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Section 1

Initial Study/Negative Declaration Process

City of Tulare
 411 East Kern Avenue
 Tulare, CA 93274

SECTION 1

CEQA Review Process

Project Title: Kensington 3/4 Tentative Subdivision Map

1.1 California Environmental Quality Act Guidelines

Section 15063 of the California Environmental Quality Act (CEQA) Guidelines requires that the Lead Agency prepare an Initial Study to determine whether a discretionary project will have a significant effect on the environment. All phases of the project planning, implementation, and operation must be considered in the Initial Study. The purposes of an Initial Study, as listed under Section 15063(c) of the CEQA Guidelines, include:

- (1) Provide the lead agency with information to use as the basis for deciding whether to prepare an EIR or negative declaration;*
- (2) Enable an applicant or lead agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a negative declaration;*
- (3) Assist the preparation of an EIR, if one is required, by:*
 - (a) Focusing the EIR on the effects determined to be significant,*
 - (b) Identifying the effects determined not to be significant,*
 - (c) Explaining the reasons for determining that potentially significant effects would not be significant, and*
 - (d) Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.*
- (4) Facilitate environmental assessment early in the design of a project;*
- (5) Provide documentation of the factual basis for the finding in a negative declaration that a project will not have a significant effect on the environment*
- (6) Eliminate unnecessary EIRs;*
- (7) Determine whether a previously prepared EIR could be used with the project.*

1.2 Initial Study

The Initial Study provided herein covers the potential environmental effects of the construction and operation of 111 low density residential dwelling units, a 15,765 SF pocket park, and stormwater retention basin on approximately 24.0 gross acres. The proposed project would also rezone the project site from R-1-7 and Retail Commercial (C-3) to R-1-4 , and require a general plan amendment for a portion of the project site from Neighborhood Commercial and Medium Density residential to Low Density Residential. The City of Tulare will act as the Lead Agency for processing the Initial Study/Mitigated Negative Declaration pursuant to the CEQA Guidelines.

1.3 Environmental Checklist

The Lead Agency may use the CEQA Environmental Checklist Form [CEQA Guidelines, Section 15063(d)(3) and (f)] in preparation of an Initial Study to provide information for determination if there are significant effects of the project on the environment. A copy of the completed Environmental Checklist is set forth in **Section Three**.

1.4 Notice of Intent to Adopt a Negative Declaration

The Lead Agency shall provide a Notice of Intent to Adopt a Negative Declaration (CEQA Guidelines, Section 15072) to the public, responsible agencies, trustee agencies and the County Clerk within which the project is located, sufficiently prior to adoption by the Lead Agency of the Negative Declaration to allow the public and agencies the review period. The public review period (CEQA Guidelines, Section 15105) shall not be less than 30 days when the Initial Study/Negative Declaration is submitted to the State Clearinghouse unless a shorter period, not less than 20 days, is approved by the State Clearinghouse.

Prior to approving the project, the Lead Agency shall consider the proposed Negative Declaration together with any comments received during the public review process, and shall adopt the proposed Negative Declaration only if it finds on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the Lead Agency's independent judgment and analysis.

The written and oral comments received during the public review period will be considered by The City of Tulare prior to adopting the Negative Declaration. Regardless of the type of CEQA document that must be prepared, the overall purpose of the CEQA process is to:

- 1) Assure that the environment and public health and safety are protected in the face of discretionary projects initiated by public agencies or private concerns;
- 2) Provide for full disclosure of the project's environmental effects to the public, the agency decision-makers who will approve or deny the project, and the responsible trustee agencies charged with managing resources (e.g. wildlife, air quality) that may be affected by the project; and
- 3) Provide a forum for public participation in the decision-making process pertaining to potential environmental effects.

According to Section 15070(a) a public agency shall prepare or have prepared a proposed negative declaration for a project subject to CEQA when:

The initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment. Less than significant impacts with mitigation measures have been identified.

The Environmental Checklist Discussion contained in Section Three of this document has determined that the environmental impacts of the project are less than significant with mitigation measures and that a Mitigated Negative Declaration is adequate for adoption by the Lead Agency.

1.5 Negative Declaration or Mitigated Negative Declaration

The Lead Agency shall prepare or have prepared a proposed Negative Declaration or Mitigated Negative Declaration (CEQA Guidelines Section 15070) for a project subject to CEQA when the Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment. The proposed Negative Declaration or Mitigated Negative Declaration circulated for public review shall include the following:

- (a) A brief description of the project, including a commonly used name for the project.
- (b) The location of the project, preferably shown on a map.
- (c) A proposed finding that the project will not have a significant effect on the environment.
- (d) An attached copy of the Initial Study documenting reasons to support the finding.
- (e) Mitigation measures, if any.

1.6 Intended Uses of Initial Study/Negative Declaration documents

The Initial Study/Negative Declaration document is an informational document that is intended to inform decision-makers, other responsible or interested agencies, and the general public of potential environmental effects of the proposed project. The environmental review process has been established to enable the public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency must balance any potential environmental effects against other public objectives, including economic and social goals. The City of Tulare, as Lead Agency, will make a determination, based on the environmental review for the Environmental Study, Initial Study and comments from the general public, if there are less than significant impacts from the proposed project and the requirements of CEQA can be met by adoption of a Mitigated Negative Declaration.

1.7 Notice of Determination (NOD)

The Lead Agency shall file a Notice of Determination within five working days after deciding to approve the project. The Notice of Determination (CEQA Guidelines, Section 15075) shall include the following:

- (1) An identification of the project including the project title as identified on the proposed negative declaration, its location, and the State Clearinghouse identification number for the proposed negative declaration if the notice of determination is filed with the State Clearinghouse.*
- (2) A brief description of the project.*
- (3) The agency's name and the date on which the agency approved the project.*
- (4) The determination of the agency that the project will not have a significant effect on the environment.*
- (5) A statement that a negative declaration or a mitigated negative declaration was adopted pursuant to the provisions of CEQA.*
- (6) A statement indicating whether mitigation measures were made a condition of the approval of the project, and whether a mitigation monitoring plan/program was adopted.*
- (7) The address where a copy of the negative declaration or mitigated negative declaration may be examined.*
- (8) The identity of the person undertaking a project which is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies or the identity of the person receiving a lease, permit, license, certificate, or other entitlement for use from one or more public agencies.*

1.8 CEQA Process Flow Chart

Section 2

Project Description

City of Tulare
 411 East Kern Avenue
 Tulare, CA 93274

SECTION 2

Project Description

Project Title: Kensington 3/4 Tentative Subdivision Map

2.1 Project Background & Purpose

The proposed project site is within the City of Tulare. The proposed project involves the development of 111 low density residential units, a 15,765 SF pocket park, and stormwater retention basin. The project will require re-zone of the project site from R-1-7 and C-3 to R-1-4, and a general plan amendment for the project site from Neighborhood Commercial and Medium Density Residential to Low Density residential. The proposed project would result in on-site infrastructure improvements, including new local residential streets and new and relocated utilities. The proposed project would include the signalization of the Cartmill Avenue/De La Vina Street intersection, as well as frontage improvements, including sidewalks. Construction is proposed to begin in January 2021 and continue through November 2022. See Figure 3-2 for site layout.

2.2 Project Location

The proposed project site is located within the northern portion of the City of Tulare, on the northwest corner of N Mooney Blvd. and E Cartmill Ave. The project site is approximately 24.0 gross acres and is located on parcels 149-060-029 and 149-060-034. The site is bordered by agricultural/vacant land uses to the north, east, and south, and by residential uses to the west.

2.3 Other Permits and Approvals

Other permits and approvals required for the Kensington 3/4 Tentative Subdivision Map Project are listed below. It should be noted that this list is not exhaustive and additional permits and approvals may also be required.

- *City of Tulare Tentative Subdivision Map*
- *City of Tulare Zone Amendment*
- *City of Tulare General Plan Amendment*
- *City of Tulare Landscape and Maintenance District*
- *City of Tulare Building and Encroachment Permits*
- *San Joaquin Valley Air Pollution Control District (SJVAPCD)*. The proposed project is within the jurisdiction of the SJVAPCD and will be required to comply with Rule VIII, 3135, 4101, and 9510.
- *Central Valley Regional Water Quality Control Board, SWPPP*. The proposed project site is within the jurisdiction of the Central Valley Regional Water Quality Control Board (RWQCB). The Central Valley RWQCB will require a Storm Water Pollution Prevention Plan (SWPPP) to prevent impacts related to stormwater as a result of project construction

Kensington 3/4 TSM

Figure 2-1

Kensington 3/4 TSM

Figure 2-2

Section 3

Evaluation of Environmental Impacts

City of Tulare
411 East Kern Avenue
Tulare, CA 93274

SECTION 3

Evaluation of Environmental Impacts

Project Title: Kensington 3/4 Tentative Subdivision Map

This document is the Initial Study/Mitigated Negative Declaration for the proposed construction and operation 111 low density residential dwelling units and 15,765 SF pocket park on approximately 24.0 gross acres. The proposed project would also rezone the project site from R-1-7 and Retail Commercial (C-3) to R-1-4 and require a general plan amendment for a portion of the project site from Neighborhood Commercial to Medium Density residential. The project is located within City of Tulare city limits. The City of Tulare will act as the Lead Agency for this project pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

3.1 PURPOSE

The purpose of this environmental document is to implement the California Environmental Quality Act (CEQA). Section 15002(a) of the CEQA Guidelines describes the basic purposes of CEQA as follows.

- (1) Inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities.
- (2) Identify the ways that environmental damage can be avoided or significantly reduced.
- (3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- (4) Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

This Initial Study of environmental impacts has been prepared to conform to the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.).

According to Section 15070(a), a Negative Declaration is appropriate if it is determined that:

- (1) The initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment.

3.2 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

1. **Project Title:** Kensington 3/4 Tentative Subdivision Map
2. **Lead Agency:** City of Tulare
411 East Kern Avenue
Tulare, CA 93274
(559) 684-4210
3. **Applicant:** San Joaquin Valley Homes
Contact Person: Jim Robinson
5607 Ave de Los Robles
Visalia, CA 93291
(559) 732-2660
4. **Project Location:** The proposed project site is located within the northern portion of the City of Tulare, on the northwest corner of N Mooney Blvd. and E Cartmill Ave. The project proposes the construction of 111 low-density residential units and 15,765 SF pocket park on approximately 24.0 gross acres. The project site is located on parcels 149-060-029 and 149-060-034. The site is bordered by agricultural/vacant land uses to the north, east, and south, and by residential uses to the west.
5. **General Plan Designation** Approximately 12.2 acres of the project site are designated Medium Density Residential and 11.8 acres are designated Neighborhood Commercial. The project requires a general plan amendment to change the land use designation of the commercial portion of the project to Low Density Residential.
6. **Zoning Designation:** Approximately 12.2 acres of the project site are zoned R-1-7 and 11.8 acres are zoned C-3. The project requires rezoning of the entire project site to R-1-4.
7. **Project Description:** The proposed project site is within the City of Tulare. The proposed project involves the development of 111 low density residential units, a 15,765 SF pocket park, and stormwater retention basin. The project will require re-zone of the project site from R-1-7 and C-3 to R-1-4, and a general plan amendment for the project site from Neighborhood Commercial and Medium Density Residential to Low Density residential. The proposed project would result in on-site infrastructure improvements, including new local residential streets and new and relocated utilities. The proposed project would include the signalization of the Cartmill Avenue/De La Vina Street intersection, as well as frontage improvements, including sidewalks. Construction is proposed to begin in January 2021 and continue through November 2022. See Figure 3-2 for site layout.

8. Surrounding Land Use Designations and Settings:

North Low Density Residential (City of Tulare 2035 General Plan), currently agricultural row crops

South Community Commercial (City of Tulare 2035 General Plan), currently vacant parcel

East Village (City of Tulare 2035 General Plan), currently agricultural row crops

West Low Density Residential (City of Tulare 2035 General Plan), developed Willow Glen subdivision

9. Required Approvals: The following discretionary approvals are required from The City of Tulare for the proposed project:

- City of Tulare Tentative Subdivision Map
- Zone Amendment to R-1-4
- General Plan Amendment to Low Density Residential

10. Native American Consultation: No tribes have requested to be notified of projects within the City of Tulare for AB 52 tribal consultation. Although no tribes have requested to be notified of projects within the City of Tulare for AB 52 tribal consultation, tribes were notified of the project pursuant to SB 18. During SB 18 tribal consultation, the Santa Rosa Rancheria Tachi Yokut Tribe requested that a cultural presentation be conducted prior to ground disturbance. The City of Tulare has agreed to this request and a cultural presentation will be required as a CEQA mitigation measure and a condition of project approval.

11. Parking and access: Vehicular Access to the project site will be available via E Cartmill Ave.. The proposed residential development will provide both covered (garage) and uncovered street parking, which complies with the City of Tulare Code of Ordinances § 10.192.040 requiring two covered spaces per dwelling unit. During construction, workers will utilize existing facility parking areas and/or temporary construction staging areas for parking of vehicles and equipment.

12. Landscaping and Design: The landscape and design plans will be required at time the project submits for building permit on the project and will be subject to the City of Tulare's Water Efficient Landscape Ordinance (WELO).

13. Utilities and Electrical Services: City services (water, sewer, law enforcement, fire protection etc.) will be extended to the proposed Project area upon development. The project includes a stormwater retention basin to retain all stormwater on-site. An overhead electrical line currently runs through the project site from N Mooney Blvd to provide power to the existing City well located on the project site. This line will be moved underground during Phase 2 of project development.

Acronyms

BMP	Best Management Practices
CAA	Clean Air Act
CCR	California Code of Regulation
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
CWA	California Water Act
DHS	Department of Health Services
FEIR	Final Environmental Impact Report
FPPA	Farmland Protection Policy Act
ISMND	Initial Study Mitigated Negative Declaration
MCL	Maximum Contaminant Level
ND	Negative Declaration
NAC	Noise Abatement Criteria
RCRA	Resource Conservation and Recovery Act of 1976
RWQCB	Regional Water Quality Control Board
SHPO	State Historic Preservation Office
SJVAPCD	San Joaquin Valley Air Pollution Control District
SWPPP	Storm Water Pollution Prevention Plan

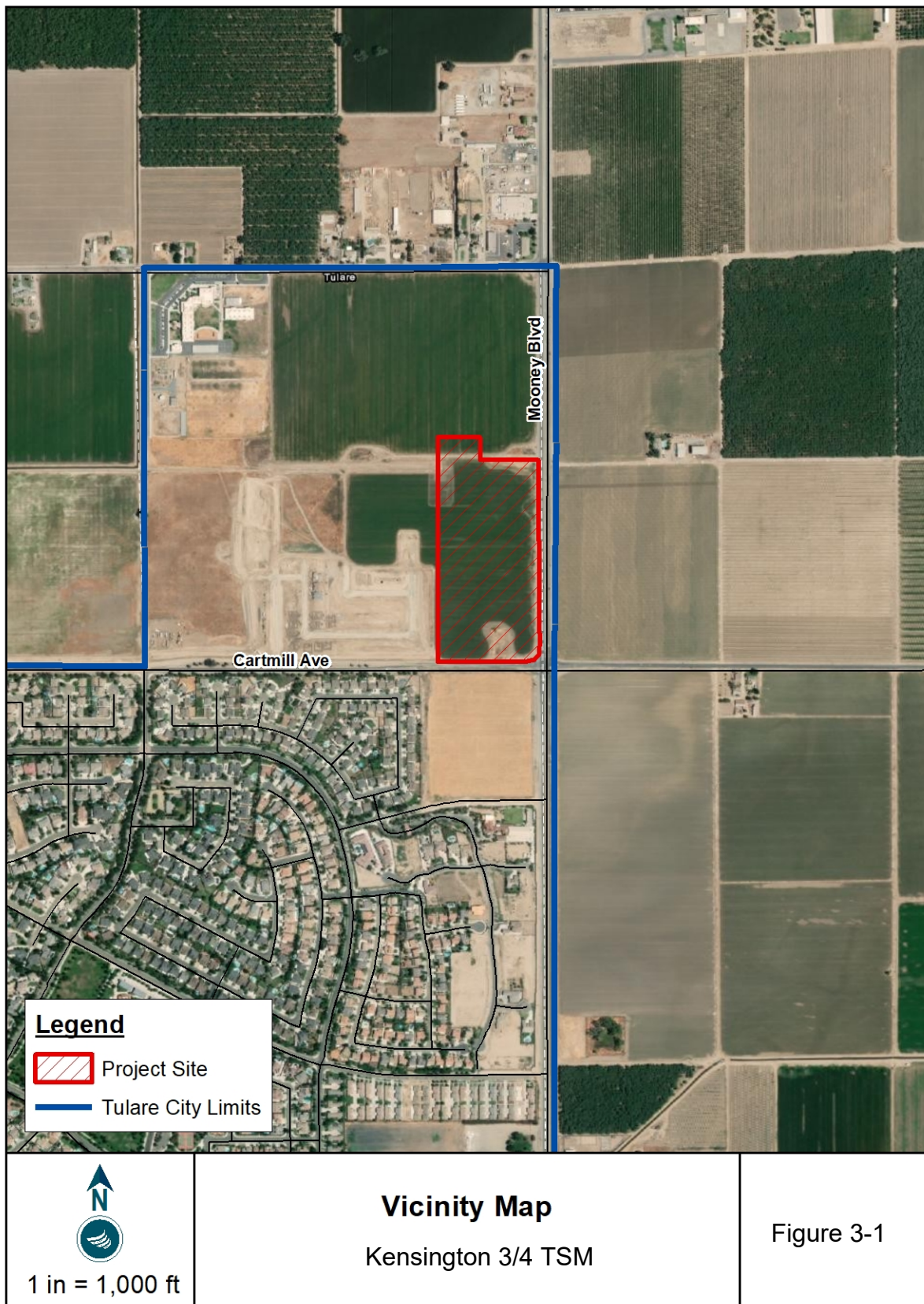




Figure 3-2. Site Plan.

3.3 EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites, in the parentheses following each question. A “No Impact” answer is adequately supported if the reference information sources show that the impact simply does not apply to projects like the one involved (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).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c) (3)(D). In this case, a brief discussion should identify the following.
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated.” Describe and mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

3.4 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology and Water Quality | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Utilities and Service System |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Wildfire |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Geology and soils | <input type="checkbox"/> Population | |

DETERMINATION: (To be completed by the Lead Agency) Where potential impacts are anticipated to be significant, mitigation measures will be required, so that impacts may be avoided or reduced to insignificant levels.

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. A Negative Declaration 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 requested.

SIGNATURE

DATE

Mario Anaya
PRINTED NAME

City of Tulare
AGENCY

3.5 ENVIRONMENTAL ANALYSIS

The following section provides an evaluation of the impact categories and questions contained in the checklist and identify mitigation measures, if applicable.

I. AESTHETICS

Except as provided in Public Resource Code Section 210999, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 a 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

There are no aesthetic resources identified in the City of Tulare General Plan; however, the views of the Sierra Nevada Mountains are considered to be an important scenic vista in Tulare County.

Sierra Nevada Mountains: The Sierra Nevada mountain range and its foothills stretch along the east area of the county and are a valuable aesthetic resource. Additionally, Sequoia National Park is located within the stretch of the Sierra Nevada Mountains located in Tulare County. Sequoia National Forest is a U.S. National Forest known for its mountain scenery and natural resources. Located directly north of Sequoia National Park is Kings Canyon National Park, a U.S. National Park also known for its towering sequoia trees and scenic vistas. The Sierra Nevada Mountains are approximately 17 miles east of the proposed project site but views of the mountains are not visible on most days due to poor air quality.

The following photos demonstrate the aesthetic character of the project area. As shown, the proposed project site is located in a relatively flat area with both agriculture and residential development.



Photo 1: West site boundary (View north). Source: Soar Environmental Consulting 5/27/2020



Photo 2: Northwest portion of site (View southeast). Source: Soar Environmental Consulting 5/27/2020



Photo 3: North portion of site (View south). Source: Soar Environmental Consulting 5/27/2020



Photo 4: Northeast portion of site (View southwest). Source: Soar Environmental Consulting 5/27/2020

Regulatory Setting

State Scenic Highways: The State Scenic Highway Program is implemented by Caltrans and was developed to preserve the aesthetic quality of certain highway corridors. Highways included in this program are designated as scenic highways. A highway is designated as scenic based on how much of the natural landscape is visible to travelers, the quality of that landscape, and the extent to which development obstructs views of the landscape. There are no designated State Scenic Highways or highways that are eligible for designation within the City of Tulare.

City of Tulare General Plan: The City of Tulare General Plan includes the following aesthetic goals and policies that are intended to protect the City's aesthetic resources and are relevant to the proposed project.

- LU-P13.14 Scenic Features and Views. The City shall preserve its scenic features and view corridors to the mountains.

LU-P13.2 City Image. The City shall encourage a high level of design quality (architectural and landscape) for all new development in order to create a pleasant living environment, a source of community pride, and in improved overall City image.

Discussion

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

Less than Significant Impact: A scenic vista is defined as a viewpoint that provides expansive views of highly valued landscape for the benefit of the general public. The Sierra Nevada Mountains are the primary scenic vista within this region and the Land Use Element of the City's General Plan states that view corridors to the mountains should be preserved. The foothills of the Sierra Nevada Mountains are approximately 17 miles east of the proposed project site, however views of the mountains are not visible on most days due to poor air quality.

Views of the Sierra Nevada Mountains would largely be unaffected by the proposed project because of the distance between the project site and the mountains and the limited visibility of these features due to air quality. The impact is *less than significant*.

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

No Impact: There are no Officially Designated State Scenic Highways within the City of Tulare. Highway 198 is the nearest Eligible State Scenic Highway and is located approximately 5.5 miles north of the project site. Significant urban development between the project site and Highway 198 completely eliminates visibility of the project site from the highway. There is *no impact*.

- c) In non-urbanized areas, would the project substantially degrade the existing visual character or quality of the site and its surroundings? (Public views are those that are experienced from a 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 proposed project site is located within City limits and is considered to be within an urbanized area. There is *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: The proposed project would result in new lighting sources on the project site consistent with adjacent residential development. New lighting sources would include interior lighting from residences, street lighting, and security lighting. All street and landscape lighting will be consistent with the City's lighting standards, which are developed to minimize impacts related to excessive light and glare. Additionally, the project would comply with the City's General Plan Policies LU-P13.24 and LU-P13.25 to prevent excess spillover lighting that could otherwise occur within the vicinity of the project area. Although the project will introduce new light sources to the area, all lighting will be consistent with adjacent residential land uses and the City's lighting standards. The impacts are *less than significant*.

II. AGRICULTURE AND FOREST 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 Department 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 the Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forestland or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 forestland to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

Agriculture is a vital component of the City of Tulare's economy and is a significant source of the City's cultural identity. As such, preserving the productivity of agricultural lands is integral to maintaining the City's culture and economic viability.

The proposed project site is not under Williamson Act Contract but is designated as Prime Farmland under the Important Farmland Mapping and Monitoring Program (FMMP). The project site is currently operated as a wheat field and is bounded by agricultural activities to the north and east.

Regulatory Setting

California Land Conservation Act of 1965: The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, allows local governments to enter into contracts with private landowners to restrict the activities on specific parcels of land to agricultural or open space uses. The landowners benefit from the contract by receiving greatly reduced property tax assessments. The California Land Conservation Act is overseen by the California Department of Conservation; however local governments are responsible for determining specific allowed uses and enforcing the contract. The City of Tulare General Plan states that the City encourages the use of Williamson Act contracts on parcels located outside the urban development boundary.

California Farmland Mapping and Monitoring Program (FMMP): The FMMP is implemented by the California Department of Conservation (DOC) to conserve and protect agricultural lands within the State. Land is included in this program based on soil type, annual crop yields, and other factors that influence the quality of farmland. The FMMP mapping categories for the most important statewide farmland are as follows:

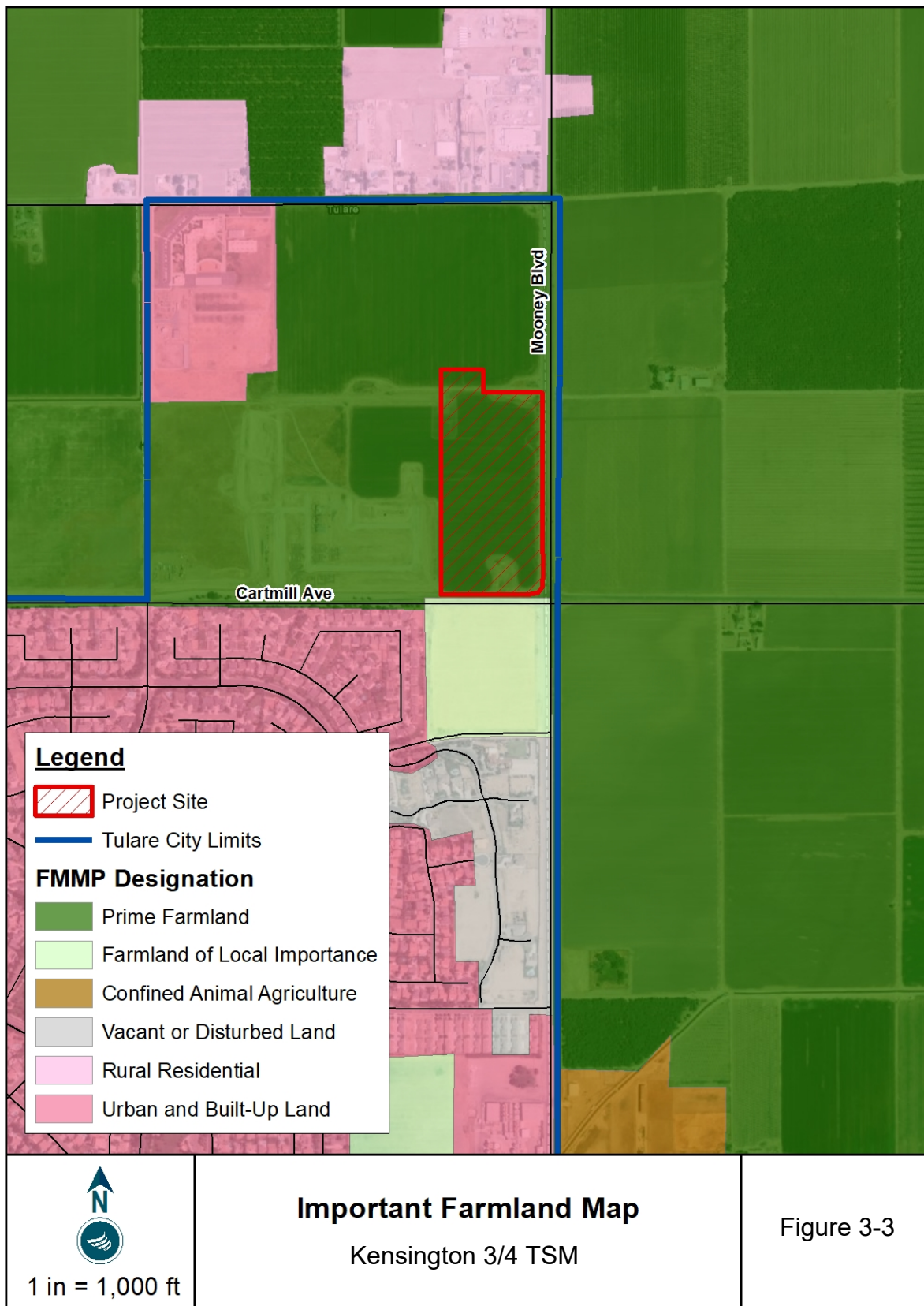
- **Prime Farmland** has the ideal physical and chemical composition for crop production. It has been used for irrigated production in the four years prior to classification and is capable of producing sustained yields.
- **Farmland of Statewide Importance** has also been used for irrigated production in the four years prior to classification and is only slightly poorer quality than Prime Farmland.
- **Unique Farmland** has been cropped in the four years prior to classification and does not meet the criteria for Prime Farmland or Farmland of Statewide Importance but has produced specific crops with high economic value.
- **Farmland of Local Importance** encompasses farmland that does not meet the criteria for the previous three categories. These may lack irrigation, produce major crops, be zoned as agricultural, and/or support dairy.
- **Grazing Land** has vegetation that is suitable for grazing livestock.

City of Tulare General Plan: The Conservation and Open Space Element of the City's General Plan includes the following agricultural resource goals and policies that are potentially applicable to the proposed project:

- COS-P3.1 Protect Interim Agricultural Activity. The City shall protect the viability of existing interim agricultural activity in the UDB to the extent possible.
- COS-P3.2 Agricultural Buffers. The City shall require that agricultural land uses designated for long-term protection (in a Williamson Act contract or under a conservation easement located outside the City's UDB) shall be buffered from urban land uses through the use of techniques

including, but not limited to, spatial separations (e.g. greenbelts, open space setbacks, etc.), transitions in density, soundwalls, fencing, and/or berming.

- COS-P3.3 Agricultural Disclosures. The City shall require that developers of residential projects, which are within general proximity of agricultural operations in the city, to provide notification to new homeowners within their deeds of the City's right to farm ordinance.
- COS-P3.4 Discourage Leapfrog Development. The City shall discourage leapfrog development (defined as urban development more than 1/2 mile from existing urban development) and development of peninsulas extending into agricultural lands to avoid adverse effects on agricultural operations and contribute to premature conversion.
- COS-P3.9 Williamson Act Contracts. The City shall encourage the use of Williamson Act contracts on parcels located outside the UDB.
- COS-P3.10 Williamson Act Contracts near City Limits. The City shall protest the formation of new Williamson Act or Super Williamson Act contracts within the UDB.
- COS-P3.11 Williamson Act Non-Renewal in UDB. The City shall support non-renewal or cancellation processes for Williamson Act designated lands within the City of Tulare UDB.
- COS-P3.12 Mitigation for Agricultural Land Conversion. The City shall create and adopt a mitigation program to address the conversion of Prime Farmland & Farmland of Statewide Importance within the UDB and outside the city limits to non-agricultural uses. This mitigation program shall:
 - Require a 1:1 ratio of agricultural land preserved for every acre of land converted.
 - Require land to be preserved be equivalent to the land converted, e.g. Prime Farmland, and further require that the land to be preserved has adequate existing water supply to support agricultural use, is designated and zoned for agriculture, is located outside of a city UDB, and is within the southern San Joaquin Valley.
 - Require mitigation prior to or at time of impact.
 - Allow mitigation to be provided either by purchase of agricultural easements or by payment of agricultural mitigation fees, but state that purchase of conservation easements is the preferred form of mitigation. Both purchase of easements and payment of mitigation fees should cover not only the cost of an agricultural easement, but additional costs of transactional fees and administering, monitoring, and enforcing the easement.
 - Require easements to be held by and/or mitigation fees to be transferred to a qualifying entity, such as a local land trust with demonstrated experience administering, monitoring and enforcing agricultural easements.
 - Require the qualifying entity to submit annual status and monitoring reports to the City and to Tulare County.
 - Allow stacking of conservation and agricultural easements if habitat needs of species on conservation easement are compatible with agricultural activities/use on agricultural easement.
 - Allow exemptions for conversion of land to agricultural tourism uses, agricultural processing uses, agricultural buffers, public facilities, and roadways.
- COS-P3.13 Farmland Trust and Funding Sources. The City shall encourage the trust or other qualifying entity to pursue a variety of funding sources (grants, donations, taxes, or other funds) to fund further implementation of mitigation for agricultural land conversion.



Discussion

- 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?**

Less than Significant Impact: The proposed site is classified as Prime Farmland by the California Department of Conservation farmland mapping and monitoring program and the project will convert prime agricultural land to residential uses. The site is located within the City of Tulare Urban Development Boundary and City Limits. However, the site has been designated for non-agricultural land use in the City's General Plan and is consistent with the policies in the Conservation Element of the General Plan. As such, no mitigation is required, and the impact is considered *less than significant*.

- b) **Would the project conflict with existing zoning for agricultural use, or a Williamson Act Contract?**

No Impact: The proposed project site is not zoned for agricultural use or under a Williamson Act Contract. There is *no impact*.

- 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 or timberland production and there is no forest land located on the site. Therefore, *no impacts* would occur.

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

No Impact: No conversion of forestland, as defined under Public Resource Code or General Code, will occur as a result of the project and there would be *no impacts*.

- 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 forestland to non-forest use?**

Less than Significant Impact with Mitigation: As discussed above, the proposed project site is presently under active agriculture use and implementation of the proposed project would convert agricultural land to residential uses. However, while the project site is currently being farmed, the site is not designated for agriculture in the City's General Plan and Zoning Ordinance (Title 10 of the Tulare Municipal Code). Adjacent farmland will not be converted to non-agricultural use as a result of the proposed project. Therefore, the proposed project would result in a *less than significant impact*.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

Air pollution is directly related to regional topography. Topographic features can either stimulate the movement of air or restrict air movement. California is divided into regional air basins based on topographic air drainage features. The proposed project site is within the San Joaquin Valley Air Basin, which is bordered by the Sierra Nevada Mountains to the east, Coastal Ranges to the west, and the Tehachapi Mountains to the south.

The mountain ranges surrounding the San Joaquin Valley Air Basin (SJVAB) serve to restrict air movement and prevent the dispersal of pollution. As a result, the SJVAB is highly susceptible to pollution accumulation over time. As shown in the Table 3-1, the SJVAB is in nonattainment for several pollutant standards.

Pollutant	Designation/Classification	
	Federal Standards	State Standards
Ozone – One hour	No Federal Standard ^f	Nonattainment/Severe
Ozone – Eight hour	Nonattainment/Extreme ^e	Nonattainment
PM 10	Attainment ^c	Nonattainment
PM 2.5	Nonattainment ^d	Nonattainment
Carbon Monoxide	Attainment/Unclassified	Attainment/Unclassified
Nitrogen Dioxide	Attainment/Unclassified	Attainment
Sulfur Dioxide	Attainment/Unclassified	Attainment
Lead (Particulate)	No Designation/Classification	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified
Vinyl Chloride	No Federal Standard	Attainment

^a See 40 CFR Part 81
^b See CCR Title 17 Sections 60200-60210
^c On September 25, 2008, EPA redesignated the San Joaquin Valley to attainment for the PM10 National Ambient Air Quality Standard (NAAQS) and approved the PM10 Maintenance Plan.
^d The Valley is designated nonattainment for the 1997 PM2.5 NAAQS. EPA designated the Valley as nonattainment for the 2006 PM2.5

NAAQS on November 13, 2009 (effective December 14, 2009).

^e Though the Valley was initially classified as serious nonattainment for the 1997 8-hour ozone standard, EPA approved Valley reclassification to extreme nonattainment in the Federal Register on May 5, 2010 (effective June 4, 2010).

^f Effective June 15, 2005, the U.S. Environmental Protection Agency (EPA) revoked the federal 1-hour ozone standard, including associated designations and classifications. EPA had previously classified the SJVAB as extreme nonattainment for this standard. EPA approved the 2004 Extreme Ozone Attainment Demonstration Plan on March 8, 2010 (effective April 7, 2010). Many applicable requirements for extreme 1-hour ozone nonattainment areas continue to apply to the SJVAB.

Table 3-1. San Joaquin Valley Attainment Status; Source: SJVAPCD

Regulatory Setting

Federal Clean Air Act – The 1977 Federal Clean Air Act (CAA) authorized the establishment of the National Ambient Air Quality Standards (NAAQS) and set deadlines for their attainment. The Clean Air Act identifies specific emission reduction goals, requires both a demonstration of reasonable further progress and an attainment demonstration, and incorporates more stringent sanctions for failure to meet interim milestones. The U.S. EPA is the federal agency charged with administering the Act and other air quality-related legislation. EPA’s principal functions include setting NAAQS; establishing minimum national emission limits for major sources of pollution; and promulgating regulations. Under CAA, the NCCAB is identified as an attainment area for all pollutants.

California Clean Air Act – California Air Resources Board coordinates and oversees both state and federal air pollution control programs in California. As part of this responsibility, California Air Resources Board monitors existing air quality, establishes California Ambient Air Quality Standards, and limits allowable emissions from vehicular sources. Regulatory authority within established air basins is provided by air pollution control and management districts, which control stationary-source and most categories of area-source emissions and develop regional air quality plans. The project is located within the jurisdiction of the San Joaquin Valley Air Pollution Control District.

The state and federal standards for the criteria pollutants are presented in Section 8.4 of The San Joaquin Valley Unified Air Pollution Control District’s 2015 “Guidance for Assessing and Mitigating Air Quality Impacts”. These standards are designed to protect public health and welfare. The “primary” standards have been established to protect the public health. The “secondary” standards are intended to protect the nation’s welfare and account for air pollutant effects on soils, water, visibility, materials, vegetation and other aspects of general welfare. The U.S. EPA revoked the national 1-hour ozone standard on June 15, 2005, and the annual PM₁₀ standard on September 21, 2006, when a new PM_{2.5} 24-hour standard was established.

Pollutant	Averaging Time	California Standards ¹		National Standards ²		
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷
Ozone (O₃)	1 Hour	0.09 ppm (180 µg/m ³)	Ultraviolet Photometry	--	Same as Primary Standard	Ultraviolet 8 Hour Photometry
	8 Hour	0.070 ppm (137 µg/m ³)		0.075 ppm (147 µg/m ³)		
Respirable Particulate Matter (PM₁₀)	24 Hour	50 µg/m	Gravimetric or Beta Attenuation	150 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Annual Analysis
	Annual Arithmetic Mean	20 µg/m ³		--		
	24 Hour			35 µg/m ³		

Pollutant	Averaging Time	California Standards ¹		National Standards ²		
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷
Fine Particulate Matter (PM _{2.5})	Annual Arithmetic Mean	12 µg/m ³	Gravimetric or Beta Attenuation	15 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Annual Analysis
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m ³)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m ³)	--	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m ³)		9 ppm (10 mg/m ³)	--	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m ³)		--	--	
Nitrogen Dioxide (NO ₂) ⁸	1 Hour	0.18 ppm (339 µg/m ³)	Gas Phase Chemiluminescence	100 ppb (188 µg/m ³)	--	Gas Phase Annual Chemiluminescence
	Arithmetic Mean	0.030 ppm (57 µg/m ³)		53 ppb (100 µg/m ³)	Same as Primary Standard	
Sulfur Dioxide	1 Hour	0.25 ppm (655 µg/m ³)	Ultraviolet Fluorescence	75 ppb (196 µg/m ³)	--	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	--		--	0.5 ppm (1300 µg/m ³)	
	24 Hour	0.04 ppm (105 µg/m ³)		0.14 ppm (for certain areas) ⁹	--	
	Annual Arithmetic Mean	--		0.030 ppm (for certain areas) ⁹	--	
Lead ^{10,11}	30 Day Average	1.5 µg/m ³	Atomic Absorption	--	--	High Volume Sampler and Atomic Absorption
	Calendar Quarter	--		1.5 µg/m3 (for certain areas) ¹¹	Same as Primary Standard	
	Rolling 3-Month Average	--		0.15 µg/m ³		
Visibility Reducing Particles ¹²	8 Hour	See footnote 12	Beta Attenuation and Transmittance through Filter Tape	No National Standard		
Sulfates	24 Hour	25 µg/m ³	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m ³)	Ultraviolet Fluorescence			
Vinyl Chloride ¹⁰	24 Hour	0.01 ppm (26 µg/m ³)	Gas Chromatography			

Pollutant	Averaging Time	California Standards ¹		National Standards ²		
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷
<p>1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM10, PM2.5, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.</p> <p>2. National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m3 is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.</p> <p>3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.</p> <p>4. Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.</p> <p>5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.</p> <p>6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.</p> <p>7. Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.</p> <p>8. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national standards are in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national standards to the California standards the units can be converted from ppb to ppm. In this case, the national standards of 53 ppb and 100 ppb are identical to 0.053 ppm and 0.100 ppm, respectively.</p> <p>9. On June 2, 2010, a new 1-hour SO₂ standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO₂ national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved. Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.</p> <p>10. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.</p> <p>11. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 µg/m3 as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.</p> <p>12. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.</p>						

Table 3-2. Ambient Air Quality Standards; Source: SJVAPCD

San Joaquin Valley Air Pollution Control District (SJVAPCD) – The SJVAPCD is responsible for enforcing air quality standards in the project area. To meet state and federal air quality objectives, the SJVAPCD adopted the following thresholds of significance for projects:

Pollutant/Precursor	Construction Emissions	Operational Emissions	
		Permitted Equipment and Activities	Non-Permitted Equipment and Activities
	Emissions (tpy)	Emissions (tpy)	Emissions (tpy)
CO	100	100	100
Nox	10	10	10
ROG	10	10	10
SOx	27	27	27
PM10	15	15	15
PM2.5	15	15	15

Table 3-3. SJVAPCD Thresholds of Significance for Criteria Pollutants; Source: SJVAPCD

The following SJVAPCD rules and regulations may apply to the proposed project:

- **Rule 3135:** Dust Control Plan Fee. All projects which include construction, demolition, excavation, extraction, and/or other earth moving activities as defined by Regulation VIII (Described below) are required to submit a Dust Control Plan and required fees to mitigate impacts related to dust.
- **Rule 4101:** Visible Emissions. District Rule 4101 prohibits visible emissions of air contaminants that are dark in color and/or have the potential to obstruct visibility.
- **Rule 9510:** Indirect Source Review (ISR). This rule reduces the impact PM10 and NOX emissions from growth on the SJVB. This rule places application and emission reduction requirements on applicable development projects in order to reduce emissions through onsite mitigation, offsite SJVAPCD administered projects, or a combination of the two. This project will submit an Air Impact Assessment (AIA) application in accordance with Rule 9510's requirements.
- **Regulation VIII:** Fugitive PM10 Prohibitions. Regulation VIII is composed of eight rules which together aim to limit PM10 emissions by reducing fugitive dust. These rules contain required management practices to limit PM10 emissions during construction, demolition, excavation, extraction, and/or other earth moving activities.

Discussion

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

No Impact: The proposed project is located within the boundaries of the San Joaquin Valley Air Pollution Control District (SJVAPCD) and would result in air pollutant emissions that are regulated by the air district during both its construction and operational phases. The SJVAPCD is responsible for bringing air quality in Tulare County into compliance with federal and state air quality standards. The air district has Particulate Matter (PM) plans, Ozone Plans, and Carbon Monoxide Plans that serve as the clean air plan for the basin. Together, these plans quantify the required emission reductions to meet federal and state air quality standards and provide strategies to meet these standards.

Construction Phase. Project construction would generate pollutant emissions from the following construction activities: site preparation, grading, building construction, application of architectural coatings, and paving. The construction related emissions from these activities were calculated using CalEEMod. The full CalEEMod Report can be found in Appendix A. As shown in Table 3-4 below, project construction related emissions do not exceed the thresholds established by the SJVAPCD.

	CO (tpy)	ROG (tpy)	SOx (tpy)*	Nox (tpy)	PM10 (tpy)	PM2.5 (tpy)
Emissions Generated from Project Construction	2.4671	1.9880	0.00494	2.6164	0.3136	0.1718
SJVAPCD Air Quality Thresholds of Significance	100	10	27	10	15	15
*Threshold established by SJVAPCD for SOx, however emissions are reported as SO2 by CalEEMod.						

Table 3-4. Projected Project Emissions Compared to SJVAPCD Thresholds of Significance for Criteria Pollutants related to Construction; Source: SJVAPCD, CalEEMod Analysis (Appendix A)

Operational Phase. Implementation of the proposed project would result in long-term emissions associated with area sources, such as natural gas consumption, landscaping, applications of architectural coatings, and consumer products, as well as mobile emissions. Operational emissions from these factors were calculated using CalEEMod. The Full CalEEMod Report can be found in Appendix A. As shown in Table 3-5 below, the project's operational emissions do not exceed the thresholds established by the SJVAPCD.

	CO (tpy)	ROG (tpy)	SOx (tpy)*	Nox (tpy)	PM10 (tpy)	PM2.5 (tpy)
Emissions Generated from Project Operations	4.4014	1.3509	0.0157	3.0862	1.0382	0.2986
SJVAPCD Air Quality Thresholds of Significance	100	10	27	10	15	15
*Threshold established by SJVAPCD for SOx, however emissions are reported as SO2 by CalEEMod.						

Table 3-5. Projected Project Emissions Compared to SJVAPCD Thresholds of Significance for Criteria Pollutants related to Operations; Source: SJVAPCD, CalEEMod Analysis (Appendix A)

Because the emissions from both construction and operation of the proposed project would be below the thresholds of significance established by the SJVAPCD, the project would not conflict with or obstruct implementation of an applicable air quality plan and there is *no impact*.

- 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: The SJVAPCD accounts for cumulative impacts to air quality in Section 1.8 "Thresholds of Significance – Cumulative Impacts" in its 2015 Guide for Assessing and Mitigating Air Quality Impacts. The SJVAPCD considered basin-wide cumulative impacts to air quality when developing its significance thresholds. Because construction and operational emissions are below the significance thresholds adopted by the air district, and compliance with SJVAPCD rules will address any cumulative impacts regarding operational emissions, impacts regarding cumulative emissions would be *less than significant*.

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

Less Than Significant Impact: The single-family residences located directly west of the project site are the closest sensitive receptors. The project does not include any project components identified by the California Air Resources Board that could potentially impact any sensitive receptors. These include heavily traveled roads, distribution centers, fueling stations, and dry-cleaning operations. The project would not expose sensitive receptors to substantial pollutant concentrations. The impact would be *less than significant*.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact: The project will create temporary localized odors during project construction. The proposed project will not introduce a conflicting land use (surrounding land includes residential neighborhoods) to the area and will not have any component that would typically emit odors. The project would not create objectionable odors affecting a substantial number of people. Therefore, impacts would be *less than significant*.

IV. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
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 & Game or U.S. fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through director removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion for this section originates from the Habitat Assessment that was prepared for this project by Soar Environmental Consulting, Inc. to identify sensitive biological resources, provide project impact analysis, and suggest mitigation measures. The full document can be found in Appendix B of this Initial Study.

The Project Site has been disturbed through farming practices for many years. The potential for sensitive-species to be present onsite is relatively low, however, the Project site contains potentially suitable habitat for the following species: San Joaquin adobe sunburst, California jewelflower, blunt-nosed leopard lizard, giant garter snake, California red-legged frog, California tiger salamander, San Joaquin kit fox, and Tipton kangaroo rat. None of the above referenced special status species were observed on the Project site. The findings for this report are summarized below.

Environmental Setting

The proposed Project site is located in a portion of the central San Joaquin Valley that has experienced intensive agricultural and urban disturbances. Current agricultural endeavors in the region include pastures, dairies, row crops, and orchards. Based upon historical aerial maps, the Project site was exclusively used for agricultural purposes between 1969 and 2020, primarily consisting of wheat fields and two private dwellings. Between 2009 and 2010, the north dwelling was demolished, and between 2015 and 2017, the south dwelling also was demolished. The foundation footprints of both structures were replaced by grasses. The remaining portion of the site is vegetated by wheat fields and ruderal plant species, including Common wheat (*triticum aestivum*), Prickly lettuce (*Lactuca serriola*), Annual bastard cabbage (*Rapistrum rugosum*), Lambsquarters (*Chenopodium album*), Hairy fleabane (*Erigeron bonariensis*), Nettle-leaved goosefoot (*Chenopodiastrum murale*), and Horseweed (*Erigeron canadensis*).

Regulatory Setting

Federal Endangered Species Act (FESA): defines an *endangered species* as “any species or subspecies that is in danger of extinction throughout all or a significant portion of its range.” A threatened species is defined as “any species or subspecies that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.”

The Federal Migratory Bird Treaty Act (FMBTA: 16 USC 703-712): FMBTA 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 birds native to the United States, even those that are non-migratory. The FMBTA encompasses whole birds, parts of birds, and bird nests and eggs.

Although the USFWS and its parent administration, the U.S. Department of the Interior, have traditionally interpreted the FMBTA as prohibiting incidental as well as intentional “take” of birds, a January 2018 legal opinion issued by the Department of the Interior now states that incidental take of migratory birds while engaging in otherwise lawful activities is permissible under the FMBTA. However, California Fish and Game Code makes it unlawful to take or possess any non-game bird covered by the FMBTA (Section 3513), as well as any other native non-game bird (Section 3800), even if incidental to lawful activities.

Birds of Prey (CA Fish and Game Code Section 3503.5): Birds of prey are protected in California under provisions of the 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.

Clean Water Act: Section 404 of the Clean Water Act of (1972) is to maintain, restore, and enhance the physical, chemical, and biological integrity of the nation’s waters. Under Section 404 of the Clean Water Act, the US Army Corps of Engineers (USACE) regulates discharges of dredged and fill materials into “waters of the United States” (jurisdictional waters). Waters of the US including navigable waters of the United States, interstate waters, tidally influenced waters, and all other waters where the use, degradation, or destruction of the waters could affect interstate or foreign commerce, tributaries to any of these waters, and wetlands that meet any of these criteria or that are adjacent to any of these waters or their tributaries.

California Endangered Species Act (CESA): prohibits the take of any state-listed threatened and endangered species. CESA defines *take* as “any action or attempt to hunt, pursue, catch, capture, or kill any listed species.” If the proposed project results in a take of a listed species, a permit pursuant to Section 2080 of CESA is required from the CDFG.

Discussion

- 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 & Game or U.S. fish and Wildlife Service?**

Less Than Significant Impact with Mitigation: The existing roadway system, agricultural activities, and development within the project area, have altered the natural landscape by the introduction of non-native plant species and by the removal of potentially suitable native habitat for sensitive plant or animal species within the Project area.

Prior to performing the habitat assessment, Soar Environmental Consulting, Inc. (Soar Environmental) conducted a review of the California Natural Diversity Database (CNDDDB) and the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), as well as the City of Tulare General Plan. The CNDDDB and IPaC search indicated that the State-listed and/or Federally-listed sensitive species most likely to occur within or near the Project site were San Joaquin adobe sunburst (SJAS, *Pseudobahia peirsonii*), California jewelflower (CJ, *Caulanthus californicus*), Vernal pool fairy shrimp (VPFS, *Branchinecta lynchi*), Delta smelt (DS, *Hypomesus transpacificus*), blunt-nosed leopard lizard (BNLL, *Gambelia silus*), giant garter snake (GGS, *Thamnophis gigas*), California red-legged frog (CRLF, *Rana draytonii*), California tiger salamander (CTS, *Ambystoma californiense*), Swainson’s hawk (SWHA, *Buteo swainsoni*), San Joaquin kit fox (SJKF, *Vulpes macrotis mutica*), and Tipton kangaroo rat (TKR, *Dipodomys nitratoideus nitratoideus*). While none of the aforementioned listed species were observed on the project site, potentially suitable habitat features for SJAS, CJ, BNLL, GGS, CRLF, CTS, SJKF, and TKR were observed within the project footprint. Due to years of frequent disturbance, conditions observed at the time of the biological survey were marginally suitable for SJAS and CJ in the grasses throughout the site, and suitable for SWHA in the utility poles along the south and east boundaries. The potentially suitable features for BNLL, GGS, CRLF, CTS, SJKF, and TKR were observed in areas of frequent disturbance. If conditions observed prior to construction are found to be similar to those reported in the Biological Resource Evaluation Report, no further investigation will be warranted. By applying the mitigation measures described below, the impact to special-status species will be less than significant for CEQA considerations.

SJAS Habitat

During the field survey, no signs of SJAS were observed within the Project footprint or surrounding areas. However, there are potentially suitable habitat features on site for this species, such as the annual grassland areas throughout the Project site. However, the mitigation measures described below will render the potential impact to SJAS less than significant under CEQA considerations.

CJ Habitat

During the field survey, no signs of CJ were observed within the Project footprint or surrounding areas. However, there are potentially suitable habitat features on site for this species, such as the

annual grassland areas throughout the entire Project site. However, the mitigation measures described below will render the potential impact to CJ less than significant under CEQA considerations.

BNLL Habitat

During the field survey, no signs of BNLL were observed in the Project footprint or surrounding areas. However, there are potentially suitable habitat features on site for this species, such as the small mammal burrows along the east and west boundaries of the site. BNLL are known to utilize small mammal burrows as refugia, or to hibernate. However, due to the high frequency of disturbance of this site, the likely presence of the feature is insignificant.

GGS Habitat

During the field survey, no signs of GGS were observed in the Project footprint or surrounding areas. However, there are potentially suitable habitat features on site for this species, such as the small mammal burrows near the drainage along the east boundary of the site. Small mammal burrows within the Project boundaries may support potential cover for this species. However, due to the high frequency of disturbance of this site, the likely presence of the feature is insignificant.

CRLF Habitat

During the field survey, no signs of CRLF were observed in the Project footprint or surrounding areas. However, there are potentially suitable habitat features on site for this species, such as the drainage along the eastern boundary of the site. Drainages with moist soil locations and vegetative cover may provide potential habitat for this species. However, due to the high frequency of disturbance of this site, the likely presence of the feature is insignificant.

CTS Habitat

During the field survey, no signs of CTS were observed in the Project footprint or surrounding areas. However, there are potentially suitable habitat features on site for this species, such as the small mammal burrows along the east and west boundaries of the site, and the drainage along the east boundary of the site. CTS are known to utilize small mammal burrows for refugia and/or to hibernate. However, due to the high frequency of disturbance of this site, the likely presence of the feature is insignificant.

SJKF Habitat

During the field survey, no signs of SJKF were observed in the Project footprint or surrounding areas. However, there are potentially suitable habitat features on site for this species, such as the small mammal burrows along the east and west boundaries of the site. Burrows with openings greater than 3 inches within the Project boundaries may support potential dens for this species. However, due to the high frequency of disturbance of this site, the likely presence of the feature is insignificant.

TKR Habitat

During the field survey, no signs of TKR were observed in the Project footprint or surrounding areas. However, there are potentially suitable habitat features on site for this species, such as the small mammal burrows along the east and west boundaries of the site. Burrows with openings of 3 inches within the Project boundaries may support potential dens for this species.

However, due to the high frequency of disturbance of this site, the likely presence of the feature is insignificant.

Special status species observations and potential habitat findings are summarized in Table 3-6 below.

Species Name	Species Observed on Project Site	Suitable Habitat on Project Site
San Joaquin adobe sunburst (<i>Pseudobahia peirsonii</i>)	No	Yes
California Jewelflower (<i>Caulanthus californicus</i>)	No	Yes
vernal pool fairy shrimp (<i>Branchinecta lynchi</i>)	No	No
Delta smelt (<i>hypomesus transpacificus</i>)	No	No
blunt-nosed leopard lizard (<i>Gambelia silus</i>)	No	Yes
giant garter snake (<i>Thamnophis gigas</i>)	No	Yes
California red-legged frog (<i>Rana draytonii</i>)	No	Yes
California tiger salamander (<i>Ambystoma californiense</i>)	No	Yes
Swainson's Hawk (<i>Buteo swainsoni</i>)	No	No
San Joaquin kit fox (<i>Vulpes macrotis mutica</i>)	No	Yes
Tipton kangaroo rat (<i>Dipodomys nitratooides nitratooides</i>)	No	Yes

Table 3-3-6. Special Status Species Findings

Burrowing Owl: Burrowing owl is a species of concern in California. It is a small owl that lives in grassland habitats of the Central Valley region that also supports California ground squirrels. The owl seeks shelter in the ground squirrel burrows (or other structures such as culverts or pipes) from roughly February to July. Although the numbers of owls have declined in some parts of California over the past 20 years, their numbers have increased greatly in some agricultural areas. In the San Joaquin Valley the species mostly occurs on the valley floor. Given the site is annually disturbed likely prevents occupation. The only potentially suitable habitat is the ruderal habitat at the edges of the proposed project site.

Implementation of the following mitigation measures will reduce potential impacts to sensitive species to a less than significant level.

Mitigation Measures:

Mitigation Measure BIO-1a: In order to avoid impacts to nesting raptors and migratory birds, the project shall be constructed, if feasible, outside of the nesting season (September 1st to January 31st).

Mitigation Measure BIO-1b: If Project construction occurs during nesting season (February 1st through August 31st), a qualified biologist shall conduct a preconstruction survey of the Project site and the surrounding habitat for nesting birds to avoid any adverse impacts leading to nest failure or abandonment. The preconstruction survey shall be conducted no more than 14 days before the commencement of Project construction activities. The survey shall include the proposed work area(s) and surrounding lands within 500 feet, where accessible, for all nesting raptors and migratory birds save Swainson's hawk; the Swainson's hawk survey shall extend to 0.5 mile outside of work area boundaries. Nesting surveys for the Swainson's hawks shall be conducted in accordance with the protocol outlined in the "Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley" (Swainson's Hawk Technical Advisory Committee, 2000).

Areas of particular importance are the utility poles along the south and east boundaries of the site, as these provide ample nesting habitat for raptors and other Migratory Bird Treaty Act protected species. If potential Swainson's hawk nests or nesting substrates are located within 0.5 miles of the Project site, then those nests or substrates must be monitored for activity on a routine and repeating basis throughout the breeding season, or until Swainson's hawks or other raptor species are verified to be using them. The protocol recommends that 10 visits be made to each nest or nesting site: one during January 1-March 20 to identify potential nest sites, three during March 20-April 5, three during April 5-April 20, and three during June 10-July 30. To meet the minimum level of protection for the species, surveys shall be completed for at least the two survey periods immediately prior to Project-related ground disturbance activities. If Swainson's hawks are not found to nest within the survey area, then no further action is warranted.

Mitigation Measure BIO-1c: Should any active nests be discovered near proposed work areas, Swainson's hawk nests shall be avoided by 0.5 miles unless this avoidance buffer is reduced through consultation with the CDFW and/or USFWS. If a construction area falls within this nesting site, construction-free buffers shall be identified on the ground with flagging, fencing, or by other easily visible means, and shall be maintained until the biologist has determined that the young have fledged (left the nest).

Mitigation Measure BIO-2: Prior to the commencement of ground disturbance activities, a qualified biologist will survey the grasses throughout the Project site for SJAS and CJ. The preconstruction survey will be conducted during the blooming period for each respective species, and in accordance with the most recent CDFW botanical survey protocols.

Mitigation Measure BIO-3a: Preconstruction surveys for the San Joaquin kit fox shall be conducted on and within 200 feet of the project site, no more than 30 days prior to the start of ground disturbance activities on the site. The primary objective is to identify kit fox habitat features (e.g., potential dens and refugia) on and adjacent to the site and evaluate their use by kit foxes. Protection provided by dens for shelter, escape, cover, and reproduction is vital to the survival of San Joaquin kit foxes. For San Joaquin kit foxes, the ecological value of potential,

known, and natal/pupping dens differs; therefore, each den type requires the appropriate level of protection. The following text describes the different steps involved with implementing this mitigation measure:

Determine Den Status. When a suitable den or burrow is discovered, a qualified biologist shall determine whether the hole is occupied by a San Joaquin kit fox. Den entrances at least 4 inches in diameter (but not greater than 20 inches) qualify as suitable for San Joaquin kit fox use. Some dens can be immediately identified as recently used by kit fox; qualifying signs include kit fox tracks, scats, and a fresh soil apron extending up to 6 feet from the den entrance. Dens with proper dimensions, but no obvious sign will require further investigation. A remote motion-sensing camera with tracking medium shall be deployed for at least 5 days in an attempt to document a San Joaquin kit fox using the den. If, after 5 days, no San Joaquin kit foxes are detected and the hole has remained unchanged (no new tracks or excavations are observed), and there is no historic record of an active kit fox den at that location, the den will be deemed a “potential den” and unoccupied. The den will be considered occupied if a kit fox is photographed using the den or if a recent sign is found. The biologist shall contact CDFW and the USFWS upon the confirmation of any occupied den.

Preconstruction surveys shall be repeated following any lapses in construction of 30 days or more.

Mitigation Measure BIO-3b: Should active kit fox dens be detected during preconstruction surveys, the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW shall be notified. A disturbance-free buffer shall be established around the burrows in consultation with the USFWS and CDFW, to prevent access to the occupied den by construction equipment and personnel who are not biologists, and to be maintained until an agency-approved biologist has determined that the burrows have been abandoned. After construction activities would no longer affect the den, all fencing and flagging shall be removed to avoid attracting attention to the den by other animals or humans. All onsite flagging and buffer delineations shall be kept in good working order for the duration of activity near the den or until the den is determined to be unoccupied, whichever occurs first. The following radii are standard San Joaquin kit fox buffer distances:

- Known occupied den—100 feet
- Occupied natal/pupping den—500 feet
- Occupied atypical den—50 feet

In the exclusion zones, only essential vehicle and foot traffic shall be permitted. No activity that would destroy the den may occur, and no activity that may harm a San Joaquin kit fox will proceed until the individual is out of harm’s way, without harassment. No activity that may cause strong ground vibrations may occur in the exclusion zone until the den is no longer occupied. Essential vehicle traffic shall include any emergency vehicles. If San Joaquin kit foxes are not observed above ground, essential foot traffic also may be allowed. The USFWS and CDFW shall be notified of any reductions in the standard radii or allowance for additional activity in the restrictive exclusion zones based on individual circumstances to provide USFWS and CDFW an opportunity to offer technical guidance. If a known or occupied den cannot be avoided, consultation with the USFWS and CDFW shall be required.

Mitigation Measure BIO-3c: Should active kit fox dens be detected during preconstruction surveys, construction activities shall be carried out in a manner that minimizes disturbance to kit foxes in accordance with the USFWS Standardized Recommendations. The applicant shall implement all minimization measures presented in the Construction and On-going Operational Requirements section of the Standardized Recommendations, including, but not limited to:

- Project-related vehicles shall observe a daytime speed limit of 15-mph throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Night-time construction should be minimized to the extent possible. However if it does occur, then the speed limit shall be reduced to 10-mph. Off-road traffic outside of designated project areas shall be prohibited.
- To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2-feet deep shall be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the USFWS and CDFW shall be contacted.
- Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.
- All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from a construction or project site.
- No firearms shall be allowed on the project site.
- No pets, such as dogs or cats, shall be permitted on the project site, to prevent harassment, mortality of kit foxes, or destruction of dens.
- Use of rodenticides and herbicides in project areas shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by USFWS. If rodent control must be conducted, zinc phosphide shall be used because of a proven lower risk to kit fox.
- An employee education program shall be conducted for the project. The program shall consist of a brief presentation by persons knowledgeable in kit fox biology and protection to explain endangered species concerns to contractors, their employees, and agency personnel involved in the project. This training will include a description of the kit fox and its habitat needs; a report of the occurrence of kit fox in the project vicinity; an explanation of the status of the species and its protection under the Endangered Species

Act; and a list of the measures being taken to reduce impacts to the species during project construction and implementation. The training will include a handout with all of the training information included in it. The applicant will use this handout to train any construction personnel that were not in attendance at the first meeting, prior to those personnel starting work on the site.

- A representative shall be appointed by the Applicant who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative shall be identified during the employee education program and their name and telephone number shall be provided to USFWS.
- Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. shall be re-contoured if necessary, and revegetated to promote restoration of the area to pre-project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas shall be determined on a site-specific basis in consultation with USFWS, CDFW, or revegetation experts.

Any contractor, employee, or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW will be notified in writing within three working days in case of the accidental death or injury of a San Joaquin kit fox during project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal, and any other pertinent information. The CDFW contact for immediate assistance is State Dispatch at (916) 445-0045. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530) 934-9309.

- New sightings of kit fox shall be reported to the CNDDDB. A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to USFWS.

Mitigation Measure BIO-4a: (Take Avoidance Survey). A take avoidance survey for burrowing owls shall be conducted by a qualified biologist knowledgeable of the species within 14 days prior to the start of construction. This take avoidance survey shall be conducted according to methods described in the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012). The survey area shall include all suitable habitat on and within 200 meters of project impact areas, where accessible.

Mitigation Measure BIO-4b: (Avoidance of Active Nests and Roosts). If project activities are undertaken during the breeding season (February 1-August 31) and active nest burrows are identified within or near project impact areas, a 200-meter disturbance-free buffer shall be established around these burrows, unless a qualified biologist approved by CDFW verifies through noninvasive methods either that the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival. Owls present on site after February 1 will be assumed to be nesting unless evidence indicates otherwise. The protected exclusion zone established for the breeding season shall remain in effect until August 31 or, as determined based on monitoring evidence, until the young owl(s) is foraging independently or the nest is no longer active.

Mitigation Measure BIO-4c: (Passive Relocation of Resident Owls). During the nonbreeding season (September 1-January 31), resident owls occupying burrows in project impact areas may be passively relocated to alternative habitat after consulting with the CDFW. Prior to passively relocating burrowing owls, a Burrowing Owl Exclusion Plan shall be prepared by a qualified biologist in accordance with Appendix E of the *Staff Report on Burrowing Owl Mitigation* (CDFW, 2012). The Burrowing Owl Exclusion Plan shall be submitted to the CDFW for review prior to implementation. Relocation of any owls during the nonbreeding season shall be performed by a qualified biologist using one-way doors, which shall be installed in all burrows in the impact area and left in place for at least two nights. The doors shall be removed and the burrows backfilled immediately before the initiation of grading or, if no grading would occur, left in place until the end of construction. To avoid the potential for owls evicted from a burrow to occupy other burrows in the project site, one-way doors shall be placed in all potentially suitable burrows within the impact area when eviction occurs.

- 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 Game or US Fish and Wildlife Service?**

No Impact: During the Habitat Assessment performed by Soar Environmental, no riparian habitat nor other sensitive natural communities were observed on-site. Development of the proposed project would not impact 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 (CDFW), or United States Fish and Wildlife Service (USFWS). There is *no impact*.

- 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 director removal, filling, hydrological interruption, or other means?**

No Impact: No water or other hydrologic features occur within the limits of construction and operation of the proposed project. There are no jurisdictional water features and no nexus to Waters of the United States. Therefore, no impacts to state or federally protected wetlands would occur due to the proposed project. There is *no impact*.

- 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?**

Less than Significant Impact: The project does not contain streams or other waterways that could be used by migratory fish or as a wildlife corridor for other wildlife species. To the east and north, the project is bordered by intensive agriculture (annual crops). To the west and south, the project is bordered by existing urban (residential) use or active construction of residential developments. As such, the project would not interfere substantially with the movement of any resident or migratory fish, wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites. The impact is *less than significant*.

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

No Impact: The County of Tulare General Plan and the City of Tulare General Plan contain requirements to preserve and maintain Oak (*Quercus* sp.) species and associated habitats. In addition, the City of Tulare has regulations guiding maintenance of street trees on city roads. No protected tree species or associated habitat have been observed on site, so the policies related to tree preservation do not apply. There is *no impact*.

- 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?**

No Impact: The proposed project is not located within the boundaries of an adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional or state habitat conservation plan. There is *no impact*.

V. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

The history of European settlement in the Tulare County area focused primarily on farming and ranching. European settlement did not occur until the arrival into southern California of land-based expeditions originating from Spanish Mexico starting in the 1760s. European-American settlement of this region began in 1851 with the building of Fort Miller on the San Joaquin River. Unfortunately, hostility grew between American settlers and Native inhabitants, which initially prevented widespread settlement of the area. By the 1860s, the arrival of waves of additional European-American settlers subjugated and removed the Native inhabitants, and the European-American settlers began to inhabit more regions.

In April, 1852, Tulare County was created, with the county seat initially located at Woodsville. In 1853 the county seat was removed to Fort Visalia, located in the area bounded by Oak, Center, Garden and Bridge streets. In 1872, the Southern Pacific Railroad founded the City of Tulare by beginning construction of the railroad within Tulare County, connecting the San Joaquin Valley with markets in the north and east. During this time, valley residents constructed a series of water conveyance systems (canals, dams, and ditches) across the valley. Ample water supplies and assured rail transport were very important for the new colonies making their living off of fruit, grain and dairy farming.

A Cultural Resources Records Search was conducted by the Southern San Joaquin Valley Information Center on May 5, 2020. The records search stated that there has been one previous cultural resource study conducted within a small portion of the project area, and that two additional previous cultural resources studies were conducted within one-half mile of the project site. According to the records search, there are no recorded cultural resources within the project area, and there is one recorded resource (Tulare Irrigation District Canal) within the one-half mile radius. The full findings of the cultural records search can be found in Appendix C.

Regulatory Setting

National Historic Preservation Act: The National Historic Preservation Act was adopted in 1966 to preserve historic and archeological sites in the United States. The Act created the National Register of Historic Places, the list of National Historic Landmarks, and the State Historic Preservation offices.

California Historic Register: The California Historic Register was developed as a program to identify, evaluate, register, and protect Historical Resources in California. California Historical Landmarks are sites, buildings, features, or events that are of statewide significance and have anthropological, cultural, military, political, architectural, economic, scientific, religious, experimental, or other value. In order for a resource to be designated as a historical landmark, it must meet the following criteria:

- The first, last, only, or most significant of its type in the state or within a large geographic region (Northern, Central, or Southern California).
- Associated with an individual or group having a profound influence on the history of California.
- A prototype of, or an outstanding example of, a period, style, architectural movement or construction or is one of the more notable works or the best surviving work in a region of a pioneer architect, designer or master builder.

City of Tulare General Plan: The City of Tulare General Plan includes the following goals and policies pertaining to cultural and historic resources:

- LU-P13.15 Architectural Heritage. The City shall encourage expressions of its cultural and historic heritage in key central area architectural and other physical design elements (such as murals and/or community art), as well as through encouragement of related cultural events and celebrations.

Goal COS-5 To manage and protect sites of cultural and archaeological importance for the benefit of present and future generations.

- COS-P5.1 Archaeological Resources. The City shall support efforts to protect and/or recover archaeological resources.
- COS-P5.2 Evaluation of Historic Resources. The City shall use appropriate State and Federal standards in evaluating the significance of historical resources that are identified in the city.
- COS-P5.3 Historic Preservation. The City shall encourage the preservation of historic residences and neighborhoods wherever appropriate.
- COS-P5.4 Historic Buildings. The City shall encourage the preservation and adaptive use of historic buildings, particularly in the downtown.
- COS-P5.5 Historic Structures and Sites. The City shall support public and private efforts to preserve, rehabilitate, and continue the use of historic structures, sites, and districts. Where applicable, preservation efforts shall conform to the current Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Building.
- COS-P5.6 Protection of Resources with Potential State or Federal Designations. The City shall 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 State Office of Historic Preservation's California Points of Interest and California Inventory of Historic Resources. Such sites may be of statewide or local significance and have anthropological, cultural, military, political, architectural, economic, scientific, religious, or other values.
- COS-P5.7 State Historic Building Code. The City shall utilize the State Historic Building Code for designated properties.
- COS-P5.8 Design Compatibility with Historic Structures. The City shall ensure design compatibility of new development within close proximity to designated historic structures and neighborhoods.

- COS-P5.9 Discovery of Archaeological Resources. In the event that archaeological/ paleontological resources are discovered during site excavation, grading, or construction, the City shall require that work on the site be suspended within 100 feet of the resource until the significance of the features can be determined by a qualified archaeologist/ paleontologist. If significant resources are determined to exist, an archaeologist shall make recommendations for protection or recovery of the resource. City staff shall consider such recommendations and implement them where they are feasible in light of project design as previously approved by the City.
- COS-P5.10 Discovery of Human Remains. Consistent with Section 7050.5 of the California Health and Safety Code and CEQA Guidelines (Section 15064.5), if human remains of Native American origin are discovered during project construction, it is necessary to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Public Resources Code Sec. 5097). If any human remains are discovered or recognized in any location on the project site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - The Tulare County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and
 - If the remains are of Native American origin,
 - The descendants of the deceased Native Americans have made a timely recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resources Code Section 5097.98.
 - The Native American Heritage Commission was unable to identify a descendant, or the descendant failed to make a recommendation within 24 hours after being notified by the commission, or
 - The landowner or his or her authorized representative rejects any timely recommendations of the descendent, and mediation conducted by the Native American Heritage Commission has failed to provide measures acceptable to the landowner.
- COS-P5.11 Impact Mitigation. If preservation of cultural/historical resources is not feasible, the City shall make every effort to mitigate impacts, including relocation of structures, adaptive reuse, preservation of facades, and thorough documentation and archival of records.
- COS-P5.12 Mitigation Monitoring for Historical Resources. The City shall develop standards for monitoring mitigation measures established for the protection of historical resources prior to development.
- COS-P5.13 Alteration of Sites with Identified Cultural Resources. When planning any development or alteration of a site with identified cultural or archaeological resources, consideration should be given to ways of protecting the resources. The City shall permit development in these areas only after a site-specific investigation has been conducted pursuant to CEQA to define the extent and value of resource, and mitigation measures proposed for any impacts the development may have on the resource.
- COS-P5.14 Education Program Support. The City shall support local, state, and national education programs on cultural and archaeological resources.

- COS-P5.15 Solicit Input from Local Native Americans. The City shall solicit input from the 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.
- COS-P5.16 Confidentiality of Archaeological Sites. The City shall, within its power, maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect resources that are determined to exist. An archaeologist/paleontologist shall make recommendations for protection or recovery of the resource. City staff shall consider such recommendations and implement them where they are feasible in light of project design as previously approved by the City.
- COS-P5.17 Cooperation of Property Owners. The City shall encourage the cooperation of property owners to treat cultural resources as assets rather than liabilities, and encourage public support for the preservation of these resources.
- COS-P5.18 Archaeological Resource Surveys. Prior to project approval, the City shall require project applicant to have a qualified archaeologist conduct the following activities: (1) conduct a record search at the Regional Archaeological Information Center located at California State University Bakersfield and other appropriate historical repositories, (2) conduct field surveys where appropriate, and (3) prepare technical reports, where appropriate, meeting California Office of Historic Preservation Standards (Archaeological Resource Management Reports).

Discussion

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

Less Than Significant Impact with Mitigation: A records search was conducted on behalf of the Applicant at the Southern San Joaquin Valley Archaeological Information Center (AIC) to determine if historical or archaeological sites had previously been recorded within the study area, if the project area had been systematically surveyed by archaeologists prior to the initial study, and/or whether the region of the field project was known to contain archaeological sites and to thereby be archaeologically sensitive.

The records search stated that there has been one previous cultural resource study conducted within a small portion of the project area, and that two additional previous cultural resources studies were conducted within one-half mile of the project site. According to the records search, there are no recorded cultural resources within the project area, and there is one recorded resource (Tulare Irrigation District Canal) within the one-half mile radius. The full findings of the cultural records search can be found in Appendix C.

Based on the results of this records search, no previously recorded cultural resources are located within the project site. Although no historical resources were identified, the presence of remains or unanticipated cultural resources under the ground surface is possible. Implementation of Mitigation Measures CUL-1 and CUL-2 will ensure that impacts to this checklist item will be *less than significant with mitigation incorporation*.

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

Less Than Significant Impact with Mitigation: There are no known archaeological resources located within the project area. Implementation of Mitigation Measures CUL-1 and CUL-2 will ensure that potential impact will be *less than significant with mitigation incorporation*.

- c) **Would the project disturb any human remains, including those interred outside of formal cemeteries?**

Less Than Significant Impact with Mitigation: There are no known human remains buried in the project vicinity. If human remains are unearthed during development, there is a potential for a significant impact. As such, implementation of Mitigation Measure CUL-2 will ensure that impacts remain *less than significant with mitigation incorporation*.

Mitigation Measures for Impacts to Cultural Resources:

Mitigation Measure CUL-1: If cultural resources are encountered during ground-disturbing activities, work in the immediate area must halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (NPS 1983) should be contacted immediately to evaluate the find. If the discovery proves to be significant under CEQA, additional work such as data recovery excavation and Native American consultation may be warranted to mitigate any adverse effects.

Mitigation Measure CUL-2: The discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

VI. ENERGY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Southern California Edison (SCE) provides electricity services to the region. SCE serves approximately 15 million people throughout a 50,000 square-mile service area in central, coastal, and southern California. SCE supplies electricity to its customers through a variety of renewable and nonrenewable sources. The Table 3-7 below shows the proportion of each energy resource sold to California consumers by SCE in 2017 as compared to the statewide average.

Fuel Type		SCE Power Mix	California Power Mix
Coal		0%	4%
Large Hydroelectric		8%	15%
Natural Gas		20%	34%
Nuclear		6%	9%
Other (Oil/Petroleum Coke/Waste Heat)		0%	<1%
Unspecified Sources of Power ¹		34%	9%
Eligible Renewables	Biomass	0%	2%
	Geothermal	8%	4%
	Small Hydro	1%	3%
	Solar	13%	10%
	Wind	10%	10%
	Total Eligible Renewable	32%	29%
1. "Unspecified sources of power" means electricity from transactions that are not traceable to specific generation sources.			

Table 3-7. 2017 SCE and State average power resources; Source: California Energy Commission

SCE also offers Green Rate Options, which allow consumers to indirectly purchase up to 100% of their energy from renewable sources. To accomplish this, SCE purchases the renewable energy necessary to meet the needs of Green Rate participants from solar renewable developers.

Southern California Gas (SoCalGas) Company provides natural gas services to the project area. Natural gas is an energy source developed from fossil fuels composed primarily of methane (CH₄). Approximately 45% of the natural gas burned in California is used for electricity generation, while 21% is consumed by the residential sector, 25% is consumed by the industrial sector, and 9% is consumed by the commercial sector. Approximately 41,418,644 therms of natural gas is consumed annually within the City of Tulare Urban Development Boundary. The residential sector accounts for 18% of the City's total natural gas consumption.

Regulatory Setting

California Code of Regulations, Title 20: Title 20 of the California Code of Regulations establishes standards and requirements for appliance energy efficiency. The standards apply to a broad range of appliances sold in California.

California Code of Regulations, Title 24: Title 24 of the California Code of Regulations is a broad set of standards designed to address the energy efficiency of new and altered homes and commercial buildings. These standards regulate energy consumed for heating, cooling, ventilation, water heating, and lighting. Title 24 requirements are enforced locally by the City of Tulare Building Department.

California Green Building Standards Code (CALGreen): CalGreen is a mandatory green building code that sets minimum environmental standards for new buildings. It includes standards for volatile organic compound (VOC) emitting materials, water conservation, and construction waste recycling.

City of Tulare Climate Action Plan (2011): The City of Tulare Climate Action Plan establishes the following Goals and Policies related to energy efficiency and conservation:

Goal 1: Increase energy efficiency and conservation.

- 1.1 Increase energy efficiency in existing City buildings and facilities through Facility Improvement Measures and by retrofitting Edison-owned streetlights. (City measure)
- 1.2 Design new City buildings and facilities to exceed California Energy Code requirements by 15%. (City measure)
- 1.3 Increase energy efficiency in new commercial and residential development and require new residential and commercial development to achieve enhanced energy efficiency and exceed California Energy Code requirements by 15%.
- 1.4 Reduce the urban heat island effect to cool the local climate and reduce energy consumption by maintaining current rates of public tree planting and increased shading on private property, high albedo surfaces, and cool surfaces.
- 1.5 Achieve a 20% reduction in water use by 2020 (20X2020) to reduce energy consumed for groundwater pumping.
- 1.6 Facilitate energy efficiency improvements within the residential building stock.
- 1.7 Support commercial and industrial profitability and energy efficiency through programs and partnerships.
- 1.8 Promote voluntary energy efficiency retrofits in the commercial and industrial sectors through financing and incentive programs.
- 1.9 Require stationary equipment in new industrial development to comply with best practice energy efficiency standards.

- 1.10 Continue to partner in regional initiatives that encourage achievement of regional energy efficiency targets.

Discussion

- 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: While construction of the proposed project will result in additional energy consumption, this energy use is not unnecessary or inefficient.

During project construction there would be an increase in energy consumption related to worker trips and operation of construction equipment. This energy use is justified by the energy-efficient nature of the proposed project and would be limited to the greatest extent possible through compliance with local, state, and federal regulations.

Once construction is complete, the project is expected to achieve net zero energy consumption. The proposed project is subject to the California New Residential Zero Net Energy Action Plan 2015-2020. This plan establishes a goal for all residential buildings built after January 1, 2020 to be zero net energy. The California Energy Commission is responsible for the development and enforcement of specific strategies to achieve this goal. These strategies are implemented through Title 24, Part 6 of the California Building Code, which requires developers to include certain measures (including solar panels on all new residential buildings) to achieve required building efficiency standards.

Because the proposed project will comply with all energy efficiency standards required under Title 24, Section 6, and these standards were specifically developed to achieve net zero energy for residential projects, it can be presumed that the project will achieve net zero energy. The impact is *less than significant*.

- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

No Impact: The proposed project will not conflict with or obstruct any state or local plans for renewable energy or energy efficiency. The project will be designed to meet Title 24 and CALGreen requirements. Compliance with these standards will be enforced by the City of Tulare Building Division. There is *no impact*.

VII. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct and indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

Geologic Stability and Seismic Activity

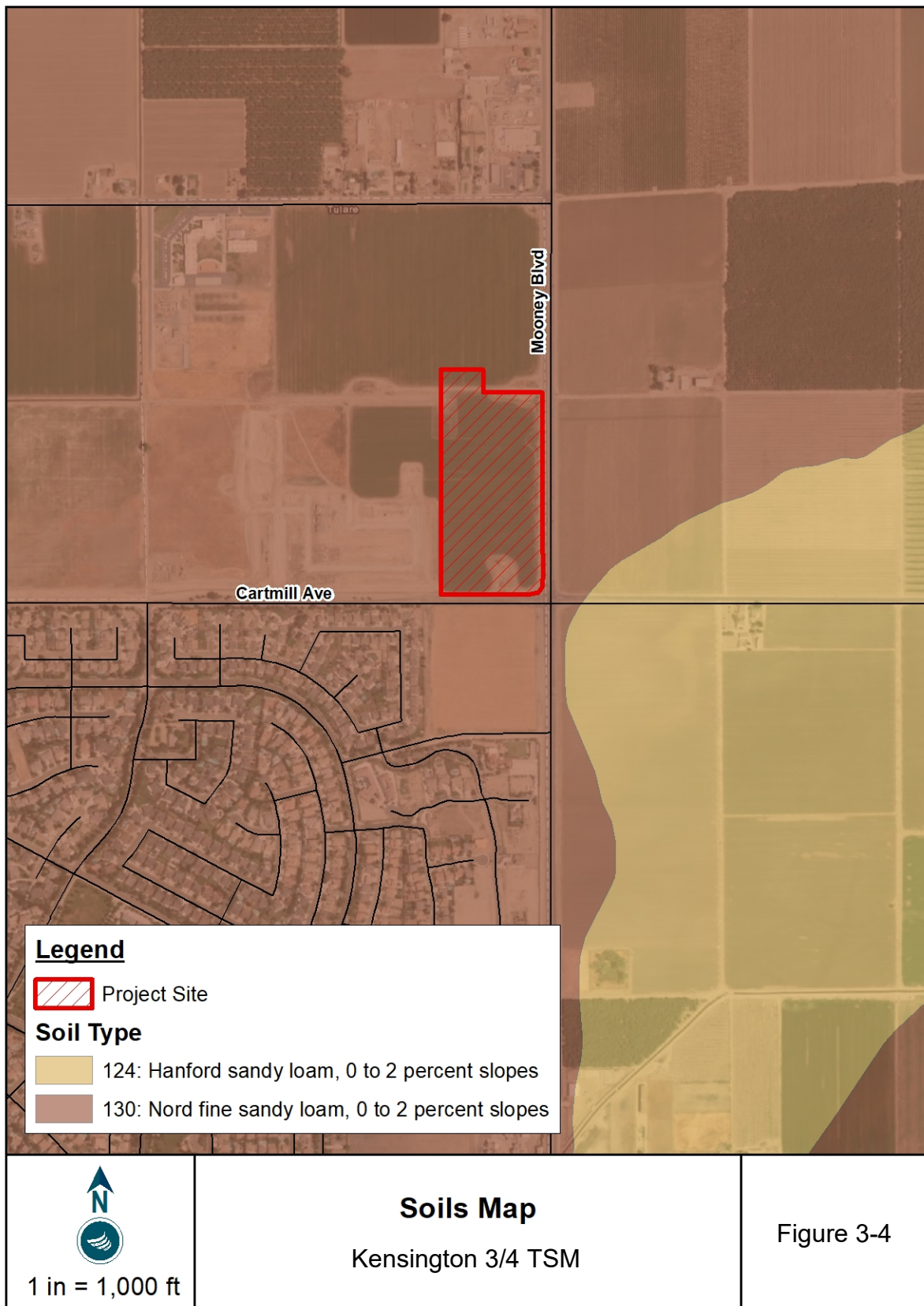
- Seismicity:** Tulare County is considered to be a low to moderate earthquake hazard area. The San Andreas Fault is the longest and most significant fault zone in California and is approximately 40 miles west of the Tulare County Boundary. Owens Valley fault zone is the only active fault located within Tulare County. Section 5 of the 2017 Tulare Multi-Jurisdictional Local Hazard Mitigation Plan identifies the project site as likely to experience low to moderate shaking from earthquakes, and may experience higher levels if an earthquake were to occur in or near the County. Ground

shaking can result in other geological impacts, including liquefaction, landslides, lateral spreading, subsidence, or collapse.

- **Liquefaction:** Liquefaction is a phenomenon whereby unconsolidated and/or near-saturated soils lose cohesion and are converted to a fluid state as a result of severe vibratory motion. The relatively rapid loss of soil shear strength during strong earthquake shaking results in temporary, fluid-like behavior of the soil, which can result in landslides and lateral spreading. No specific countywide assessment of liquefaction has been performed; however the 2017 Tulare Multi-Jurisdictional Local Hazard Mitigation Plan identifies the risk of liquefaction within the county as low because the soil types in the area either too coarse or too high in clay content to be suitable for liquefaction.
- **Landslides:** Landslides refer to a wide variety of processes that result in the downward and outward movement of soil, rock, and vegetation under gravitational influence. Landslides can be caused by both natural and human-induced changes in slope stability and often accompany other natural hazard events, such as floods, wildfire, or earthquake. Eastern portions of the County are considered to be at a higher risk of landslides where steep slopes are present. However, the majority of the County, including the proposed project site, is considered to be at low risk of landslides and mudslides because of its flat topography. The 2017 Tulare Multi-Jurisdictional Local Hazard Mitigation Plan states that occurrence of landslide events within populated areas of Tulare County is unlikely.
- **Subsidence:** Land Subsidence refers to the vertical sinking of land as a result of either manmade or natural underground voids. Subsidence has occurred throughout the Central Valley at differing rates since the 1920's as a result of groundwater, oil, and gas withdrawal. During drought years, Tulare County is prone to accelerated subsidence, with some areas sinking up to 28 feet. Although western portions of the County show signs of deep and shallow subsidence, the majority of the County, including the proposed project site, is not considered to be at risk of subsidence related hazards.

Soils Involved in Project: The proposed project involves construction on one soil type. The properties of this soil is described below:

- **Nord fine sandy loam, 0 to 2 percent slopes:** The Nord series consists of very deep, well drained soils formed primarily from granitic and sedimentary rocks. The Nord series is a member of a coarse-loamy, mixed, superactive, thermic cumulic Haploxerolls taxonomic class and are found in flood plains and alluvial fans.



Regulatory Setting

California Building Code: The California Building Code contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance. CBC provisions provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures and certain equipment.

City of Tulare General Plan: The Safety Element of the City of Tulare General Plan includes the following goals and policies regarding soils and geology.

- SAF-P1.4 Building and Codes. Except as otherwise allowed by State law, the City shall ensure that all new buildings intended for human habitation are designed in compliance with the latest edition of the California Building Code, California Fire Code, and other adopted standards based on risk (e.g., seismic hazards, flooding), type of occupancy, and location (e.g., floodplain, fault).
- SAF-P1.7 Site Investigations. The City shall require applicants to conduct site investigations in areas planned for new development to determine susceptibility to landslides, subsidence/settlement, contamination, and/or flooding.

Goal SAF-4 To protect people and property from seismic and geotechnical hazards.

- SAF-P4.4 Alquist-Priolo Act Compliance. The City shall not permit any structure for human occupancy to be placed within designated Earthquake Fault Zones (pursuant to and as determined by the Alquist-Priolo Earthquake Fault Zoning Act; Public Resources Code, Chapter 7.5) unless the specific provisions of the Act and Title 14 of the California Code of Regulations have been satisfied.
- SAF-P4.5 Subsidence. The City shall confirm that development is not located in any known areas of active subsidence. If urban development may be located in such an area, a special safety study will be prepared and needed safety measures implemented.

Discussion

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

- 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: According to the Tulare County Multi-Hazard Mitigation Plan, no active faults underlay the project site. Although the project is located in an area of relatively low seismic activity, the project could be affected by ground shaking from nearby faults. The potential for strong seismic ground shaking on the project site is not a significant environmental concern due to the infrequent seismic activity of the area and distance to the faults. The project has no potential to indirectly or directly cause the rupture of an earthquake fault. Therefore, the risk of loss, injury or death involving a rupture of a known earthquake fault would be *less than significant*.

ii. **Strong seismic ground shaking?**

No Impact: According to the Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan, the project site is located in an area of relatively low seismic activity. The proposed project does not include any activities or components which could feasibly cause strong seismic ground shaking, either directly or indirectly. There is *no impact*.

iii. **Seismic-related ground failure, including liquefaction?**

No Impact: No specific countywide assessment of liquefaction has been performed; however the Tulare County Multi-Hazard Mitigation Plan identifies the risk of liquefaction within the county as low because the soil types are unsuitable for liquefaction. According to state soils maps, the project site consists mostly of Nord fine sandy loam and does not contain soils suitable for liquefaction.. There is *no impact*.

iv. **Landslides?**

No Impact: The proposed project site is generally flat and there are no hill slopes in the area. As a result, there is almost no potential for landslides. No geologic landforms exist on or near the site that would result in a landslide event. There is *no impact*.

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

Less Than Significant Impact: Because the project site is relatively flat, the potential for erosion is low. However, construction-related activities and increased impermeable surfaces can increase the probability for erosion to occur. Construction-related impacts related to erosion will be temporary and subject to best management practices (BMPs) required by SWPPP, which are developed to prevent significant impacts related to erosion from construction. The project includes a stormwater retention basin and all stormwater will be retained on-site. Because impacts related to erosion would be temporary and limited to construction, and because required best management practices would prevent significant impacts related to erosion, the impact will remain *less than significant*.

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?**

No Impact: The soils associated with the project site are considered stable and have a low capacity for landslides, lateral spreading, subsidence, liquefaction or collapse. Because the project area is considered to be stable, and this project would not result in a substantial grade change to the topography to the point that it would increase the risk of landslides, lateral spreading, subsidence, liquefaction or collapse, there is *no impact*.

d) **Would the project be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?**

No Impact: Expansive soils contain large amounts of clay, which absorb water and cause the soil to increase in volume. Conversely, the soils associated with the proposed project site are granular, well-draining, and therefore have a limited ability to absorb water or exhibit expansive behavior. Because

the soils associated with the project are not suitable for expansion, implementation of the project will pose no direct or indirect risk to life or property caused by expansive soils and there is *no impact*.

- e) **Would the project 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?**

No Impact: The proposed project will have access to existing City wastewater infrastructure and would not require the use of septic tanks or alternative wastewater disposal systems. There is *no impact*.

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

Less Than Significant Impact: There are no unique geologic features and no known paleontological resources located within the project area and no excavation proposed in undisturbed soils, particularly to a depth with a potential to unearth paleontological resources. Potential impacts resulting from project implementation would be *less than significant*.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Natural processes and human activities emit greenhouse gases. The presence of GHGs in the atmosphere affects the earth's temperature. Without the natural heat-trapping effect of GHGs, the earth's surface would be about 34°C cooler. However, it is believed that emissions from human activities, such as electricity production and vehicle use, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations.

The effect of greenhouse gasses on earth's temperature is equivalent to the way a greenhouse retains heat. Common GHGs include water vapor, carbon dioxide, methane, nitrous oxide, ozone, chlorofluorocarbons, hydro chlorofluorocarbons, and hydro fluorocarbons, per fluorocarbons, sulfur and hexafluoride. Some gases are more effective than others. The Global Warming Potential (GWP) has been calculated for each greenhouse gas to reflect how long it remains in the atmosphere, on average, and how strongly it absorbs energy. Gases with a higher GWP absorb more energy, per pound, than gases with a lower GWP, and thus contribute more to global warming. For example, one pound of methane is equivalent to twenty-one pounds of carbon dioxide.

GHGs as defined by AB 32 include the following gases: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. GHGs as defined by AB 32 are summarized in Table 3-8. Each gas's effect on climate change depends on three main factors. The first being the quantity of these gases are in the atmosphere, followed by how long they stay in the atmosphere and finally how strongly they impact global temperatures.

Greenhouse Gas	Description and Physical Properties	Lifetime	GWP	Sources
Methane (CH ₄)	Is a flammable gas and is the main component of natural gas	12 years	21	Emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from livestock and other agricultural practices and by the decay of organic waste in municipal solid waste landfills.

Greenhouse Gas	Description and Physical Properties	Lifetime	GWP	Sources
Carbon dioxide (CO ₂)	An odorless, colorless, natural greenhouse gas.	30-95 years	1	Enters the atmosphere through burning fossil fuels (coal, natural gas and oil), solid waste, trees and wood products, and also as a result of certain chemical reactions (e.g., manufacture of cement). Carbon dioxide is removed from the atmosphere (or "sequestered") when it is absorbed by plants as part of the biological carbon cycle.
Chloro-fluorocarbons	Gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are non-toxic nonflammable, insoluble and chemically unreactive in the troposphere (the level of air at the earth's surface).	55-140 years	3,800 to 8,100	Were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. They destroy stratospheric ozone.
Hydro-fluorocarbons	A man-made greenhouse gas. It was developed to replace ozone-depleting gases found in a variety of appliances. Composed of a group of greenhouse gases containing carbon, chlorine and at least one hydrogen atom.	14 years	140 to 11,700	Powerful greenhouse gases that are emitted from a variety of industrial processes. Fluorinated gases are sometimes used as substitutes for stratospheric ozone-depleting substances. These gases are typically emitted in smaller quantities, but because they are potent greenhouse gases.
Nitrous oxide (N ₂ O)	Commonly known as laughing gas, is a chemical compound with the formula N ₂ O. It is an oxide of nitrogen. At room temperature, it is a colorless, non-flammable gas, with a slightly sweet odor and taste. It is used in surgery and dentistry for its anesthetic and analgesic effects.	120 years	310	Emitted during agricultural and industrial activities, as well as during combustion of fossil fuels and solid waste.
Pre-fluorocarbons	Has a stable molecular structure and only breaks down by ultraviolet rays about 60 kilometers above Earth's surface.	50,000 years	6,500 to 9,200	Two main sources of pre-fluorocarbons are primary aluminum production and semiconductor manufacturing.

Greenhouse Gas	Description and Physical Properties	Lifetime	GWP	Sources
Sulfur hexafluoride	An inorganic, odorless, colorless, and nontoxic nonflammable gas.	3,200 years	23,900	This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing and as a tracer gas.

Table 3-8. Greenhouse Gasses; Source: EPA, Intergovernmental Panel on Climate Change

In regards to the quantity of these gases are in the atmosphere, we first must establish the amount of particular gas in the air, known as Concentration, or abundance, which are measured in parts per million, parts per billion and even parts per trillion. To put these measurements in more relatable terms, one part per million is equivalent to one drop of water diluted into about 13 gallons of water, roughly a full tank of gas in a compact car. Therefore, it can be assumed larger emission of greenhouse gases lead to a higher concentration in the atmosphere.

Each of the designated gases described above can reside in the atmosphere for different amounts of time, ranging from a few years to thousands of years. All of these gases remain in the atmosphere long enough to become well mixed, meaning that the amount that is measured in the atmosphere is roughly the same all over the world regardless of the source of the emission.

Regulatory Setting

AB 32: AB 32 set the 2020 greenhouse gas emissions reduction goal into law. It directed the California Air Resources Board to begin developing discrete early actions to reduce greenhouse gases while also preparing a scoping plan to identify how best to reach the 2020 limit. The reduction measures to meet the 2020 target are to be adopted by the start of 2011.

SB 1078, SB 107 and Executive Order S-14-08: SB 1078, SB 107, and Executive Order S-14-08 require California to generate 20% of its electricity from renewable energy by 2017. SB 107 then changes the 2017 deadline to 2010. Executive Order S-14-08 required that all retail sellers of electricity serve 33 percent of their load with renewable energy by 2020.

City of Tulare Climate Action Plan: The City of Tulare Climate Action Plan identifies the following goals and policies to reduce GHG emissions related to new development:

Measure 1.3: Energy Efficiency in New Development: Increase energy efficiency in new commercial and residential development and require new residential and commercial development to achieve enhanced energy efficiency and exceed California Energy Code requirements by 15%.

- 1.3.1 Implement the minimum CALGreen standards for energy efficiency contained in 2008 Title 24 standards, effective January 1, 2010.
- 1.3.2 By 2015, amend the building code and other codes as applicable to require new construction to meet CALGreen measures (A4.203.1 and A.5.203.1.1), as applicable. [At this time, CALGreen Tier 1 mandatory measures A4.203.1 and A.5.203.1.1 1 require new residential and nonresidential buildings, respectively, to exceed California Energy Code requirements, based on the 2008 Energy Efficiency Standards, by 15 percent.]

- 1.3.3 Work with Southern California Edison to implement smart grid technology in new development.

Discussion

- a) **Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.**

Less Than Significant Impact: Greenhouse gas emissions for the construction and operation of the proposed project were modeled using the California Emissions Estimator Model (CalEEMod). The full CalEEMod report can be found in Appendix A.

Construction: Greenhouse gasses would be generated during construction from activities including site demolition, site preparation, grading, building construction, application of architectural coatings, and paving. The CalEEMod Emissions report predicts that this project will create a maximum of 436.7841 MT of CO₂e emissions per year during construction. Because the SJVAPCD does not have numeric thresholds for assessing the significance of construction-related GHG emissions, predicted emissions from project construction were compared to SCAQMD thresholds for construction related GHG emissions. The SCAQMD currently has a threshold of 10,000 metric tons of CO₂e per year for construction emissions amortized over a 30-year project lifetime. Because project construction would generate far less GHG emissions than this threshold, impacts related to GHG emissions during project construction would be less than significant.

Operation: Implementation of the proposed project would result in long-term greenhouse gas emissions associated with area sources, such as natural gas consumption, landscaping, applications of architectural coatings, and consumer products, as well as mobile emissions.

The U.S. Environmental Protection Agency published a rule for the mandatory reporting of greenhouse gases (GHG) from sources that in general emit 25,000 MT or more of CO₂e per year. Project GHG emissions were calculated using CalEEMod based on 24 acres of development with 111 single-family residential units, 0.36-acre city park, and 1-acre stormwater basin. The project is estimated to produce 1,916.1792 MT of CO₂e per year, which is well below the 25,000 MT threshold for greenhouse gas emissions.

Because the GHG emissions related to construction and operation of the proposed project are below accepted thresholds of significance the impact is considered *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?**

No Impact: The proposed project will comply with all Federal, State, and Local rules pertaining to the regulation of greenhouse gas emissions. In addition, the project will implement Best Performance Standards developed by the SJVAPCD. Projects implementing Best Performance Standards are determined to have a less than significant impact on global climate change. The project will not conflict with any plan, policy, or regulation developed to reduce GHG emissions. There is *no impact*.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 or excessive noise to the public or the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The proposed project site is located approximately 0.26 miles southeast of the nearest school (Liberty Elementary School), 4 miles north of the nearest private airstrip (SCE San Joaquin Heliport), and 5.5 miles north of the nearest public airport (Mefford Field Airport).

The Department of Toxic Substances Control's (DTSC's) Envirostor was used to identify any sites known to be associated with releases of hazardous materials or wastes within the project area. This research confirmed that the project would not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

A Phase 1 Environmental Site Assessment (ESA) was conducted by Krazan & Associates, Inc. in May 2020. The study found that there is no evidence of recognized environmental conditions (RECs), controlled RECs (CRECs) or historical RECs (HRECs) in conjunction with the subject site. The assessment stated that it is

possible that subsurface features such as unregistered underground storage tanks (UTSs) may exist in the vicinity of former on-site structures, but there is absence of any regulatory, municipality, interview data, or other evidence indicating their presence or location. The ESA Executive Summary is provided in Appendix D. The full ESA is available upon request from 4-Creeks, Inc.

Regulatory Setting

Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S. Code [U.S.C.] §9601 et seq.). The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, or the Superfund Act) authorizes the President to respond to releases or threatened releases of hazardous substances into the environment.

Occupational Safety and Health Administration. The Occupational Safety and Health Administration (OSHA) sets and enforces Occupational Safety and Health Standards to assure safe working conditions. OSHA provides training, outreach, education, and compliance assistance to promote safe workplaces. The proposed Project would be subject to OSHA requirements during construction, operation, and maintenance.

Toxic Substances Control Act of 1976 (15 U.S.C. §2601 et seq.). The Toxic Substance Control Act was enacted by Congress in 1976 and authorizes the EPA to regulate any chemical substances determined to cause an unreasonable risk to public health or the environment.

Hazardous Waste Control Law, Title 26. The Hazardous Waste Control Law creates hazardous waste management program requirements. The law is implemented by regulations contained in Title 26 of the California Code of Regulations (CCR), which contains requirements for the following aspects of hazardous waste management:

- Identification and classification;
- Generation and transportation;
- Design and permitting of recycling, treatment, storage, and disposal facilities;
- Treatment standards;
- Operation of facilities and staff training; and
- Closure of facilities and liability requirements.

California Code of Regulations, Title 22, Chapter 11. Title 22 of the California Code of Regulations contains regulations for the identification and classification of hazardous wastes. The CCR defines a waste as hazardous if it has any of the following characteristics: ignitability, corrosivity, reactivity, and/or toxicity.

California Emergency Services Act. The California Emergency Services Act created a multi-agency emergency response plan for the state of California. The Act coordinates various agencies, including CalEPA, Caltrans, the California Highway Patrol, regional water quality control boards, air quality management districts, and county disaster response offices.

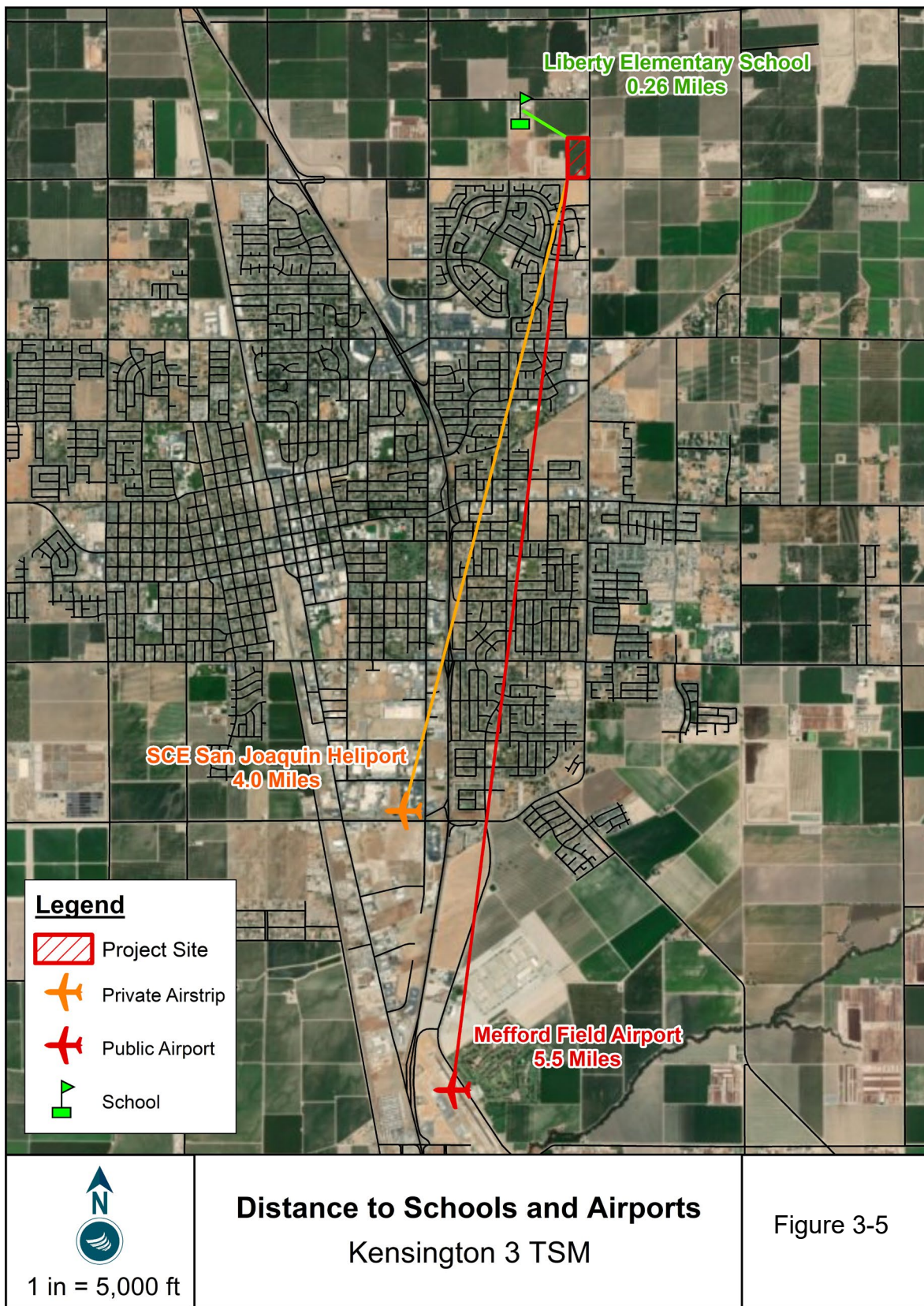


Figure 3-5

Hazardous Materials Release Response Plans and Inventory Law of 1985. Pursuant to the Hazardous Materials Release Response Plans and Inventory Law of 1985, local agencies are required to develop “area plans” for response to releases of hazardous materials and wastes. Tulare County maintains a Hazardous Material Incident Response Plan to coordinate emergency response agencies for incidents and requires the submittal of business plans by persons who handle hazardous materials.

City of Tulare General Plan: The City of Tulare General Plan includes the following goals and policies pertaining to hazards and hazardous materials:

- LU-P11.19 Recycling of Hazardous Materials. The City shall require the proper disposal and recycling of hazardous materials.

Goal SAF-1 To regulate future development to ensure the protection of public health and safety from hazards and hazardous materials and the adequate provision of emergency services.

Goal SAF-5 To protect people from the harmful effects of exposure to hazardous materials.

- SAF-P5.2 Hazardous Materials Studies. The City shall ensure that the proponents of new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project.
- SAF-P5.3 Transporting Hazardous Materials. The City shall strive to ensure hazardous materials are used, stored, transported, and disposed of in a safe manner, in compliance with local, State, and federal safety standards.

Discussion

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

Less than Significant Impact: Project construction activities may involve the use and transport of hazardous materials. The use of such materials would be considered minimal and would not require these materials to be stored in bulk form. The project does not involve the use or storage of hazardous substances other than the small amounts of pesticides, fertilizers, and cleaning agents required for normal maintenance of structures and landscaping. The project must adhere to applicable zoning and fire regulations regarding the use and storage of any hazardous substances. Further, there is no evidence that the site has been used for underground storage of hazardous materials. Therefore, the proposed project will have less than significant impacts to hazardous materials.

- 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: The proposed project is a residential subdivision. There is no reasonably foreseeable condition or incident involving the project that could result in release of hazardous materials into the environment, other than any potential accidental releases of standard fuels, solvents, or chemicals encountered during typical construction of a residential subdivision. Should an

accidental hazardous release occur or should the project encounter hazardous soils, existing regulations for handling hazardous materials require coordination with the California Department of Toxic Substances Control for an appropriate plan of action, which can include studies or testing to determine the nature and extent of contamination, as well as handling and proper disposal. Therefore, potential impacts are considered to 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 project is located approximately ¼ mile from an existing elementary school. The project does not involve the use or storage of hazardous substances other than small amounts of pesticides, fertilizers, and cleaning agents required for normal maintenance of structures and landscaping. The project would not emit hazardous emissions or involve the handling of acutely hazardous materials or waste. Therefore, 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?**

Less Than Significant Impact with Mitigation: The project site is not listed as a hazardous materials site pursuant to Government Code Section 65962.5 and is not included on a list compiled by the Department of Toxic Substances Control (DTSC). However, the proposed project would develop residential units on a property previously and currently used for agriculture, and therefore is subject to DTSC's 2008 *Interim Guidance for Sampling Agricultural Properties (Third Revision)*. With incorporation of Mitigation Measure HAZ-1, potential impacts related to the presence and risk of residual organochlorinated pesticides would be reduced to *less than significant with mitigation*.

Mitigation Measures for Impacts Related to Hazards and Hazardous Materials:

Mitigation Measure HAZ-1: Prior to issuance of grading permits for ground clearance or excavation, the project proponent shall prepare a soils report and investigation for the presence of environmentally persistent pesticides, such as organochlorinated pesticides, in conjunction with the California Department of Toxic Substances Control (DTSC), and in accordance with DTSC's 2008 *Interim Guidance for Sampling Agricultural Properties (Third Revision)*.

- 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 proposed project is not located within an airport land use plan and is not within two miles of a public airport. Mefford Field Airport is the nearest public airport to the project site and is located approximately 5.5 miles away. Implementation of the proposed project would not result in a safety hazard or excessive noise for people residing or working in the project area. There is no impact.

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

No Impact: The City's site plan review procedures ensure compliance with emergency response and evacuation plans. In addition, the site plan will be reviewed by the Fire Department per standard City procedure to ensure consistency with emergency response and evacuation needs. Therefore, the proposed project would have *no impact* on emergency evacuation.

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

No Impact: The land surrounding the project site is developed with urban, suburban, and agricultural uses and are not considered to be wildlands. Additionally, the 2017 Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan finds that fire hazards within the City of Tulare, including the proposed project site, have low frequency, limited extent, limited magnitude, and low significance. The proposed project would not expose people or structures to significant risk of loss, injury or death involving wildland fires and there is *no impact*.

X. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise sustainably degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(i) result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones risk the release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater movement plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Hydrologic System: The proposed project site is located in the Tulare Lake Hydrologic Region, which covers 10.9 million acres south of the San Joaquin River. The proposed project site lies within the San Joaquin Valley Groundwater Basin. The San Joaquin Valley Groundwater Basin is divided into seven sub-basins. The proposed project site is located within the Kaweah Subbasin. The subbasin lies between the Kings Groundwater Subbasin on the north, the Tule Groundwater Subbasin on the south, the Tulare Lake subbasin on the west, and crystalline bedrock of the Sierra Nevada foothills on the east. The area is comprised mostly of lands in the Kaweah Delta Water Conservation District. Major rivers in the subbasin include the St. Johns and lower Kaweah Rivers; although the Kaweah River is considered the primary surface water source for groundwater recharge.

Groundwater: The City of Tulare consists of 29 active wells, a 125,000 gallon water storage tower, 235 miles of water transmission and distribution mains, and 2,250 fire hydrants. The city's water supply comes from a series of deep groundwater wells scattered throughout the city and pumped into an

interconnected water system. Additionally, the City of Tulare, City of Visalia, and the Tulare Irrigation District have joined a Joint Power Authority (JPA) Agreement to form the Mid-Kaweah Groundwater Sustainability Agency (GSA). The JPA states the Board of Directors is responsible for the development, adoption, and implementation of a Groundwater Sustainability Plan as required by the Sustainable Groundwater Management Act of 2014. There is an existing City well located on the project site.

Surface Waters: None of the City's potable water is supplied through surface water. However, the City of Tulare does purchase surface water from the Tulare Irrigation District to be used for groundwater recharge.

Regulatory Setting

Clean Water Act: The Clean Water Act (CWA) is enforced by the U.S. EPA and was developed in 1972 to regulate discharges of pollutants into the waters of the United States. The Act made it unlawful to discharge any pollutant from a point source into navigable waters unless a National Pollution Discharge Elimination System (NPDES) Permit is obtained.

Central Valley RWQCB: The proposed project site is within the jurisdiction of the Central Valley Regional Water Quality Control Board (RWQCB). The Central Valley RWQCB requires a National Pollution Discharge Elimination System (NPDES) Permit and Stormwater Pollution Prevention Plan (SWPPP) for projects disturbing more than one acre of total land area. Because the project is greater than one acre, a NPDES Permit and SWPPP will be required.

City of Tulare General Plan: The City of Tulare General Plan contains the following goals and policies related to water resources:

- LU-P11.3 System Expansion. The City shall require new development be responsible for expansion of existing facilities such as water systems, sewer systems, storm drainage systems, parks and other capital facilities made necessary to serve the new development.
- LU-P11.4 Water Supply System. The City shall require that water supply systems be adequate to serve the size and configuration of land developments. Standards as set forth in the subdivision ordinance shall be maintained and improved as necessary.
- LU-P11.5 Water Supply for New Development. For all new development, prior to the approval of any subdivision applications, the developers shall assure that there is sufficient available water supply to meet projected buildout.
- LU-P11.6 Adequate System Maintenance. The City shall require maintenance funding for streets, storm drainage, and ponding basins for new development.
- LU-P11.7 Adequate Infrastructure Capacity. The City shall only approve new development when it can be demonstrated by the applicant that adequate system capacity in the service area is or will be available to handle increases related to the project.
- LU-P11.9 Adequate City Service Capacity. The City shall only approve new development when it can be demonstrated by the applicant that adequate public service capacity in the area is or will be available to handle increases related to the project. School capacity will be discussed in the review of each development, and the City will ensure early coordination with the school districts serving the site. School capacity will be addressed as allowed under State law.
- LU-P11.17 Fair Share Improvements. The City shall ensure new development is required to participate on a fair-share basis in the completion of improvements to the existing sewer system,

and/or the construction of new sewer trunk lines as described in the City's adopted Sewer Master Plan.

- COS-P1.1 Regional Groundwater Protection. The City shall work with Tulare County and special districts to help protect groundwater resources from overdraft by promoting water conservation and groundwater recharge efforts.
- COS-P1.8 Water Conservation. The City shall promote efficient water use and reduced water demand by:
 - a. Requiring water-conserving design and equipment in new construction;
 - b. Encouraging water-conserving landscaping and other conservation measures; and
 - c. Encourage retrofitting existing development with water conserving devices.
 - d. Providing public education programs.
 - e. Distributing outdoor lawn watering guidelines.
 - f. Promoting water audit and leak detection programs.
 - g. Enforcing water conservation programs.
- COS-P1.11 Water for Irrigation. Whenever possible, the City shall require new development to use recycled or non-potable water for irrigation in landscaped areas.

Discussion

- 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 with Mitigation: The project will result in less than significant impacts to water quality due to potentially polluted runoff generated during construction activities. Construction would include excavation, grading, and other earthwork that may occur across most of the 24.0-acre project site. During storm events, exposed construction areas across the project site may cause runoff to carry pollutants, such as chemicals, oils, sediment, and debris. In addition, soil erosion may result. Implementation of a Stormwater Pollution Prevention Plan (SWPPP) will be required for the project. A SWPPP identifies all potential sources of pollution that could affect stormwater discharges from the project site and identifies best management practices (BMPs) related to stormwater runoff. There may be chemicals or surfactants used during project maintenance or operations, so discharge could impact water quality standards. Therefore, the impacts are *less than significant with mitigation*.

Mitigation Measure HYD-1: Prior to the issuance of any construction/grading permit and/or the commencement of any clearing, grading, or excavation, the Applicant shall submit a Notice of Intent (NOI) for discharge from the Project site to the California SWRCB Storm Water Permit Unit.

- Prior to issuance of grading permits for Phase 1 the Applicant shall submit a copy of the NOI to the City.
- The City shall review noticing documentation prior to approval of the grading permit. City monitoring staff will inspect the site during construction for compliance.

Mitigation Measure HYD-2: The Applicant shall require the building contractor to prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) to the City 45 days prior to the start of work for approval. The contractor is responsible for understanding the State General Permit and instituting the SWPPP during construction. A SWPPP for site construction shall be developed prior to the initiation of grading and implemented for all construction activity on the Project site in excess of one (1) acre, or where the area of disturbance is less than one acre but is part of the

Project's plan of development that in total disturbs one or more acres. The SWPPP shall identify potential pollutant sources that may affect the quality of discharges to storm water and shall include specific BMPs to control the discharge of material from the site. The following BMP methods shall include, but would not be limited to:

- Dust control measures will be implemented to ensure success of all onsite activities to control fugitive dust;
- A routine monitoring plan will be implemented to ensure success of all onsite erosion and sedimentation control measures;
- Provisional detention basins, straw bales, erosion control blankets, mulching, silt fencing, sand bagging, and soil stabilizers will be used;
- Soil stockpiles and graded slopes will be covered after two weeks of inactivity and 24 hours prior to and during extreme weather conditions; and,
- BMPs will be strictly followed to prevent spills and discharges of pollutants onsite, such as material storage, trash disposal, construction entrances, etc.

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

Less than Significant Impact: Water services will be provided by the City of Tulare upon development. The City's water supply source is comprised of 30 wells that extract water from an underground aquifer. According to City's Urban Water Management Plan (2015), the projected water supply for Tulare in year 2020 is 11,105.8 million gallons, which is comprised of both groundwater and recycled water.

The 24.0-acre project site currently uses approximately 62-acre-feet of water per year based on information from those who farm the site. Using average per-person water use in the State of California (85 gallons; California Legislative Analyst's Office, 2017) and the average household size in the City of Tulare (3.39 persons; US Census Bureau), water demand for the proposed 111-unit residential development is estimated to be approximately 31,985 gallons of water daily, or 35.8 acre-feet per year. This would be a reduction in water demand for the project site from existing conditions, therefore the project would not decrease groundwater supply from existing conditions.

The proposed project would involve a general plan amendment for 11.8 acres of the project site from neighborhood commercial to medium density residential. It is therefore relevant to compare the water demand of the proposed project to the expected water demand if the site had been developed for commercial use. The Willow Glen Draft EIR found that the 11.8-acre commercial area would have used 51.7 acre-feet of water per year if it had been developed for commercial use. Based on the estimated water demand for the proposed project (35.8 acre-feet per year for 24.0 acres), this 11.8 acre portion is anticipated to have a water demand of 16.1 acre-feet/year under the proposed project. Therefore, the proposed project would not increase water demand beyond what would have occurred if the site had been developed for commercial use.

The project would result in reduced percolation to the groundwater basin due to an increase in the amount of paved and impervious surfaces. However, all stormwater will be redirected to an on-site retention basin for groundwater recharge. The project has been reviewed by the City of Tulare Public Works Director and Engineer who have determined that the Project will not have a significant impact

on the existing water system. The project would have a *less than significant impact* on groundwater resources.

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:

i. Result in substantial erosion or siltation on- or off-site?

Less than Significant Impact: The proposed project includes the construction and operation of 111 low-density residential units on approximately 24.0 gross acres. The construction of these units may be considered an alteration in drainage patterns, however this would not result in substantial erosion or siltation on- or off-site. A Stormwater Pollution Prevention Plan (SWPPP) will be implemented during project construction. SWPPPs include mandated erosion control measures, which are developed to prevent significant impacts related to erosion caused by runoff during construction. The impact is *less than significant*.

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

Less than Significant Impact: Because the project would result in an increase of impervious surfaces within the project site, an increase in surface runoff may occur. However, the project includes a stormwater retention basin and all stormwater runoff will be contained on-site. The project has been reviewed by the City of Tulare Public Works Director and the City's Engineer who have determined that the implementation of the proposed Project will not result in substantial flooding on- or off-site. The project will have a *less than significant impact*.

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?

Less than Significant with Mitigation: The proposed project would include the construction and operation of 111 low-density residential units on approximately 24.0 gross acres of agricultural land. Existing agricultural operations consist of plowing of the soil and using fertilizers and pesticides. These activities contribute to polluted runoff, however most of the agricultural runoff is naturally cleaned through soil percolation. Replacing agricultural uses with urban residential uses would change the quality and volume of runoff with the addition of oil, grease, and other urban pollutants. New impervious surfaces, such as the roads and driveways, collect automobile derived pollutants such as oils, greases, rubber and heavy metals. During storms, pollutants would be transported into the drainage systems by surface runoff. Due to the increase in population and impervious surfaces within the site, there would be an increase in pollutants in surface runoff. As a result, an increase in point source and non-point source pollution may result from increases in urban development. The project is not a source which would otherwise create substantial degradation of water quality. Upon compliance with the City's SWMP, Engineering Standards, General Plan, and City Ordinance requirements, as well as mitigation measures, impacts related to water quality would be *less than significant with mitigation incorporation*.

Mitigation Measure HYD-3: A Development Maintenance Manual for the Project shall include comprehensive procedures for maintenance and operations of any stormwater

facilities to ensure long-term operation and maintenance of post-construction stormwater controls. The maintenance manual shall require that stormwater BMP devices be inspected, cleaned and maintained in accordance with the manufacturer's maintenance conditions. The manual shall require that devices be cleaned prior to the onset of the rainy season (i.e., mid-October) and immediately after the end of the rainy season (i.e., mid-May). The manual shall also require that all devices be checked after major storm events. The Development Maintenance Manual shall include the following:

- Runoff shall be directed away from trash and loading dock areas;
- Bins shall be lined or otherwise constructed to reduce leaking of liquid wastes;
- Trash and loading dock areas shall be screened or walled to minimize offsite transport of trash; and,
- Impervious berms, trench catch basin, drop inlets, or overflow containment structures nearby docks and trash areas shall be installed to minimize the potential for leaks, spills or wash down water to enter the drainage system.

iv. Impede or redirect flood flows?

No Impact: The Project site is generally flat and no significant grading or leveling will be required. The proposed project site is not in proximity to a stream or river and will not alter the course of a stream or river. According to National Flood Hazard mapping by the Federal Emergency Management Agency, the proposed project site is not located within a 100-year flood hazard area. There would be *no impact* with regard to impeding or redirecting flood flows.

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

No Impact: The proposed project is located inland and not near an ocean or large body of water, and therefore, would not be affected by a tsunami. The proposed project is located in a relatively flat area and would not be impacted by inundation related to mudflow. Since the project is located in an area that is not susceptible to inundation, the project would not risk release of pollutants due to project inundation. As such, there is *no impact*.

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

No Impact: The proposed project will not conflict with or obstruct implementation of a water quality control plan. The proposed project will be subject to the requirements of the NPDES Stormwater Program and will be required to comply with a SWPPP, which will identify all potential sources of pollution that could affect stormwater discharges from the project site and identify BMPs to prevent significant impacts related to stormwater runoff.

The proposed project site is within the jurisdiction of the Mid-Kaweah Groundwater Sustainability Agency (GSA). The Groundwater Sustainability Plan (GSP) was adopted by the Mid-Kaweah GSA in December 2019. The plan was reviewed for consistency with the proposed project and it was determined that the proposed project does not conflict with and would not obstruct implementation of the GSP. There is *no impact*.

XI. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The proposed project site is located with the northern portion of the City of Tulare. Under the City of Tulare General Plan, approximately 12.2 acres of the project site are designated Medium Density Residential and 11.8 acres are designated Neighborhood Commercial. 12.2 acres of the proposed project site are zoned R-1-7 and 11.8 acres are zoned C-3. The project involves a general plan amendment to re-designate the commercial portion of the project to Low Density Residential and a zoning amendment to rezone the entire project site to R-1-4 .

Regulatory Setting

City of Tulare General Plan: Approximately 12.2 acres of the project site is designated Medium Density Residential and 11.8 acres are designated Neighborhood Commercial under the City of Tulare General Plan. The project would re-designate the commercial portion of the project to Low Density Residential. This land designation establishes areas for single-family dwellings located near neighborhood serving uses. Uses typically allowed include single-family dwellings, second units, and town homes. This designation has a density range from 3.1-7.0 DU/acre and a minimum lot size of 4,000 square feet.

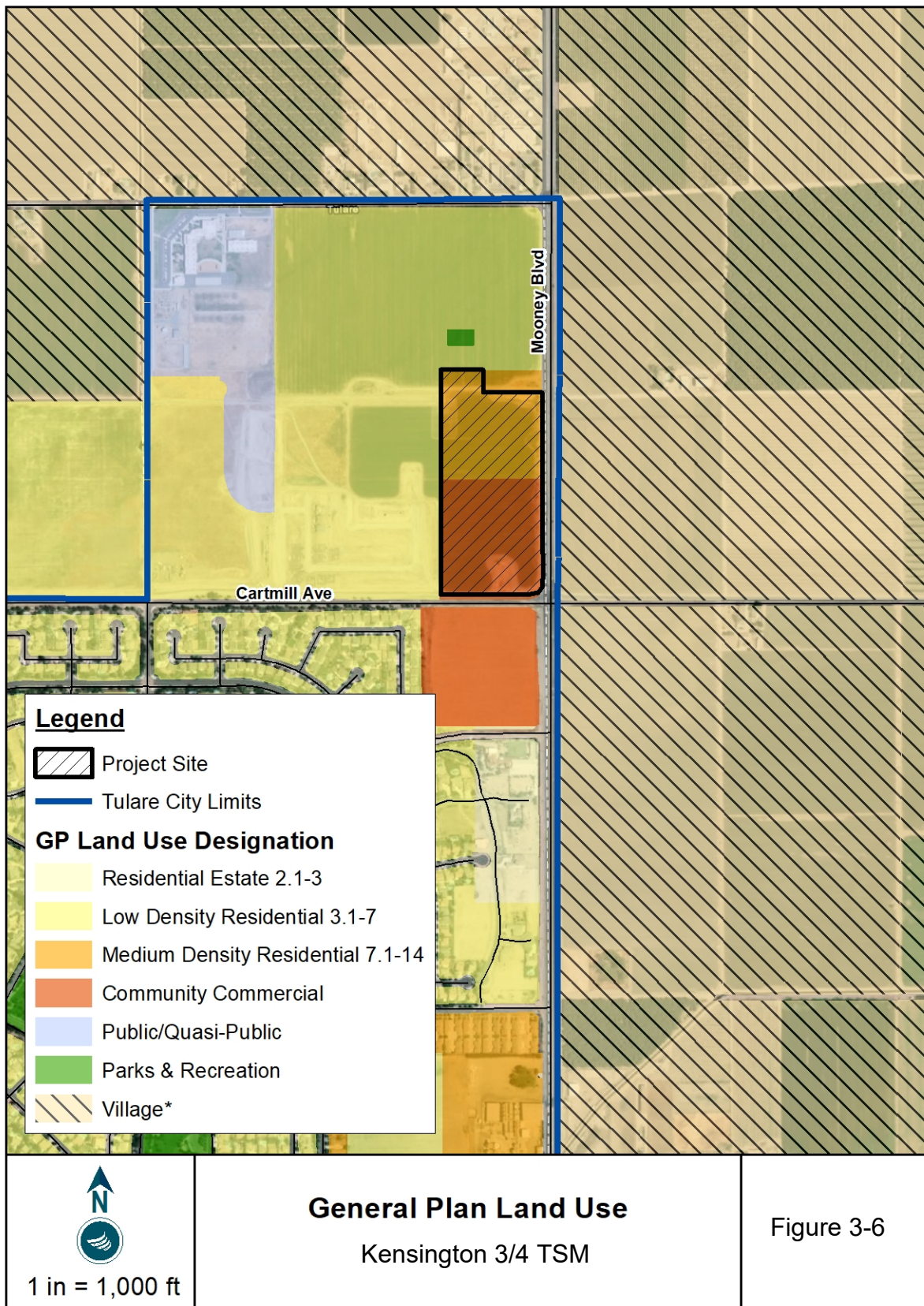
The following goals and policies in the City of Tulare General Plan are applicable to the project site's residential land use designation:

Goal LU-3 To designate, protect, and provide land to ensure sufficient residential development capacity and variety to meet community needs and projected population growth.

- LU-P3.1 Neighborhood Housing Mix. The City shall encourage mixed use neighborhoods to have a variety of housing types and densities to help create an overall healthy, balanced community.
- LU-P3.2 Executive Housing. The City shall encourage the development of "upper end" housing to better accommodate the local market for "executive housing."
- LU-P3.3 Neighborhood Protection. The City shall seek to prevent residential blight and promote healthy neighborhoods through public and private resources/programs (e.g. enforcement of all codes, neighborhood rehabilitation programs, and redevelopment actions).
- LU-P3.4 Jobs-Housing Balance. The City shall consider the effects of city land use proposals and decisions on the Tulare County area and the efforts to maintain a regional jobs housing balance.

- LU-P3.5 Future Residential Development. The City shall direct future residential development to areas adjacent or in close proximity to existing and future neighborhoods and neighborhood commercial areas to further Tulare as a self-sufficient, full-service city.
- LU-P3.6 High Density Residential Locations. The City shall encourage the development of higher density housing including near commercial services, employment centers, principal arterial routes, and public transportation.
- LU-P3.7 Neighborhood Noise Abatement. The City shall require the abatement of significant noise intrusion into existing and proposed new residential developments from the freeway, major arterials, the railroad, the airport, and other significant noise sources. The burden for mitigation shall be on the new user.
- LU-P3.8 Incompatible Uses. The City shall protect existing residential neighborhoods from the encroachment of incompatible activities and land uses (i.e. traffic, noise, odors, or fumes) and environmental hazards (i.e. flood, soil instability).
- LU-P3.9 Planned Development. The City shall encourage the use of planned development provisions in residential developments to provide flexibility, to meet various socio-economic needs, and to address environmental and site design constraints.
- LU-P3.10 Affordable Housing. The City shall encourage the development of affordable housing to ensure that a variety of housing options are available to all income, age, and cultural groups.

City of Tulare Code of Ordinances Chapter 10.32: As part of the proposed project, the Project site would be re-zoned to R-1-4. The purpose of the Small Lot Residential District (R-1-4) is to provide living areas within the City where development is proposed to achieve compact development with lot sizes in the range of 3,200 sq.ft. to 4,000 sq.ft.



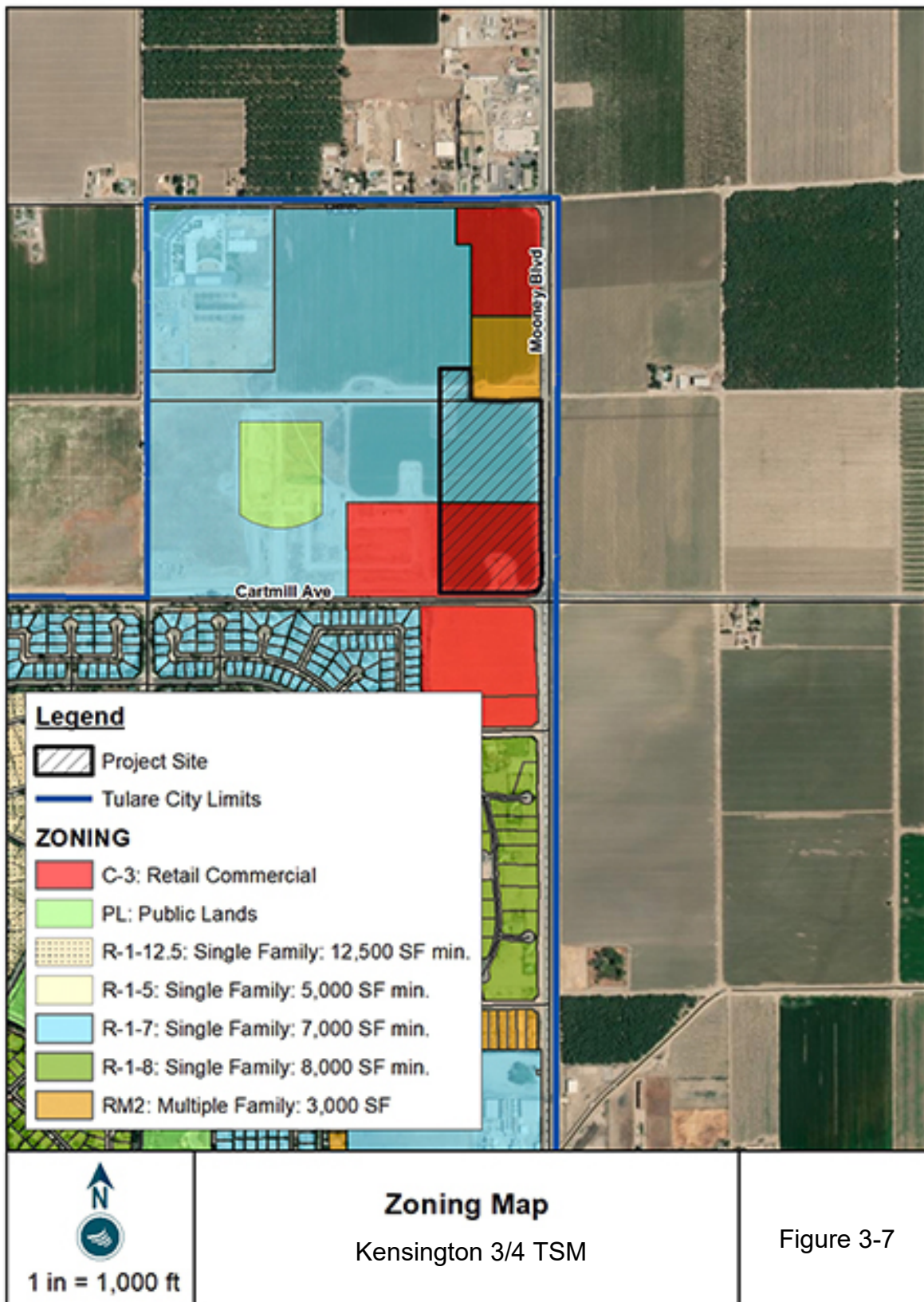


Figure 3-7

Discussion**a) Would the project physically divide an established community?**

No Impact: The project proposes the development of 111 low-density residential units on approximately 24.0 gross acres within the northern boundary of the City of Tulare. The project would not act as a physical barrier within a community. There is *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 proposed project does not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. There is *no impact*.

XII. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 lands use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

There are no mineral resource zones in Tulare County and there is no mineral extraction occurring on or adjacent to the proposed project site. Historical mines within the County include mineral deposits of tungsten, copper, gold, magnesium and lead, however most of these mines are now closed – leaving only 37 active mining operations. There are no active mining operations within the City of Tulare.

Regulatory Setting

California State Surface Mining and Reclamation Act: The California State Surface Mining and Reclamation Act was adopted in 1975 to regulate surface mining to prevent adverse environmental impacts and to preserve the state’s mineral resources. The Act is enforced by the California Department of Conservation’s Division of Mine Reclamation.

City of Tulare General Plan: The following mineral resource goals and policies in the Conservation and Open Space Element of the Tulare County General Plan are potentially applicable to the proposed project:

Goal COS-8 To protect the current and future extraction of mineral resources that are important to the City’s economy while minimizing impacts of this use on the public and the environment.

- COS-P8.3 Future Resource Development. Provide for the conservation of identified and/or potential mineral deposits within the UDB as areas for future resource development.
- COS-P8.5 Incompatible Development. Proposed incompatible land uses shall not be on lands containing, or adjacent to, identified mineral deposits or along key access roads, unless adequate mitigation measures are adopted or a statement of overriding considerations stating public benefits and overriding reasons for permitting the proposed use are adopted.
- COS-P8.10 Resources Development. The City will promote the responsible development of identified and/or potential mineral deposits.

Discussion

- 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: The project site has no known mineral resources that would be of a value to the region and the residents of the state, therefore the proposed project would not result in the loss of impede the mining of regionally or locally important mineral resources. There is *no impact*.

- 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 lands use plan?**

No Impact: There are no known mineral resources of importance to the region and the project site is not designated under the City's or County's General Plan as an important mineral resource recovery site. For that reason, the proposed project would not result in the loss of availability of known regionally or locally important mineral resources. There is *no impact*.

XIII. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground-borne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Noise is often described as unwanted sound. Sound is the variation in air pressure that the human ear can detect. If the pressure variations occur at least 20 times per second, they can be detected by the human ear. The number of pressure variations per second is called the frequency of sound, and is expressed as cycles per second, called Hertz (Hz).

Ambient noise is the “background” noise of an environment. Ambient noise levels on the proposed project site are primarily due to agricultural activities and traffic. Construction activities usually result in an increase in sound above ambient noise levels.

Regulatory Setting

City of Tulare General Plan: The Noise Element of the City of Tulare General Plan is responsible for establishing noise standards within the City and includes the following goals and policies related to noise that may be applicable to the project.

Goal NOI-1 Protect the citizens of Tulare County from the harmful effects of exposure to excessive noise.

- NOI-P1.5 Construction Noise. Reduce noise associated with construction activities by requiring properly maintained mufflers on construction vehicles, requiring the placement of stationary construction equipment as far as possible from developed areas, and requiring temporary acoustical barriers/shielding to minimize construction noise impacts at adjacent receptors. Special attention should be paid to noise-sensitive receptors (including residential, hospital, school, and religious land uses).

- NOI-P1.6 Limiting Construction Activities. The City shall limit construction activities to the hours of 6 am to 10 pm, Monday through Saturday.
- NOI-P1.18 Construction-related Vibration. Evaluate individual projects that use vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, near sensitive receptors for potential vibration impacts. If construction-related vibration is determined to be perceptible at vibration-sensitive uses, additional requirements, such as use of less-vibration-intensive equipment or construction techniques, should be implemented during construction (e.g., drilled piles to eliminate use of vibration-intensive pile driver).

Discussion

Environmental Setting

Noise is often described as unwanted sound. Sound is the variation in air pressure that the human ear can detect. If the pressure variations occur at least 20 times per second, they can be detected by the human ear. The number of pressure variations per second is called the frequency of sound, and is expressed as cycles per second, called Hertz (Hz).

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- NOI-P1.18 Construction-related Vibration. Evaluate individual projects that use vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, near sensitive receptors for potential vibration impacts. If construction-related vibration is determined to be perceptible at vibration-sensitive uses, additional requirements, such as use of less-vibration-intensive equipment or construction techniques, should be implemented during construction (e.g., drilled piles to eliminate use of vibration-intensive pile driver).

Discussion

- a) Would the project result in generation of a substantial temporary or permeant 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: Project construction is anticipated to last approximately 21 months and will involve temporary noise sources. The average noise levels generated by construction equipment that will be used in the proposed project are shown below.

Type of Equipment	dBA at 50 feet
Air Compressors	81
Excavators	81
Concrete/Industrial Saws	76
Cranes	83
Forklifts	75
Generators	81
Pavers	89
Rollers	74
Dozers	85
Tractors	84
Loaders	85
Backhoes	80
Graders	85
Scrapers	89
Welders	74

Table 3-9. Noise levels of noise-generating construction equipment.
Source: Federal Highway Administration Construction Noise Handbook.

The City of Tulare General Plan and Noise Ordinance does not identify noise thresholds for noise sources related to construction, however the General Plan does require the implementation of noise reduction measures for all construction equipment and limits noise generating activities related to construction to daytime hours Monday through Saturday. The project will comply with these regulations and construction will only occur Monday through Saturday between 6:00 AM and 10:00 PM.

Long term noise levels resulting from the project would include single-family homes, which are not normally associated with high operational noise levels.

Because noise generated from construction would be temporary, construction activities would comply with all measures established by the City to limit construction related noise impacts, and operational noise would be consistent with adjacent land uses, the impact is *less than significant*.

- b) Would the project result in generation of excessive ground-borne vibration or groundborne noise levels?**

No Impact: The City of Tulare General Plan states that projects that use vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, near sensitive receptors must be evaluated for potential vibration. Because the proposed project would not use this type of equipment, the project would not generate excessive ground-borne vibration or ground-borne noise levels and there is *no impact*.

- 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 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 site is not located in an airport land use plan. Mefford Field is the nearest public airport and is located approximately 5.5 miles away from the proposed project site. There is *no impact*.

XIV. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The United States Census Bureau estimated the population in the City of Tulare to be 64,475 in 2018. This is an increase from the 2010 census, which counted the population in the City of Tulare to be 59,469. Factors that influence population growth include job availability, housing availability, and the capacity of existing infrastructure.

Regulatory Setting

The size of the population in the City of Tulare is controlled by the development code and Land Use Element of the General Plan. These documents regulate the number of dwelling units per acre allowed on various land uses and establish minimum and maximum lot sizes. These factors have a direct impact on the City's population size.

Discussion

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

Less than Significant Impact: The United States Census Bureau estimated the population in the City of Tulare to be 64,475 persons in 2018. The project proposes to construct 111 new low-density residential units. The City of Tulare General Plan states that the City's average household size is 3.35 persons. Based on this average household size, the anticipated population increase as a result of the proposed project is 372 persons. This would be a 0.6% population increase beyond existing conditions. The construction of housing at this location would not be unplanned, as the City's General Plan designated the proposed project site for medium-density residential and a portion that would be commercial. While housing would be built on the area planned for commercial development, the number of units and of people in the current medium-density multi-family residential area will be less with the construction of these low-density single family residential units, so overall will not constitute a substantial increase in growth and population. The impact is *less than significant*.

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

No Impact: There project does not involve the removal of existing residences and would not displace any people. There is *no impact*.

XV. PUBLIC SERVICES

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	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 serve ratios, response times of other performance objectives for any of the public services:				
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

Fire: The project site is served by the City of Tulare Fire Department. The City of Tulare Fire Department will continue to provide fire protection services to the proposed project site upon development. The nearest fire station is located approximately 1.7 miles west of the proposed project site.

Police: Law enforcement services are provided to the project site via the Tulare Police Department. The City of Tulare will continue to provide police protection services to the proposed project site upon development. Tulare Police Department is located approximately 2.8 miles southwest of the proposed project site.

Schools: The proposed project site is located within the Tulare School District. The nearest school, Liberty Elementary School, is located .26 miles north-west of the project site.

Regulatory Setting

School Districts in the City of Tulare are regulated by the California Department of Education, and the Tulare Police Department is regulated by the California Department of Justice. Objectives and Policies relating to Law Enforcement, Fire Protection, Parkland, and School Facilities are included in the Land Use Element and Conservation and Open Space Element of the Tulare's General Plan. The Goals and Policies potentially applicable to the proposed project are as follows:

- COS-P4.1 Parkland/Open Space Standards: The City's goal is to provide 4 acres of developed parkland per 1,000 residents. New residential or mixed use developments containing a residential component may be required to provide parkland, or pay in-lieu fees, in this ratio as directed by the City.

- LU-P11.3 System Expansion: The City shall require new development be responsible for expansion of existing facilities such as water systems, sewer systems, storm drainage systems, parks, and other capital facilities made necessary to serve the new development.
- LU-P11.9: Adequate City Service Capacity: The City shall only approve new development when it can be demonstrated by the applicant that adequate public service capacity in the area is or will be available to handle increases related to the project. School capacity will be discussed in the review of each development, and the City will ensure early coordination with the school districts serving the site. School capacity will be addressed as allowed under State law.
- LU-P11.26 Evaluate Fiscal Impacts: The City shall evaluate the fiscal impacts of new development and encourage a pattern of development that allows the City to provide and maintain a high level of urban services (including, but not limited to, water, sewer, transportation, fire stations, police stations, libraries, administrative, and parks), and community facilities and utility infrastructure, as well as attract targeted businesses and a stable labor force.

Discussion

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 serve ratios, response times of other performance objectives for any of the public services:

a. Fire protection?

Less Than Significant Impact: The City of Tulare Fire Department will provide fire protection services to the proposed development. The closest fire station is Tulare Fire Station #63, located 1.7 miles west of the project site at 2900 M Street. The addition of 111 residential units will increase the demand for fire protection services. According to Tulare’s Municipal Service Review (2013), the Tulare Fire Department currently has a deficit of 32 firefighters, 1 fire station, and 4 aerial ladders. However, the shortage as well as the increase in service demand will be compensated by the development impact fee of \$246 per dwelling unit, which is consistent with City Resolution Number 03-4988. Therefore, the total development fee would be \$27,306. The development impact fee of \$246 per dwelling unit is assumed to account for fire protection deficits.

The timing of when new fire service facilities would be required or details about size and location cannot be known until such facilities are planned and proposed, and any attempt to analyze impacts to a potential future facility would be speculative. As new or expanded fire service facilities become necessary, construction or expansion projects would be subject to their own separate CEQA review in order to identify and mitigate any potential environmental impacts. Therefore, the impact is *less than significant*.

b. Police protection?

Less than Significant Impact: The Tulare Police Department will provide services to the proposed development. The Tulare Police Department is located approximately 2.8 miles southwest of the proposed project site. The development would increase the demand for police service with the addition of 111 residential units. According to Tulare’s Municipal Service Review (2013), the Tulare Police Department currently has a deficit of 37 sworn officers, 22 non-sworn officers, 28

vehicles, and 8,645 SF in police station space. The shortage and the additional demand will be compensated by the development impact fee of \$38 per dwelling unit, which is consistent with City Resolution Number 03-4988. The total development impact fee for police services would be \$4,218.

The timing of when new police service facilities would be required or details about size and location cannot be known until such facilities are planned and proposed, and any attempt to analyze impacts to a potential future facility would be speculative. As new or expanded police service facilities become necessary, construction or expansion projects would be subject to their own separate CEQA review in order to identify and mitigate any potential environmental impacts. Therefore, the impact is *less than significant*.

c. Schools?

Less than Significant Impact: The proposed project is within the Tulare City Elementary School District and Tulare Joint Union High School District. Since the proposed project includes the addition of 111 single-family residential units, the number of students in the school district will increase. The proposed project site is located within the City limits and approved Urban Development Boundary (UDB) per the City's General Plan, and therefore, growth associated with the Project has been planned and expected. Liberty Elementary School, just northeast of the project site, was developed in anticipation of growth in this part of the City, including as part of the proposed project. In addition to the goals and policies of the City's General Plan, future development is required by state law to pay development impact fees to the school districts at the time of building permit issuance. These impact fees are used by the school districts to maintain existing and develop new facilities, as needed. Therefore, the impact is *less than significant*.

d. Parks?

Less than Significant Impact: The addition of 111 new residential units would result in more use at existing parks. Parks within a half-mile to one-mile radius that would service the proposed development include Del Lago Community Park. The project also includes the development of a 15,765 SF pocket park. The City's 2035 General Plan Policy states that new residential development may be required to provide additional parkland or in-lieu fees. Therefore, the developer shall a development impact fee of \$3,129 per dwelling unit, which is consistent with Policy COS-P4.1 of the General Plan. The total development impact fee for park services would be \$347,319. Since the project would not lower the existing level of services for parks, and the proposed project would contribute its fair share to parks facilities through a combination of park development, as well as in-lieu fees, the impact is *less than significant*.

e. Other public facilities?

Less than Significant Impact: Water and wastewater services for the proposed development would be serviced by existing infrastructure beneath neighboring streets. The additional 111 residential units will increase the demand for water and wastewater facilities. According to Tulare's 2035 General Plan Land Use Element, the City states that new development must be responsible for expanding existing water and sewage systems. Therefore, the developer shall pay the required development impact fees to accommodate the expansion of existing systems. The

development impact fees for water facilities, groundwater recharge, sewer facilities, and storm water facilities are \$3,030 per dwelling unit, \$517 per dwelling unit, \$2,860 per dwelling unit, and \$1,438 per dwelling unit, respectively. General city facilities fees of \$375 per dwelling unit will also compensate for the increased demand for public facilities and services. Therefore, the impact is *less than significant*.

XVI. PARKS AND RECREATION

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

There are 20 parks that are owned and operated by The City of Tulare. Del Lago Community Park is the closest recreational area to the project site and is located approximately 0.7 miles southwest of the project site.

Regulatory Setting

City of Tulare General Plan: The Conservation and Open Space Element of the City of Tulare General Plan contains the following recreational resource goals and policies potentially applicable to the project.

Goal COS-4 To provide parks and recreation facilities and services that adequately meet the existing and future needs of all Tulare residents.

- COS-P4.1 Parkland/Open Space Standards. The City's goal is to provide 4 acres of developed parkland per 1,000 residents. New residential or mixed use developments containing a residential component may be required to provide parkland, or pay in-lieu fees, in this ratio as directed by the City.
- COS-P4.5 Fair Share Responsibilities. The City shall ensure all future residential development is responsible for its fair share of the City's cumulative park and recreational service and facilities maintenance needs.
- COS-P4.6 Land Dedication. The City shall continue its practice of requiring the dedication of community and neighborhood park lands as a condition of approval for large residential development projects (50 or more lots), if applicable.
- COS-P4.7 Fees In Lieu of Parkland Dedication. The City shall allow the payment of fees in lieu of parkland dedication, especially in areas where dedication is not feasible, as provided under the Quimby Act.

Discussion

- 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?**

Less than Significant Impact: Implementation of the proposed project would result in increased use of existing parks and other recreational facilities, however the project would contribute its fair share to parks facilities through a combination of park development, as well as in-lieu fees, which will be used to support the maintenance of existing parks and other recreational facilities. The impact is *less than significant*.

- 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?**

Less than Significant Impact: The project includes a 15,765 SF pocket park. The proposed park is located within the development area and would not increase environmental impacts beyond those associated with the proposed project. The impact is *less than significant*.

XVII. TRANSPORTATION

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict or be inconsistent with the CEQA guidelines Section 15064.3, Subdivision (B)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

Vehicular Access: Vehicular access to the project is available from Cartmill Avenue. The City of Tulare is the primary authority for major arterial and local streets. Other transportation facilities include a network of local roads within the proposed project site property. These provide full access to the single-family homes within the development.

Parking: During construction, workers will utilize existing facility parking areas and/or temporary construction staging areas for parking of vehicles and equipment. During project operations, there will be no permanent personnel on-site and no additional parking facilities will be required.

Pedestrian and Cyclist Connectivity: The project will install sidewalks along the north side of Cartmill Avenue, the west side of Mooney Blvd., and on all internal streets within the project area. Proposed sidewalks on Cartmill Avenue will connect to existing sidewalks to the west. Proposed sidewalks on Mooney Blvd. will connect to future sidewalks to the north upon future development. Sidewalks along internal residential streets (labeled “B Ave” and “E Ave” on the tentative subdivision map shown in Figure 3-2) will connect to existing and future sidewalks to the west and north, respectively. These features will provide connectivity for pedestrians and cyclists within the project area and offsite.

Regulatory Setting

City of Tulare Improvement Standards: The City of Tulare’s Improvement Standards are developed and enforced by the City of Tulare’s Engineering Division to guide the development and maintenance of City Roads. The cross section drawings contained in the City Improvement Standards dictate the development of roads within the City.

Tulare City General Plan: The Transportation and Circulation Element of the City of Tulare General Plan contains the acceptable Level of Service (LOS) for roadways.

- TR-P2.3 Level of Service Standard. The City shall maintain Level of Service “D,” as defined in the Highway Capacity Manual (published by the Transportation Research Board of the National Research Council), as the minimum desirable service level at which freeways, arterial streets, collector streets, and their intersections should operate.
- TR-P2.6 Highway Right-of-Way. The City shall work with Caltrans to ensure that new development projects include the dedication of land to match the ultimate right-of-way as delineated in the Caltrans Transportation Concept Reports.
- TR-P2.10 Roadway Improvements. The City shall improve existing roadway links and intersections which are identified as operating below Level of Service “D” standard or have other significant existing safety or operational deficiencies.
- TR-P2.14 Driveway/Curb Cut Consolidation. The City shall encourage the consolidation of driveways, access points, and curb cuts along existing developed major arterials or arterials when new development or a change in the intensity of existing development or land uses occurs or when traffic operation or safety warrants.
- TR-P2.27 Orientation of Subdivision Away from Arterials. The City shall require residential development to be oriented away (side-on or rear-on) from major arterials and arterials, and properly buffered from these roadway types to preserve the carrying capacity on the street and protect the residential environment. No single family residence driveways are allowed on collector streets.
- TR-P6.2 Provision of Sidewalks for new Development. The City shall require all new development to provide sidewalks or other suitable pedestrian facilities. Whenever feasible, pedestrian paths should be developed to allow for unobstructed pedestrian flow to major destinations such as bus stops, schools, parks, and shopping centers.

Discussion

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

No Impact: The project consists of the construction of 111 low-density residential units, as well as on-site circulation-related infrastructure improvements, including new local residential streets. The proposed project would include the signalization of the Cartmill Avenue/De La Vina Street intersection. This improvement, along with the improvements occurring at the intersections of Pacific Avenue/Mooney Boulevard and Cartmill Avenue/Mooney Boulevard, as part of other pending and approved projects in the study area, would allow the intersections to operate at levels of service that meet the City of Tulare’s General Plan (Policy TR-P2.3) target level of service (LOS) D or better. The proposed project would also include frontage improvements, including sidewalks, which would be an improvement to pedestrian accessibility over existing conditions. All improvements, including those related to transit, roadway, bicycle, and pedestrian facilities, are subject to City review and approval to ensure compliance with all plans, ordinances, and policies related to circulation. The proposed project will not conflict with the City’s circulation plan and standards. Therefore, there is *no impact*

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

Less than Significant Impact: The State of California Governor's Office of Planning and Research document entitled Technical Advisory on Evaluating Transportation Impacts in CEQA dated December 2018 (OPR Guidelines) provides guidance for determining a project's transportation impacts based on vehicle miles traveled (VMT). For residential projects, the OPR Guidelines indicate: "A proposed project exceeding a level of 15 percent below existing VMT per capita may indicate a significant transportation impact. Existing VMT per capita may be measured as regional VMT per capita or as city VMT per capita." Project-specific traffic modeling was performed by the Tulare County Association of Governments (TCAG) to estimate the average VMT per capita for the Project as well as the regional average VMT per capita. The results provided by TCAG are provided in Appendix E.

The OPR Guidelines designate a value of 15 percent below the regional average as the threshold for a significant impact. The results of the TCAG traffic modeling indicate that the average home-based trip length in the Tulare region is 11.70 miles. The threshold value 15 percent below the regional average is $0.85 * 11.70 = 9.95$. Therefore, if the average homebased trip length generated by the Project is greater than 9.95, the Project would cause a significant transportation impact.

The TCAG modeling indicates the average home-based trip length for the Project is 9.09 miles, which is below the threshold of 9.95 miles. Therefore, the proposed project's transportation impact is determined to 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: No public roadway design features or incompatible uses are included in the proposed project. All equipment will remain on-site and outside of public right-of-way (R-O-W). There is *no impact*.

d) Would the project result in inadequate emergency access?

Less Than Significant Impact: This project would not result in inadequate emergency access. Emergency access to the site would be via Cartmill Avenue. A network of local roads within the proposed project property provides full access onto and off of the project site. Any impacts related to emergency access would be *less than significant*.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project: 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:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

Of the main groups inhabiting the Tulare County area, the Southern Valley Yokuts occupied the largest territory. The Yokuts numbered about 25,000, and were clustered into about fifty independent local sub-tribes. Historians believe approximately 22 villages stretched from Stockton northerly to the Tehachapi Mountains southerly, although most were concentrated around Tulare Lake, Kaweah River and its tributaries. As a result, numerous cultural resource sites have been identified in Tulare County.

Cultural Resources Record Search and Native American Consultation: A records search was conducted on behalf of the Applicant at the Southern San Joaquin Valley Archaeological Information Center (AIC), to determine if historical or archaeological sites had previously been recorded within the study area, if the project area had been systematically surveyed by archaeologists prior to the initial study, and/or whether the region of the field project was known to contain archaeological sites and to thereby be archaeologically sensitive.

The records search stated that there has been one previous cultural resource study conducted within a small portion of the project area, and that two additional previous cultural resources studies were conducted within one-half mile of the project site. According to the records search, there are no recorded cultural resources within the project area, and there is one recorded resource (Tulare Irrigation District Canal) within the one-half mile radius. The full findings of the cultural records search can be found in Appendix C.

Although no tribes have requested to be notified of projects within the City of Tulare for AB 52 tribal consultation, tribes were notified of the project pursuant to SB 18. During SB 18 tribal consultation, the Santa Rosa Rancheria Tachi Yokut Tribe requested that a cultural presentation be conducted prior to

ground disturbance. The City of Tulare has agreed to this request and a cultural presentation will be required as a CEQA mitigation measure and a condition of project approval.

Definitions

- **Historical Resources:** Historical resources are defined by CEQA as resources that are listed in or eligible for the California Register of Historical Resources, resources that are listed in a local historical resource register, or resources that are otherwise determined to be historical under California Public Resources Code Section 21084.1 or California Code of Regulations Section 15064.5. Under these definitions Historical Resources can include archaeological resources, Tribal cultural resources, and Paleontological Resources.
- **Archaeological Resources:** As stated above, archaeological resources may be considered historical resources. If they do not meet the qualifications under the California Public Resources Code 21084.1 or California Code of Regulations Section 15064.5, they are instead determined to be “unique” as defined by the CEQA Statute Section 21083.2. A unique archaeological resource is an artifact, object, or site that: (1) contains information (for which there is a demonstrable public interest) needed to answer important scientific research questions; (2) has a special and particular quality, such as being the oldest of its type or the best available example of its type; or (3) is directly associated with a scientifically recognized important prehistoric or historic event or person.
- **Tribal Cultural Resource (TCR):** Tribal Cultural Resources can include site features, places, cultural landscapes, sacred places, or objects, which are of cultural value to a Tribe. It is either listed on or eligible for the CA Historic Register or a local historic register, or determined by the lead agency to be treated as TCR.
- **Paleontological Resources:** For the purposes of this section, “paleontological resources” refers to the fossilized plant and animal remains of prehistoric species. Paleontological Resources are a limited scientific and educational resource and are valued for the information they yield about the history of the earth and its ecology. Fossilized remains, such as bones, teeth, shells, and leaves, are found in geologic deposits (i.e., rock formations). Paleontological resources generally include the geologic formations and localities in which the fossils are collected.

Regulatory Setting

National Historic Preservation Act: The National Historic Preservation Act was adopted in 1966 to preserve historic and archeological sites in the United States. The Act created the National Register of Historic Places, the list of National Historic Landmarks, and the State Historic Preservation offices.

California Historic Register: The California Historic Register was developed as a program to identify, evaluate, register, and protect Historical Resources in California. California Historical Landmarks are sites, buildings, features, or events that are of statewide significance and have anthropological, cultural, military, political, architectural, economic, scientific, religious, experimental, or other value. In order for a resource to be designated as a historical landmark, it must meet the following criteria:

- The first, last, only, or most significant of its type in the state or within a large geographic region (Northern, Central, or Southern California).

- Associated with an individual or group having a profound influence on the history of California.
- A prototype of, or an outstanding example of, a period, style, architectural movement or construction or is one of the more notable works or the best surviving work in a region of a pioneer architect, designer or master builder.

City of Tulare General Plan: The City of Tulare General Plan includes the following goals and policies pertaining to tribal cultural resources:

Goal COS-5 To manage and protect sites of cultural and archaeological importance for the benefit of present and future generations.

- COS-P5.1 Archaeological Resources. The City shall support efforts to protect and/or recover archaeological resources.
- COS-P5.6 Protection of Resources with Potential State or Federal Designations. The City shall 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 State Office of Historic Preservation's California Points of Interest and California Inventory of Historic Resources. Such sites may be of statewide or local significance and have anthropological, cultural, military, political, architectural, economic, scientific, religious, or other values.
- COS-P5.9 Discovery of Archaeological Resources. In the event that archaeological/ paleontological resources are discovered during site excavation, grading, or construction, the City shall require that work on the site be suspended within 100 feet of the resource until the significance of the features can be determined by a qualified archaeologist/ paleontologist. If significant resources are determined to exist, an archaeologist shall make recommendations for protection or recovery of the resource. City staff shall consider such recommendations and implement them where they are feasible in light of project design as previously approved by the City.
- COS-P5.10 Discovery of Human Remains. Consistent with Section 7050.5 of the California Health and Safety Code and CEQA Guidelines (Section 15064.5), if human remains of Native American origin are discovered during project construction, it is necessary to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Public Resources Code Sec. 5097). If any human remains are discovered or recognized in any location on the project site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - The Tulare County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and
 - If the remains are of Native American origin,
 - The descendants of the deceased Native Americans have made a timely recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resources Code Section 5097.98.
 - The Native American Heritage Commission was unable to identify a descendant, or the descendant failed to make a recommendation within 24 hours after being notified by the commission, or

- The landowner or his or her authorized representative rejects any timely recommendations of the descendent, and mediation conducted by the Native American Heritage Commission has failed to provide measures acceptable to the landowner.
- COS-P5.11 Impact Mitigation. If preservation of cultural/historical resources is not feasible, the City shall make every effort to mitigate impacts, including relocation of structures, adaptive reuse, preservation of facades, and thorough documentation and archival of records.
- COS-P5.12 Mitigation Monitoring for Historical Resources. The City shall develop standards for monitoring mitigation measures established for the protection of historical resources prior to development.
- COS-P5.13 Alteration of Sites with Identified Cultural Resources. When planning any development or alteration of a site with identified cultural or archaeological resources, consideration should be given to ways of protecting the resources. The City shall permit development in these areas only after a site-specific investigation has been conducted pursuant to CEQA to define the extent and value of resource, and mitigation measures proposed for any impacts the development may have on the resource.
- COS-P5.14 Education Program Support. The City shall support local, state, and national education programs on cultural and archaeological resources.
- COS-P5.15 Solicit Input from Local Native Americans. The City shall solicit input from the 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.
- COS-P5.16 Confidentiality of Archaeological Sites. The City shall, within its power, maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect resources that are determined to exist. An archaeologist/paleontologist shall make recommendations for protection or recovery of the resource. City staff shall consider such recommendations and implement them where they are feasible in light of project design as previously approved by the City.
- COS-P5.17 Cooperation of Property Owners. The City shall encourage the cooperation of property owners to treat cultural resources as assets rather than liabilities, and encourage public support for the preservation of these resources.
- COS-P5.18 Archaeological Resource Surveys. Prior to project approval, the City shall require project applicant to have a qualified archaeologist conduct the following activities: (1) conduct a record search at the Regional Archaeological Information Center located at California State University Bakersfield and other appropriate historical repositories, (2) conduct field surveys where appropriate, and (3) prepare technical reports, where appropriate, meeting California Office of Historic Preservation Standards (Archaeological Resource Management Reports).

Discussion

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:

- 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

Less Than Significant Impact with Mitigation: The project would not cause a substantial adverse change in the significance of a tribal cultural resource, nor is it listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources. Based on the results of the records search, no previously recorded tribal cultural resources are located within the project site. Although no historical resources were identified, the presence of remains or unanticipated cultural resources under the ground surface is possible. Implementation of Mitigation Measures TCR-1, TCR -2, TCR -3, and TCR-4 will ensure that impacts to this checklist item will be *less than significant with mitigation incorporation*.

- 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.

Less Than Significant Impact with Mitigation: The lead agency has not determined there to be any known tribal cultural resources located within the project area. Additionally, there are not believed to be any paleontological resources or human remains buried within the project area's vicinity. However, if resources were found to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resources to a California Native American Tribe. Implementation of Mitigation Measures TCR-1, TCR -2, TCR -3, and TCR-4 will ensure that any impacts resulting from project implementation remain *less than significant with mitigation incorporation*.

Mitigation Measures for Impacts to Cultural Resources:

Mitigation Measure TCR-1: If cultural resources are encountered during ground-disturbing activities, work in the immediate area must halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (NPS 1983) shall be contacted immediately to evaluate the find. If the discovery proves to be significant under CEQA, additional work such as data recovery excavation and Native American consultation may be warranted to mitigate any adverse effects.

Mitigation Measure TCR-2: The discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the

human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Mitigation Measure TCR-3: Upon coordination with the Tulare County Resource Management Agency, any archaeological artifacts recovered shall be donated to an appropriate Tribal custodian or a qualified scientific institution where they would be afforded long-term preservation. Documentation for the work shall be provided in accordance with applicable cultural resource laws and guidelines.

Mitigation Measure TCR-4: Prior to ground disturbance, the project contractor must receive a cultural presentation provided by the Santa Rosa Rancheria Tachi Yokut Tribe. The cultural presentation will describe the sensitivity of the area, discuss how to identify sensitive materials and the processes that should be followed if sensitive tribal materials are discovered, and review the history and geography of the region and the laws and regulations pertaining to tribal cultural resources.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities , the construction or relation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

According to the Tulare Municipal Service Review (2013), the City would be able to provide the necessary infrastructure services and utility systems required for new development. Utilities and service systems include wastewater treatment, storm water drainage facilities, water supply, landfill capacity, and solid waste disposal.

Wastewater: Wastewater will be collected and treated at the City's wastewater treatment facility, which is located at the intersection Paige Ave. and West St.

Solid Waste: Solid waste collection service is provided by the City of Tulare Solid Waste Division. Solid waste disposal will be provided by the Tulare County Solid Waste Department, which operates two landfills and six transfer stations within the county. Combined, these landfills receive approximately 300,000 tons of solid waste per day.

Water: Water for the proposed development will be provided by the City of Tulare. The City's primary water source is groundwater. Existing water entitlements currently provide water to the proposed project site. Implementation of the proposed project will not require additional water entitlements.

Storm Drainage: Tulare is currently in an agreement with Tulare Irrigation District (TID). The City pumps storm water into canals owned by TID. Storm water is also disposed and detained in storm drainage detention and retention basins throughout the City. Tulare actively improves its storm drainage system to accommodate new urban development.

Regulatory Setting

CalRecycle: California Code of Regulations, Title 14, Natural Resources – Division 7 contains all current CalRecycle regulations regarding nonhazardous waste management in the state. These regulations include standards for the handling of solid waste, standards for the handling of compostable materials, design standards for disposal facilities, and disposal standards for specific types of waste.

Central Valley RWQCB: The Central Valley RWQCB requires a Stormwater Pollution Prevention Plan (SWPPP) for projects disturbing more than one acre of total land area. Because the project is greater than one acre, a SWPPP to manage stormwater generated during project construction will be required.

The Central Valley RWQCB regulates Wastewater Discharges to Land by establishing thresholds for discharged pollutants and implementing monitoring programs to evaluate program compliance. This program regulates approximately 1500 dischargers in the region.

The Central Valley RWQCB is also responsible for implementing the federal program, the National Pollutant Discharge Elimination System (NPDES). The NPDES Program is the federal permitting program that regulates discharges of pollutants to surface waters of the U.S. Under this program, a NPDES permit is required to discharge pollutants into Water's of the U.S. There are 350 permitted facilities within the Central Valley Region.

Discussion

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

Less than Significant Impact: The proposed project will require the extension of existing utility services into the project area. This is not anticipated to cause a significant environmental effect because extension/relocation would occur within the right-of-way prior to street construction to minimize environmental impacts. The project will also relocate an existing overhead electrical line to underground. This would occur prior to the development of Phase 2 and is not anticipated to cause any environmental effects.

The City's wastewater treatment facility (WWTF) has two wastewater treatment trains, domestic and industrial WWTT. Both operate in accordance to the Central Valley Regional Water Quality Control Board Waste Discharge Requirements (WDR) Order NO. R5-2002-0186. The City's Municipal Service Review (2013) indicates that Tulare's WWTF is at sufficient capacity to accommodate new development, including the proposed residential subdivision, which would tie into existing City sewage lines in the project vicinity. Based on calculations from the City of Tulare Sewer System Master Plan Table 3.7, a total of 31,200 gallons per day (gpd) of wastewater is estimated to be generated by the proposed project. This equates to approximately 0.03 million gallons per day (mgd). The Tulare Water Pollution Control Facility (TWPCF) has an estimated capacity of 6.0 mgd. The proposed project

would contribute approximately 0.5% of the total remaining capacity of the TWPCF. Furthermore, the proposed project site was analyzed for service to be provided in the City's Sewer System Master Planned and development here has been accounted for in this document.

The project involves the construction of a new stormwater retention basin to retain all storm-water on-site. The new stormwater basin is not anticipated to cause a significant environmental impact beyond those analyzed in this initial study because the basin is located within the proposed development area.

It is not anticipated that the proposed project would result in the relocation or construction of new or expanded wastewater treatment facilities, power plants, natural gas extraction facilities or telecommunication facilities. In the event that any of these facilities become required, they would be required to serve more than just the proposed project and would be subject to separate environmental review and approval. The impact is *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: Water services will be provided by the City of Tulare. The City's water supply source is comprised of 30 wells that extract water from an underground aquifer. According to City's Urban Water Management Plan (2015), the projected water supply for Tulare in year 2020 is 11,105.8 million gallons, which is comprised of both groundwater and recycled water. The City engages in a variety of strategies to ensure that adequate water resources are available throughout normal, dry, and multiple dry years. These strategies include a water conservation staging ordinance, which establishes five progressively more restrictive stages of water conservation to be implemented during dry and consecutive-dry years. The city also utilizes conjunctive use techniques, which involve diverting excess surface water for groundwater recharge during wet years so that it will be available during dry years. The proposed project is planned to be consistent with the 2015 UWMP, which demonstrates adequate water supply to serve development in the City. Additionally, Tulare General Plan Policy LU-P11.3 requires all new development to be responsible for expansion of existing facilities, such as water systems, made necessary to serve the new development. The use of these strategies greatly improves the City's control over water supply and demand, which provides water supply flexibility and significantly reduces the City's vulnerability in the event of dry and multiple dry years.

Based on average per-person water use in the State of California and average household size in the City of Tulare, water demand for the proposed 111 unit residential development is estimated to be approximately 31,985 gallons of water daily, or 35.8 acre-feet per year. This would be a reduction in water demand for the project site from existing water demand for existing agricultural use. This would also be a reduction in water demand when taking into account the projected water demand of the existing general plan land use designations for commercial and medium-density residential housing. Therefore, the impact is *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: As previously discussed above for item a) in this section, wastewater generated by the project would be collected and treated at the City's domestic wastewater treatment

train (WWTT). Although the proposed project will increase in wastewater generation due to the addition of 111 residential units, the wastewater produced would not exceed the City's WWTF capacity of 6.0 MGD. The impact is *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: Solid waste collection service will be provided by the City of Tulare and waste disposal will be provided by the County. Solid waste is anticipated as a result of project implementation; however, the project does not include any components that would generate excessive waste and the existing landfills have sufficient permitted capacity to accommodate the project's solid waste disposal needs. The impact is *less than significant*.

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

No Impact: This proposed project conforms to all applicable management and reduction statutes and regulations related to solid waste disposal. The development will comply with the adopted policies related to solid waste, and will comply with all applicable federal, state, and local statutes and regulations pertaining to disposal of solid waste, including recycling. Therefore, the proposed project would have *no impact* on solid waste regulations.

XX. WILDFIRE

If located 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 Incorporation	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Regulatory Setting**Definitions:**

Fire hazard severity zones: geographical areas designated pursuant to California Public Resources Codes Sections 4201 through 4204 and classified as Very High, High, or Moderate in State Responsibility Areas or as Local Agency Very High Fire Hazard Severity Zones designated pursuant to California Government Code, Sections 51175 through 51189.

Tulare Unit Strategic Fire Plan Key Goals and Objectives:

- *Support the implementation and maintenance of defensible space inspections around structures*
- *Analyze trends in fire cause and focus prevention and education efforts to modify behaviors and effect change to reduce ignitions within Tulare County*
- *Identify and evaluate wildland fire hazards and recognize assets at risk, collecting and analyzing data to determine fuel reduction project, and other projects.*
- *Assist landowners and local government in the evaluation of the need to retain and utilize features (e.g. roads, fire lines, water sources) developed during fire suppression efforts, taking into consideration those identified in previous planning efforts*

Tulare County Disaster Preparedness Guide (2011): The Tulare County Preparedness Guide provides guidelines regarding disaster preparedness and evacuation planning for Tulare County residents.

Discussion

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

No Impact: The project would not substantially impair an adopted emergency response plan or emergency evacuation plan including the Tulare Unit Strategic Fire Plan and the Tulare County Disaster Preparedness Guide. There is *no impact*.

- b) **Due to slope, prevailing winds, and other factors, would the project 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 located on a flat area of land with little risk of fire. The Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan identifies the risk of fire within the City of Tulare as having unlikely frequency, limited extent, limited magnitude, and low significance. The project would not exacerbate wildfire risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. There is *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?**

Less than significant Impact: The construction of the project involves adding new local residential streets, and new and relocated utilities. Utilities such as emergency water sources and power lines would be included as part of the proposed development, however all improvements would be subject to City standards and fire chief approval. The proposed project would not exacerbate fire risk and the impact would be *less than significant*.

- 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 instability, or drainage changes?**

No Impact: The project site is located on land with relatively flat topography. Therefore, the project would not be susceptible to downslope or downstream flooding or landslides as a result of post-fire instability or drainage changes. There is *no impact*.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
b) Does the project have the potential substantially 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, 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- 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?

Less Than Significant Impact with Mitigation: This initial study/mitigated negative declaration found the project could have significant impacts on biological, cultural, hazardous materials, water quality, and Tribal cultural resources. However, implementation of the identified mitigation measures for each respective section would ensure that impacts are *less than significant with mitigation incorporation*.

- 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: 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 the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects. Due to the nature of the project and consistency with environmental policies, incremental contributions to impacts are considered less than cumulatively considerable. The proposed project would not contribute substantially to adverse cumulative conditions, or create any substantial indirect impacts (i.e., increase in population could lead to an increase need for housing, increase in traffic, air pollutants, etc). Impacts would be *less than significant*.

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

Less Than Significant Impact: The analyses of environmental issues contained in this Initial Study indicate that the project is not expected to have substantial impact on human beings, either directly or indirectly. Mitigation measures have been incorporated in the project design to reduce all potentially significant impacts to less than significant, which results in a *less than significant* impact to this checklist item.

3.6 MITIGATION MONITORING AND REPORTING PROGRAM

As required by Public Resources Code Section 21081.6, subd. (a)(1), a Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the project in order to monitor the implementation of the mitigation measures that have been adopted for the project. This Mitigation Monitoring and Reporting Program (MMRP) has been created based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Kensington 3/4 Tentative Subdivision Map Project proposed by San Joaquin Valley Homes in the City of Tulare.

The first column of the table identifies the mitigation measure. The second column names the party responsible for carrying out the required action. The third column, "Timing of Mitigation Measure" identifies the time the mitigation measure should be initiated. The fourth column, "Responsible Party for Monitoring," names the party ensuring that the mitigation measure is implemented. The last column will be used by the City of Tulare to ensure that the individual mitigation measures have been monitored.

Plan checking and verification of mitigation compliance shall be the responsibility of the City of Tulare.

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
Mitigation Measure BIO-1a: In order to avoid impacts to nesting raptors and migratory birds, the project shall be constructed, if feasible, outside of the nesting season (September 1st to January 31st).	Project Sponsor	Within 30 days prior to the start of construction.	City of Tulare	
<p>Mitigation Measure BIO-1b: If Project construction occurs during nesting season (February 1st through August 31st), a qualified biologist shall conduct a preconstruction survey of the Project site and the surrounding habitat for nesting birds to avoid any adverse impacts leading to nest failure or abandonment. The preconstruction survey shall be conducted no more than 14 days before the commencement of Project construction activities. The survey shall include the proposed work area(s) and surrounding lands within 500 feet, where accessible, for all nesting raptors and migratory birds save Swainson's hawk; the Swainson's hawk survey shall extend to 0.5 mile outside of work area boundaries. Nesting surveys for the Swainson's hawks shall be conducted in accordance with the protocol outlined in the "Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley" (Swainson's Hawk Technical Advisory Committee, 2000).</p> <p>Areas of particular importance are the utility poles along the south and east boundaries of the site, as these provide ample nesting habitat for raptors and other Migratory Bird Treaty Act protected species. If potential Swainson's hawk</p>	Project Sponsor	Within 14 days prior to the start of construction.	City of Tulare	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
nests or nesting substrates are located within 0.5 miles of the Project site, then those nests or substrates must be monitored for activity on a routine and repeating basis throughout the breeding season, or until Swainson's hawks or other raptor species are verified to be using them. The protocol recommends that 10 visits be made to each nest or nesting site: one during January 1-March 20 to identify potential nest sites, three during March 20-April 5, three during April 5-April 20, and three during June 10-July 30. To meet the minimum level of protection for the species, surveys shall be completed for at least the two survey periods immediately prior to Project-related ground disturbance activities. If Swainson's hawks are not found to nest within the survey area, then no further action is warranted.				
Mitigation Measure BIO-1c: Should any active nests be discovered near proposed work areas, Swainson's hawk nests shall be avoided by 0.5 miles unless this avoidance buffer is reduced through consultation with the CDFW and/or USFWS. If a construction area falls within this nesting site, construction-free buffers shall be identified on the ground with flagging, fencing, or by other easily visible means, and shall be maintained until the biologist has determined that the young have fledged (left the nest).	Project Sponsor & Construction Contractor	Within 14 days prior to the start of construction.	City of Tulare	
Mitigation Measure BIO-2: Prior to the commencement of ground disturbance activities, a qualified biologist will survey the grasses throughout the Project site for SJAS and CI. The preconstruction survey will be conducted during the blooming period for each respective species, and in accordance with the most recent CDFW botanical survey protocols.	Project Sponsor	Prior to the start of construction	City of Tulare	
Mitigation Measure BIO-3a: Preconstruction surveys for the San Joaquin kit fox shall be conducted on and within 200 feet of the project site, no more than 30 days prior to the start of ground disturbance activities on the site. The primary objective is to identify kit fox habitat features (e.g., potential dens and refugia) on and adjacent to the site and evaluate their use by kit foxes. Protection provided by dens for shelter, escape, cover, and reproduction is vital to the survival of San Joaquin kit foxes. For San Joaquin kit foxes, the ecological value of potential, known, and natal/pupping dens differs; therefore, each den type requires the appropriate level of protection. The following text describes the different steps involved with	Project Sponsor	Within 30 days prior to the start of construction.	City of Tulare	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
<p>implementing this mitigation measure:</p> <p>Determine Den Status. When a suitable den or burrow is discovered, a qualified biologist shall determine whether the hole is occupied by a San Joaquin kit fox. Den entrances at least 4 inches in diameter (but not greater than 20 inches) qualify as suitable for San Joaquin kit fox use. Some dens can be immediately identified as recently used by kit fox; qualifying signs include kit fox tracks, scats, and a fresh soil apron extending up to 6 feet from the den entrance. Dens with proper dimensions, but no obvious sign will require further investigation. A remote motion-sensing camera with tracking medium shall be deployed for at least 5 days in an attempt to document a San Joaquin kit fox using the den. If, after 5 days, no San Joaquin kit foxes are detected and the hole has remained unchanged (no new tracks or excavations are observed), and there is no historic record of an active kit fox den at that location, the den will be deemed a “potential den” and unoccupied. The den will be considered occupied if a kit fox is photographed using the den or if a recent sign is found. The biologist shall contact CDFW and the USFWS upon the confirmation of any occupied den.</p> <p>Preconstruction surveys shall be repeated following any lapses in construction of 30 days or more.</p>				
<p>Mitigation Measure BIO-3b: Should active kit fox dens be detected during preconstruction surveys, the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW shall be notified. A disturbance-free buffer shall be established around the burrows in consultation with the USFWS and CDFW, to prevent access to the occupied den by construction equipment and personnel who are not biologists, and to be maintained until an agency-approved biologist has determined that the burrows have been abandoned. After construction activities would no longer affect the den, all fencing and flagging shall be removed to avoid attracting attention to the den by other animals or humans. All onsite flagging and buffer delineations shall be kept in good working order for the duration of activity near the den or until the den is determined to be unoccupied, whichever occurs first. The following radii are standard San Joaquin kit fox buffer distances:</p> <ul style="list-style-type: none"> • Known occupied den—100 feet 	Project Sponsor & Construction Contractor	Within 30 days prior to the start of construction.	City of Tulare	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
<ul style="list-style-type: none"> Occupied natal/pupping den—500 feet Occupied atypical den—50 feet <p>In the exclusion zones, only essential vehicle and foot traffic shall be permitted. No activity that would destroy the den may occur, and no activity that may harm a San Joaquin kit fox will proceed until the individual is out of harm's way, without harassment. No activity that may cause strong ground vibrations may occur in the exclusion zone until the den is no longer occupied. Essential vehicle traffic shall include any emergency vehicles. If San Joaquin kit foxes are not observed above ground, essential foot traffic also may be allowed. The USFWS and CDFW shall be notified of any reductions in the standard radii or allowance for additional activity in the restrictive exclusion zones based on individual circumstances to provide USFWS and CDFW an opportunity to offer technical guidance. If a known or occupied den cannot be avoided, consultation with the USFWS and CDFW shall be required.</p>				
<p>Mitigation Measure BIO-3c: Should active kit fox dens be detected during preconstruction surveys, construction activities shall be carried out in a manner that minimizes disturbance to kit foxes in accordance with the USFWS Standardized Recommendations. The applicant shall implement all minimization measures presented in the Construction and On-going Operational Requirements section of the Standardized Recommendations, including, but not limited to:</p> <ul style="list-style-type: none"> Project-related vehicles shall observe a daytime speed limit of 15-mph throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Night-time construction should be minimized to the extent possible. However if it does occur, then the speed limit shall be reduced to 10-mph. Off-road traffic outside of designated project areas shall be prohibited. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2-feet deep shall be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps 	Project Sponsor & Construction Contractor	Ongoing during construction.	City of Tulare	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
<p>constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the USFWS and CDFW shall be contacted.</p> <ul style="list-style-type: none"> • Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped. • All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from a construction or project site. • No firearms shall be allowed on the project site. • No pets, such as dogs or cats, shall be permitted on the project site, to prevent harassment, mortality of kit foxes, or destruction of dens. • Use of rodenticides and herbicides in project areas shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by USFWS. If rodent control must be conducted, zinc phosphide shall be used because of a proven lower risk to kit fox. • An employee education program shall be conducted for the project. The program shall consist of a brief presentation by persons knowledgeable in kit fox biology and protection to explain endangered species 				

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
<p>concerns to contractors, their employees, and agency personnel involved in the project. This training will include a description of the kit fox and its habitat needs; a report of the occurrence of kit fox in the project vicinity; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of the measures being taken to reduce impacts to the species during project construction and implementation. The training will include a handout with all of the training information included in it. The applicant will use this handout to train any construction personnel that were not in attendance at the first meeting, prior to those personnel starting work on the site.</p> <ul style="list-style-type: none"> • A representative shall be appointed by the Applicant who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative shall be identified during the employee education program and their name and telephone number shall be provided to USFWS. • Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. shall be re-contoured if necessary, and revegetated to promote restoration of the area to pre-project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas shall be determined on a site-specific basis in consultation with USFWS, CDFW, or revegetation experts. <p>Any contractor, employee, or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW will be notified in writing within three working days in case of the accidental death or injury of a San Joaquin kit fox during project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured</p>				

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
<p>animal, and any other pertinent information. The CDFW contact for immediate assistance is State Dispatch at (916) 445-0045. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530) 934-9309.</p> <ul style="list-style-type: none"> New sightings of kit fox shall be reported to the CNDDDB. A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to USFWS. 				
<p>Mitigation Measure BIO-4a: (Take Avoidance Survey). A take avoidance survey for burrowing owls shall be conducted by a qualified biologist knowledgeable of the species within 14 days prior to the start of construction. This take avoidance survey shall be conducted according to methods described in the Staff Report on Burrowing Owl Mitigation (CDFG 2012). The survey area shall include all suitable habitat on and within 200 meters of project impact areas, where accessible.</p>	Project Sponsor		City of Tulare	
<p>Mitigation Measure BIO-4b: (Avoidance of Active Nests and Roosts). If project activities are undertaken during the breeding season (February 1-August 31) and active nest burrows are identified within or near project impact areas, a 200-meter disturbance-free buffer shall be established around these burrows, unless a qualified biologist approved by CDFW verifies through noninvasive methods either that the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival. Owls present on site after February 1 will be assumed to be nesting unless evidence indicates otherwise. The protected exclusion zone established for the breeding season shall remain in effect until August 31 or, as determined based on monitoring evidence, until the young owl(s) is foraging independently or the nest is no longer active.</p>	Project Sponsor & Construction Contractor	Ongoing during construction.	City of Tulare	
<p>Mitigation Measure BIO-4c: (Passive Relocation of Resident Owls). During the nonbreeding season (September 1-January 31), resident owls occupying burrows in project impact areas may be passively relocated to alternative habitat after consulting with the CDFW. Prior to passively relocating burrowing owls, a Burrowing Owl Exclusion Plan shall be prepared by a qualified biologist in accordance with Appendix E of the Staff Report on Burrowing Owl Mitigation (CDFW, 2012). The Burrowing Owl</p>	Project Sponsor	Prior to the start of construction.	City of Tulare	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
Exclusion Plan shall be submitted to the CDFW for review prior to implementation. Relocation of any owls during the nonbreeding season shall be performed by a qualified biologist using one-way doors, which shall be installed in all burrows in the impact area and left in place for at least two nights. The doors shall be removed and the burrows backfilled immediately before the initiation of grading or, if no grading would occur, left in place until the end of construction. To avoid the potential for owls evicted from a burrow to occupy other burrows in the project site, one-way doors shall be placed in all potentially suitable burrows within the impact area when eviction occurs.				
Mitigation Measure CUL-1: If cultural resources are encountered during ground-disturbing activities, work in the immediate area must halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (NPS 1983) should be contacted immediately to evaluate the find. If the discovery proves to be significant under CEQA, additional work such as data recovery excavation and Native American consultation may be warranted to mitigate any adverse effects.	Project Sponsor & Construction Contractor	Ongoing during construction.	City of Tulare	
Mitigation Measure CUL-2: The discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.	Project Sponsor & Construction Contractor	Ongoing during construction.	City of Tulare	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
Mitigation Measure HAZ-1: Prior to issuance of grading permits for ground clearance or excavation, the project proponent shall prepare a soils report and investigation for the presence of environmentally persistent pesticides, such as organochlorinated pesticides, in conjunction with the California Department of Toxic Substances Control (DTSC), and in accordance with DTSC's 2008 <i>Interim Guidance for Sampling Agricultural Properties (Third Revision)</i> .	Project Sponsor	Prior to issuance of grading permits	City of Tulare	
Mitigation Measure HYD-1: Prior to the issuance of any construction/grading permit and/or the commencement of any clearing, grading, or excavation, the Applicant shall submit a Notice of Intent (NOI) for discharge from the Project site to the California SWRCB Storm Water Permit Unit. •Prior to issuance of grading permits for Phase 1 the Applicant shall submit a copy of the NOI to the City. •The City shall review noticing documentation prior to approval of the grading permit. City monitoring staff will inspect the site during construction for compliance.	Project Sponsor	Prior to the start of construction (Prior to Issuance of grading permits).	City of Tulare	
Mitigation Measure HYD-2: The Applicant shall require the building contractor to prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) to the City 45 days prior to the start of work for approval. The contractor is responsible for understanding the State General Permit and instituting the SWPPP during construction. A SWPPP for site construction shall be developed prior to the initiation of grading and implemented for all construction activity on the Project site in excess of one (1) acre, or where the area of disturbance is less than one acre but is part of the Project's plan of development that in total disturbs one or more acres. The SWPPP shall identify potential pollutant sources that may affect the quality of discharges to storm water, and shall include specific BMPs to control the discharge of material from the site. The following BMP methods shall include, but would not be limited to: • Dust control measures will be implemented to ensure success of all onsite activities to control fugitive dust; • A routine monitoring plan will be implemented to ensure success of all onsite erosion and sedimentation control measures; • Provisional detention basins, straw bales, erosion control blankets, mulching, silt fencing, sand bagging, and soil stabilizers will	Project Sponsor	45 days prior to the start of construction and grading	City of Tulare	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
<p>be used;</p> <ul style="list-style-type: none"> • Soil stockpiles and graded slopes will be covered after two weeks of inactivity and 24 hours prior to and during extreme weather conditions; and, • BMPs will be strictly followed to prevent spills and discharges of pollutants onsite, such as material storage, trash disposal, construction entrances, etc. 				
<p>Mitigation Measure HYD-3: A Development Maintenance Manual for the Project shall include comprehensive procedures for maintenance and operations of any stormwater facilities to ensure long-term operation and maintenance of post-construction stormwater controls. The maintenance manual shall require that stormwater BMP devices be inspected, cleaned and maintained in accordance with the manufacturer's maintenance conditions. The manual shall require that devices be cleaned prior to the onset of the rainy season (i.e., mid-October) and immediately after the end of the rainy season (i.e., mid-May). The manual shall also require that all devices be checked after major storm events. The Development Maintenance Manual shall include the following:</p> <ul style="list-style-type: none"> • Runoff shall be directed away from trash and loading dock areas; • Bins shall be lined or otherwise constructed to reduce leaking of liquid wastes; • Trash and loading dock areas shall be screened or walled to minimize offsite transport of trash; and, • Impervious berms, trench catch basin, drop inlets, or overflow containment structures nearby docks and trash areas shall be installed to minimize the potential for leaks, spills or wash down water to enter the drainage system. 	Project Sponsor	Prior to the start of construction (prior to issuance of grading permits)	City of Tulare	
<p>Mitigation Measure TCR-1: If cultural resources are encountered during ground-disturbing activities, work in the immediate area must halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (NPS 1983) shall be contacted immediately to evaluate the find. If the discovery proves to be significant under CEQA, additional work such as data recovery excavation and Native American consultation may be warranted to mitigate any adverse effects</p>	Project Sponsor & Construction Contractor	Ongoing during construction.	City of Tulare	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
Mitigation Measure TCR-2: The discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.	Project Sponsor & Construction Contractor	Ongoing during construction.	City of Tulare	
Mitigation Measure TCR-3: Upon coordination with the Tulare County Resource Management Agency, any archaeological artifacts recovered shall be donated to an appropriate Tribal custodian or a qualified scientific institution where they would be afforded long-term preservation. Documentation for the work shall be provided in accordance with applicable cultural resource laws and guidelines.	Project Sponsor, Construction Contractor, & Qualified Archaeologist	Ongoing during construction.	City of Tulare	
Mitigation Measure TCR-4: Prior to ground disturbance, the project contractor must receive a cultural presentation provided by the Santa Rosa Rancheria Tachi Yokut Tribe. The cultural presentation will describe the sensitivity of the area, discuss how to identify sensitive materials and the processes that should be followed if sensitive tribal materials are discovered, and review the history and geography of the region and the laws and regulations pertaining to tribal cultural resources	Project Sponsor, Construction Contractor, & Santa Rosa Rancheria Tachi Yokut Tribe	Prior to project construction.	City of Tulare	

3.7 Supporting Information and Sources

1. AB 3098 List
2. City of Tulare General Plan
3. City of Tulare General Plan EIR
4. City of Tulare Climate Action Plan
5. City of Tulare Draft 2015 Urban Water Management Plan
6. City of Tulare Zoning Ordinance
7. City of Tulare Sewer System Master Plan
8. Engineering Standards, City of Tulare
9. SJVAPCD Regulations and Guidelines
10. Flood Insurance Rate Maps
11. California Air Resources Board's (CARB's) Air Quality and Land Use Handbook
12. 2008 (California Environmental Quality Act CEQA Guidelines
13. California Building Code
14. California Stormwater Pollution Prevention Program (SWPPP)
15. "Construction Noise Handbook." U.S. Department of Transportation/Federal Highway Administration.
16. Government Code Section 65962.5
17. California Environmental Protection Agency (CEPA)
18. Cypher, Brian, Et Al. Conservation of Endangered Tipton Kangaroo Rats (*Dipodomys Nitratoidea* Nitratoidea): Status Surveys, Habitat Suitability, And Conservation Strategies. California Department Of Fish And Wildlife, 2016.
19. California Energy Efficiency Strategic Plan: New Residential Zero Net Energy Action Plan 2015-2020, June 2015
20. San Joaquin Valley Air Pollution Control District Mitigation Measures (<http://www.valleyair.org/transportation/Mitigation-Measures.pdf>)
21. "Residential Water Use Trends and Implications for Conservation Policy." Legislative Analyst's Office/The California Legislature's Nonpartisan Fiscal and Policy Advisor. March 2017.
22. US Census (2014-2018). QuickFacts Tulare city, California. <https://www.census.gov/quickfacts/fact/table/tularecitycalifornia/HSD310218#HSD310218>

Section 4

List of Preparers

City of Tulare
411 East Kern Avenue
Tulare, CA 93274

SECTION 4

List of Preparers

Project Title: Kensington 3/4 Tentative Subdivision Map

List of Preparers

4-Creeks Inc.

- David Duda, AICP, GISP
- Steve Macias, Civil Engineer
- Aaron Carpenter, Associate Planner
- Molly McDonnel, Associate Planner

Persons and Agencies Consulted

The following individuals and agencies contributed to this Initial Study/Mitigated Negative Declaration:

City of Tulare

- Mario Anaya, Principal Planner
- Steven Sopp, Senior Planner

California Historic Resources Information System

- Celeste Thomson, Coordinator

Krazan & Associates, Inc.

- William Vick, Senior Project Manager

Peters Engineering Group

- John Rowland, PE, TE

SOAR Environmental Consulting

- Travis Albert, Biologist
- Sam Hopstone, EIT, Environmental Engineer

Appendix A

CalEEMod Report

Kensington 3/4 TSM - Tulare County,
Annual

1.0 Project Characteristics

Kensington 3/4 TSM
Tulare County, Annual

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Single Family Housing	111.00	Dwelling Unit	22.64	199,800.00	317
Other Non-Asphalt Surfaces	1.00	Acre	1.00	43,560.00	0
City Park	0.36	Acre	0.36	15,681.60	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	51
Climate Zone	7			Operational Year	2022

Utility Company Southern California Edison

CO2 Intensity (lb/MWhr)	702.44	CH4 Intensity (lb/MWhr)	0.029	N2O Intensity (lb/MWhr)	0.006
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1.3 User Entered Comments & Non-Default Data

- Project Characteristics -
- Land Use - Project size is approximately 24 acres
- Construction Phase -
- Mobile Land Use Mitigation -
- Area Mitigation -

Kensington 3/4 TSM - Tulare County, Annual

Table Name	Column Name	Default Value	New Value
tblLandUse	LotAcreage	36.04	22.64
tblWoodstoves	NumberCatalytic	22.64	23.87
tblWoodstoves	NumberNoncatalytic	22.64	23.87

2.0 Emissions Summary

Kensington 3/4 TSM - Tulare County, Annual

2.1 Overall Construction**Unmitigated Construction**

Year	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
	tons/yr											MT/yr				
2020	0.1267	1.3237	0.8852	1.7100e-003	0.2526	0.0610	0.3136	0.1154	0.0564	0.1718	0.0000	150.2586	150.2586	0.0427	0.0000	151.3262
2021	0.2941	2.6164	2.4672	4.9400e-003	0.0865	0.1265	0.2130	0.0235	0.1189	0.1424	0.0000	434.8366	434.8366	0.0779	0.0000	436.7844
2022	1.9880	0.9220	0.9845	1.9300e-003	0.0314	0.0425	0.0739	8.5000e-003	0.0399	0.0484	0.0000	170.1206	170.1206	0.0327	0.0000	170.9380
Maximum	1.9880	2.6164	2.4672	4.9400e-003	0.2526	0.1265	0.3136	0.1154	0.1189	0.1718	0.0000	434.8366	434.8366	0.0779	0.0000	436.7844

Mitigated Construction

Year	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
	tons/yr											MT/yr				
2020	0.1267	1.3237	0.8852	1.7100e-003	0.2526	0.0610	0.3136	0.1154	0.0564	0.1718	0.0000	150.2584	150.2584	0.0427	0.0000	151.3260
2021	0.2941	2.6164	2.4671	4.9400e-003	0.0865	0.1265	0.2130	0.0235	0.1189	0.1424	0.0000	434.8363	434.8363	0.0779	0.0000	436.7841
2022	1.9880	0.9220	0.9845	1.9300e-003	0.0314	0.0425	0.0739	8.5000e-003	0.0399	0.0484	0.0000	170.1205	170.1205	0.0327	0.0000	170.9379
Maximum	1.9880	2.6164	2.4671	4.9400e-003	0.2526	0.1265	0.3136	0.1154	0.1189	0.1718	0.0000	434.8363	434.8363	0.0779	0.0000	436.7841

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2.2 Overall Operational**Unmitigated Operational**

Category	ROG	NOx	CO	SO ₂	Fugitive PM ₁₀	Exhaust PM ₁₀	PM ₁₀ Total	Fugitive PM _{2.5}	Exhaust PM _{2.5}	PM _{2.5} Total	Bio- CO ₂	NBio- CO ₂	Total CO ₂	CH ₄	N ₂ O	CO ₂ e
	tons/yr										MT/yr					
Area	1.4880	0.1231	5.2605	0.0147		0.7286	0.7286		0.7286	0.7286	96.4998	49.4323	145.9321	0.4533	8.8000e-004	157.5283
Energy	0.0154	0.1316	0.0560	8.4000e-004		0.0106	0.0106		0.0106	0.0106	0.0000	456.3765	456.3765	0.0155	5.3900e-003	458.3697
Mobile	0.3512	3.0867	3.8000	0.0162	1.1194	0.0139	1.1333	0.3008	0.0131	0.3139	0.0000	1,496.4170	1,496.4170	0.0640	0.0000	1,498.0161
Waste						0.0000	0.0000		0.0000	0.0000	23.1714	0.0000	23.1714	1.3694	0.0000	57.4062
Water						0.0000	0.0000		0.0000	0.0000	2.2944	18.0314	20.3258	0.2364	5.7200e-003	27.9400
Total	1.8546	3.3414	9.1165	0.0317	1.1194	0.7531	1.8725	0.3008	0.7523	1.0531	121.9656	2,020.2572	2,142.2228	2.1386	0.0120	2,199.2603

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2.2 Overall Operational**Mitigated Operational**

	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					
Area	0.9966	9.5200e-003	0.8251	4.0000e-005		4.5600e-003	4.5600e-003		4.5600e-003	4.5600e-003	0.0000	1.3463	1.3463	1.3000e-003	0.0000	1.3788
Energy	0.0154	0.1316	0.0560	8.4000e-004		0.0106	0.0106		0.0106	0.0106	0.0000	456.3765	456.3765	0.0155	5.3900e-003	458.3697
Mobile	0.3388	2.9451	3.5203	0.0148	1.0103	0.0127	1.0230	0.2714	0.0120	0.2834	0.0000	1.369.563 ⁴	1.369.563 ⁴	0.0609	0.0000	1.371.084 ⁶
Waste						0.0000	0.0000		0.0000	0.0000	23.1774	0.0000	23.1774	1.3694	0.0000	57.4062
Water						0.0000	0.0000		0.0000	0.0000	2.2944	18.0314	20.3258	0.2364	5.7200e-003	27.9400
Total	1.3509	3.0862	4.4014	0.0157	1.0103	0.0279	1.0382	0.2714	0.0272	0.2986	25.4658	1,845.317 ⁶	1,870.783 ⁴	1.6834	0.0111	1,916.179 ²

3.0 Construction Detail

	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
Percent Reduction	27.16	7.64	51.72	50.58	9.75	96.29	44.56	9.75	96.39	71.64	79.12	8.66	12.67	21.28	7.34	12.87

Construction Phase

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Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	• Site Preparation	• Site Preparation	10/1/2020	10/14/2020	5	10	
2	• Grading	• Grading	10/15/2020	12/2/2020	5	35	
3	• Building Construction	• Building Construction	12/3/2020	5/4/2022	5	370	
4	• Paving	• Paving	5/5/2022	6/1/2022	5	20	
5	• Architectural Coating	• Architectural Coating	6/2/2022	6/29/2022	5	20	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 87.5

Acres of Paving: 1

Residential Indoor: 404,595; Residential Outdoor: 134,865; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 2,614
(Architectural Coating – sqft)

OffRoad Equipment

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Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Grading	Excavators	2	8.00	158	0.38
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45
Paving	Pavers	2	8.00	130	0.42
Paving	Paving Equipment	2	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Architectural Coating	Air Compressors	1	6.00	78	0.48

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
Site Preparation	7	18.00	0.00	0.00	10.80	7.30	20.00;LD_Mix	HDT_Mix	HDT_Mix	HHDT
Grading	8	20.00	0.00	0.00	10.80	7.30	20.00;LD_Mix	HDT_Mix	HDT_Mix	HHDT
Building Construction	9	65.00	22.00	0.00	10.80	7.30	20.00;LD_Mix	HDT_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.80	7.30	20.00;LD_Mix	HDT_Mix	HDT_Mix	HHDT
Architectural Coating	1	13.00	0.00	0.00	10.80	7.30	20.00;LD_Mix	HDT_Mix	HDT_Mix	HHDT

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3.1 Mitigation Measures Construction**3.2 Site Preparation - 2020****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	tons/yr										MT/yr					
Fugitive Dust					0.0903	0.0000	0.0903	0.0497	0.0000	0.0497	0.0000	0.0000	0.0000	0.0000		0.0000
Off-Road	0.0204	0.2121	0.1076	1.9000e-004		0.0110	0.0110		0.0101	0.0101	0.0000	16.7153	16.7153	5.4100e-003	0.0000	16.8505
Total	0.0204	0.2121	0.1076	1.9000e-004	0.0903	0.0110	0.1013	0.0497	0.0101	0.0598	0.0000	16.7153	16.7153	5.4100e-003	0.0000	16.8505

Unmitigated 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	tons/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
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
Worker	4.2000e-004	2.8000e-004	2.8800e-003	1.0000e-005	7.2000e-004	1.0000e-005	7.2000e-004	1.9000e-004	0.0000	2.0000e-004	0.0000	0.6159	0.6159	2.0000e-005	0.0000	0.6163
Total	4.2000e-004	2.8000e-004	2.8800e-003	1.0000e-005	7.2000e-004	1.0000e-005	7.2000e-004	1.9000e-004	0.0000	2.0000e-004	0.0000	0.6159	0.6159	2.0000e-005	0.0000	0.6163

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3.2 Site Preparation - 2020

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	tons/yr										MT/yr					
Fugitive Dust					0.0903	0.0000	0.0903	0.0497	0.0000	0.0497	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0204	0.2121	0.1076	1.9000e-004		0.0110	0.0110		0.0101	0.0101	0.0000	16.7153	16.7153	5.4100e-003	0.0000	16.8505
Total	0.0204	0.2121	0.1076	1.9000e-004	0.0903	0.0110	0.1013	0.0497	0.0101	0.0598	0.0000	16.7153	16.7153	5.4100e-003	0.0000	16.8505

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	tons/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	4.2000e-004	2.8000e-004	2.8800e-003	1.0000e-005	7.2000e-004	1.0000e-005	7.2000e-004	1.9000e-004	0.0000	2.0000e-004	0.0000	0.6159	0.6159	2.0000e-005	0.0000	0.6163
Total	4.2000e-004	2.8000e-004	2.8800e-003	1.0000e-005	7.2000e-004	1.0000e-005	7.2000e-004	1.9000e-004	0.0000	2.0000e-004	0.0000	0.6159	0.6159	2.0000e-005	0.0000	0.6163

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3.3 Grading - 2020**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	tons/yr										MT/yr					
Fugitive Dust					0.1518	0.0000	0.1518	0.0629	0.0000	0.0629	0.0000	0.0000	0.0000	0.0000		0.0000
Off-Road	0.0779	0.8785	0.5593	1.0900e-003		0.0380	0.0380		0.0350	0.0350	0.0000	95.3475	95.3475	0.0308	0.0000	96.1185
Total	0.0779	0.8785	0.5593	1.0900e-003	0.1518	0.0380	0.1898	0.0629	0.0350	0.0979	0.0000	95.3475	95.3475	0.0308	0.0000	96.1185

Unmitigated 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	tons/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
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
Worker	1.6500e-003	1.1000e-003	0.0112	3.0000e-005	2.7900e-003	2.0000e-005	2.8100e-003	7.4000e-004	2.0000e-005	7.6000e-004	0.0000	2.3950	2.3950	8.0000e-005	0.0000	2.3969
Total	1.6500e-003	1.1000e-003	0.0112	3.0000e-005	2.7900e-003	2.0000e-005	2.8100e-003	7.4000e-004	2.0000e-005	7.6000e-004	0.0000	2.3950	2.3950	8.0000e-005	0.0000	2.3969

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3.3 Grading - 2020

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	tons/yr										MT/yr					
Fugitive Dust					0.1518	0.0000	0.1518	0.0629	0.0000	0.0629	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0779	0.8785	0.5593	1.0900e-003		0.0380	0.0380		0.0350	0.0350	0.0000	95.3474	95.3474	0.0308	0.0000	96.1183
Total	0.0779	0.8785	0.5593	1.0900e-003	0.1518	0.0380	0.1898	0.0629	0.0350	0.0979	0.0000	95.3474	95.3474	0.0308	0.0000	96.1183

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	tons/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	1.6500e-003	1.1000e-003	0.0112	3.0000e-005	2.7900e-003	2.0000e-005	2.8100e-003	7.4000e-004	2.0000e-005	7.6000e-004	0.0000	2.3950	2.3950	8.0000e-005	0.0000	2.3969
Total	1.6500e-003	1.1000e-003	0.0112	3.0000e-005	2.7900e-003	2.0000e-005	2.8100e-003	7.4000e-004	2.0000e-005	7.6000e-004	0.0000	2.3950	2.3950	8.0000e-005	0.0000	2.3969

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3.4 Building Construction - 2020**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	tons/yr															
Off-Road	0.0223	0.2015	0.1769	2.8000e-004		0.0117	0.0117		0.0110	0.0110	0.0000	24.3191	24.3191	5.9300e-003	0.0000	24.4674
Total	0.0223	0.2015	0.1769	2.8000e-004		0.0117	0.0117		0.0110	0.0110	0.0000	24.3191	24.3191	5.9300e-003	0.0000	24.4674

Unmitigated 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	tons/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	9.2000e-004	0.0282	5.6000e-003	7.0000e-005	1.5300e-003	1.6000e-004	1.6900e-003	4.4000e-004	1.5000e-004	5.9000e-004	0.0000	6.1956	6.1956	2.9000e-004	0.0000	6.2028
Worker	3.2200e-003	2.1400e-003	0.0218	5.0000e-005	5.4400e-003	4.0000e-005	5.4700e-003	1.4500e-003	4.0000e-005	1.4800e-003	0.0000	4.6702	4.6702	1.5000e-004	0.0000	4.6739
Total	4.1400e-003	0.0303	0.0274	1.2000e-004	6.9700e-003	2.0000e-004	7.1600e-003	1.8900e-003	1.9000e-004	2.0700e-003	0.0000	10.8658	10.8658	4.4000e-004	0.0000	10.8767

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3.4 Building Construction - 2020**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	tons/yr										MT/yr					
Off-Road	0.0223	0.2015	0.1769	2.8000e-004		0.0117	0.0117		0.0110	0.0110	0.0000	24.3190	24.3190	5.9300e-003	0.0000	24.4673
Total	0.0223	0.2015	0.1769	2.8000e-004		0.0117	0.0117		0.0110	0.0110	0.0000	24.3190	24.3190	5.9300e-003	0.0000	24.4673

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	tons/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	9.2000e-004	0.0282	5.6000e-003	7.0000e-005	1.5300e-003	1.6000e-004	1.6900e-003	4.4000e-004	1.5000e-004	5.9000e-004	0.0000	6.1956	6.1956	2.9000e-004	0.0000	6.2028
Worker	3.2200e-003	2.1400e-003	0.0218	5.0000e-005	5.4400e-003	4.0000e-005	5.4700e-003	1.4500e-003	4.0000e-005	1.4800e-003	0.0000	4.6702	4.6702	1.5000e-004	0.0000	4.6739
Total	4.1400e-003	0.0303	0.0274	1.2000e-004	6.9700e-003	2.0000e-004	7.1600e-003	1.8900e-003	1.9000e-004	2.0700e-003	0.0000	10.8658	10.8658	4.4000e-004	0.0000	10.8767

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3.4 Building Construction - 2021**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	tons/yr										MT/yr					
Off-Road	0.2481	2.2749	2.1631	3.5100e-003		0.1251	0.1251		0.1176	0.1176	0.0000	302.2863	302.2863	0.0729	0.0000	304.1095
Total	0.2481	2.2749	2.1631	3.5100e-003		0.1251	0.1251		0.1176	0.1176	0.0000	302.2863	302.2863	0.0729	0.0000	304.1095

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	tons/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	9.2300e-003	0.3178	0.0606	8.0000e-004	0.0190	9.3000e-004	0.0199	5.4800e-003	8.9000e-004	6.3700e-003	0.0000	76.3205	76.3205	3.3700e-003	0.0000	76.4048
Worker	0.0368	0.0237	0.2435	6.2000e-004	0.0676	4.6000e-004	0.0680	0.0180	4.2000e-004	0.0184	0.0000	56.2295	56.2295	1.6100e-003	0.0000	56.2698
Total	0.0460	0.3415	0.3041	1.4200e-003	0.0866	1.3900e-003	0.0879	0.0234	1.3100e-003	0.0248	0.0000	132.5500	132.5500	4.9800e-003	0.0000	132.6746

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3.4 Building Construction - 2022**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	tons/yr															
Off-Road	0.0751	0.6871	0.7200	1.1900e-003		0.0356	0.0356		0.0335	0.0335	0.0000	101.9591	101.9591	0.0244	0.0000	102.5698
Total	0.0751	0.6871	0.7200	1.1900e-003		0.0356	0.0356		0.0335	0.0335	0.0000	101.9591	101.9591	0.0244	0.0000	102.5698

Unmitigated 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	tons/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	2.8900e-003	0.1017	0.0189	2.7000e-004	6.4000e-003	2.7000e-004	6.6700e-003	1.8500e-003	2.6000e-004	2.1100e-003	0.0000	25.5040	25.5040	1.1000e-003	0.0000	25.5314
Worker	0.0115	7.1000e-003	0.0745	2.0000e-004	0.0228	1.5000e-004	0.0229	6.0600e-003	1.4000e-004	6.1900e-003	0.0000	18.2865	18.2865	4.8000e-004	0.0000	18.2985
Total	0.0144	0.1088	0.0933	4.7000e-004	0.0292	4.2000e-004	0.0296	7.9100e-003	4.0000e-004	8.3000e-003	0.0000	43.7904	43.7904	1.5800e-003	0.0000	43.8299

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3.4 Building Construction - 2022**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	tons/yr										MT/yr					
Off-Road	0.0751	0.6871	0.7200	1.1900e-003		0.0356	0.0356		0.0335	0.0335	0.0000	101.9590	101.9590	0.0244	0.0000	102.5697
Total	0.0751	0.6871	0.7200	1.1900e-003		0.0356	0.0356		0.0335	0.0335	0.0000	101.9590	101.9590	0.0244	0.0000	102.5697

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	tons/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	2.8900e-003	0.1017	0.0189	2.7000e-004	6.4000e-003	2.7000e-004	6.6700e-003	1.8500e-003	2.6000e-004	2.1100e-003	0.0000	25.5040	25.5040	1.1000e-003	0.0000	25.5314
Worker	0.0115	7.1000e-003	0.0745	2.0000e-004	0.0228	1.5000e-004	0.0229	6.0600e-003	1.4000e-004	6.1900e-003	0.0000	18.2865	18.2865	4.8000e-004	0.0000	18.2985
Total	0.0144	0.1088	0.0933	4.7000e-004	0.0292	4.2000e-004	0.0296	7.9100e-003	4.0000e-004	8.3000e-003	0.0000	43.7904	43.7904	1.5800e-003	0.0000	43.8299

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3.5 Paving - 2022

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	tons/yr										MT/yr					
Off-Road	0.0110	0.1113	0.1458	2.3000e-004		5.6800e-003	5.6800e-003		5.2200e-003	5.2200e-003	0.0000	20.0276	20.0276	6.4800e-003	0.0000	20.1895
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0110	0.1113	0.1458	2.3000e-004		5.6800e-003	5.6800e-003		5.2200e-003	5.2200e-003	0.0000	20.0276	20.0276	6.4800e-003	0.0000	20.1895

Unmitigated 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	tons/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	6.0000e-004	3.7000e-004	3.9100e-003	1.0000e-005	1.1900e-003	1.0000e-005	1.2000e-003	3.2000e-004	1.0000e-005	3.2000e-004	0.0000	0.9591	0.9591	3.0000e-005	0.0000	0.9597
Total	6.0000e-004	3.7000e-004	3.9100e-003	1.0000e-005	1.1900e-003	1.0000e-005	1.2000e-003	3.2000e-004	1.0000e-005	3.2000e-004	0.0000	0.9591	0.9591	3.0000e-005	0.0000	0.9597

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3.5 Paving - 2022**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	tons/yr										MT/yr					
Off-Road	0.0110	0.1113	0.1458	2.3000e-004		5.6800e-003	5.6800e-003		5.2200e-003	5.2200e-003	0.0000	20.0275	20.0275	6.4800e-003	0.0000	20.1895
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0110	0.1113	0.1458	2.3000e-004		5.6800e-003	5.6800e-003		5.2200e-003	5.2200e-003	0.0000	20.0275	20.0275	6.4800e-003	0.0000	20.1895

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	tons/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	6.0000e-004	3.7000e-004	3.9100e-003	1.0000e-005	1.1900e-003	1.0000e-005	1.2000e-003	3.2000e-004	1.0000e-005	3.2000e-004	0.0000	0.9591	0.9591	3.0000e-005	0.0000	0.9597
Total	6.0000e-004	3.7000e-004	3.9100e-003	1.0000e-005	1.1900e-003	1.0000e-005	1.2000e-003	3.2000e-004	1.0000e-005	3.2000e-004	0.0000	0.9591	0.9591	3.0000e-005	0.0000	0.9597

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3.6 Architectural Coating - 2022**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	tons/yr										MT/yr					
Archit. Coating	1.8844					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000
Off-Road	2.0500e-003	0.0141	0.0181	3.0000e-005		8.2000e-004	8.2000e-004		8.2000e-004	8.2000e-004	0.0000	2.5533	2.5533	1.7000e-004	0.0000	2.5574
Total	1.8864	0.0141	0.0181	3.0000e-005		8.2000e-004	8.2000e-004		8.2000e-004	8.2000e-004	0.0000	2.5533	2.5533	1.7000e-004	0.0000	2.5574

Unmitigated 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	tons/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
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
Worker	5.2000e-004	3.2000e-004	3.3800e-003	1.0000e-005	1.0400e-003	1.0000e-005	1.0400e-003	2.8000e-004	1.0000e-005	2.8000e-004	0.0000	0.8312	0.8312	2.0000e-005	0.0000	0.8318
Total	5.2000e-004	3.2000e-004	3.3800e-003	1.0000e-005	1.0400e-003	1.0000e-005	1.0400e-003	2.8000e-004	1.0000e-005	2.8000e-004	0.0000	0.8312	0.8312	2.0000e-005	0.0000	0.8318

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3.6 Architectural Coating - 2022**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	tons/yr										MT/yr					
Archit. Coating	1.8844					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000
Off-Road	2.0500e-003	0.0141	0.0181	3.0000e-005		8.2000e-004	8.2000e-004		8.2000e-004	8.2000e-004	0.0000	2.5533	2.5533	1.7000e-004	0.0000	2.5574
Total	1.8864	0.0141	0.0181	3.0000e-005		8.2000e-004	8.2000e-004		8.2000e-004	8.2000e-004	0.0000	2.5533	2.5533	1.7000e-004	0.0000	2.5574

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	tons/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
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
Worker	5.2000e-004	3.2000e-004	3.3800e-003	1.0000e-005	1.0400e-003	1.0000e-005	1.0400e-003	2.8000e-004	1.0000e-005	2.8000e-004	0.0000	0.8312	0.8312	2.0000e-005	0.0000	0.8318
Total	5.2000e-004	3.2000e-004	3.3800e-003	1.0000e-005	1.0400e-003	1.0000e-005	1.0400e-003	2.8000e-004	1.0000e-005	2.8000e-004	0.0000	0.8312	0.8312	2.0000e-005	0.0000	0.8318

4.0 Operational Detail - Mobile

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4.1 Mitigation Measures Mobile

- Increase Density
- Improve Walkability Design
- Improve Destination Accessibility
- Improve Pedestrian Network
- Provide Traffic Calming Measures

	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	0.3388	2.9451	3.5203	0.0148	1.0103	0.0127	1.0230	0.2714	0.0120	0.2834	0.0000	1,369,563 ⁴	1,369,563 ⁴	0.0609	0.0000	1,371,084 ⁶
Unmitigated	0.3512	3.0867	3.8000	0.0162	1.1194	0.0139	1.1333	0.3008	0.0131	0.3139	0.0000	1,496,417 ⁰	1,496,417 ⁰	0.0640	0.0000	1,498,016 ¹

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated		Mitigated	
	Weekday	Saturday	Sunday	Annual VMT		Annual VMT	
Single Family Housing	1,056.72	1,100.01	956.82	2,955,817		2,667,625	
City Park	0.68	8.19	6.03	5,373		4,849	
Other Non-Asphalt Surfaces	0.00	0.00	0.00				
Total	1,057.40	1,108.20	962.85	2,961,190		2,672,474	

4.3 Trip Type Information

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	Miles			Trip %			Trip Purpose %		
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
Single Family Housing	10.80	7.30	7.50	38.40	22.60	39.00	86	11	3
City Park	9.50	7.30	7.30	33.00	48.00	19.00	66	28	6
Other Non-Asphalt Surfaces	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
Single Family Housing	0.525664	0.032657	0.173666	0.133675	0.020482	0.005111	0.020758	0.078919	0.001825	0.001263	0.004259	0.001112	0.000710
City Park	0.525664	0.032657	0.173666	0.133675	0.020482	0.005111	0.020758	0.078919	0.001825	0.001263	0.004259	0.001112	0.000710
Other Non-Asphalt Surfaces	0.525664	0.032657	0.173666	0.133675	0.020482	0.005111	0.020758	0.078919	0.001825	0.001263	0.004259	0.001112	0.000710

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

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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					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	303.9459	303.9459	0.0126	2.6000e-003	305.0333
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	303.9459	303.9459	0.0126	2.6000e-003	305.0333
NaturalGas Mitigated	0.0154	0.1316	0.0560	8.4000e-004		0.0106	0.0106		0.0106	0.0106	0.0000	152.4306	152.4306	2.9200e-003	2.7900e-003	153.3364
NaturalGas Unmitigated	0.0154	0.1316	0.0560	8.4000e-004		0.0106	0.0106		0.0106	0.0106	0.0000	152.4306	152.4306	2.9200e-003	2.7900e-003	153.3364

5.2 Energy by Land Use - NaturalGas

Unmitigated

Land Use	NaturalGas 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
	kBTU/yr	tons/yr										MT/yr					
City Park	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
Other Non-Asphalt Surfaces	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
Single Family Housing	2.85644e+006	0.0154	0.1316	0.0560	8.4000e-004		0.0106	0.0106		0.0106	0.0106	0.0000	152.4306	152.4306	2.9200e-003	2.7900e-003	153.3364
Total		0.0154	0.1316	0.0560	8.4000e-004		0.0106	0.0106		0.0106	0.0106	0.0000	152.4306	152.4306	2.9200e-003	2.7900e-003	153.3364

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5.2 Energy by Land Use - NaturalGas**Mitigated**

	NaturalGas 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	tons/yr										MT/yr					
City Park	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
Other Non-Asphalt Surfaces	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
Single Family Housing	2.85644e+006	0.0154	0.1316	0.0560	8.4000e-004		0.0106	0.0106		0.0106	0.0106	0.0000	152.4306	152.4306	2.9200e-003	2.7900e-003	153.3364
Total		0.0154	0.1316	0.0560	8.4000e-004		0.0106	0.0106		0.0106	0.0106	0.0000	152.4306	152.4306	2.9200e-003	2.7900e-003	153.3364

5.3 Energy by Land Use - Electricity**Unmitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
City Park	0	0.0000	0.0000	0.0000	0.0000
Other Non-Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000
Single Family Housing	953941	303.9459	0.0126	2.6000e-003	305.0333
Total		303.9459	0.0126	2.6000e-003	305.0333

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5.3 Energy by Land Use - Electricity**Mitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
City Park	0	0.0000	0.0000	0.0000	0.0000
Other Non-Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000
Single Family Housing	953941	303.9459	0.0126	2.6000e-003	305.0333
Total		303.9459	0.0126	2.6000e-003	305.0333

6.0 Area Detail**6.1 Mitigation Measures Area**

No Hearths Installed

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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	0.9966	9.5200e-003	0.8251	4.0000e-005		4.5600e-003	4.5600e-003		4.5600e-003	4.5600e-003	0.0000	1.3463	1.3463	1.3000e-003	0.0000	1.3788
Unmitigated	1.4880	0.1231	5.2605	0.0147		0.7286	0.7286		0.7286	0.7286	96.4998	49.4323	145.9321	0.4533	8.8000e-004	157.5283

6.2 Area by SubCategory

Unmitigated

	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
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.1884					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.7833					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Heath	0.4913	0.1136	4.4355	0.0147		0.7240	0.7240		0.7240	0.7240	96.4998	48.0860	144.5858	0.4520	8.8000e-004	156.1495
Landscaping	0.0249	9.5200e-003	0.8251	4.0000e-005		4.5600e-003	4.5600e-003		4.5600e-003	4.5600e-003	0.0000	1.3463	1.3463	1.3000e-003	0.0000	1.3788
Total	1.4880	0.1231	5.2606	0.0147		0.7286	0.7286		0.7286	0.7286	96.4998	49.4323	145.9321	0.4533	8.8000e-004	157.5283

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6.2 Area by SubCategory

Mitigated

	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
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.1884					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.7833					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	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
Landscaping	0.0249	9.5200e-003	0.8251	4.0000e-005		4.5600e-003	4.5600e-003		4.5600e-003	4.5600e-003	0.0000	1.3463	1.3463	1.3000e-003	0.0000	1.3788
Total	0.9966	9.5200e-003	0.8251	4.0000e-005		4.5600e-003	4.5600e-003		4.5600e-003	4.5600e-003	0.0000	1.3463	1.3463	1.3000e-003	0.0000	1.3788

7.0 Water Detail

7.1 Mitigation Measures Water

Kensington 3/4 TSM - Tulare County, Annual

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	20.3258	0.2364	5.7200e-003	27.9400
Unmitigated	20.3258	0.2364	5.7200e-003	27.9400

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
City Park	0 / 0.428933	0.4783	2.0000e-005	0.0000	0.4801
Other Non-Asphalt Surfaces	0 / 0	0.0000	0.0000	0.0000	0.0000
Single Family Housing	7.2321 / 4.55937	19.8475	0.2364	5.7100e-003	27.4599
Total		20.3258	0.2364	5.7100e-003	27.9400

Kensington 3/4 TSM - Tulare County, Annual

7.2 Water by Land Use**Mitigated**

	Indoor/Outdoor Use	Total CO ₂	CH ₄	N ₂ O	CO ₂ e
Land Use	Mgal	MT/yr			
City Park	0 / 0.428933	0.4783	2.0000e-005	0.0000	0.4801
Other Non-Asphalt Surfaces	0 / 0	0.0000	0.0000	0.0000	0.0000
Single Family Housing	7.2321 / 4.55937	19.8475	0.2364	5.7100e-003	27.4599
Total		20.3258	0.2364	5.7100e-003	27.9400

8.0 Waste Detail**8.1 Mitigation Measures Waste**

Kensington 3/4 TSM - Tulare County, Annual

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	23.1714	1.3694	0.0000	57.4062
Unmitigated	23.1714	1.3694	0.0000	57.4062

8.2 Waste by Land UseUnmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
City Park	0.03	6.0900e-003	3.6000e-004	0.0000	0.0151
Other Non-Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000
Single Family Housing	114.12	23.1653	1.3690	0.0000	57.3911
Total		23.1714	1.3694	0.0000	57.4062

Kensington 3/4 TSM - Tulare County, Annual

8.2 Waste by Land Use

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
City Park	0.03	6.0900e-003	3.6000e-004	0.0000	0.0151
Other Non-Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000
Single Family Housing	114.12	23.1653	1.3690	0.0000	57.3911
Total		23.1714	1.3694	0.0000	57.4062

9.0 Operational Offroad

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

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/Year	Boiler Rating	Fuel Type
----------------	--------	----------------	-----------------	---------------	-----------

User Defined Equipment

Equipment Type	Number
----------------	--------

Kensington 3/4 TSM - Tulare County,

Annual

11.0 Vegetation

Appendix B

Biological Evaluation

Habitat Assessment Report

Accessor Parcel Numbers 149-060-029 and 149-060-034
Tulare, CA



Prepared for



4CREEKS

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August 17, 2020

1. Executive Summary

SJV Homes has tasked 4Creeks, Inc. with conducting a California Environmental Quality Act Initial Study for the Kensington 3 & 4 Tentative Subdivision Maps within the City of Tulare, California. As part of this Initial Study, 4Creeks, Inc. seeks an environmental consulting firm to provide biological services. The proposed Project is comprised of 111 single-family residence lots, an infiltration basin, and a pocket-park, on approximately 24 acres located at the northwest corner of the intersection of Mooney Boulevard and Cartmill Avenue, in the City of Tulare, California. The Project site is comprised of portions of Tulare County Assessor Parcel Numbers 149-060-029 and 149-060-034, and is located on the United States Geological Survey Tulare 7.5-minute quadrangle at an elevation of approximately 290 feet above mean sea level. Soar Environmental Consulting, Inc. prepared this Habitat Assessment Report for 4Creeks, Inc., in support of the California Environmental Quality Act requirements.

Prior to field activities, Soar Environmental Consulting, Inc. conducted research of the California Natural Diversity Database and the United States Fish and Wildlife Service Information for Planning and Consultation to learn which species may potentially be present onsite. Database research suggested that a Habitat Assessment was necessary to search for the potential presence of San Joaquin adobe sunburst, California Jewelflower, vernal pool fairy shrimp, Delta Smelt, blunt-nosed leopard lizard, giant garter snake, California red-legged frog, California tiger salamander, Swainson's Hawk, San Joaquin kit fox, and Tipton kangaroo rat.

On May 17, 2020, Soar Environmental Consulting, Inc. performed an assessment of the Project site. The purpose of the pedestrian habitat assessment survey was to search for the presence of special-status species that have historically been observed within, or surrounding, the Project site.

The Project Site has been disturbed through farming practices for many years. The potential for sensitive species to be present on site is relatively low. However, while none of the aforementioned listed species were observed during the Habitat Survey, potentially suitable habitat features for San Joaquin adobe sunburst, California jewelflower, blunt-nosed leopard lizard, giant garter snake, California red-legged frog, California tiger salamander, Swainson's Hawk, San Joaquin kit fox, and Tipton kangaroo rat were observed within the Project footprint. Other notable observations include potential habitat for California red-legged frog and California tiger salamander in the drainage along the Project's eastern boundary. Potential nesting areas for raptors also include the utility poles along Cartmill Avenue to the south and Mooney Boulevard to the east.

Soar Environmental Consulting, Inc. recommends that a biologist evaluate the following features prior to the commencement of ground disturbance activities: the drainage along the eastern site boundary for the potential presence of blunt-nosed leopard lizard, giant garter snake, California red-legged frog, and California tiger salamander; burrows of 3 inches or greater for Blunt-nosed leopard lizard, San Joaquin kit fox, California tiger salamander, and Tipton kangaroo rat; trees and shrubs within and surrounding the Project footprint for nesting raptors and other Migratory Bird Treaty Act protected species; and the utility poles along the south and east Project footprint for nesting raptors and other Migratory Bird Treaty Act protected species. We recommend the evaluation of the need for a preconstruction survey for listed species, and nesting bird surveys if construction is anticipated to occur during the nesting season (March 1 to September 15). Active raptor nests should be avoided by at least 150 feet and non-raptor nests



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should be avoided by at least 50 feet; all potential San Joaquin kit fox dens (with openings greater than 4-inches) should be avoided by 50 feet until it can be determined that none are present.

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2. Introduction

SJV Homes has tasked 4Creeks, Inc. (4Creeks) with conducting a California Environmental Quality Act (CEQA) Initial Study for the Kensington 3 & 4 Tentative Subdivision Maps (Project) within the City of Tulare (City), California. As part of this Initial Study, 4Creeks seeks an environmental consulting firm to provide biological services. The proposed Project is comprised of 111 single-family residence lots, a storm basin, and a pocket-park on approximately 24.0 acres located at the northwest corner of the intersection of Mooney Boulevard and Cartmill Avenue in the City of Tulare. The Project site is comprised of portions of Assessor Parcel Numbers 149-060-029 and 149-060-034 and is located in the United States Geological Survey Tulare 7.5-minute quadrangle at an elevation of approximately 290 feet above mean sea level. Soar Environmental Consulting, Inc. (Soar Environmental) prepared this Habitat Assessment Report for 4Creeks, in support of the CEQA requirements.

The project site was historically used for agricultural purposes, mainly wheat, and contained two single-family dwellings. The south dwelling was demolished between 2015 and 2017, and the north dwelling was demolished between 2009 and 2010. The majority of the site has maintained active production of the wheat fields. The land features west of the Project footprint are single family dwellings and an infiltration basin, both constructed between 2018 and 2020. The land features to the South are East Cartmill Avenue and additional wheat fields. The land features to the east are North Mooney Boulevard, wheat fields, and pastures. The land features to the north are wheat fields and pasture (**Figure 2**).

Prior to field activities, Soar Environmental researched the California Natural Diversity Database (CNDDDB) and the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), to learn which species may potentially be present onsite. Soar Environmental researched specific species and habitat requirements for the species noted in the CNDDDB and IPaC databases and included proximal species observations and species statuses in this report.

On May 17, 2020, Soar Environmental biologist Travis Albert performed a pedestrian habitat assessment of the project site. The predominant habitat classification is irrigated grain crop, with a narrow strip of ruderal grasses along the south and east roadways (**Figure 3**). The plant community on the Project Site in comprised largely of non-native grasses and species such as Common wheat (*triticum aestivum*), Prickly lettuce (*Lactuca serriola*), Annual bastard cabbage (*Rapistrum rugosum*), Lambsquarters (*Chenopodium album*), Hairy fleabane (*Erigeron bonariensis*), Nettle-leaved goosefoot (*Chenopodiastrum murale*), and Horseweed (*Erigeron canadensis*). Crow species, such as raven (*Corvus corax*), were observed on the Project site.

During the Habitat Survey, Mr. Travis noted large wheat fields to the north, east, and south of the Project Site. To the west of the Project site, land features include large fields and construction of single-family dwellings. Utility lines on the south follow the north side of Cartmill Avenue, and on the east follow the west side of Mooney Boulevard.

Figure 1 - Project Location

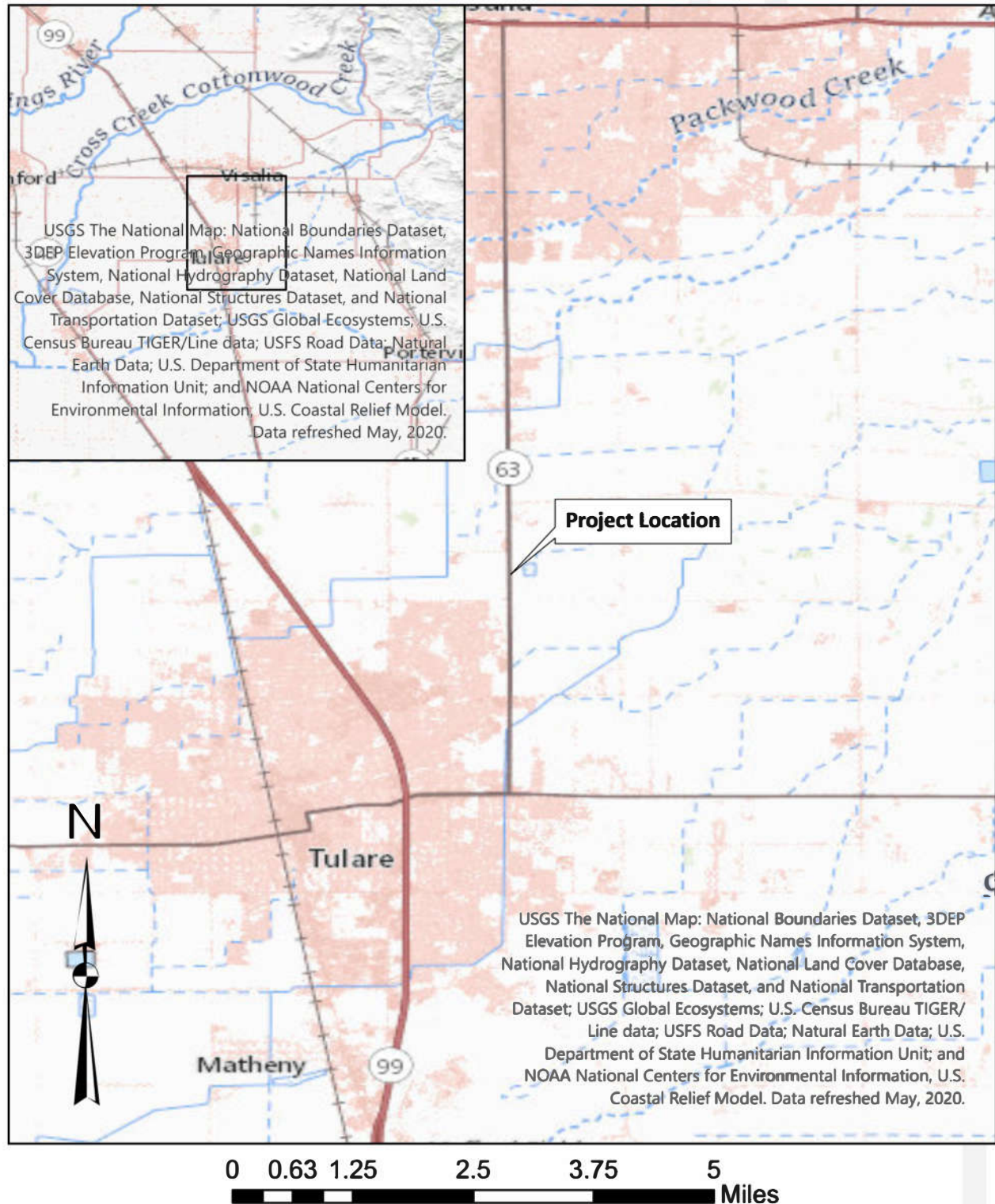


Figure 2 - Habitat Assessment Boundary

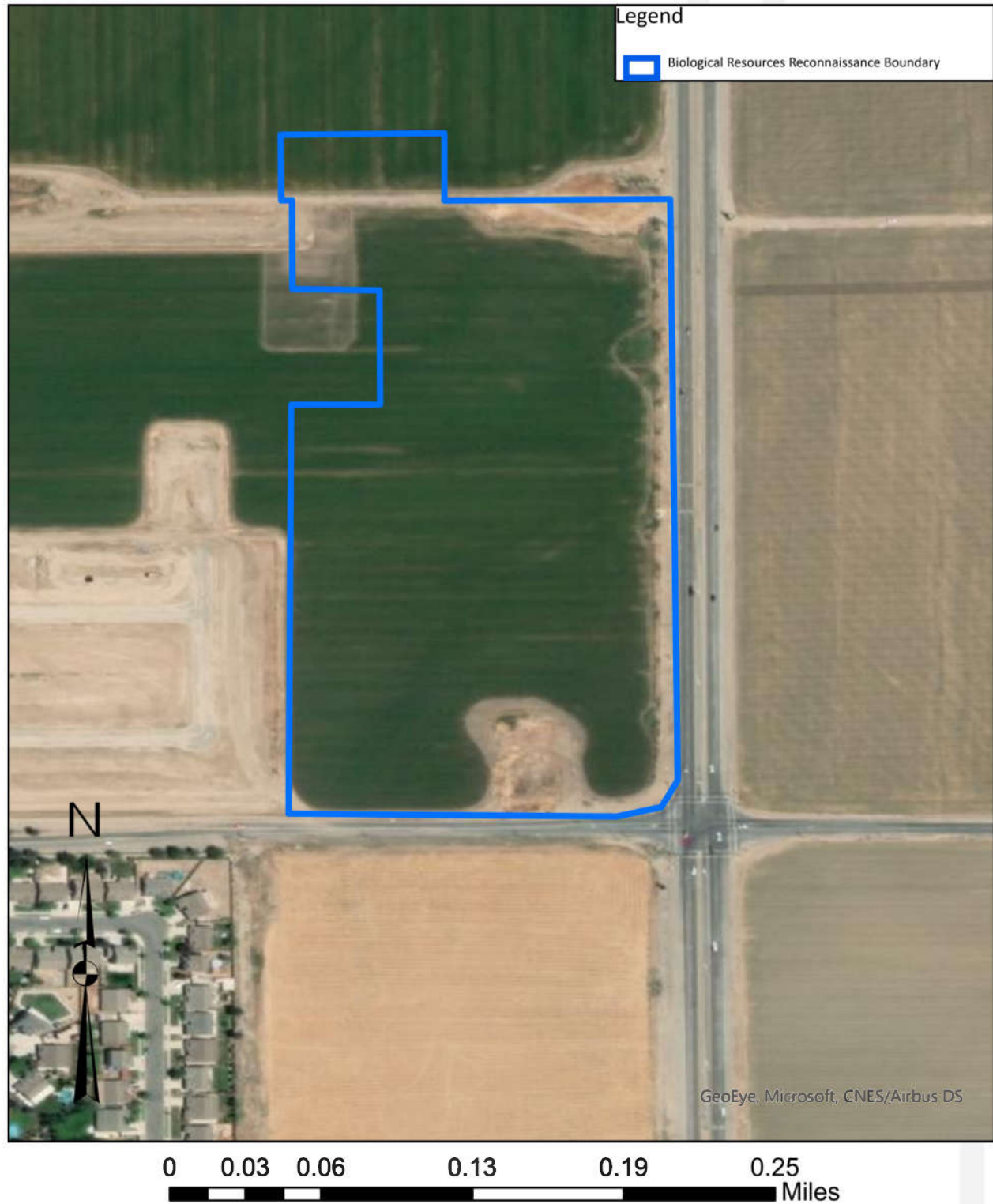
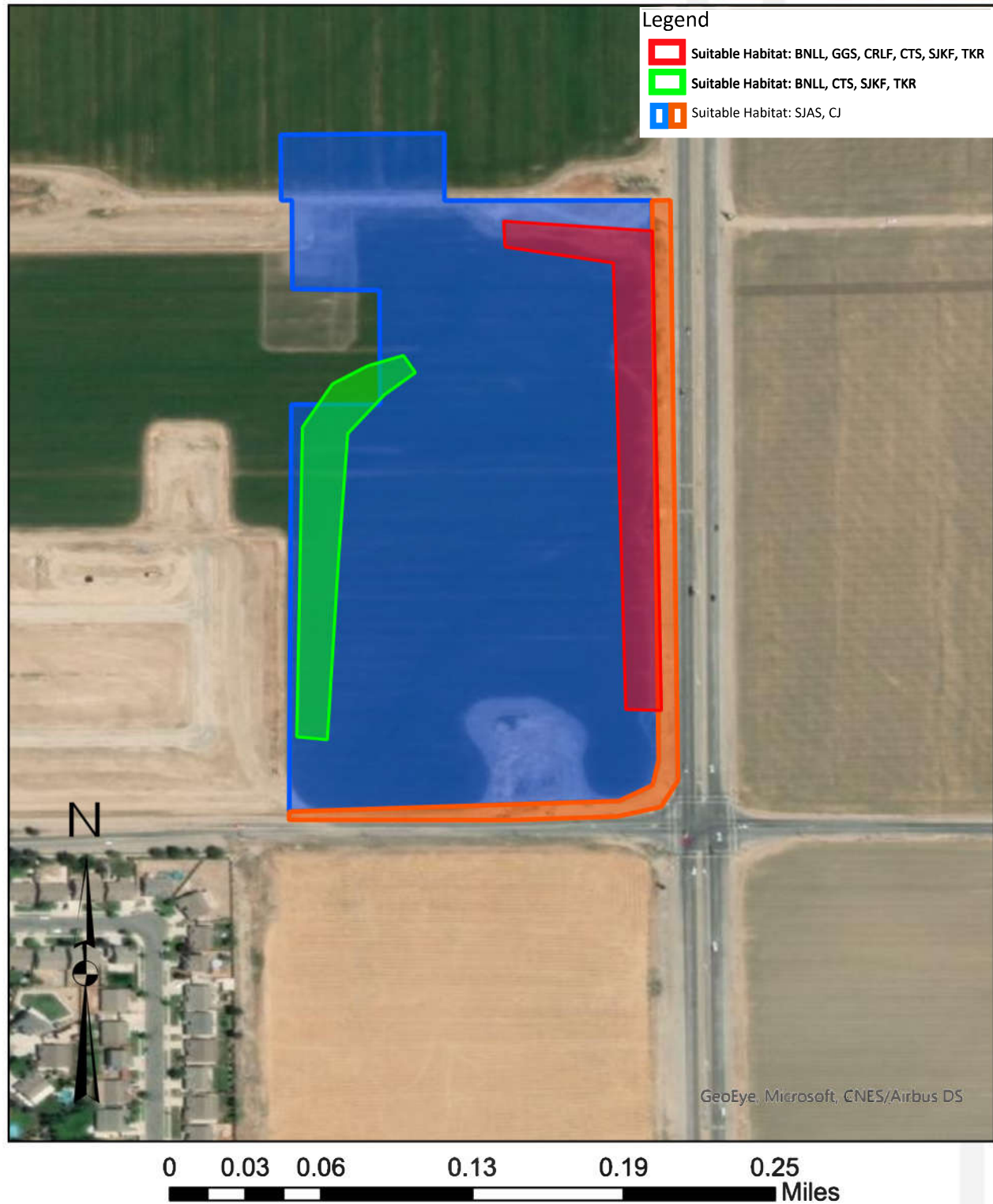


Figure 3 - Habitat Map



3. Methods

3.1. Literature Review

Prior to performing the habitat assessment, Soar Environmental conducted a review of the California Natural Diversity Database (CNDDDB) and the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC). The CNDDDB search indicated that the State-listed sensitive species most likely to occur within or near the Project site are Swainson's hawk, California jewelflower, San Joaquin adobe sunburst, and San Joaquin kit fox.

The IPaC search revealed the Federally listed sensitive species likely to occur within or near the Project site are San Joaquin kit fox, Tipton kangaroo rat, blunt-nosed leopard lizard, giant garter snake, California red-legged frog, California tiger salamander, delta smelt, vernal pool fairy shrimp, and San Joaquin adobe sunburst.

Soar Environmental researched the species noted in the CNDDDB and IPaC databases and included proximal species observations and species statuses in this report.

3.2. Pedestrian Habitat Assessment

3.2.1. Field Reconnaissance Methodology

On May 17, 2020, Soar Environmental biologist Travis Albert began the pedestrian habitat assessment along the southeastern corner of the Project site, at the intersection of Cartmill Avenue and Mooney Boulevard. He proceeded west along the south boundary, noting utility poles, cabinets, and vaults present along the north side of Cartmill Avenue. At the southwest corner, he encountered a stormwater infiltration basin with no sign of recent presence of water. Mr. Albert proceeded north along the west boundary (**Figure 4**) to the northwest corner. In the northwest corner of the site, a newly constructed infiltration basin and galvanized fence are bordered by a gravel road (**Figure 5**). Numerous small mammal burrows were visible in the grass adjacent to the gravel road (**Figure 6**). At the northwest corner, Mr. Albert proceeded east along the north boundary (**Figure 7**) toward Mooney Boulevard. At the northeast corner of the Project site (**Figure 8**), he turned south and headed along the east project boundary (the west side of Mooney Boulevard). Mr. Albert noted an exposed concrete culvert with signs of recent passage of water (**Figure 9**), and a drainage ditch along the east site boundary (**Figure 10**). The southeast boundary of the site contained several small mammal burrows, the largest of which had an approximately 5-inch (13 centimeter) keyhole entry and a tailings pile indicating recent burrow construction activities (**Figure 11**). Mr. Albert observed utility lines and associated poles along the south and east boundaries of the site, on the north side of Cartmill Avenue and the west side of Mooney Boulevard.

After the perimeter walk, Mr. Albert proceeded to complete transects north to south through the site at 165-foot (50-meter) intervals. He then completed transects east-west through the site at 325-foot (100-meter) intervals. No new animal or plant species were observed in the interior of the site. He did not observe any trees within the Project footprint, and not enough shrub habitat to support ground nesting birds. Upon completion of the transects, Mr. Albert returned to his vehicle, and drove the surrounding roads approximately ½ mile from the site boundary, searching for raptors or evidence of active raptor nests. He found none.

3.2.2. Field Reconnaissance Photos

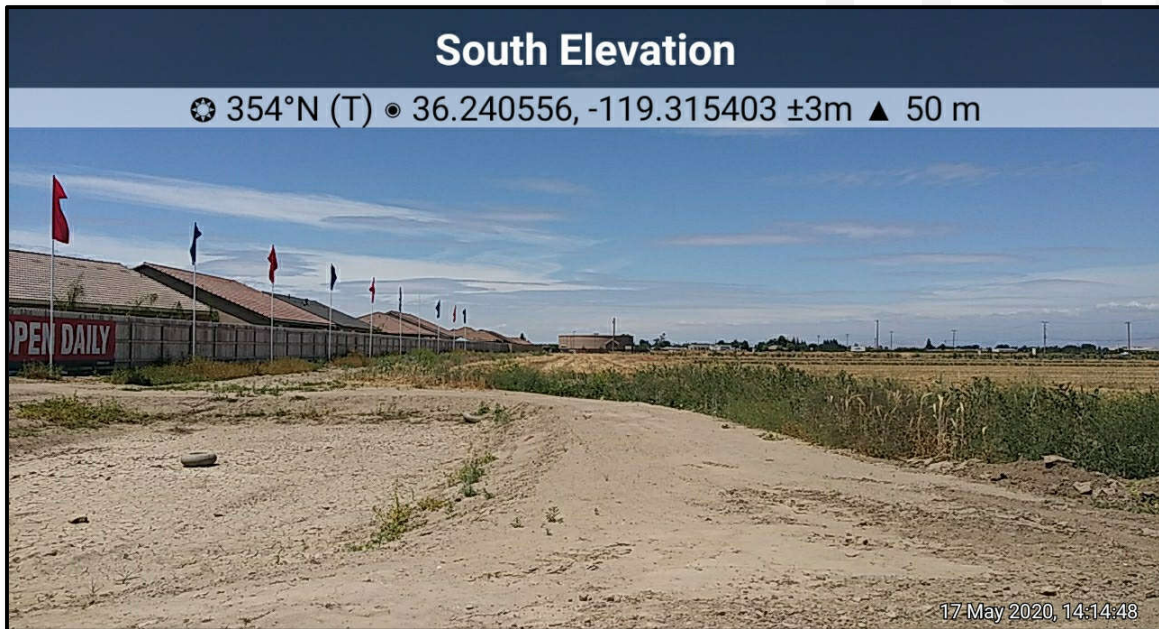


Figure 4 – West Site Boundary (View north)

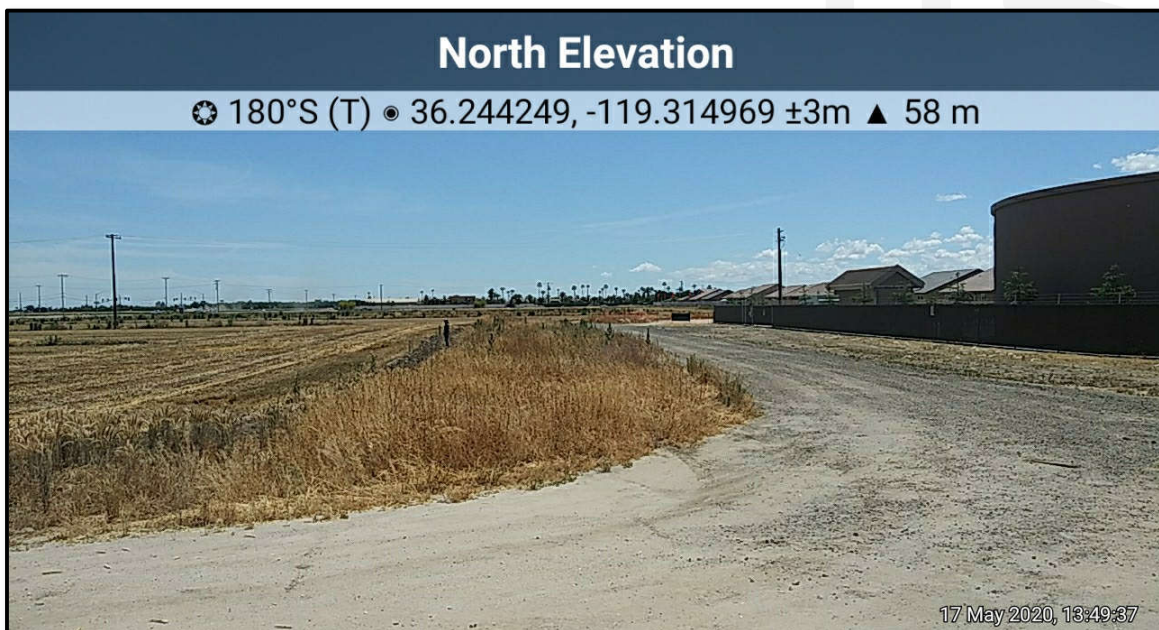


Figure 5 – Southeast Portion of Site (View northwest)



Figure 6 – Small Mammal Burrow in Northwest Portion of Site (View southeast)



Figure 7 – North Portion of Site (View south)



Figure 8 – Northeast Portion of Site (View southwest)



Figure 9 – Concrete Culvert Along East Site Boundary (View north)



Figure 10 – Drainage Ditch Along East Site Boundary (View north)



Figure 11 – Small Mammal Burrow in Southeast Portion of Site (View south)

3.2.3. Field Reconnaissance Results

During the field reconnaissance, Mr. Albert did not observe any signs of San Joaquin adobe sunburst, California jewelflower, vernal pool fairy shrimp, Delta Smelt, blunt-nosed leopard lizard, giant garter snake, California red-legged frog, California tiger salamander, Swainson's Hawk, San Joaquin kit fox, nor Tipton kangaroo rat.

However, the Project site contains potentially suitable habitat for the following species: San Joaquin adobe sunburst, California jewelflower, blunt-nosed leopard lizard, giant garter snake, California red-legged frog, California tiger salamander, San Joaquin kit fox, and Tipton kangaroo rat.

3.3. Plants

3.3.1. San Joaquin adobe sunburst (*Pseudobahia peirsonii*)

San Joaquin adobe sunburst (SJAS) is listed as Threatened on the Federal level and as Endangered on the State level. This species is an annual herb growing up to 70 centimeters (28 inches) tall and is found primarily on the southeastern side of the San Joaquin valley, growing in grasslands and open oak woodland habitats. SJAS has a short blooming period, between March and April annually.

During the field survey, Mr. Albert did not observe signs of SJAS within the Project footprint or surrounding areas. However, there are potentially suitable habitat features on site for this species, such as the annual grassland throughout the perimeter of the Project site, depicted in **Figure 3**.

CNDDDB records do not contain any observations of SJAS in the Tulare 7.5-minute quadrangle. According to CNDDDB records, the nearest occurrence of this species in Tulare County was recorded in the Fountain Springs 7.5-minute quadrangle, 32.5 miles southeast of the Project site in March 2016.

3.3.2. California jewelflower (*Caulanthus californicus*)

California jewelflower (CJ) is listed as Endangered on the Federal level and as Endangered on the State level. CJ is an annual herb in the mustard family, growing to approximately a foot (12 inches) tall, with white and maroon flowers. This is found only in the south San Joaquin valley and adjacent coastal ranges. CJ has a medium blooming period, between March and May.

During the field survey, Mr. Albert did not observe signs of CJ within the Project footprint or surrounding areas. However, there are potentially suitable habitat features on site for this species, such as the annual grassland throughout the perimeter of the Project site, depicted in **Figure 3**.

CNDDDB records do not contain any observations of CJ in the Tulare 7.5-minute quadrangle in more than 30 years. According to CNDDDB records, the most recent report of this species in Tulare County was reported extirpation in 1986.

3.4. Invertebrates

3.4.1. Vernal pool fairy shrimp (*Branchinecta lynchi*)

Vernal pool fairy shrimp (VPFS) is listed as Threatened on the Federal level and has no listing on the State level. VPFS are 2.5 centimeters (one inch) long, translucent crustaceans with 11 pairs of appendages. VPFS are limited to vernal pool habitats in Oregon and California and do not occur in riverine, marine, or

other permanent bodies of water where fish are present. During the wet season, the females produce hardy resting eggs, called cysts, which survive the dry season and hatch when the rains come again.

During the field survey, Mr. Albert did not observe signs of VPFS within the Project footprint or surrounding areas. The habitat on the Project Site is not suitable for VPFS as there are no vernal pool characteristics present (hydric soil, wetland vegetation, and hydrology), and stormwater does not appear to pool for a long enough duration to support this wetland species.

CNDDDB records do not contain any observations of VPFS in the Tulare 7.5-minute quadrangle. According to CNDDDB records, the nearest occurrence of this species in Tulare County was recorded in the Traver 7.5-minute quadrangle, 14 miles northwest of the Project site in March 2017.

3.5. Fish

3.5.1. Delta smelt (*Hypomesus transpacificus*)

Delta smelt (DS) is listed as Threatened on the Federal level and Endangered on the State level. DS are 60-70 millimeters (2-3 inches) long, slim bodied fish with a silver sheen. DS prefer shallow, fresh, or slightly brackish backwater sloughs and edgewaters with good water quality and substrate for spawning and are generally found in brackish waters below 25 degrees Celsius. The range of DS is restricted to the upper reaches of the San Francisco Bay and Sacramento-San Joaquin Delta Estuary.

The habitat on the Project site is not suitable for delta smelt as there is no waterway connecting this site to the Sacramento-San Joaquin Delta Estuary.

No record of DS observation has been recorded anywhere in Tulare County in the CNDDDB.

3.6. Reptiles

3.6.1. Blunt-nosed leopard lizard (*Gambelia silus*)

Blunt-nosed leopard lizard (BNLL) is listed as Endangered on the Federal and the State level. BNLL have a light background with dark gray-brown spotting, giving it an almost Giraffe-like appearance. The body length of the BNLL ranges from 7 to 12 centimeters (3 to 5 inches), with a tail typically longer than the body. BNLL are found in the southern San Joaquin Valley and surrounding foothills and valleys. BNLL prefer flat areas with open space for running, including semi-arid grasslands, alkali flats, and washes, utilize shrubs and small mammal burrows for cover and shelter, and typically avoid densely vegetated areas.

During the field survey, Mr. Albert did not observe signs of BNLL within the Project footprint or surrounding areas. However, there are potentially suitable habitat features on site for this species, such as the small mammal burrows present on-site, depicted in **Figures 3 & 11**.

CNDDDB records do not contain any observations of BNLL in the Tulare 7.5-minute quadrangle. According to CNDDDB records, the most recent occurrence of this species in Tulare County was recorded in the Allensworth 7.5-minute quadrangle, 32 miles southwest of the Project site in July 2019.

3.6.2. Giant garter snake (*Thamnophis gigas*)

Giant garter snake (GGS) is listed as Threatened on the Federal and the State level. GGS are at least 162 centimeters (64 inches) long, with a brownish olive background, a yellow stripe down the center of the back, and a light-colored stripe on either side. GGS historically ranged from Kern County to Butte County, but due to habitat degradation, this species is thought to no longer occur south of Fresno County. GGS are found primarily in marshes, sloughs, drainage canals, irrigation ditches, and prefers locations with vegetation close to water for basking. GGS use small mammal burrows and vegetation piles for cover during hotter weather.

During the field survey, Mr. Albert did not observe signs of GGS within the Project footprint or surrounding areas. However, there are potentially suitable habitat features on site for this species, such as the small mammal burrows present on-site, depicted in **Figure 3**. The potential is very low, however, as this species is not thought to occur in Tulare County.

CNDDDB records do not contain any observations of GGS in Tulare County.

3.7. Amphibians

3.7.1. California red-legged frog (*Rana draytonii*)

California red-legged frog (CRLF) is listed as Threatened on the Federal level and is considered a Species of Special Concern in California. CRLF are medium-sized frogs from 4.4-13.3 centimeters (1.75 to 5.5 inches) long, with a slim waist, long legs, reddish brown, gray, or olive color with black flecks, dark mask on the head, and red on hind legs and lower belly. In the San Joaquin Valley, CRLF are not thought to occur south of Fresno County. CRLF are most commonly found in lowlands and foothills, primarily near ponds in humid forests, woodlands, grasslands, and coastal scrub, and prefer streamside locations with vegetative cover.

During the field survey, Mr. Albert did not observe signs of CRLF within the Project footprint or surrounding areas. However, there are potentially suitable habitat features on site for this species, such as the drainage along the eastern boundary, depicted in **Figure 3**.

CNDDDB records do not contain any observations of CRLF in Tulare County.

3.7.2. California tiger salamander (*Ambystoma californiense*)

California tiger salamander (CTS) is listed as Endangered in Santa Barbara and Sonoma Counties, and Threatened in the Central San Joaquin Valley. Adult CTS range in size from 15-22 centimeters (6 to 9 inches) long and have a dark background color with distinctive yellow spots. Juvenile CTS look much like adults but lack the yellow spots. Larval CTS are grayish green in color and have the appearance of tadpoles with obvious, external gills. CTS eggs are clear and are typically laid singly or in groups of three or four in shallow ponds. This endemic California species is found in grasslands, oak savannah woodlands, edges of mixed woodland, lower elevations of coniferous forests, and in heavily grazed fields along the Central California Coast and within the Central San Joaquin Valley, however, CTS may breed in ditches where water is present for a long enough duration for eggs and larvae to metamorphose into adults. During the non-breeding season (approximately late May through early November), CTS live in small mammal burrows, typically those of ground squirrels and pocket gophers.

During the field survey, Mr. Albert did not observe signs of CTS within the Project footprint or surrounding areas. However, there are potentially suitable habitat features on site for this species, such as the small mammal burrows and drainage along the eastern boundary, depicted in **Figure 3**.

CNDDDB records do not contain any observations of CTS in the Tulare 7.5-minute quadrangle. According to CNDDDB records, the nearest occurrence of this species in Tulare County was recorded in the Orange Cove North 7.5-minute quadrangle, 27 miles northeast of the Project site in May 2017.

3.8. Birds

3.8.1. Swainson's hawk (*Buteo swainsoni*)

Swainson's Hawk (SWHA) is listed as Threatened on the State level. SWHA favor open habitat for foraging such as agricultural fields, pastures, and row crops. They nest in scattered stands of eucalyptus, willow, oak, cottonwood, and conifers. On occasion, SWHA will nest on a power pole or transmission tower. Nests are constructed with loose bundles of sticks and debris items. Incubation period is approximately 35 days and nesting period is 17-22 days. The breeding season for this species begins in March and ends in September.

The habitat on the Project Site is not suitable for SWHA as there are no stands of trees within or surrounding the Project site to support nest building. The power poles along the perimeter of the Project may allow nesting to occur, however, power poles are not considered suitable habitat for SWHA.

CNDDDB records do not contain any observations of SWHA in the Tulare 7.5-minute quadrangle. According to CNDDDB records, the nearest occurrence of this species in Tulare County was recorded in the Taylor Weir 7.5-minute quadrangle, 14 miles southwest of the Project site in July 2019.

3.9. Mammals

3.9.1. San Joaquin kit fox (*Vulpes macrotis mutica*)

The San Joaquin kit fox (SJKF) is listed as Threatened at the Federal level and Endangered at the State level. SJKF are petite, light-colored canids, approximately 50 centimeters (20 inches) in length, with bushy, black-tipped tails, large ears, and pointed snouts. SJKF are fond of alkali meadows, playas, grassland communities, scrubland, and wetland communities in the San Joaquin Valley and adjoining foothills. SJKF have adapted to human habitation and can also be found in more developed areas such as golf courses, airports, and residential areas.

During the field survey, Mr. Albert did not observe signs of SJKF within the Project footprint or surrounding areas. However, there are potentially suitable habitat features on site for this species, such as the small mammal burrows and the concrete culvert present on-site and depicted in **Figures 3 & 9**.

CNDDDB records do not contain any observations of SJKF in the Tulare 7.5-minute quadrangle. According to CNDDDB records, the nearest occurrence of this species in Tulare County was recorded in the Delano West 7.5-minute quadrangle, 28 miles south of the Project site in June 2004.

3.9.2. Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*)

Tipton kangaroo rat (TKR) is listed as Endangered at both the Federal and State level. TKR have light brown bodies averaging 10-11 centimeters (4 inches) in length, long rear legs, short front legs adapted for

digging, long tufted tails averaging 12.5-13 (~5 inches) centimeters long, and large black eyes. TKR inhabit saltbush scrub, sink scrub, and grassland habitats, from the floor of the San Joaquin Valley up to 300 feet in elevation, from north of Visalia, to south of Bakersfield, California. TKR are fossorial mammals whose burrows are typically less than three inches in diameter and are usually found at the base of shrubs.

During the field survey, Mr. Albert did not observe signs of TKR within the Project footprint or surrounding areas. However, there are potentially suitable habitat features on site for this species, such as the small mammal burrows present on-site, depicted in **Figure 3**.

CNDDDB records do not contain any observations of TKR in the Tulare 7.5-minute quadrangle. According to CNDDDB records, the nearest occurrence of this species in Tulare County was recorded in the Allensworth 7.5-minute quadrangle, 27 miles south of the Project site in August 2003.

4. Presence of Potential Jurisdictional Waters or Wetlands

The presence of potential jurisdictional waters or wetlands is determined through researching references located in Federal Emergency Management Agency (FEMA) flood inundation maps, general and community plans, mitigation plans, and technical support documents for application of the Clean Water Rule.

No potential jurisdictional water features were observed on the Project site.

5. Findings

The Project site contains potentially suitable habitat for the following species: San Joaquin adobe sunburst, California jewelflower, blunt-nosed leopard lizard, giant garter snake, California red-legged frog, California tiger salamander, San Joaquin kit fox, and Tipton kangaroo rat. None of the above referenced special status species were observed on the Project site. The findings for this report are summarized below.

Table 1 – Special Status Species Findings

Species Name	Species Observed on Project Site	Suitable Habitat on Project Site
San Joaquin adobe sunburst (<i>Pseudobahia peirsonii</i>)	No	Yes
California Jewelflower (<i>Caulanthus californicus</i>)	No	Yes
vernal pool fairy shrimp (<i>Branchinecta lynchi</i>)	No	No
Delta smelt (<i>hypomesus transpacificus</i>)	No	No
blunt-nosed leopard lizard (<i>Gambelia silus</i>)	No	Yes
giant garter snake (<i>Thamnophis gigas</i>)	No	Yes
California red-legged frog (<i>Rana draytonii</i>)	No	Yes
California tiger salamander (<i>Ambystoma californiense</i>)	No	Yes
Swainson's Hawk (<i>Buteo swainsoni</i>)	No	No
San Joaquin kit fox (<i>Vulpes macrotis mutica</i>)	No	Yes
Tipton kangaroo rat (<i>Dipodomys nitratooides nitratooides</i>)	No	Yes

6. Recommendations

The Project Site has been disturbed through farming practices for many years. The potential for sensitive species to be present onsite is relatively low. However, despite no special status species being observed during the pedestrian survey, suitable habitat for some of these species may be present within the proposed Project footprint, depending on the time of year that Project activities occur.

Nesting Bird Recommendations

Soar Environmental recommends performing construction activities outside the bird nesting season (February 15 to September 15). If Project activities are proposed during the nesting season, Soar Environmental recommends that the Project site and the surrounding utility poles be surveyed by a qualified biologist for nesting birds to avoid any adverse impacts leading to nest failure or abandonment. Active nests of non-raptors should be avoided by at least 50 feet. Active nests of raptors should be avoided by at least 100 feet. All nests should be monitored during Project activities for signs of distress. If signs of distress are observed, Project activities should be adjusted to prevent further disturbance to the birds.

San Joaquin adobe sunburst Recommendations

Soar Environmental recommends that the annual grasslands throughout the perimeter of the site identified in the Habitat Map (**Figure 3**) be surveyed by a qualified biologist no more than 30 days prior to ground disturbance activities for San Joaquin adobe sunburst. All plant surveys will be performed in accordance with the most recent CDFW survey protocols (CDFW 2018).

California jewelflower Recommendations

Soar Environmental recommends that the annual grasslands throughout the perimeter of the site identified in the Habitat Map (**Figure 3**) be surveyed by a qualified biologist no more than 30 days prior to ground disturbance activities for California jewelflower. All plant surveys will be performed in accordance with the most recent CDFW survey protocols (CDFW 2018).

Blunt-nosed leopard lizard Recommendations

Soar Environmental recommends that the east drainage identified in the Habitat Map (**Figure 3**), and any small mammal burrows within the Project footprint be surveyed for Blunt-nosed leopard lizard by a qualified biologist no more than 30 days prior to ground disturbance activities. All blunt-nosed leopard lizard surveys will be performed in accordance with the most recent CDFW survey protocols (CDFW 2004).

Giant garter snake Recommendations

Soar Environmental recommends that the east drainage identified in the Habitat Map (**Figure 3**) be surveyed for giant garter snake by a qualified biologist no more than 30 days prior to ground disturbance activities. There are no specific survey guidelines for this species.

California red-legged frog Recommendations

Soar Environmental recommends that the east drainage and possibly the infiltration basins identified in the Habitat Map (**Figure 3**) be surveyed for California red-legged frog by a qualified biologist no more than 30 days prior to ground disturbance activities. All amphibian surveys will be performed in accordance with the most recent USFWS survey protocols (USFWS 2005).

California tiger salamander Recommendations

Soar Environmental recommends that the east drainage identified in the Habitat Map (**Figure 3**), and any small mammal burrows within the Project footprint be surveyed for California tiger salamander by a qualified biologist no more than 30 days prior to ground disturbance activities. All amphibian surveys will be performed in accordance with the most recent USFWS/CDFW survey protocols (USFWS/CDFW 2003).

San Joaquin kit fox Recommendations

Soar Environmental recommends that the burrow areas identified in the Habitat Map (**Figure 3**), and any small mammal burrows with appropriate dimensions in those habitat areas be surveyed for San Joaquin kit fox by a qualified biologist no more than 30 days prior to ground disturbance activities. All mammal surveys will be performed in accordance with the most recent USFWS survey protocols (USFWS 1999).

Tipton kangaroo rat Recommendations

Soar Environmental recommends that the burrow areas identified in the Habitat Map (**Figure 3**), and any small mammal burrows with appropriate dimensions in those habitat areas be surveyed for Tipton kangaroo rat by a qualified biologist no more than 30 days prior to ground disturbance activities. There are no specific survey guidelines for this species.



7. Study Limitations

This Report has been prepared in accordance with generally accepted environmental methodologies, and contains all of the limitations inherent in these methodologies. The Report documents site conditions that were observed during field reconnaissance and do not apply to future conditions. No other warranties, expressed or implied, are made as to the professional services provided under the terms of our contract and included in this Report.

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Appendix C

Cultural Records Search Results



To: Molly McDonnel
4 Creeks, Inc.
324 S. Santa Fe St., Suite A
Visalia, CA 93292

Record Search 20-178

Date: May 5, 2020

Re: Kensington 3/4 5-Pack
TSM

County:
Tulare

Map(s):
Tulare & Visalia 7.5's

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, the OHP Built Environment Resources 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 OHP 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 has been one previous cultural resource study conducted within a small portion of the project area, TU-00102. There have been two additional previous cultural resource studies conducted within the one-half mile radius, TU-1085 and TU-01498.

KNOWN/RECORDED CULTURAL RESOURCES WITHIN THE PROJECT AREA AND THE ONE-HALF MILE RADIUS

There are no recorded resources within the project area, and it is not known if any exist there. There is one recorded resource within the one-half mile radius, P-54-005288, Tulare Irrigation District Canal.

There are no recorded cultural resources within the project area or radius 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 116 medium-density residential units with the City of Tulare on land that is currently vacant and has not been previously developed. Because most of this project area has not been previously studied for cultural resources, it is unknown if any exist there. The study conducted on the most southern edge of this project area, TU-00102, was completed 25 years ago. A cultural resource study is typically only valid for up to five years. Therefore, prior to any ground disturbance activities, we recommend a qualified, professional consultant conduct a field survey of the entire project area to determine if cultural resources are present. 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:

Celeste M. Thomson

Digitally signed by Celeste M.

Thomson

Date: 2020.05.05 14:41:18 -07'00'

Celeste M. Thomson, Coordinator

Date: May 5, 2020

Please note that invoices for Information Center services will be sent under separate cover from the California State University, Bakersfield Accounting Office.

Appendix D

ESA Executive Summary



GEOTECHNICAL ENGINEERING • ENVIRONMENTAL ENGINEERING
CONSTRUCTION TESTING & INSPECTION

May 28, 2020

Project No. 014-20065

**PHASE I ENVIRONMENTAL SITE ASSESSMENT
KENSINGTON 3/4 TSM
NWC N. MOONEY BLVD & E. CARTMILL AVE
APN 149-060-030 AND A PORTION OF 149-060-029
TULARE, CALIFORNIA 93274**

1.0 EXECUTIVE SUMMARY

Krazan & Associates, Inc. (Krazan) has conducted a Phase I Environmental Site Assessment (ESA) of the Kensington 3/4 5-Pack Property associated with Tulare County Assessor's Parcel Number (APN) 149-060-030 and a portion of 149-060-029 located at the northwestern corner of N. Mooney Boulevard and E. Cartmill Avenue in Tulare, California 93274 (subject site). It is incumbent upon the user to read this Phase I ESA report in its entirety. If not otherwise defined within the text of this report, please refer to

the Glossary of Terms Section following the References Section for definitions of terms and acronyms utilized within this Phase I ESA report. Krazan conducted the Phase I ESA of the subject site in conformance with the American Society for Testing and Materials (ASTM) E 1527-13 *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. This Phase I ESA constitutes all appropriate inquiry (AAI) designed to identify recognized environmental conditions (RECs) in connection with the previous ownership and uses of the subject site as defined by ASTM E 1527-13.

ASTM E 1527-13 Section 1.1.1 *Recognized Environmental Conditions* – In defining a standard of good commercial and customary practice for conducting an environmental site assessment of a parcel of property, the goal of the processes established by this practice is to identify recognized environmental conditions. The term recognized environmental conditions means the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. *De minimis* conditions are not recognized environmental conditions.

Krazan's findings of this Phase I ESA revealed no evidence of recognized environmental conditions (RECs), controlled RECs (CRECs) or historical RECs (HRECs) in conjunction with the subject site as

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014-20065 Kensington 3/4 5-Pack Property Phase I Report Final.doc

defined by ASTM E 1527-13. However, the following potential areas of concern (PAOCs) and site development issues were identified in connection with the subject site:

PAOCs

- The potential presence of unregistered underground storage tanks (USTs) located on the subject site associated with historical rural residential areas located in the northeastern, central-eastern and southeastern portions of the subject site from at least 1937 (northeastern and central-eastern portions of the subject site) or at least 1969 (southeastern portion of the subject site) for varying lengths of time.

Site Development Issues

- The potential presence of water wells and/or septic systems on site which should be removed/abandoned/destroyed if identified and not utilized in the planned redevelopment of the subject site.

Please refer to Section 8.0 Conclusions/Opinions for a discussion of the findings included in this summary.

2.0 PURPOSE AND SCOPE OF ASSESSMENT

2.1 Purpose

According to ASTM E 1527-13, the purpose of this practice is to define good commercial and customary practice in the United States of America for conducting an *environmental site assessment* of a parcel of *commercial real estate* with respect to the range of contaminants within the scope of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. §9601) and *petroleum products*. As such, this practice is intended to permit a *user* to satisfy one of the requirements to qualify for the *innocent landowner*, *contiguous property owner*, or *bona fide prospective purchaser* limitation on CERCLA liability (hereinafter, the *landowner liability protections*, or *LLPs*): that is, the practice that constitutes *all appropriate inquiries* into the previous ownership and uses of the *property* consistent with good commercial and customary practice as defined at 42 U.S.C. §9601(35)(B).

2.2 Scope of Work

The Phase I ESA includes the following scope of work: a) a site reconnaissance of existing on-site conditions and observations of adjacent property uses, b) a review of user-provided documents and search of available current land title records compiled by AFX Corp., Inc., c) a review of historical aerial

photographs, a review of pertinent building permit records, cross-reference directories, historical Sanborn Fire Insurance Maps (SFIMs), and interview(s) with person(s) knowledgeable of the previous and current ownership and uses of the subject site, d) a review of local regulatory agency records, and e) a review of local, state, and federal regulatory agency lists compiled by Environmental Data Resources, Inc. (EDR). The scope of work for this Phase I ESA conforms to ASTM E 1527-13. Krazan was provided written authorization to conduct the Phase I ESA by Mr. Matthew Ainley with 4Creeks, Inc. on May 3, 2020 via a subconsultant agreement between 4Creeks, Inc. and Krazan dated April 29, 2020, and Krazan's April 27, 2020 Proposal/Cost Estimate No. P20-124.

3.0 SITE DESCRIPTION

The subject site is located northwest of N. Mooney Boulevard and E. Cartmill Avenue within the City of Tulare, Tulare County, California. The subject site consists of one irregular-shaped parcel reportedly measuring approximately 23.87 acres associated with Tulare County Assessor's Parcel Number 149-060-030 (also known as 149-060-034) and a portion of 149-060-029. The subject site is currently primarily fallow agricultural land; however, the northwestern portion of the subject site has been recently developed with a City of Tulare water well facility. The newly developed City of Tulare water well facility has the associated subject site address of 3251 N. Mooney Boulevard. The existing on-site City water well facility appears to have been initially developed in approximately 2019.

General property information and property use are summarized in the following Table I. Refer to Figures No. 1 – 3 following the Reference Section.

TABLE I
Subject Site Information Summary

Current Owner:	City of Tulare (On-site drinking water well facility) Central Valley Land Company, LLC – managing partner for the partnership which owns the non-City portion of the subject site (according to Mr. Jim Robinson with Central Valley Land Company, LLC)
Assessor's Parcel Number*:	A portion of 149-060-029* 149-060-030*; also known as 149-060-034* *Recent APNs associated with the subject site for which a final tract map is being developed or has recently been developed and through which new APNs are being assigned to individual residential lots and out-parcels
Address:	3251 N. Mooney Boulevard (address of the City of Tulare Well #47 facility which has just been completed in the northwestern portion of the subject site)
Historical Address:	None Identified

TABLE I (continued)
Subject Site Information Summary

General Location:	Northwest of N. Mooney Boulevard and E. Cartmill Avenue
Acreage:	23.87 acres (reportedly)
Existing Use:	Fallow Agricultural Land / City of Tulare Water Well Facility
Number of Buildings:	Two small structures and an aboveground water storage tank
Original Construction Date:	2019 (approximately)
Proposed Use:	Residential / Same as existing (City water well facility)
Topographic Map:	U.S. Geological Survey, 7.5-minute Tulare, California topographic quadrangle map, dated 1951
Topographic Map Location:	Southeastern quarter of Section 25, Township 19 South, Range 24 East, Mount Diablo Baseline and Meridian
Latitude/Longitude:	36.24238° / -119.31435°
Topography:	Relatively flat, approximately 310 feet above mean sea level
Approximate Depth to Groundwater:	135 feet below ground surface (bgs), State of California Department of Water Resources (DWR), SGMA Portal**
Regional Groundwater Flow Direction:	Southwest to west, DWR**

** State of California, Department of Water Resources, Sustainable Groundwater Management Act Portal, 2018 data.

3.1 Geology and Hydrogeology

The subject site is located within the San Joaquin Valley, a broad structural trough bound by the Sierra Nevada and Coast Ranges of California. The San Joaquin Valley, which comprises the southern portion of the Great Valley of California, has been filled with several thousand feet of sedimentary deposits. Sediments in the eastern valley, derived from the erosion of the Sierra Nevada, have been deposited by major to minor west-flowing drainages and their tributaries. Near-surface sediments are dominated by sands and silty sands with lesser silts, minor clays, and gravel. The sedimentary deposits in the region form large coalescing alluvial fans with gentle slopes. Groundwater in the area of the subject site is reported to be first encountered at a depth of approximately 135 feet bgs. The groundwater flow direction in the area of the subject site is generally towards the southwest to west.

4.0 SITE RECONNAISSANCE

A site reconnaissance, which included a visual observation of the subject site and surrounding properties, was conducted by Mr. Bill Vick, Krazan's Environmental Professional, on May 14, 2020. Krazan's Environmental Professional was unaccompanied during the site reconnaissance. The objective of the site reconnaissance is to obtain information indicating the likelihood of identifying recognized environmental conditions, including hazardous substances and petroleum products, in connection with the property (including soils, surface waters, and groundwater).

4.1 Observations

The following Table II summarizes conditions encountered during our site reconnaissance. A discussion of visual observations is presented in the following table. Refer to the Site Map (Figure No. 2) and color photographs following the text for the locations of items discussed in this section of the report.

TABLE II
Summary of Site Reconnaissance

Feature	Observed	Not Observed
Structures (existing)	X	
Evidence of Past Uses (foundations, debris)	X	
Hazardous Substances and/or Petroleum Products (including containers)	X	
Aboveground Storage Tanks (ASTs)	X	
Underground Storage Tanks (USTs) or Evidence of USTs		X
Evidence of Underground Non-Water Pipelines		X
Strong, Pungent, or Noxious Odors		X
Pools of Liquid Likely to be Hazardous Materials or Petroleum Products		X
Drums		X
Unidentified Substance Containers		X
Potential Polychlorinated Biphenyl (PCB)-Containing Equipment		X
Subsurface Hydraulic Equipment		X
Heating/Ventilation/Air conditioning (HVAC)		X
Stains or Corrosion on Floors, Walls, or Ceilings		X
Floor Drains, Sumps, or Oil/Water Clarifiers		X
Storm Drains/Stormwater Retention Features	X	
Pits, Ponds, or Lagoons		X
Stained Soil and/or Pavement		X
Soil Piles		X
Stressed Vegetation		X
Waste or Wastewater (including stormwater) Discharges to Surface/ Surface Waters		X
Wells (irrigation, domestic, dry, injection, abandoned, monitoring wells)	X	
Septic Systems		X

The subject site reportedly comprises approximately 23.87 acres of City of Tulare property and fallow agricultural land which is associated with Tulare County APN 149-060-030 (also known as 149-060-034) and a portion of APN 149-060-029. The subject site is currently primarily fallow agricultural land; however, a portion of the site is developed with a City of Tulare drinking water well. Refer to Figure No. 2, Site Map, for locations of the following referenced on-site features:

- The subject site was observed to be relatively flat, primarily vacant agricultural land upon which a row crop appeared to have been relatively recently harvested (See Photographs No. 1 - No. 10). However, the northwestern portion of the subject site recently has been developed with a City of Tulare drinking water facility, including a water well, water filtration and chlorination equipment, an aboveground water storage tank, and associated water pumps/water distribution equipment (See Photographs No. 11 and No. 12). The City of Tulare water production and distribution facility was not accessible at the time of the site reconnaissance; however, the facility was readily observable through the surrounding fencing. Regulatory records indicate that a 13% solution of

sodium hypochlorite stored within a plastic tank is utilized for water disinfection (this tank is likely located within the small structure present within the fenced enclosure [See Photograph No. 11]). Additionally, a diesel-powered emergency generator was observed within the western portion of the City of Tulare water facility (See Photograph No. 13). Housekeeping conditions were observed to be good within the City of Tulare water facility. No odors, surface staining or other evidence of an unauthorized release of the chlorination solution or diesel fuel was noted in association with the on-site City water facility.

- Housekeeping conditions were observed to be good throughout the remainder of the subject site. No obvious evidence of illegal dumping or surface waste disposal was observed on the subject site.
- A relatively small apparent stormwater retention basin was observed in the southwestern corner of the subject site (See Photograph No. 14). The stormwater retention basin was dry at the time of the site reconnaissance. No odors, surface staining, stressed vegetation, or other evidence of the presence of hazardous materials was noted in association with the stormwater retention basin.
- Concrete standpipes apparently associated with an irrigation system were observed in the northeastern portion of the subject site (See Photograph No. 15), and apparent subsurface concrete irrigation piping was observed in the eastern portion of the subject site (See Photograph No. 16). Consequently, it is possible that subsurface concrete irrigation piping is present within other portions of the subject site.
- An area of vacant land previously occupied by a rural residence was observed in the southeastern portion of the subject site (See Photograph No. 17). A small amount of apparent demolition debris (concrete and wood) was observed in this portion of the subject site, as well as potentially discarded farm equipment (See Photographs No. 18 and No. 19). No hazardous materials were noted in association with the apparent demolition debris or farm equipment.
- During the visual observations of the subject site, exposed surface soils did not exhibit obvious signs of discoloration. No obvious evidence (vent pipes, fill pipes, dispensers, etc.) of USTs was noted within the areas observed. No standing water was observed on the subject site.
- No pole- or pad-mounted electrical transformers were observed on the subject site.
- No high-voltage, tower-mounted electrical transmission lines were observed on or within 100 feet of the subject site.

4.2 Utilities

Based on Krazan's research, the following Table III summarizes companies/municipalities that currently provide utility services to the subject site:

TABLE III
Municipal Service / Utility Providers

Service / Utility	Provider
Electricity	Southern California Edison
Natural Gas	Southern California Gas Company
Potable Water	City of Tulare
Sanitary Sewer	City of Tulare

Water / Wells

A City of Tulare water well (Tulare Water Well #47) and associated water chlorination, storage and distribution facilities are located in the northwestern portion of the subject site. This City of Tulare facility appears to have been originally developed in approximately 2019. The City of Tulare's water quality monitoring is an on-going program with water samples obtained on a regular basis. It is the responsibility of the City of Tulare to provide customers with potable water in compliance with the California State Maximum Contaminant Levels (MCLs) for primary drinking water constituents in water supplied to the public.

Krazan's review of historical aerial photographs indicates that dwellings/structures were located within the southeastern, central-eastern and/or northeastern portion of the subject site circa 1937 to 1969. A domestic water well was possibly associated with the former on-site dwellings/structures. However, it is unknown if a domestic water well is currently located in the vicinity of the former on-site dwellings/structures. If a water well is identified during the planned redevelopment of the subject site, it should be properly destroyed in accordance with State and local guidelines.

Sewer / Septic Systems

Krazan's review of historical aerial photographs indicates that dwellings/structures were located within the southeastern, central-eastern and/or northeastern portion of the subject site circa 1937 to 1969. Septic systems were possibly associated with the former on-site dwellings/structures. However, it is unknown if septic systems are currently located in the vicinity of the former on-site dwellings/structures. The presence of septic systems is not anticipated to have adversely impacted the subject site due to their presumed use for domestic purposes only. If a septic system is identified during the planned redevelopment of the subject site, it should be properly abandoned/closed or destroyed in accordance with State and local guidelines.

4.3 Adjacent Streets and Property Usage

The following Table IV summarizes the current adjacent roads and adjacent property uses observed during the site reconnaissance:

TABLE IV
Adjacent Streets and Property Use

Direction	Adjacent Street	Adjacent Property Use
North	None	Agricultural Land
South	E. Cartmill Avenue	Vacant Land
East	N. Mooney Boulevard	Rural Residence / Agricultural Land
West	None	Residential – Single-family Homes

Based on the observed uses of the properties located immediately adjacent to the subject site, it is unlikely that significant quantities of hazardous materials are stored at the immediately adjacent properties.

4.4 ASTM Non-Scope Considerations

According to ASTM E 1527-13, there may be environmental issues or conditions at the subject site that are outside the scope of the Phase I ESA practice (non-scope considerations). Some substances may be present at the subject site in quantities and under conditions that may lead to contamination of the subject site or of nearby properties but are not included in CERCLA's definition of hazardous substances (42 U.S.C. §9601[14]). ASTM non-scope considerations are discussed below.

Asbestos-Containing Materials

Asbestos is a group of naturally occurring mineral fibers that have been used commonly in a variety of building construction materials for insulation and as a fire-retardant. Because of its fiber strength and heat resistant properties, asbestos has been used for a wide range of manufactured goods, mostly in building materials, vehicle brakes, and heat-resistant fabrics, packaging, gaskets, and coatings. When asbestos-containing materials (ACMs) are damaged or disturbed by repair, remodeling, or demolition activities, microscopic asbestos fibers may become airborne and can be inhaled into the lungs, where they can cause significant health problems.

The structures located on the subject site were constructed in approximately 2019. It is unknown if the on-site structures contain ACMs. An asbestos survey and sampling of the on-site structures was not included within the scope of this assessment. However, based on the date of construction, it is unlikely the on-site structures contain ACMs. Based on the date of construction and the non-residential use of the on-site structures, asbestos is not considered to be an environmental concern at this time.

Lead-Based Paint

Although lead-based paint (LBP) was banned in 1978, many buildings constructed prior to 1978 have paint that contains lead. Lead from paint, chips, and dust can pose serious health hazards if not addressed properly.

The structures located on the subject site were constructed in approximately 2019. It is unknown if the on-site structures contain lead-based paint. A lead-based paint survey and sampling of the on-site structures was not included within the scope of this assessment. However, based on the date of construction, it is unlikely the on-site structures contain lead-based paint. Based on the date of

construction and the non-residential use of the on-site structures, lead-based paint is not considered to be an environmental concern at this time.

Radon

Radon is a radioactive gas that is found in certain geologic environments and is formed by the natural breakdown of radium, which is found in the earth's crust. A radon survey was not included within the scope of this investigation; however, the State of California Department of Public Health (CDPH) maintains a statewide database of radon results in designated geographic areas. Radon detection devices are placed in homes throughout the study region to determine geographic regions with elevated radon concentrations. The U.S. EPA has set the safety standard for radon gas in homes to be 4.0 pico Curies per liter (pCi/L).

The US EPA has prepared a map to assist National, State and local organizations to target their resources and to implement radon-resistant building codes. The map divides the country into three Radon Zones, Zone 1 being those areas with the average predicted indoor radon concentration in residential dwellings exceeding the EPA Action Limit of 4.0 pCi/L. It is important to note that the EPA has found homes with elevated levels of radon in all three zones, and the EPA recommends site-specific testing in order to determine radon levels at a specific location. However, the map does give a valuable indication of the propensity of radon gas accumulation in structures. Review of the EPA Map of Radon Zones places the Property in Zone 2, where average predicted radon levels are between 2.0 and 4.0 pCi/L. Therefore, the available data suggests that the potential for radon to adversely impact the subject site appears to be low.

Environmental Non-Compliance Issues

No obvious material environmental non-compliance issues were identified in connection with the subject site in the process of preparing this report.

Activity and Use Limitations

No environmental activity and use limitations were identified in connection with the subject site in the process of preparing this report.

Wetlands

As defined by the U.S. EPA and the Department of Army, Corps of Engineers, wetlands are "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions." Jurisdictional wetlands are regulated under Section 404 of the Clean

Water Act (1972, 1977, and 1987, and also the 1985 and 1990 Farm Bills), and are important for protection of aquatic waterfowl and species, water purification, and flood control. According to current Corps of Engineers information, three basic criteria are currently used to define wetlands:

- Wetland hydrology - areas exhibiting surface or near-surface saturation or inundation at some point in time (greater than 12.5 percent of growing season defined on basis of frost-free days) during an average rainfall year.
- Hydrophilic vegetation - frequency of occurrence of wetland indicator plants (plant life growing in water, soil, or substrate that is periodically deficient in oxygen as a result of excessive water content).
- Hydric soil - landscape patterns identified by saturation, flooding, or ponding long enough during the growing season (generally seven days) which develop characteristic color changes in the upper part of the soil as a result of anaerobic conditions.

Based on Krazan's reconnaissance of the subject site, evidence was not apparent to suggest that the site contained a wetland. Furthermore, according to the U. S. Fish & Wildlife Service (USFWS) National Wetlands Inventory available via the USFWS Internet website, the subject site does not contain a designated wetland. Therefore, at this time, regulations pertaining to wetlands do not appear to impact the subject site.

5.0 USER-PROVIDED INFORMATION

A review of user-provided information was conducted in order to help identify pertinent information regarding potential environmental impacts associated with the subject site.

5.1 Environmental Liens/Activity and Use Limitations Report

Environmental Lien/Activity and Use Limitations (EL/AUL) Reports were completed by AFX Corp. Inc. (AFX) on May 13, 2020 for Tulare County APNs 149-060-013, -018, -022, -029, -030, -034 which includes APNs 149-060-029, -030 and -034 which have been associated with the subject site recently. The AFX EL/AUL Reports provide results from a search of available land title records for environmental cleanup liens and other activity and use limitations, such as engineering controls and institutional controls. The subject site EL/AUL Reports were reviewed to identify potential environmental liens, institutional controls (ICs), environmental land use controls (LUCs), environmental activity and use limitations (AULs), or declaration of environmental use restrictions (DEULs) which may have been filed against the subject site or exist in connection with the subject site as indicated by the subject site EL/AUL Reports. Krazan's review of the EL/AUL Reports indicated no liens, judgments, ICs, LUCs, AULs, or

DEULs were found for the above-referenced APNs according to the scope of work and limitations. Please refer to Appendix A for a copy of the AFX EL/AUL reports.

5.2 Phase I Environmental Site Assessment User Questionnaire

In order to qualify for one of the *Landowner Liability Protections (LLPs)* offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the *Brownfields Amendments*), the *user* must provide the following information (if available) to the *environmental professional*. Failure to provide this information could result in a determination that *all appropriate inquiry* is not complete. The user is asked to provide information or knowledge of the following:

1. Environmental cleanup liens that are filed or recorded against the site.
2. Activity and land use limitations that are in place on the site or that have been filed or recorded in a registry.
3. Specialized knowledge or experience of the person seeking to qualify for the LLPs.
4. Relationship of the purchase price to the fair market value of the *property* if it were not contaminated.
5. Commonly known or *reasonably ascertainable* information about the *property*.
6. The degree of obviousness of the presence or likely presence of contamination at the *property*, and the ability to detect the contamination by appropriate investigation.
7. The reason for preparation of this Phase I ESA.

On May 5, 2020, a completed Phase I ESA user questionnaire was received from Ms. Molly McDonnel with 4Creeks, Inc., Krazan's client and the Phase I ESA User. Please refer to Appendix B for a copy of the completed Phase I ESA user questionnaire.

According to the questionnaire responses, Ms. McDonnel, to the best of her knowledge as the user of this Phase I ESA, indicated that she has no knowledge of environmental cleanup liens and activity or land use limitations which have been filed or recorded against the subject site. Ms. McDonnel indicated that she has no specialized knowledge or experience of the prior nature of the business or chemical utilization on the subject site. Ms. McDonnel indicated that she has no knowledge of the historical uses of the subject site. Ms. McDonnel indicated that she did not have knowledge of the past or current presence of specific chemicals or hazardous materials, unauthorized spills or chemical releases or of any environmental cleanups in connection with the subject site. Ms. McDonnel indicated that she is not aware of any obvious indications pointing to the presence or likely presence of contamination of the subject property. Ms. McDonnel indicated that the purchase price of the subject site reasonably reflects fair market value.

Ms. McDonnel indicated that the reason for preparation of this Phase I ESA is related to a proposed development of the subject site with 118 medium-density residential units.

6.0 SITE USAGE SURVEY

The property usage survey included assessing property history, and reviewing local, state, and federal regulatory agency records.

6.1 Site History

A review of a previous environmental assessment, historical aerial photographs, a USGS topographic quadrangle map, City of Tulare Community & Economic Development Department records, and reasonably ascertainable cross-reference directories, a search for Sanborn Fire Insurance Maps (SFIMs), and a Phase I ESA interview were utilized to assess the history of the subject site.

Previous Environmental Assessments

Krazan conducted a previous environmental assessment of the subject site and the northern and western adjacent properties entitled *Phase I Environmental Site Assessment, Kensington 3/4 Subdivision Property, West of Mooney Boulevard Between Pacific and Cartmill Avenues, Tulare, California* (Krazan Project No. 014-16110) dated July 20, 2016. Field work for this report was conducted on July 7, 2016, at which time the current subject site was agricultural land without on-site structures. No hazardous materials or hazardous waste were observed in association with the current subject site. The current subject site was determined to have been utilized for residential and/or agricultural purposes from at least 1937 until the time of the 2016 assessment. No recognized environmental conditions were identified in connection with the current subject site during Krazan's July 20, 2016 Phase I ESA. However, the following potential areas of concern (PAOCs) were identified in connection with the current subject site, as well as with the overall subject site of the July 20, 2016 assessment (excerpted from the July 20, 2016 Phase I ESA report):

PAOCs

- Krazan's review of historical aerial photographs and property owner interview indicate that residential dwellings and associated farm structures appear to have been historically located on the subject site from at least 1937 to at least 2015. During Krazan's research of the subject site, no records of underground storage tanks (USTs) for the subject site were identified on file with the local regulatory agencies. USTs on rural or agricultural properties historically have been exempt from requirements for registration with regulatory agencies. Krazan's experience with such properties has shown that it was not uncommon for property owners/operators to install USTs for

their convenience, especially in the vicinity of structures, which are undocumented and whose presence would remain unknown in spite of the standard data research conducted in the course of this Phase I ESA. It is therefore possible that subsurface features such as unregistered USTs may exist on the subject site and remain unknown based upon the absence of any regulatory or municipality data or evidence indicating their presence or location.

If a higher level of due diligence is desired to assess the presence or absence of USTs in the areas of the former on-site residences and associated farm structures, Krazan recommends conducting a Limited Geophysical Survey (LGS) in the area of the former on-site structures to assess the presence or absence of USTs.

Site Development Issue

- Krazan's review of historical aerial photographs indicates that rural residential dwellings appear to have been historically located on the subject site from at least 1937 to at least 2015. A domestic water well and septic system may have been associated with the former on-site dwellings. If any domestic water wells or septic systems are identified in any future development of the subject site, they should be properly abandoned/destroyed in accordance with state and local guidelines.

No additional previous assessments were provided to Krazan for review during the course of this assessment. Please refer to Appendix C for a copy of Krazan's previous Phase I ESA report of the subject site and the northern and western adjacent properties.

Aerial Photograph Interpretation

Historical aerial photographs dated 1937, 1952, 1969, 1972, 1977, 1984, 1994, 2003, 2009, 2015, 1017, and 2018 were reviewed to assess the history of the subject site. These photographs were obtained from Environmental Data Resources, Inc. (EDR) and via the internet at Google Earth™. Aerial photograph coverage for the years between 1937 and 1952 was not reasonably ascertainable or available. The aerial photograph summary is provided in the following Table V. Please refer to Appendix D for a copy of the historical aerial photographs.

TABLE V
Summary of Aerial Photograph Review

Year/Scale	Site Use	Site and Adjacent Property Observation
1937 1" = 500'	Residential/ Agricultural	The central-eastern portion of the subject site and northeastern portion of the subject site appear to be occupied by rural residences. The remainder of the subject site appears to be utilized for agricultural purposes. The northern adjacent property appears to be vacant land/pasture. The southern adjacent property appears to be utilized for agricultural purposes. The eastern adjacent property appears to be occupied by a rural residence and utilized for agricultural purposes. The western adjacent property appears to be occupied by two barn-type structures, at least one smaller outbuilding, and agricultural land. The western adjacent property may be associated with the subject site.

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TABLE V (continued)
Summary of Aerial Photograph Review

Year/Scale	Site Use	Site and Adjacent Property Observation
1952 1" = 500'	Residential/ Agricultural	Conditions on the subject site and the adjacent properties appear relatively similar to those noted in the 1937 aerial photograph except: 1) the southern portion of the subject site and the southern adjacent property may be irrigated pasture rather than cultivated land, and 2) the northern adjacent property appears to be agricultural land which may be associated with the subject site.
1969 1" = 500'	Residential/ Agricultural	Conditions on the subject site and the adjacent properties appear relatively similar to those noted in the 1952 aerial photograph except: 1) the rural residence previously noted in the central-eastern portion of the subject site is no longer visible and this portion of the subject site appears to be fallow land, 2) a rural residence has been developed in the southeastern portion of the subject site, 3) much of the subject site appears to be fallow land/pasture, 4) the eastern adjacent residence is no longer visible, and 5) the southern adjacent property appears to be occupied by a vineyard.
1972 1" = 500'	Residential/ Agricultural	Conditions on the subject site and the adjacent properties appear relatively similar to those noted in the 1969 aerial photograph.
1977 1" = 500'	Residential/ Agricultural	Conditions on the subject site and the adjacent properties appear relatively similar to those noted in the 1972 aerial photograph.
1984 1" = 500'	Residential/ Agricultural	Conditions on the subject site and the adjacent properties appear relatively similar to those noted in the 1977 aerial photograph.
1994 1" = 500'	Residential/ Agricultural	Conditions on the subject site and the adjacent properties appear relatively similar to those noted in the 1984 aerial photograph except 1) only one barn-type structure is visible on the western adjacent property, and 2) a rural residence has been developed adjacent to the east of the northern portion of the subject site.
2003 1" = 500'	Residential/ Agricultural	Conditions on the subject site and the adjacent properties appear relatively similar to those noted in the 1994 aerial photograph.
2009 1" = 500'	Residential/ Agricultural	Conditions on the subject site and the adjacent properties appear relatively similar to those noted in the 2003 aerial photograph except a residential subdivision has been developed to the southwest of the subject site.
2015 1" = 500'	Residential/ Agricultural	Conditions on the subject site and the adjacent properties appear relatively similar to those noted in the 2009 aerial photograph except the residential structures are no longer visible in the northeastern portion of the subject site. The northeastern portion of the subject site appears to be vacant land.
2017 1" = 500'	Agricultural	Conditions on the subject site and the adjacent properties appear relatively similar to those noted in the 2015 aerial photograph except: 1) the residential structures previously noted in the southeastern portion of the subject site are no longer visible and this portion of the subject site appears to be vacant land, and 2) the northwestern portion of the subject site appears to be occupied by a feature consistent with the early phases of the installation of the existing City of Tulare water well facility.

TABLE V (continued)
Summary of Aerial Photograph Review

Year/Scale	Site Use	Site and Adjacent Property Observation
2018 1" = 500'	Agricultural	Conditions on the subject site and the adjacent properties appear relatively similar to those noted in the 2017 aerial photograph except evidence of the City of Tulare water well facility is not pronounced in the 2018 aerial photograph. This portion of the subject site appears to be agricultural land in the 2018 aerial photograph. Additionally, rough grading associated with the installation of a residential subdivision is visible adjacent to the west of the southern half of the subject site.

USGS Topographic Quadrangle Map

Krazan's review of the USGS, 7.5-minute, Tulare, California topographic quadrangle map dated 1951, indicates that the central-eastern and northeastern portions of the subject site were occupied by structures in 1951. The remainder of the subject site is depicted as vacant land. Refer to Figure No. 3, Topographic Map, for reference.

City of Tulare Community & Economic Development Department Records

On May 4, 2020, the City of Tulare Community & Economic Development Department (CTCEDD) was contacted to obtain potential building permit records for the subject site. According to Ms. Traci Meyers, a representative of the City of Tulare Community & Economic Development Department, building permits are on file with the CTCEDD for the City of Tulare water well facility located in the northwestern portion of the subject site; however, permit records associated with this City of Tulare facility were not provided for Krazan's review. As of the date of this report, Krazan has not received a response to the May 4, 2020 request as to whether or not building permits are on file with the CTCEDD for the remainder of the subject site. It is presumed that permits are on file with the CTCEDD for the 2000s to mid-2010s demolition of the residences previously located in the northeastern and southeastern portions of the subject site, although as of the date of this report it is unknown if any permits not associated with the existing City of Tulare water well facility are actually on file with the CTCEDD for the subject site. However, Krazan's review of historical aerial photographs indicates that rural residences previously located the northeastern, central-eastern and southeastern portions of the subject site for varying periods of time circa 1937 to 2015 appear to be the only structures which have been present on site other than the existing City of Tulare water facility.

City Directories

Cross-reference directories were not searched due to the current absence of structures and identifiable addresses associated with the subject site other than the City of Tulare Well #47 which is located in the

northwestern portion of the subject site. The City of Tulare Well #47 facility, reportedly associated with an address of 3251 N. Mooney Boulevard, was originally constructed in approximately 2019.

Sanborn Fire Insurance Maps

Krazan reviews SFIMs to evaluate prior land use of the subject site and the adjacent properties. SFIMs typically exist for cities with populations of 2,000 or more, the coverage dependent on the location of the subject site within the city limits. Krazan contracted with EDR to provide copies of available SFIMs for the subject site and the adjacent properties as far back as 1867. EDR's search of SFIMs revealed no coverage for the subject site and the adjacent properties. Please refer to Appendix E for a copy of the EDR SFIM *No Maps Available* report.

6.2 Interviews

Krazan conducts interviews with the owner of the subject site, a key site manager, subject site occupants, and/or the previous owners/occupants of the subject site. The interviews are designed to provide pertinent information regarding potential environmental impacts associated with the subject site.

Subject Site Owner – An interview was conducted with Mr. Jim Robinson, a representative of the owner of the subject site, via his completion of an environmental questionnaire. According to questionnaire responses, Mr. Robinson indicated that he has been familiar with the subject site for the past eight years. Mr. Robinson indicated that the subject site is currently utilized for agricultural purposes and is not developed with any structures. Mr. Robinson indicated that the subject site was previously occupied by a residence and was historically utilized for agricultural and residential purposes. Mr. Robinson indicated that a water well is located on the subject site; however, no septic systems are located on site.

According to Mr. Robinson, to the best of his knowledge, no use, storage, or disposal of hazardous materials; no existing or former ASTs or USTs; no hazardous materials spills, no environmental cleanups, no on-site treatment and/or discharge of waste; no environmental liens, AULs, engineering or institutional controls, no on-site leach fields, dry wells, sumps, or disposal ponds; no buried materials; no monitoring, domestic, or irrigation wells; or any items of environmental concern are associated with the subject site. Mr. Robinson indicated that he is not aware of any obvious indications pointing to the presence or likely presence of contamination of the subject property. Mr. Robinson indicated that the reason for preparation of this Phase I ESA is related to a proposed residential development. Mr. Robinson indicated that the purchase price of the subject site reasonably reflects fair market value. Please refer to Appendix F for a copy of the environmental questionnaire completed by Mr. Robinson.

Previous Subject Site Owners/Occupants – An interview with a previous owner/occupant of the subject site was not reasonably ascertainable. Consequently, information regarding the history and historical uses of the subject site obtained from an interview of a previous owner and/or occupant constitutes a data gap.

6.3 Agricultural Chemicals

Review of historical aerial photographs indicates that the subject site was utilized for agricultural purposes from at least 1937 until at least 2018. Although the potential exists that environmentally persistent pesticides/herbicides were historically applied to crops grown on the subject site circa 1940s to 1960s; 1) no material evidence of the use of environmentally persistent pesticides/herbicides was obtained during the course of this assessment, and 2) it is anticipated that any environmentally persistent pesticides/herbicides potentially located on site will be dislocated and diluted as a result of grading and trenching operations which will be conducted in conjunction with the proposed development of the property. Consequently, given the above-referenced factors and Krazan's experience in the subject site vicinity which generally indicates that the potential is low for elevated concentrations of environmentally persistent pesticides/herbicides related to crop cultivation to exist in the near-surface soils of common agricultural ground at concentrations which would require regulatory action, despite the absence of specific data, the potential for elevated concentrations of environmentally persistent pesticides or herbicides to currently exist in the near-surface soils of the subject site at concentrations which would require regulatory action appears to be low.

6.4 Regulatory Agency Interface

A review of regulatory agency records was conducted to help determine if hazardous materials have been handled, stored, or generated on the subject site and/or the adjacent properties and businesses.

Regulatory records are reviewed based on the following criteria: 1) properties with known soils and/or groundwater releases considered to represent the potential for impact to the subject site that are located within 1,760 feet of the subject site for constituents of concern impacts or 528 feet of the subject site for petroleum hydrocarbon impacts; 2) properties that are adjacent or in proximity to the subject site included within the EDR regulatory database report or noted during the site reconnaissance to possibly handle, store, or generate hazardous materials. Applicable property records are discussed below.

Tulare County Health & Human Services Agency – Environmental Health Services

Tulare County Health & Human Services Agency – Environmental Health Services (TCEHS) is the lead regulatory agency or Certified Unified Program Agency (CUPA) for hazardous materials handling facilities located in Tulare County. On May 1, 2020, Tulare County Environmental Health Services was

contacted regarding potential hazardous materials records including AST, UST, leaking underground storage tank (LUST), hazardous materials business plan (HMBP), hazardous material release, environmental cleanup/site mitigation and/or hazardous waste generator records for the subject site. According Mr. Joel Martens, Supervising Environmental Health Specialist with Tulare County Environmental Health Services, no hazardous materials records are on file with TCEHS for the subject site except for HMBP records associated with the City of Tulare Well #47 facility located in the northwestern portion of the subject site. Records on file with TCEHS and contained in the California Environmental Reporting System (CERS) database indicate that an aboveground tank containing 230 gallons of a 13% solution of sodium hypochlorite (bleach) utilized for drinking water chlorination is the only hazardous material present in reportable quantity within the City well facility. Additionally, the HMBP, submitted to the CERS database on May 9, 2020, indicates that no USTs are associated with the on-site water well facility and no hazardous waste is generated at this facility. Krazan's review of records on file with the TCEHS for the subject site and contained within the CERS database for the subject site did not reveal any evidence of an unauthorized release of hazardous materials to the subsurface. Please refer to Appendix G for a copy of records on file with the TCEHS for the subject site.

State of California Regional Water Quality Control Board - Geotracker

Krazan's May 4, 2020 review of the State of California Regional Water Quality Control Board (RWQCB) Geotracker database available via the RWQCB Internet Website indicated that no cleanup sites including LUST sites, cleanup program sites, land disposal sites, or military sites are listed for the subject site, the adjacent properties, or properties located within the subject site vicinity. Additionally, no permitted UST sites were determined to be located on or adjacent to the subject site.

State of California Environmental Protection Agency

Krazan's May 4, 2020 review of the State of California Environmental Protection Agency (CalEPA) – Department of Toxic Substances Control (DTSC) Envirostor database available via the DTSC's Internet Website indicated that no records of cleanup sites including State response sites, voluntary cleanup sites, school cleanup sites, or military or school evaluation sites are listed for the subject site, the adjacent properties, or properties located within 500 feet of the subject site. Additionally, no Federal Superfund – National Priorities List (NPL) sites were determined to be located within a one-mile radius of the subject site.

City of Tulare Fire Department

The City of Tulare Fire Department has jurisdiction for fire protection for the subject site and the immediate vicinity. On May 4, 2020, the City of Tulare Fire Department was contacted via email

regarding potential records of hazardous materials release incidents for the subject site. According to Fire Marshall Ryan Leonardo, no hazardous materials records are on file with the City of Tulare Fire Department for the subject site. However, Fire Marshall Leonardo indicated that hazardous materials records are maintained by the Tulare County Environmental Health Services.

California Department of Conservation, California Geologic Energy Management Division

Krazan's May 4, 2020 review of the State of California Department of Conservation, California Geologic Energy Management Division (CalGEM) Online Mapping System (DOMS) indicated that no plugged and abandoned or producing oil wells are located on or adjacent to the subject site.

Local Area Tribal Records

No Indian reservations, USTs on Indian land, or LUSTs on Indian land were reported on the subject site, adjacent properties, or vicinity properties in the EDR-provided government database report.

6.5 Regulatory Agency Lists Review

Several agencies have published documents that list businesses or properties which have handled hazardous materials or waste or may have experienced site contamination. The lists consulted in the course of our assessment were compiled by EDR and Krazan and represent reasonably ascertainable current listings. Krazan did not verify the locations and distances of every property listed by EDR. Krazan verified the location and distances of the properties Krazan deemed as having the potential to adversely impact the subject site. The actual location of the listed properties may differ from the EDR listing. Refer to the following Table VI for a summary of the listed properties considered to have the potential to impact the subject site located within the specified ASTM Search Radii. The actual distances of the listed properties (which are summarized below) are based on observations during Krazan's site reconnaissance. No EDR-listed unmapped (non-geocoded) sites were determined to be located on or adjacent to the subject site. Please refer to the Appendix H for a copy of the EDR Radius Map report.

TABLE VI
Listed Properties

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
STANDARD ENVIRONMENTAL RECORDS								
Federal NPL site list								
NPL	1.000		0	0	0	0	NR	0
Proposed NPL	1.000		0	0	0	0	NR	0
NPL LIENS	1.000		0	0	0	0	NR	0
Federal Delisted NPL site list								
Delisted NPL	1.000		0	0	0	0	NR	0
Federal CERCLIS list								
FEDERAL FACILITY	0.500		0	0	0	NR	NR	0
SEMS	0.500		0	0	0	NR	NR	0
Federal CERCLIS NFRAP site list								
SEMS-ARCHIVE	0.500		0	0	0	NR	NR	0
Federal RCRA CORRACTS facilities list								
CORRACTS	1.000		0	0	0	0	NR	0
Federal RCRA non-CORRACTS TSD facilities list								
RCRA-TSDF	0.500		0	0	0	NR	NR	0
Federal RCRA generators list								
RCRA-LQG	0.250		0	0	NR	NR	NR	0
RCRA-SQG	0.250		0	0	NR	NR	NR	0
RCRA-VSQG	0.250		0	0	NR	NR	NR	0
Federal institutional controls / engineering controls registries								
LUCIS	0.500		0	0	0	NR	NR	0
US ENG CONTROLS	0.500		0	0	0	NR	NR	0
US INST CONTROLS	0.500		0	0	0	NR	NR	0
Federal ERNS list								
ERNS	0.001		0	NR	NR	NR	NR	0
State- and tribal - equivalent NPL								
RESPONSE	1.000		0	0	0	0	NR	0
State- and tribal - equivalent CERCLIS								
ENVIROSTOR	1.000		0	0	2	1	NR	3
State and tribal landfill and/or solid waste disposal site lists								
SWF/LF	0.500		0	0	0	NR	NR	0
State and tribal leaking storage tank lists								
LUST	0.500		1	0	0	NR	NR	1

TABLE VI (continued)
Listed Properties

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
INDIAN LUST	0.500		0	0	0	NR	NR	0
CPS-SLIC	0.500		0	0	0	NR	NR	0
State and tribal registered storage tank lists								
FEMA UST	0.250		0	0	NR	NR	NR	0
UST	0.250		0	0	NR	NR	NR	0
AST	0.250		0	0	NR	NR	NR	0
INDIAN UST	0.250		0	0	NR	NR	NR	0
State and tribal voluntary cleanup sites								
INDIAN VCP	0.500		0	0	0	NR	NR	0
VCP	0.500		0	0	0	NR	NR	0
State and tribal Brownfields sites								
BROWNFIELDS	0.500		0	0	0	NR	NR	0
ADDITIONAL ENVIRONMENTAL RECORDS								
Local Brownfield lists								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
Local Lists of Landfill / Solid Waste Disposal Sites								
WMUDS/SWAT	0.500		0	0	0	NR	NR	0
SWRCY	0.500		0	0	0	NR	NR	0
HAULERS	0.001		0	NR	NR	NR	NR	0
INDIAN ODI	0.500		0	0	0	NR	NR	0
ODI	0.500		0	0	0	NR	NR	0
DEBRIS REGION 9	0.500		0	0	0	NR	NR	0
IHS OPEN DUMPS	0.500		0	0	0	NR	NR	0
Local Lists of Hazardous waste / Contaminated Sites								
US HIST CDL	0.001		0	NR	NR	NR	NR	0
HIST Cal-Sites	1.000		0	0	0	0	NR	0
SCH	0.250		0	0	NR	NR	NR	0
CDL	0.001		0	NR	NR	NR	NR	0
CERS HAZ WASTE	0.250		0	0	NR	NR	NR	0
Toxic Pits	1.000		0	0	0	0	NR	0
US CDL	0.001		0	NR	NR	NR	NR	0
PFAS	0.500		0	0	0	NR	NR	0
Local Lists of Registered Storage Tanks								
SWEEPS UST	0.250		2	1	NR	NR	NR	3
HIST UST	0.250		3	2	NR	NR	NR	5
CERS TANKS	0.250		0	0	NR	NR	NR	0
CA FID UST	0.250		2	1	NR	NR	NR	3
Local Land Records								
LIENS	0.001		0	NR	NR	NR	NR	0

TABLE VI (continued)
Listed Properties

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
LIENS 2	0.001		0	NR	NR	NR	NR	0
DEED	0.500		0	0	0	NR	NR	0
Records of Emergency Release Reports								
HMIRS	0.001		0	NR	NR	NR	NR	0
CHMIRS	0.001		0	NR	NR	NR	NR	0
LDS	0.001		0	NR	NR	NR	NR	0
MCS	0.001		0	NR	NR	NR	NR	0
SPILLS 90	0.001		0	NR	NR	NR	NR	0
Other Ascertainable Records								
RCRA NonGen / NLR	0.250		0	0	NR	NR	NR	0
FUDS	1.000		0	0	0	0	NR	0
DOD	1.000		0	0	0	0	NR	0
SCRD DRYCLEANERS	0.500		0	0	0	NR	NR	0
US FIN ASSUR	0.001		0	NR	NR	NR	NR	0
EPA WATCH LIST	0.001		0	NR	NR	NR	NR	0
2020 COR ACTION	0.250		0	0	NR	NR	NR	0
TSCA	0.001		0	NR	NR	NR	NR	0
TRIS	0.001		0	NR	NR	NR	NR	0
SSTS	0.001		0	NR	NR	NR	NR	0
ROD	1.000		0	0	0	0	NR	0
RMP	0.001		0	NR	NR	NR	NR	0
RAATS	0.001		0	NR	NR	NR	NR	0
PRP	0.001		0	NR	NR	NR	NR	0
PADS	0.001		0	NR	NR	NR	NR	0
ICIS	0.001		0	NR	NR	NR	NR	0
FTTS	0.001		0	NR	NR	NR	NR	0
MLTS	0.001		0	NR	NR	NR	NR	0
COAL ASH DOE	0.001		0	NR	NR	NR	NR	0
COAL ASH EPA	0.500		0	0	0	NR	NR	0
PCB TRANSFORMER	0.001		0	NR	NR	NR	NR	0
RADINFO	0.001		0	NR	NR	NR	NR	0
HIST FTTS	0.001		0	NR	NR	NR	NR	0
DOT OPS	0.001		0	NR	NR	NR	NR	0
CONSENT	1.000		0	0	0	0	NR	0
INDIAN RESERV	1.000		0	0	0	0	NR	0
FUSRAP	1.000		0	0	0	0	NR	0
UMTRA	0.500		0	0	0	NR	NR	0
LEAD SMELTERS	0.001		0	NR	NR	NR	NR	0
US AIRS	0.001		0	NR	NR	NR	NR	0
US MINES	0.250		0	0	NR	NR	NR	0
ABANDONED MINES	0.250		0	0	NR	NR	NR	0
FINDS	0.001		0	NR	NR	NR	NR	0
DOCKET HWC	0.001		0	NR	NR	NR	NR	0
UXO	1.000		0	0	0	0	NR	0
ECHO	0.001		0	NR	NR	NR	NR	0
FUELS PROGRAM	0.250		0	0	NR	NR	NR	0
CA BOND EXP. PLAN	1.000		0	0	0	0	NR	0
Cortese	0.500		0	0	0	NR	NR	0
CUPA Listings	0.250		1	1	NR	NR	NR	2

TABLE VI (continued)
Listed Properties

MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
DRYCLEANERS	0.250		0	0	NR	NR	NR	0
EMI	0.001		0	NR	NR	NR	NR	0
ENF	0.001		0	NR	NR	NR	NR	0
Financial Assurance	0.001		0	NR	NR	NR	NR	0
HAZNET	0.001		0	NR	NR	NR	NR	0
ICE	0.001		0	NR	NR	NR	NR	0
HIST CORTESE	0.500		1	0	0	NR	NR	1
HWP	1.000		0	0	0	0	NR	0
HWT	0.250		0	0	NR	NR	NR	0
MINES	0.250		0	0	NR	NR	NR	0
MWMP	0.250		0	0	NR	NR	NR	0
NPDES	0.001		0	NR	NR	NR	NR	0
PEST LIC	0.001		0	NR	NR	NR	NR	0
PROC	0.500		0	0	0	NR	NR	0
Notify 65	1.000		0	0	0	0	NR	0
UIC	0.001		0	NR	NR	NR	NR	0
UIC GEO	0.001		0	NR	NR	NR	NR	0
WASTEWATER PITS	0.500		0	0	0	NR	NR	0
WDS	0.001		0	NR	NR	NR	NR	0
WIP	0.250		0	0	NR	NR	NR	0
MILITARY PRIV SITES	0.001		0	NR	NR	NR	NR	0
PROJECT	0.001		0	NR	NR	NR	NR	0
WDR	0.001		0	NR	NR	NR	NR	0
CIWQS	0.001		0	NR	NR	NR	NR	0
CERS	0.001		0	NR	NR	NR	NR	0
NON-CASE INFO	0.001		0	NR	NR	NR	NR	0
OTHER OIL GAS	0.001		0	NR	NR	NR	NR	0
PROD WATER PONDS	0.001		0	NR	NR	NR	NR	0
SAMPLING POINT	0.001		0	NR	NR	NR	NR	0
WELL STIM PROJ	0.001		0	NR	NR	NR	NR	0
HWTS	TP		NR	NR	NR	NR	NR	0
MINES MRDS	0.001		0	NR	NR	NR	NR	0

EDR HIGH RISK HISTORICAL RECORDS

EDR Exclusive Records

EDR MGP	1.000		0	0	0	0	NR	0
EDR Hist Auto	0.125		0	NR	NR	NR	NR	0
EDR Hist Cleaner	0.125		0	NR	NR	NR	NR	0

EDR RECOVERED GOVERNMENT ARCHIVES

Exclusive Recovered Govt. Archives

RGA LF	0.001		0	NR	NR	NR	NR	0
RGA LUST	0.001		0	NR	NR	NR	NR	0

- Totals --		0	10	5	2	1	0	18
-------------	--	---	----	---	---	---	---	----

TABLE VI (continued)
Listed Properties

MAP FINDINGS SUMMARY								
Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
NOTES: TP = Target Property NR = Not Requested at this Search Distance Sites may be listed in more than one database								

The subject site address/location was not listed in the EDR regulatory database report.

Hazardous Materials Migration in Soils and/or Groundwater

No sites with reported releases of hazardous materials to the subsurface were included in the EDR database report which are actually located within the subject site vicinity. One closed LUST site, Western Dairy Construction, listed as being located 568 feet from the subject site is actually located over 2,000 feet to the north of the subject site. In general, potentially hazardous materials or petroleum products released from facilities located approximately hydraulically upgradient within the subject site vicinity, or in a hydraulically cross-gradient direction in proximity to the site, may have a reasonable potential of migrating to the subject site via groundwater flow. This opinion is based on the assumption that non-vaporous hazardous materials generally do not migrate large distances laterally within the soil, but rather tend to migrate with groundwater in the general direction of groundwater flow. However, the potential for migration of volatile hazardous materials may include movement within soils, groundwater flow or potentially omni-directionally if present in a vaporous state.

Hazardous Materials Migration in Vapor

Hazardous materials or petroleum product vapors which may have the potential to migrate into the subsurface of the subject site may be caused by the release of vapors from contaminated soil or groundwater either on or in the vicinity of the subject site from current or historical uses of the subject site and/or adjacent or vicinity properties. Current or past land uses such as gasoline stations (using petroleum hydrocarbons), dry cleaning establishments (using chlorinated volatile organic compounds), former manufactured gas plant sites (using volatile and semi-volatile organic compounds), and former industrial sites such as those that had vapor degreasing or other parts-cleaning operations (using chlorinated volatile organic compounds) are of particular concern. Constituent of concern vapors are

capable of migrating great distances omni-directionally along subsurface conduits such as pipelines, utility lines, sewer and stormwater lines, and building foundations.

Based on Krazan's observations and review of State and local regulatory agency records and the EDR regulatory database report, no listings of concern related to potential vapor migration were determined to be associated with the subject site, adjacent properties, or properties located within the subject site vicinity. Review of vicinity properties listed by EDR as release sites within the applicable search radii suggests that these properties do not represent a significant potential for vapor migration in conjunction with the subject site. The rationale supporting this opinion includes the following:

- None of the reported sites were in close proximity to the subject site.
- Relevant sites had undergone investigation and remediation sufficient to receive regulatory agency closure.
- Sites with reported releases of minor quantities of COCs or COCs of limited volatility impacting soil only were considered of minimal concern.
- The lateral migration of the COCs in groundwater is reported to be limited and COCs were not detected in groundwater samples collected downgradient of the release and several hundred feet upgradient of the subject site.
- Sites with reported releases of COCs including volatile organic compounds (VOCs) were either of sufficient distance or hydraulically down- or cross-gradient from the subject site such that they do not appear to represent a significant potential for vapor migration on the subject site.

No engineering control sites, sites with institutional controls, or sites with deed restrictions were listed for the subject site, adjacent sites or vicinity properties in the EDR Report.

7.0 DISCUSSION OF FINDINGS

TABLE VII
Summary of Conclusions

Apparent Evidence of RECs or PAOCs From:	Not Noted	Noted
Historical Uses		X
Current Uses	X	
Adjacent or Vicinity Property Uses	X	

Historical Uses

Based on Krazan's review of historical aerial photographs, a site reconnaissance, contacts with the local regulatory agencies, and an interview with the owner of the subject site, there is no evidence that recognized environmental conditions exist in connection with the historical uses of the subject site. However, potential areas of concern (PAOCs) were identified in connection with the historical uses of the subject site which are discussed in the Conclusions/Opinions section of this report.

Current Uses

Based on Krazan's site reconnaissance, contacts with local regulatory agencies, and an interview with the owner of the subject site, there is no evidence that recognized environmental conditions exist in connection with the current uses of the subject site. However, site development issues were identified in connection with the subject site which are discussed in the Conclusions/Opinions section of this report.

Adjacent or Vicinity Property Uses

Based on Krazan's field observations, review of the EDR government database report, and consultation with local regulatory agencies, there is no evidence that recognized environmental conditions exist in connection with the subject site from adjacent property uses.

7.1 Evaluation of Data Gaps/Data Failure

In accordance with ASTM E 1527-13 guidance, data gaps represent a lack of or inability to obtain information required by this practice despite good faith efforts by the environmental professional to gather such information. Data gaps may result from incompleteness in any of the activities required by this practice. Data failure represents the failure to achieve the historical research objectives of this practice even after reviewing the standard historical sources that are reasonably ascertainable and likely to be useful. Data failure is one type of data gap.

The following is a summary of data gaps encountered in the process of preparing this report including an observation as to the presumed significance of that data gap to the conclusions of this assessment.

- Inaccessibility (Section 4.1)

The newly developed City of Tulare water well facility located in the northwestern portion of the subject site was not accessible at the time of the site reconnaissance; however, the facility was readily observable through the surrounding fencing. Housekeeping conditions were observed to be good within the City of Tulare water facility and no evidence of an unauthorized release of the hazardous materials was noted in association with the on-site City water facility. The absence of

interior access to the City of Tulare water facility represents a data gap. However, taken in consideration with the available information obtained in the course of preparing this report in conjunction with professional experience, this data gap is not considered significant due to Krazan's exterior observations, the limited amount of hazardous materials involved, and the very young age of this water well facility.

- Unknown Date of First Development (Section 6.1)

Site history prior to 1937 was not reasonably ascertainable based upon review of standard historical sources. Consequently, data failure was encountered relative to date of first development of the subject site. Taken in consideration with the available information obtained in the course of preparing this report in conjunction with professional experience, there is no evidence to suggest that this data gap might alter the conclusions of this assessment. However, the date of first development of the subject site is unknown.

- Absence of Interview with Previous Property Owner/Occupant (Section 6.1)

A Phase I ESA interview with the previous owner/occupant of the subject site was not reasonably ascertainable. Consequently, information regarding the history and historical uses of the subject site obtained from an interview of a previous owner and/or occupant constitutes a data gap. Taken in consideration with the available information obtained in the course of preparing this report in conjunction with professional experience, there is no evidence to suggest that this data gap might alter the conclusions of this assessment. However, the contents of an interview with a previous property owner/occupant are unknown.

8.0 CONCLUSIONS/OPINIONS

We have conducted a Phase I ESA of the subject site in conformance with the scope and limitations of the ASTM E 1527-13 *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* guidance documents. Any deviations from this practice were previously described in this report. During the course of this assessment, Krazan identified no evidence of recognized environmental conditions (RECs), controlled RECs (CRECs) or historical RECs (HRECs) in conjunction with the subject site as defined by ASTM E 1527-13. However, the following potential areas of concern (PAOCs) and site development issues were identified in connection with the subject site:

PAOCs

- Krazan's review of historical aerial photographs indicates that the central-eastern portion of the subject site and the northeastern portion of the subject site were occupied by rural residences in 1937, and these residences were present until at least 1952 (central-eastern portion of the subject site) and at least 2009 (northeastern portion of the subject site). Additionally, a rural residence was present in the southeastern portion of the subject site from at least 1969 until at least 2015. Historical aerial photographs of the subject site and the surrounding vicinity taken from 1937 to 2018 indicate agricultural use of the subject site and the surrounding area during this time interval. Historical uses of the subject site prior to 1937 were not reasonably ascertainable utilizing the standard historical references consulted during this assessment, and it is therefore unknown how long the subject site was occupied by the rural residences located in the central-eastern and northeastern portions of the subject site prior to 1937. Mr. Jim Robison, a representative of the owner of the subject site familiar with the subject site for the past eight years, indicated that he was unaware of underground storage tanks (USTs) being located at the subject site and no records of USTs for the subject site are on file with the local regulatory agencies. However, USTs on rural or agricultural properties historically have been exempt from requirements for registration with regulatory agencies. Krazan's experience with such properties has shown that it is not uncommon for property owners/operators to install USTs for their convenience, especially in the vicinity of structures, which are undocumented and whose presence would remain unknown in spite of the standard data research conducted in the course of this Phase I ESA. It is therefore possible that subsurface features such as unregistered USTs may exist in the vicinity of the former on-site structures which remain unknown based upon the absence of any regulatory, municipality, interview data, or other evidence indicating their presence or location. Consequently, despite an absence of data suggesting their presence, the presence or absence of USTs associated with the subject site prior to the current owner of the subject site is unknown.

Site Development Issues

- Krazan's review of historical aerial photographs indicates that dwellings/structures were located within the southeastern, central-eastern and/or northeastern portion of the subject site from at least 1937 to 1969. Water wells and/or septic systems were possibly associated with the former on-site dwellings/structures. If a water well and/or septic system are identified during the planned redevelopment of the subject site, they should be properly abandoned/closed or destroyed in accordance with State and local guidelines.

9.0 RELIANCE

This report was prepared solely for use by Client and should not be provided to any other person or entity without Krazan & Associates' prior written consent. No party other than Client may rely on this report without Krazan & Associates' express prior written consent. Reliance rights for third parties will only be in effect once requested by Client and authorized by Krazan & Associates with authorization granted by way of a Reliance Letter. The Reliance Letter will require that the relying party(ies) agree to be bound to

the terms and conditions of the agreement between Client and Krazan & Associates as if originally issued to the relying party(ies), or as so stipulated in the Reliance Letter.

10.0 LIMITATIONS

The site reconnaissance and research of the subject site has been limited in scope. This type of assessment is undertaken with the calculated risk that the presence, full nature, and extent of contamination would not be revealed by visual observation alone. Although a thorough site reconnaissance was conducted in accordance with ASTM Guidelines and employing a professional standard of care, no warranty is given, either expressed or implied, that hazardous material contamination or buried structures, which would not have been disclosed through this investigation, do not exist at the subject site. Therefore, the data obtained are clear and accurate only to the degree implied by the sources and methods used.

The findings presented in this report were based upon field observations during a single property visit, review of available data, and discussions with local regulatory and advisory agencies. Observations describe only the conditions present at the time of this investigation. The data reviewed and observations made are limited to accessible areas and currently available records searched. Krazan cannot guarantee the completeness or accuracy of the regulatory agency records reviewed. Additionally, in evaluating the property, Krazan has relied in good faith upon representations and information provided by individuals noted in the report with respect to present operations and existing property conditions, and the historical uses of the property. It must also be understood that changing circumstances in the property usage, proposed property usage, subject site zoning, and changes in the environmental status of the other nearby properties can alter the validity of conclusions and information contained in this report. Therefore, the data obtained are clear and accurate only to the degree implied by the sources and methods used.

This report is provided for the exclusive use of the client noted on the cover page and shall be subject to the terms and conditions in the applicable contract between the client and Krazan. Any third party use of this report, including use by Client's lender, shall also be subject to the terms and conditions governing the work in the contract between the client and Krazan. The unauthorized use of, reliance on, or release of the information contained in this report without the express written consent of Krazan is strictly prohibited and will be without risk or liability to Krazan.

Conclusions and recommendations contained in this report are based on the evaluation of information made available during the course of this assessment. It is not warranted that such data cannot be superseded by future environmental, legal, geotechnical or technical developments. Consequently, given the possibility for unanticipated hazardous conditions to exist on a subject site which may not have been discovered, this Phase I ESA is not intended as the basis for a buyer or developer of real property to waive their rights of recovery based upon environmental unknowns. Parties that choose to waive rights of recovery prior to site development do so at their own risk.

Parties who seek to rely upon Phase I Environmental Site Assessment reports dated more than 180 days prior to the date of reliance do so at their own risk. This limitation in reliance is based on the potential for physical changes at the site, changes in circumstances, technological and professional advances, and guidance related to the continued viability of Environmental Site Assessment reports, user's responsibilities, and requirements for updating of components of the inquiry as stated in the ASTM Standard E 1527-13.

11.0 QUALIFICATIONS

This Phase I ESA was conducted under the supervision or responsible charge of Krazan's undersigned environmental assessor with oversight from the undersigned environmental professional. The work was conducted in accordance with ASTM E 1527-13 guidance, generally accepted industry standards for environmental due diligence in place at the time of the preparation of this report, and Krazan's quality-control policies.

We declare that, to the best of our professional knowledge and belief, we meet the definition of environmental professional as defined in §312.10 of 40 CFR 312 and we have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property.

We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Respectfully submitted,
KRAZAN & ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read 'W. Vick', with a long horizontal stroke extending to the right.

William Vick, PhD, REA
Environmental Professional

A handwritten signature in black ink, appearing to read 'A. Farkas', with a large circular flourish on the left and a long horizontal stroke extending to the right.

Arthur C. Farkas, REA
Environmental Professional

WHV/ACF/mlt

REFERENCES

Aerial photographs obtained from Environmental Data Resources, Inc. (EDR), Microsoft® Research Maps, and Google Earth™.

AFX Corp, Inc., Environmental Lien/Activity Use Limitations Report.

American Society for Testing and Materials (ASTM), *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment (ESA) Process*, ASTM Designation: E 1527-13.

ASTM, *Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions*, ASTM Designation E 2600-10.

City of Tulare Community & Economic Development Department.

City of Tulare Fire Department.

City of Tulare Public Works Department.

EDR, Sanborn Fire Insurance Map *No Maps Available* Report.

EDR, Regulatory Database Report.

Krazan & Associates, *Phase I Environmental Site Assessment, Kensington 3/4 Subdivision Property, West of Mooney Boulevard Between Pacific and Cartmill Avenues, Tulare, California*, July 20, 2016.

McDonnell, Ms. Molly, 4Creeks, Inc., Phase I ESA User Questionnaire.

Robinson, Mr. Jim, Representative of the Owner of the Subject Site, Phase I ESA Property Owner Questionnaire.

State of California Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR) Maps Website: http://www.conservation.ca.gov/dog/maps/Pages/index_map.aspx
<http://www.envirostor.dtsc.ca.gov/public>

State of California Department of Toxic Substances Control, Envirostor Website: State of California Environmental Protection Agency (CalEPA), California Environmental Reporting System (CERS) Database, CalEPA Regulated Site Portal.

State of California Regional Water Quality Control Board, Geotracker Website:
<http://geotracker.swrcb.ca.gov>

State of California, Department of Water Resources, *Lines of Equal Elevation of Water in Wells Unconfined Aquifer, San Joaquin Valley, Spring 2010*.

Tulare County Health & Human Services Agency – Environmental Health Services.

U.S. Environmental Protection Agency (EPA) *Map of Radon Zones*.

Appendix E

VMT Analysis Results

Mr. David Duda
4Creeks
324 South Santa Fe Street, Suite A
Visalia, California 93292

July 21, 2020

Subject: Vehicle Miles Traveled
Proposed Kensington 3/4 Tentative Subdivision Map
Northwest of the Intersection of Mooney Boulevard and Cartmill Avenue
Tulare, California

Dear Mr. Duda:

The purpose of this report is to present the results of a traffic analysis estimating the transportation impacts of the subject project based on vehicle miles traveled (VMT).

Project Description

The proposed project site is located on approximately 23.87 acres northwest of the intersection of Mooney Boulevard (State Route 63) and Cartmill Avenue in Tulare, California. The proposed project includes 116 single-family residential lots with access via one street connecting to Cartmill Avenue. Two other streets will connect to future residential developments to the west and north of the site.

The Project site is part of an overall master plan and phases are currently being built out. The Project requires a General Plan Amendment to allow a change from approximately 11.8 acres of C-3 commercial zoning and approximately 12.1 acres of R-1-7 single-family zoning to 23.87 acres of R-1-4 single family zoning.

The Project site location is presented in the attached Figure 1, Site Vicinity Map, and the Project site plan is presented in the attached Figure 2, Site Plan.

Traffic Modeling

The State of California Governor's Office of Planning and Research document entitled *Technical Advisory on Evaluating Transportation Impacts in CEQA* dated December 2018 (OPR Guidelines) provides guidance for determining a project's transportation impacts based on VMT. For residential projects, the OPR Guidelines indicate: "*A proposed project exceeding a level of 15 percent below existing VMT per capita may indicate a significant transportation impact. Existing VMT per capita may be measured as regional VMT per capita or as city VMT per capita.*"

Project-specific traffic modeling was performed by the Tulare County Association of Governments (TCAG) to estimate the average VMT per capita for the Project as well as the regional average VMT per capita. The results provided by TCAG are attached.

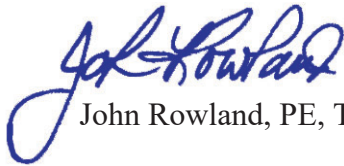
CEQA Transportation Impact Analysis

The OPR Guidelines designate a value of 15 percent below the regional average as the threshold for a significant impact. The results of the TCAG traffic modeling indicate that the average home-based trip length in the Tulare region is 11.70 miles. The threshold value 15 percent below the regional average is $0.85 * 11.70 = 9.95$. Therefore, if the average home-based trip length generated by the Project is greater than 9.95, the Project would cause a significant transportation impact.

The TCAG modeling indicates the average home-based trip length for the Project is 9.09 miles, which is below the threshold of 9.95 miles. Therefore, the transportation impact may be determined to be less than significant.

Thank you for the opportunity to work with you on this project. Please feel free to call our office if you have any questions.

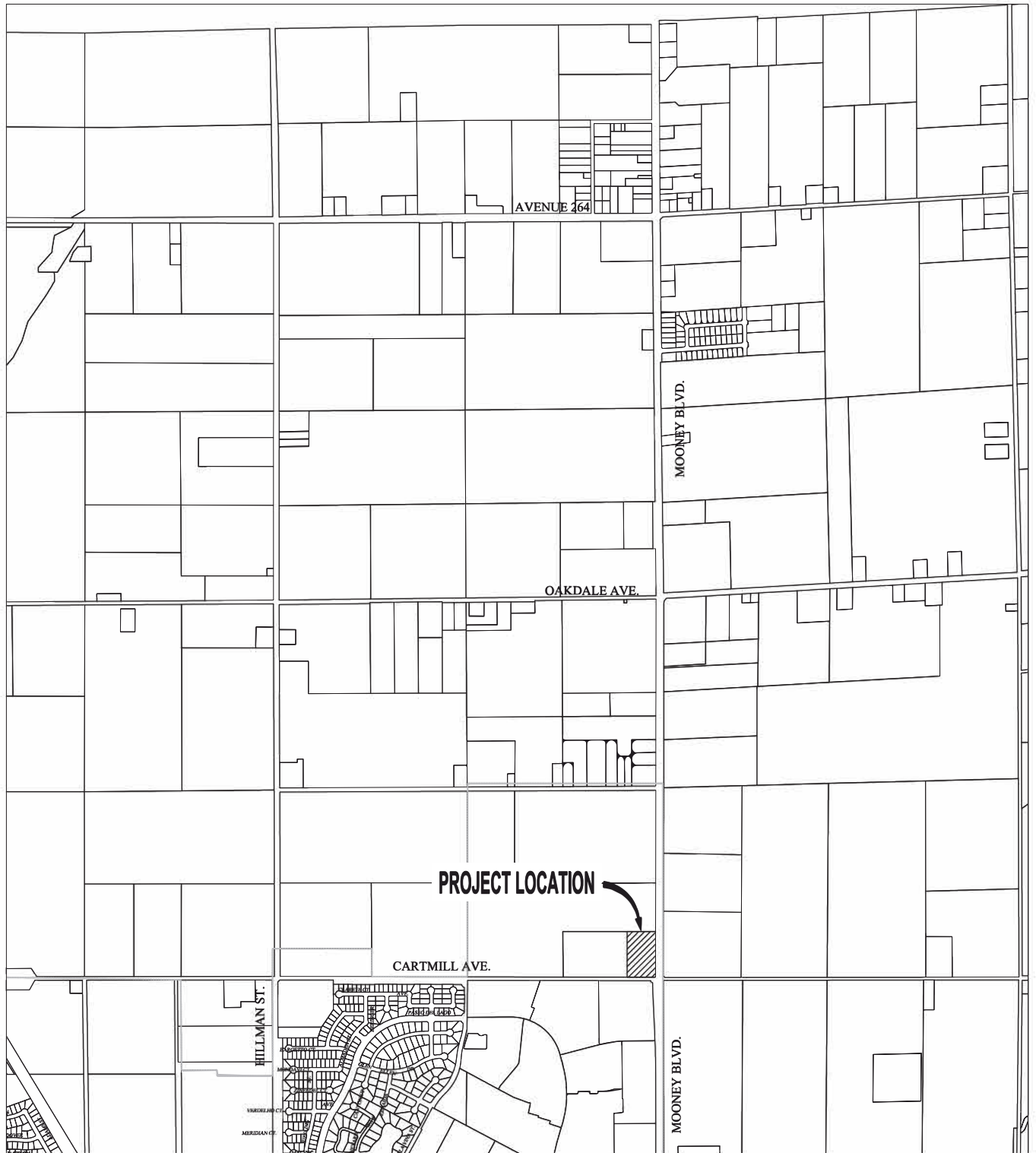
PETERS ENGINEERING GROUP



John Rowland, PE, TE



Attachments: Figures 1 and 2
TCAG Modeling Results



Kensington 3 Subdivision
Tulare, California

LEGEND

 PROJECT SITE

VICINITY MAP

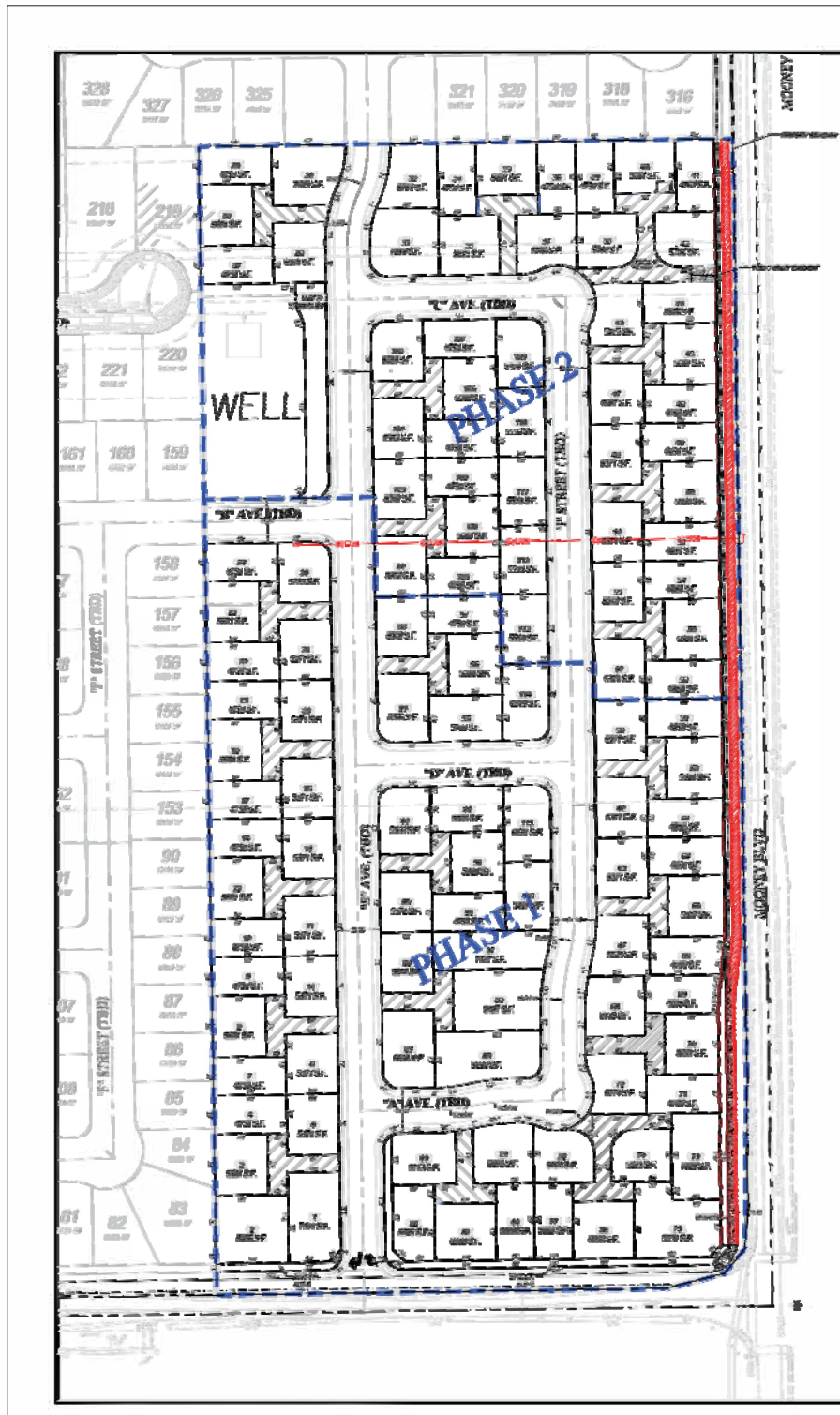


Not to Scale



PETERS ENGINEERING GROUP

Figure 1



LEGEND

PROJECT SITE

Kensington 3 Subdivision
Tulare, California

SITE PLAN



2018 HPMS VMT per capita

Jurisdiction	Daily VMT	DOF Population	VMT per capita
HPMS			
California	951,220,820	39,586,646	24.03
TCAG (Region)	10,897,670	472,915	23.04
TCAG Model			
TCAG (Region)	10,589,081	472,915	22.39
			VMT per capita

2018 TCAG Model Average Trip Distance

Home Based VMT										
Home to Work VMT										
Light duty vehicle trips										
	Vtrips		HBVtrips		HBWMT (Daily)		HBVtrips (Ave)		HBWMT (Daily)	
JURIS	VMT (Daily)	Vtrips (Ave)	VMT (Daily)	Vtrips (Ave)	VMT (Daily)	Vtrips (Ave)	VMT (Daily)	Vtrips (Ave)	VMT (Daily)	Vtrips (Ave)
Aurigh	661	14,546	21,99	12,213	560	12,213	171	2,736	16,03	8.44
Cutler	3,278	27,634	8.43		2,565	20,671	1,181	9,667	8.44	
Dinuba	27,630	207,933	7.53		19,195	146,991	6,186	40,108	6.48	
Ducor	937	13,077	13.95		803	11,086	341	4,690	13.76	
Earlmarst	5,943	98,842	16.63		3,445	52,664	1,445	21,797	14.84	
East Porterville	3,496	31,213	8.93		2,589	22,525	1,006	11,025	10.96	
Eater	14,557	173,895	11.95		10,604	126,337	11,91	42,214	13.14	
Farmer-Galloway	10,971	120,549	10.99		8,217	90,897	11,06	33,643	12.29	
Farmer-Galloway	45,044	1,619,504	33.51		33,551	1,160,736	34,80	445,500	35.17	
Goshen	3,307	34,764	10.51		2,248	22,626	1,007	10,617	11.46	
Twainee	3,876	46,243	11.91		2,248	33,932	1,136	12,20	12.77	
London	15,328	183,514	11.82		11,064	132,310	12,77	15,385	13.93	
London	1,324	13,827	11.82		1,084	11,158	1,176	43,377	10.88	
Oroqui	8,594	85,195	9.97		6,650	64,982	10,06	15,477	8.54	
Pader	3,586	62,225	17.35		2,325	34,421	14,81	1,831	16.05	
Porter Cotton Cen	1,285	16,981	13.21		991	12,794	12,91	894	14.65	
Porterville	90,019	741,013	8.23		62,543	534,603	8,54	18,257	8.52	
Strathmore	3,661	49,245	13.45		2,933	40,547	13,82	678	12.82	
Terra Bella	2,485	28,447	11.45		1,907	20,472	10,74	10,073	11.43	
Terra Rivers	4,601	60,112	13.06		3,470	42,572	12,27	1,337	22.888	
Tipton	2,364	35,097	14.85		1,709	24,889	14,56	11,857	16.20	
Trevel	503	7,527	14.97		352	4,920	13,98	732	11.93	
Tulare	96,898	923,167	17.0%	below regional average	66,096	648,027	9.80	21,164	259,625	11.32
Unincorporated	84,811	1,160,102	13.68		71,975	976,714	13,57	37,611	525,361	13.70
Wasilla	222,545	1,776,979	7.98		145,714	1,183,452	8.12	46,794	391,046	8.36
Woodlake	7,959	104,070	13.08		5,957	77,103	12,94	1,805	23,072	12.78
Woodville	1,081	16,040	14.83		790	11,330	11,34	317	4,959	15.64
Woolake Region	666,663	7,655,994	11.48	9.76 vmt reduction target	472,005	5,523,816	11.70	167,181	2,097,585	12.52
Tulare Pkz	Vtrips	VMT (Daily)	Vtrips (Ave)		HBVtrips	HBWMT (Daily)	HBVtrips (Ave)	HBWMT (Daily)	HBWMT (Daily)	HBWMT (Ave)
21151 GP No Project	490	4,434	9.04		143	1,215	8.51	15	151	10.17
21157 GP	1,467	13,650	9.31		722	6,557	9.08	153	1,473	9.66
21157 Kensington 3/4	173	1,576	9.09		173	1,576	9.09	69	734	10.70

Note: Tulare has an average trip distance 17.0% below the regional average of 11.48 miles per trip.

Variable	Description
HPMS	Highway Performance Monitoring System
DOF	Department of Finance
VTrips	Light Duty Vehicle Trips
VMT	Vehicle Miles Traveled
VTripOps	Average Light Duty Vehicle Trip Distance
HBVTrips	Home Based Light Duty Vehicle Trips
HBVTDist	Average Home Based Light Duty Vehicle Trip Distance
HWVTrips	Home to Work Light Duty Vehicle Trips
HWVTDist	Average Home to Work Light Duty Vehicle Trip Distance