

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

CITY OF LEMOORE LEMOORE FARM, LLC CANNABIS CULTIVATION



Comments must be received by: October 17, 2020 (30 days after notice)

SEPTEMBER 2020

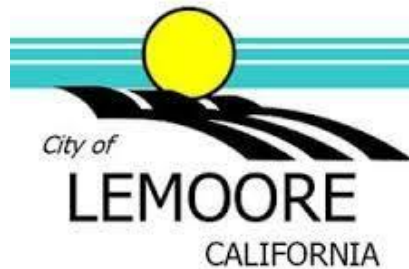


INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

LEMOORE FARM, LLC CANNABIS CULTIVATION

Prepared for:

City of Lemoore
711 West Cinnamon Drive
Lemoore, CA 93245
Contact Person: Judy Holwell, Community Development Director
Phone: (559) 924-6744



Consultant:



901 East Main Street
Visalia, CA 93292
Contact: Steve Brandt, AICP
Phone: (559) 733-0440

September 2020

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: _____

Lead Agency: _____ Contact Person: _____

Mailing Address: _____ Phone: _____

City: _____ Zip: _____ County: _____

Project Location: County: _____ City/Nearest Community: _____

Cross Streets: _____ Zip Code: _____

Longitude/Latitude (degrees, minutes and seconds): _____° _____' _____" N / _____° _____' _____" W Total Acres: _____

Assessor's Parcel No.: _____ Section: _____ Twp.: _____ Range: _____ Base: _____

Within 2 Miles: State Hwy #: _____ Waterways: _____

Airports: _____ Railways: _____ Schools: _____

Document Type:

CEQA: ☐ NOP	☐ Draft EIR	NEPA: ☐ NOI	Other: ☐ Joint Document
☐ Early Cons	☐ Supplement/Subsequent EIR	☐ EA	☐ Final Document
☐ Neg Dec	(Prior SCH No.) _____	☐ Draft EIS	☐ Other: _____
☐ Mit Neg Dec	Other: _____	☐ FONSI	_____

Local Action Type:

☐ General Plan Update	☐ Specific Plan	☐ Rezone	☐ Annexation
☐ General Plan Amendment	☐ Master Plan	☐ Prezone	☐ Redevelopment
☐ General Plan Element	☐ Planned Unit Development	☐ Use Permit	☐ Coastal Permit
☐ Community Plan	☐ Site Plan	☐ Land Division (Subdivision, etc.)	☐ Other: _____

Development Type:

☐ Residential: Units _____ Acres _____	☐ Transportation: Type _____
☐ Office: Sq.ft. _____ Acres _____ Employees _____	☐ Mining: Mineral _____
☐ Commercial: Sq.ft. _____ Acres _____ Employees _____	☐ Power: Type _____ MW _____
☐ Industrial: Sq.ft. _____ Acres _____ Employees _____	☐ Waste Treatment: Type _____ MGD _____
☐ Educational: _____	☐ Hazardous Waste: Type _____
☐ Recreational: _____	☐ Other: _____
☐ Water Facilities: Type _____ MGD _____	

Project Issues Discussed in Document:

☐ Aesthetic/Visual	☐ Fiscal	☐ Recreation/Parks	☐ Vegetation
☐ Agricultural Land	☐ Flood Plain/Flooding	☐ Schools/Universities	☐ Water Quality
☐ Air Quality	☐ Forest Land/Fire Hazard	☐ Septic Systems	☐ Water Supply/Groundwater
☐ Archeological/Historical	☐ Geologic/Seismic	☐ Sewer Capacity	☐ Wetland/Riparian
☐ Biological Resources	☐ Minerals	☐ Soil Erosion/Compaction/Grading	☐ Growth Inducement
☐ Coastal Zone	☐ Noise	☐ Solid Waste	☐ Land Use
☐ Drainage/Absorption	☐ Population/Housing Balance	☐ Toxic/Hazardous	☐ Cumulative Effects
☐ Economic/Jobs	☐ Public Services/Facilities	☐ Traffic/Circulation	☐ Other: _____

Present Land Use/Zoning/General Plan Designation:

Project Description: (please use a separate page if necessary)

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

☐ Air Resources Board	☐ Office of Historic Preservation
☐ Boating & Waterways, Department of	☐ Office of Public School Construction
☐ California Emergency Management Agency	☐ Parks & Recreation, Department of
☐ California Highway Patrol	☐ Pesticide Regulation, Department of
☐ Caltrans District # _____	☐ Public Utilities Commission
☐ Caltrans Division of Aeronautics	☐ Regional WQCB # _____
☐ Caltrans Planning	☐ Resources Agency
☐ Central Valley Flood Protection Board	☐ Resources Recycling and Recovery, Department of
☐ Coachella Valley Mtns. Conservancy	☐ S.F. Bay Conservation & Development Comm.
☐ Coastal Commission	☐ San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
☐ Colorado River Board	☐ San Joaquin River Conservancy
☐ Conservation, Department of	☐ Santa Monica Mtns. Conservancy
☐ Corrections, Department of	☐ State Lands Commission
☐ Delta Protection Commission	☐ SWRCB: Clean Water Grants
☐ Education, Department of	☐ SWRCB: Water Quality
☐ Energy Commission	☐ SWRCB: Water Rights
☐ Fish & Game Region # _____	☐ Tahoe Regional Planning Agency
☐ Food & Agriculture, Department of	☐ Toxic Substances Control, Department of
☐ Forestry and Fire Protection, Department of	☐ Water Resources, Department of
☐ General Services, Department of	
☐ Health Services, Department of	☐ Other: _____
☐ Housing & Community Development	☐ Other: _____
☐ Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date _____ Ending Date _____

Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Contact: _____	Phone: _____
Phone: _____	

Signature of Lead Agency Representative: _____ /S/ Date: _____

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

NOTICE OF INTENT TO ADOPT MITIGATED NEGATIVE DECLARATION

This is to advise that the City of Lemoore has prepared a Mitigated Negative Declaration for the project identified below that is scheduled to be considered at the City Council's regular meeting on October 20, 2020. The meeting will be held at 7:30 p.m. at the Lemoore Council Chambers, 429 C Street, Lemoore, CA.

Due to the current Shelter-in-Place Order covering the State of California and the Social Distance Guidelines issued by Federal, State, and Local Authorities, physical attendance by the public cannot be accommodated given the current circumstances and the need to ensure the health and safety of the City Council, City staff, and the public as a whole. All upcoming regular and special City Council meetings will **only be accessible online at www.Youtube.com/c/cityoflemoore** .

Project Title: Lemoore Farm, LLC Cannabis Cultivation Project

Project Location: The project site is located west of South 19th Avenue, north of Jackson Avenue, east of State Route (SR) 41, and south Idaho Avenue in the City of Lemoore, Kings County, CA. The project site is within Assessor's Parcel Numbers 024-080-068 and 024-080-070, totaling approximately 35 acres.

Project Description: The project consists of indoor cannabis cultivation on approximately 35 acres of previously disturbed land surrounded by properties with cultivated and uncultivated agricultural fields, as well as disturbed but undeveloped lands. The 35-acre project site is part of a 47-acre lease agreement between the City of Lemoore and the project applicant. The lease agreement includes an additional 12-acre parcel located just north of the project site and north of Idaho Avenue. However, no activity is being proposed on the 12-acre site at this time and any future uses will be subject to further environmental analysis under CEQA. The project requires a lease agreement between the City of Lemoore and the project applicant for cannabis cultivation activities on the proposed 35-acre project site and approval of a Project Development Agreement by the Lemoore City Council. The project site has a City of Lemoore General Plan land use designation of Light Industrial and is within the ML (Light Industrial) zone district, which allows for the indoor cultivation of cannabis (Lemoore Municipal Code 4-8-4.A.1). The project also requires all the necessary cannabis-related permits issued by the State of California. As proposed, the project proposes to conduct indoor cannabis cultivation within steel hoop houses and includes a cargo container that will have an office area, house the computerized irrigation and security monitoring system, and stock tanks.

The document and documents referenced in the Initial Study/Mitigated Negative Declaration are available for review at the City of Lemoore Community Development Department at 711 West Cinnamon Drive, Lemoore, CA 93245. Persons wishing to review information on file must contact staff by phone at (559) 924-6744. Ext. 740 or by email at planning@lemoore.com to make arrangements. Due to the limits mandated by State law, mailed responses must be filed with the City Clerk's office, City of Lemoore, 711 W. Cinnamon Drive, Lemoore CA 92345 no later than October 18, 2020, at 5:00 p.m.

Persons having comments or concerns about the proposed project **must submit your public comments by e-mail to: planning@lemoore.com. In the subject line of the e-mail, please state your name and the item you are commenting on.** Persons unable to email comments may send them via USPS mail or other courier to City of Lemoore, Attn: Community Development Department, 711 W. Cinnamon Drive, Lemoore CA 93245. Mailed comments must be received by 5:00 p.m. the day of the meeting to be entered into record.

As mandated by the California Environmental Quality Act (CEQA), the public review period for this document is 30 days (CEQA Section 15073[b]). The public review period begins on September 18, 2020 and ends on October 18, 2020. For further information, please contact Judy Holwell at (599) 924-6744.

Published in Hanford Sentinel: September 18, 2020

Table of Contents

<i>Mitigated Negative Declaration.....</i>	<i>1</i>
<i>SECTION 1 - Introduction</i>	<i>1-1</i>
1.1 - Overview	1-1
1.2 - CEQA Requirements.....	1-1
1.3 - Impact Terminology.....	1-1
1.4 - Document Organization and Contents	1-2
1.5 - Incorporated by Reference	1-2
<i>SECTION 2 - Project Description.....</i>	<i>2-1</i>
2.1 - Introduction.....	2-1
2.2 - Project Location	2-1
2.3 - Surrounding Land Uses	2-1
2.4 - Proposed Project	2-1
<i>SECTION 3 - Evaluation of Environmental Impacts</i>	<i>3-1</i>
3.1 - Environmental Checklist and Discussion.....	3-1
3.2 - Environmental Factors Potentially Affected:	3-3
3.3 - Determination.....	3-3
3.4 - Evaluation of Environmental Impacts.....	3-5
3.4.1 - Aesthetics	3-7
3.4.2 - Agriculture and Forestry Resources.....	3-10
3.4.3 - Air Quality	3-15
3.4.4 - Biological Resources.....	3-22
3.4.5 - Cultural Resources	3-35
3.4.6 - Energy	3-38
3.4.7 - Geology and Soils	3-41
3.4.8 - Greenhouse Gas Emissions.....	3-49
3.4.9 - Hazards and Hazardous Materials.....	3-52
3.4.10 - Hydrology and Water Quality	3-57
3.4.11 - Land Use and Planning.....	3-65
3.4.12 - Mineral Resources	3-67
3.4.13 - Noise	3-70
3.4.14 - Population and Housing.....	3-74
3.4.15 - Public Services.....	3-76
3.4.16 - Recreation	3-82
3.4.17 - Transportation and Traffic.....	3-84
3.4.18 - Tribal Cultural Resources.....	3-88
3.4.19 - Utilities and Service Systems	3-91
3.4.20 - Wildfire	3-96
3.4.21 - Mandatory Findings of Significance	3-99

SECTION 4 - References..... 4-1

List of Figures

Figure 2-1 Regional Location	2-4
Figure 2-2 Project Site	2-5
Figure 2-3 Surrounding Planned Land Uses	2-6
Figure 3.4.2-1 Farmland Mapping and Monitoring Program (FMMP).....	3-13
Figure 3.4.2-2 Williamson Act Contracts.....	3-14
Figure 3.4.10-1 100-Year Floodplain	3-64
Figure 3.4.12-1 CalGEM	3-69

List of Tables

Table 3.4.3-1 GAMAQI Thresholds of Significance for Criteria Pollutants	3-16
Table 3.4.3-2 Small Project Analysis Level – Industrial Land Use Category	3-16
Table 3.4.4-1 List of Plant and Wildlife Species Observed within the Survey Area.....	3-24
Table 3.4.13-1 Different Levels of Groundborne Vibration	3-72
Table 3.4.15-1 Fire Service Existing and Future Demand	3-77
Table 3.4.15-2 Police Service Existing and Future Demand	3-78
Table 3.4.15-3 Student Generation Factors	3-79
Table 3.4.20-1 Existing Wildfire Hazards	3-97

List of Appendices

Appendix A: Native American Heritage Commission Letter

MITIGATED NEGATIVE DECLARATION

As Lead Agency under the California Environmental Quality Act (CEQA), the City of Lemoore reviewed the project described below to determine whether it could have a significant effect on the environment because of its development. In accordance with CEQA Guidelines Section 15382, “[s]ignificant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

Project Name

Lemoore Farm, LLC Cannabis Cultivation Project

Project Location

The project site is located west of South 19th Avenue, north of Jackson Avenue, east of State Route (SR) 41, and south Idaho Avenue in the City of Lemoore, Kings County, CA. The project site is within Assessor’s Parcel Numbers 024-080-068 and 024-080-070, totaling approximately 35 acres.

Project Description

The project consists of indoor cannabis cultivation on approximately 35 acres of previously disturbed land surrounded by properties with cultivated and uncultivated agricultural fields, as well as disturbed but undeveloped lands. The 35-acre project site is part of a 47-acre lease agreement between the City of Lemoore and the project applicant. The lease agreement includes an additional 12-acre parcel located just north of the project site. However, no activity is being proposed on the 12-acre site at this time and any future uses will be subject to further environmental analysis under CEQA. The project requires a lease agreement between the City of Lemoore and the project applicant for cannabis cultivation activities on the proposed 35-acre project site and approval of a Project Development Agreement by the Lemoore City Council. The project site has a City of Lemoore General Plan land use designation of Light Industrial and is within the ML (Light Industrial) zone district, which allows for the indoor cultivation of cannabis (Lemoore Municipal Code 4-8-4.A.1). The project also requires all the necessary cannabis-related permits issued by the State of California. As proposed, the project proposes to conduct indoor cannabis cultivation within steal hoop houses and includes a cargo container that will have an office area, house the computerized irrigation and security monitoring system, and stock tanks. Grow lights will be used during the winter months for additional light and may also be used during other seasons to supplement natural light when needed. A natural gas generator will be installed for backup electrical power. The project proposes to provide sanitary waste using portable toilets during farming activities.

Parking on an unpaved area would be provided onsite. The entire site will be surrounded with 8-foot chain link topped with three strands of barbed wire for security. Additional personnel will be on the site 24/7 to provide security.

Greenhouse cultivation combines natural sunlight with growing in a glass or plastic structure, which can control temperature, humidity, soil, air circulation, and light. While extensive supplemental lights are often used, greenhouse growing reduces the amount of electrical power used, in comparison to indoor grows. This type of growing also allows multiple grow cycles. However, grow lights would be used primarily in winter months to augment daylight. The project anticipates three crops per year.

The proposed project will cultivate in two ways: substrate cultivation and in-ground cultivation. The area where substrate cultivation will take place will be leveled and covered with a ground cover used to prevent weeds and maintain cleanliness. Subsequently, hoop houses will be installed; these hoop houses are greenhouse-like structure typically covered with polyethylene plastic film or shade cloth, depending of the time of year.

The cannabis plants would be grown in above-ground pots on top of the ground cover. A computerized irrigation system would be installed to supply drip irrigation to each of the pots. The system would consist of a computer housed inside a metal cargo container that would monitor the water's electrical conductivity (EC) and pH levels and supply fertilizer from stock tanks staged adjacent to the cargo container to the desired levels for the plants. The project would have one auto-flower (day neutral) planting done earlier in the spring; plants would be harvested approximately 90 days later. After the auto-flower planting, a full-term plant would be planted in July and grown throughout the summer to be harvested in the fall (approximately in October).

For inground cultivation, a soil sample would be taken across the property to determine soil characteristics such as pH and nutrient levels in order to amend the soil prior to planting, if necessary. This would also help determine if there is any contamination from heavy metals in any area of the field. Based on the results from the soil sample, groundwork would be done to improve and work the soil for planting. Plastic bed mulch would be laid over the beds to maintain ideal soil moisture and temperatures, and to reduce weed growth. The irrigation system would be extended from the existing water supply to help monitor and control fertility and pH levels to the plants.

Traffic during construction of the proposed facility would be minimal. It is anticipated that the construction of the hoop houses and installation of the container that will house the computer system will take approximately three to four months and approximately 15 staff onsite.

Once operational, the facility would be staffed with between 6-8 people daily, who will perform routine plant maintenance activities. Daily traffic during these times would be minimal, with staff arriving and leaving work between 6:00 a.m. and 6:00 p.m. During planting and harvesting, additional employees are needed; a crew of 20-30 employees would be onsite during the same time period. Harvest and planting would occur twice a year and

last about a week each time. This activity would be consistent with other agricultural activities. Truck deliveries of various project-related materials would occur throughout the year. It is anticipated that truck deliveries would be monthly, roughly 10-12 times per year.

Mailing Address of Contact Person

Valnette Garcia
Lemoore Farm, LLC
990 Huston Street
Grover Beach, CA 93433

Findings

As Lead Agency, the City finds that the project will not have a significant effect on the environment. The Initial Study (IS) (see *Section 3 - Environmental Checklist*) identified one or more potentially significant effects on the environment, but revisions to the project have been made before the release of this Mitigated Negative Declaration (MND) or mitigation measures would be implemented that reduce all potentially significant impacts to less-than-significant levels. The City further finds that there is no substantial evidence that this project would have a significant effect on the environment.

Mitigation Measures Included in the Project to Avoid Potentially Significant Effects

MM BIO-1: Prior to initial ground disturbing activities, a qualified wildlife biologist shall conduct a biological clearance survey 14-30 calendar days prior to the onset of construction. The clearance survey shall include walking transects to identify presence of San Joaquin kit fox or diagnostic signs of that species (e.g., dens, tracks, prey remains), and other special-status species or protected species including but not limited to Western burrowing owl, Swainson's hawk, etc. A report outlining the results of the survey shall be submitted to the Lead Agency.

If a known, active, or natal kit fox den is discovered during the clearance survey, the appropriate buffers shall be established using fencing or flagging as follows: (1) at least 50 feet around potential or atypical (any manmade structure such as pipes, culverts, and diggings below concrete slabs, that may be occupied by San Joaquin kit fox) den(s) and (2) at least 100 feet around known den(s). The United States Fish and Wildlife Service (USFWS) must be contacted for further guidance if a natal den is discovered. Buffer zones shall be considered Environmentally Sensitive Areas (ESAs) and no ground disturbing activities shall be allowed within a buffer area. The USFWS and California Department of Fish and Wildlife (CDFW) shall be contacted upon the discovery of any natal or pupping dens.

Potential kit fox dens may be excavated provided that the following conditions are satisfied: (1) the den has been monitored for at least five consecutive days and is deemed unoccupied by a qualified biologist; (2) the excavation is conducted by or under the direct supervision of a qualified biologist. Den monitoring and excavation should be conducted in accordance

with the *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* (United States Fish and Wildlife Service, 2011).

MM BIO-2: Prior to ground disturbance activities, or within one week of being deployed at the project site for newly hired workers, all construction workers at the project site shall attend a Construction Worker Environmental Awareness Training and Education Program, developed and presented by a qualified biologist.

The Construction Worker Environmental Awareness Training and Education Program shall be presented by the biologist and shall include information on the life history wildlife and plant species that may be encountered during construction activities, their legal protections, the definition of “take” under the Endangered Species Act, measures the project operator is implementing to protect the species, reporting requirements, specific measures that each worker must employ to avoid take of the species, and penalties for violation of the Act. Identification and information regarding special-status or other sensitive species with the potential to occur on the project site shall also be provided to construction personnel. The program shall include:

- An acknowledgement form signed by each worker indicating that environmental training has been completed.
- A copy of the training transcript and/or training video/CD, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgement forms shall be maintain onsite for the duration of construction activities.

MM BIO-3: If all project activities are completed outside of the Swainson’s hawk nesting season (February 15 through August 31), this mitigation measure may be disregarded. If no Swainson’s hawk nests are found, no further action is required.

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). 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 the following visits be made to each nest or nesting site: one visit during January 1–March 20 to identify potential nest sites, three visits during March 20–April 5, three visits during April 5–April 20, and three visits during June 10–July 30. A fewer number of visits may be permissible if deemed adequate by the City after consultation with a qualified biologist. 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.

MM BIO-4: A qualified biologist shall conduct a pre-construction survey on the project site and within 500 feet of its perimeter, where feasible, to identify the presence of the western burrowing owl. The survey shall be conducted between 14 and 30 days prior to the start of construction activities. If any burrowing owl burrows are observed during the preconstruction survey, avoidance measures shall be consistent with those included in the CDFW staff report on burrowing owl mitigation (CDFG 2012). If occupied burrowing owl burrows are observed outside of the breeding season (September 1 through January 31) and within 250 feet of proposed construction activities, a passive relocation effort may be instituted in accordance with the guidelines established by the California Burrowing Owl Consortium (1993) and the California Department of Fish and Wildlife (2012). During the breeding season (February 1 through August 31), a 200-meter (minimum) buffer zone should be maintained unless a qualified biologist verifies through noninvasive methods that either 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.

In addition, impacts to nest sites shall be avoided in accordance with the following table unless a qualified biologist approved by the Lead Agency verifies through noninvasive methods that either: (1) the birds have not begun egg laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

MM BIO-5: If construction is planned outside the nesting period for raptors (other than the western burrowing owl) and migratory birds (February 15 to August 31), no mitigation shall be required. If construction is planned during the nesting season for migratory birds and raptors, a preconstruction survey to identify active bird nests shall be conducted by a qualified biologist to evaluate the site and a 250-foot buffer for migratory birds and a 500-foot buffer for raptors. If nesting birds are identified during the survey, active raptor nests shall be avoided by 500 feet and all other migratory bird nests shall be avoided by 250 feet. Avoidance buffers may be reduced if a qualified onsite monitor determines that encroachment into the buffer area is not affecting nest building, the rearing of young, or otherwise affecting the breeding behaviors of the resident birds. Because nesting birds can establish new nests or produce a second or even third clutch at any time during the nesting season, nesting bird surveys shall be repeated every 30 days as construction activities are occurring throughout the nesting season.

No construction or earth-moving activity shall occur within a non-disturbance buffer until it is determined by a qualified biologist that the young have fledged (left the nest) and have

attained sufficient flight skills to avoid project construction areas. Once the migratory birds or raptors have completed nesting and young have fledged, disturbance buffers will no longer be needed and can be removed, and monitoring can cease.

MM BIO-6: During all construction-related activities, the following mitigation shall apply:

- a. 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 the construction or project site.
- b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds should not exceed 20 miles per hour (mph) within the project site.
- c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than two feet deep at the close of each workday with plywood or similar materials. If holes or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks shall be installed in the trench. Before such holes or trenches are filled, the contractor shall thoroughly inspect them for entrapped animals. All construction-related pipes, culverts, or similar structures with a diameter of four-inches or greater that are stored on the project site shall be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in anyway. If at any time an entrapped or injured kit fox is discovered, work in the immediate area shall be temporarily halted and USFWS and CDFW shall be consulted.
- d. 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 four-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 the individual is allowed to escape on its own. 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.
- e. No pets, such as dogs or cats, shall be permitted on the project sites to prevent harassment, mortality of kit foxes, or destruction of dens.
- f. Use of anti-coagulant 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 the USFWS and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.

- g. A representative shall be appointed by the project proponent 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 the USFWS.
- h. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to 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 USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact can be reached at -(559) 243-4014 and R4CESA@wildlifeca.gov.
- i. All sightings of the San Joaquin kit fox shall be reported to the California Natural Diversity Database (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 the Service at the address below.
- j. Any project-related information required by the USFWS or questions concerning the above conditions, or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at: Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone (916) 414-6620 or (916) 414-6600.
- k. If burrowing owl are found to occupy the project site and avoidance is not possible, burrow exclusion may be conducted by qualified biologists only during the nonbreeding season, before breeding behavior is exhibited, and after the burrow is confirmed empty through noninvasive methods (surveillance). Replacement or occupied burrows shall consist of artificial burrows at a ratio of 1 burrow collapsed to 1 artificial burrow constructed (1:1). Ongoing surveillance of the project site during construction activities shall occur at a rate sufficient to detect Burrowing owl, if they return.

MM CUL-1: Prior to any ground disturbance, a surface inspection of the site shall be conducted by a Tribal Monitor. The Tribal Cultural Staff shall monitor the site during grading activities. The Tribal Cultural Staff shall provide preconstruction briefings to supervisory personnel and any excavation contractor, which will include information on potential cultural material finds and, on the procedures, to be enacted if resources are found. Prior to any ground disturbance, the applicant shall offer the Santa Rosa Rancheria Tachi Yokut Tribe the opportunity to provide a Native American Monitor during ground-disturbing activities during both construction and decommissioning. Tribal participation would be dependent upon the availability and interest of the tribe.

MM CUL-2: In the event that historical or archaeological cultural resources are discovered during construction or decommissioning, operations shall stop within 100 feet of the find, and a qualified archeologist shall determine whether the resource requires further study. The qualified archaeologist shall determine the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and

evaluation of the finds in accordance with §15064.5 of the CEQA Guidelines. Measures may include avoidance, preservation in-place, recordation, additional archaeological testing, and data recovery, among other options. Any previously undiscovered resources found during construction within the project area shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance. No further ground disturbance shall occur in the immediate vicinity of the discovery until approved by the qualified archaeologist.

The Lead Agency along with other relevant or tribal officials, shall be contacted upon the discovery of cultural resources to begin coordination on the disposition of the find(s). Treatment of any significant cultural resources shall be undertaken with the approval of the Lead Agency.

MM CUL-3: Upon coordination with the Lead Agency, any archaeological artifacts recovered shall be donated to an appropriate tribal custodian or a qualified scientific institution where they would be afforded applicable cultural resources laws and guidelines.

MM CUL-4: If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the County Coroner.

MM GEO-1: If any paleontological resources are encountered during ground-disturbance activities, all work within 25 feet of the find shall halt until a qualified paleontologist as defined by the Society of Vertebrate Paleontology Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources (2010), can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the Natural History Museum of Los Angeles County or other appropriate facility regarding any discoveries of paleontological resources.

If the qualified paleontologist determines that the discovery represents a potentially significant paleontological resource, additional investigations and fossil recovery may be required to mitigate adverse impacts from project implementation. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, they shall be avoided to ensure no adverse effects, or such effects must be mitigated. Construction in that area shall not resume until the resource appropriate measures are recommended or the materials are determined to be less than significant. If the resource is significant and fossil recovery is the identified form of treatment, then the fossil shall be deposited in an

accredited and permanent scientific institution. Copies of all correspondence and reports shall be submitted to the Lead Agency.

MM HYD-1: Prior to issuing of grading or building permits, the project applicant shall submit to the City: (1) the approved Stormwater Pollution Prevention Plan (SWPPP) and (2) the Notice of Intent (NOI) to comply with the General National Pollutant Discharge Elimination System (NPDES) from the Central Valley Regional Water Quality Control Board. The requirements of the SWPPP and NPDES shall be incorporated into design specifications and construction contracts. Recommended Best Management Practices for the construction phase may include the following:

- Stockpiling and disposing of demolition debris, concrete, and soil properly;
- Protecting existing storm drain inlets and stabilizing disturbed areas;
- Implementing erosion controls;
- Properly managing construction materials;
- Managing waste, aggressively controlling litter, and implementing sediment controls; and
- Evidence of the approved SWPPP shall be submitted to the Lead Agency.

SECTION 1 - INTRODUCTION

1.1 - Overview

Valnette Garcia/Lemoore Farm, LLC has requested approval to establish a cannabis cultivation facility in temporary hoop house structures. Implementation of the project requires a lease agreement between the City of Lemoore and the project applicant for cannabis cultivation activities on the 35-acre site and approval of a Project Development Agreement by the Lemoore City Council. The project also requires all the necessary permits issued by the State of California.

1.2 - CEQA Requirements

The City of Lemoore is the Lead Agency for this project pursuant to the CEQA Guidelines (Public Resources Code Section 15000 et seq.). The Environmental Checklist (CEQA Guidelines Appendix G) or Initial Study (IS) (see *Section 3 – Initial Study*) provides analysis that examines the potential environmental effects of the construction and operation of the project. Section 15063 of the CEQA Guidelines requires the Lead Agency to prepare an IS to determine whether a discretionary project will have a significant effect on the environment. A Mitigated Negative Declaration (MND) is appropriate when an IS has been prepared and a determination can be made that no significant environmental effects will occur because revisions to the project have been made or mitigation measures will be implemented that reduce all potentially significant impacts to less-than-significant levels.

Based on the IS, the Lead Agency has determined that the environmental review for the proposed application can be completed with an MND.

1.3 - Impact Terminology

The following terminology is used to describe the level of significance of project environmental impacts.

- A finding of “no impact” is appropriate if the analysis concludes that the project would not affect a topic area in any way.
- An impact is considered “less than significant” if the analysis concludes that it would cause no substantial adverse change to the environment and requires no mitigation.
- An impact is considered “less than significant with mitigation incorporated” if the analysis concludes that it would cause no substantial adverse change to the environment with the inclusion of environmental commitments that have been agreed to by the proponent.
- An impact is considered “potentially significant” if the analysis concludes that it could have a substantial adverse effect on the environment.

1.4 - Document Organization and Contents

The content and format of this IS/MND is designed to meet the requirements of CEQA. The report contains the following sections:

- *Section 1 – Introduction:* This section provides an overview of CEQA requirements, intended uses of the IS/MND, document organization, and a list of regulations that have been incorporated by reference.
- *Section 2– Project Description:* This section describes the project and provides data on the site's location.
- *Section 3 – Environmental Checklist:* This section contains the evaluation of 21 different environmental resource factors contained in Appendix G of the CEQA Guidelines. Each environmental resource factor is analyzed to determine whether the proposed project would have an impact. One of four findings is made which include: no impact, less-than-significant impact, less than significant with mitigation, or significant and unavoidable. If the evaluation results in a finding of significant and unavoidable for any of the 21 environmental resource factors, then an Environmental Impact Report will be required.
- *Section 4 – References:* This section contains a full list of references that were used in the preparation of this IS/MND.

1.5 - Incorporated by Reference

The following documents and/or regulations are incorporated into this IS/MND by reference:

- City of Lemoore General Plan
- City of Lemoore Zoning Ordinance
- City of Lemoore Municipal Code
- City of Lemoore 2015 Urban Water Management Plan
- City of Lemoore Master Storm Drain Plan
- 2015 Kings County Emergency Operations Plan

SECTION 2 - PROJECT DESCRIPTION

2.1 - Introduction

Valnette Garcia/Lemoore Farm, LLC has requested approval to allow cannabis cultivation in temporary structures with a temporary fence. Implementation of the project requires a lease agreement between the City of Lemoore and the project applicant for cannabis cultivation activities on the 35-acre site and approval by the Lemoore City Council of a Project Development Agreement. The project also requires all the necessary permits issued by the State of California.

2.2 - Project Location

The proposed site is in Section 21, Township 19 South, Range 20 East, Mount Diablo Base and Meridian, within the incorporated City of Lemoore, County of Kings, California. The project site is located west of South 19th Avenue, north of Jackson Avenue, east of SR 41, and south of Idaho Avenue within Assessor's Parcel Numbers 024-080-068 and 024-080-070, which totals approximately 35 acres in area. The regional location is depicted on Figure 2-1 and the project site location is depicted on Figure 2-2.

2.3 - Surrounding Land Uses

The area surrounding the project site consists of vacant land to the north, vacant land to the east, agricultural uses to the south, and the Lemoore Raceway and BMX track to the west. Planned land uses and development surrounding the site are depicted on Figure 2-3.

2.4 - Proposed Project

The project consists of indoor cannabis cultivation on approximately 35 acres of previously disturbed land surrounded by properties with cultivated and uncultivated agricultural fields, as well as disturbed but undeveloped lands. The 35-acre project site is part of a 47-acre lease agreement between the City of Lemoore and the project applicant. The lease agreement includes an additional 12-acre parcel located just north of the project site. However, no activity is been proposed on the 12-acre site at this time and any future uses will be subject to further environmental analysis under CEQA. The project requires a lease agreement between the City of Lemoore and the project applicant for cannabis cultivation activities on the proposed 35-acre project site and approval of a Project Development Agreement by the Lemoore City Council. The project site has a City of Lemoore General Plan land use designation of Light Industrial and is within the ML (Light Industrial) zone district, which allows for the indoor cultivation of cannabis (Lemoore Municipal Code 4-8-4.A.1). The project also requires all the necessary cannabis-related permits issued by the State of California.

As proposed, the project proposes to conduct indoor cannabis cultivation within steel hoop houses and includes a cargo container that will have an office area, house the computerized irrigation and security monitoring system and stock tanks. Grow lights will be used during

the winter months and other months as needed for additional light. A natural gas generator will be installed for backup electrical power. The project proposes to provide sanitary waste using portable toilets during farming activities.

Parking on an unpaved area would be provided onsite. The entire site will be surrounded with 8-foot chain link topped with three strands of barbed wire for security. Additional personnel will be on the site 24/7 to provide security.

Greenhouse cultivation combines natural sunlight with growing in a glass or plastic structure, which can control temperature, humidity, soil, air circulation, and light. While extensive supplemental lights are often used, greenhouse growing reduces the amount of electrical power used, in comparison to indoor grows. This type of growing also allows multiple grow cycles. However, grow lights would be used in winter months to augment daylight and other months when additional lighting may be needed. The project anticipates three crops per year.

The proposed project will cultivate in two ways: substrate cultivation and in-ground cultivation. The area where substrate cultivation will take place will be leveled and covered with a ground cover used to prevent weeds and maintain cleanliness. Subsequently, hoop houses will be installed; these hoop houses are greenhouse-like structure typically covered with polyethylene plastic film or shade cloth, depending of the time of year.

The cannabis plants would be grown in above-ground pots on top of the ground cover. A computerized irrigation system would be installed to supply drip irrigation to each of the pots. The system would consist of a computer housed inside a metal cargo container that would monitor the water's electrical conductivity (EC) and pH levels and supply fertilizer from stock tanks staged adjacent to the cargo container to the desired levels for the plants. The project would have one auto-flower (day neutral) planting done earlier in the spring; plants would be harvested approximately 90 days later. After the auto-flower planting, a full-term plant would be planted in July and grown throughout the summer to be harvested in the fall (approximately in October). Additionally, an inground cultivation would take place on site, with a total of three crops per year.

For inground cultivation, a soil sample would be taken across the property to determine soil characteristics such as pH and nutrient levels in order to amend the soil prior to planting, if necessary. This would also help determine if there is any contamination from heavy metals in any area of the field. Based on the results from the soil sample, groundwork would be done to improve and work the soil for planting. Plastic bed mulch would be laid over the beds to maintain ideal soil moisture and temperatures, and to reduce weed growth. The irrigation system would be extended from the existing water supply to help monitor and control fertility and pH levels to the plants.

Traffic during construction of the proposed facility would be minimal. It is anticipated that the construction of the hoop houses and installation of the container that will house the computer system will take approximately three to four months and approximately 15 staff onsite.

Once operational, the facility would be staffed with between 6-8 people daily, who will perform routine plant maintenance activities. Daily traffic during these times would be minimal, with staff arriving and leaving work between 6:00 a.m. and 6:00 p.m. During planting and harvesting, additional employees are needed; a crew of 20-30 employees would be onsite during the same time period. Harvest and planting would occur twice a year and last about a week each time. This activity would be consistent with other agricultural activities. Truck deliveries of various project-related materials would occur throughout the year. It is anticipated that truck deliveries would be monthly, roughly 10-12 times per year.





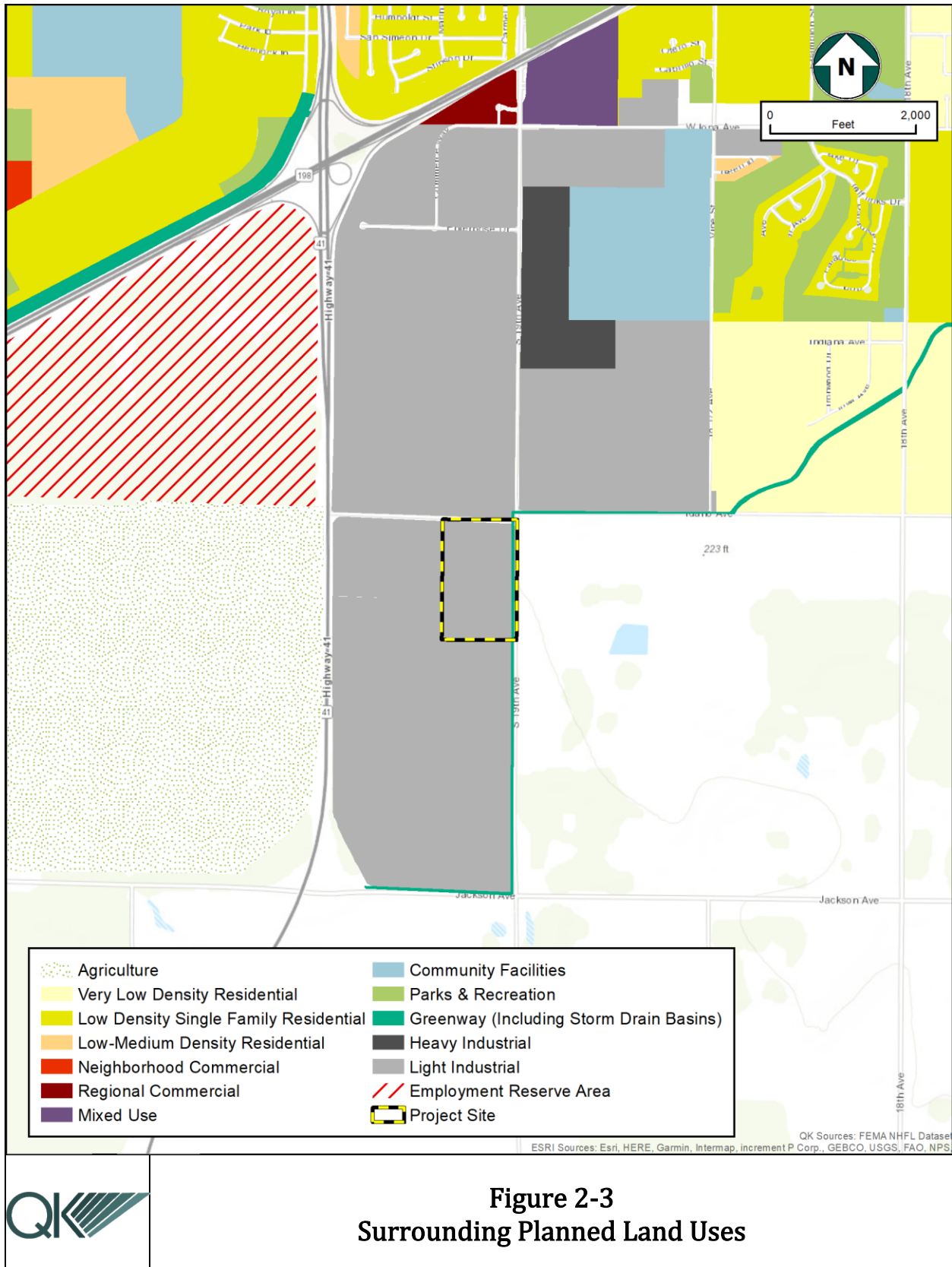


Figure 2-3
Surrounding Planned Land Uses

SECTION 3 - EVALUATION OF ENVIRONMENTAL IMPACTS

3.1 - Environmental Checklist and Discussion

1. Project Title:

Cannabis Cultivation Project

2. Lead Agency Name and Address:

City of Lemoore
711 W. Cinnamon Drive
Lemoore, CA 93245

3. Contact Person and Phone Number:

Judy Holwell, Community Development Director
(559) 924-6744

4. Project Location:

The project site is located west of South 19th Avenue, north of Jackson Avenue, east of State Route 41 and south of Idaho Avenue in the City of Lemoore, Kings County, CA. The project site is within Accessor's Parcel Numbers 024-080-068 and 024-080-070, totaling approximately 35 acres.

5. Project Sponsor's Name and Address:

Valnette Garcia
Lemoore Farm, LLC
990 Huston Street
Grover Beach, CA 93433

6. General Plan Designation:

Light Industrial

7. Zoning:

ML (Light Industrial)

8. Description of Project:

See Section 2.4 – Proposed Project.

9. Surrounding Land Uses and Setting:

See *Section 2.3 – Surrounding Land Uses* and Figure 2-3.

10. Other Public Agencies Whose Approval May be Required:

- San Joaquin Valley Air Pollution Control District (SJVAPCD)
- Regional Water Quality Control Board – Central Valley (RWQCB)
- State Water Resource Control Board (SWRCB)
- State Bureau of Cannabis Control
- California Department of Fish and Wildlife- Cannabis Cultivation Permitting
- CalCannabis Cultivation Licensing- a division of the California Department of Food and Agriculture
- Manufactured Cannabis Safety Branch- a division of the California Department of Public Health

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, has consultation begun?

On September 2, 2020, the City of Lemoore Planning Department, acting as the CEQA Lead Agency informed the Santa Rosa Rancheria Tachi Yokut Tribe in writing of the project and its location. as of the dated of this document's release, they have not responded. Responses received will be incorporated as mitigation measures.

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code Section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code Section 21082.3(c) contains provisions specific to confidentiality.

3.2 - 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.

- | | | |
|---|---|---|
| ☐ Aesthetics | ☐ Agriculture and Forest Resources | ☐ Air Quality |
| ☐ Biological Resources | ☐ Cultural Resources | ☐ Geology/Soils |
| ☐ Greenhouse Gas Emissions | ☐ Hazards & Hazardous Materials | ☐ Hydrology/Water Quality |
| ☐ Land Use/Planning | ☐ Mineral Resources | ☐ Noise |
| ☐ Population/Housing | ☐ Public Services | ☐ Recreation |
| ☐ Transportation/Traffic | ☐ Utilities/Service Systems | ☐ Findings of Significance |

3.3 - Determination

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 (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENT IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable

standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

< Judy Holwell >

Judy Holwell, Community Development Director

Date

3.4 - 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 referenced 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 offsite as well as onsite, 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; and
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the 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.

7. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significant.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
--	--------------------------------------	--	-------------------------------------	--------------

3.4.1 - AESTHETICS

Would the project:

a.	Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	☐	☐	☐	☒
c.	In nonurbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d.	Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion

Impact #3.4.1a – Would the project have a substantial adverse effect on a scenic vista?

As seen in Figure 2-1, the project site consists of heavily disturbed, undeveloped land that is surrounded by undeveloped land to the north and east, agricultural uses to the south, and a BMX track to the west.

The City of Lemoore 2030 General Plan Community Design Element requires that scenic vistas to the Coalinga Mountains, other natural features, and landmark buildings be maintained. (City of Lemoore, 2008)

There are no natural features or landmark buildings within the vicinity of the project site, nor would it impede views to the Coalinga Mountains. The project is not located in an area that would result in substantial adverse effects on any scenic vistas. The project would have no impact to a scenic vista.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.1b – Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

There are no listed State scenic highways within or near the City of Lemoore, nor are there scenic highways in Kings County (California Department of Transportation, 2020). The closest eligible scenic highway is SR 198, west of Interstate (1)-5, which is approximately 49.5 miles west of the project site. The project would have no impact to a State scenic highway.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.1c – In nonurbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The overall visual character of the site itself would change, as the currently undeveloped land would be improved with agricultural uses. However, the proposed project would be similar in visual appearance to the existing agricultural and nonagricultural uses that surround the project site.

The project does not require a General Plan Amendment or Zone Change, as the project is consistent with the zoning and land use designations. Cannabis cultivation is allowed in the ML zone district (Lemoore Municipal Code 4-8-4. A.1). Development of the project will be approved in compliance with the City's Municipal Code and development standards. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.1d – Would the project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Construction of the proposed project would be temporary and generally occur during daytime hours, typically from 7:00 a.m. to 6:00 p.m. All outside lighting would be directed downward and shielded to focus illumination on the desired work areas only and prevent light spillage onto adjacent properties. Because lighting used to illuminate work areas would be shielded and focused downward, the potential for lighting to affect any adjacent properties adversely is minimal.

Increased truck traffic and the transport of construction materials to the project site would be minimal. Construction activity would focus on specific areas on the sites, and any sources of glare would not be stationary for a prolonged period. Therefore, construction of the proposed project would not create a new source of substantial glare that would affect daytime views in the area.

Once operational, grow lights would be maintained within the covered hoop houses, and would not be visible to the surrounding properties. Outdoor security lighting would be on motion detectors, and would be shielded and focused downward, the potential for lighting to affect any adjacent properties adversely is minimal.

The proposed development would also comply with all lighting standards established in the City's 2030 General Plan Community Design Element, and Zoning Ordinance (Title 9, Chapter 5, Article B, Section 4), therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
--------------------------------------	--	-------------------------------------	--------------

3.4.2 - AGRICULTURE AND FORESTRY 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 Forest Protocols adopted by the California Air Resources Board. Would the project:

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 nonagricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Discussion

Impact #3.4.2a – 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 nonagricultural use?

The proposed project will not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Figure 3.4.2-1). According to the Department of Conservation's

Farmland Mapping and Monitoring Program (FMMP), the project site is classified as “Vacant or Disturbed Land” and “Grazing Land” (CA Department of Conservation, 2016) The project site is surrounded by “Farm Land of Statewide Importance,” however, the project will not impact these properties.

The site also is not currently used for farming and is not zoned for agricultural use. Considering these factors, the proposed project will have no impact on agricultural resources.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.2b – Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?

See Impact #3.4.2a response.

According to the City of Lemoore’s Zoning Ordinance, the project site has a Light Industrial land use designation and is currently zoned ML (Light Industrial). The project site is not subject to a Williamson Act contract and would not conflict with any current Williamson Act contracted land in the vicinity (see Figure 3.4.2-2). Therefore, the project will not conflict with existing zoning for agricultural use or a Williamson Act contract.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.2c – 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))?

The project site is zoned ML (Light Industrial) and will not require a Zone Change. According to the City of Lemoore Zoning Map, the project site and the surrounding areas are not zoned for forest land or timberland. The site will be improved with Light Industrial uses in compliance with existing zoning. The project will have no impact on land designated for forest land or timberland use.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.2d – Would the project result in the loss of forest land or conversion of forest land to non-forest use?

See discussion of Impact #3.4.2c, above.

The proposed project will have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.2e – Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?

See discussion of Impact #3.4.2c, above.

The proposed project will have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

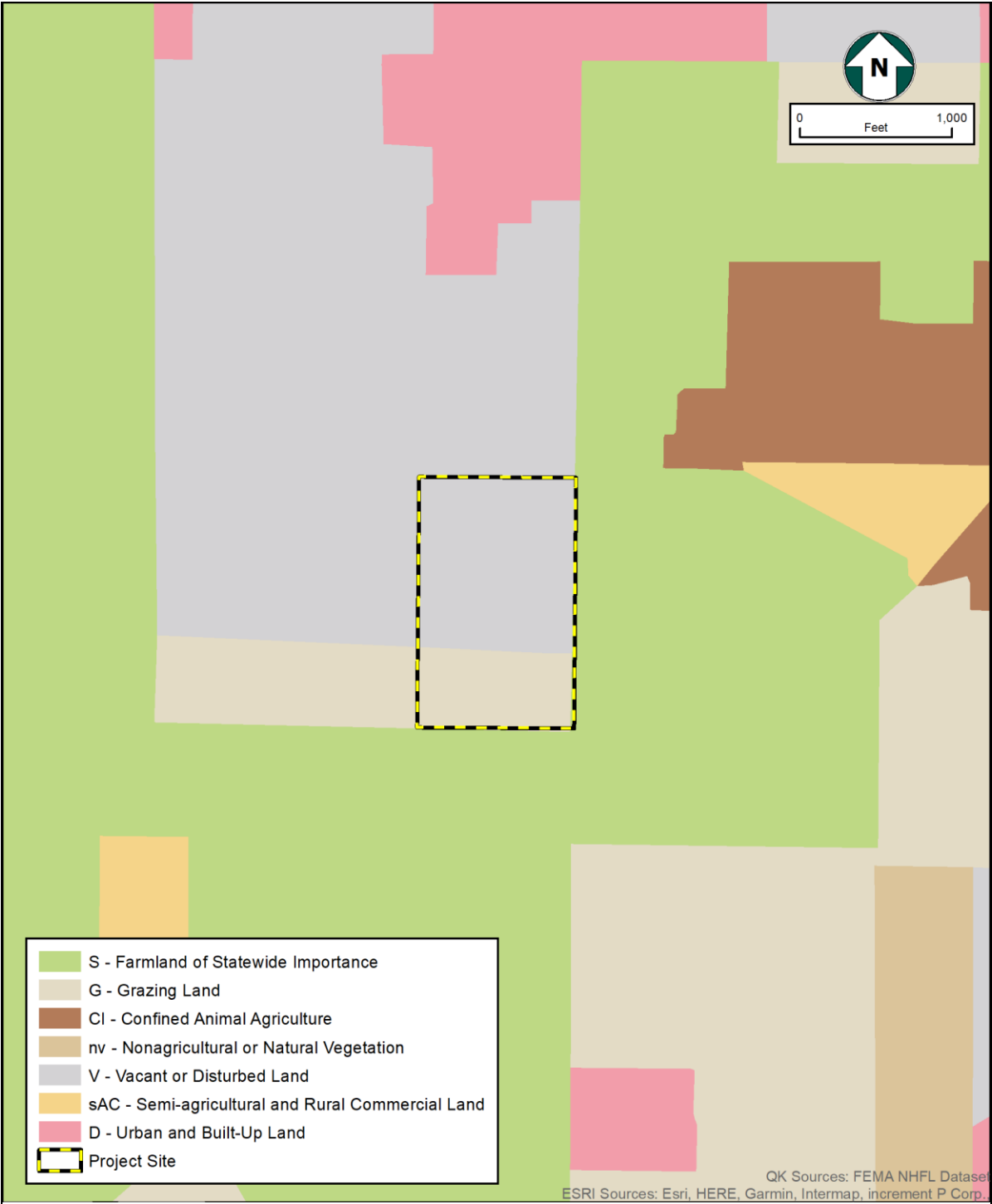


Figure 3.4.2-1
Farmland Mapping and Monitoring Program (FMMP)

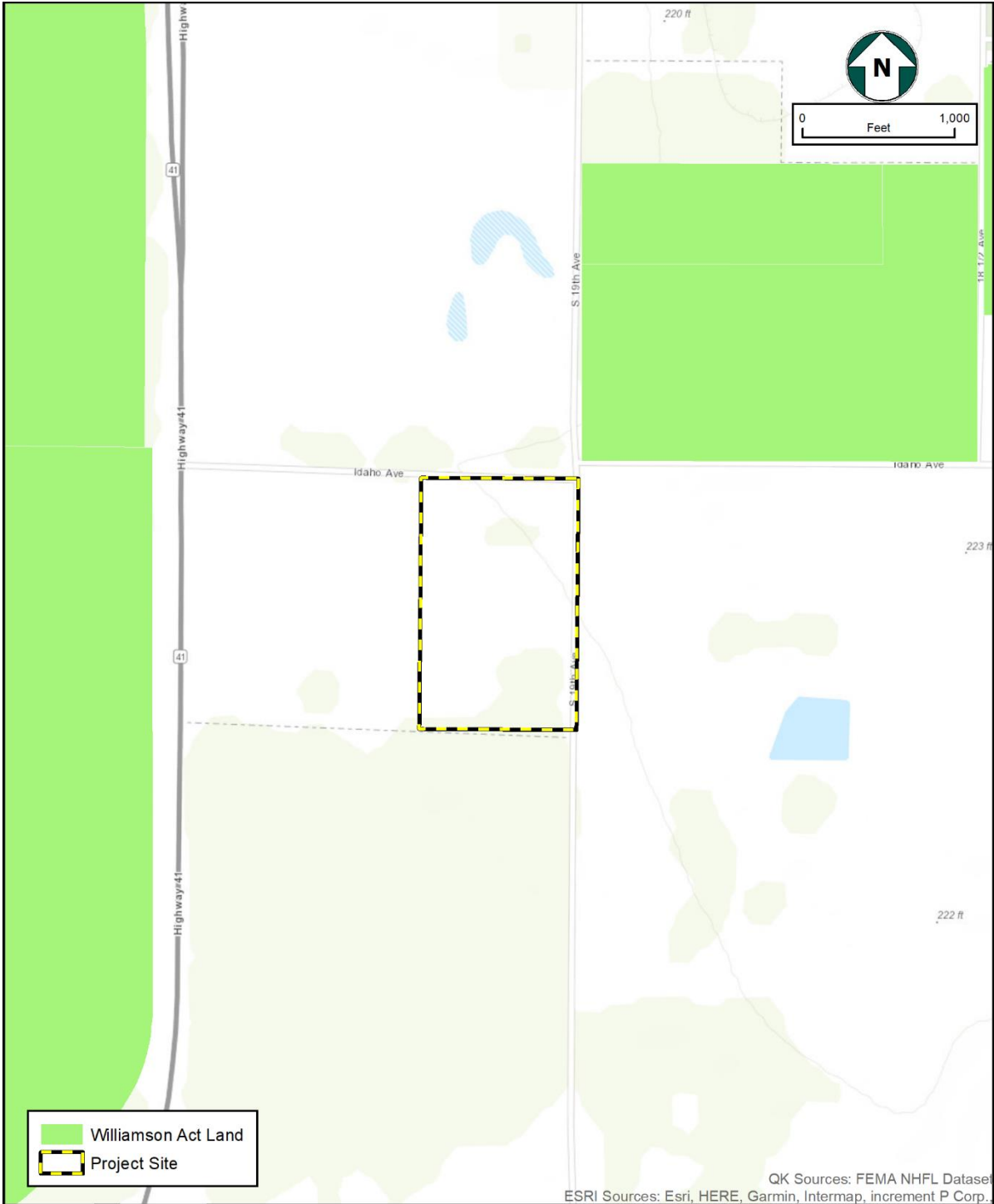


Figure 3.4.2-2
Williamson Act Contracts

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
--	--------------------------------------	--	-------------------------------------	--------------

3.4.3 - AIR QUALITY

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

a.	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?	☐	☐	☒	☐
c.	Expose sensitive receptors to substantial pollutant concentration?	☐	☐	☒	☐
d.	Result in other emissions (such as those leading to odor) adversely affecting a substantial number of people?	☐	☐	☒	☐

Discussion

Impact #3.4.3a – Would the project conflict with or obstruct implementation of the applicable air quality plan?

The project is located within the San Joaquin Valley Air Basin (SJVAB), which is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAB is designated nonattainment of State and federal health-based air quality standards for ozone and PM_{2.5}. The SJVAB is designated nonattainment of State PM₁₀. To meet Federal Clean Air Act (CAA) requirements, the SJVAPCD has multiple Air Quality Attainment Plan (AQAP) documents, including:

- 2016 Ozone Plan;
- 2007 PM₁₀ Maintenance Plan and Request for Redesignation; and
- 2016 PM_{2.5} Plan.

The SJVAPCD's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI) thresholds are designed to implement the general criteria for air quality emissions as required in the CEQA Guidelines, Appendix G, Paragraph III (Title 14 of the California Code of Regulations §15064.7) and CEQA (California Public Resources Code Sections 21000 et. al). SJVAPCD's specific CEQA air quality thresholds are presented in Table 3.4.3-1.

Table 3.4.3-1
GAMAQI Thresholds of Significance for Criteria Pollutants

Criteria Pollutant	Threshold (tons/year)
CO	100
ROG	10
NO _x	10
SO _x	27
PM ₁₀	15
PM _{2.5}	15

(San Joaquin Air Pollution Control District, 2015)

The project is to allow cannabis cultivation in temporary structures with a temporary fence and requires approval of a Project Development Agreement. The project site plan is approximately 35 acres in area, is zoned ML (Light Industrial) and it includes installation of steal hoop houses, an office, a cargo container, and stock tanks. The entire site will be surrounded with 8-foot chain link with privacy slats and three strands of barbed wire for security.

During construction, the proposed project would be subject to Regulation VIII (Fugitive PM₁₀ Prohibition) of the SJVAPCD. The purpose of Regulation VIII is to reduce ambient concentrations of fine particulate matter (PM₁₀) by requiring actions to prevent, reduce or mitigate anthropogenic fugitive dust emissions. Regulation VIII would require fugitive dust emission controls at the construction site such as water application, dust suppressants, reduced vehicle speeds on unpaved roads (SJVAPCD, 2017).

The SJVAPCD Small Project Analysis Level (SPAL) process established review parameters to determine whether a project qualifies as a “small project.” A project that is found to be “less than” the established SPAL review parameters, has “no possibility of exceeding criteria pollutant emissions thresholds.”

As shown in Table 3.4.3-2, the proposed project would not exceed the established SPAL limits for an industrial park project. The project site plan is 35 acres in area, is zoned ML (Light Industrial), and cannabis cultivation it includes installation of three hoop houses, an office, a cargo container and stock tanks. Based on the above information, this project qualifies for a limited air quality analysis applying the SPAL guidance to determine air quality impacts.

Table 3.4.3-2
Small Project Analysis Level – Industrial Land Use Category

Land Use Category - Industrial	Project Size
General Light Industry	510,000 sq. ft.
Heavy Industry	920,000 sq. ft.
Industrial Park	370,000 sq. ft.
Manufacturing	400,000 sq. ft.

Source: (SJVAPCD, 2017)

Construction and operation of the proposed project would not exceed any established SJVAPCD thresholds, therefore, implementation of the proposed project would not obstruct implementation of an air quality plan. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.3b – Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

The nonattainment pollutants for the SJVAPCD are ozone, PM₁₀ and PM_{2.5}. Therefore, the pollutants of concern for this impact are ozone precursors, and regional PM₁₀, and PM_{2.5}. As discussed above, the thresholds of significance used for determination of emission significance are shown in Table 3.4.3-1 above. The proposed project would create NO_x and PM₁₀ emissions during construction, which would contribute to the current nonattainment status of these pollutants within the SJVAB. As noted in Impact #3.4.3a, the project's emissions during temporary construction activities would not exceed thresholds.

Operation of the project would also create additional criteria pollutants, particularly as a result of increased mobile emissions in the project area. However, these impacts also would not exceed thresholds. Although the emissions from the proposed project may be under the SJVAPCD CEQA thresholds of 10 tons per year for NO_x and 15 tons per year for PM₁₀, CEQA and SJVAPCD's Rule 9510 require that all feasible and reasonable mitigation be applied to the proposed project to reduce air quality impacts from construction and operations.

The General Plan analyzed activities that disturb the soil, such as grading and excavation, infrastructure construction, building demolition, and a variety of construction activities. The General Plan also analyzed operational air quality impacts that would likely occur based on the various land use designations and possible resultant land uses that could occur during buildout of the City.

The General Plan EIR requires that all new development, such as the proposed project, be subject to Best Management Practices to reduce dust and other air pollutant emissions, as well as mandatory compliance with all applicable SJVAPCDs rules and regulations. These rules and regulations include, but are not limited to:

- Rule 2201 (New and Modified Station Source Review), Rule 4002 (National Emission Standards for Hazardous Air Pollutants),
- Regulation VIII (Fugitive PM₁₀ Prohibitions), and

- Rule 9510 (Indirect Source Review (ISR)).

The construction and operation of the proposed project would also be subject to SJVAPCD's Regulation VIII (Fugitive PM₁₀ Prohibitions). A natural gas backup generator would be required for the project. Because project construction at the project site would not result in significant emissions for which the SJVAPCD and surrounding air districts are in nonattainment, construction emissions would not result in a cumulatively considerable net increase. Further, as the proposed project would not result in significant operational emissions of criteria pollutants, the proposed project would not contribute to a long-term cumulative increase in criteria pollutants.

The project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Impacts would be less than significant.

In addition, as shown in Table 3.4.3-2, the proposed project would not exceed the established SPAL limits for an industrial park project. The project site plan is 35 acres in area, is zoned ML (Light Industrial), and includes cultivation of cannabis. Cultivation would occur in two different ways, some of the proposed cultivation methods do not required a lot of water. The project site plan is approximately 35 acres in area, is zoned ML (Light Industrial), it includes installation of three hoop houses, an office, a cargo container and stock tanks. Based on the above information, this project qualifies for a limited air quality analysis applying the SPAL guidance to determine air quality impacts.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.3c – Would the project expose sensitive receptors to substantial pollutant concentrations?

The CARB provides guidance for siting sensitive receptors near sources of Toxic Air Contaminants (TAC) emissions (California Air Resources Board, 2005). Sensitive receptors are defined as areas where young children, chronically ill individuals, the elderly, or people who are more sensitive than the general population reside. The following locations are where several sensitive receptors are likely to reside and be affected by substantial pollutant concentrations: schools, hospitals, nursing homes, and daycare centers. It is recommended that sources of air pollution be kept away from sensitive receptors, including recommendations for distances from certain land uses.

The project site is zoned for Light Industrial uses, and the area surrounding the project site consists of vacant land to the north, vacant land to the east, agricultural uses to the south, and the Lemoore Raceway and BMX track to the west. The PW Engvall Elementary School is

the closest sensitive receptor and is located 1.5 miles northeast of the project site. The school is separated from the site by State Route 198.

During construction of the project, construction activities and equipment may generate emission from construction equipment exhaust. These impacts are localized and temporary in nature and therefore are considered less than significant. The project would not expose sensitive receptors to substantial concentrations of localized PM₁₀, carbon monoxide, diesel particulate matter, hazardous air pollutants, or naturally occurring asbestos, as discussed below.

Hazardous Pollutants or Odors

The GAMAQI guidelines introduce two types of projects that should be assessed when considering hazardous air pollutants (HAPs) which includes: (1) placing a toxic land use in an area where it may have an adverse health impact on an existing sensitive land use and (2) placing a sensitive land use in an area where an adverse health impact may occur from an existing toxic land use. Some examples of projects that may include HAPs are:

- Agricultural products processing;
- Bulk material handling;
- Chemical blending, mixing, manufacturing, storage, etc.;
- Combustion equipment (boilers, engines, heaters, incinerators, etc.);
- Metals etching, melting, plating, refining, etc.;
- Plastics & fiberglass forming and manufacturing;
- Petroleum production, manufacturing, storage, and distribution; and
- Rock & mineral mining and processing.

The proposed project is located on a site that is currently undeveloped land. The project site plan is approximately 35 acres in area, is zoned ML (Light Industrial), and includes installation of steel hoop houses, an office, a cargo container and stock tanks. During the construction period, some odors could result from vehicles and equipment using diesel fuels. However, vehicles and equipment using diesel fuels at the proposed project would have to comply with the California Air Resources Board (CARB) guidelines, which limit idling time to five minutes with the Airborne Toxic Control Measure (ATCM). All construction would be temporary.

Cannabis flowers can emit a particularly powerful smell. The floral scent is composed of volatile organic compounds (VOCs) called terpenes. Terpene odor can be a nuisance for sensitive receptors and residential areas. The nearest residentially zoned area is .75 miles northeast of the project site. The nearest sensitive receptor is an elementary school located 1.5 miles northeast of the project site.

The City of Lemoore Municipal Code includes an ordinance regulating cannabis activities (Municipal Code Chapter 8 of Title 4). Section 4-8-4 C lists the minimum operational requirements and restrictions for all commercial cannabis operations in the city. The requirement for regulating odor states:

4-8-4 C 15. Odor Control: The business owner shall provide an odor-absorbing ventilation and exhaust system, so that odor generated inside the facility that is distinctive to its commercial cannabis operations is not detected outside the premises, outside the building housing the commercial cannabis operations, or anywhere on adjacent property or public rights of way. Accordingly, the business owner must install and maintain the following equipment or any other equipment which the City's building official determines has the same or better effectiveness:

- a. An exhaust air filtration system with odor control that prevents internal odors and pollen from being emitted externally; or
- b. An air system that creates negative air pressure between the cannabis facility's interior and exterior so that the odors generated inside the cannabis facility are not detectable outside the cannabis facility.

Therefore, the proposed project would not create or expose sensitive receptors to substantial pollutant concentrations or emissions.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.3d – Would the project result in emissions (such as those leading to odors) adversely affecting a substantial number of people?

Sensitive receptors include locations where young children, chronically ill individuals, the elderly, or people who are more sensitive than the general population reside, such as schools, hospitals, nursing homes, and daycare centers. The PW Engvall Elementary School is the closest sensitive receptor and is located 1.5 miles northeast of the project site. Although emissions from construction-related vehicles are anticipated during temporary construction activities, the proposed project is not expected to affect these sensitive receptors, as discussed in Impact #3.4.3c above. The project site is zoned for Light Industrial uses, and the area surrounding the project site consists of vacant land to the north, vacant land to the east, agricultural uses to the south, and the Lemoore Raceway and BMX track to the west. Therefore, the proposed project is not expected to result in the generation of odors or hazardous air pollutants that would affect a substantial number of people. The emissions associated with the construction of the project would be temporary in nature and are not anticipated to result in the generation of a substantial amount of hazardous air pollutants. Therefore, the project will have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
--------------------------------------	--	-------------------------------------	--------------

3.4.4 - BIOLOGICAL RESOURCES

Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c. Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
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?	☐	☐	☒	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Discussion

A biological reconnaissance survey was conducted in August 2020 by a qualified biologist to determine whether there are sensitive biological resources that might be adversely affected by the proposed project. The evaluation is based upon existing site conditions, the potential

for sensitive biological resources to occur on and in the vicinity of the project site, and any respective impacts that could potentially occur.

A literature review of the California Department of Fish and Wildlife's California Natural Diversity Database (CDFW, 2020) California Native Plant Society (CNPS, 2020), and United States Fish and Wildlife Service Information for Planning and Consultation (IPaC) (USFWS, 2020) was conducted to identify special-status plant and wildlife species with the potential to occur within the project site and vicinity (the surrounding nine quads and a 10-mile radius). Information on the potential presence of wetlands and waters was obtained from the National Wetlands Inventory (NWI), National Hydrography database (NHD) and Federal Emergency Management Agency (FEMA). Information regarding the presence of Critical Habitat in the project vicinity was obtained from the United States Fish and Wildlife Service's Critical Habitat Mapper database. The results of the database inquiries were subsequently reviewed to evaluate the potential for occurrence of special-status species and other sensitive biological resources known to occur on or near the project site prior to conducting the site survey.

On August 11, 2020, a QK biologist conducted a biological reconnaissance survey of the entire project site and a 250-foot buffer area (Biological Survey Area [BSA]), where feasible. The purpose of the survey was to determine the locations and extent of potential plant communities and sensitive habitats, determine the potential for occurrence of special-status plant and animal species, and identify other sensitive biological resources within the BSA. Survey methodologies included walking meandering pedestrian transects through all present habitat types. Suitable nesting trees and structures were surveyed with the use of binoculars or spotting scopes. Protocol surveys for specific special-status wildlife species were not conducted for this report as it was determined by the consulting biologist that such surveys were not warranted due to the lack of suitable habitat and current condition of the project site. Detailed notes of plant and wildlife species observations were documented during the survey.

General Site Conditions

The entire project site has experienced recent disturbance and is currently disked. Adjacent lands include recently disked open fields to the east, current agricultural fields of alfalfa to the south, The Lemoore Raceway and BMX track to the west, and commercial and undeveloped land to the north. The wildlife species inhabiting the BSA include those typically found in moderately- to heavily-disturbed habitats associated with development zones of Kings County and the southern San Joaquin Valley. The project site has been previously disturbed, with little nonnative vegetation present. Several California ground squirrel (*Otospermophilus beecheyi*) burrows were observed on the project site and surrounding BSA, primarily along the southeastern boundary of the project site. However, no suitably sized burrows were observed that could support special-status species.

Very few trees within the BSA were present that could serve as potential nesting sites for raptor and bird species and no nests or nesting behavior was observed during the time of the survey. Several Swainson's hawk were observed flying approximately 0.5 miles to the

north, but none were observed within the BSA or in close proximity to the site. There is minimal suitable habitat for special-status plant species within the BSA.

There were eight plant species and five wildlife species identified during the survey, either through direct observation or by the presence of diagnostic signs (Table 3.4.4-1).

Table 3.4.4-1
List of Plant and Wildlife Species Observed within the Survey Area

Scientific name	Common name
Plants	
<i>Acer negundo</i>	Boxelder maple
<i>Bromus</i> sp.	brome sp.
<i>Chenopodium album</i>	white goosefoot
<i>Croton setiger</i>	turkey mullein
<i>Datura stramonium</i>	jimsonweed
<i>Juglans californica</i>	California black walnut
<i>Lactuca serriola</i>	prickly lettuce
<i>Salsola tragus</i>	Russian thistle
Wildlife	
<i>Buteo swainsoni</i>	Swainson's hawk
<i>Cathartes aura</i>	Turkey vulture
<i>Otospermophilus beecheyi</i>	California ground squirrel*
<i>Sylvilagus audubonii</i>	desert cottontail
<i>Uta stansburiana</i>	common side-blotched lizard

*Indicates that only sign (scat, tracks, prey remains, dens) were observed.

Impact Analysis

This section describes the results of the database searches and, using conditions present on the project site as determined by the onsite examination, provides an analysis of project impacts on each of six biological evaluation criteria. Each of the evaluation criteria are discussed below and mitigation measures are provided as warranted to, when implemented, reduce impacts to below significant levels.

Impacts #3.4.4a – Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

The literature search indicated that there is a potential for sensitive natural communities and special-status species to be present on the project site. An evaluation of each of the potentially occurring sensitive natural communities and special-status species, which included habitat requirements, likelihood of required habitat to occur within the project area, and a comparison to the CNDDDB, CNPS and IPaC records was conducted. The results of this evaluation concluded that no sensitive natural community or special-status plant

species are anticipated to occur on or near the project site, and that four wildlife species have a reasonable potential to occur on or near the project site.

Sensitive Natural Communities and Special-Status Species

SENSITIVE NATURAL COMMUNITIES AND SPECIAL-STATUS PLANTS

Based on the IPaC, CNDDDB and CNPS database query, identified one sensitive natural plant community, Valley Sink Scrub, that occurs in the vicinity of the project site. This plant community was not observed within the project site during the survey. Five special-status plant species were identified as having the potential to occur within the vicinity of the project site. These species include; brittlescale (*Atriplex depressa*), recurved larkspur (*Delphinium recurvatum*) both that require alkaline soils, vernal barley (*Hordeum intercedens*) found in saline flats and vernal pools, Panoche pepper grass (*Lepidium jaredii* spp. *album*) found on steep slopes with clay soils, mud nama (*Nama stenocarpa*) found in marshes and swamps and California alkali grass (*Puccinellia simplex*) found in alkaline souls on sinks and lake margins. The project site does not contain these typed of habitat and none of these species are expected to occur. No special-status plant species were identified during the survey. Although protocol-level botanical surveys were not conducted and the survey did not coincide with optimum blooming periods for all plant species, it is not anticipated that special-status plant species occur on the project site.

SPECIAL-STATUS WILDLIFE

Based on the IPaC query, there were nine special-status wildlife species and twelve migratory bird species that were identified as having a potential to occur within subject quadrangle and eight surrounding quadrangles. None of the species identified by the IPaC query have the potential to nest on or near the project site and may occur as transients during migration, therefore, the project will have minimal or no affects to these species. According to CNDDDB recorded occurrences there are 17 special-status wildlife species found within a 10-mile radius of the project site. These species included; Fresno kangaroo rat (*Dipodomys nitratoide exilis*), San Joaquin kit fox (*Vulpes macrotis mutica*), Tipton kangaroo rat (*Dipodomys nitroide nitroide*), blunt-nosed leopard lizard (*Gambilia sila*), giant garter snake (*Thamnophis gigas*), California red-legged frog (*Rana draytonii*), Delta smelt (*Hypomesus transpacificus*), vernal pool fairy shrimp (*Branchinecta lynchi*), vernal pool tadpole shrimp (*Lepidurus packardii*), western burrowing owl (*Athene cunicularia*), tricolored blackbird (*Agelaius tricolor*), yellow-headed blackbird (*Xanthocephalus xanthocephalus*), western snowy plover (*Charadrius nivosus*), western pond turtle (*Actinemys marmorata*), western spadefoot toad (*Apea hammondi*), valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) and Hoary bat (*Aeorestes cinereus*). Of the species identified in both database queries, 14 were eliminated from consideration due to the current conditions of the project site and neighboring land uses, lack of suitable habitat (water features, suitable nesting or roosting sites, lack of suitable foraging habitat or vegetation associations, etc.), the project site is outside of the known range of the species, or did not contain suitable burrows or sign of presence. Three wildlife species have a moderate, or high potential to occur within the project site or in close proximity. Swainson's

hawk, a State listed species, was observed foraging near the project site. Two species have a moderate potential to occur on the project site or within the BSA. The western burrowing owl, a state species of concern, and San Joaquin kit fox, a State and federally listed species, have the potential to occur on or near the project site. Neither of these species were observed during the survey and protocol surveys these species were not conducted, but these species are known to be within the area and may occur as a transient forager. These species are discussed below.

Western Burrowing Owl

The western burrowing owl has a moderate potential to occur within the project site and immediate surrounding area. Historically, burrowing owls have been recorded within 5.7 miles of the project site. The most recent CNDDDB recorded occurrence (EONDX 104402) for a burrowing owl is approximately 7.0 miles southwest of the project site. No burrowing owls, suitable nesting sites or sign were observed during the survey. The western burrowing owl is known to occur in the vicinity of the project site and could potentially be present from time to time as a transient forager.

San Joaquin Kit Fox

The San Joaquin kit fox has a moderate potential to occur within the project site and immediate surrounding area. Historically, San Joaquin kit fox have been recorded within 4.1 miles of the project site. The most recent CNDDDB recorded occurrence (EONDX 69953) of a San Joaquin kit fox observation is 9.1 miles northeast of the project site. No San Joaquin kit fox, suitable burrows for habitation or sign were observed during the survey. The San Joaquin kit fox is known to occur in the vicinity of the project site and could potentially be present from time to time as a transient forager.

Swainson's Hawk

The Swainson's hawk has a high potential to occur as a transient forager around the project site and the immediate surrounding area. However, the project site itself has no suitable foraging or nesting habitat to support the species. The most recent CNDDDB recorded occurrence (EONDX 115328) of Swainson's hawk was 4.7 miles southeast of the project site. Swainson's hawks are known to forage in open fields and agricultural fields, such as hay or alfalfa. Based on project site conditions and the presence of agricultural fields nearby, there is a potential for Swainson's hawks to present from time to time as transient foragers.

CONCLUSION

The project site and surrounding area have been previously disturbed by ongoing disking operations and commercial development. The project site and vicinity does not provide suitable habitat for any special-status plant species and no mitigation measures to protect, avoid, or minimize impacts to special-status plant species are warranted.

There is the potential for three special-status or protected wildlife species to be impacted by project activities. Compliance with Mitigation Measures MM BIO-1 through MM BIO-6 would protect, avoid, and minimize impacts to special-status wildlife species. When implemented, these measures would reduce impacts to these species to below significant levels.

MITIGATION MEASURE(S)

MM BIO-1: Prior to initial ground disturbing activities, a qualified wildlife biologist shall conduct a biological clearance survey 14-30 calendar days prior to the onset of construction. The clearance survey shall include walking transects to identify presence of San Joaquin kit fox or diagnostic signs of that species (e.g., dens, tracks, prey remains), and other special-status species or protected species including but not limited to Western burrowing owl, Swainson's hawk, etc. A report outlining the results of the survey shall be submitted to the Lead Agency.

If a known, active, or natal kit fox den is discovered during the clearance survey, the appropriate buffers shall be established using fencing or flagging as follows: (1) at least 50 feet around potential or atypical (any manmade structure such as pipes, culverts, and diggings below concrete slabs, that may be occupied by San Joaquin kit fox) den(s) and (2) at least 100 feet around known den(s). The United States Fish and Wildlife Service (USFWS) must be contacted for further guidance if a natal den is discovered. Buffer zones shall be considered Environmentally Sensitive Areas (ESAs) and no ground disturbing activities shall be allowed within a buffer area. The USFWS and California Department of Fish and Wildlife (CDFW) shall be contacted upon the discovery of any natal or pupping dens.

Potential kit fox dens may be excavated provided that the following conditions are satisfied: (1) the den has been monitored for at least five consecutive days and is deemed unoccupied by a qualified biologist; (2) the excavation is conducted by or under the direct supervision of a qualified biologist. Den monitoring and excavation should be conducted in accordance with the *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* (United States Fish and Wildlife Service, 2011).

MM BIO-2: Prior to ground disturbance activities, or within one week of being deployed at the project site for newly hired workers, all construction workers at the project site shall attend a Construction Worker Environmental Awareness Training and Education Program, developed and presented by a qualified biologist.

The Construction Worker Environmental Awareness Training and Education Program shall be presented by the biologist and shall include information on the life history wildlife and plant species that may be encountered during construction activities, their legal protections, the definition of "take" under the Endangered Species Act, measures the project operator is implementing to protect the species, reporting requirements, specific measures that each worker must employ to avoid take of the species, and penalties for violation of the Act. Identification and information regarding special-status or other sensitive species with the

potential to occur on the project site shall also be provided to construction personnel. The program shall include:

- An acknowledgement form signed by each worker indicating that environmental training has been completed.
- A copy of the training transcript and/or training video/CD, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgement forms shall be maintain onsite for the duration of construction activities.

MM BIO-3: If all project activities are completed outside of the Swainson's hawk nesting season (February 15 through August 31), this mitigation measure may be disregarded. If no Swainson's hawk nests are found, no further action is required.

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). 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 the following visits be made to each nest or nesting site: one visit during January 1–March 20 to identify potential nest sites, three visits during March 20–April 5, three visits during April 5–April 20, and three visits during June 10–July 30. A fewer number of visits may be permissible if deemed adequate by the City after consultation with a qualified biologist. 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.

MM BIO-4: A qualified biologist shall conduct a pre-construction survey on the project site and within 500 feet of its perimeter, where feasible, to identify the presence of the western burrowing owl. The survey shall be conducted between 14 and 30 days prior to the start of construction activities. If any burrowing owl burrows are observed during the preconstruction survey, avoidance measures shall be consistent with those included in the CDFW staff report on burrowing owl mitigation (CDFG 2012). If occupied burrowing owl burrows are observed outside of the breeding season (September 1 through January 31) and within 250 feet of proposed construction activities, a passive relocation effort may be instituted in accordance with the guidelines established by the California Burrowing Owl Consortium (1993) and the California Department of Fish and Wildlife (2012). During the breeding season (February 1 through August 31), a 200-meter (minimum) buffer zone should be maintained unless a qualified biologist verifies through noninvasive methods that either 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.

In addition, impacts to nest sites shall be avoided in accordance with the following table unless a qualified biologist approved by the Lead Agency verifies through noninvasive methods that either: (1) the birds have not begun egg laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

MM BIO-5: If construction is planned outside the nesting period for raptors (other than the western burrowing owl) and migratory birds (February 15 to August 31), no mitigation shall be required. If construction is planned during the nesting season for migratory birds and raptors, a preconstruction survey to identify active bird nests shall be conducted by a qualified biologist to evaluate the site and a 250-foot buffer for migratory birds and a 500-foot buffer for raptors. If nesting birds are identified during the survey, active raptor nests shall be avoided by 500 feet and all other migratory bird nests shall be avoided by 250 feet. Avoidance buffers may be reduced if a qualified onsite monitor determines that encroachment into the buffer area is not affecting nest building, the rearing of young, or otherwise affecting the breeding behaviors of the resident birds. Because nesting birds can establish new nests or produce a second or even third clutch at any time during the nesting season, nesting bird surveys shall be repeated every 30 days as construction activities are occurring throughout the nesting season.

No construction or earth-moving activity shall occur within a non-disturbance buffer until it is determined by a qualified biologist that the young have fledged (left the nest) and have attained sufficient flight skills to avoid project construction areas. Once the migratory birds or raptors have completed nesting and young have fledged, disturbance buffers will no longer be needed and can be removed, and monitoring can cease.

MM BIO-6: During all construction-related activities, the following mitigation shall apply:

- a. 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 the construction or project site.
- b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds should not exceed 20 miles per hour (mph) within the project site.
- c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than two feet deep at the close of each workday with plywood or

- similar materials. If holes or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks shall be installed in the trench. Before such holes or trenches are filled, the contractor shall thoroughly inspect them for entrapped animals. All construction-related pipes, culverts, or similar structures with a diameter of four-inches or greater that are stored on the project site shall be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in anyway. If at any time an entrapped or injured kit fox is discovered, work in the immediate area shall be temporarily halted and USFWS and CDFW shall be consulted.
- d. 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 four-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 the individual is allowed to escape on its own. 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.
 - e. No pets, such as dogs or cats, shall be permitted on the project sites to prevent harassment, mortality of kit foxes, or destruction of dens.
 - f. Use of anti-coagulant 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 the USFWS and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.
 - g. A representative shall be appointed by the project proponent 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 the USFWS.
 - h. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to 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 USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact can be reached at (559) 243-4014 and R4CESA@wildlifeca.gov.
 - i. All sightings of the San Joaquin kit fox shall be reported to the California Natural Diversity Database (CNDDB). 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 the Service at the address below.

- j. Any project-related information required by the USFWS or questions concerning the above conditions, or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at: Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone (916) 414-6620 or (916) 414-6600.
- k. If burrowing owl are found to occupy the project site and avoidance is not possible, burrow exclusion may be conducted by qualified biologists only during the nonbreeding season, before breeding behavior is exhibited, and after the burrow is confirmed empty through noninvasive methods (surveillance). Replacement or occupied burrows shall consist of artificial burrows at a ratio of 1 burrow collapsed to 1 artificial burrow constructed (1:1). Ongoing surveillance of the project site during construction activities shall occur at a rate sufficient to detect Burrowing owl, if they return.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.4b – Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

According to CNDDB there is one sensitive natural communities with the potential to occur within 10-miles of the project site, Valley Sink Scrub (CDFW, 2020). The project site is highly disturbed and does not provide habitat to maintain this community. No sensitive natural communities were identified within the project site or buffer area during the survey. There are no anticipated impacts to sensitive natural communities as a result of the proposed project. The project site covers an area of approximately 39 acres and has been previously disturbed by disking. The project site is primarily surrounded by previously disked open fields and the Lemoore Raceway and BMX track.

Riparian habitat is defined as lands that are influenced by a river, specifically the land area that encompasses the river channel and its current or potential floodplain. The project is not located within a river or an area that encompasses a river or potential floodplain. The proposed project would not have any adverse effect to a riparian habitat.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.4c – Would the project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The United States Army Corps of Engineers (USACE) has regulatory authority over the Clean Water Act (CWA), as provided for by the EPA. The USACE has established specific criteria for the determination of wetlands based upon the presence of wetland hydrology, hydric soils, and hydrophilic vegetation. There are no federally protected wetlands, water features or vernal pools that occur within the project site.

Wetlands, streams, reservoirs, sloughs, and ponds typically meet the criteria for federal jurisdiction under Section 404 of the CWA and State regulatory authority under the Porter-Cologne Water Quality Control Act. Streams and ponds typically meet the criteria for State regulatory authority under Section 1602 of the California Fish and Game Code. There are no features on the project site that would meet the criteria for either federal jurisdiction or State regulatory authority. There would be no impact to federally protected wetlands or waterways or State wetlands or waters.

There is a historical record of a riverine crossing the project site (R5UBFx). Historical aerial photos show the presence of an irrigation ditch. However, the land has been cultivated in a number of years and that feature was removed during subsequent disking operations on the site. During the reconnaissance survey there was no evidence of any type of water feature or wetland. A drainage ditch is also located along the southeast portion of the project. However, it is outside of the fence line along South 19th Avenue and will not be impacted by project activities.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.4d – Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Wildlife migratory corridors are described as a linear stretch of land that connects two open pieces of habitat that would otherwise be unconnected. These routes provide shelter and sufficient food resources to support wildlife species during migratory movements. Movement corridors generally consist of riparian, woodlands, or forested habitats that span contiguous acres of undisturbed habitat and are important elements of resident species' home ranges.

The proposed project and surrounding area occur within a known essential connectivity area identified by the Essential Habitat Connectivity Project (Spencer, W.D., et al, 2010).

However, due to the existing disturbed condition of the site and surrounding area, primarily consisting of disturbed open fields, the use of connectivity habitat by sensitive wildlife is unlikely. The proposed project does not occur within terrestrial migration route, significant wildlife corridor, or wildlife linkage area as identified in the Recovery Plan for Upland Species in the San Joaquin Valley (US Fish and Wildlife Service, 1998). The survey conducted for the project did not provide evidence of a wildlife nursery or important migratory habitat being present on the project site. Migratory birds and raptors could use habitat on or near the project for foraging and/or as stopover sites during migrations or movement between local areas. USFWS Critical Habitat identified a Buena Vista Lake ornate shrew area approximately 4.0 miles west of the project site but will not be impacted by project activities. There is no suitable habitat for the presence of Buena Vista Lake ornate shrew on or near the project BSA.

The project would not substantially affect migrating birds or other wildlife. The project will not restrict, eliminate, or significantly alter a wildlife movement corridor, wildlife core area, or Essential Habitat Connectivity area, either during construction or after the project has been constructed. Project construction will not substantially interfere with wildlife movements or reduce breeding opportunities.

Additionally, the land surrounding the project site is developed with commercial sites, and disked open fields that would sever wildlife movement through the site and eliminate any nursery site. The proposed project would not interfere 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. Therefore, there would be no impacts to wildlife movements, would not affect movement corridors, or impeded a nursery site.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impacts #3.4.4e – Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Besides requiring compliance with State policies, the City of Lemoore does not have any local policies or ordinances protecting biological resources nor an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plans protecting biological that would apply to this project site. Therefore, implementation of the proposed project would have no conflict related to an adopted local policies or ordinances protecting biological resources.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.4f – Would the project conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan?

The project site is located within the Natural Community Conservation Plan – Aera Energy Southwest San Joaquin Valley HCP/NCCP, however, it does not apply to the project since it is not an AERA project. There are no other applicable NCCP or HCP that cover the project site.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
--	--------------------------------------	--	-------------------------------------	--------------

3.4.5 - CULTURAL RESOURCES

Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?	☐	☒	☐	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?	☐	☒	☐	☐
c. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Discussion

Impact #3.4.5a – Would the project cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?

According to information previously obtained from the Southern San Joaquin Valley Archeological Information Center (SSJVAIC) at California State University Bakersfield (CSUB) on a nearby project, there are currently no buildings or structures listed in the National Register of Historic Places or as California Historic Landmarks (Applied Earthworks, Inc., 2019). However, there are 37 sites listed as having local historic significance. Many of these local historic sites are located within the downtown district, bounded by the railroad to the north, Lemoore Avenue to the east, “C” Street on the south and Hill Street to the west (City of Lemoore, 2008). The project site is located over two miles south of downtown Lemoore and is surrounded by agricultural and recreational uses.

Additionally, a Sacred Lands File (SLF) search was requested to the Native American Heritage Commission (NAHC). A response was received from the NAHC on May 22, 2020, which indicated positive results. A copy of that correspondence is included as Appendix A. The Santa Rosa Rancheria Tachi Yokut Tribe will be consulted with prior to project approval and Mitigation Measures MM CUL-1 through CUL-4 will be implemented to reduce potential impacts to historical or archaeological resources. Therefore, the project will have a less-than-significant impact.

Although agricultural activities have disturbed the project site, unknown historical resources may be discovered during ground-disturbing activities. In order to account for unanticipated discoveries and the potential to impact previously undocumented or unknown resources, the following mitigations measures are recommended. With the

implementation of MM CUL-1 through MM CUL-3, impacts under this criterion would be less than significant with mitigation.

MITIGATION MEASURE(S)

MM CUL-1: Prior to any ground disturbance, a surface inspection of the site shall be conducted by a Tribal Monitor. The Tribal Cultural Staff shall monitor the site during grading activities. The Tribal Cultural Staff shall provide preconstruction briefings to supervisory personnel and any excavation contractor, which will include information on potential cultural material finds and, on the procedures, to be enacted if resources are found. Prior to any ground disturbance, the applicant shall offer the Santa Rosa Rancheria Tachi Yokut Tribe the opportunity to provide a Native American Monitor during ground-disturbing activities during both construction and decommissioning. Tribal participation would be dependent upon the availability and interest of the tribe.

MM CUL-2: In the event that historical or archaeological cultural resources are discovered during construction or decommissioning, operations shall stop within 100 feet of the find, and a qualified archeologist shall determine whether the resource requires further study. The qualified archaeologist shall determine the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with §15064.5 of the CEQA Guidelines. Measures may include avoidance, preservation in-place, recordation, additional archaeological testing, and data recovery, among other options. Any previously undiscovered resources found during construction within the project area shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance. No further ground disturbance shall occur in the immediate vicinity of the discovery until approved by the qualified archaeologist.

The Lead Agency along with other relevant or tribal officials, shall be contacted upon the discovery of cultural resources to begin coordination on the disposition of the find(s). Treatment of any significant cultural resources shall be undertaken with the approval of the Lead Agency.

MM CUL-3: Upon coordination with the Lead Agency, any archaeological artifacts recovered shall be donated to an appropriate tribal custodian or a qualified scientific institution where they would be afforded applicable cultural resources laws and guidelines.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.5b – Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?

Archaeological resources are places where human activity has measurably altered the earth or left deposits of physical remains. Archaeological resources may be either prehistoric

(before the introduction of writing in a particular area) or historic (after the introduction of writing). The majority of such places in this region are associated with either Native American or Euro-American occupation of the area.

Implementation of MM CUL-1 through MM CUL-3 would ensure that potential impacts associated with archaeological during the construction phase would be less than significant.

MITIGATION MEASURE(S)

Implementation of MM CUL-1 through MM CUL-3.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.5c – Would the project disturb any human remains, including those interred outside of formal cemeteries?

Human remains are not known to exist within the project area. However, construction would involve earth-disturbing activities, and it is still possible that human remains may be discovered, possibly in association with archaeological sites. MM CUL-4 has been included in the unlikely event that human remains are found during ground-disturbing activities. Impacts would be less than significant with implementation of mitigation.

MITIGATION MEASURE(S)

MM CUL-4: If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the County Coroner.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
--------------------------------------	--	-------------------------------------	--------------

3.4.6 - ENERGY

Would the project:

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

Discussion

The following analysis is based on project data provided by the applicant, the Small Project Analysis Level Assessment (SPAL) and available energy resource consumption data.

Impact #3.4.6a – Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Construction

Energy demand during the construction phase would result from the transportation of materials, construction equipment, and construction worker vehicle trips. Construction equipment is expected to be minimal, since the hoop houses are temporary structures. Once operational, a natural gas backup generator would be required, along with security equipment.

The project would comply with the SJVAPCD requirements regarding the limitation of vehicle idling, and the use of fuel-efficient vehicles and equipment, to the extent feasible. The project will not use natural gas during the construction phase. Compliance with standard regional and local regulations, the project would minimize fuel consumption during construction. By complying with standard regional and local regulations, the project would minimize fuel consumption during construction. Construction-related fuel consumption is not expected to result in inefficient, wasteful, or unnecessary energy use. Thus, construction-related fuel consumption at the project would not result in inefficient, wasteful, or unnecessary energy use.

Post-Construction

The project is for cannabis cultivation within steel hoop houses, these hoop houses act as a greenhouse. Greenhouse cultivation combines natural sunlight with growing in a glass or plastic structure, which can control temperature, humidity, soil, air circulation, and light. These hoop houses will also be equipped with supplemental lighting fixtures, which allow the hoop houses to be used in the winter, and other months as needed, when days are shorter and ambient temperatures are colder. While extensive supplemental lights are often used, greenhouse growing reduces the amount of electrical power used, in comparison to fully enclosed opaque indoor grows.

The project will comply with all applicable standards and building codes included in the 2019 California Green Building Standards Code. Therefore, the project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.6b – Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

The project must comply with Title 24, Chapter 4 of the California Green Building Standards Code for nonresidential development and Part 6, of the California Energy Code (CEC) the California Code of Regulations (CCR), Title 20 with adoptions of the California Energy Commission (California Building Standards Commission, 2019).

The project includes steel hoop houses, an office and a cargo container. Once operational a natural gas backup generator would be necessary, along with a security monitoring equipment. Energy saving strategies will be implemented where feasible to reduce the project's energy consumption during the construction and post-construction phases. Strategies being implemented include those recommended by the California Air Resources Board (CARB) that may reduce both the project's construction energy consumption, including diesel anti-idling measures, light-duty vehicle technology, usage of alternative fuels such as biodiesel blends and ethanol, and heavy-duty vehicle design measures to reduce energy consumption. Additionally, as outlined in the SJVAPCD's GAMAQI, the project includes recommendations to reduce energy consumption by shutting down equipment when not in use for extended periods, limiting the usage of construction equipment to eight cumulative hours per day, usage of electric equipment for construction whenever possible in lieu of diesel or gasoline powered equipment, and encouragement of employees to carpool to retail establishments or to remain onsite during lunch breaks.

The project will also incorporate energy saving design features as outlined in the 2019 California Green Building Standards Code and the City of Lemoore Building Codes - Chapter 8-1-J-1 Green Code in order to reduce energy consumption and costs. As noted above, energy efficiency design features include, skylights, dual-pane glass windows with window treatments and by the use of renewable energy. Based on this analysis, the project would be consistent and not conflict with or obstruct a State of local plan related to renewable energy or energy consumption. Impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

3.4.7 - GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	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.	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including Liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☒	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
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 offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?	☐	☐	☒	☐
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Discussion

The responses in this section were based on the 2030 Lemoore General Plan, and the California Department of Conservation, 2020.

Impact #3.4.7a(i) – Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving 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?

According to the City of Lemoore 2030 General Plan, there are no known major fault systems within Lemoore (City of Lemoore, 2008). The greatest potential for geologic disaster in the City is posed by the San Andres Fault, which is located approximately 60 miles west of the Kings County boundary line with Monterey County.

The project site is not located within an Alquist-Priolo Earthquake Fault Zone. There are no active fault traces in the project vicinity. Accordingly, the project area is not within an Earthquake Fault Zone (Special Studies Zone) and will not require a special site investigation by an Engineering Geologist. The project will have a less-than-significant impact of endangering people and structures associated with this project, since there are no permanent structures being built as part of this project. Therefore, the project would have a less-than-significant impact (California Department of Conservation, 2020).

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.7a(ii) – Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

See response to Impact #3.4.6a(i).

Secondary hazards from earthquakes include ground shaking/rupture. Since there are no known faults within the immediate area, ground shaking/rupture from surface faulting should not be a potential problem. Seiche and landslides are not potential hazards in the area. Lastly, deep subsidence problems may be low to moderate according to the conclusions of the Five County Seismic Safety Element. However, there are no known occurrences of structural or architectural damage due to deep subsidence in the Lemoore area.

According to the Seismic Safety Map contained within the Health and Safety Element of the 2035 Kings County General Plan (Figure HS-2, page HS-10), the project site is located within

an area designated as Zone V1 or Valley Zone 1, which is identified as the area of least expected seismic shaking by the Kings County Seismic Zone Description in the 2035 General Plan (Kings County, 2010). The potential for ground shaking is discussed in terms of the percent probability of exceeding peak ground acceleration (% g) in the next 50 years (Kings County, 2010).

The project does not propose to construct permanent, habitable structures. The hoop houses are constructed of metal support bars covered with either polypropylene or shade cloth. The computerized irrigation monitoring system will be housed in a cargo container and will be permitted as required in accordance with all applicable local law and applicable codes. The project shall adhere to all applicable local and State regulations to reduce any potentially significant impacts to structures resulting from strong seismic ground shaking at the project site. Therefore, project impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*

Impact #3.4.7a(iii) - Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

See discussion of Impacts #3.4.7a(i) and a(ii), above.

The potential magnitude/geographic extent of expansive liquefaction erosion was deemed 'negligible' and its significance 'low' throughout the City (City of Lemoore, 2012). Liquefaction is possible in local areas during a strong earthquake or other seismic ground shaking, where unconsolidated sediments coincide with a high-water table.

Adherence to all applicable regulations would avoid any potential impacts to structures resulting from liquefaction at the project site.

The project site includes cultivation of cannabis using hoop houses, a cargo container and a temporary office. No other buildings are proposed on the site. Therefore, impacts from liquefaction are considered less than significant. The project would comply with all local and State regulations. Adherence to all applicable regulations would reduce or avoid any potential impacts to structures resulting from liquefaction at the project site and impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.6a(iv) – Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

See discussion of Impacts #3.4.7a(i) through a(iii), above.

The land is relatively flat with no significant topological features. As such, there is no potential for rock fall and landslides to impact the project in the event of a major earthquake, as the area has no dramatic elevation changes. Secondary hazards from earthquakes include ground shaking/rupture, seiche, landslides, liquefaction, and subsidence. Since there are no known faults within the immediate area, ground shaking/rupture from surface faulting should not be a potential problem. Seiche and landslide hazards are also not likely to occur. Lastly, deep subsidence problems may be low to moderate according to the conclusions of the Five County Seismic Safety Element. However, there are no known occurrences of structural or architectural damage due to deep subsidence in the Lemoore area.

The project site currently consists of undeveloped land and the surrounding area is essentially flat. The site's topography would not change substantially as a result of project development since the site is essentially flat in nature from previous activities with no surrounding slopes and it is not considered to be prone to landslides. The project would not expose people or structures to potential substantial adverse effects from landslides. Therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.7b – Would the project result in substantial soil erosion or the loss of topsoil?

There are two types of soil found within the project site, Grangeville sandy loam and Lemoore sandy loam.

Construction activities associated with the proposed project will disturb surface vegetation and soils during construction and would expose these disturbed areas to erosion by wind and water. To reduce the potential for soil erosion and loss of topsoil, the project would comply with the State Water Resources Control Board's (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit (No. 2012-0006-DWQ) during construction. Under the NPDES, the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) are required for construction activities that would disturb an area of one acre or more. A SWPPP must identify potential sources of erosion or

sedimentation as well as identify and implement Best Management Practices (BMPs) that reduce erosion. Typical BMPs intended to control erosion include sandbags, retention basins, silt fencing, street sweeping, etc.

Mitigation Measure MM HYD-1 requires the approval of a SWPPP to comply with the NPDES General Construction Permit. The project will comply with all the grading requirements as outlined in the City Municipal Code and development standards. During construction, the project is not expected to result in substantial soil erosion or the loss of topsoil with the incorporation of Mitigation Measure MM HYD-1.

Once operational, the majority of the site will remain permeable, although the hoop houses will be covered. Stormwater would roll down the covers onto the unpaved ground and would be absorbed into the soil. Impermeable surfaces would include access to the site from the road and a parking lot, as well as the installation of a cargo container. Overall, development of the project would not result in conditions where substantial surface soils would be exposed to wind and water erosion.

MITIGATION MEASURE(S)

MM HYD-1: Prior to issuing of grading or building permits, the project applicant shall submit to the City: (1) the approved Stormwater Pollution Prevention Plan (SWPPP) and (2) the Notice of Intent (NOI) to comply with the General National Pollutant Discharge Elimination System (NPDES) from the Central Valley Regional Water Quality Control Board. The requirements of the SWPPP and NPDES shall be incorporated into design specifications and construction contracts. Recommended Best Management Practices for the construction phase may include the following:

- Stockpiling and disposing of demolition debris, concrete, and soil properly;
- Protecting existing storm drain inlets and stabilizing disturbed areas;
- Implementing erosion controls;
- Properly managing construction materials;
- Managing waste, aggressively controlling litter, and implementing sediment controls; and
- Evidence of the approved SWPPP shall be submitted to the Lead Agency.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.7c – 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 offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?

As previously discussed, the site soils are considered stable in that there is not a potential of on or offsite landslides, lateral spreading, subsidence or collapse. However, as discussed in

Impact #3.4.7a(iii), the project site is potentially located on a geologic unit or soil that could potentially result in liquefaction.

All structures would be subject to all applicable City Building Ordinances and development standards. Adherence to all applicable regulations would reduce or avoid any potential impacts to structures at the project site, and impacts would be less than significant.

MITIGATION MEASURES

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.7d – Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Expansive clay soils are subject to shrinking and swelling due to changes in moisture content over the seasons. These changes can cause damage or failure of foundations, utilities, and pavements. During periods of high moisture content, expansive soils under foundations can heave and result in structures lifting. In dry periods, the same soils can collapse and result in settlement of structures.

There are two types of soil found within the project site, which are Grangeville sandy loam and Lemoore sandy loam. The project does not propose to construct habitable structures or buildings. The subject site and soil conditions, with the exception of the loose surface soils, would be conducive to the development of the project as a cannabis cultivation site. The surface soils have a loose consistency. As noted above, the only structure on the site would be the cargo container for storage and an office, that will be used to house the computerized irrigation system.

Compliance with the policies of the City of Lemoore Municipal Code would reduce potential site-specific impacts to less-than-significant levels.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.7e – Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?

Refer to *Section 3.4.19 – Utilities and Service Systems*.

The proposed project does not include the development or use of septic tanks or alternative wastewater disposal systems as the project would connect to the City's existing sewer system.

MITIGATION MEASURES

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.7f – Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Geological records of the region and those prepared for the General Plan found no evidence of paleontological resources or unique geological features in Lemoore. Additionally, the Lemoore area has sedimentary rocks of tertiary and quaternary age, which are younger rocks of continental origin. The project is in an area identified as having geologic features that are less than 150 years before present age, which is considered to have low potential for paleontological resources (Meyer, Jack et al, 2010).

However, there is a possibility that future ground-disturbing activities could cause damage to, or destruction of, previously undiscovered paleontological resources or unique geologic features. Implementation of MM GEO-1 would reduce potential impacts to a less-than-significant level. In addition, the Lemoore General Plan policies and guidelines direct the City to require construction to stop immediately if paleontological resources are uncovered during grading or other onsite excavation activities, until appropriate mitigation is implemented. Therefore, with MM GEO-1, the project will have a less-than-significant impact.

MITIGATION MEASURE(S)

MM GEO-1: If any paleontological resources are encountered during ground-disturbance activities, all work within 25 feet of the find shall halt until a qualified paleontologist as defined by the Society of Vertebrate Paleontology Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources (2010), can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the Natural History Museum of Los Angeles County or other appropriate facility regarding any discoveries of paleontological resources.

If the qualified paleontologist determines that the discovery represents a potentially significant paleontological resource, additional investigations and fossil recovery may be required to mitigate adverse impacts from project implementation. If avoidance is not

feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, they shall be avoided to ensure no adverse effects, or such effects must be mitigated. Construction in that area shall not resume until the resource appropriate measures are recommended or the materials are determined to be less than significant. If the resource is significant and fossil recovery is the identified form of treatment, then the fossil shall be deposited in an accredited and permanent scientific institution. Copies of all correspondence and reports shall be submitted to the Lead Agency.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated.*

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
--	--------------------------------------	--	-------------------------------------	--------------

3.4.8 - GREENHOUSE GAS EMISSIONS

Would the project:

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

Discussion

There have been significant legislative and regulatory activities that directly and indirectly affect climate change and GHGs in California. The primary climate change legislation in California is AB 32, the California Global Warming Solutions Act of 2006. AB 32 focuses on reducing GHG emissions in California. GHGs, as defined under AB 32, include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and nitrogen trifluoride. AB 32 requires that GHGs emitted in California be reduced to 1990 levels by the year 2020. The California Air Resources Board is the State agency charged with monitoring and regulating sources of emissions of GHGs that cause global warming in order to reduce emissions of GHGs. SB 32 was signed by the Governor in 2016, which would require the State Board to ensure that statewide greenhouse gas emissions are reduced to 40 percent below the 1990 level by 2030.

Although construction of the proposed project would result in temporary emissions of GHGs, the project as a whole is not expected to generate greenhouse gas emissions, either directly or indirectly that may have a significant impact on the environment. The project GHG emissions are primarily from mobile source activities.

The SJVAPCD Small Project Analysis Level (SPAL) process established review parameters to determine whether a project qualifies as a “small project.” A project that is found to be “less than” the established parameters, according to the SPAL review parameters, has “no possibility of exceeding criteria pollutant emissions thresholds.”

As shown in Table 3.4.3-2, the proposed project would not exceed the established SPAL limits for an industrial park project. The project site plan is approximately 35 acres in area, is zoned ML (Light Industrial), and includes installation of steal hoop houses, an office, a cargo container and stock tanks, which is well below the maximum SPAL threshold of 370,000 sq. ft. Based on the above information, this project qualifies for a limited GHG analysis applying the SPAL guidance to determine air quality impacts.

Impact #3.4.8a – Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The SJVAPCD has adopted the Final Draft Staff Report, addressing Greenhouse Gas Emissions Impacts under the California Environmental Quality Act (November 5, 2009), that included a recommended methodology for determining significance for stationary source projects and traditional development projects (such as residential, commercial, or industrial projects).

The proposed project would emit greenhouse gases such as carbon dioxide (CO₂), methane, and nitrous oxide from the exhaust of equipment and the exhaust of vehicles for residents, customers, and delivery trips. The increased rate of greenhouse gas emissions would not be considered cumulatively significant per the California Global Warming Solutions Act of 2006. As stated in the SJVAPCD's GAMAQI, projects whose emissions have been reduced or mitigated, consistent with Assembly Bill 32 – California Global Warming Solutions Act of 2006, should be considered to have a less-than-significant impact on global climate change.

Although construction of the proposed Project would result in temporary emissions of GHGs, the project as a whole is not expected to generate greenhouse gas emissions, either directly or indirectly that may have a significant impact on the environment. The proposed project will not exceed the SPAL GHGs established by the SJVAPCD.

The City of Lemoore 2030 General Plan has analyzed greenhouse gas emissions for the City based on land use designations, including emissions for areas designated as Industrial and Neighborhood Commercial. Construction will be minimal and of short duration (three to four months) and there are no permanent structures being proposed. No diesel powered generators are proposed, and GHG emissions during both construction and operations are negligible. In addition, as the site is currently zoned for industrial uses, construction and operational greenhouse gas emissions as a result have already been analyzed in the General Plan EIR. Project GHG emissions will be reduced to less-than-significant levels.

MITIGATION MEASURES

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*

Impact #3.4.8b – Would the project conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

See response to Impact #3.4.8a.

The proposed project falls within the jurisdiction of the SJVAPCD and the City of Lemoore 2030 General Plan. Both agencies consider baseline emissions inventory for Light Industrial uses for the City of Lemoore. However, the proposed project is not a typical industrial

development; it is more similar in nature to an agricultural use. There are no proposed large pieces of equipment or use of vehicles that generate GHG emissions. Once construction is complete, there will be minimal use of any equipment. Because the proposed project will be consistent with the applicable General Plan land use designations of ML it can be concluded that the proposed project would not conflict with the approved General Plan.

Because the proposed project is consistent with the General Plan, the project construction and operational GHG emissions as a result have already been analyzed in the General Plan EIR. With implementation of applicable General Plan policies, as well as mandatory compliance with all applicable SJVAPCD rules and regulations, the project GHG emissions will be reduced to less-than-significant levels. Therefore, the project will not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

MITIGATION MEASURES

No mitigation required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

3.4.9 - HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

Discussion

Impacts #3.4.9a, #3.4.9b, and #3.4.9c – Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; 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 or emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, State, or local agency, or if it has characteristics defined as hazardous by such an agency. The California Code of Regulation (CCR) defines a hazardous material as a substance that, because of physical or chemical properties, quantity, concentration, or other characteristics, may either (1) cause an increase in mortality or an increase in serious, irreversible, or incapacitating, illness or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of, or otherwise managed (CCR, Title 22, Division 4.5, Chapter 10, Article 2, Section 66260.10). Hazardous materials have been and are commonly used in commercial, agricultural, and industrial applications and, to a limited extent, in residential areas. Hazardous wastes are defined in the same manner.

Hazardous wastes are hazardous materials that no longer have practical use, such as substances that have been discarded, discharged, spilled, contaminated, or are being stored prior to proper disposal. Hazardous materials and hazardous wastes are classified according to four properties: toxic (causes human health effects), ignitable (has the ability to burn), corrosive (causes severe burns or damage to materials), and reactive (causes explosions or generates toxic gases) (CCR, Title 22, Chapter 11, Article 3) (City of Lemoore, 2008).

The project site is zoned for Light Industrial uses, and the area surrounding the project site consists of vacant land to the north, vacant land to the east, agricultural uses to the south, and the Lemoore Raceway and a BMX track to the west. The PW Engvall Elementary School is the closest sensitive receptor and is located 1.5 miles northeast of the project site. The proposed project would not emit hazardous emissions or involve handling hazardous or acutely hazardous materials substances. The transport use and storage of hazardous materials would be required to comply with all applicable State and federal regulations, such as requirements that spills would be cleaned immediately, and all wastes and spills control materials would be properly disposed of at approved disposal facilities. Sanitary waste would be managed using portable toilets during farming activities.

The project requires a Project Development Agreement and will require review comments by various City departments including, planning, public works, police, and fire. Project conditions of approval will ensure compliance with all applicable City policies and regulations. Therefore, impacts will be less than significant with mitigation.

MITIGATION MEASURE(S)

Implementation of MM HYD-1.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.9d – Would the project be located on a site that 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?

An online search was conducted of Cortese List to identify locations on or near the project site. The search indicated that there are no hazardous or toxic sites in the vicinity (within one mile) of the project site (Cal EPA, 2019). Currently, there are no hazardous wastes landfill sites within Lemoore (City of Lemoore, 2008).

According to EnviroStor, there are no hazardous waste and substances sites in the vicinity of the project site. The closest site is the Self Help Enterprises Tract No. 656 (ID No. 16150001), which is a “voluntary cleanup” site and is approximately two miles northeast of the project site (CA Dept of Toxic Substances, 2020). The proposed project site is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would therefore not create a significant hazard to the public or the environment.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.9e – 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?

There are no public airports within two miles of the project site. The Naval Air Station Lemoore runways are located 7.5 miles to the west of the project site. The closest public airport is the Hanford Municipal Airport, located approximately 10.0 miles east of the project. The project is not within an airport land use compatibility plan area. There is no adopted airport land use plan that includes the City of Lemoore.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.9f – Would the project impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?

The 2015 Kings County Emergency Operations Plan (EOP) establishes emergency procedures and policies and identifies responsible parties for emergency response in the County, and includes the incorporated City of Lemoore (Kings County, 2015). The EOP includes policies that would prevent new development from interfering with emergency response of evacuation plans. The project will comply with all local regulations related to the construction of new development that is consistent with the EOP.

The General Plan also provides guidance to City staff in the event of extraordinary emergency situation associated with natural disaster and technological incidents (City of Lemoore, 2008). The project would also comply with the appropriate local and State requirements regarding emergency response plans and access. The proposed project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. The proposed project would not interfere with the City's adopted emergency response plan, therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.9g – Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

The majority of the City is considered to have either little or no threat or a moderate threat of wildfire. Only one percent of the area within Lemoore city boundaries currently has a high threat of wildfire. Wildfire hazard present in the Planning Area should decrease as vacant parcels become developed (City of Lemoore, 2008).

The project site is in an unzoned area of the Kings County Fire Hazard Severity Zone Map Local Responsibility Area (LRA) (Cal Fire, 2006). However, Cal Fire has determined that portions of the City of Lemoore are categorized as a Moderate Fire Hazard Severity Zone in LRA. The project site is not located within proximity of a wildland area.

Construction and operation activities at the project site are not expected to increase the risk of wildfires. The General Plan includes policies that would protect the project and the community from fire dangers. These include the enforcement of fire codes during building

construction and occupancy. In addition, developers are required to pay impact fees that offset the impact of residential development on public services such as fire protection.

The Lemoore City Fire Department located approximately three miles away, would provide fire protection services to the project. The project will comply with all applicable State and local building standards as required by local fire codes, as well as impact fees to support additional fire protection services. The project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

3.4.10 - HYDROLOGY AND WATER QUALITY

Would the project:

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

Discussion**Impact #3.4.10a – Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?**

Project construction would cause ground disturbance that could result in soil erosion or siltation and subsequent water quality degradation offsite, which is a potentially significant impact. Construction-related activities would also involve the use of materials such as vehicle fuels, lubricating fluids, solvents, and other materials that could result in polluted runoff, which is also a potentially significant impact. Construction activities involving soil disturbance, excavation, cutting/filling, stockpiling and grading activities could result in increased erosion and sedimentation to surface waters. However, the potential consequences of any spill or release of these types of materials are generally minimal due to the localized, short-term nature of such releases. The volume of any spills would likely be relatively small because the volume in any single vehicle or container would generally be anticipated to be less than 50 gallons.

Accidental spills or disposal of potentially harmful materials used during construction could possibly wash into and pollute surface water runoff. Mitigation Measure MM HYD-1 requires the preparation and implementation of a SWPPP to comply with the Construction General Permit requirements.

Once operational, there will be minimal areas of impervious surface. The only impervious surfaces would be related to the hoop houses and cargo container structures. No paved parking is proposed. The remaining areas of the site will be open and will allow for stormwater to percolate to ground. Since the proposed project includes the cultivation of cannabis, there will be minimal uses or storage of any type of substances that would potentially contaminate groundwater or surface water quality.

With implementation of Mitigation Measure MM HYD-1, the project would not violate any water quality standards or degrade groundwater quality, and impacts would be less than significant.

MITIGATION MEASURE(S)

MM HYD-1: Prior to issuing of grading or building permits, the project applicant shall submit to the City: (1) the approved Stormwater Pollution Prevention Plan (SWPPP) and (2) the Notice of Intent (NOI) to comply with the General National Pollutant Discharge Elimination System (NPDES) from the Central Valley Regional Water Quality Control Board. The requirements of the SWPPP and NPDES shall be incorporated into design specifications and construction contracts. Recommended Best Management Practices for the construction phase may include the following:

- Stockpiling and disposing of demolition debris, concrete, and soil properly;
- Protecting existing storm drain inlets and stabilizing disturbed areas;
- Implementing erosion controls;

- Properly managing construction materials;
- Managing waste, aggressively controlling litter, and implementing sediment controls; and
- Evidence of the approved SWPPP shall be submitted to the Lead Agency.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.10b – Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

The project site is located within the South Fork Kings Groundwater Sustainability Agency (GSA), Basin ID No. 5-022.12 “exclusive local agency” per Water Code §10723(c). In compliance with the Sustainable Groundwater Management Act (SGMA), a Groundwater Sustainability Plan (GSP) was submitted by the GSA to the Department of Water Resources (DWR), but it is not yet certified.

The project site plan is approximately 35 acres in area, is zoned ML (Light Industrial), and includes installation of steel hoop houses, a cargo container and stock tanks, which is well below the threshold requiring a Water Supply Assessment pursuant to State Bill 610. The City also adopted an Urban Water Management Plan (UWMP) in 2017 (City of Lemoore, 2017). This document is a planning tool that was created to help generally guide the actions of urban water suppliers in successfully preparing for potential water supply disruptions and issues. It provides a framework for long-term water planning and informs the public of a supplier’s plans for long-term resource planning that ensures adequate water supplies for existing and future demands.

The City currently utilizes local groundwater as its sole source of municipal water supply. The City’s municipal water system extracts its water supply from underground aquifers via six active groundwater wells within the city limits. The City maintains four ground-level storage reservoirs within the distribution system, with a total capacity of 4.4 million gallons (City of Lemoore, 2017). The groundwater basin underlying the City is the Tulare Lake Basin as defined in the Department of Water Resources Bulletin 118 for construction and operation would come from the City of Lemoore’s existing water system.

Based on available data on water usage by land use type, light industrial warehousing and distribution uses are estimated to have an annual water usage 0.07 acre-feet per year per one thousand sq. ft. (City of Santa Barbara, 2009).

Per the City’s 2015 UWMP, the City’s existing system has a total supply capacity of 21,674,000 gallons per day with an average day demand of 8,769,000 gallons (City of Lemoore, 2017). As the project site is currently zoned for Light Industrial development, the General Plan has adequately analyzed the water needed to meet the increased water

demand. The proposed project will not substantially deplete aquifer supplies or interfere substantially with groundwater recharge or significantly alter local groundwater supplies.

Based on the calculated amount of water used, the proposed project is not expected to result in a substantial decrease of groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Therefore, the project will have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.10c(i) – Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation onsite or offsite?

The rate and amount of surface runoff is determined by multiple factors, including the following: topography, the amount and intensity of precipitation, the amount of evaporation that occurs in the watershed and the amount of precipitation and water that infiltrates to the groundwater. The proposed project would alter the existing drainage pattern of the site, which would have the potential to result in erosion, siltation, or flooding on or offsite. However, there are no streams or rivers located on the project site. The disturbance of soils onsite during construction could cause erosion, resulting in temporary construction impacts.

As discussed in Impact #3.4.10a above, potential impacts on water quality arising from erosion and sedimentation are expected to be localized and temporary during construction. Construction-related erosion and sedimentation impacts as a result of soil disturbance would be less than significant after implementation of an SWPPP (see Mitigation Measure MM HYD-1) and BMPs required by the NPDES. No drainages or other water bodies are present on the project site, and therefore, the proposed project would not change the course of any such drainages.

Once operational, there will be minimal areas of impervious surface that would create water runoff. The project will be developed in a way that stormwater will be able to percolate to ground and not cause soil erosion or siltation.

The project would also connect to existing City stormwater sewer infrastructure. The project will comply with all applicable local building codes and regulations in order to minimize impacts during construction and post-construction of the project. With implementation of MM HYD-1, impacts that would result in substantial erosion or siltation on or offsite is less than significant.

MITIGATION MEASURE(S)

Implementation of MM HYD-1.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.10c(ii) – Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite?

See also Impact #3.4.10c(i), above. The project site is flat, and grading would be minimal. The topography of the site would not change because of grading activities, and it does not contain any water features, streams or rivers. The project would develop significant areas of impervious surfaces that could significantly reduce the rate of percolation at the site or concentrate and accelerate surface runoff in comparison to the baseline condition.

The BMPs associated with the SWPPP would prevent flooding onsite or offsite. Therefore, the project would not substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or offsite. With implementation of Mitigation Measure MM HYD-1, impacts would be less than significant.

MITIGATION MEASURE(S)

Implementation of MM HYD-1.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.10c(iii) – Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would 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?

Please see Impact #3.4.10c(i)-c(ii), above. The construction BMPs associated with the SWPPP would prevent sources of polluted runoff. Therefore, the project would not otherwise alter existing drainage patterns that cause runoff water to exceed the capacity of existing stormwater drainage systems or create polluted runoff. With implementation of Mitigation Measure MM HYD-1, impacts would be less than significant.

MITIGATION MEASURE(S)

Implementation of MM HYD-1.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.10c(iv) – Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?

As noted previously, the site does not include a stream or river. The site is not within a FEMA flood zone and the potential for flooding is minimal.

As discussed above in Impact #3.4.10a through c(iii), construction activities could potentially degrade water quality through the occurrence of erosion or siltation at the project site. Once operational, there will minimal areas of impervious surface that would create water runoff. The project will be developed in a way that stormwater will be able to percolate to ground and not impede or redirect flood flows.

Construction of the project would include soil-disturbing activities that could result in erosion and siltation, as well as the use of harmful and potentially hazardous materials required to operate vehicles and equipment. The project would be required to comply with the NPDES Construction General Permit. A SWPPP would be prepared to specify BMPs to prevent construction pollutants as required by MM HYD-1. The proposed project would not otherwise substantially degrade water quality. Therefore, the project will have a less-than-significant impact.

MITIGATION MEASURE(S)

Implementation of MM HYD-1.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.10d – Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

The project site is not located near the ocean or a steep topographic feature (i.e., mountain, hill, bluff, etc.). Additionally, there is no body of water within the vicinity of the project site. The proposed project's inland location makes the risk of a tsunami or mudflow highly unlikely. The probability of a seiche occurring in the City of Lemoore is considered negligible. Furthermore, given the geologic context at the proposed project site and the absence of

pollutants, if such an event were to occur, the likelihood of it exposing project structures or people to a significant risk is considered low.

As shown in Figure 3.4.10-1, the project is not located within a FEMA 100-year floodplain. According to FEMA, the site is in an area of minimal flood hazard and has a less than 0.2 percent chance of an annual flooding. Impacts would be considered less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.10e – Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

See response to Impact #3.4.10b, above. Based on this estimate, the project is anticipated to use approximately 4.98 acre-feet (AF) of water annually.

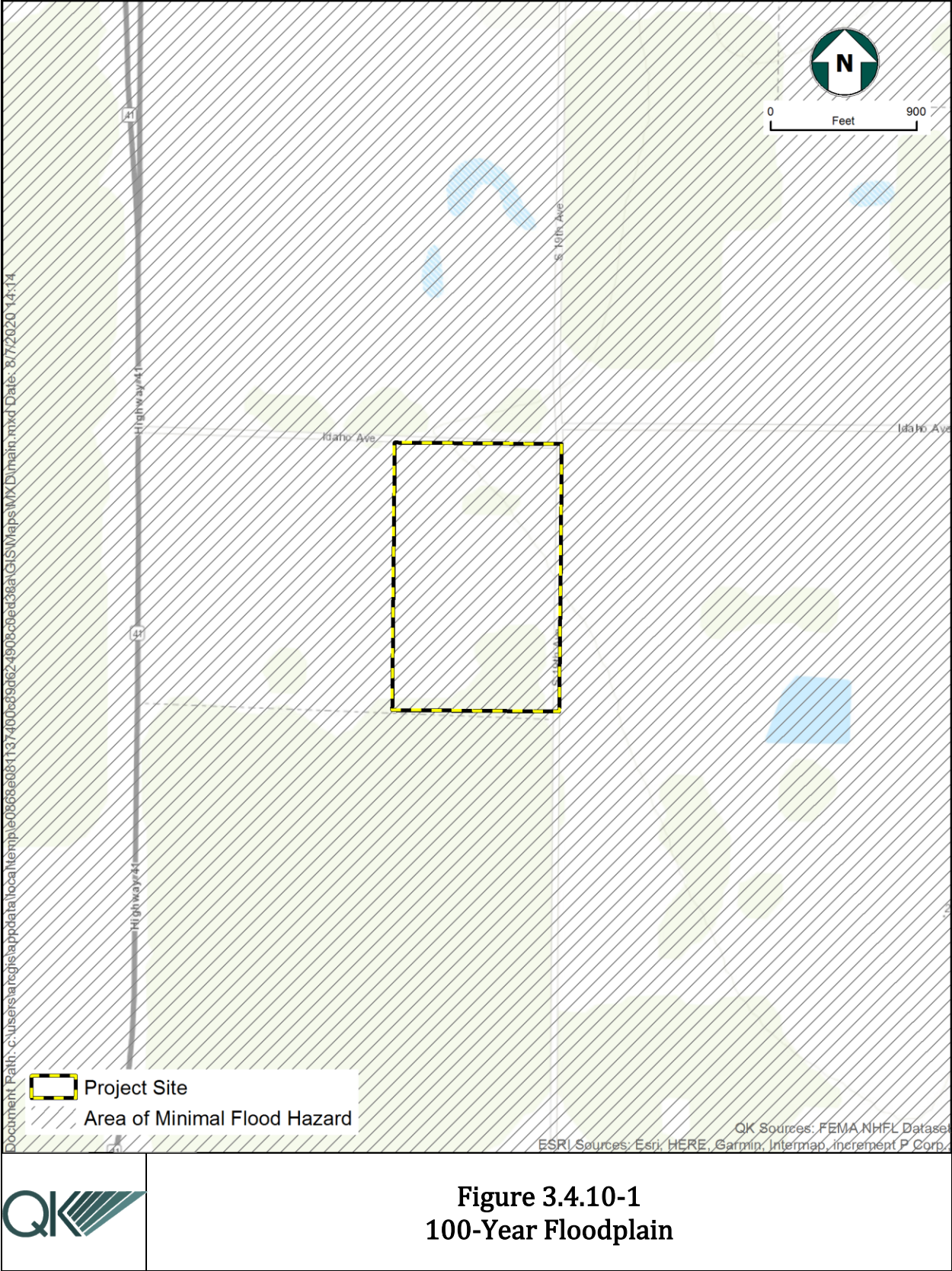
Per the City's 2015 UWMP, the City's existing system has a total supply capacity of 21,674,000 gallons per day with an average day demand of 8,769,000 gallons (City of Lemoore, 2017). As the project site is currently zoned for Light Industrial development, the General Plan has adequately analyzed the water needed to meet the increased water demand. The proposed project will not substantially deplete aquifer supplies or interfere substantially with groundwater recharge or significantly alter local groundwater supplies. Therefore, the project will have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
--	--------------------------------------	--	-------------------------------------	--------------

3.4.11 - LAND USE AND PLANNING

Would the project:

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. | Physically divide an established community? | ☐ | ☐ | ☐ | ☒ |
| 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? | ☐ | ☐ | ☒ | ☐ |

Discussion

Impact #3.4.11a – Would the project physically divide an established community?

The project proposes to cultivate cannabis within hoop houses and would include the installation of associated infrastructure. The area surrounding the project site consists of undeveloped land on the north and east, agricultural uses on the south, and the Lemoore Raceway and BMX track to the west. Planned land uses and existing nonresidential development surrounding the site are depicted on Figure 2-3. Therefore, the project will not physically divide an established community.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.11b – 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?

The project proposes to conduct indoor cannabis cultivation within steal hoops houses, and it requires approval of a Project Development Agreement by the Lemoore City Council.

The project site has a City of Lemoore General Plan land use designation of Light Industrial and is within the ML (Light Industrial) zone district, which allows for the indoor cultivation of cannabis (Lemoore Municipal Code 4-8-4. A.1). Neither a General Plan Amendment or a Zone Change are required for the project, as it complies with the existing land use and zoning.

The discretionary approvals required for the project will include reviews and comments from responsible agencies, and from several City departments to ensure compliance with all applicable, plans, policies, regulations, standards, and conditions of approval.

Therefore, the project will not conflict with any land use plan, policy, or regulation.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
--	--------------------------------------	--	-------------------------------------	--------------

3.4.12 - MINERAL RESOURCES

Would the project:

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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? | ☐ | ☐ | ☐ | ☒ |
| b. | Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | ☐ | ☐ | ☐ | ☒ |

Discussion

Impact #3.4.12a – 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?

The City of Lemoore and the surrounding area have no mapped mineral resources, and no regulated mine facilities (City of Lemoore, 2008). Additionally, per the California Department of Conservation - Geologic Energy Management Division (CalGEM, formerly the Division of Oil, Gas, and Geothermal Resources (DOGGR)), there are no active, inactive, or capped oil wells located within the project site, and it is not within a CalGEM-recognized oilfield (see Figure 3.4.12-1). Therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.12b – Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

The project site is not designated for mineral and petroleum resources activities by the City of Lemoore General Plan. The project site and surrounding lands are zoned for Light Industrial uses. No mining occurs in the project area or in the nearby vicinity. There are no mineral extraction activities that will be conducted in the future as a result of the project. The project would not result in the loss of availability of a locally important mineral resource

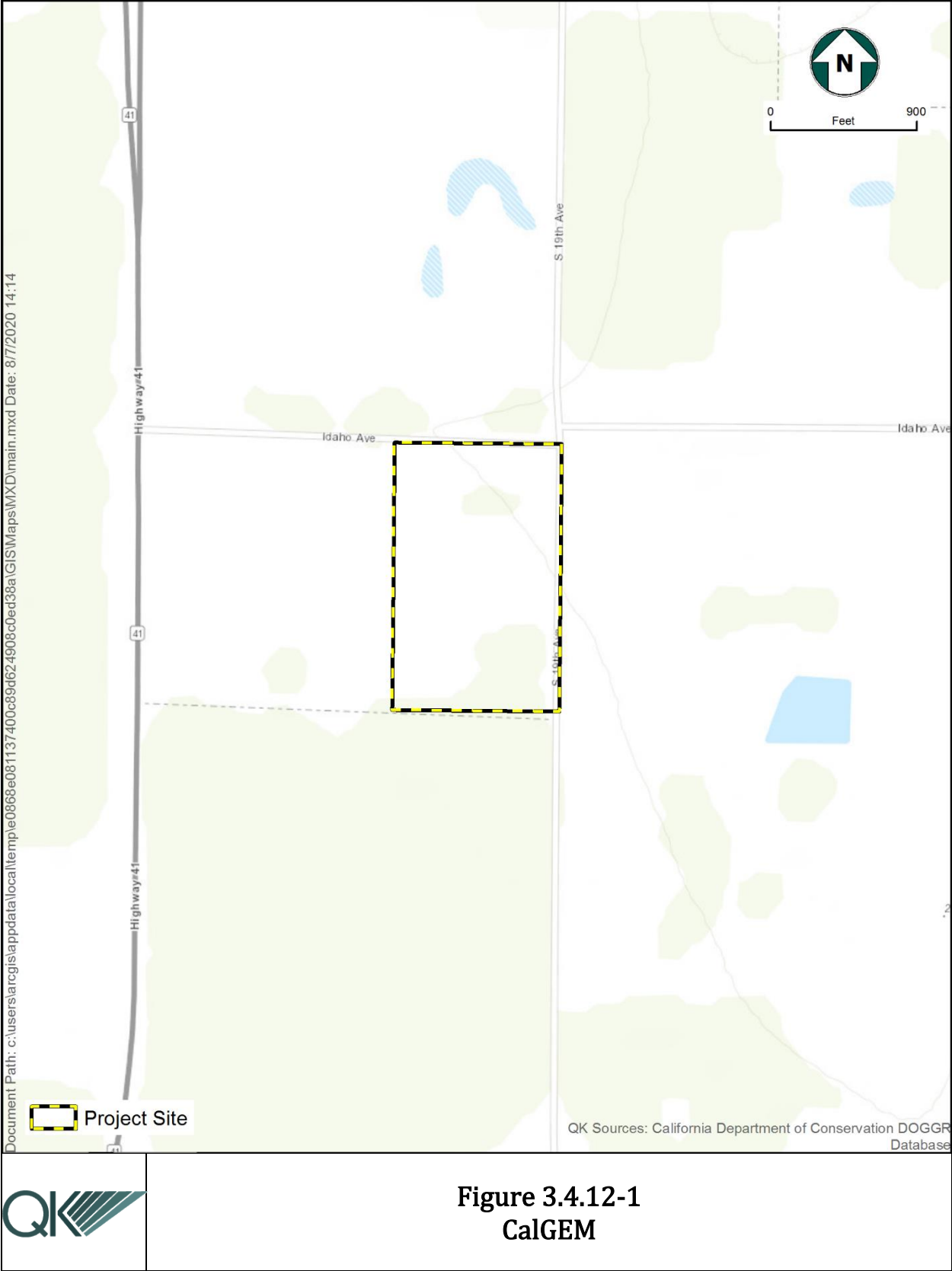
recovery site delineated on a local general plan, specific plan, or other land use plan and would therefore have no impact.

MITIGATION MEASURES

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
3.4.13 - NOISE				
Would the project result in:				
a. Exposure of persons to, or generate, noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?	☐	☐	☒	☐
b. Exposure of persons to or generate excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐

Discussion

Impact #3.4.13a – Would the project result in exposure of persons to, or generate, noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?

There are two industrial zones in Lemoore with the potential to cause noise hazards. The first is located south of Iona Avenue along both sides of 19th Avenue, and the second is located north of the San Joaquin Railroad tracks and west of SR 41. Activities carried out in both areas are primarily related to food processing and light manufacturing. At full buildout of the General Plan, more industries are expected to locate in both areas, adding to the number of noise sources. To the west of the project is the Lemoore Raceway, which would generate noise levels when racing event occur.

To minimize noise impacts to surrounding residents, industrial uses are usually separated from residential areas by a road or other physical element. The amount of noise present will depend on the type of industrial activity carried out and is not expected to be as severe as noise from vehicular traffic or airplanes (City of Lemoore, 2008).

The City of Lemoore Municipal Code, Chapter 6–Noise, provides the following:

- Sec 5.6.1.B - This chapter shall be applicable to all uses and activities conducted within the City except for industrial uses and activities conducted in industrial zones.

The closest residential neighborhood is located .75 miles northeast of the project site. As stated in the General Plan – “The amount of noise present will depend on the type of industrial activity carried out and is not expected to be as severe as noise from vehicular traffic or airplanes.”

Construction-related noise levels and activities will be temporary and intermittent. Minimal equipment is expected to be used during construction of the project. Additionally, traffic and the various other noises generally associated with construction activities will be temporary and only take place during daylight hours. In addition, the construction-related noise will be intermittent and cease once the proposed project is completed.

Project construction would generate temporary increases in noise levels. Title 5, Chapter 6 of the City’s Municipal Code establishes regulations and enforcement procedures for noise generated in the City. The regulations do not apply to the operation on days other than Sunday of construction equipment or of a construction vehicle, or the performance on days other than Sunday of construction work, between the hours of 7:00 a.m. and 8:00 p.m., provided that all required permits for the operation of such construction equipment or construction vehicle or the performance of such construction work have been obtained from the appropriate City department (Lemoore Municipal Code 5-6-1-C.4).

Therefore, the project would not result in the exposure of persons to or generate noise levels more than existing levels and would not exceed standards established in a local general plan or noise ordinance or applicable standards of other agencies. Impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.13b – Would the project result in exposure of persons to or generate excessive groundborne vibration or groundborne noise levels?

The proposed project is expected to create temporary groundborne vibration as a result of the construction activities (during site preparation). According to the U.S. Department of Transportation, Federal Railroad Administration, vibration is sound radiated through the ground. The rumbling sound caused by the vibration is called groundborne noise. The ground motion caused by vibration is measured as particle velocity in inches per second and is referenced as vibration decibels (VdB). The background vibration velocity level in residential areas is usually around 50 VdB. A list of typical vibration-generating equipment is shown in Table 3.4.13-1.

Table 3.4.13-1
Different Levels of Groundborne Vibration

Vibration Velocity Level	Equipment Type
94 VdB	Vibratory roller
87 VdB	Large bulldozer
87 VdB	Caisson drilling
86 VdB	Loaded trucks
58 VdB	Small bulldozer

Source: (Federal Transit Administration , 2006)

Note: 25 feet from the corresponding equipment

The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for many people.

Typical outdoor sources of perceptible groundborne vibration are construction equipment and traffic on rough roads. For example, if a roadway is smooth, the groundborne vibration from traffic is rarely perceptible.

Typically, groundborne vibration generated by construction activity attenuates rapidly with distance from the source of the vibration. Therefore, vibration issues are generally confined to distances of less than 500 feet (U.S. Department of Transportation, 2005). There are no schools located within the surrounding area of the proposed project site. Potential sources of temporary vibration during construction of the proposed project would be minimal and would include transportation and use of equipment to the site.

Construction activity would include various site preparation and site cleanup work. Construction would not involve the use of equipment that would cause high groundborne vibration levels such as pile-driving or blasting.

Once constructed, the proposed project would not have any components that would generate high vibration levels. Thus, construction and operation of the proposed project would not result in any vibration and impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.13c – For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

There are no public airports within two miles of the project site. The Naval Air Station Lemoore (NASL) runways are located 7.5 miles to the west of the project site. The closest public airport is the Hanford Municipal Airport, located approximately 10.0 miles east of the project. The project is not within an airport land use compatibility plan area. There is no adopted airport land use plan that includes the City of Lemoore.

The City Zoning Ordinance established an NASL overlay zone as provided in this article shall apply to those properties as designated on the zoning map, generally west of State Route 41 and south of the city limits, which fall in the military influence area (MIA) (Ord. 2013-05, 2-6-2014) (City of Lemoore, 2019). The project is within the Overlay III area, which experiences aircraft noise less than 65 decibels (<65 dB CNEL). Development located within Overlay III of the NASL overlay zone are required to be constructed so as to attain an indoor noise level of 45 decibels (45 dB CNEL). Therefore, there will be a less-than-significant impact.

MITIGATION MEASURES

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less- than Significant Impact	No Impact
--	--------------------------------------	--	-------------------------------------	--------------

3.4.14 - POPULATION AND HOUSING

Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. | Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | ☐ | ☐ | ☒ | ☐ |
| b. | Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ |

Discussion

Impact #3.4.14a – Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The project site is zoned ML (Light Industrial), and includes cannabis cultivation within hoops houses, an office, an accessory cargo container and stock tanks. The project does not include new dwelling units and would not induce population growth in the area. Any potential for population growth, due to the employment opportunities associated with the project, is not substantial relative to the total population of the City of Lemoore. According to the California Department of Finance estimate, the City's population was 26,257 in 2019. The City anticipates a 3.1 percent annual increase in population, with an estimated population of 34,719 in 2025 and 47,115 by 2035 (City of Lemoore, 2017).

Therefore, any population growth resulting from new employment opportunities will be minimal, which will result in less-than-significant impacts.

All onsite improvements will be completed in compliance with applicable General Plan and Municipal Code requirements. The Lemoore General Plan includes policies to limit development only to areas inside an urban boundary around the city. Any growth inducement could only occur on lands that are designated and have been evaluated for urban development. Therefore, the impact would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.14b – Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

The proposed project would not require demolition of any housing, as the project site is currently undeveloped land zoned for Light Industrial uses. Therefore, there would be no need to construct replacement housing elsewhere. There would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
--	--------------------------------------	--	-------------------------------------	--------------

3.4.15 - PUBLIC SERVICES

Would the project:

- a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services:

i. Fire protection?	☐	☐	☒	☐
ii. Police protection?	☐	☐	☒	☐
iii. Schools?	☐	☐	☒	☐
iv. Parks?	☐	☐	☒	☐
v. Other public facilities?	☐	☐	☒	☐

Discussion

Impact #3.4.15a(i) – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – fire protection?

The Lemoore Volunteer Fire Department (LVFD) has operated as an all-volunteer department since 1921. The LVFD includes one Chief, two Assistant Chiefs, four Crew Captains, seven Engineers, 11 Emergency Medical Technicians, one paid part-time Secretary, and one paid full-time maintenance worker. The department covers an area of approximately nine square miles, with Mutual Aid Agreements with Kings County Fire, Hanford City Fire, and Naval Air Station Lemoore.

Table 3.4.15-1
Fire Service Existing and Future Demand

	Existing (2006)	Demand Buildout (2030)
Staffing	35 volunteers	72 volunteers
Facilities	2	3

(City of Lemoore, 2008)

Construction and operation of the proposed project would not be expected to result in an increase in demand of fire protection services leading to the construction of new or physically altered facilities. Fire suppression support is provided by the City of Lemoore Volunteer Fire Department (LVFD), which has two fire stations and the closest station to the project site is located at 210 Fox Street, approximately three miles northeast of the project site.

The project site plan is approximately 35 acres in area and includes cannabis cultivation within hoop houses, an accessory cargo container and stock tanks. The project does not include new dwelling units and would not induce population growth in the area. Therefore, the project will not result in significant environmental impacts related to acceptable service ratios, response times, or to other performance objectives fire protection services.

The City of Lemoore will ensure that construction activities would be in accordance with local and State fire codes. Fire protection services are adequately planned for within the City's General Plan through policies to ensure the City maintains Fire Department performance and response standards by allocating the appropriate resources. The project applicant is responsible for constructing any infrastructure needed to serve the project and pay the appropriate impact fees, which would reduce impacts to fire protection to less-than-significant levels.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.15a(ii) – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – police protection?

The Police Department has a staff of 31 sworn peace officers and seven civilian staff members. There are 30 vehicles assigned to the department.

The Police Department currently operates at a ratio of 1.33 officers per thousand residents, which is lower than the Western U.S. average of 1.5 officers per one thousand residents reported by the Federal Bureau of Investigation. Average response times in 2006 averaged between 2.1 to 6.1 minutes depending on the priority type. Response times and the ability of the Police Department to provide acceptable levels of service are contingent on increasing staffing levels, sworn and civilian, consistent with resident population increase and the population of visitors, merchants, schools, and shoppers with the department's service area.

Table 3.4.15-2
Police Service Existing and Future Demand

	Existing (2006)	Demand Buildout (2030)
Sworn Officers	31	64
Population	23,390	48,250

(City of Lemoore, 2008)

The City's police station is located at 657 Fox Street, approximately 3.3 miles northeast of the project site.

The project will not increase the local population or add additional streets into the police patrol network and will not result in significant environmental impacts related to acceptable service ratios, response times, or to other performance objectives police protection services. The project proposes to have onsite security monitoring equipment, and the site will be secured by an eight-foot chain link fence topped with three strands of barbed wire. In addition, there will be 24/7 security personnel onsite. These project design features will reduce the impacts to the City police department.

To ensure that there will be no impacts to public protection services, the project developer is required to pay appropriate impact fees related to police protection and is responsible for constructing any infrastructure needed to serve the project. Therefore, impacts on police protection services would therefore be considered less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.15a(iii) – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – schools?

Buildout of the General Plan will result in the addition of 8,020 households (single-family and multi-family), with an additional population of approximately 24,860. Student generation factors by household type shown in Table 3.4.15-3 are used to calculate future enrollment. School size assumptions for households in the Planning Area are as follows:

- K-6: 750 students per school
- 6-8: 800 students per school
- 9-12: 1800 students per school

**Table 3.4.15-3
Student Generation Factors**

Type	Household Type	
	Single Family	Multi-family
Elementary School (K-6)	0.354	0.320
Middle School (7-8)	0.088	0.070
High School (9-12)	0.183	0.117
Total	0.625	0.507

Source: Lemoore Union Elementary School District and Lemoore Union High School District, 2006.

Government Code Section 65996 requires statutory developer fees as the exclusive means of considering and mitigating impacts on school facilities. The developer will pay appropriate impact fees at the time building permits are issued. Therefore, the impact would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.15a(iv) – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – parks?

Future parkland in Lemoore will come primarily from two sources:

- Neighborhood and community parks provided as a result of dedication by developers in new development areas; and
- Other parkland provided through City acquisitions or contributions by public and private sources.

The number of parks and open spaces allocated under the General Plan, as shown is larger than is required under current City park standards and the Quimby Act. This is in response to the wish of Lemoore residents to have greater access to recreation facilities and a higher quality of life.

The parkland goal will be achieved through parkland dedications in new subdivisions, at a ratio of five acres per one thousand residents, and additional parkland at one acre per one thousand residents, to be acquired by the City through private and public funding sources and through impact fees. The system of parks and recreational facilities will be geographically distributed throughout the City. With full buildout of the General Plan, 96 percent of Lemoore residents will live within one-quarter mile of a neighborhood park or one-half mile of a community park (City of Lemoore, 2008).

See Impacts #3.4.14a-b. The project does not include new dwelling units and would not induce population growth in the area. The project will be reviewed and approved in compliance with the goals, policies, and implementation measures of the General Plan and Lemoore City Municipal Code Title 9, Chapter 7, Article N. Therefore, the project would have a less-than-significant impact to the City park system.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.15a(v) – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – other public facilities?

Community facilities are the network of public and private institutions that support the civic and social needs of the population. They offer a variety of recreational, artistic, and educational programs and special events. New community facilities are not specifically sited on the General Plan Land Use Diagram. Small-scale facilities are appropriately sited as integral parts of neighborhoods and communities, while existing larger-scale facilities are generally depicted as public/semi-public land use, as appropriate (City of Lemoore , 2008).

The proposed project does not include any impacts to other public facilities such as libraries, hospitals or emergency medical facilities. The proposed project would comply with the goals, policies, and implementation measures of the General Plan.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
3.4.16 - RECREATION				
Would the project:				
a. 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?	☐	☐	☒	☐
b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☒	☐

Discussion

Impact #3.4.16a – 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?

Currently, the Parks and Recreation Department of the City of Lemoore maintains approximately 88 acres of parkland, which excludes the City-owned municipal golf course. The City's ponding basins, including the one adjacent to West Hills College, provide an additional 38 acres of open space. The City's current park standard for public parkland is five acres of parkland per one thousand residents. With a population of 25,585 residents in 2015, the City currently provides approximately five acres of parkland per one thousand residents.

Currently, there is a joint use agreement between the Lemoore Union Elementary and High School Districts and the City to share facilities after school hours. School fields and facilities, however, are not included as part of park land calculations.

See Impact #3.4.14a-b. and #3.4.15a(iv)-(v). The project will be reviewed and approved in compliance with the goals, policies, and implementation measures of the General Plan and Lemoore City Municipal Code Title 9, Chapter 7, Article N. Therefore, the project would not increase the use of existing parks or the need to construct or expand existing recreational facilities.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.16b – Would the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

See Impact #3.4.15a(iv)-(v). The project does not require the construction of any new recreational facilities. Therefore, it would not generate an adverse physical effect on the environment.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
--	--------------------------------------	--	-------------------------------------	--------------

3.4.17 - TRANSPORTATION AND TRAFFIC

Would the project:

a.	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b.	Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	☒	☐
c.	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d.	Result in inadequate emergency access?	☐	☐	☒	☐

Discussion

Impact #3.4.17a – Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Traffic during construction of the proposed facility would be minimal. It is anticipated that the construction of the hoop houses and installation of the container that will house the computer system will take approximately three to four months and approximately 25 people.

Once operational, the facility would be staffed with between 6-8 people daily, who will perform routine plant maintenance activities. Daily traffic during these times would be minimal, with staff arriving and leaving work between 6:00 a.m. and 6:00 p.m. During planting and harvesting, additional employees are needed; a crew of 20-30 employees would be onsite during the same time period. Harvest and planting would occur three times a year and last about a week each time. This activity would be consistent with other agricultural activities. Truck deliveries of various project-related materials would occur throughout the year. It is anticipated that truck deliveries would be monthly, roughly 10-12 times per year.

Transit

The project site and surrounding area is zoned for Light Industrial uses. The General Plan does not include transit stops in the project area. The closest bus stop is the KART FLEX stop No. 46 located on 19th Avenue in front of the Montgomery Crossing Apartments.

Bike

The project site and surrounding area is zoned for Light Industrial uses. The General Plan does not include bike lanes in the project area. The closest bike lane is located along Bodega Avenue, which is north of SR 198.

Roadways

The City of Lemoore General Plan states that most traffic studies are to use a LOS “D” as their standard for traffic impact analysis purposes. Caltrans endeavors are to maintain a target LOS at the transition between LOS “C” and LOS “D” on State highway facilities.

The Circulation Element of the General Plan contains design objectives for street standards are as follows:

- To provide guidance for a system of public streets that will meet the City’s needs;
- To ensure that streets will fulfill their intended functions, consistent with the General Plan, and support multiple modes of travel;
- To provide adequate traffic-carrying capacity, while minimizing width, to create strong neighborhood character; and
- To create a system of sidewalks and bikeways which promote safe walking and bicycle riding for transportation and recreation.

Vehicle Miles Traveled (VMT) Evaluation

The new CEQA Guidelines section 15064.3, subdivision (b) was adopted in December 2018 by the California Natural Resources Agency. These revisions to the CEQA Guidelines criteria for determining the significance of transportation impacts are primarily focused on projects within transit priority areas and shifts the focus driver delay to reduction of greenhouse gas emissions, creation of multimodal networks, and promotion of a mix of land uses. Vehicle miles traveled, or VMT, is a measure of the total number of miles driven to or from a development and is sometimes expressed as an average per trip or per person.

To date, the City has not yet formally adopted its transportation significance thresholds or its transportation impact analysis procedures. The proposed project would not generate or attract more than 100 trips per day; therefore, it is not expected for the project to have a potentially significant level of VMT. Therefore, impacts related to CEQA Guidelines section 15064.3, subdivision (b) would be less than significant.

The proposed cannabis cultivation within hoop houses is considered to be similar to the agricultural and industrial uses in the area. The project is not expected to increase volume of

traffic in the area and all parking would be onsite. The project is not open to the public, and it is anticipated that employees will come from the area.

All street designs are subject to review and approval by the City Council, Planning Department and Public Works Department. Therefore, the project will not conflict with a program, plan, ordinance or policy addressing the circulation system.

MITIGATION MEASURE(S)

Mitigation is not required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.17b – Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Please see Impact #3.4.17a, above. Impacts will be less than significant.

MITIGATION MEASURE(S)

Mitigation is not required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.17c – 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)?

The project will be designed to current standards and safety regulations, and will be constructed as to comply with the City and Caltrans regulations, and design and safety standards of Chapter 33 of the California Building Codes (CBC) and the guidelines of Title 24 in order to create safe and accessible roadways.

Vehicles exiting the site will be provided with a clear view of the roadway without obstructions. Specific design features will incorporate all applicable safety measures to ensure that inadequate emergency access to the site or other areas surrounding the project area would not occur.

Therefore, with the incorporated design features and all applicable rules and regulations, the project will have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.17d – Would the project result in inadequate emergency access?

See the discussion in Impact #3.4.9f.

State and City fire codes establish standards by which emergency access may be determined. The proposed project would have to provide adequate unobstructed space for fire trucks to turn around. The proposed project site would have adequate internal circulation capacity including entrance and exit routes to provide adequate unobstructed space for fire trucks and other emergency vehicles to gain access and to turn around.

The proposed project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. The proposed project would not interfere with the City's adopted emergency response plan.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

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

Discussion

Impact #3.4.18a(i) – 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 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)?

Please see Impacts #3.4.5a, #3.4.5b, and #3.4.5d, above.

A SLF search was requested to the Native American Heritage Commission (NAHC). A response was received from the NAHC on May 22, 2020, which indicated positive results. A copy of that correspondence is included as Appendix A. The Santa Rosa Rancheria Tachi Yokut Tribe will be consulted with prior to project approval and Mitigation Measures MM CUL-1 through CUL-4 will be implemented to reduce potential impacts to historical or archaeological resources. Therefore, the project will have a less-than-significant impact.

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code Section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code Section 21082.3(c) contains provisions specific to confidentiality.

With implementation of Mitigation Measures MM CUL-1 through MM CUL-4, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources.

MITIGATION MEASURE(S)

Implement MM CUL-1 through MM CUL-4.

LEVEL OF SIGNIFICANCE

Impact would be *less than significant with mitigation incorporated*.

Impact #3.15.17a(ii) - 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 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?

Please see Impacts #3.4.5a, #3.4.5b, and #3.4.5d, above.

With implementation of Mitigation Measures MM CUL-1 through MM CUL-4, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is 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.

MITIGATION MEASURE(S)

Implement MM CUL-1 through MM CUL-4.

LEVEL OF SIGNIFICANCE

Impact would be *less than significant with mitigation incorporated*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
--	--------------------------------------	--	-------------------------------------	--------------

3.4.19 - UTILITIES AND SERVICE SYSTEMS

Would the project:

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 relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e. Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion:

Impact #3.4.19a – 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 relocation of which could cause significant environmental effects?

The project would be constructed on land that has already been designated for industrial development in the General Plan. The City has indicated that the infrastructure necessary to serve the project is available and sufficient. The project is located within the planned service area for the City services. However, the project does not propose to construct any permanent structures at this time.

Therefore, no additional sewer capacity would be required for the proposed project. Impacts are considered less than significant.

The City of Lemoore belongs to the San Joaquin Valley Power Authority, which was formed in November 2006, to develop and conduct electricity-related programs for the region. The San Joaquin Valley Power Authority is the governing body authorized by Community Choice, created by the California legislature in 2002, to provide an opportunity for local government (cities, counties or combinations of cities and counties) to purchase electricity on behalf of their residents and businesses. Community Choice is only for the purchase of electricity. The delivery, metering, billing, operation and maintenance of wires and poles remains the responsibility of PG&E within Lemoore (City of Lemoore, 2008).

There are existing transmission facilities adequate to meet present and projected demand in the community. The project will connect to the existing transmission lines for electrical power. Telecommunication requirements for the project are typical of this type of land use and would not require any expansion or construction of new telecommunication facilities.

The proposed project would not require or result in the construction or expansion of existing or new water, wastewater treatment, electrical or telecommunications facilities. Therefore, the project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.19b – Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

As noted in Impact #3.4.10b, the Tulare Lake Subbasin total storage capacity is estimated to be 17,100,000 acre-feet to a depth of 300 feet, and 82,500,000 acre-feet to the base of fresh groundwater. According to the 2015 Urban Water Management Plan, the City's 2015 maximum day demand is approximately 12.8 mgd. It is anticipated that the City has sufficient water available to supply the project.

The project will connect to the existing water supply system. The usage of water would be consistent with the City's current demands. As noted previously, the project will comply with City Municipal Codes related to water conservation, such as xeriscape landscaping, drip irrigation, low flow toilets, water efficient appliances, etc. The proposed increase in water usage at the project site is not anticipated to require the construction of new water facilities or the expansion of existing facilities. Impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.19c – Would the project result in a determination by the wastewater treatment provider that 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?

Municipal Code Chapter 4, Section 8-4-1 notes that the development of land for urban uses substantially accelerates the concentration of surface and stormwaters. The City has established drainage fees to defray all or a part of the actual or the estimated cost of constructing planned drainage facilities for the removal of surface and stormwaters from drainage areas. However, the project does not propose any permanent structures, bathrooms of other facilities. The project will be reviewed by the Department of Public Works and any applicable drainage fees will be determined. The payment of the fees would help reduce impacts of the project related to wastewater treatment.

The generation of wastewater and water would be consistent with the City requirements. The proposed increase in water and wastewater usage at the project site is not anticipated to require the construction of new water or wastewater treatment facilities or the expansion of existing facilities. Impacts would be less than significant.

The site engineering and design plans for the proposed project would be required to implement BMPs, comply with requirements of the City Building and development standards.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.19d – 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?

Implementation of the proposed project would result in the generation of solid waste on the site, which would increase the demand for solid waste disposal. During construction these materials, which are not anticipated to contain hazardous materials, would be collected and transported away from the site to an appropriate disposal facility.

Solid waste disposal for Lemoore is managed by Kings Waste and Recycling Authority (KWRA). The City's Refuse Division is responsible for solid waste collection services. The majority of the City's solid waste is taken to the Kettleman Hills nonhazardous landfill facility, owned by Chemical Waste Management (CWMI). The facility is located south of Lemoore and has an available capacity of 15.6 million cubic yards as of 2020 (Cal Recycle , 2020). KWRA is currently studying the future needs of solid waste services including building a new landfill to be operated by CWMI near the existing site. The County has a 25-year contract with CWMI to handle its solid waste until 2023 (City of Lemoore, 2008).

Cannabis waste is considered a type of organic waste. There are three State licensing agencies that provide regulations for cannabis waste. These agencies include: Bureau of Cannabis Control, CalCannabis Cultivation Licensing, and Manufactured Cannabis Safety Branch. Based on these agency regulations, a cannabis cultivator is required to dispose of cannabis waste in one of the following methods:

1. On-premises composting of cannabis waste;
2. Collection and processing of cannabis waste by a local agency, a waste hauler franchised or contracted by a local agency, or a private waste hauler permitted by a local agency;
3. Self-haul cannabis waste to one or more of the following:
 - a. A manned, fully permitted solid waste landfill or transformation facility;
 - b. A manned, fully permitted composting facility or manned composting operation;
 - c. A manned, fully permitted in-vessel digestion facility or manned in-vessel digestion operation;
 - d. A manned, fully permitted transfer/processing facility or manned transfer/processing operation;
 - e. A manned, fully permitted chip and grind operation or facility; or
 - f. A recycling center as defined in Title 14, Section 17402.5(d) of the California Code of Regulations and that meets the following:
 - The cannabis waste received shall contain at least 90 percent inorganic material;
 - The inorganic portion of the cannabis waste is recycled into new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace; and
 - The organic portion of the cannabis waste shall be sent to a facility or operation identified in subsection (c)(1) through (5).
4. Reintroduction of cannabis waste back into agricultural operation through on premises organic waste recycling methods, including but not limited to tilling directly into agricultural land and no-till farming.

As a cannabis-related business, the project will comply with all applicable local, State and federal regulations regarding the appropriate disposal of cannabis-related waste products.

There is sufficient capacity at the local landfill to accommodate project-related waste. Therefore, project impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.19e – Would the project comply with federal, State, and local management and reduction statutes and regulations related to solid waste?

The 1989 California Integrated Waste Management Act (AB 939) requires Kings County to attain specific waste diversion goals. In addition, the California Solid Waste Reuse and Recycling Access Act of 1991, as amended, requires expanded or new development projects to incorporate storage areas for recycling bins into the proposed project design. Reuse and recycling of construction debris would reduce operating expenses and save valuable landfill space.

The project is subject to the solid disposal ordinance of the City of Lemoore as well as the rules of the contracted waste franchise. The project is also subject to Title 4–Chapter 1 of the Lemoore Municipal Code that regulates all solid waste activities from disposal, sorting, and recycling of materials. The Lemoore Public Works–Refuse Department would provide refuse, recycling and green waste collection services. Refuse service fees have been established and would be charged by the City when services are requested.

The proposed project would not be expected to significantly impact Lemoore or Kings County landfills. The proposed project would be required to comply with all federal, State, and local statutes and regulations related to solid waste. As stated in Impact #3.4.19d Cannabis waste is considered a type of organic waste. There are three State licensing agencies that provide regulations for cannabis waste. These agencies include: Bureau of Cannabis Control, CalCannabis Cultivation Licensing, and Manufactured Cannabis Safety Branch.

Therefore, implementation of the proposed project would result in a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

3.4.20 - 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 Incorporated	Less-than-Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or	☐	☐	☒	☐
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?	☐	☐	☒	☐

Discussion:

Impact #3.4.20a – Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

The 2015 Kings County Emergency Operations Plan (EOP) establishes emergency procedures and policies and identifies responsible parties for emergency response in the County, and includes the incorporated City of Lemoore (Kings County, 2015). The EOP includes policies that would prevent new development from interfering with emergency response of evacuation plans. The project will comply with all local regulations related to the construction of new development that is consistent with the EOP.

The General Plan also provides guidance to City staff in the event of extraordinary emergency situation associated with natural disaster and technological incidents (City of Lemoore, 2008). The project would also comply with the appropriate local and State requirements regarding emergency response plans and access. The proposed project would not inhibit the

ability of local roadways to continue to accommodate emergency response and evacuation activities. The proposed project would not interfere with the City's adopted emergency response plan, therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.20b – Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire?

Wildfire hazard data for the Lemoore Planning Area is provided by the California Department of Forestry and Fire Protection, as summarized in Table 3.4.20-1. The majority of the City is considered to have either little or no threat or a moderate threat of wildfire. Only one percent of the Planning Area currently has a high threat of wildfire. Wildfire hazard present in the Planning Area should decrease as vacant parcels become developed.

**Table 3.4.20-1
Existing Wildfire Hazards**

Fire Hazards	Acreage	Percent of City Area
Little or No Threat	5,648	46
Moderate	6,494	53
High	85	1
Very High	0	0
Total	12,227	100

There are no other factors of the project or the surrounding area that would exacerbate wildfire risks, and thereby expose project occupants to pollutant concentration from a wildfire or the uncontrolled spread of a wildfire. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.20c – Would the project, require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines?)

See Impacts #3.4.20a and b, above.

The project may require the installation or maintenance of additional distribution lines to connect the structures to the existing utility grid. However, the project would be constructed in accordance with all local and State regulations regarding power lines and other related infrastructure, as well as fire suppression requirements.

Therefore, the project would not exacerbate fire risk or result in temporary or ongoing impacts to the environment and impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.20d – Would the project, expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The project site is not located near the ocean or a steep topographic feature (i.e., mountain, hill, bluff, etc.). Additionally, there is no body of water within the vicinity of the project site. As shown in Figure 3.4.9-1, the project is not located within a FEMA 100-year floodplain. According to FEMA, the site is located in an area of minimal flood hazard and has a less than 0.2 percent chance of an annual flooding. As such, the project would not place housing within a 100-year flood hazard area as mapped on a federal flood hazard boundary or flood insurance rate map or other flood hazard delineation map.

Therefore, the project will not expose people or structures to risks of flooding, landslides, runoff, slope instability, or drainage changes.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
3.4.21 - MANDATORY FINDINGS OF SIGNIFICANCE				
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, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☒	☐	☐
c. Does the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Discussion:

Impact #3.4.21a – 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, 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?

As evaluated in this IS/MND, the proposed project would not substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory. Mitigation measures have been included to lessen the significance of

potential impacts. Similar mitigation measures would be expected of other projects in the surrounding area, most of which share a similar cultural paleontological and biological resources. Consequently, the incremental effects of the proposed project, after mitigation, would not contribute to an adverse cumulative impact on these resources. Therefore, the project would have a less-than-significant impact with mitigation incorporated.

MITIGATION MEASURE(S)

Implement MM BIO-1 through BIO-6, CUL-1 through CUL-4, GEO-1, HYD-1.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.21b - Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

As described in the impact analyses in Sections 3.4.1 through 3.4.20 of this IS/MND, any potentially significant impacts of the proposed project would be reduced to a less-than-significant level following incorporation of the mitigation measures. All planned projects in the vicinity of the proposed project would be subject to review in separate environmental documents and required to conform to the City of Lemoore General Plan, zoning, mitigate for project-specific impacts, and provide appropriate engineering to ensure the development meets all applicable federal, State and local regulations and codes. As currently designed, and with compliance of the recommended mitigation measures, the proposed project would not contribute to a cumulative impact. Thus, the cumulative impacts of past, present, and reasonably foreseeable future projects would be less than cumulatively considerable.

MITIGATION MEASURE(S)

Implement MM BIO-1 through BIO-6, CUL-1 through CUL-4, GEO-1, HYD-1.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

Impact #3.4.21c - Does the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?

All the project’s impacts, both direct and indirect, that are attributable to the project were identified and mitigated to a less-than-significant level. All planned projects in the vicinity of the proposed project would be subject to review in separate environmental documents and required to conform to State regulations, the City of Lemoore General Plan, Zoning Ordinance, and Municipal Codes to mitigate for project-specific impacts. The project will have the appropriate engineering to ensure the development meets all applicable federal,

State and local regulations and codes. Thus, the cumulative impacts of past, present, and reasonably foreseeable future projects would be less than cumulatively considerable. Therefore, the proposed project would not either directly or indirectly cause substantial adverse effects on human beings because all potentially adverse direct impacts of the proposed project are identified as having no impact, less-than-significant impact, or less-than-significant impact with mitigation incorporated.

MITIGATION MEASURE(S)

Implement MM BIO-1 through BIO-6, CUL-1 through CUL-4, GEO-1, HYD-1.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant with mitigation incorporated*.

SECTION 4 - REFERENCES

- Applied Earthworks, Inc. (2019). *Cultural Resource Inventory for Lennar Tract 848, City of Lemoore*.
- CA Department of Conservation. (2016). *FMMP*. Retrieved from <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx>
- CA Dept of Toxic Substances. (2020). *EnviroStor*. Retrieved from https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=16150001
- Cal EPA. (2019). *Cortese List (SuperFund Cleanup Site List)*. Retrieved March 9, 2016, from http://www.envirostor.dtsc.ca.gov/public/search.asp?cmd=search&reporttype=CORTESE&site_type=CSITES,OPEN,FUDS,CLOSE&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST.
- Cal Fire. (2006). *California Wildland Hazard Severity Zone Map Update*. Retrieved from Local Responsibility Area (LRA) Map: http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_statewide
- Cal Recycle . (2020, April). *SWIS 16-AA-0023 Kettlemen Hills B18 Nonhaz Codisposal site*. Retrieved from SWIS Facility/Site Search: <https://www2.calrecycle.ca.gov/SWFacilities/Directory>
- California Air Resources Board. (2005). *AIR QUALITY AND LAND USE HANDBOOK*.
- California Building Standards Commission. (2019). *California Code of Regulations*.
- California Building Standards Commission. (2019). *Guide to Title 24*.
- California Department of Conservation*. (2020). Retrieved from CA Geologic Survey Regulatory Maps: <https://maps.conservation.ca.gov/cgs/DataViewer/index.html>
- California Department of Transportation. (2020). *California Scenic Highway Mapping System*. Retrieved from <https://www.arcgis.com/apps/webappviewer/index.html?id=2e921695c43643b1aaf7000dfcc19983>
- CDFW. (2020). *California Natural Diversity Database (CNDDB)*. Retrieved from <https://apps.wildlife.ca.gov/rarefind/view/RareFind.aspx>
- City of Lemoore. (2008). *2030 General Plan*.
- City of Lemoore. (2012). *Community Profile Information- Hazards*. Retrieved from http://www.cityofhanfordca.com/document_center/Government/Local%20Hazard

- %20Mitigation%20Plan/Local%20Hazard%20Mitigation%20Plan%20-%20Lemoore%20Community%20Profile.pdf
- City of Lemoore. (2017). *2015 Urban Water Management Plan*.
- City of Lemoore. (2019). *City Code of Ordinances*.
- City of Santa Barbara. (2009). *Water Demand Factor Update Report*. Santa Barbara: Water Resources Department and Planning Department.
- CNPS. (2020). *Inventory of Rare and Endangered Plants*. Retrieved from California Native Plant Society (CNPS): www.rareplants.cnps.org
- Federal Transit Administration . (2006). *Transit Noise and Vibration Impact Assessment*.
- Kings County. (2015). *Kings County Emergency Ooperations Plan*.
- Meyer, Jack et al. (2010). *Cultural Resources Inventory of Caltrans District 6/9: Volume 1- A Geoarchaeological Overview and Assessment of Caltrans Districts 6 and 9*. Caltrans.
- Mills, E. (2018). *Not-so-Green Greenhouses for Cannabis Hyper-Cultivation*. Retrieved from <https://sites.google.com/site/evanmillsresearch/home/publications>
- Peters Engineering Group. (2020). *Limited Traffic Analyses - Trip and Parking Generation Estimates*.
- San Joaquin Air Pollution Control District. (2015). *Air Quality Thresholds of Significance – Criteria Pollutants*.
- SJVAPCD. (2017). *Small Project Analysis Level (SPAL)*.
- Spencer, W.D., et al. (2010). *California Essential Habitat Connectivity Project - A Strategy for Conserving a Connected California*. Caltrans.
- U.S. Department of Transportation, F. R. (2005). *High-Speed Ground Transportation Noise and Vibration Impact Assessment*.
- United States Fish and Wildlife Service. (2011). *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance*.
- UpCodes. (2016). *Appendix J Grading*. Retrieved from <https://up.codes/viewer/california/ca-building-code-2016-v2/chapter/J/grading#J>
- US Fish and Wildlife Service. (1998). *Recovery Plan for Upland Species of the San Joaquin Valley, CA*.

USFWS. (2020). *Information for Planning and Consultation online project planning tool*. Retrieved from <https://ecos.fws.gov/ipac/>

APPENDIX A

**NATIVE AMERICAN HERITAGE COMMISSION**

May 22, 2020

Jaymie Brauer
Quad Knopf, Inc.CHAIRPERSON
Laura Miranda
LuiseñoVia Email to: Jaymie.Brauer@qkinc.com
Via U.S. Mail to: Santa Rosa Rancheria Tachi Yokut TribeVICE CHAIRPERSON
Reginald Pagaling
Chumash**Re: Native American Tribal Consultation, Pursuant to the Assembly Bill 52 (AB 52), Amendments to the California Environmental Quality Act (CEQA) (Chapter 532, Statutes of 2014), Public Resources Code Sections 5097.94 (m), 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 and 21084.3, Lemoore Cannabis Cultivation Project, Kings County**SECRETARY
Merri Lopez-Keifer
Luiseño

Dear Ms. Brauer:

PARLIAMENTARIAN
Russell Attebery
Karuk

Pursuant to Public Resources Code section 21080.3.1 (c), attached is a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the above-listed project. Please note that the intent of the AB 52 amendments to CEQA is to avoid and/or mitigate impacts to tribal cultural resources, (Pub. Resources Code §21084.3 (a)) ("Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.")

COMMISSIONER
Marshall McKay
Wintun

Public Resources Code sections 21080.3.1 and 21084.3(c) require CEQA lead agencies to consult with California Native American tribes that have requested notice from such agencies of proposed projects in the geographic area that are traditionally and culturally affiliated with the tribes on projects for which a Notice of Preparation or Notice of Negative Declaration or Mitigated Negative Declaration has been filed on or after July 1, 2015. Specifically, Public Resources Code section 21080.3.1 (d) provides:

COMMISSIONER
William Mungary
Paiute/White Mountain
Apache

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

COMMISSIONER
Julie Tumamait-Stenslie
ChumashCOMMISSIONER
[Vacant]COMMISSIONER
[Vacant]EXECUTIVE SECRETARY
Christina Snider
Pomo

The AB 52 amendments to CEQA law does not preclude initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction prior to receiving requests for notification of projects in the tribe's areas of traditional and cultural affiliation. The Native American Heritage Commission (NAHC) recommends, but does not require, early consultation as a best practice to ensure that lead agencies receive sufficient information about cultural resources in a project area to avoid damaging effects to tribal cultural resources.

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

The NAHC also recommends, but does not require that agencies should also include with their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential effect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:

- A listing of any and all known cultural resources that have already been recorded on or adjacent to the APE, such as known archaeological sites;
- Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
- Whether the records search indicates a low, moderate, or high probability that unrecorded cultural resources are located in the APE; and
- If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

2. The results of any archaeological inventory survey that was conducted, including:

- Any report that may contain site forms, site significance, and suggested mitigation measures.

All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code section 6254.10.

3. The result of any Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was positive. Please contact the **Santa Rosa Rancheria Tachi Yokut Tribe** on the attached list for more information.

4. Any ethnographic studies conducted for any area including all or part of the APE; and

5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are not exhaustive and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: Nancy.Gonzalez-Lopez@nahc.ca.gov.

Sincerely,



Nancy Gonzalez-Lopez

Cultural Resources Analyst

Attachment

**Native American Heritage Commission
Tribal Consultation List
August 11, 2020**

Kings River Choinumni Farm Tribe

Stan Alec

3515 East Fedora Avenue
Fresno, CA 93726

(559) 647-3227 Cell

Foothill Yokuts
Choinumni

Wuksache Indian Tribe/Eshom Valley Band

Kenneth Woodrow. Chairperson

1179 Rock Haven Ct.
Salinas, CA 93906

kwood8934@aol.com

(831) 443-9702

Foothill Yokuts
Mono

Wuksache

Santa Rosa Rancheria Tachi Yokut Tribe

Leo Sisco. Chairperson

P.O. Box 8

Lemoore, CA 93245

(559) 924-1278

Tache
Tachi
Yokut

Table Mountain Rancheria

Leanne Walker-Grant. Chairperson

P.O. Box 410

Friant, CA 93626

rpennell@tmr.org

(559) 822-2587

Yokuts

Table Mountain Rancheria

Bob Pennell. Cultural Resources Director

P.O. Box 410

Friant, CA 93626

rpennell@tmr.org

(559) 325-0351

(559) 217-9718 - cell

Yokuts

Tule River Indian Tribe

Neil Peyron. Chairperson

P.O. Box 589

Porterville, CA 93258

neil.peyron@tulerivertribe-nsn.gov

(559) 781-4271

Yokuts

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list applicable only for consultation with Native American tribes under Public Resources Code Sections 21080.3.1 for the proposed: Lemoore Cannabis Cultivation Project, Kings County.

