

CITY OF VISALIA
315 E. ACEQUIA STREET
VISALIA, CA 93291

**NOTICE OF A PROPOSED
MITIGATED NEGATIVE DECLARATION**

Project Title: Green Infrastructure Grant, Eastside Regional Park Site, Detention Basins D & E Project

Project Description: The proposed project for this grant application encompasses approximately 25 acres of land that comprises a portion of the larger 288-acre master planned area for the East Side Regional Park and Groundwater Recharge Project. The project for this 25-acre site will consist of developing two basins that will be a part of the master planned, multi-purpose facility that will provide outdoor recreation benefits as a whole through integrating recreation activities with groundwater recharge and riparian valley oak forest habitat.

Project Location: The project site is located between Mill Creek and Oakes Ditch, between Road 152 to the East, and the logical extension of Tower Road to the west (APN 103-500-001), in the City of Visalia, Tulare County.

Contact Person: Paul Scheibel, AICP, Principal Planner

Phone: (559) 713-4369

Pursuant to City Ordinance No. 2388, the Environmental Coordinator of the City of Visalia has reviewed the proposed project described herein and has found that the project will not result in any significant effect upon the environment because mitigation measures have been established and will be applied to construction of the project to mitigate potentially significant impacts to a less than significant effect.

Copies of the initial study and other documents relating to the subject project may be examined by interested parties at the Planning Division in City Hall East, at 315 East Acequia Avenue, Visalia, CA.

Comments on this proposed Mitigated Negative Declaration will be accepted from December 10, 2019 to January 10, 2020.

Date: 12-4-19

Signed: 

Paul Scheibel, AICP
Environmental Coordinator
City of Visalia

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Project Facts: Refer to Initial Study for project facts, plans and policies, and discussion of environmental effects.

Attachments:

Initial Study	(X)
Environmental Checklist	(X)
Maps	(X)

DECLARATION OF NO SIGNIFICANT EFFECT:

This project will not have a significant effect on the environment for the following reasons:

- (a) The project does not have the potential to 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 a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.
- (b) The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- (c) The project does not have environmental effects which are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual 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.
- (d) The environmental effects of the project will not cause substantial adverse effects on human beings, either directly or indirectly.

This Mitigated Negative Declaration has been prepared by the City of Visalia Planning Division in accordance with the California Environmental Quality Act of 1970, as amended. A copy may be obtained from the City of Visalia Planning Division Staff during normal business hours.

APPROVED
Paul Scheibel, AICP
Environmental Coordinator

By: 

Date Approved: 12-4-19
Review Period: 30 days





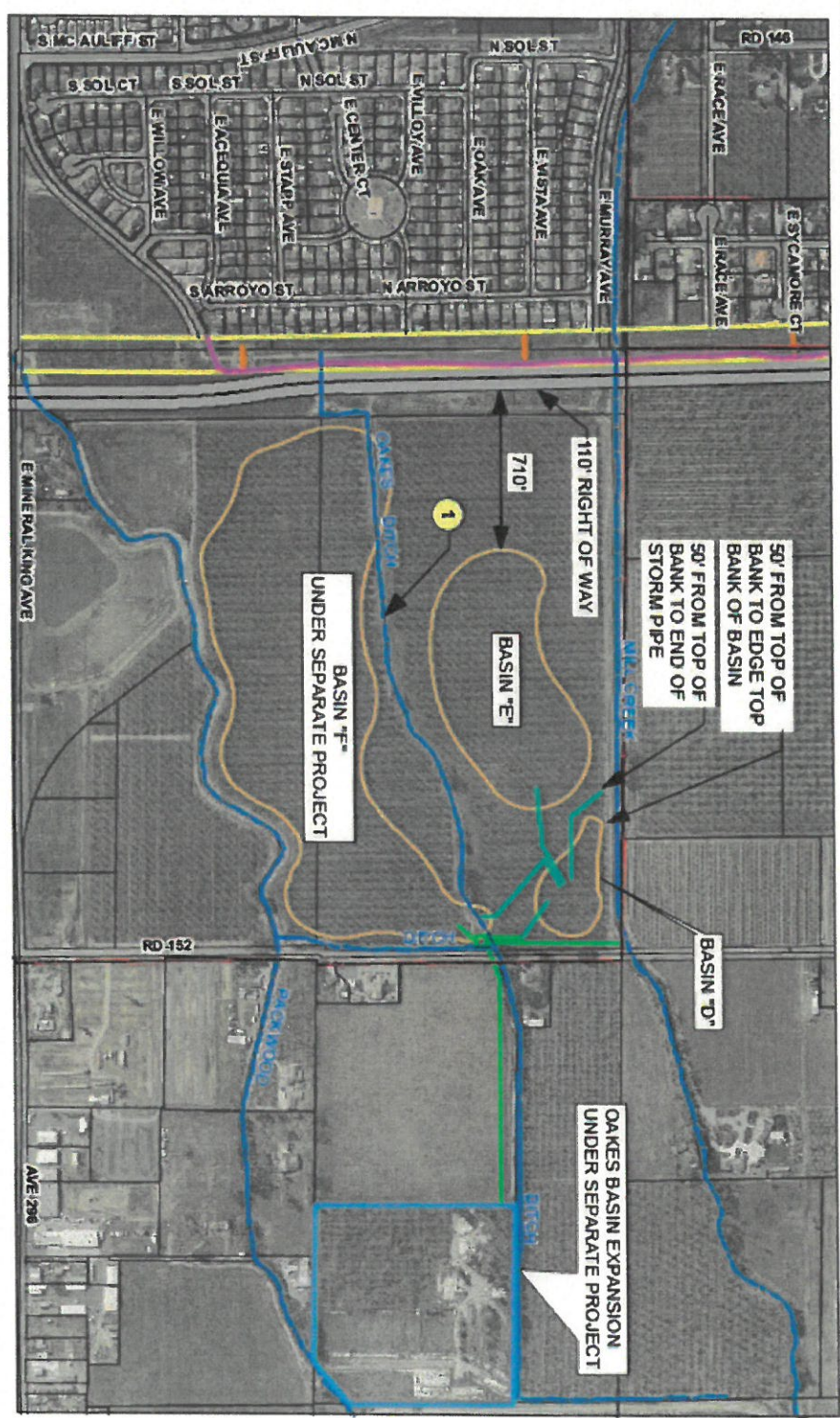
**MND 2019-73
 GREEN INFRASTRUCTURE GRANT
 DETENTION BASINS D AND E**



LEGEND

	CITY LIMITS		NEW STORM PIPE PER THIS PROJECT
	STREETS		SCE ELECTRICAL LINES
	WATERWAYS		SCE TOWERS
	STORM PIPE PER SEPARATE PROJECT		GREENWAY TRAIL
	PARCELS		FUTURE TOWER ROAD

NOTES:
 1 OAKES DITCH TO BE BACKFILLED PER SEPARATE PROJECT.



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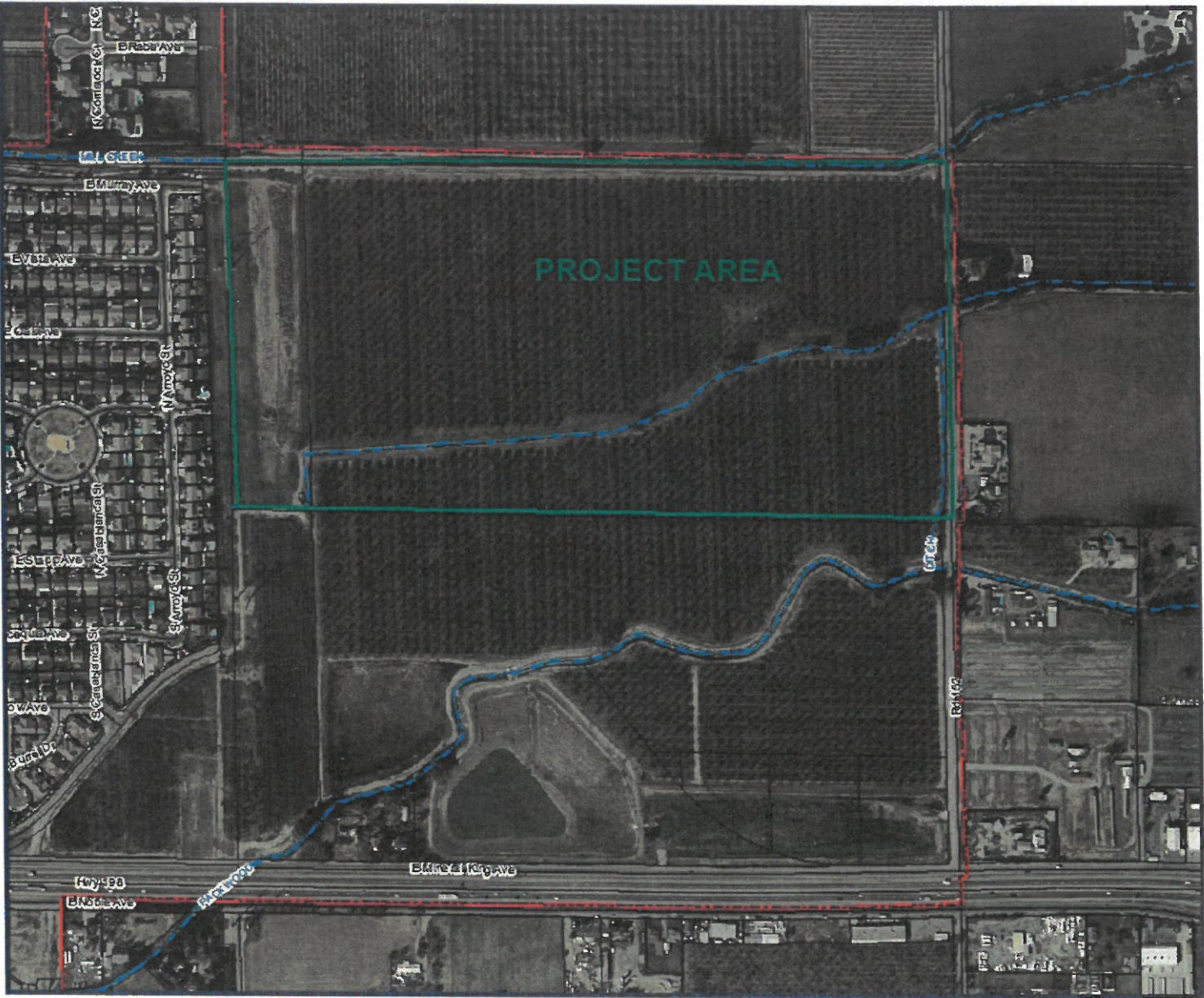
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**MND 2019-73
GREEN INFRASTRUCTURE GRANT
DETENTION BASINS D AND E**

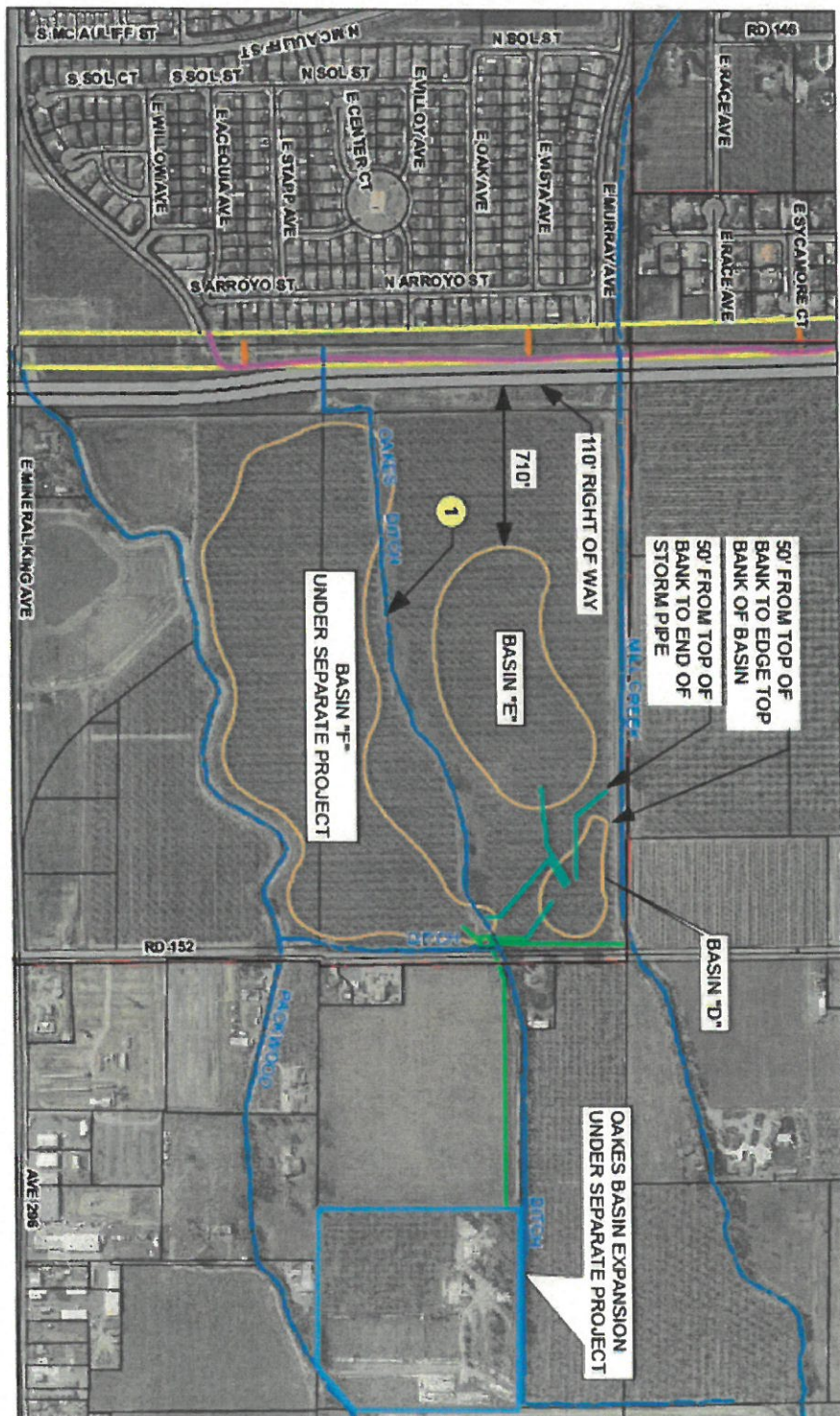
1 inch = 600 feet



- LEGEND**
- CITY LIMITS
 - STREETS
 - WATERWAYS
 - STORM PIPE PER SEPARATE PROJECT
 - NEW STORM PIPE PER THIS PROJECT
 - SCE ELECTRICAL LINES
 - SCE TOWERS
 - GREENWAY TRAIL
 - FUTURE TOWER ROAD
 - PARCELS

NOTES:

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INITIAL STUDY

I. GENERAL

A. Project Name and Description: Green Infrastructure Grant, Eastside Regional Park Site, Detention Basins D & E Project

The proposed project for this grant application encompasses approximately 25 acres of land that comprises a portion of the larger 288-acre master planned area for the East Side Regional Park and Groundwater Recharge Project. The project for this 25-acre site will consist of developing two basins that will be a part of the master planned, multi-purpose facility that will provide outdoor recreation benefits as a whole through integrating recreation activities with groundwater recharge and riparian valley oak forest habitat. The site is generally bounded by Mill Creek on the north, Road 152 on the east, Oakes Ditch on the south, and the future Tower Road alignment on the west.

The flat site will be completely re-graded to provide a variety of terrain relief with gently rolling hills and low areas that will provide a unique trail system. Two small islands will be created within the recharge areas to provide interest. Two loop trails will be constructed around the perimeter of the two new basins, with connections between each other, and with trails around the larger basin, which will be located south of the site. The larger basin located south of the site is being constructed separately from this proposed project. Through this connection, the trails surrounding the 25-acre site will become a part of the large, master planned trail system that will extend throughout the park, and will also have an extension linking it to the Class I Greenway Trail project which will extend north/south and will be located approximately 300 feet west of the East Side Regional Park.

The low areas where dirt is cut inside the two new loop trails will be utilized for both intermittent groundwater recharge and recreational purposes when dry. The delivery of water for groundwater recharge will come through two sources: Mill Creek and Oakes Ditch. This project will provide a stub for a future connection to the south bank of Mill Creek. New hydraulic structures, gates, and pipelines will be constructed to connect the two new basins to each other, to the larger basin to the south, and to Oakes Ditch. The larger basin to the south and Oakes Ditch will supply the recharge water during this phase. The connection to Mill Creek will be completed with a future phase to provide an additional source of recharge water. Class V shallow injection wells will be evenly spaced throughout the recharge areas to enhance groundwater recharge rates.

The two small islands within the recharge areas plus the trail system will be planted with riparian valley oak forest habitat. Existing mature valley oaks along Oakes Ditch and Mill Creek will be protected in place and incorporated into the newly planted riparian valley oak forest habitat.

Additional details of the project are as follows:

- The proposed project will develop approximately 25 acres of land for public open space and ground water recharge basins.
- The project will include development of 2 storm water basins totaling 15 acres.
- There will be 10 acres of native trees and shrubs planted, including Valley Oak (*Quercus lobate*), other California native trees and understory shrubs, 6-inches of mulch for ground cover, and an irrigation system.
- The trail system will consist primarily of a 10-foot wide, stabilized decomposed granite surface and the total length is estimated at just over 1 mile.
- Storm water will be captured on site through the use of basins and vegetated swales.
- The storm water will be recharged back into the ground through the use of approximately 60-foot deep Class V shallow injection wells, to be installed at an estimated ratio of 1 well per 4.5 acres of water surface.
- New pipelines, gates, and structures will be constructed to connect the two new basins to each other, to the larger basin to the south, and to the Oakes Ditch. There will also be a pipe stub

constructed for a future connection north, to Mill Creek.

B. Identification of the Environmental Setting:

The project site is located between Mill Creek and Oakes Ditch, between Road 152 to the East, and the logical extension of Tower Road to the west (APN 103-500-001), in the City of Visalia, Tulare County. The project site currently contains pecan orchards. The site has a General Plan Land Use designation of C (Conservation) (Mill Creek) and RP (Parks and Recreation) (balance of the site); the Zoning designation is Q-P (Quasi Public).

The surrounding uses, Zoning, and General Plan are as follows:

	General Plan	Zoning	Existing uses
North:	Conservation, Parks and Recreation	County AE-20Agriculture	Commercial farming, orchards and row crops
South:	Parks and Recreation	Quasi-Public	HWY 198, highway commercial businesses beyond
East:	Agriculture	County, AE-20	Mix of a weekly swap meet and commercial farming
West:	Parks and Recreation, Low Density Residential west of Tower Road.	Quasi-Public	Recharge basin and orchard

Fire and police protection services, street maintenance of public streets, refuse collection, and wastewater treatment are being provided by the City of Visalia.

C. Plans and Policies: The General Plan Land Use Diagram, adopted October 14, 2014, designates the site as Parks and Recreation. The Zoning Map, adopted in May 2017, designates the site as Quasi-Public. The proposed project is consistent with the Land Use Element of the General Plan. Recreational facilities, parks, and recharge basins are considered compatible uses in the Quasi-Public Zone District where potential impacts are negligible and are actually supportive of surrounding agricultural uses.

II. ENVIRONMENTAL IMPACTS

No significant adverse environmental impacts have been identified for this project for which mitigations measures applied to the project will not reduce the potential impact to a level of non-significance. The City of Visalia Land Use Element and Zoning Ordinance contain policies and regulations that are designed to mitigate potential impacts to a level of non-significance.

III. MITIGATION MEASURES

There is one mitigation measure for this project. Otherwise, the City of Visalia Zoning Ordinance contains guidelines, criteria, and requirements for the mitigation of potential impacts related to light/glare, visibility screening, noise, and traffic/parking to eliminate and/or reduce potential impacts to a level of non-significance. The anticipated impacts resulting from the creation of a landscaped recharge basin are found to be less than those of an urban development and use.

The mitigation measures to be applied to this project are as follows:

<u>Mitigation Measure</u>	<u>Responsible Party</u>	<u>Timeline</u>
Cultural Resources Mitigation Measure 5.1: A qualified Native American Tribal Observer from the Santa Rosa Rancherias shall be commissioned and shall be present during rough grading and excavation of the project site. Further, In the event that potentially significant cultural resources are discovered during ground disturbing activities associated with project preparation, construction, or completion, work shall halt in that area until a qualified Native American Tribal observer, archeologist, or paleontologist can assess the significance of the find, and , if necessary, develop appropriate treatment measures in consultation with Tulare County Museum, Coroner, and other appropriate agencies and interested parties.	City	Mitigation Measure 5.1 shall be included as an advisory condition in all grading permits issued for the project; and shall be enforced and carried out as part of the project development.
Tribal Cultural Resources Mitigation Measure 19.1: A qualified Native American Tribal Observer from the Santa Rosa Rancherias shall be commissioned and shall be present during rough grading and excavation of the project site. Further, in the event that potentially significant cultural resources are discovered during ground disturbing activities associated with project preparation, construction, or completion, work shall halt in that area until a qualified Native American Tribal observer, archeologist, or paleontologist can assess the significance of the find, and , if necessary, develop appropriate treatment measures in consultation with Tulare County Museum, Coroner, and other appropriate agencies and interested parties.	City	Mitigation Measure 18.1 shall be included as an advisory condition in all grading permits issued for the project; and shall be enforced and carried out as part of the project development.

IV. PROJECT COMPATIBILITY WITH EXISTING ZONES AND PLANS

The project is compatible with the General Plan as the project relates to surrounding properties.

V. SUPPORTING DOCUMENTATION

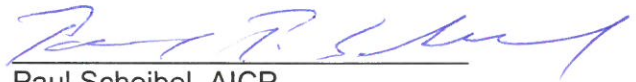
The following documents are hereby incorporated into this Negative Declaration and Initial Study by reference:

- Visalia General Plan Update. Dyett & Bhatia, October 2014.
- Visalia City Council Resolution No. 2014-38 (Certifying the Visalia General Plan Update), passed and adopted October 14, 2014.
- Visalia General Plan Update Final Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, June 2014.
- Visalia General Plan Update Draft Environmental Impact Report (SCH No. 2010041078). Dyett & Bhatia, March 2014.
- Visalia City Council Resolution No. 2014-37 (Certifying the EIR for the Visalia General Plan Update), passed and adopted October 14, 2014.
- Visalia Municipal Code, including Title 17 (Zoning Ordinance).
- California Environmental Quality Act Guidelines.
- City of Visalia, California, Climate Action Plan, Draft Final. Strategic Energy Innovations, December 2013.
- Visalia City Council Resolution No. 2014-36 (Certifying the Visalia Climate Action Plan), passed and adopted October 14, 2014.
- City of Visalia Storm Water Master Plan. Boyle Engineering Corporation, September 1994.
- City of Visalia Sanitary Sewer Master Plan. City of Visalia, 1994.
- Phase I Environmental Assessment Report, BSK Associates, December 14, 2011
-
- Cultural Resource Inventory for the Eastside Regional Park and Groundwater Recharge Project, Applied EarthWorks, Inc., November, 2016
- Architectural Evaluations for the Eastside Regional Park and Groundwater Recharge Project, Applied EarthWorks, Inc., April 2017

- Site Survey for Cultural Resources Significance, Applied Earthworks, January 8–9, 2015 and January 13–16, 2015
- Site Survey for Biological Resources, Live Oak Associates, December 29 and 30, 2014
- Mitigated Negative Declaration No. 2018-76 Department of Water Resources Recharge Basins Grant Funded Project, January 23, 2019
- Mitigated Negative Declaration No. 2018-05, Eastside Regional Groundwater Recharge Basins, March 30, 2018

VI. NAME OF PERSON WHO PREPARED INITIAL STUDY

12-8-19



Paul Scheibel, AICP
Environmental Coordinator

INITIAL STUDY
ENVIRONMENTAL CHECKLIST

Name of Proposal	East Side Groundwater Recharge Project		
NAME OF PROPONENT:	City of Visalia	NAME OF AGENT:	Rebecca Keenan
Address of Proponent:	315 E. Acequia Ave.	Address of Agent:	315 E. Acequia Ave.
	Visalia, CA 93291		Visalia, CA 93291
Telephone Number:	(559) 713-4833	Telephone Number:	(559) 713-4833
Date of Review	December 4, 2019	Lead Agency:	City of Visalia

The following checklist is used to determine if the proposed project could potentially have a significant effect on the environment. Explanations and information regarding each question follow the checklist.

1 = No Impact 2 = Less Than Significant Impact
3 = Less Than Significant Impact with Mitigation Incorporated 4 = Potentially Significant Impact

I. AESTHETICS

Would the project:

- 1 a) Have a substantial adverse effect on a scenic vista?
- 1 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 1 c) Substantially degrade the existing visual character or quality of the site and its surroundings?
- 2 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

II. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- 2 a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?
- 2 b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- 1 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))?
- 1 d) Result in the loss of forest land or conversion of forest land to non-forest use?
- 1 e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use?

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- 2 a) Conflict with or obstruct implementation of the applicable air quality plan?
- 2 b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- 2 c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- 2 d) Expose sensitive receptors to substantial pollutant concentrations?
- 1 e) Create objectionable odors affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES

Would the project:

- 2 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?
- 2 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 Game or U.S. Fish and Wildlife Service?
- 2 c) 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?
- 2 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?

- 1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 1 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?

V. CULTURAL RESOURCES

Would the project:

- 3 a) Cause a substantial adverse change in the significance of a historical resource as defined in Public Resources Code Section 15064.5?
- 2 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Public Resources Code Section 15064.5?
- 2 c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?
- 2 d) Disturb any human remains, including those interred outside of formal cemeteries?

VI. ENERGY

Would the project:

- 2 a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- 2 b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

VII. GEOLOGY AND SOILS

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 1 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?
 - 1 ii) Strong seismic ground shaking?
 - 1 iii) Seismic-related ground failure, including liquefaction?
 - 1 iv) Landslides?
- 1 b) Result in substantial soil erosion or loss of topsoil?
- 1 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?
- 1 d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- 1 e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- 2 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

- 2 b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 2 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 1 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?
- 1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 2 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?
- 1 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 for people residing or working in the project area?
- 1 f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- 1 g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

X. HYDROLOGY AND WATER QUALITY

Would the project:

- 2 a) Violate any water quality standards of waste discharge requirements?
- 1 b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- 2 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
- 2 d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- 2 e) 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?
- 2 f) Otherwise substantially degrade water quality?

- 1 g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- 1 h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- 2 i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- 1 j) Inundation by seiche, tsunami, or mudflow?

XI. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- 1 b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- 1 c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

XII. MINERAL RESOURCES

Would the project:

- 1 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?
- 1 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?

XIII. NOISE

Would the project:

- 2 a) Cause exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- 2 b) Cause exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- 1 c) Cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- 1 d) Cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- 1 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 expose people residing or working in the project area to excessive noise levels?
- 1 f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

XIV. POPULATION AND HOUSING

Would the project:

- 2 a) Induce substantial 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)?

- 1 b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- 1 c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

XV. PUBLIC SERVICES

Would the project:

- 2 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:
 - 1 i) Fire protection?
 - 1 ii) Police protection?
 - 1 iii) Schools?
 - 2 iv) Parks?
 - 2 v) Other public facilities?

XVI. RECREATION

Would the project:

- 1 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?
- 2 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?

XVII. TRANSPORTATION / TRAFFIC

Would the project:

- 1 a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
- 1 b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?
- 1 c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- 1 d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 e) Result in inadequate emergency access?
- 1 f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

XVIII. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 1 a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- 1 b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 2 c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- 1 d) Have sufficient water supplies available to service the project from existing entitlements and resources, or are new or expanded entitlements needed?
- 1 e) 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?
- 1 f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- 1 g) Comply with federal, state, and local statutes and regulations related to solid waste?

XIX. TRIBAL CULTURAL RESOURCES

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:

- 2 a) 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
- 3 b) 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.

XX. WILDFIRE

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

- 1 a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- 1 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?
- 1 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?

- 1 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?

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- 2 a) Does the project have the potential to 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 a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 3 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)?
- 2 c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors*, (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

Revised 2009

DISCUSSION OF ENVIRONMENTAL EVALUATION

I. AESTHETICS

- a. This project will not adversely affect the view of any scenic vistas. The Sierra Nevada mountain range may be considered a scenic vista, but views of the range will not be adversely impacted or significantly by the project. Staff believes that the proposed recharge basin is consistent in nature and character with existing and future uses surrounding the project site.
- b. There are no scenic resources on the site.
- c. The City has development standards related to landscaping and other amenities that will ensure that the visual character of the area is not degraded upon any future development. The proposed project in itself will improve the visual character and quality of the site.
- d. The project will facilitate a recreation space and walking path around a recharge basin and future recreation space. There will not be new sources of significant light glare created by the project.

II. AGRICULTURAL RESOURCES

- a. The project is located on property that is identified as Farmland of Local Importance on maps prepared by the California Resources, and will involve the conversion of the property to non-agricultural use.

The Visalia General Plan Update Environmental Impact Report (EIR) has already considered the environmental impacts of the conversion of properties within the Planning Area, which includes the subject property, into non-agriculture uses. Overall, the General Plan results in the conversion of over 14,000 acres of Important Farmland to urban uses, which is considered significant and unavoidable. Aside from preventing development altogether the conversion of Important Farmland to urban uses cannot be directly mitigated, through the use of agricultural conservation easements or by other means. However, the General Plan contains multiple policies that together work to limit conversion only to the extent needed to accommodate long-term growth. The General Plan policies identified under Impact 3.5-1 of the EIR serve as the mitigation which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area. These policies include the implementation of a three-tier growth boundary system that assists in protecting open space around the City fringe and maintaining compact development within the City limits.

Because there is still a significant impact to loss of agricultural resources after conversion of properties within the General Plan Planning Area to non-agricultural uses, a Statement of Overriding Considerations was previously adopted with the Visalia General Plan Update EIR.

- b. The project site is zoned Quasi-Public which is consistent with the land use designation of Recreation for this property. The project is predominately bordered by

agricultural uses or non-producing vacant land on one or more sides. There are no Williamson Act contracts on any areas within the subject property.

- c. There is no forest land or timberland currently located on the site, nor does the site conflict with a zoning for forest land, timberland, or timberland zoned Timberland Production.
- d. There is no timberland currently located on the site.
- e. The project will involve changes that would promote or result in the conversion of farmland to non-agriculture use. The subject property is currently designated for agriculture land use. Properties that are vacant may develop in a way that is consistent with their zoning and land use designated at any time. The adopted Visalia General Plan's implementation of a three-tier growth boundary system further assists in protecting open space around the City fringe to ensure that premature conversion of farmland to non-agricultural uses does not occur. The recharge basin will result in conversion of farmland of local importance to a non-agricultural use. The 43-acres of pecan orchard will no longer be economically viable upon development of the detention basins. The City's General Plan designates this property for agricultural use by designating the site for Agriculture. A recharge basin is considered to be a compatible use with agriculture.

III. AIR QUALITY

- a. The project site is located in an area that is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The project in itself does not disrupt implementation of the San Joaquin Regional Air Quality Management Plan, and will therefore be a less than significant impact.
- b. Future development of the site under the Visalia General Plan will result in emissions that will exceed thresholds established by the SJVAPCD for PM10 and PM2.5. The development of this property may contribute to a net increase of criteria pollutants and will therefore contribute to exceeding the thresholds. Also the project could result in short-term air quality impacts related to dust generation and exhaust due to construction and grading activities. This site was evaluated in the Visalia General Plan Update EIR for conversion into urban development. Development under the General Plan will result in increases of construction and operation-related criteria pollutant impacts, which are considered significant and unavoidable. General Plan policies identified under Impacts 3.3-1 and 3.3-2 serve as the mitigation which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area.

Development of this site is required to adhere to requirements administered by the SJVAPCD to reduce emissions to a level of compliance consistent with the District's grading regulations. Compliance with the SJVAPCD's rules and regulations will reduce potential

impacts associated with air quality standard violations to a less than significant level.

In addition, development of the project site may be subject to the SJVAPCD Indirect Source Review (Rule 9510) procedures that became effective on March 1, 2006. The Applicant will be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD, when warranted.

- c. Tulare County is designated non-attainment for certain federal ozone and state ozone levels. Development of the project site will result in a net increase of criteria pollutants. This site was evaluated in the Visalia General Plan Update EIR for conversion into urban development. Development under the General Plan will result in increases of construction and operation-related criteria pollutant impacts, which are considered significant and unavoidable. General Plan policies identified under Impacts 3.3-1, 3.3-2, and 3.3-3 serve as the mitigation which assists in reducing the severity of the impact to the extent possible while still achieving the General Plan's goals of accommodating a certain amount of growth to occur within the Planning Area.

Development of the project site may be required to adhere to requirements administered by the SJVAPCD to reduce emissions to a level of compliance consistent with the District's grading regulations. Compliance with the SJVAPCD's rules and regulations will reduce potential impacts associated with air quality standard violations to a less than significant level.

In addition, development of the project site may be subject to the SJVAPCD Indirect Source Review (Rule 9510) procedures that became effective on March 1, 2006. The Applicant would be required to obtain permits demonstrating compliance with Rule 9510, or payment of mitigation fees to the SJVAPCD, when warranted.

- d. Residences located near the proposed project may be exposed to pollutant concentrations due to future construction activities. The use of construction equipment will be temporary and is subject to SJVAPCD rules and regulations. The impact is considered as less than significant.
- e. The proposed project will not involve the generation of objectionable odors that would affect a substantial number of people.

IV. **BIOLOGICAL RESOURCES**

- a. The site has been in use as a pecan orchard, and no known 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. The project would therefore not have a substantial adverse effect on a sensitive, candidate, or special species.

In addition, Live Oak Associates conducted an on-site visit to the site adjacent to the south on December 29 and 30, 2014, to observe biological conditions and did not observe any evidence or symptoms that would suggest the presence of a sensitive, candidate, or special species.

City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain special-status

species or their habitats may be directly or indirectly affected by future development within the General Plan Planning Area. This may be through the removal of or disturbance to habitat. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-1 of the EIR, that together work to reduce the potential for impacts on special-status species likely to occur in the Planning Area. With implementation of these policies, impacts on special-status species will be less than significant.

- b. The project is located within or adjacent to an identified sensitive riparian habitat or other natural community (creek and irrigation ditch). The project will comply with the 50-foot setback requirement from the top of the hinge-point of Packwood Creek as identified in the Conversation Land Use Policy.

City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain sensitive natural communities may be directly or indirectly affected by future development within the General Plan Planning Area, particularly valley oak woodlands and valley oak riparian woodlands. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-2 of the EIR, that together work to reduce the potential for impacts on woodlands located within in the Planning Area. With implementation of these policies, impacts on woodlands will be less than significant.

- c. The project is not located within or adjacent to federally protected wetlands as defined by Section 404 of the Clean Water Act.

City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that certain protected wetlands and other waters may be directly or indirectly affected by future development within the General Plan Planning Area. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-3 of the EIR, that together work to reduce the potential for impacts on wetlands and other waters located within in the Planning Area. With implementation of these policies, impacts on wetlands will be less than significant.

- d. City-wide biological resources were evaluated in the Visalia General Plan Update Environmental Impact Report (EIR). The EIR concluded that the movement of wildlife species may be directly or indirectly affected by future development within the General Plan Planning. Such effects would be considered significant. However, the General Plan contains multiple policies, identified under Impact 3.8-4 of the EIR, that together work to reduce the potential for impacts on wildlife movement corridors located within in the Planning Area. With implementation of these policies, impacts on wildlife movement corridors will be less than significant.

- e. The City has a municipal ordinance in place to protect valley oak trees. All existing valley oak trees on the project site will be under the jurisdiction of this ordinance. Any oak trees to be removed from the site are subject to the jurisdiction of the municipal ordinance.

There are no Valley Oak trees onsite.

- f. There are no local or regional habitat conservation plans for the area.

V. CULTURAL RESOURCES

- a. A cultural resource inventory of the larger 288-acre area was conducted by Applied Earthworks, Inc. in November 2016, and a follow-up Evaluation in April 2017. Five cultural resources were identified on the 288-acre site, including one obsidian tool fragment, and four structures associated with Mill and Packwood Creeks ditches. One structure, Oakes Ditch (AE-3044-01), bisects the project site. It was likely constructed in the mid-1800's and has been in used, maintained, and re-routed regularly to the present time. Consequently it has been substantially altered and would not meet the qualifications for placement on the CRHR, nor the NRHP. Notwithstanding the lack of historic value in the structure itself, the backfilling of Oakes Ditch will still fall under Mitigation Measure 5-1 which directs that if some potentially historical or cultural resource is unearthed during development all work should cease until a qualified professional archaeologist and potentially a qualified Native American Tribal Observer can evaluate the finding and make necessary disposition recommendations.
- b. There are no known archaeological resources located within the project area. If some archaeological resource is unearthed during development all work should cease until a qualified professional archaeologist can evaluate the finding and make necessary mitigation recommendations.
- c. There are no known unique paleontological resources or geologic features located within the project area. In the event that potentially significant cultural resources are discovered during ground disturbing activities associated with project preparation, construction, or completion, work shall halt in that area until a qualified Native American Tribal observer, archeologist, or paleontologist can assess the significance of the find, and , if necessary, develop appropriate treatment measures in consultation with Tulare County Museum, Coroner, and other appropriate agencies and interested parties.
- d. There are no known human remains buried in the project vicinity. If human remains are unearthed during development all work should cease until the proper authorities are notified and a qualified professional archaeologist can evaluate the finding and make any necessary mitigation recommendations. In the event that potentially significant cultural resources are discovered during ground disturbing activities associated with project preparation, construction, or completion, work shall halt in that area until a qualified Native American Tribal observer, archeologist, or paleontologist can assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with Tulare County Museum, Coroner, and other appropriate agencies and interested parties.

VI. ENERGY

- a. No specific housing developments are approved as part of Housing Element adoption; therefore, the Housing Element, in itself, would not directly result in energy impacts. Housing projects undertaken in the course of implementing the goals, policies, and programs identified in the Housing Element will be subject to project-specific environmental review in accordance with Section 10562 et seq. of the CEQA Guidelines.

Policies identified under Impacts 3.4-1 and 3.4-2 of the EIR will reduce any potential impacts of projects to a less than significant level. With implementation of these policies and the existing City standards, impacts to energy will be less than significant.

- b. The project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, based on the discussion above.

VII. GEOLOGY AND SOILS

- a. The State Geologist has not issued an Alquist-Priolo Earthquake Fault Map for Tulare County. The project area is not located on or near any known earthquake fault lines. Therefore, the project will not expose people or structures to potential substantial adverse impacts involving earthquakes.
- b. Development of the site will require movement of topsoil. Existing City Engineering Division standards require that a grading and drainage plan be submitted for review to the City to ensure that off- and on-site improvements will be designed to meet City standards.
- c. The project area is relatively flat and the underlying soil is not known to be unstable. Soils in the Visalia area have few limitations with regard to development. Due to low clay content and limited topographic relief, soils in the Visalia area have low expansion characteristics.
- d. Due to low clay content, soils in the Visalia area have an expansion index of 0-20, which is defined as very low potential expansion.
- e. The project does not involve the use of septic tanks or alternative waste water disposal systems since sanitary sewer lines would be used for the disposal of waste water at this location.

VIII. GREENHOUSE GAS EMISSIONS

- a. The project is expected to generate Greenhouse Gas (GHG) emissions in the short-term as a result of the construction of industrial development.

The City has prepared and adopted a Climate Action Plan (CAP), which includes a baseline GHG emissions inventories, reduction measures, and reduction targets consistent with local and State goals. The CAP was prepared concurrently with the proposed General Plan and its impacts are also evaluated in the Visalia General Plan Update EIR.

The Visalia General Plan and the CAP both include policies that aim to reduce the level of GHG emissions emitted in association with buildout conditions under the General Plan. Implementation of the General Plan and CAP policies will result in fewer emissions than would be

associated with a continuation of baseline conditions. Thus, the impact to GHG emissions will be less than significant.

- b. The State of California has enacted the Global Warming Solutions Act of 2006 (AB 32), which included provisions for reducing the GHG emission levels to 1990 "baseline" levels by 2020.

IX. HAZARDS AND HAZARDOUS MATERIALS

- a. No hazardous materials are anticipated with the project. The site's previous use as an overflow parking area necessitated conducting a Phase 1 Environmental Survey in December 2011. The survey revealed no significant levels of soil contamination.
- b. Construction activities associated with the development of the project may include maintenance of on-site construction equipment, which could lead to minor fuel and oil spills. The use and handling of any hazardous materials during construction activities would occur in accordance with applicable federal, state, regional, and local laws. Therefore, impacts are considered to be less than significant.
- c. There are no schools located within one-half mile from the project site. There is no reasonably foreseeable condition or incident involving the project that could affect existing or proposed school sites or areas within one-half mile of school sites.
- d. The project area does not include any sites listed as hazardous materials sites pursuant to Government Code Section 65692.5.
- e. The City's adopted Airport Master Plan shows the project area is located outside of all Airport Zones. There are no restrictions for the proposed project related to Airport Zone requirements.

The project area is not located within 2 miles of a public airport.

- f. The project area is not within the vicinity of any private airstrip.
- g. The project will not interfere with the implementation of any adopted emergency response plan or evacuation plan.
- h. There are no wild lands within or near the project area.

X. HYDROLOGY AND WATER QUALITY

- a. Development projects associated with buildout under the Visalia General Plan have the potential to result in short term impacts due to erosion and sedimentation during construction activities. However, long-term impacts through the addition of a recharge basin will positively impact groundwater resources in the City. Further, all requirements consistent with the requirements of the State Water Resources Control Board's (SWRCB's) General Construction Permit process will be adhered to. This may involve the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) and/or the use of best management practices. The project will be required to meet municipal storm water requirements set by the SWRCB.

Furthermore, the Visalia General Plan contains multiple polices, identified under Impact 3.6-2 of the EIR, that

together work to reduce the potential for impacts to water quality. With implementation of these policies and the existing City standards, impacts to water quality will be less than significant.

- b. The project area overlies the southern portion of the San Joaquin unit of the Central Valley groundwater aquifer. Development of the site will result in an increase of impervious surfaces on the project site, which might affect the amount of precipitation that is recharged to the aquifer.
- c. The project will not result in substantial erosion on- or off-site.
- d. The project will not substantially alter the existing drainage pattern of the site or area, alter the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.
- e. The project will not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.
- f. There are no reasonably foreseeable reasons why the project would result in the degradation of water quality.
- g. The project area is not located within a flood zone.
- h. The project area is not located within a flood zone.
- i. The project would not expose people or structures to risks from failure of levee or dam. The project is located downstream from the Terminus Dam; in the case of dam failure, there will be 4 hours of warning to evacuate the site.
- j. Seiche and tsunami impacts do not occur in the Visalia area. The site is relatively flat, which will contribute to the lack of impacts by mudflow occurrence.

XI. LAND USE AND PLANNING

- a. The project will not physically divide an established community. Recharge basins are considered compatible uses in Agriculture Zone Districts. The site is located along Ave. 152, which is a County road. Agriculture land use designations bound this area. The City's General Plan Land Use Map designates the site as Agriculture. Staff concludes that the proposed recharge basin is consistent in nature and character with existing and future uses surrounding the project site.
- b. The project does not conflict with any land use plan, policy or regulation of the City of Visalia. The recently adopted General Plan did not rezone or otherwise disrupt residential communities or commercial areas, and provides additional space to accommodate any potentially displaced residents or businesses.

The City's General Plan Land Use Map designates the site as Agriculture. Staff concludes that the proposed recharge basin is consistent in nature and character with existing and future uses surrounding the project site.

- c. The project does not conflict with any applicable habitat conservation plan or natural community conservation plan as the project site is vacant dirt lot with no significant natural habitat present.

XII. MINERAL RESOURCES

- a. No mineral areas of regional or statewide importance exist within the Visalia area.
- b. There are no mineral resource recovery sites delineated in the Visalia area.

XIII. NOISE

- a. The project will facilitate the development of a recharge basin. Such development will not result in noise generation.. There will be noise generated by construction activity. However, there are no residences or sensitive receptors within ¼ mile of the project site.

Furthermore, the Visalia General Plan contains multiple policies, identified under Impact N-P-3 through N-P-5, that work to reduce the potential for noise impacts to sensitive land uses. With implementation of Noise Impact Policies and existing City Standards, noise impacts to new noise sensitive lands uses would be less than significant.

- b. Ground-borne vibration or ground-borne noise levels may occur as part of construction activities associated with the development of the site. Construction activities will be temporary and will not expose persons to such vibration or noise levels for an extended period of time; thus the impacts will be less than significant. There are no existing uses near the project area that create ground-borne vibration or ground-borne noise levels.
- c. Ambient noise levels will increase beyond current levels as a result of development of the project site, however these levels will be typical of noise levels associated with urban development and not in excess of standards established in the City of Visalia's General Plan or Noise Ordinance. Noise associated with the establishment of new urban uses was previously evaluated with the General Plan for the conversion of land to urban uses.

Furthermore, the Visalia General Plan contains multiple policies, identified under Impact N-P-3 through N-P-5, that work to reduce the potential for noise impacts to sensitive land uses. With implementation of Noise Impact Policies and existing City Standards, noise impacts to new noise sensitive lands uses would be less than significant.

- d. Noise levels will increase during construction activities; however, there are no construction activities associated with this project.
- e. The project area is not within 2 miles of a public airport. The project will not expose people residing or working in the project area to excessive noise levels.
- f. There is no private airstrip near the project area.

XIV. POPULATION AND HOUSING

- a. The project will not directly induce substantial population growth that is in excess of that planned in the General Plan. The addition of a recharge basin will assist in preserving available groundwater resources for planned City buildout.
- b. Future development of the site will not displace any housing on the site.
- c. Development of the site will not displace any people on the site.

XV. PUBLIC SERVICES

- a.
 - i. Current fire protection facilities are located at the Visalia Station 52 and can adequately serve the site without a need for alteration.
 - ii. Current police protection facilities can adequately serve the site without a need for alteration.
 - iii. The project will not generate new students for which existing schools in the area may accommodate.
 - iv. Other public facilities can adequately serve the site without a need for alteration.

XVI. RECREATION

- a. The project will not directly generate new residents.
- b. The proposed project includes passive recreational facilities (a walking path). This recreational amenity will have a positive physical effect on the environment.

XVII. TRANSPORTATION AND TRAFFIC

- a. Future development of the site and operation of the project site is not anticipated to conflict with applicable plans, ordinances, or policies establishing measures of effectiveness of the City's circulation system.
- b. Development of the site will not result in increased traffic in the area, and will not cause a substantial increase in traffic on the city's existing circulation pattern. This site was evaluated in the Visalia General Plan Update Environmental Impact Report (EIR) for urban use.
- c. The project will not result in nor require a need to change air traffic patterns.
- d. There are no planned designs that are considered hazardous.
- e. The project will not result in inadequate emergency access.
- f. The project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

XVIII. UTILITIES AND SERVICE SYSTEMS

- a. Development of the site will assist in the City's stormwater management system, consistent with the City Stormwater Master Plan. The proposed project will therefore not cause significant environmental impacts.
- b. The project will not result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- c. The project site will enhance the existing City storm water drainage lines that handles on-site and street runoff by containing stormwater flows before they contribute to urban stormwater flows downstream. Usage of the recharge basin for stormwater management is consistent with the City Storm Drain Master Plan. These improvements will not cause significant environmental impacts.
- d. California Water Service Company has determined that

there are sufficient water supplies to support the site, and that service can be extended to the site.

- e. The City has determined that there is adequate capacity existing to serve site within the City with projected wastewater treatment demands at the City wastewater treatment plant.
- f. Current solid waste disposal facilities can adequately serve the site without a need for alteration.
- g. The project will be able to meet the applicable regulations for solid waste. Removal of debris from construction will be subject to the City's waste disposal requirements.

XIX. TRIBAL CULTURAL RESOURCES

The proposed project would not 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:

- a. The site is not 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
- b. The site has been determined to not 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.

Further, the EIR (SCH 2010041078) for the 2014 General Plan update included a thorough review of sacred lands files through the California Native American Heritage Commission. The sacred lands file did not contain any known cultural resources information for the Visalia Planning Area.

Additionally, invitations for early consultation were sent on January 15, 2015 to the eight Native American tribes with a historic presence in the Visalia Planning Area. The representative of the Santa Rosa Rancheria Tachi Yokut Tribe responded to the early consultation letter pursuant to AB 52. The Tribal representative's recommendation was to ensure that a Tribal observer be on the project site during excavation activities. This has been made a mitigation measure. No subsequent information has been received. Therefore, the City, acting as the Lead Agency determined that this

mitigation measure is adequate to mitigate potentialities as suggested by the Tribal representative.

Mitigation Measure 19.1 has been added to this MND and will be included as project conditions of approval. This measure requires that a qualified Tribal observer be present on-site during grading activities. The Measure also directs that if some potentially historical or cultural resource is unearthed during development all work should cease until a qualified professional archaeologist and potentially a qualified Native American Tribal Observer can evaluate the finding and make necessary disposition recommendations. In the event that potentially significant cultural resources are discovered during ground disturbing activities associated with project preparation, construction, or completion, work shall halt in that area until a qualified Native American Tribal observer, archeologist, or paleontologist can assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with Tulare County Museum, Coroner, and other appropriate agencies and interested parties.

XX. WILDFIRE

- h. The project will not, by itself, result in any impacts from wildfire.
- i. The City of Visalia is relatively flat and the underlying soil is not known to be unstable, and therefore not in a location that is likely to exacerbate wildfire risks.
- j. The project will not, by itself, result in any impacts from wildfire.
- k. The project will not, by itself, result in any impacts from wildfire.


XXI. MANDATORY FINDINGS OF SIGNIFICANCE

- l. The project will not affect the habitat of a fish or wildlife species or a plant or animal community. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia's General Plan Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.
- m. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for the area's conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.
- n. This site was evaluated in the Program EIR (SCH No. 2010041078) for the City of Visalia General Plan Update for conversion to urban use. The City adopted mitigation measures for conversion to urban development. Where effects were still determined to be significant a statement of overriding considerations was made.

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation:

- ☐ I find that the proposed project **COULD NOT** have a significant effect on the environment. **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 the mitigation measures described on the attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.**
- ☐ I find 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 as a result of the proposed project no new effects could occur, or new mitigation measures would be required that have not been addressed within the scope of the Program Environmental Impact Report (SCH No. 2010041078). The Environmental Impact Report prepared for the City of Visalia General Plan was certified by Resolution No. 2014-37 adopted on October 14, 2014. **THE PROGRAM ENVIRONMENTAL IMPACT REPORT WILL BE UTILIZED.**


Paul Scheibel, AICP
Environmental Coordinator


December 5, 2019