value
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## 2.0 Emissions Summary

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## Armona CSD District Office - Kings County, Annual

## 2.1 Overall Construction

## **Unmitigated Construction**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year					ton	s/yr							МТ	/yr		
2019	0.2445	0.6138	0.4825	8.2000e- 004	8.7400e- 003	0.0354	0.0442	2.5400e- 003	0.0327	0.0353	0.0000	74.1937	74.1937	0.0194	0.0000	74.6794
Maximum	0.2445	0.6138	0.4825	8.2000e- 004	8.7400e- 003	0.0354	0.0442	2.5400e- 003	0.0327	0.0353	0.0000	74.1937	74.1937	0.0194	0.0000	74.6794

### Mitigated Construction

	ROG	NOx	со	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year					ton	s/yr							МТ	/yr		
2019	0.2445	0.6138	0.4825	8.2000e- 004	8.1800e- 003	0.0354	0.0436	2.3000e- 003	0.0327	0.0350	0.0000	74.1936	74.1936	0.0194	0.0000	74.6793
Maximum	0.2445	0.6138	0.4825	8.2000e- 004	8.1800e- 003	0.0354	0.0436	2.3000e- 003	0.0327	0.0350	0.0000	74.1936	74.1936	0.0194	0.0000	74.6793

	ROG	NOx	со	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	6.41	0.00	1.27	9.45	0.00	0.68	0.00	0.00	0.00	0.00	0.00	0.00

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## Armona CSD District Office - Kings County, Annual

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	7-10-2019	9-30-2019	0.3344	0.3344
		Highest	0.3344	0.3344

## 2.2 Overall Operational

### Unmitigated Operational

	ROG	NOx	СО	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							МТ	ī/yr		
Area	0.1204	0.0000	4.4000e- 004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.6000e- 004	8.6000e- 004	0.0000	0.0000	9.2000e- 004
Energy	1.8300e- 003	0.0166	0.0140	1.0000e- 004		1.2600e- 003	1.2600e- 003		1.2600e- 003	1.2600e- 003	0.0000	87.9833	87.9833	3.5100e- 003	9.9000e- 004	88.3647
Mobile	0.0886	1.1749	0.8184	3.9900e- 003	0.2005	4.1200e- 003	0.2047	0.0539	3.9100e- 003	0.0578	0.0000	371.8584	371.8584	0.0428	0.0000	372.9286
Waste	n					0.0000	0.0000		0.0000	0.0000	4.9083	0.0000	4.9083	0.2901	0.0000	12.1602
Water	n					0.0000	0.0000		0.0000	0.0000	1.4661	10.1579	11.6240	0.1510	3.6500e- 003	16.4878
Total	0.2108	1.1915	0.8328	4.0900e- 003	0.2005	5.3800e- 003	0.2059	0.0539	5.1700e- 003	0.0591	6.3744	470.0004	476.3748	0.4874	4.6400e- 003	489.9422

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## Armona CSD District Office - Kings County, Annual

## 2.2 Overall Operational

## Mitigated Operational

	ROG	NOx	(	CO	SO2	Fugit PM	tive 10	Exhaust PM10	PM10 Total	Fugi PM	itive 2.5	Exhaust PM2.5	PM2.5	Total	Bio- C	D2 NBi	o- CO2	Total CO	02 0	CH4	N2O	CC	)2e
Category							tons/	/yr											MT/yr				
Area	0.1204	0.000	0 4.4	4000e- 004	0.0000			0.0000	0.0000			0.0000	0.00	00	0.000	0 8.6	000e- 004	8.6000e 004	)- 0.(	0000	0.0000	9.20 0	00e- 04
Energy	1.8300e- 003	0.016	6 0	.0140	1.0000e- 004			1.2600e- 003	1.2600e- 003			1.2600e- 003	1.260 003	0e- 3	0.000	0 87	.9833	87.983	3 3.5 (	100e- 003	9.9000e- 004	88.3	3647
Mobile	0.0886	1.174	9 0	.8184	3.9900e- 003	0.20	005	4.1200e- 003	0.2047	0.05	539	3.9100e- 003	0.05	78	0.000	0 371	.8584	371.858	4 0.0	0428	0.0000	372.	9286
Waste	F; 0 1 0 1 0 1 0 1							0.0000	0.0000			0.0000	0.00	00	4.908	30.	0000	4.9083	0.2	2901	0.0000	12.1	602
Water	F; 0 1 0 1 0 1 0 1							0.0000	0.0000			0.0000	0.00	00	1.466	1 10	.1579	11.624	0 0.1	1510	3.6500e- 003	16.4	1878
Total	0.2108	1.191	5 0.	.8328	4.0900e- 003	0.20	005	5.3800e- 003	0.2059	0.0	539	5.1700e- 003	0.05	91	6.374	4 470	0.0004	476.374	8 0.4	4874	4.6400e- 003	489.	9422
	ROG		NOx	С	:0 S	602	Fugiti PM1	ive Exh 10 Pl	aust P M10 T	M10 otal	Fugiti PM2	ve Ex .5 F	haust M2.5	PM2. Tota	.5 E al	io- CO2	NBio-	CO2 To	al CO2	СН	4 1	120	CO2e
Percent Reduction	0.00		0.00	0.	00 0	.00	0.0	0 0	.00	0.00	0.00	)	0.00	0.00	D	0.00	0.0	0	0.00	0.0	0 0	.00	0.00

## 3.0 Construction Detail

**Construction Phase** 

#### Armona CSD District Office - Kings County, Annual

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	7/10/2019	7/23/2019	5	10	
2	Site Preparation	Site Preparation	7/24/2019	7/24/2019	5	1	
3	Grading	Grading	7/25/2019	7/26/2019	5	2	
4	Building Construction	Building Construction	7/27/2019	12/13/2019	5	100	
5	Paving	Paving	12/14/2019	12/20/2019	5	5	
6	Architectural Coating	Architectural Coating	12/21/2019	12/27/2019	5	5	

Acres of Grading (Site Preparation Phase): 0.5

Acres of Grading (Grading Phase): 0

Acres of Paving: 0.2

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 39,000; Non-Residential Outdoor: 13,000; Striped Parking Area: 528 (Architectural Coating – sqft)

OffRoad Equipment

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Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Paving	Cement and Mortar Mixers	4	6.00	9	0.56
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Grading	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Cranes	1	4.00	231	0.29
Building Construction	Forklifts	2	6.00	89	0.20
Site Preparation	Graders	1	8.00	187	0.41
Paving	Pavers	1	7.00	130	0.42
Paving	Rollers	1	7.00	80	0.38
Demolition	Rubber Tired Dozers	1	1.00	247	0.40
Grading	Rubber Tired Dozers	1	1.00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Demolition	Tractors/Loaders/Backhoes	2	6.00	97	0.37
Grading	Tractors/Loaders/Backhoes	2	6.00	97	0.37
Paving	Tractors/Loaders/Backhoes	1	7.00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	1	8.00	97	0.37

## Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	4	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	2	5.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	5	12.00	6.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	2.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

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### **3.1 Mitigation Measures Construction**

Water Exposed Area

## 3.2 Demolition - 2019

#### Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							MT	ī/yr		
Off-Road	4.7700e- 003	0.0430	0.0385	6.0000e- 005		2.6900e- 003	2.6900e- 003	1	2.5600e- 003	2.5600e- 003	0.0000	5.2601	5.2601	1.0000e- 003	0.0000	5.2852
Total	4.7700e- 003	0.0430	0.0385	6.0000e- 005		2.6900e- 003	2.6900e- 003		2.5600e- 003	2.5600e- 003	0.0000	5.2601	5.2601	1.0000e- 003	0.0000	5.2852

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## 3.2 Demolition - 2019

## Unmitigated Construction Off-Site

	ROG	NOx	со	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							МТ	/yr		
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.4000e- 004	2.0000e- 004	1.8400e- 003	0.0000	4.0000e- 004	0.0000	4.0000e- 004	1.1000e- 004	0.0000	1.1000e- 004	0.0000	0.3516	0.3516	1.0000e- 005	0.0000	0.3519
Total	2.4000e- 004	2.0000e- 004	1.8400e- 003	0.0000	4.0000e- 004	0.0000	4.0000e- 004	1.1000e- 004	0.0000	1.1000e- 004	0.0000	0.3516	0.3516	1.0000e- 005	0.0000	0.3519

### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							МТ	'/yr		
Off-Road	4.7700e- 003	0.0430	0.0385	6.0000e- 005		2.6900e- 003	2.6900e- 003		2.5600e- 003	2.5600e- 003	0.0000	5.2601	5.2601	1.0000e- 003	0.0000	5.2852
Total	4.7700e- 003	0.0430	0.0385	6.0000e- 005		2.6900e- 003	2.6900e- 003		2.5600e- 003	2.5600e- 003	0.0000	5.2601	5.2601	1.0000e- 003	0.0000	5.2852

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## 3.2 Demolition - 2019

#### Mitigated Construction Off-Site

	ROG	NOx	со	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							MT	/yr		
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.4000e- 004	2.0000e- 004	1.8400e- 003	0.0000	4.0000e- 004	0.0000	4.0000e- 004	1.1000e- 004	0.0000	1.1000e- 004	0.0000	0.3516	0.3516	1.0000e- 005	0.0000	0.3519
Total	2.4000e- 004	2.0000e- 004	1.8400e- 003	0.0000	4.0000e- 004	0.0000	4.0000e- 004	1.1000e- 004	0.0000	1.1000e- 004	0.0000	0.3516	0.3516	1.0000e- 005	0.0000	0.3519

3.3 Site Preparation - 2019

Unmitigated Construction On-Site

	ROG	NOx	СО	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							MT	/yr		
Fugitive Dust					2.7000e- 004	0.0000	2.7000e- 004	3.0000e- 005	0.0000	3.0000e- 005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	3.6000e- 004	4.4600e- 003	2.0700e- 003	0.0000		1.8000e- 004	1.8000e- 004		1.7000e- 004	1.7000e- 004	0.0000	0.4378	0.4378	1.4000e- 004	0.0000	0.4413
Total	3.6000e- 004	4.4600e- 003	2.0700e- 003	0.0000	2.7000e- 004	1.8000e- 004	4.5000e- 004	3.0000e- 005	1.7000e- 004	2.0000e- 004	0.0000	0.4378	0.4378	1.4000e- 004	0.0000	0.4413

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## 3.3 Site Preparation - 2019

## Unmitigated Construction Off-Site

	ROG	NOx	со	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							MT	/yr		
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0000e- 005	1.0000e- 005	9.0000e- 005	0.0000	2.0000e- 005	0.0000	2.0000e- 005	1.0000e- 005	0.0000	1.0000e- 005	0.0000	0.0176	0.0176	0.0000	0.0000	0.0176
Total	1.0000e- 005	1.0000e- 005	9.0000e- 005	0.0000	2.0000e- 005	0.0000	2.0000e- 005	1.0000e- 005	0.0000	1.0000e- 005	0.0000	0.0176	0.0176	0.0000	0.0000	0.0176

### Mitigated Construction On-Site

	ROG	NOx	СО	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							МТ	/yr		
Fugitive Dust					1.2000e- 004	0.0000	1.2000e- 004	1.0000e- 005	0.0000	1.0000e- 005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	3.6000e- 004	4.4600e- 003	2.0700e- 003	0.0000		1.8000e- 004	1.8000e- 004		1.7000e- 004	1.7000e- 004	0.0000	0.4378	0.4378	1.4000e- 004	0.0000	0.4413
Total	3.6000e- 004	4.4600e- 003	2.0700e- 003	0.0000	1.2000e- 004	1.8000e- 004	3.0000e- 004	1.0000e- 005	1.7000e- 004	1.8000e- 004	0.0000	0.4378	0.4378	1.4000e- 004	0.0000	0.4413

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### 3.3 Site Preparation - 2019

#### Mitigated Construction Off-Site

	ROG	NOx	со	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							MT	/yr		
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0000e- 005	1.0000e- 005	9.0000e- 005	0.0000	2.0000e- 005	0.0000	2.0000e- 005	1.0000e- 005	0.0000	1.0000e- 005	0.0000	0.0176	0.0176	0.0000	0.0000	0.0176
Total	1.0000e- 005	1.0000e- 005	9.0000e- 005	0.0000	2.0000e- 005	0.0000	2.0000e- 005	1.0000e- 005	0.0000	1.0000e- 005	0.0000	0.0176	0.0176	0.0000	0.0000	0.0176

3.4 Grading - 2019

Unmitigated Construction On-Site

	ROG	NOx	СО	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							МТ	/yr		
Fugitive Dust					7.5000e- 004	0.0000	7.5000e- 004	4.1000e- 004	0.0000	4.1000e- 004	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	9.5000e- 004	8.6000e- 003	7.6900e- 003	1.0000e- 005		5.4000e- 004	5.4000e- 004		5.1000e- 004	5.1000e- 004	0.0000	1.0520	1.0520	2.0000e- 004	0.0000	1.0570
Total	9.5000e- 004	8.6000e- 003	7.6900e- 003	1.0000e- 005	7.5000e- 004	5.4000e- 004	1.2900e- 003	4.1000e- 004	5.1000e- 004	9.2000e- 004	0.0000	1.0520	1.0520	2.0000e- 004	0.0000	1.0570

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## 3.4 Grading - 2019

## Unmitigated Construction Off-Site

	ROG	NOx	со	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							МТ	/yr		
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.0000e- 005	4.0000e- 005	3.7000e- 004	0.0000	8.0000e- 005	0.0000	8.0000e- 005	2.0000e- 005	0.0000	2.0000e- 005	0.0000	0.0703	0.0703	0.0000	0.0000	0.0704
Total	5.0000e- 005	4.0000e- 005	3.7000e- 004	0.0000	8.0000e- 005	0.0000	8.0000e- 005	2.0000e- 005	0.0000	2.0000e- 005	0.0000	0.0703	0.0703	0.0000	0.0000	0.0704

### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							MT	/yr		
Fugitive Dust					3.4000e- 004	0.0000	3.4000e- 004	1.9000e- 004	0.0000	1.9000e- 004	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	9.5000e- 004	8.6000e- 003	7.6900e- 003	1.0000e- 005		5.4000e- 004	5.4000e- 004		5.1000e- 004	5.1000e- 004	0.0000	1.0520	1.0520	2.0000e- 004	0.0000	1.0570
Total	9.5000e- 004	8.6000e- 003	7.6900e- 003	1.0000e- 005	3.4000e- 004	5.4000e- 004	8.8000e- 004	1.9000e- 004	5.1000e- 004	7.0000e- 004	0.0000	1.0520	1.0520	2.0000e- 004	0.0000	1.0570

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## 3.4 Grading - 2019

#### Mitigated Construction Off-Site

	ROG	NOx	co	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							MT	/yr		
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.0000e- 005	4.0000e- 005	3.7000e- 004	0.0000	8.0000e- 005	0.0000	8.0000e- 005	2.0000e- 005	0.0000	2.0000e- 005	0.0000	0.0703	0.0703	0.0000	0.0000	0.0704
Total	5.0000e- 005	4.0000e- 005	3.7000e- 004	0.0000	8.0000e- 005	0.0000	8.0000e- 005	2.0000e- 005	0.0000	2.0000e- 005	0.0000	0.0703	0.0703	0.0000	0.0000	0.0704

3.5 Building Construction - 2019

Unmitigated Construction On-Site

	ROG	NOx	СО	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					tons	s/yr							MT	'/yr		
Off-Road	0.0479	0.4910	0.3772	5.7000e- 004	J	0.0303	0.0303		0.0279	0.0279	0.0000	51.1502	51.1502	0.0162	0.0000	51.5548
Total	0.0479	0.4910	0.3772	5.7000e- 004		0.0303	0.0303		0.0279	0.0279	0.0000	51.1502	51.1502	0.0162	0.0000	51.5548

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## 3.5 Building Construction - 2019

## Unmitigated Construction Off-Site

	ROG	NOx	со	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							МТ	/yr		
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	1.4900e- 003	0.0397	8.4300e- 003	9.0000e- 005	2.0000e- 003	2.8000e- 004	2.2700e- 003	5.8000e- 004	2.6000e- 004	8.4000e- 004	0.0000	8.2524	8.2524	9.5000e- 004	0.0000	8.2762
Worker	2.9300e- 003	2.3600e- 003	0.0221	5.0000e- 005	4.8200e- 003	3.0000e- 005	4.8500e- 003	1.2800e- 003	3.0000e- 005	1.3100e- 003	0.0000	4.2187	4.2187	1.8000e- 004	0.0000	4.2231
Total	4.4200e- 003	0.0421	0.0305	1.4000e- 004	6.8200e- 003	3.1000e- 004	7.1200e- 003	1.8600e- 003	2.9000e- 004	2.1500e- 003	0.0000	12.4711	12.4711	1.1300e- 003	0.0000	12.4993

### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							MT	/yr		
Off-Road	0.0479	0.4910	0.3772	5.7000e- 004		0.0303	0.0303		0.0279	0.0279	0.0000	51.1502	51.1502	0.0162	0.0000	51.5548
Total	0.0479	0.4910	0.3772	5.7000e- 004		0.0303	0.0303		0.0279	0.0279	0.0000	51.1502	51.1502	0.0162	0.0000	51.5548

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### 3.5 Building Construction - 2019

## Mitigated Construction Off-Site

	ROG	NOx	со	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							МТ	/yr		
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	1.4900e- 003	0.0397	8.4300e- 003	9.0000e- 005	2.0000e- 003	2.8000e- 004	2.2700e- 003	5.8000e- 004	2.6000e- 004	8.4000e- 004	0.0000	8.2524	8.2524	9.5000e- 004	0.0000	8.2762
Worker	2.9300e- 003	2.3600e- 003	0.0221	5.0000e- 005	4.8200e- 003	3.0000e- 005	4.8500e- 003	1.2800e- 003	3.0000e- 005	1.3100e- 003	0.0000	4.2187	4.2187	1.8000e- 004	0.0000	4.2231
Total	4.4200e- 003	0.0421	0.0305	1.4000e- 004	6.8200e- 003	3.1000e- 004	7.1200e- 003	1.8600e- 003	2.9000e- 004	2.1500e- 003	0.0000	12.4711	12.4711	1.1300e- 003	0.0000	12.4993

3.6 Paving - 2019

Unmitigated Construction On-Site

	ROG	NOx	СО	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							МТ	/yr		
Off-Road	2.0700e- 003	0.0196	0.0179	3.0000e- 005		1.1100e- 003	1.1100e- 003		1.0300e- 003	1.0300e- 003	0.0000	2.3931	2.3931	6.8000e- 004	0.0000	2.4102
Paving	2.6000e- 004					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	2.3300e- 003	0.0196	0.0179	3.0000e- 005		1.1100e- 003	1.1100e- 003		1.0300e- 003	1.0300e- 003	0.0000	2.3931	2.3931	6.8000e- 004	0.0000	2.4102

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## 3.6 Paving - 2019

## Unmitigated Construction Off-Site

	ROG	NOx	со	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							МТ	/yr		
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.2000e- 004	1.8000e- 004	1.6500e- 003	0.0000	3.6000e- 004	0.0000	3.6000e- 004	1.0000e- 004	0.0000	1.0000e- 004	0.0000	0.3164	0.3164	1.0000e- 005	0.0000	0.3167
Total	2.2000e- 004	1.8000e- 004	1.6500e- 003	0.0000	3.6000e- 004	0.0000	3.6000e- 004	1.0000e- 004	0.0000	1.0000e- 004	0.0000	0.3164	0.3164	1.0000e- 005	0.0000	0.3167

### Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							МТ	/yr		
Off-Road	2.0700e- 003	0.0196	0.0179	3.0000e- 005		1.1100e- 003	1.1100e- 003		1.0300e- 003	1.0300e- 003	0.0000	2.3931	2.3931	6.8000e- 004	0.0000	2.4102
Paving	2.6000e- 004					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	2.3300e- 003	0.0196	0.0179	3.0000e- 005		1.1100e- 003	1.1100e- 003		1.0300e- 003	1.0300e- 003	0.0000	2.3931	2.3931	6.8000e- 004	0.0000	2.4102

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## 3.6 Paving - 2019

#### Mitigated Construction Off-Site

	ROG	NOx	со	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							MT	/yr		
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.2000e- 004	1.8000e- 004	1.6500e- 003	0.0000	3.6000e- 004	0.0000	3.6000e- 004	1.0000e- 004	0.0000	1.0000e- 004	0.0000	0.3164	0.3164	1.0000e- 005	0.0000	0.3167
Total	2.2000e- 004	1.8000e- 004	1.6500e- 003	0.0000	3.6000e- 004	0.0000	3.6000e- 004	1.0000e- 004	0.0000	1.0000e- 004	0.0000	0.3164	0.3164	1.0000e- 005	0.0000	0.3167

3.7 Architectural Coating - 2019

Unmitigated Construction On-Site

	ROG	NOx	СО	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							МТ	/yr		
Archit. Coating	0.1826					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	6.7000e- 004	4.5900e- 003	4.6000e- 003	1.0000e- 005		3.2000e- 004	3.2000e- 004		3.2000e- 004	3.2000e- 004	0.0000	0.6383	0.6383	5.0000e- 005	0.0000	0.6397
Total	0.1833	4.5900e- 003	4.6000e- 003	1.0000e- 005		3.2000e- 004	3.2000e- 004		3.2000e- 004	3.2000e- 004	0.0000	0.6383	0.6383	5.0000e- 005	0.0000	0.6397

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## 3.7 Architectural Coating - 2019

## Unmitigated Construction Off-Site

	ROG	NOx	со	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							МТ	/yr		
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e- 005	2.0000e- 005	1.8000e- 004	0.0000	4.0000e- 005	0.0000	4.0000e- 005	1.0000e- 005	0.0000	1.0000e- 005	0.0000	0.0352	0.0352	0.0000	0.0000	0.0352
Total	2.0000e- 005	2.0000e- 005	1.8000e- 004	0.0000	4.0000e- 005	0.0000	4.0000e- 005	1.0000e- 005	0.0000	1.0000e- 005	0.0000	0.0352	0.0352	0.0000	0.0000	0.0352

### Mitigated Construction On-Site

	ROG	NOx	СО	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							МТ	/yr		
Archit. Coating	0.1826					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	6.7000e- 004	4.5900e- 003	4.6000e- 003	1.0000e- 005		3.2000e- 004	3.2000e- 004		3.2000e- 004	3.2000e- 004	0.0000	0.6383	0.6383	5.0000e- 005	0.0000	0.6397
Total	0.1833	4.5900e- 003	4.6000e- 003	1.0000e- 005		3.2000e- 004	3.2000e- 004		3.2000e- 004	3.2000e- 004	0.0000	0.6383	0.6383	5.0000e- 005	0.0000	0.6397

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### 3.7 Architectural Coating - 2019

## Mitigated Construction Off-Site

	ROG	NOx	со	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							MT	/yr		
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e- 005	2.0000e- 005	1.8000e- 004	0.0000	4.0000e- 005	0.0000	4.0000e- 005	1.0000e- 005	0.0000	1.0000e- 005	0.0000	0.0352	0.0352	0.0000	0.0000	0.0352
Total	2.0000e- 005	2.0000e- 005	1.8000e- 004	0.0000	4.0000e- 005	0.0000	4.0000e- 005	1.0000e- 005	0.0000	1.0000e- 005	0.0000	0.0352	0.0352	0.0000	0.0000	0.0352

## 4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

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	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category		tons/yr											MT	/yr		
Mitigated	0.0886	1.1749	0.8184	3.9900e- 003	0.2005	4.1200e- 003	0.2047	0.0539	3.9100e- 003	0.0578	0.0000	371.8584	371.8584	0.0428	0.0000	372.9286
Unmitigated	0.0886	1.1749	0.8184	3.9900e- 003	0.2005	4.1200e- 003	0.2047	0.0539	3.9100e- 003	0.0578	0.0000	371.8584	371.8584	0.0428	0.0000	372.9286

## 4.2 Trip Summary Information

	Aver	age Daily Trip Ra	ite	Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
General Office Building	286.78	63.96	27.30	520,679	520,679
Parking Lot	0.00	0.00	0.00		
Total	286.78	63.96	27.30	520,679	520,679

## 4.3 Trip Type Information

		Miles			Trip %			Trip Purpos	se %
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
General Office Building	9.50	7.30	7.30	33.00	48.00	19.00	77	19	4
Parking Lot	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0

#### 4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
General Office Building	0.487262	0.029057	0.146825	0.126841	0.021860	0.004787	0.012229	0.159772	0.001758	0.001914	0.005918	0.000991	0.000785
Parking Lot	0.487262	0.029057	0.146825	0.126841	0.021860	0.004787	0.012229	0.159772	0.001758	0.001914	0.005918	0.000991	0.000785

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## 5.0 Energy Detail

## Historical Energy Use: N

## 5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr						МТ	/yr			
Electricity Mitigated			1			0.0000	0.0000		0.0000	0.0000	0.0000	69.8769	69.8769	3.1600e- 003	6.5000e- 004	70.1507
Electricity Unmitigated	n 11 11 11 11		1			0.0000	0.0000		0.0000	0.0000	0.0000	69.8769	69.8769	3.1600e- 003	6.5000e- 004	70.1507
NaturalGas Mitigated	1.8300e- 003	0.0166	0.0140	1.0000e- 004		1.2600e- 003	1.2600e- 003		1.2600e- 003	1.2600e- 003	0.0000	18.1063	18.1063	3.5000e- 004	3.3000e- 004	18.2139
NaturalGas Unmitigated	1.8300e- 003	0.0166	0.0140	1.0000e- 004		1.2600e- 003	1.2600e- 003		1.2600e- 003	1.2600e- 003	0.0000	18.1063	18.1063	3.5000e- 004	3.3000e- 004	18.2139

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## 5.2 Energy by Land Use - NaturalGas

## <u>Unmitigated</u>

	NaturalGa s Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr					ton	s/yr							MT	/yr		
General Office Building	339300	1.8300e- 003	0.0166	0.0140	1.0000e- 004		1.2600e- 003	1.2600e- 003	1 1 1	1.2600e- 003	1.2600e- 003	0.0000	18.1063	18.1063	3.5000e- 004	3.3000e- 004	18.2139
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	1 1 1 1 1	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total		1.8300e- 003	0.0166	0.0140	1.0000e- 004		1.2600e- 003	1.2600e- 003		1.2600e- 003	1.2600e- 003	0.0000	18.1063	18.1063	3.5000e- 004	3.3000e- 004	18.2139

#### Mitigated

	NaturalGa s Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr					ton	s/yr							MT	/yr		
General Office Building	339300	1.8300e- 003	0.0166	0.0140	1.0000e- 004		1.2600e- 003	1.2600e- 003		1.2600e- 003	1.2600e- 003	0.0000	18.1063	18.1063	3.5000e- 004	3.3000e- 004	18.2139
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total		1.8300e- 003	0.0166	0.0140	1.0000e- 004		1.2600e- 003	1.2600e- 003		1.2600e- 003	1.2600e- 003	0.0000	18.1063	18.1063	3.5000e- 004	3.3000e- 004	18.2139

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## 5.3 Energy by Land Use - Electricity

## <u>Unmitigated</u>

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr		ΜT	7/yr	
General Office Building	237120	68.9809	3.1200e- 003	6.5000e- 004	69.2512
Parking Lot	3080	0.8960	4.0000e- 005	1.0000e- 005	0.8995
Total		69.8769	3.1600e- 003	6.6000e- 004	70.1507

#### Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr		Π	7/yr	
General Office Building	237120	68.9809	3.1200e- 003	6.5000e- 004	69.2512
Parking Lot	3080	0.8960	4.0000e- 005	1.0000e- 005	0.8995
Total		69.8769	3.1600e- 003	6.6000e- 004	70.1507

## 6.0 Area Detail

6.1 Mitigation Measures Area

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	ROG	NOx	со	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							MT	/yr		
Mitigated	0.1204	0.0000	4.4000e- 004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.6000e- 004	8.6000e- 004	0.0000	0.0000	9.2000e- 004
Unmitigated	0.1204	0.0000	4.4000e- 004	0.0000		0.0000	0.0000	<b></b> - - -	0.0000	0.0000	0.0000	8.6000e- 004	8.6000e- 004	0.0000	0.0000	9.2000e- 004

## 6.2 Area by SubCategory

<u>Unmitigated</u>

	ROG	NOx	СО	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory					ton	s/yr							МТ	/yr		
Architectural Coating	0.0183					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.1021					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	4.0000e- 005	0.0000	4.4000e- 004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.6000e- 004	8.6000e- 004	0.0000	0.0000	9.2000e- 004
Total	0.1204	0.0000	4.4000e- 004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.6000e- 004	8.6000e- 004	0.0000	0.0000	9.2000e- 004

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### 6.2 Area by SubCategory

Mitigated

	ROG	NOx	со	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr							МТ	/yr							
Architectural Coating	0.0183		1 1 1			0.0000	0.0000	1 1 1	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.1021					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	4.0000e- 005	0.0000	4.4000e- 004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.6000e- 004	8.6000e- 004	0.0000	0.0000	9.2000e- 004
Total	0.1204	0.0000	4.4000e- 004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	8.6000e- 004	8.6000e- 004	0.0000	0.0000	9.2000e- 004

## 7.0 Water Detail

7.1 Mitigation Measures Water

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	Total CO2	CH4	N2O	CO2e
Category		MT	ī/yr	
Mitigated	11.6240	0.1510	3.6500e- 003	16.4878
Unmitigated	11.6240	0.1510	3.6500e- 003	16.4878

## 7.2 Water by Land Use

<u>Unmitigated</u>

	Indoor/Out door Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal		MT	/yr	
General Office Building	4.62108 / 2.83227	11.6240	0.1510	3.6500e- 003	16.4878
Parking Lot	0/0	0.0000	0.0000	0.0000	0.0000
Total		11.6240	0.1510	3.6500e- 003	16.4878

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### 7.2 Water by Land Use

## Mitigated

	Indoor/Out door Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal		M	/yr	
General Office Building	4.62108 / 2.83227	11.6240	0.1510	3.6500e- 003	16.4878
Parking Lot	0/0	0.0000	0.0000	0.0000	0.0000
Total		11.6240	0.1510	3.6500e- 003	16.4878

## 8.0 Waste Detail

## 8.1 Mitigation Measures Waste

## Category/Year

	Total CO2	CH4	N2O	CO2e		
	MT/yr					
Mitigated	4.9083	0.2901	0.0000	12.1602		
Unmitigated	4.9083	0.2901	0.0000	12.1602		

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### 8.2 Waste by Land Use

## <u>Unmitigated</u>

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
General Office Building	24.18	4.9083	0.2901	0.0000	12.1602
Parking Lot	0	0.0000	0.0000	0.0000	0.0000
Total		4.9083	0.2901	0.0000	12.1602

#### Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons		МТ	/yr	
General Office Building	24.18	4.9083	0.2901	0.0000	12.1602
Parking Lot	0	0.0000	0.0000	0.0000	0.0000
Total		4.9083	0.2901	0.0000	12.1602

## 9.0 Operational Offroad

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## **10.0 Stationary Equipment**

## Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

#### Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Voor	Poilor Poting	Eucl Type
Equipment Type	Number	Heat Input/Day	Heat input/rear	boller Kating	гиегтуре

### User Defined Equipment

Equipment Type	Number

## 11.0 Vegetation

## Appendix B

**Biological Evaluation Report** 

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# Armona Community Services District: New District Office Project

**Biological Evaluation** 



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# 1 Introduction

Armona Community Services District (ACSD or District) provides water and sewer services to the community of Armona in northern Kings County. In May 2017 the District completed construction of the Well No. 3 Water Treatment Plant in order to address ongoing water quality concerns, specifically regarding excessive arsenic levels in the community's drinking water. Currently, the District is proposing the development of an office building on approximately 0.5 acre of land directly north of the Well No. 3 Treatment Plant.

The following technical report, prepared by Provost & Pritchard Consulting Group, in compliance with the California Environmental Quality Act (CEQA), includes a description of the biological resources present or with potential to occur within the Project site and surrounding areas and evaluates potential Project-related impacts to those resources.

# 1.1 Project Description

Armona Community Services District plans to construct a 2,800 square foot building that will act as the District's main office. In addition to the construction of the office building, the Project includes site improvements, such as parking areas, drive approaches, drainage system, fencing, and utility service connections within and installation of new fire hydrant along 14<sup>th</sup> Avenue. The Project site is located at 10116 14<sup>th</sup> Avenue in Armona, adjacent to and south of the Kings Drive-In Theater, southwest of the intersection of 14<sup>th</sup> Avenue with West Lacey Boulevard in Kings County.

# 1.2 Report Objectives

Construction activities such as those proposed by ACSD could potentially damage biological resources or modify habitats that are crucial for sensitive plant and wildlife species. In cases such as these, development may be regulated by state or federal agencies, subject to provisions of California Environmental Quality Act (CEQA), and/or addressed by local regulatory agencies.

This report addresses issues related to the following:

- 1) The presence of sensitive biological resources onsite, or with the potential to occur onsite.
- 2) The federal, state, and local regulations regarding these resources.
- 3) Mitigation measures that may be required to reduce the magnitude of anticipated impacts and/or comply with permit requirements of state and federal resource agencies.

Therefore, the objectives of this report are:

- 1) Summarize all site-specific information related to existing biological resources.
- 2) Make reasonable inferences about the biological resources that could occur onsite based on habitat suitability and the proximity of the site to a species' known range.
- 3) Summarize all state and federal natural resource protection laws that may be relevant to the Project.
- 4) Identify and discuss Project impacts to biological resources likely to occur onsite within the context of CEQA or state or federal laws.
- 5) Identify and publish a set of avoidance and mitigation measures that would reduce impacts to a less-than-significant level (as identified by CEQA) and are generally consistent with recommendations of the resource agencies for affected biological resources.

# 1.3 Study Methodology

A reconnaissance-level field survey of the Project site and surrounding area was conducted on June 19, 2019 by Provost & Pritchard biologist, Brooke Fletcher. The survey consisted of walking through the Project area while identifying and noting land uses, biological habitats and communities, and plant and animal species encountered. Furthermore, the site and surrounding areas were assessed for suitable habitats of various wildlife species.

Ms. Fletcher conducted an analysis of potential Project-related impacts to biological resources based on the resources known to exist or with potential to exist within the Project site and surrounding areas. Sources of information used in preparation of this analysis included: the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB); the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) system; the California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Vascular Plants of California; CalFlora's online database of California native plants; the Jepson Herbarium online database (Jepson eFlora); U.S. Fish and Wildlife Service (USFWS) Environmental Conservation Online System (ECOS); the NatureServe Explorer online database; the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Plants Database; the California Department of Fish and Wildlife (CDFW) California Wildlife Habitat Relationships (CWHR) database; the California Herps online database; and various manuals, reports, and references related to plants and animals of the San Joaquin Valley region.

The field survey conducted included an appropriate level of detail to assess the significance of potential impacts to sensitive biological resources resulting from the Project. Furthermore, the field survey was sufficient to generally describe those features of the Project that could be subject to the jurisdiction of federal and/or State agencies, such as the U.S. Army Corps of Engineers (USACE), CDFW, Regional Water Quality Control Board (RWQCB) and State Water Resources Control Board (SWRCB). The field investigation did not include a formal wetland delineation or focused surveys for special status species.



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Figure 1. Regional Location Map



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Figure 2. Topographic Quadrangle Map



6/24/2019 : G:\Armona CSD - 2173\217319002-District Office\GIS\Map\APE\_v2.mxd Figure 3. Area of Potential Effect (APE) Map

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# 2 Existing Conditions

# 2.1 Regional Setting

The Project site is located in the community of Armona in northern Kings County, which lies within the lower San Joaquin Valley, part of the Great Valley of California (**See Figure 1**). The Valley is bordered by the Sierra Nevada Mountain Ranges to the east, the Coast Ranges to the west, the Klamath Mountains and Cascade Range to the north, and the Transverse Ranges and Mojave Desert to the south.

Like most of California, the San Joaquin Valley experiences a Mediterranean climate. Warm, dry summers are followed by cool, moist winters. Summer temperatures often reach above 90 degrees Fahrenheit, and the humidity is generally low. Winter temperatures are often below 60 degrees Fahrenheit during the day and rarely exceed 70 degrees. On average, the Central Valley receives approximately 12 inches of precipitation in the form of rainfall yearly, most of which occurs between October and March.

The Project is located approximately 7 miles south of the Kings River, within the Mussel Slough watershed; Hydrologic Unit Code (HUC): 180300122003 (EPA, 2019). The nearest surface water feature is the channelized Last Chance Ditch, which runs directly west of the water treatment plant.

The Project lies entirely within the Tulare Lake Groundwater Subbasin of the San Joaquin Valley Groundwater Basin. (DWR, 2019). The community of Armona is served by the Armona Community Services District which provides drinking water and sewer services to approximately 4,100 people through 1,100 residential service connections.

# 2.2 Project Site

As illustrated on **Figure 3**, the Project site consists of an approximate 0.5-acre section in the northwest corner of an approximate seven-acre parcel that is currently developed with the District's water treatment plant. There are two existing paved drive approaches from 14<sup>th</sup> Avenue and a paved parking lot adjacent to the maintenance building, which is surrounded by enclosed accessory buildings used for storage and activities related to maintenance. Most of the remaining substrate is comprised of compacted dirt and gravel. Various equipment, machinery, and tanks sit atop concrete pads. The western portion of the yard houses a stormwater drainage basin and two cement-lined settling ponds. The perimeter of the water treatment plant is enclosed with chain link fence, adorned with barbed wire and privacy slats.

# 2.3 Biological Communities

One biological community was identified within the Project area: developed. The Project site is located directly east of the water treatment plant's stormwater drainage basin and north of the plant's existing accessory buildings. Immediate surrounding land uses beyond the fenced water treatment plant consist of development in the form of an abandoned drive-in movie theater to the north and paved 14<sup>th</sup> Avenue to the east. Other land uses in the vicinity included orchard and row crops, rural residential, fallow field, and excavated irrigation ditch (Last Chance Ditch) which lies just west of the water treatment plant's western boundary. Project areas are accessible by paved roads and compacted dirt roads. The habitats of the Project area and surrounding lands are disturbed or frequently maintained and therefore of relatively low quality for most native wildlife species.

### 2.3.1 Developed

At the time of the field survey, the Project area was comprised of graded, level surface of barren, compacted dirt and gravel within the northeastern portion of a parcel currently developed as a water treatment plant. A backhoe loader was parked onsite and heavy equipment tracks were visible throughout all surveyed areas. The perimeter of the water treatment plant was enclosed in a chain link fence with privacy slats. For the most part, the perimeter was secure, except a few small spaces between the ground and the fence, the largest of which was photographed (**Appendix A**) and measured to be approximately five inches.

The absence of vegetation onsite is likely due to frequent maintenance activities and use of herbicides. Similarly, there was an absence of rodent burrows onsite, likely due to use of rodenticides, either by District staff or in adjacent agricultural crops. Given the high level of human disturbance and the absence of vegetation and burrows, the Project site is of relatively low value to wildlife, either as habitat or foraging grounds.

Mammalian species expected to occur onsite would limit to those relatively tolerant of human disturbance and able to climb over the fence or pass through a gap. Tracks indicative of the following mammalian species were observed along the perimeter of the ponding basin west of the Project site: domestic cat (*Felis catus*), striped skunk (*Mephitis mephitis*), and Virginia opossum (*Didelphis virginiana*).

Although not observed within the Project area at the time of the field survey, the following reptiles and amphibians would be expected to occur: San Joaquin fence lizard (*Scleroporus occidentalis biseriatus*), California toad (*Anaxyrus boreas halophilus*), and American bullfrog (*Lithobates catesbeianus*). An abundance of California toads and American bullfrogs in various life stages were observed within and adjacent to Last Chance Ditch east of the water treatment plant.

The following avian species typical of disturbed and developed sites were observed at the time of the field survey: killdeer (*Charadrius vociferous*), European starling (*Sturnus vulgaris*), California scrub jay (*Aphelcoma californica*), house finch (*Haemorhous mexicanus*), house sparrow (*Passer domesticus*), northern mockingbird (*Mimus polyglottos*), and mourning dove (*Zenaida macroura*). Additionally, mallard ducks (*Anas platyrhynchos*) were observed within the settling pond and the stormwater drainage basin, and Canada geese (*Branta canadensis*) were observed flying overhead. A pair of killdeer appeared to be in the early stages of nest-building in the southern portion of the yard, as they were observed scraping gravel, carrying small rocks, exhibiting defensive behavior and making alarm calls.

# 2.4 Soils

According to the September 12, 2018 Soil Survey of Kings County, California, one soil mapping unit occurs within the Project area: Nord fine sandy loam. The Nord series consist of very deep, well drained soils that formed in alluvium. This soil is considered prime farmland if irrigated and is commonly associated with irrigated crops under cultivation such as alfalfa, cotton, corn, milo, barley, wheat, sugar beets, tomatoes, grapes, walnuts, peaches, and other fruit and nut trees. Undeveloped areas typically support a cover of annual grasses and forbs, and oak trees. This well drained soil has moderate permeability and a low runoff class. It is not considered a hydric soil.

The complete Natural Resources Conservation Service (NRCS) Web Soil Survey report is available in **Appendix C** at the end of this document.

# 2.5 Natural Communities of Special Concern

Natural communities of special concern are those that are of limited distribution, distinguished by significant biological diversity, or home to special status species. CDFW is responsible for the classification and mapping

of all-natural communities in California. Just like the special status plant and animal species, these natural communities of special concern can be found within the CNDDB.

According to CNDDB, there are no recorded observations of natural communities of special concern with potential to occur within the Project area or immediate vicinity. Additionally, no natural communities of special concern were observed during the biological survey.

# 2.6 Designated Critical Habitat

The USFWS often designates areas of "Critical Habitat" when it lists species as threatened or endangered. Critical Habitat is a specific geographic area that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection.

According to CNDDB and IPaC, designated critical habitat is absent from the Project area and vicinity.

# 2.7 Wildlife Movement Corridors

Wildlife movement corridors are routes that animals regularly and predictably follow during seasonal migration, dispersal from native ranges, daily travel within home ranges, and inter-population movements. Movement corridors in California are typically associated with valleys, ridgelines, and rivers and creeks supporting riparian vegetation.

The Project site, which consists of a fenced water treatment plant and does not contain any features that could serve as a wildlife movement corridor. Furthermore, the Project is located within the community of Armona in a region often disturbed by intensive agricultural production and other human activities which would discourage dispersal and migration.

# 2.8 Special Status Plants and Animals

California contains several "rare" plant and animal species. In this context, "rare" is defined as species known to have low populations or limited distributions. As the human population grows, resulting in urban expansion which encroaches on the already limited suitable habitat, these sensitive species become increasingly more vulnerable to extirpation. State and Federal regulations have provided the CDFW and the U.S. Fish and Wildlife Service (USFWS) with a mechanism for conserving and protecting the diversity of plant and animal species native to California. Numerous native plants and animals have been formally designated as "threatened" or "endangered" under state and federal endangered species legislation. Other formal designations include "candidate" for listing or "species of special concern" by CDFW. The California Native Plant Society (CNPS) has its list of native plants considered rare, threatened, or endangered. Collectively these plants and animals are referred to as "special status species."

A thorough search of the CNDDB for published accounts of special status plant and animal species was conducted for the *Hanford* 7.5-minute quadrangle that contains the Project site in its entirety, and for the 8 surrounding quadrangles: *Riverdale, Laton, Burris Park, Lemoore, Remnoy, Stratford, Guernsey,* and *Waukena.* These species, and their potential to occur within the Project area are listed in **Table 1** and **Table 2** on the following pages. Raw data obtained from CNDDB is available in **Appendix B** at the end of this document. Other sources of information utilized in the preparation of this analysis included the California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Vascular Plants of California, CalFlora's online database of California native plants, the Jepson Herbarium online database (Jepson eFlora), U.S. Fish and Wildlife Service (USFWS) Environmental Conservation Online System (ECOS), the NatureServe Explorer online database, the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Plants Database, the California Department of Fish and Wildlife (CDFW) California Wildlife Habitat

Relationships (CWHR) database, ebird.org, and the California Herps online database. **Figure 2** shows the Project's 7.5-minute quadrangle, according to USGS Topographic Maps.

Species	Status	Habitat	Occurrence on Project Site
blunt-nosed leopard	FE, CE,	Inhabits semi-arid grasslands,	Unlikely. The disturbed habitats
lizard (Gambelia sila)	CFP	alkali flats, low foothills, canyon	onsite and in the surrounding areas are
		floors, large washes, and arroyos,	unsuitable for this species. The nearest
		usually on sandy, gravelly, or	observation of this species was
		loamy substrate, sometimes on	recorded in 1990, approximately 8
		hardpan. Often found where	miles south of the Project in valley
		there are abundant rodent	sink scrub habitat.
		burrows in dense vegetation or	
		tall grass. Cannot survive on	
		lands under cultivation. Known	
		to bask on kangaroo rat mounds	
		and often seeks shelter at the	
		base of shrubs, in small mammal	
		burrows, or in rock piles. Adults	
		may excavate shallow burrows	
		but rely on deeper pre-existing	
		and reproduction	
hurrowing owl (Athons	CSC	Resides in open day applied or	Unlikely Ground conjugate and
cunicularia)	CSC	perennial grasslands deserts and	burrows were absent from the Project
concontinu)		scrublands with low	area and surrounding lands at the time
		growing vegetation. Nests	of the field survey, likely due to use of
		underground in existing burrows	rodenticides. The frequently disturbed
		created by burrowing mammals,	Project site comprised of compacted
		most often ground squirrels.	dirt and gravel substrate is unsuitable
			for this species. At most, a burrowing
			owl individual could potentially pass
			over or through the site but would not
			be expected to nest or forage within or
			adjacent to proposed impact areas.
			The nearest observation of this species
			was recorded in 2006, approximately
			8.5 miles northwest of the Project in
	22.2		grassland habitat.
California glossy snake	CSC	Inhabits and scrub, rocky	Absent. The disturbed habitats of the
(Arizona elegans		washes, grasslands, and	Project area and surrounding lands are
occidentails)		with loose soil for easy	Eusthermore the Project site is
		burrowing	outcide of the known range of this
		burrowing.	species. The only recorded
			observation of this species in the
			vicinity corresponds to a historic
			collection (1939) approximately 13
			miles north of the Project.
California tiger	FT, CT,	Requires vernal pools or	Absent. The highly disturbed habitats
salamander (Ambystoma	CWL	seasonal ponds for breeding and	of the Project area and surrounding
californiense)		small mammal burrows for	lands are unsuitable for this species.
		aestivation. Generally found in	Suitable breeding and aestivation
		grassland and oak savannah	habitat are absent from the Project
		plant communities in central	site. Based on recorded observations,
		California from sea level to 1500	this species likely occurs the
		teet in elevation.	uncultivated grasslands and vernal
			pools near Cross Creek and
			Cottonwood Creek, approximately 12
			miles east-northeast of the Project.

### Table 1. List of Special Status Animals with Potential to Occur Onsite and/or in the Vicinity

San Joaquin kit fox FE, CT Underground dens with multiple Unlikely. In the past 25 years there
( <i>Vulpes macrotis</i> entrances in alkali sink, valley have been two recorded observations
<i>mutica</i> ) grassland, and woodland in of this species within 5 miles of the
valleys and adjacent foothills. Project site. However, the highly
disturbed habitats of the Project area
and fragmentation of the surrounding
lands are unsuitable for this species.
Furthermore, the Project area is
enclosed in chain link fence with
privacy slats. The Project is located
approximately 65 miles east-southeast
of the nearest known core population
in Gervo-Panocne Natural Area.
Although some populations of San
California have adapted to an
urbanized environment modern kit
fox occurrences are locally scarce. At
most this species could conceivably
pass through the Project area during
dispersal movements.
Swainson's hawk ( <i>Buteo</i> CT Nests in large trees in open areas Unlikely. Swainson's hawks are
<i>swainsoni</i> ) adjacent to grasslands, grain or relatively common in this portion of
alfalfa fields, or livestock the Central Valley. There are several
pastures suitable for supporting known nest trees in the vicinity of the
rodent populations. Project, the nearest recorded in 2016
at a location approximately 6 miles
east of the site. However, nesting and
foraging habitat onsite and in the
immediate vicinity of the Project is
marginal, at best due to frequent
human disturbance and absence of
native trees large enough to support a
raptor a raptor nest. At most, a
Swainson's Hawk individual could
fields or row crops in the vicinity
Tinton kangaroo rat EE CE Burrows in soil Often found in Unlikely. The disturbed habitats of
Dinodomys nitratoides orassland and shruhland the Project areas are generally
nitratoides)
precincts or tail drags were observed
during the field survey. The nearest
observation of this species was
recorded in 2008 in iodine bush scrub
habitat approximately 7 miles
southwest of the Project site. This
occurrence record contains a note
which states, "this is a completely
isolated population."
tricolored blackbird CCE, Nests colonially near fresh water Unlikely. Suitable nesting and
(Agelaius tricolor) CSC in dense cattails or tules, or in foraging habitat are absent from the
thickets of riparian shrubs. Project area.
E Horages in grassland and
cropland. Large colonies are

Species	Status	Habitat	Occurrence on Project Site
valley elderberry longhorn beetle ( <i>Desmocerus</i> <i>californicus dimorphus</i> )	FT	Lives in mature elderberry shrubs of the Central Valley and foothills. Adults are active March to June.	Absent. Suitable elderberry habitat is absent within Project areas. Furthermore, the Project is not located within the presumed historical range or presumed current distribution of this species. In 2014 USFWS published findings suggesting that previous CNDDB observations of this species within Tulare and Kings Counties should be discounted. (See expanded discussion in <b>Section 3.4.2</b> )
vernal pool fairy shrimp ( <i>Branchinecta lynchi</i> )	FT	Occupies vernal pools, clear to tea-colored water, in grass or mud-bottomed swales, and basalt depression pools.	<b>Absent.</b> Suitable vernal pool habitat for this species is absent from the Project area and surrounding lands.
vernal pool tadpole shrimp ( <i>Lepidurus</i> <i>packardi</i> )	FE	Occurs in vernal pools, clear to tea-colored water, in grass or mud-bottomed swales, and basalt depression pools.	<b>Absent.</b> Suitable vernal pool habitat for this species is absent from the Project area and surrounding lands.
western pond turtle ( <i>Emys marmorata</i> )	CSC	An aquatic turtle of ponds, marshes, slow-moving rivers, streams, and irrigation ditches with riparian vegetation. Requires adequate basking sites and sandy banks or grassy open fields to deposit eggs.	<b>Absent.</b> Suitable aquatic habitat is absent from the Project area and the vicinity. Upland habitat for nesting and wintering is absent.
western snowy plover ( <i>Charadrius</i> <i>alexandrinus nivosus</i> )	FT, CSC	Typically found on sandy beaches, salt pond levees, and shores of large alkali lakes.	<b>Possible.</b> The Project is located within the historic and current breeding range of this species. Although there have been no recorded observations of this species in the past 30 years in the vicinity of the Project, the excavated stormwater drainage basins onsite could be considered suitable nesting habitat.
western spadefoot ( <i>Spea hammondii</i> )	CSC	Prefers open areas with sandy or gravelly soils, in a variety of habitats including mixed woodlands, grasslands, coastal sage scrub, chaparral, sandy washes, lowlands, river floodplains, alluvial fans, playas, alkali flats, foothills, and mountains. Vernal pools or temporary wetlands, lasting a minimum of three weeks, which do not contain bullfrogs, fish, or crayfish are necessary for breeding.	Absent. The highly disturbed habitats of the Project area and surrounding lands are unsuitable for this species. Wetland or vernal pools for breeding and burrows for aestivation are absent from the Project site. Furthermore, an abundance of American bullfrogs, an apex predator of this species, were observed within the adjacent Last Chance Ditch. Based on recorded observations, this species likely occurs the uncultivated grasslands and vernal pools near Cross Creek and Cottonwood Creek, approximately 12 miles east-northeast of the Project.
yellow-headed blackbird ( <i>Xanthocephalus</i> <i>xanthocephalus</i> )	CSC	Nests colonially in dense emergent wetland thickets (often cattails or tules; rarely willows) over water. Nests, roosts, and forages in fresh emergent wetland. Also forages in open fields but prefers moist ground.	Absent. Suitable nesting and foraging habitat are absent from the Project area. The nearest observation of this species corresponds to a 2016 report of a nesting colony within a canal overgrown with emergent vegetation, approximately 12 miles southwest of the Project site.

Species	Status	Habitat	Occurrence on Project Site
brittlescale ( <i>Atriplex depressa</i> )	CNPS 1B	Found in the San Joaquin Valley and Sacramento Valley in alkali or clay soils in shadescale scrub, valley grassland, alkali sink, and sometimes riparian communities at elevations below 1050 feet. Equally likely to occur in wetlands and non- wetlands. Blooms June – October.	<b>Absent</b> . The disturbed/developed habitat of the Project area is unsuitable for this species.
California alkali grass ( <i>Puccinellia simplex</i> )	CNPS 1B	Found in the San Joaquin Valley and other parts of California in saline flats and mineral springs within valley grassland and wetland-riparian communities at elevations below 3000 feet. Blooms March – May.	<b>Absent</b> . The disturbed/developed habitat of the Project area is unsuitable for this species.
Earlimart orache ( <i>Atriplex cordulata var. erecticaulis</i> )	CNPS 1B	Found in the San Joaquin Valley in saline or alkaline soils, within valley or foothill grasslands, at elevations below 325 feet. Equally likely to occur within wetlands and non- wetlands. Blooms August – September.	<b>Absent</b> . The disturbed/developed habitat of the Project area is unsuitable for this species.
lesser saltscale ( <i>Atriplex minuscula</i> )	CNPS 1B	Found in the San Joaquin Valley in playas; sandy, alkaline soils in shadescale scrub, valley grassland, and alkali sink communities at elevations below 300 feet. Blooms April – October.	<b>Absent</b> . The disturbed/developed habitat of the Project area is unsuitable for this species.
mud nama ( <i>Nama stenocarpa</i> )	CNPS 2B	Found in intermittently wet areas such as freshwater wetlands, lake margins, and streambanks at elevations below 2600 feet. Blooms March – October.	<b>Absent</b> . The disturbed/developed habitat of the Project area is unsuitable for this species.
Panoche pepper-grass ( <i>Lepidium jaredii ssp.</i> <i>album</i> )	CNPS 1B	Occurs on washes and alluvial fans in valley and foothill grassland communities. Often confined to clay and gypsum- rich soils on steep slopes. Found at elevations between 225 feet – 3300 feet. Blooms February – June.	<b>Absent.</b> The disturbed/developed habitat of the Project area is unsuitable for this species.
recurved larkspur ( <i>Delphinium recurvatum</i> )	CNPS 1B	Found in the San Joaquin Valley and other parts of California. Occurs in poorly drained, fine, alkaline soils in grassland at elevations between	<b>Absent</b> . The disturbed/developed habitat of the Project area is unsuitable for this species.

Table 2. List of Special Status Plants with Potential to Occur Onsite and/or in the Vicinity
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Species Status		Habitat	Occurrence on Project Site
100 softer but o weth June		100 feet and 1965 feet. Most often found in non-wetlands, but occasionally found in wetlands. Blooms March – June.	
subtle orache ( <i>Atriplex subtilis</i> )	CNPS 1B	Found in the San Joaquin Valley in saline depressions at elevations below 230 feet. Blooms June – October.	<b>Absent</b> . The disturbed/developed habitat of the Project area is unsuitable for this species.

### EXPLANATION OF OCCURRENCE DESIGNATIONS AND STATUS CODES

Present:	Species observed on the site at time of field surveys or during recent past
Likely:	Species not observed on the site, but it may reasonably be expected to occur there on a regular basis
Possible:	Species not observed on the site, but it could occur there from time to time
Unlikely:	Species not observed on the site, and would not be expected to occur there except, perhaps, as a transient
Absent:	Species not observed on the site, and precluded from occurring there due to absence of suitable habitat

#### STATUS CODES

FE	Federally Endangered	CE	California Endangered
FT	Federally Threatened	СТ	California Threatened
FPE	Federally Endangered (Proposed)	CCT	California Threatened (Candidate)
FPT	Federally Threatened (Proposed)	CFP	California Fully Protected
FC	Federal Candidate	CSC	California Species of Concern
		CWL	California Watch List
		CCE	California Endangered (Candidate)
		CR	California Rare
CNPS	<u>LISTING</u>		
1A	Plants Presumed Extirpated in California	2A	Plants Presumed Extirpated in
1B	Plants Rare, Threatened, or Endangered in		California, but more common elsewhere
	California and elsewhere	2B	Plants Rare, Threatened, or Endangered in California, but more common elsewhere

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# 3 Impacts and Mitigation

# 3.1 Significance Criteria

### 3.1.1 CEQA

General plans, area plans, and specific projects are subject to the provisions of CEQA. The purpose of CEQA is to assess the impacts of proposed projects on the environment prior to project implementation. Impacts to biological resources are just one type of environmental impact assessed under CEQA and vary from project to project in terms of scope and magnitude. Projects requiring removal of vegetation may result in the mortality or displacement of animals associated with this vegetation. Animals adapted to humans, roads, buildings, and pets may replace those species formerly occurring on a site. Plants and animals that are state and/or federally listed as threatened or endangered may be destroyed or displaced. Sensitive habitats such as wetlands and riparian woodlands may be altered or destroyed. Such impacts may be considered either "significant" or "less than significant" under CEQA. According to the CEQA Guidelines, "significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic interest. Specific project impacts to biological resources may be considered "significant" if they would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Furthermore, CEQA Guidelines Section 15065(a) states that a project may trigger the requirement to make a "mandatory finding of significance" if the project has the potential to:

"Substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species cause a fish or wildlife population to drop below self-sustaining levels threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare or threatened species, or eliminate important examples of the major periods of California history or prehistory."

## 3.2 Relevant Goals, Policies, and Laws

### 3.2.1 Kings County General Plan

The 2035 Kings County General Plan sets forth the following goals and policies that protect biological resources and which have potential relevance to the Project:

- Preserve land that contains important natural plant and animal habitats.
- Require that development in or adjacent to important natural plant and animal habitats minimize the disruption of such habitats.
- Ensure that, in development decisions affecting riparian environments, the conservation of fish and wildlife habitat and the protection of scenic qualities are balanced with other purposes representing basic health, safety, and economic needs.
- Balance the protection of the County's diverse plant and animal communities with the County's economic needs.
- Require mitigation measures to protect important plant and wildlife habitats.
- Require as a primary objective in the review of development projects the preservation of healthy native oaks and other healthy native trees.
- Maintain to the maximum extent practical the natural plant communities utilized as habitat by threatened and endangered species.

### 3.2.2 Armona Community Plan

As an unincorporated community within the County, Kings County has adopted the Armona Community Plan (Chapter 10 of the 2035 Kings County General Plan) which contains goals and policies unique to the community of Armona while remaining consistent with the overreaching Kings County General Plan. The Armona Community Plan contains the following goals and policies regarding conservation of biological resources, and which have potential relevance to the Project:

- Encourage infill development and compact growth for the North Expansion Area that is planned for residential and commercial development.
- Protect biological resources of significance within the Community Planning Area.
- Prevent the disturbance or destruction of historic natural resources within the community from encroachment of new development or loss through disinterest and abandonment.
- Slough remnants within the Armona Planning Area shall be preserved and integrated into the natural open space features of proposed development.
- New development located on undisturbed land within the fringe area of the Armona Community Planning Area shall be required to provide a pre-construction biological survey to determine the presence of any rare or endangered species within the project area if the land falls within or is adjacent to quad maps with known special status species or sensitive habitats as determined by a review of the county's Sensitive Resources Lists. Land continuously cultivated since 1985, or before will not be considered wetlands or sensitive species habitat. If Federal or State listed rare or endangered species are identified and observed, the local lead agency and any other responsible state or federal agency shall be notified immediately.

### 3.2.3 Threatened and Endangered Species

Permits may be required from the USFWS and/or CDFW if activities associated with a Project have the potential to result in the "take" of a species listed as threatened or endangered under the federal and/or state Endangered Species Acts. "Take" is defined by the state of California as "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill" (California Fish and Game Code, Section 86). "Take" is

more broadly defined by the federal Endangered Species Act to include "harm" (16 USC, Section 1532(19), 50 CFR, Section 17.3). The CDFW and the USFWS are responding agencies under CEQA. Both agencies review CEQA documents in order to determine the adequacy of their treatment of endangered species issues and to make project-specific recommendations for their conservation.

### 3.2.4 Designated Critical Habitat

When species are listed as threatened or endangered, the USFWS often designates areas of "Critical Habitat" as defined by section 3(5)(A) of the federal Endangered Species Act (ESA). Critical Habitat is a term defined in the ESA as a specific geographic area that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection. Critical Habitat is a tool that supports the continued conservation of imperiled species by guiding cooperation with the federal government. Designations only affect federal agency actions or federally funded or permitted activities. Critical Habitat does not prevent activities that occur within the designated area. Only activities that involve a federal permit, license, or funding and are likely to destroy or adversely modify Critical Habitat will be affected.

### 3.2.5 Migratory Birds

The Federal Migratory Bird Treaty Act (MBTA: 16 USC 703-712) prohibits killing, possessing, or trading in any bird species covered in one of four international conventions to which the United States is a party, except in accordance with regulations prescribed by the Secretary of the Interior. The name of the act is misleading, as it actually covers almost all bird's native to the United States, even those that are non-migratory. The MBTA encompasses whole birds, parts of birds, and bird nests and eggs. Additionally, California Fish and Game Code makes it unlawful to take or possess any non-game bird covered by the MBTA (Section 3513), as well as any other native non-game bird (Section 3800).

### 3.2.6 Birds of Prey

Birds of prey are protected in California under provisions of Fish and Game Code (Section 3503.5), which states that it is unlawful to take, possess, or destroy any birds in the order Falconiformes (hawks and eagles) or Strigiformes (owls), as well as their nests and eggs. The bald eagle and golden eagle are afforded additional protection under the federal Bald and Golden Eagle Protection Act (16 USC 668), which makes it unlawful to kill birds or their eggs.

### 3.2.7 Nesting Birds

In California, protection is afforded to the nests and eggs of all birds. California Fish and Game Code (Section 3503) states that it is "unlawful to take, possess, or needlessly destroy the nest or eggs of any bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Breeding-season disturbance that causes nest abandonment and/or loss of reproductive effort is considered a form of "take" by the CDFW.

### 3.2.8 Wetlands and other "Jurisdictional Waters"

The U.S. Army Corps of Engineers (USACE) regulates the filling or grading of Waters of the United States (Waters of the U.S.) under the authority of Section 404 of the Clean Water Act. Natural drainage channels and adjacent wetlands may be considered Waters of the U.S. or "jurisdictional waters" subject to the jurisdiction of the USACE. The extent of jurisdiction has been defined in the Code of Federal Regulations (CFR) and clarified by federal courts.

On June 29, 2015 the U.S. Environmental Protection Agency (EPA) and USACE jointly issued the Clean Water Rule (33 CFR 328.3) as a synthesis of statute, science, and U.S. Supreme Court decisions. The Clean Water Rule (33 CFR 328.3) defines Waters of the U.S. to include the following:

- 1) All waters used in interstate or foreign commerce (also known as "traditional navigable waters"), including all waters subject to the ebb and flow of the tide;
- 2) All interstate waters including interstate wetlands;
- 3) The territorial seas;
- 4) All impoundments of Waters of the U.S.;
- 5) All tributaries of waters defined in Nos. 1 through 4 above, where "tributary" refers to a water (natural or constructed) that contributes flow to another water and is characterized by the physical indicators of a bed and bank and an Ordinary High-Water Mark (OHWM);
- 6) Adjacent waters, defined as either (a) located in whole or in part within 100 feet of the OHWM of waters defined in Nos. 1 through 5 above, or (b) located in whole or in part within the 100-year floodplain and within 1,500 feet of the OHWM of waters defined in Nos. 1 through 5 above;
- 7) Western vernal pools, prairie potholes, Carolina bays and Delmarva bays, pocosins, and Texas coastal prairie wetlands, if determined on a case-specific basis to have a significant nexus to waters defined in Nos. 1 through 3 above;
- 8) Waters that do not meet the definition of adjacency, but are determined on a case-specific basis to have a significant nexus to waters defined in Nos. 1 through 3 above, and are either (a) located in whole or in part within the 100-year floodplain of waters defined in Nos. 1 through 3 above, or (b) located within 4,000 feet of the OHWM of waters defined in Nos. 1 through 5 above.

The 2015 rule also redefines exclusions from jurisdiction, which include:

- 1) Waste treatment systems;
- 2) Prior converted cropland;
- 3) Artificially irrigated areas that would revert to dry land should application of irrigation water to the area cease;
- 4) Groundwater;
- 5) Stormwater control features constructed to convey treat or store stormwater created in dry land; and
- 6) Three types of ditches: (a) ditches with ephemeral flow that are not a relocated or excavated tributary, (b) ditches with intermittent flow that are not a relocated or excavated tributary or that do not drain wetlands, and (c) ditches that do not flow, either directly or through another water, to a traditional navigable water.

A ditch may be a Water of the U.S. only it if meets the definition of "tributary" and is not otherwise excluded under the provision.

As determined by the United States Supreme Court in its 2001 *Solid Waste Agency of Northern Cook County v.* U.S. Army Corps of Engineers (SWANCC) decision, channels and wetlands isolated from other jurisdictional waters cannot be considered jurisdictional on the basis of their use, hypothetical or observed, by migratory birds. Similarly, in its 2006 consolidated *Carabell/Rapanos* decision, the U.S. Supreme Court ruled that a significant nexus between a wetland and other navigable waters must exist for the wetland itself to be considered a navigable and therefore jurisdictional water. Furthermore, the Supreme Court clarified that the Environmental Protection Agency (EPA) and the USACE will not assert jurisdiction over ditches excavated wholly in and draining only uplands and that do not carry a relatively permanent flow of water.

The USACE regulates the filling or grading of Waters of the U.S. under the authority of Section 404 of the Clean Water Act. The extent of jurisdiction within drainage channels is defined by "ordinary high-water marks" on opposing channel banks. All activities that involve the discharge of dredge or fill material into

Waters of the U.S. are subject to the permit requirements of the USACE. Such permits are typically issued on the condition that the applicant agrees to provide mitigation that result in no net loss of wetland functions or values. No permit can be issued until the RWQCB issues a Section 401 Water Quality Certification (or waiver of such certification) verifying that the proposed activity will meet state water quality standards.

Under the Porter-Cologne Water Quality Control Act of 1969, the State Water Resources Control Board has regulatory authority to protect the water quality of all surface water and groundwater in the State of California ("Waters of the State"). Nine RWQCBs oversee water quality at the local and regional level. The RWQCB for a given region regulates discharges of fill or pollutants into Waters of the State through the issuance of various permits and orders. Discharges into Waters of the State that are also Waters of the U.S. require a Section 401 Water Quality Certification from the RWQCB as a prerequisite to obtaining certain federal permits, such as a Section 404 Clean Water Act permit. Discharges into all Waters of the State, even those that are not also Waters of the U.S., require Waste Discharge Requirements (WDRs), or waivers of WDRs, from the RWQCB also administers the Construction Storm Water Program and the federal National Pollution Discharge Elimination System (NPDES) program. Projects that disturb one or more acres of soil must obtain a Construction General Permit under the Construction Storm Water Program. A prerequisite for this permit is the development of a Storm Water Pollution Plan (SWPPP) by a certified Qualified SWPPP Developer. Projects that discharge wastewater, storm water, or other pollutants into a Water of the U.S. may require a NPDES permit.

CDFW has jurisdiction over the bed and bank of natural drainages and lakes according to provisions of Section 1601 and 1602 of the California Fish and Game Code. Activities that may substantially modify such waters through the diversion or obstruction of their natural flow, change or use of any material from their bed or bank, or the deposition of debris require a Notification of Lake or Streambed Alteration. If CDFW determines that the activity may adversely affect fish and wildlife resources, a Lake or Streambed Alteration Agreement will be prepared. Such an agreement typically stipulates that certain measures will be implemented to protect the habitat values of the lake or drainage in question.

As illustrated on **Figure 3**, there is an isolated excavated stormwater drainage basin directly west of the new office building site and the excavated Last Chance Ditch further west beyond the fenced water treatment plant boundary. There are two cement-lined settling ponds incorporated into the water treatment plant near the western fence line. The Project does not propose impacts to any water features nor are there any water features present within the Project area. Therefore, it is reasonable to assume that jurisdictional waters are absent onsite and will not be impacted by Project activities.

## 3.3 Potentially Significant Project-Related Impacts and Mitigation

As discussed in **Section 1**, the Project includes the development of an office building on the site of an existing water treatment plant in the Kings County unincorporated community of Armona.

Species identified as candidate, sensitive, or special status species in local or regional plans policies or regulations by CDFW or the USFWS that have the potential to be impacted by the construction phase of the Project are identified below with corresponding mitigation measures.

# 3.3.1 Project-Related Mortality and/or Disturbance of Nesting Raptors, Migratory Birds, and Special Status Birds (Including Western Snowy Plover)

Given the frequent disturbance, lack of vegetation, and absence of rodent burrows, the Project area provides little-to-no or foraging habitat for most avian species. However, the disturbance tolerant, ground-nesting killdeer often thrives in this type of environment. At the time of the field survey a pair of killdeer were observed in the early stages of nest-building and exhibiting defensive behavior on the south side of the plant in a similar environment with substrate comprised of compacted dirt and gravel. If a killdeer were nesting within the APE during construction, an individual could be killed or injured by Project-related activities. Furthermore, construction activities could disturb nesting birds elsewhere onsite or in the vicinity, resulting in nest abandonment. Project construction activities that adversely affect the nesting success of raptors and migratory birds or result in the mortality of individual birds constitutes a violation of State and federal laws and is considered a significant impact under CEQA.

The Project is located within the historic and current breeding range of the interior population of the western snowy plover. Loss of wetland and alkaline lake habitat in the Tulare Basin has had a substantial effect on nesting plovers. In the Central Valley, nesting habitat for this species now consists primarily of agricultural evaporation ponds and sewage ponds. Some western snowy plovers reside year-round within the Central Valley and some migrate to the California coasts for winter. Although an observation of this species has not been recorded in the vicinity of the Project in over 30 years, the settling ponds and stormwater drainage basin provide suitable nesting habitat. If a western snowy plover were nesting in the vicinity, an individual could be killed or injured, or could be disturbed, resulting in nest abandonment. Project activities that adversely affect nesting success or result in mortality of western snowy plovers would violate State and federal laws and would be considered a significant impact under CEQA. Wintering individuals or flocks would be expected to fly away from Project-related disturbance, avoiding potential mortality and injury outside of nesting season.

At the time of the field survey, no trees large enough to support a raptor nest were observed within 500 feet of the Project site and the well-manicured yard of the water treatment plant does not represent suitable foraging habitat. Therefore, the occurrence of a raptor, including a special status Swainson's hawk onsite would be highly unlikely.

The Project does not involve the removal of any trees or shrubs, and habitats onsite are suboptimal for foraging and nesting. A swath of superior nesting and foraging habitat in the vicinity is available in the form of orchards and fallow fields. For these reasons, loss of nesting and/or foraging habitat would not be considered a potentially significant impact under CEQA.

Implementation of the following measures will reduce potential impacts to nesting birds, including the special status western snowy plover to a less than significant level under CEQA, and will ensure compliance with State and federal laws protecting these avian species.

Mitigation. The following measures will be implemented during or prior to the start of construction:

*Mitigation Measure 3.3.1a (Avoidance):* The Project's construction activities shall occur, if feasible, between September 1 and January 31 (outside of nesting bird season) in an effort to avoid impacts to nesting birds.

*Mitigation Measure 3.3.1b (Pre-construction Survey):* If activities must occur within nesting bird season (February 1 to August 31), a qualified biologist shall conduct pre-construction surveys for active nests within 30 days prior to the start of construction. The survey shall include the proposed work area and surrounding lands within 150 feet. If no active nests are observed, no further mitigation is required.

*Mitigation Measure 3.3.1c (Establish Buffers):* On discovery of any active nests near work areas, the biologist shall determine appropriate construction setback distances based on applicable CDFW and/or USFWS guidelines and/or the biology of the species in question. Construction buffers shall be identified with flagging, fencing, or other easily visible means, and shall be maintained until the biologist has determined that the nestlings have fledged.

# 3.4 Less Than Significant Project-Related Impacts

### 3.4.1 Project-Related Impacts to Special Status Plant Species

8 special status plant species have been documented in the Project vicinity, including brittlescale (Atriplex depressa), California alkali grass (*Puccinellia simplex*), Earlimart orache (*Atriplex cordulata var. erecticaulis*), lesser saltscale (*Atriplex miniscula*), mud nama (*Nama stenocarpa*), Panoche pepper-grass (*Lepidium jaredii ssp. album*), recurved larkspur (*Delphinium recurvatum*), and subtle orache (*Atriplex subtilis*). As explained in **Table 2**, all of the aforementioned plant species are absent from the Project area due to past and ongoing disturbance and/or the absence of suitable habitat. Therefore, the implementation of the Project will have no effect on individual plants or regional populations of these special status plant species. Mitigation measures are not warranted.

# 3.4.2 Project-Related Impacts to Special Status Animal Species Absent From, or Unlikely to Occur on, the Project Site

After completing a biological survey, 8 of the 15 published accounts of special status animal species were declared absent from the Project area, one of which is the valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*).

In 2014, USFWS published *Withdrawal of the Proposed Rule To Remove the Valley Elderberry Longhorn Beetle From the Federal List of Endangered and Threatened Wildlife*, in which the presumed historical range and the presumed extant range of the valley elderberry longhorn beetle is redefined. Very few of the records involve observation of an adult valley elderberry longhorn beetle; the majority are based exclusively on observation of exit holes, which may not be an accurate depiction of occupancy. There are several problems with recording an observation of a sensitive species based on an ambiguous sign, such as an exit hole. Two subspecies of elderberry longhorn beetle exist: the valley elderberry longhorn beetle and the California elderberry longhorn beetle. These two subspecies are so similar that experts are only able to distinguish between the two with certainty by adult male coloration. Thus, species accounts may be unreliable in areas where range overlaps and the sex of the subject is not specified. The document further states that all observations within Tulare and Kings Counties should be discounted as they likely represent the California elderberry longhorn beetle.

Of the 15 regionally occurring special status species, 14 are considered absent or unlikely to occur within the Project area due to past or ongoing disturbance and/or absence of suitable habitat. As explained in **Table 1**, the following 8 species were deemed absent from the Project area: California glossy snake (*Arizona elegans occidentalis*), California tiger salamander (*Ambystoma californiense*), valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), vernal pool fairy shrimp (*Branchinecta lynchi*), vernal pool tadpole shrimp (*Lepidurus packardi*), western pond turtle (*Emys marmorata*), western spadefoot (*Spea hammondii*), and yellow-headed blackbird (*Xanthocephalus xanthocephalus*). The following 6 species were deemed unlikely to occur within the Project area: blunt-nosed leopard lizard (*Gambelia sila*), burrowing owl (*Athene cunicularia*), San Joaquin kit fox (*Vulpes macrotis mutica*), Swainson's hawk (*Buteo swainsoni*), Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*), and tricolored blackbird (*Agelaius tricolor*). Since it is highly unlikely that these species would occur onsite, implementation of the Project should have no impact on these 14 special status species through construction mortality, disturbance, or loss of habitat. Mitigation measures are not warranted.

### 3.4.3 Project-Related Impacts to Wildlife Movement Corridors

As discussed in **Section 2.7**, the Project site does not contain features likely to serve as a wildlife movement corridor. Therefore, the Project will not impact wildlife movement corridors or impeded the movement of any wildlife species. Mitigation is not warranted.

### 3.4.4 Project-Related Impacts to Critical Habitat

Designated critical habitat is absent from the Project area and surrounding lands. Therefore, there will be no impact to critical habitat, and mitigation is not warranted.

### 3.4.5 Local Policies or Habitat Conservation Plans

Project design appears to be consistent with the goals and policies of the Kings County General Plan and the Armona Community Plan. There are no known habitat conservation plans in the Project vicinity. Mitigation is not warranted.

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Appendix A. Selected Photographs of the Project Site

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Photograph 1: Overview of the Project site.



Photograph 2: Overview of the stormwater drainage basin west of the Project site.


Photograph 3: Cement-lined settling pond within the water treatment plant.



Photograph 4: Pile of soil in the southwest corner of the water treatment plant. Rodent sign and burrows were absent at the time of the field survey.



Photograph 5: Overview of the Project site from the eastern fence line. 14th Avenue and the location of proposed utility connections lies directly east of this fence. The abandoned drive-in movie theater is visible in the background of this photo.



Photograph 6: Overview of the Project site.



Photograph 7: Gap in chain link fencing, measuring approximately 5 inches, along the northern border of the water treatment plant.



Photograph 8: Overview of Last Chance Ditch west of the water treatment plant. American bullfrogs and California toads were observed in various stages of development. At the time of the field survey, no burrows were observed along the banks.



Photograph 9: Overview of recently disced fallow field south of the site. Ornamental trees and landscaping associated with the cemetery are visible in the background of this photo.

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Appendix B. CNDDB Query Results

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Query Criteria:

Quad<span style='color:Red'> IS </span>(Hanford (3611936)<span style='color:Red'> OR </span>Riverdale (3611947)<span style='color:Red'> OR </span>Laton (3611946)<span style='color:Red'> OR </span>Burris Park (3611945)<span style='color:Red'> OR </span>Laton (3611937)<span style='color:Red'> OR </span>Remnoy (3611935)<span style='color:Red'> OR </span>Stratford (3611927)<span style='color:Red'> OR </span>Guernsey (3611926)<span style='color:Red'> OR </span>Waukena (3611925))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
blunt-nosed leopard lizard	ARACF07010	Endangered	Endangered	G1	S1	FP
Gambelia sila						
brittlescale	PDCHE042L0	None	None	G2	S2	1B.2
Atriplex depressa						
burrowing owl	ABNSB10010	None	None	G4	S3	SSC
Athene cunicularia						
California alkali grass	PMPOA53110	None	None	G3	S2	1B.2
Puccinellia simplex						
California glossy snake	ARADB01017	None	None	G5T2	S2	SSC
Arizona elegans occidentalis						
California tiger salamander	AAAAA01180	Threatened	Threatened	G2G3	S2S3	WL
Ambystoma californiense						
Earlimart orache	PDCHE042V0	None	None	G3T1	S1	1B.2
Atriplex cordulata var. erecticaulis						
hoary bat	AMACC05030	None	None	G5	S4	
Lasiurus cinereus						
lesser saltscale	PDCHE042M0	None	None	G2	S2	1B.1
Atriplex minuscula						
mud nama	PDHYD0A0H0	None	None	G4G5	S1S2	2B.2
Nama stenocarpa						
Panoche pepper-grass	PDBRA1M0G2	None	None	G2G3T2T3	S2S3	1B.2
Lepidium jaredii ssp. album						
recurved larkspur	PDRAN0B1J0	None	None	G2?	S2?	1B.2
Delphinium recurvatum						
San Joaquin kit fox	AMAJA03041	Endangered	Threatened	G4T2	S2	
Vulpes macrotis mutica						
San Joaquin tiger beetle	IICOL0220E	None	None	G5T1	S1	
Cicindela tranquebarica ssp.						
subtle orache	PDCHE042T0	None	None	G1	S1	1B.2
Atriplex subtilis						
Swainson's hawk	ABNKC19070	None	Threatened	G5	S3	
Buteo swainsoni						
Tipton kangaroo rat	AMAFD03152	Endangered	Endangered	G3T1T2	S1S2	
Dipodomys nitratoides nitratoides						
tricolored blackbird	ABPBXB0020	None	Threatened	G2G3	S1S2	SSC
Agelaius tricolor						
valley elderberry longhorn beetle	IICOL48011	Threatened	None	G3T2	S2	
Desmocerus californicus dimorphus						



### Selected Elements by Common Name California Department of Fish and Wildlife

#### California Natural Diversity Database



Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Valley Sacaton Grassland	CTT42120CA	None	None	G1	S1.1	
Valley Sacaton Grassland						
Valley Sink Scrub	CTT36210CA	None	None	G1	S1.1	
Valley Sink Scrub						
vernal pool fairy shrimp	ICBRA03030	Threatened	None	G3	S3	
Branchinecta lynchi						
vernal pool tadpole shrimp	ICBRA10010	Endangered	None	G4	S3S4	
Lepidurus packardi						
western pond turtle	ARAAD02030	None	None	G3G4	S3	SSC
Emys marmorata						
western snowy plover	ABNNB03031	Threatened	None	G3T3	S2S3	SSC
Charadrius alexandrinus nivosus						
western spadefoot	AAABF02020	None	None	G3	S3	SSC
Spea hammondii						
yellow-headed blackbird	ABPBXB3010	None	None	G5	S3	SSC
Xanthocephalus xanthocephalus						

#### Record Count: 27

Appendix C. Soil Report

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United States Department of Agriculture

Natural Resources Conservation

Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

## Custom Soil Resource Report for Kings County, California

**Armona CSD- District Office** 



### Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/? cid=nrcs142p2\_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

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### **How Soil Surveys Are Made**

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

## Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.



MAP L	EGEND	MAP INFORMATION
Area of Interest (AOI) Area of Interest (AOI)	<ul><li>Spoil Area</li><li>Stony Spot</li></ul>	The soil surveys that comprise your AOI were mapped at 1:24,000.
Soils Soil Map Unit Polygons Soil Map Unit Lines Soil Map Unit Lines Soil Map Unit Points Special Point Features Blowout Second Borrow Pit Clay Spot Closed Depression Gravel Pit Commutic Cost	<ul> <li>Very Stony Spot</li> <li>Wet Spot</li> <li>Other</li> <li>Special Line Features</li> <li>Water Features</li> <li>Streams and Canals</li> <li>Transportation</li> <li>Rails</li> <li>Interstate Highways</li> <li>US Routes</li> </ul>	<ul> <li>Warning: Soil Map may not be valid at this scale.</li> <li>Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.</li> <li>Please rely on the bar scale on each map sheet for map measurements.</li> <li>Source of Map: Natural Resources Conservation Service Web Soil Survey URL: Coordinate System: Web Mercator (EPSG:3857)</li> </ul>
<ul> <li>Gravely Spot</li> <li>Landfill</li> <li>Lava Flow</li> <li>Marsh or swamp</li> <li>Mine or Quarry</li> <li>Miscellaneous Water</li> <li>Perennial Water</li> <li>Rock Outcrop</li> <li>Saline Spot</li> <li>Sandy Spot</li> <li>Severely Eroded Spot</li> <li>Sinkhole</li> <li>Slide or Slip</li> <li>Sodic Spot</li> </ul>	Major Roads Local Roads Background Merial Photography	<ul> <li>Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.</li> <li>This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.</li> <li>Soil Survey Area: Kings County, California Survey Area Data: Version 14, Sep 12, 2018</li> <li>Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.</li> <li>Date(s) aerial images were photographed: May 6, 2015—May 16, 2015</li> <li>The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background images mere are are readed.</li> </ul>

### **Map Unit Legend**

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
147	Nord fine sandy loam	0.6	100.0%
Totals for Area of Interest		0.6	100.0%

### **Map Unit Descriptions**

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

#### Kings County, California

#### 147—Nord fine sandy loam

#### **Map Unit Setting**

National map unit symbol: hhk1 Elevation: 210 to 290 feet Mean annual precipitation: 8 to 9 inches Mean annual air temperature: 61 to 62 degrees F Frost-free period: 250 to 260 days Farmland classification: Prime farmland if irrigated

#### **Map Unit Composition**

Nord and similar soils: 85 percent Minor components: 15 percent Estimates are based on observations, descriptions, and transects of the mapunit.

#### **Description of Nord**

#### Setting

Landform: Flood plains Landform position (two-dimensional): Toeslope Landform position (three-dimensional): Tread Down-slope shape: Linear Across-slope shape: Linear Parent material: Alluvium derived from sedimentary rock and/or igneous rock

#### **Typical profile**

A - 0 to 18 inches: fine sandy loam C - 18 to 72 inches: stratified sandy loam to loam

#### Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 5 percent
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water storage in profile: Moderate (about 7.6 inches)

#### Interpretive groups

Land capability classification (irrigated): 1 Land capability classification (nonirrigated): 4c Hydrologic Soil Group: B Hydric soil rating: No

#### **Minor Components**

#### Grangeville

Percent of map unit: 3 percent

*Landform:* Alluvial fans *Hydric soil rating:* Yes

#### Lakeside

Percent of map unit: 3 percent Landform: Rims Hydric soil rating: Yes

#### Nor, saline-alkali

Percent of map unit: 2 percent Hydric soil rating: No

#### Cajon

Percent of map unit: 2 percent Hydric soil rating: No

#### Kimberlina

Percent of map unit: 2 percent Hydric soil rating: No

#### Unnamed, rare flooding

Percent of map unit: 1 percent Landform: Sloughs Hydric soil rating: Yes

#### Whitewolf

Percent of map unit: 1 percent Hydric soil rating: No

#### Unnamed, rare flooding

Percent of map unit: 1 percent Hydric soil rating: No

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# Appendix C

**Cultural Resources Correspondence** 

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286 W. Cromwell Fresno, CA 93711-6162 Tel: (559) 449-2700 Fax: (559) 449-2715 www.ppeng.com

June 24, 2016

Southern San Joaquin Valley Information Center California State University, Bakersfield Mail Stop: 46 MEC 9001 Stockdale Highway Bakersfield, CA 93311-1022

#### RE: Request for Record Search Excluding CHRIS Data (Summary Letter Only)

Celeste:

Please accept our request for a summary letter with results of a record search for the following:

Project Name/Number: Armona Community Services District New Office Building

Description of Project: The Armona Community Services District (ACSD) proposes to construct a new 2800 sf District office on a portion of a roughly 7.5-acre parcel it owns in Kings County, at 10116 14th Avenue, also identified as Assessor Parcel No. (APN) 018-012-070. The site has approximately 580 feet of frontage on the west side of 14th Avenue and is approximately 557 feet in depth; an estimated overall size of ¬324,00 square feet.

Legal Description: APN 018-012-070, Kings County

Past & Present Use of the Land: Mixed Use

Requestor's Name: Jackie Lancaster

Requestor's Title: Project Administrator

Attachments:

Chris Access Short Form 7.5' USGS topographic quad(s) Project Site Plan

Respectfully. Jackie Lancas

Project Administrator JCL Enclosures: CHRIS Access Agreement Short Form Topo Quad map

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California Historical Resources Information System

#### ACCESS AGREEMENT SHORT FORM

Number: \_\_\_\_\_

I, the undersigned, have been granted access to historical resources information on file at the Southern San Joaquin Valley \_\_\_\_\_\_ Information Center of the California Historical Resources Information System.

I understand that any CHRIS Confidential Information I receive shall not be disclosed to individuals who do not qualify for access to such information, as specified in Section III(A-E) of the CHRIS Information Center Rules of Operation Manual, or in publicly distributed documents without written consent of the Information Center Coordinator.

I agree to submit historical Resource Records and Reports based in part on the CHRIS information released under this Access Agreement to the Information Center within sixty (60) calendar days of completion.

I agree to pay for CHRIS services provided under this Access Agreement within sixty (60) calendar days of receipt of billing.

I understand that failure to comply with this Access Agreement shall be grounds for denial of access to CHRIS Information.

Print Name: Jackie Lancaster Date: June 24, 2019
Signature: On the fargas
Affiliation: Provost & Pritchard
Address: 286 W Cromwell Ave City/State/Zip: Fresno, CA 93711
Billing Address (if different from above):
Telephone: 559-636-1166 Fax: 559-636-1177 Email: jlancaster@ppeng.com
Purpose of Access: Environmental and Cultural Compliance, CEQA
Reference (project name or number, title of study, and street address if applicable):
District New District Office, APN 018-012-070
County: Kings Township/Range/Section or UTMs: See attached Topo Quad Map
USGS 7.5' Quad: Hanford



6/24/2019 : G:\Armona CSD - 2173\217319002-District Office\GIS\Map\SitePlan.mxd



6/24/2019 : G:\Armona CSD - 2173\217319002-District Office\GIS\Map\Topo.mxd
<u>C</u> aliforn <u>H</u> istori <u>R</u> esou <u>I</u> nfo <u>S</u> y	ia cal irces ormation stem	Fresno Kern Kings Madera Tulare	Southern San Joaquin Valley Information Center California State University, Bakersfield Mail Stop: 72 DOB 9001 Stockdale Highway Bakersfield, California 93311-1022 (661) 654-2289 E-mail: ssjvic@csub.edu Website: www.csub.edu/ssjvic			
То:	Jackie Lancaster Provost & Pritchard Consulting Grou 286 W. Cromwell Ave. Fresno, CA 93711	Record Search 19-250				
Date:	July 8, 2019					
Re:	Armona Community Services District New District Office, APN 018-012-070					
County:	Kings					
Map(s):	Hanford 7.5'					

## CULTURAL RESOURCES RECORDS SEARCH

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

The following are the results of a search of the cultural resource files at the Southern San Joaquin Valley Information Center. These files include known and recorded cultural resources sites, inventory and excavation reports filed with this office, and resources listed on the National Register of Historic Places, Historic Property Directory, California State Historical Landmarks, California Register of Historical Resources, California Inventory of Historic Resources, and California Points of Historical Interest. Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area.

# PRIOR CULTURAL RESOURCE STUDIES CONDUCTED WITHIN THE PROJECT AREA AND THE ONE-HALF MILE RADIUS

According to the information in our files, there have been two previous cultural resource studies conducted within the project area, KI-00272 and KI-00190. There have been no additional studies within the one-half mile radius.

### KNOWN/RECORDED CULTURAL RESOURCES WITHIN THE PROJECT AREA AND THE ONE-HALF MILE RADIUS

There are no recorded cultural resources within the project area. There is one recorded resource within the one-half mile radius, P-16-000128, an historic era ditch.

There are no recorded cultural resources within the project area that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, or the California State Historic Landmarks.

## COMMENTS AND RECOMMENDATIONS

We understand this project consists of construction of a new district office for the Armona Community Services District. Further, the provided aerial photo shows this project area to be mostly vacant. Report KI-00272 was completed in 2014. As this report is not more than five years old, its results can still be utilized for the current project. The report included complete survey coverage of this project area with negative results. Additionally, the report points out:

The project area consists of an upper component of 5-7 feet of Nord series soils, specifically Nord fine sandy loam (Natural Resources Conservation Service 2014). Nord series soils are relatively young alluvial deposits dating to the latest Holocene, within the past 2,000 years; certainly within the span of human occupation within the San Joaquin Valley. However, they overlie a much older Pleistocene sediment deposit that dates to more than 25,000 years ago, predating the oldest known human activity in North American by about 10,000 years. In sum, there is a shallow deposit of sediment (less than approximately 7 feet) that could potentially contain a buried site overlying a very old deposit that predates human occupation of North America-raising a buried site concern for trenching and grading but not for well drilling. Further, a geoarchaeological overview and assessment prepared by Meyer et al. (2010) for California Department of Transportation Districts 6 and 9 (the Project APE is within District 6) develops a model of buried site potential based on a number of weighted factors (radiocarbon dates corresponding to particular landforms, distance to various types/kinds of water sources, degree of slope, etc. [see Chapter 6 in Meyer et al. (2010) for details]). By applying these variables, they were able to produce a landscape sensitivity map that ranges from very low to very high. Their map (Meyer et al. 2010: Figure 60) shows the buried site sensitivity of the Kings River floodplain extending south through the Hanford-Armona area toward the Tulare Lakebed to be generally "Very High."

The report goes on to recommend an archaeological monitor be present during ground distance activities to identify any unearthed cultural resources and make the appropriate mitigation recommendations. Our office concurs with this recommendation for the current project. A list of qualified consultants can be found at www.chrisinfo.org.

We also recommend that you contact the Native American Heritage Commission in Sacramento. They will provide you with a current list of Native American individuals/organizations that can assist you with information regarding cultural resources that may not be included in the CHRIS Inventory and that may be of concern to the Native groups in the area. The Commission can consult their "Sacred Lands Inventory" file in order to determine what sacred resources, if any, exist within this project area and the way in which these resources might be managed. Finally, please consult with the lead agency on this project to determine if any other cultural resource investigation is required. If you need any additional information or have any questions or concerns, please contact our office at (661) 654-2289.

By:

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Celeste M. Thomson, Coordinator

Date: July 8, 2019

Please note that invoices for Information Center services will be sent under separate cover from the California State University, Bakersfield Accounting Office.

# Sacred Lands File & Native American Contacts List Request

Native American Heritage Commission 1550 Harbor Blvd, Suite 100 West Sacramento, CA 95691

916-373-3710 916-373-5471 – Fax nahc@nahc.ca.gov

Information Below is Required for a Sacred Lands File Search

Project:				
County:				
USGS Quadrang	le Name:			
Township:	Range:	Section(s):	NOTE F T18,R2 Buildi T18,R2	FOR TRS SEE MAPS: 21E,S32 Ing Site APE 21E,S33
Company/Firm/A	Agency:		Waterl	line/Hydrant APE
Street Address:				
City:			Zip:	
Phone:				
Fax:				
Email:				

**Project Description:** 

#### STATE OF CALIFORNIA

GAVIN NEWSOM, Governor

NATIVE AMERICAN HERITAGE COMMISSION Cultural and Environmental Department 1550 Harbor Blvd., Suite 100 West Sacramento, CA 95691 Phone: (916) 373-3710 Email: <u>nahc@nahc.ca.gov</u> Website: <u>http://www.nahc.ca.gov</u> Twitter: @CA\_NAHC

July 5, 2019

Jackie Lancaster Provost & Pritchard

VIA Email to: jlancaster@ppeng.com

RE: Armona CSD New Office Building, Kings County.

Dear Ms. Lancaster:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results were <u>negative</u>. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated; if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our lists contain current information. If you have any questions or need additional information, please contact me at my email address: Katy.sanchez@nahc.ca.gov.

Sincerely,

Katy Sanchez

KATY SANCHEZ Associate Environmental Planner

Attachment

# Native American Heritage Commission Native American Contacts List 7/05/2019

Kings River Choinumni Farm Tribe Stan Alec 3515 East Fedora Avenue Fresno ,CA 93726 (559) 647-3227 Cell

Foothill Yokuts Choinumni Wuksache Indian Tribe/Eshom Valley BandKenneth Woodrow, Chairperson1179 Rock Haven Ct.Foothill YokutsSalinas,CA 93906Monokwood8934@aol.comWuksache(831) 443-9702

Santa Rosa Rancheria Tachi Yokut Tribe Rueben Barrios Sr., Chairperson P.O. Box 8 Tache Lemoore ,CA 93245 Tachi (559) 924-1278 Yokut (559) 924-3583 Fax

Table Mountain Rancheria Leanne Walker-Grant, Chairperson P.O. Box 410 Yokuts Friant ,CA 93626 rpennell@tmr.org (559) 822-2587 (559) 822-2693 Fax

Table Mountain Rancheria Bob Pennell, Cultural Resources Director P.O. Box 410 Yokuts Friant ,CA 93626 rpennell@tmr.org (559) 325-0351 (559) 325-0394 Fax

Tule River Indian Tribe Neil Peyron, Chairperson P.O. Box 589 Yokuts Porterville <sup>,</sup>CA 93258 neil.peyron@tulerivertribe-nsn.gov (559) 781-4271 (559) 781-4610 Fax

This list is current as of the date of this document and is based on the information available to the Commission on the date it was produced.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code, or Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans Tribes for the proposed: Armona CSD New Office Building, Kings County.



July 10, 2019

Table Mountain Rancheria Attn: Leanne Walker-Grant, Chairperson P.O. Box 410 Friant CA 93626

RE: Armona Community Services District New Office Building Project

Dear Ms. Walker-Grant:

Provost and Pritchard Consulting Group is providing cultural resources services pursuant to the California Environmental Quality Act (CEQA) in support of the Armona Community Services District New Office Building Project. I would appreciate any information you might provide to assist us with our inventory efforts. Below is a brief project description.

The Armona Community Services District (ACSD) proposes to construct a new 2800 sf District office on a portion of a roughly 7.5-acre parcel it owns in Kings County, at 10116 14th Avenue, also identified as Assessor Parcel No. (APN) 018-012-070. The site has approximately 580 feet of frontage on the west side of 14th Avenue and is approximately 557 feet in depth; an estimated overall size of 324,00 square feet. The Last Chance Ditch forms the westerly border of the site. The site lies approximately 600 feet south of 14th Avenue's intersection with West Lacey Boulevard, south of and adjacent to the old drive-in theater site.

Provost and Pritchard Consulting Group has requested a records search of the California Historic Resources Information System from the Southern San Joaquin Valley Information Center to identify any cultural resources within or adjacent to the Project Area. A search of the Native American Heritage Commission (NAHC) Sacred Lands File was completed with negative results. The NAHC provided your name and address as a tribal contact that is culturally affiliated to the project area. If you have any information that you wish to share or have questions or would like more information about the project, please do not hesitate to contact me by phone (559) 636-1166, email (jlancaster@ppeng.com), or send a letter to my attention.

Be assured that any locations of archaeological sites, cemeteries, or sacred places will be treated confidentially, as required by law, and not disclosed in any document available to the general public.

Sincerely, Jackie Lancaster

encl.:/Topo Quad Map

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July 10, 2019

Kings River Choinumni Farm Tribe Attn: Stan Alec 3515 East Fedora Ave Fresno CA, 93726

RE: Armona Community Services District New Office Building Project

Dear Mr. Alec:

Provost and Pritchard Consulting Group is providing cultural resources services pursuant to the California Environmental Quality Act (CEQA) in support of the Armona Community Services District New Office Building Project. I would appreciate any information you might provide to assist us with our inventory efforts. Below is a brief project description.

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Sincerely, Jackie Lancaster encl.: Topo Quad 'Map

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286 W. Cromwell Avenue Fresno, CA 93711-6162 Tel: (559) 449-2700 Fax: (559) 449-2715 www.ppeng.com

July 10, 2019

Wuksache Indian Tribe/Eshom Valley Band Attn: Kenneth Woodrow, Chairperson 1179 Rock Haven Ct. Salinas CA 93906

RE: Armona Community Services District New Office Building Project

Dear Mr. Woodrow:

Provost and Pritchard Consulting Group is providing cultural resources services pursuant to the California Environmental Quality Act (CEQA) in support of the Armona Community Services District New Office Building Project. I would appreciate any information you might provide to assist us with our inventory efforts. Below is a brief project description.

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Sincerely, Jackie Lancaster

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July 10, 2019

Table Mountain Rancheria Attn: Bob Pennell, Cultural Resources Director P.O. Box 410 Friant CA 93626

RE: Armona Community Services District New Office Building Project

Dear Mr. Pennell:

Provost and Pritchard Consulting Group is providing cultural resources services pursuant to the California Environmental Quality Act (CEQA) in support of the Armona Community Services District New Office Building Project. I would appreciate any information you might provide to assist us with our inventory efforts. Below is a brief project description.

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Sincerely, Jackie Lancaster

endl: Topo Quad Map



July 10, 2019

Santa Rosa Rancheria Tachi Yokut Tribe Attn: Rueben Barrios Sr., Chairperson P.O. Box 8 Lemoore CA 93245

RE: Armona Community Services District New Office Building Project

Dear Mr. Barrios:

Provost and Pritchard Consulting Group is providing cultural resources services pursuant to the California Environmental Quality Act (CEQA) in support of the Armona Community Services District New Office Building Project. I would appreciate any information you might provide to assist us with our inventory efforts. Below is a brief project description.

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Sincerely, Jackie Lancaster

encl.: Topo Quad Map

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July 10, 2019

Tule River Indian Tribe Attn: Neil Pevron, Chairperson PO Box 589 Porterville, CA 93258

RE: Armona Community Services District New Office Building Project

Dear Mr. Pevron:

Provost and Pritchard Consulting Group is providing cultural resources services pursuant to the California Environmental Quality Act (CEQA) in support of the Armona Community Services District New Office Building Project. I would appreciate any information you might provide to assist us with our inventory efforts. Below is a brief project description.

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Sincerely, Jackie Lancaster

Topo Quad Map encl

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# **Jackie Lancaster**

From: Sent: To: Cc: Subject: Samantha McCarty <SMcCarty@tachi-yokut-nsn.gov> Tuesday, July 30, 2019 11:20 AM Jackie Lancaster \_SRR Cultural Armona Community Services District New Office Building Project

Dear Jackie,

Thank you for contacting the Santa Rosa Rancheria Tachi-Yokut Tribe regarding Armona Community Services District New Office Building Project. Due to tribal history and cultural sensitivity of this area the tribe requests tribal monitoring on all ground disturbances related with this project. If you have any further questions please contact the Santa Rosa Rancheria Cultural Department. Thank you for your time.

Sincerely,

Samantha McCarty

Santa Rosa Rancheria Tachi-Yokut Tribe Cultural Specialist II <u>SMcCarty@tachi-yokut-nsn.gov</u> (559)-924-1278 x 4091