

Initial Study and Mitigated Negative Declaration for Belissa Residential Community

April 2022



Prepared By:



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Prepared For:



City of Visalia
315 E Acequia Ave
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Section 1

Initial Study/Negative Declaration Process

City of Visalia

315 E Acequia Ave
Visalia, CA 93291

SECTION 1

CEQA Review Process

Project Title: Belissa Residential Community

1.1 California Environmental Quality Act Guidelines

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

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

1.2 Initial Study

The Initial Study provided herein covers the potential environmental effects of the construction and operation of 478 low, medium, and high-density residential dwelling units, commercial, and open space on approximately 58.78 gross acres. The proposed project site proposed for R-1-5. The site is zoned AE-40 by Tulare County and is designated as Low Density Residential, Medium Density Residential, High Density Residential, and Neighborhood Commercial. The City of Visalia will act as the Lead Agency for processing the Initial Study/Mitigated Negative Declaration pursuant to the CEQA Guidelines.

1.3 Environmental Checklist

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

1.4 Notice of Intent to Adopt a Negative Declaration

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

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

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

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

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

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

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

1.5 Negative Declaration or Mitigated Negative Declaration

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

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

1.6 Intended Uses of Initial Study/Negative Declaration documents

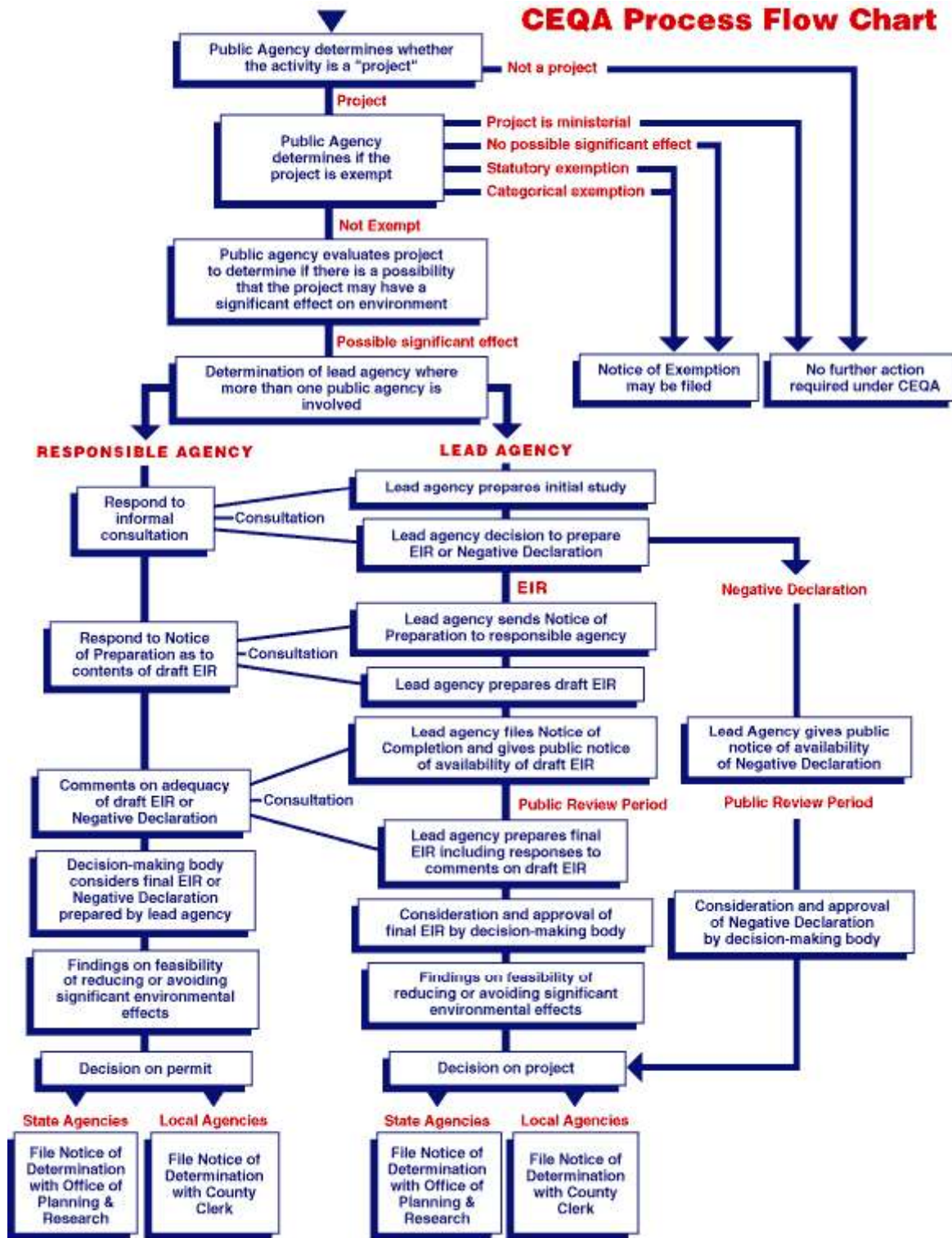
The Initial Study/Negative Declaration document is an informational document that is intended to inform decision-makers, other responsible or interested agencies, and the general public of potential environmental effects of the proposed project. The environmental review process has been established to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

1.7 Notice of Determination (NOD)

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

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

1.8 CEQA Process Flow Chart



Section 2

Project Description



City of Visalia

315 E Acequia Ave
Visalia, CA 93291

SECTION 2 Project Description

Project Title: Belissa Residential Community

2.1 Project Description and Purpose

The Project proposes a 477-unit, low, medium, and high-density residential development with commercial and open space on 58.78 gross acres within the City of Visalia planning area. The Project site's existing zoning is AE-40 in Tulare County and proposed zoning is R-1-5 (Single-Family Residential, 5,000 square foot minimum lot size), R-M-2 (Multi-Family Residential, one unit per 3,000 square feet lot area), R-M-3 (Multi-Family Residential, one unit per 1,200 square feet lot area), and C-N (Neighborhood Commercial). The project includes 159 low density homes, 150 medium density homes, 168 apartment units, 7.88 acres of neighborhood commercial, and 2.18 acres of parks and open space. The first phase will construct the 159 single family homes and the 150 medium density homes. The second phase will be the 168 apartment homes. The final phase will be the 7.88 acres of neighborhood commercial.

The Project would result in onsite and offsite infrastructure improvements including new and relocated utilities, new residential streets, and the continuation and improvement of Demaree Street and Riverway Drive. The project will dedicate right-of-way to widen Demaree Street and Riverway Drive. The Project would require demolition of one single family home.

2.2 Project Location

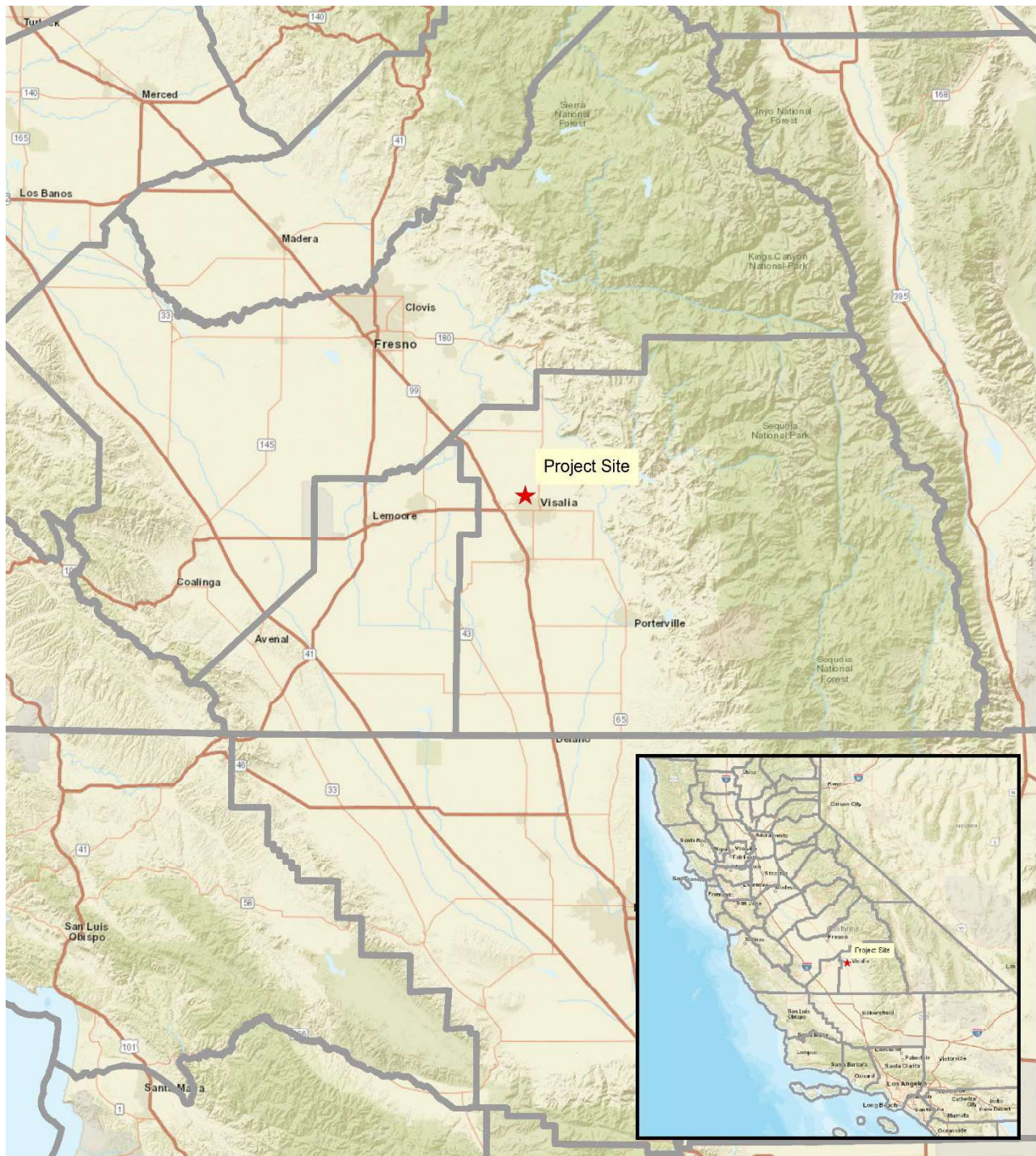
The proposed project site is located within in Tulare County within the Visalia planning area and Urban Development Boundary Tier II, North of the Visalia city limits. The site is located North of Riverway Avenue and East of Demaree Street on vacant land behind an existing single-family residential subdivision. The site is approximately three miles Northwest of the Visalia downtown. The Project involves construction on approximately 58.78 acres on parcels identified with APNs 077-050-004 and 077-050-006. The site is topographically flat and is bounded by agricultural uses to the North, South, East, and West. The site partially borders a single-family residential development to the Southeast. The site is zoned AE-40 by Tulare County and is designated as Low Density Residential, Medium Density Residential, High Density Residential, and Neighborhood Commercial. The site currently contains one single-family residence and agriculture uses. The site is bisected by Modoc Ditch, an irrigation canal that flows from the southeast corner of APN 077-050-004 toward the west and then toward the northwest corner of APN 077-050-006.

2.3 Other Permits and Approvals

The following discretionary and ministerial approvals are required from the City of Visalia for the proposed project:

- One or more City of Visalia Tentative Subdivision Map and/or Tentative Parcel Map

- City of Visalia Conditional Use Permit for density spread and lot sizes that do not meet the zoning standards
- Tulare County Local Agency Formation Commission Annexation into the city limits of Visalia
- City of Visalia Building and Encroachment Permits
- Right-of-way dedication and street improvements for Demaree Street and Riverway Avenue.
- San Joaquin Valley Air Pollution Control District (SJVAPCD). The proposed project is within the jurisdiction of the SJVAPCD and will be required to comply with Rule VIII, 3135, 4101, and 9510.
- Central Valley Regional Water Quality Control Board, SWPPP. The proposed project site is within the jurisdiction of the Central Valley Regional Water Quality Control Board (RWQCB). The Central Valley RWQCB will require a Storm Water Pollution Prevention Plan (SWPPP) to prevent impacts related to stormwater because of project construction



Regional Location Map Belissa Residential Community City of Visalia

Date: 4/7/2022



1 in = 20 miles

Figure 2-1. Regional Location Map



Vicinity Map
Belissa Residential Community
 City of Visalia

Date: 4/13/2022



1 in = 1,000 ft

Figure 2-2. Vicinity Map

Section 3

Evaluation of Environmental Impacts



City of Visalia

315 E Acequia Ave
Visalia, CA 93291

SECTION 3

Evaluation of Environmental Impacts

Project Title: Belissa Residential Community

This document is the Initial Study/Mitigated Negative Declaration for the proposed construction and operation of 477 units of low, medium, and high-density residential development with commercial and open space on approximately 58.78 gross acres in the County of Tulare, within the Visalia Planning Area. The City of Visalia will act as Lead Agency for this project pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

3.1 PURPOSE

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

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

This Initial Study of environmental impacts has been prepared to conform to the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.). According to Section 15070, a public agency shall prepare or have prepared a proposed negative declaration or mitigated negative declaration for a project subject to CEQA when:

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

3.2 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

1. **Project Title:** Belissa Residential Community
2. **Lead Agency:** City of Visalia, Planning and Development Department
Rafael Garcia, Planning Division
315 E Acequia Ave
Visalia, CA 93291
Phone Number: (559) 713-4031
3. **Applicant:** JPA Investments LLC
Contact Person: Josh Peterson
2505 Alluvial Ave.
Clovis, CA, 93611
4. **Project Location:** The proposed project site is located within in Tulare County within the Visalia planning area and Urban Development Boundary Tier II; North of the Visalia city limits. The site is located North of Riverway Avenue and East of Demaree Street on vacant land behind an existing single-family residential subdivision. The site is approximately three miles Northwest of the Visalia downtown. The Project involves construction on approximately 58.78 acres on parcels identified with APNs 077-050-004 and 077-050-006. The site is topographically flat and is bounded by agricultural uses to the North, South, East, and West. The site partially borders a single-family residential development to the Southeast. The site is zoned AE-40 by Tulare County and is designated as Low Density Residential, Medium Density Residential, High Density Residential, and Neighborhood Commercial. The site currently contains one single-family residence and agriculture uses. The site is bisected by Modoc Ditch, an irrigation canal that flows from the southeast corner of APN 077-050-004 toward the west and then toward the northwest corner of APN 077-050-006.
5. **General Plan Designation:** The proposed project site is designated as Low Density Residential, Medium Density Residential, High Density Residential, and Neighborhood Commercial by the Visalia General Plan.
6. **Zoning Designation:** The site is zoned AE-40 by Tulare County. Upon annexation into the City of Visalia and approval of a General Plan Amendment, the property will be zoned R-1-5 (Single-Family Residential, 5,000 square foot minimum lot size), R-M-2 (Multi-Family Residential, one unit per 3,000 square feet lot area), R-M-3 (Multi-Family Residential, one unit per 1,200 square feet lot area), and C-N (Neighborhood Commercial).
7. **Project Description:** The Project proposes a 477-unit, low, medium, and high-density residential development with commercial and open space on 58.78 gross acres within the City of Visalia planning area. The Project site's existing zoning is AE-40 in Tulare County and proposed zoning is R-1-5(Single-Family Residential, 5,000 square foot minimum lot size), R-M-2 (Multi-Family Residential, one unit per 3,000 square feet lot area), R-M-3 (Multi-Family Residential, one unit per 1,200 square feet lot area), and C-N (Neighborhood Commercial). The project includes 159 low density homes, 150 medium density homes, 168 apartment units, 7.88 acres of neighborhood commercial, and 2.18 acres of park

and open space. The project will be constructed in three phases. The first phase will construct the 159 single family homes and the 150 medium density homes. The second phase will be the 168 apartment homes. The final phase will be the 7.88 acres of neighborhood commercial.

The Project would result in onsite and offsite infrastructure improvements including new and relocated utilities, new residential streets, and the continuation and improvement of Demaree Street and Riverway Drive. The project will dedicate right-of-way to widen Demaree Street and Riverway Drive. The Project would require demolition of one single family home.

8. Surrounding Land Uses and Settings:

- North: Medium and Low Density Residential (Visalia General Plan, Visalia Planning Area), currently under agricultural use.
- South: Medium and Low Density Residential (Visalia General Plan, Visalia Planning Area), currently a single-family development and agricultural use.
- East: Medium Density Residential, Parks/Recreation, and Public Facilities. (Visalia General Plan, Visalia Planning Area) currently under agricultural use.
- West: Low Density Residential and Parks/Recreation (Visalia General Plan, Visalia Planning Area) currently single-family development and agricultural use.

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

- One or more City of Visalia Tentative Subdivision Map and/or Tentative Parcel Map
- City of Visalia Conditional Use Permit for density spread and lot sizes that do not meet the zoning standards
- Tulare County Local Agency Formation Commission Annexation into the city limits of Visalia.
- City of Visalia Building and Encroachment Permits
- Right-of-way dedication and street improvements for Demaree Street and Riverway Avenue.
- San Joaquin Valley Air Pollution Control District (SJVAPCD). The proposed project is within the jurisdiction of the SJVAPCD and will be required to comply with Rule VIII, 3135, 4101, and 9510
- Central Valley Regional Water Quality Control Board, SWPPP. The proposed project site is within the jurisdiction of the Central Valley Regional Water Quality Control Board (RWQCB). The Central Valley RWQCB will require a Storm Water Pollution Prevention Plan (SWPPP) to prevent impacts related to stormwater because of project construction

10. Native American Consultation: The State requires lead agencies to consider the potential effects of proposed projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the California Environmental Quality Act (CEQA) Guidelines. Pursuant to PRC Section 21080.3.1, the lead agency shall begin consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the proposed project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe which is either on or eligible for inclusion in the California Historic Register or local historic register, or, the lead agency, at its discretion, and support by substantial evidence, choose to treat the resources as a Tribal Cultural Resources (PRC Section 21074(a)(1-2)). According to the most recent census data, California is home to 109 currently recognized Indian tribes. Tribes in California currently

have nearly 100 separate reservations or Rancherias. Tulare County has several Rancherias that were consulted for this project: the Big Sandy Rancheria of Western Mono Indians, Santa Rosa Rancheria Tachi Yokut Tribe, Tule River Indian Tribe, Wukache Indian Tribe/Eshom Valley Band. These Rancherias are not located within the city limits.

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 PRC Section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per PRC Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that PRC Section 21082.3(c) contains provisions specific to confidentiality.

11. **Parking and access:** Vehicular access to the project is available via Demaree Street, Riverway Drive, and a future road connection via the proposed Linwood Street. The project includes new streets and courts that provide full access to the project site. During construction, workers will utilize existing parking areas and/or temporary construction staging areas for parking of vehicles and equipment.
12. **Landscaping and Design:** The landscape and design plans will be required during building permit submittal and during final map submittal for any areas maintained by a landscape and lighting district.
13. **Utilities and Electrical Services:** The Project would result in onsite and offsite infrastructure improvements including new and relocated utilities. Water will be provided by Cal Water and sewer services will be provided by the City of Visalia via existing lines on Riverway Drive. A temporary stormwater basin will be located in the Commercial area, in the Southwest corner of the site.

Acronyms

BMP	Best Management Practices
BAU	Business as Usual
CAA	Clean Air Act
CBC	California Building Code
CCAP	Climate Change Action Plan
CCR	California Code of Regulation
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
CRHR	California Register of Historic Places
CWA	California Water Act
DHS	Department of Health Services
FEIR	Final Environmental Impact Report
FMMP	Important Farmland Mapping and Monitoring Program
ISMND	Initial Study Mitigated Negative Declaration
ISR	Indirect Source Review
MCL	Maximum Contaminant Level
MEIR	Master Environmental Impact Report
NOI	Notice of Intent
ND	Negative Declaration
NAC	Noise Abatement Criteria
RCRA	Resource Conservation and Recovery Act of 1976
ROW	Right-of-Way
RWQCB	Regional Water Quality Control Board
SCE	Southern California Edison
SHPO	State Historic Preservation Office
SJVAPCD	San Joaquin Valley Air Pollution Control District
SSJVIC	Southern San Joaquin Information Center
SWPPP	Storm Water Pollution Prevention Plan
TCR	Tribal Cultural Resource
UWMP	Urban Water Management Plan



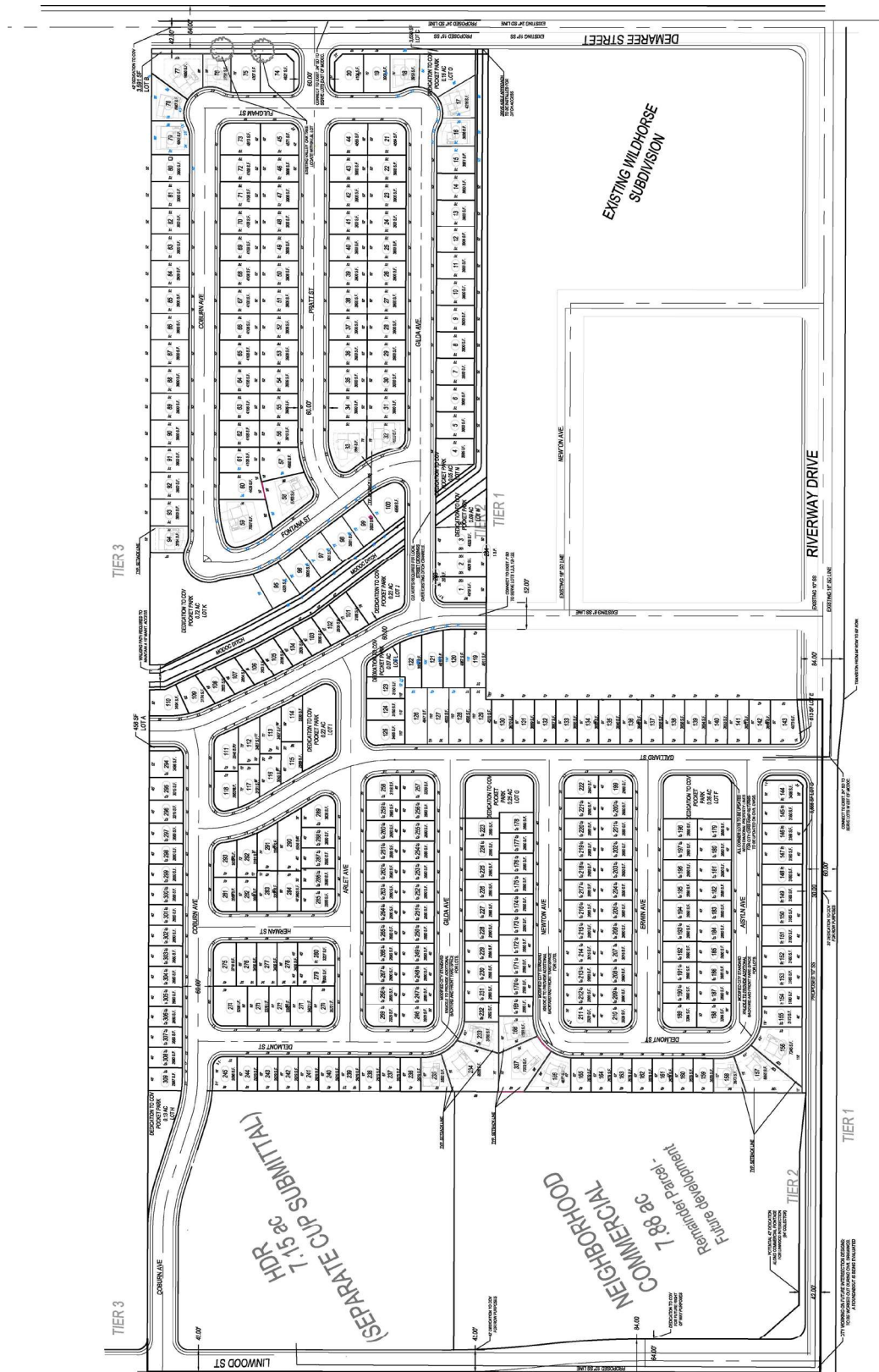
Vicinity Map
Belissa Residential Community
 City of Visalia

Date: 4/13/2022



1 in = 1,000 ft

Figure 3-1. Vicinity Map



SHAWA

Figure 3-2: Site Plan

3.3 EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “no Impact” answers that are adequately supported by the information sources a lead agency cites, in the parentheses following each question. A “No Impact” answer is adequately supported if the reference information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR if 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.
 - Earlier Analysis Used. Identify and state where they are available for review.
 - 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.
 - Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated.” Describe and mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

3.4 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

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

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION WILL BE PREPARED.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☒ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. A Negative Declaration is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is requested.

Brandon Smith
 SIGNATURE
 Type text here
Brandon Smith
 PRINTED NAME

July 26, 2022
 DATE
City of Visalia
 AGENCY

3.5 ENVIRONMENTAL ANALYSIS

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

I. AESTHETICS

Except as provided in Public Resource Code Section 210999, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

Scenic Resources

Scenic resources include landscapes and features that are visually or aesthetically pleasing. They contribute positively to a distinct community or region. These resources produce a visual benefit upon communities. The City of Visalia has a visual character of a mix of rural and built environments. Visalia is surrounded by natural open space agricultural land, characterized by uses such as grazing, open space, and cultivated agriculture. Downtown Visalia is the physical, cultural, and economic center, with historical homes surrounding the downtown. St. John's River flows along the North side of Visalia's city limits, along with smaller creeks and ditches throughout the city. Valley Oak trees, both individually and in groves, also provide an important scenic feature and link to the natural setting of the San Joaquin Valley. The goal of Visalia's General Plan regarding visual resources is to preserve and re-establish the city's natural waterway system and Valley Oak tree groves with parks, conservation areas, and trailways.

Scenic Vistas

The Visalia General Plan identifies the Sierra Nevada mountains to the East and agricultural lands surrounding the city as scenic vistas surrounding Visalia.

Existing Visual Character

The following photos demonstrate the aesthetic character of the project area. As shown, the proposed project site area is in a relatively flat area characterized by agricultural uses.



Photo 1: Southwest Site Boundary (View Northeast) Source: Google Maps 2011



Photo 2: South Site Boundary (View North) Source: Google Maps 2011



Photo 3: East Site Boundary (View West) Source: Google Maps 2019



Photo 4: Northeast Site Boundary (View Southwest) Source: Google Maps 2019



Photo 5: Center of site (View North) Source: Taylored Archaeology, 2021

Regulatory Setting

Scenic Roadways

The California Scenic Highway Program was established in 1963 by the State Legislature for the purpose of protecting and enhancing the natural beauty of California highways and adjacent corridors through conservation strategies. The State Scenic Highway System includes a list of highways that have either been officially designated or are eligible for designation. State laws affiliated with governing the scenic highway program can be found in Sections 260-263 in The Street and Highways Code.

State Scenic Highways

According to the California Department of Transportation mapping of State Scenic Highways, the City of Visalia does not have officially designated State Scenic Highways, however the City has one eligible State Scenic Highway, a 44-mile stretch of State Route 198 from State Route 99 to Sequoia National Park. This is designated as a scenic corridor in the City's General Plan. This portion of the highway is approximately 2.5 miles away from the proposed site.

City of Visalia General Plan

The 2030 General Plan includes the policies related to aesthetic resources that correlate to the proposed project:

LU-P-28: Continue to use natural and man-made edges, such as major roadways and waterways within the City's Urban Area Boundary, as urban development limit and growth phasing lines.

LU-P-34: Work with Tulare County to prevent urban development of agricultural land outside of the current growth boundaries and to promote the use of agricultural preserves, where they will promote orderly development.

LU-P-42: Develop scenic corridor and gateway guidelines that will maintain the agricultural character of Visalia at its urban fringe.

LU-P-72: Ensure that noise, traffic, and other potential conflicts that may arise in a mix of commercial and residential uses are mitigated through good site planning, building design, and/or appropriate operational measures.

OSC-P-13: In new neighborhoods that include waterways, improvement of the waterway corridor, including preservation and/or enhancement of natural features and development of a continuous waterway trail on at least one side, shall be required.

OSC-P-17: Require that new development along waterways maintain a visual orientation and active interface with waterways. Develop design guidelines to be used for review and approval of subdivision and development proposals to illustrate how this can be accomplished for different land uses in various geographic settings.

OSC-P-34: Enhance views and public access to Planning Area waterways and other significant features such as Valley Oak groves consistent with flood protection, irrigation water conveyance, habitat preservation and recreation planning policies.

Tulare County General Plan

The 2030 Tulare County General Plan contains following goals and policies related to aesthetic resources that correlate to the proposed project:

SL-1.1 Natural Landscapes: During review of discretionary approvals, including parcel and subdivision maps, the County shall as appropriate, require new development to not significantly impact or block views of Tulare County's natural landscapes.

1. Be sited to minimize obstruction of views from public lands and rights-of-ways,

3. Screen parking areas from view,
4. Include landscaping that screens the development,
5. Limit the impact of new roadways and grading on natural settings, and
6. Include signage that is compatible and in character with the location and building design

SL-1.2 Working Landscapes: The County shall require that new non-agricultural structures and infrastructure located in or adjacent to croplands, orchards, vineyards, and open rangelands be sited so as to not obstruct important viewsheds and to be designed to reflect unique relationships with the landscape.

1. Referencing traditional agricultural building forms and materials,
2. Screening and breaking up parking and paving with landscaping, and
3. Minimizing light pollution and bright signage.

SL-3.2 Urban Expansion–Edges: The County shall design and plan the edges and interface of communities with working and natural landscapes to protect their scenic qualities by:

1. Maintaining urban separators between cities and communities,
2. Encouraging cities to master plan mixed-density neighborhoods at their edges, locating compatible lower density uses adjacent to working and natural landscapes, and
3. 3. Protecting important natural, cultural, and scenic resources located within areas that may be urbanized in the future

City of Visalia Zoning Ordinance

The Visalia Zoning Ordinance governs the distribution and intensity of land uses, sets the principles for evaluating development and guides the development and growth of the City. The Zoning Ordinance establishes specific development criteria for each zoning district (i.e. parking requirements, walls, fencing, setbacks, building height, etc.).

Discussion

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

Less than Significant Impact: A scenic vista is defined as a viewpoint that provides expansive views of highly valued landscape for the benefit of the general public. The Sierra Nevada mountains to the East and agricultural lands surrounding the city are the primary scenic vista within this region. The site is surrounded by agricultural uses and the Sierra Nevada foothills are approximately 10 miles East of the project site. The project would obstruct some views of agricultural uses. However, the project would not significantly alter views overall from the surrounding community. There is *a less than significant impact*.

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

No Impact: There are no officially designated State Scenic Highways located in the City of Visalia or nearby the site. The proposed project would not damage any scenic resources within a state scenic highway and there is *no impact*.

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

No Impact: The proposed project site is in an urbanized area within the City of Visalia. The materials, signage, fencing, landscaping, and building materials used in the construction of the project will be selected based on their ability to improve the overall visual character of the area. The proposed project will comply with all applicable zoning and other regulations governing scenic quality. There is *no impact*.

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

Less than Significant Impact: The proposed project would result in new lighting sources on the project site consistent with adjacent residential development. New lighting sources would include interior lighting from residences, street lighting, and security lighting. All street and landscape lighting will be consistent with the City's lighting standards, which are developed to minimize impacts related to excessive light and glare. Although the project will introduce new light sources to the area, all lighting will be consistent with adjacent residential land uses and the City's lighting standards. The impacts are *less than significant*.

II. AGRICULTURE AND FOREST RESOURCES:

<p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:</p>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forestland or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

Central California is one of the world's premier growing regions. Agriculture is an important economic resource for Visalia and the surrounding areas. 39,518 acres, or 65 percent, of the Visalia Planning Area is farmland, producing fruit and nut crops, vegetables, nursery products (trees), apiary products (honey), seed crops (cotton), industrial crops (timber), field crops (alfalfa, barley, corn), and livestock.

The proposed project site is located within the Visalia Planning Area. The proposed project site is not under Williamson Act Contract or a Farmland Security Zone contract. The proposed site is designated as Prime Farmland under the Important Farmland Mapping and Monitoring Program (FMMP). Nearby to the North, South, East, are currently Prime Farmland. To the West is built single family homes and Prime Farmland. However, the General Plan has designated low and medium density housing for the land surrounding the site in all directions.

Regulatory Setting

California Land Conservation Act of 1965

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

Right to Farm Ordinance

Tulare County adopted a "Right to Farm Ordinance," to protect the rights of commercial farming operations, while promoting a "good neighbor policy" between these uses. Under this ordinance, property owners and residents are made aware that they may experience inconveniences due to commercial agricultural operations.

California Farmland Mapping and Monitoring Program (FMMP)

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

- **Prime Farmland** has the ideal physical and chemical composition for crop production. It has been used for irrigated production in the four years prior to classification and can produce sustained yields. 51% of the Visalia Planning Area is classified as Prime Farmland.
- **Farmland of Statewide Importance** has also been used for irrigated production in the four years prior to classification and is only slightly poorer quality than Prime Farmland. 11% of the Visalia Planning Area is classified as Farmland of Statewide Importance.
- **Unique Farmland** has been cropped in the four years prior to classification and does not meet the criteria for Prime Farmland or Farmland of Statewide Importance but has produced specific crops with high economic value. Less than 1% of the Visalia Planning Area is classified as Unique Farmland.

- ***Farmland of Local Importance*** encompasses farmland that does not meet the criteria for the previous three categories. These may lack irrigation, produce major crops, be zoned as agricultural, and/or support dairy. 2% of the Visalia Planning Area is classified as Farmland of Local Importance.

City of Visalia General Plan

The 2030 General Plan includes the policies related to agricultural resources that correlate to the proposed project:

- *LU-P-19*: Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy.
- *LU-P-21*: Allow annexation and development of residential, commercial, and industrial land to occur within the Tier II UDB and the Tier III Urban Growth Boundary consistent with the City's Land Use Diagram, according to the stated phasing thresholds.
- *OSC-P-28*: Require new development to implement measures, as appropriate, to minimize soil erosion related to grading, site preparation, landscaping, and construction.

Tulare County General Plan

The 2030 Tulare County General Plan contains following goals related to agricultural resources that correlate to the proposed project:

- Promote the long-term preservation of productive and potentially productive agricultural lands and to accommodate agricultural-support services and agriculturally related activities that support the viability of agriculture and further the County's economic development goals;
- Support increased viability of agriculture production and promote high-value, employment-intensive, and diverse agricultural production, and processing in Tulare County;
- Support the reasonable development and economic viability of animal confinement facilities.

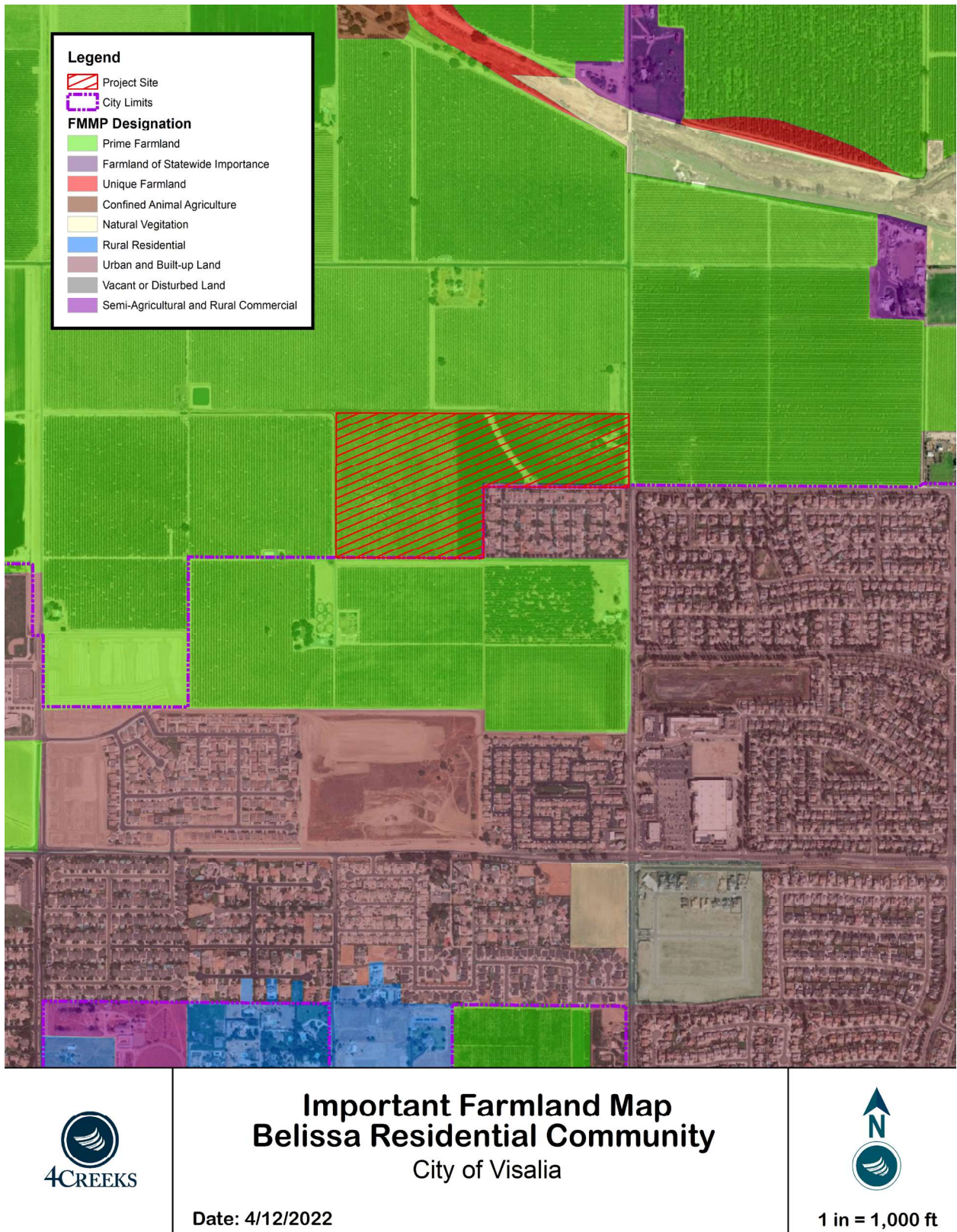


Figure 3-3: Important Farmlands Map

Discussion

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

Less Than Significant Impact: The project site is currently occupied by a single-family home surrounded by fruit trees, with some abandoned sections. Implementation of the proposed Project would result in the permanent conversion of approximately 58.78 acres of Prime Farmland to non-agricultural uses.

The loss of Prime Farmland on the Project site would result in the decrease of Important Farmland inventory in Visalia Planning Area. Visalia Planning Area currently has an Important Farmland inventory of 43,155 acres, 33,991 acres of which were categorized as Prime Farmland. Implementation of the Project would convert 58.78 acres of Prime Farmland, which would result in a .14 percent decrease in the Important Farmland inventory of Visalia Planning Area and a .17 percent decrease in the Prime Farmland inventory.

As shown in Table 3-1, the Visalia 2030 General Plan at full buildout plans to develop on 14,265 total acres of Important Farmland, of which 12,490 acres are Prime Farmland. Most of the growth is planned to be adjacent to urbanized areas, which is much less disruptive to other agricultural uses countywide because it discourages the development of new rural neighborhoods or communities that would require the extension of infrastructure that would create growth-inducing impacts and potentially greater impacts to agricultural resources.

FMMP Designation	Existing Planning Area Total (Acres)	Planning Area Total at General Plan Buildout (Acres)	Change
<i>Prime Farmland</i>	33,991	21,501	-12,490 (-37%)
<i>Farmland of Statewide Importance</i>	7,353	6,954	-399 (-5%)
<i>Unique Farmland</i>	181	137	-44 (-24%)
<i>Farmland of Local Importance</i>	1,630	298	-1,333 (-82%)
<i>Important Farmland Total</i>	43,155	28,890	-14,265 (-33%)

Table 3-1: Important Farmland Developed Under 2030 General Plan. Source: Visalia Planning Area General Plan EIR

Although the proposed site is located on Prime Farmland, the development is in accordance with the 2030 General Plan. The project will follow all existing and proposed 2030 General Plan policies to reduce potential impacts. There is a *less than significant impact*.

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

Less Than Significant Impact: The site is currently zoned for agriculture by Tulare County. However, it is within the Visalia planning area and is expected to be annexed by the city. It currently has a General Plan designation of neighborhood commercial and low, medium, and high density residential that would suit the proposed project. The project site is not under a Williamson Act Contract. There is a *less than significant impact*.

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

No Impact: The project site is not zoned for forest or timberland production. Therefore, *no impacts* would occur.

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

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

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

Less Than Significant Impact: As discussed above, new development including the project site would be focused in and around existing communities. This would prevent new infrastructure from interfering with surrounding farmland. The project does not include any features which could result in the conversion of forestland to non-forest use. There is a *less than significant impact*.

III. AIR QUALITY

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

Environmental Setting

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

The mountain ranges surrounding the San Joaquin Valley Air Basin (SJVAB) serve to restrict air movement and prevent the dispersal of pollution. As a result, the SJVAB is highly susceptible to pollution accumulation over time. As shown in the Table 3-2, the SJVAB is in nonattainment for several pollutant standards. The primary pollutants of concern in the San Joaquin Valley are ozone (O3) and PM10.

Pollutant	Designation/Classification	
	Federal Standards	State Standards
Ozone – One hour	No Federal Standard ^f	Nonattainment/Severe
Ozone – Eight hour	Nonattainment/Extreme ^e	Nonattainment
PM 10	Attainment ^c	Nonattainment
PM 2.5	Nonattainment ^d	Nonattainment
Carbon Monoxide	Attainment/Unclassified	Attainment/Unclassified
Nitrogen Dioxide	Attainment/Unclassified	Attainment
Sulfur Dioxide	Attainment/Unclassified	Attainment
Lead (Particulate)	No Designation/Classification	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified
Vinyl Chloride	No Federal Standard	Attainment
^a See 40 CFR Part 81 ^b See CCR Title 17 Sections 60200-60210 ^c On September 25, 2008, EPA redesignated the San Joaquin Valley to attainment for the PM10 National Ambient Air Quality Standard (NAAQS) and approved the PM10 Maintenance Plan.		

^d The Valley is designated nonattainment for the 1997 PM_{2.5} NAAQS. EPA designated the Valley as nonattainment for the 2006 PM_{2.5} NAAQS on November 13, 2009 (effective December 14, 2009).

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

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

Table 3-2. San Joaquin Valley Attainment Status; Source: SJVAPCD

Valley Fever

Valley Fever is an illness caused by a fungus (*Coccidioides immitis* and *C. posadasii*) that grows in soils under certain conditions. Favorable conditions for the Valley Fever fungus include low rainfall, high summer temperatures, and moderate winter temperatures. In California, the counties with the highest incident of Valley Fever are Fresno, Kern and Kings counties. When soils are disturbed by wind or activities like construction and farming, Valley Fever fungal spores can become airborne. The spores present a potential health hazard when inhaled. Individuals in occupations such as construction, agriculture, and archaeology have a higher risk of exposure due to working in areas of disturbed soils which may have the Valley Fever fungus.

Regulatory Setting

City of Visalia General Plan

The 2030 General Plan includes the policies related to air quality that correlate to the proposed project:

- AQ-P-2: Require use of Best Management Practices (BMPs) to reduce particulate emission as a condition of approval for all subdivisions, development plans and grading permits, in conformance with the San Joaquin Valley Air Pollution Control District Fugitive Dust Rule.
- AQ-P-9: Continue to mitigate short-term construction impacts and long-term stationary source impacts on air quality on a case-by-case basis and continue to assess air quality impacts through environmental review. Require developers to implement Best Management Practices (BMPs) to reduce air pollutant emissions associated with the construction and operation of development projects

Federal Clean Air Act

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

California Clean Air Act

California Air Resources Board coordinates and oversees both state and federal air pollution control programs in California. As part of this responsibility, California Air Resources Board monitors existing

air quality, establishes California Ambient Air Quality Standards, and limits allowable emissions from vehicular sources. Regulatory authority within established air basins is provided by air pollution control and management districts, which control stationary-source and most categories of area-source emissions and develop regional air quality plans. The project is located within the jurisdiction of the San Joaquin Valley Air Pollution Control District.

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

Pollutant	Averaging Time	California Standards ¹		National Standards ²		
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷
Ozone (O₃)	1 Hour	0.09 ppm (180 µg/m ³)	Ultraviolet Photometry	--	Same as Primary Standard	Ultraviolet 8 Hour Photometry
	8 Hour	0.070 ppm (137 µg/m ³)		0.075 ppm (147 µg/m ³)		
Respirable Particulate Matter (PM₁₀)	24 Hour	50 µg/m	Gravimetric or Beta Attenuation	150 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Annual Analysis
	Annual Arithmetic Mean	20 µg/m ³		--		
Fine Particulate Matter (PM_{2.5})	24 Hour		Gravimetric or Beta Attenuation	35 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Annual Analysis
	Annual Arithmetic Mean	12 µg/m ³		15 µg/m ³		
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m ³)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m ³)	--	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m ³)		9 ppm (10 mg/m ³)	--	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m ³)		--	--	
Nitrogen Dioxide (NO₂)⁸	1 Hour	0.18 ppm (339 µg/m ³)	Gas Phase Chemiluminescence	100 ppb (188 µg/m ³)	--	Gas Phase Annual Chemiluminescence
	Arithmetic Mean	0.030 ppm (57 µg/m ³)		53 ppb (100 µg/m ³)	Same as Primary Standard	
Sulfur Dioxide	1 Hour	0.25 ppm (655 µg/m ³)	Ultraviolet Fluorescence	75 ppb (196 µg/m ³)	--	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	--		--	0.5 ppm (1300 µg/m ³)	

Pollutant	Averaging Time	California Standards ¹		National Standards ²		
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷
	24 Hour	0.04 ppm (105 µg/m ³)		0.14 ppm (for certain areas)9	--	
	Annual Arithmetic Mean	--		0.030 ppm (for certain areas)9	--	
Lead ^{10,11}	30 Day Average	1.5 µg/m ³	Atomic Absorption	--	--	High Volume Sampler and Atomic Absorption
	Calendar Quarter	--		1.5 µg/m3 (for certain areas)11	Same as Primary Standard	
	Rolling 3-Month Average	--		0.15 µg/m ³		
Visibility Reducing Particles ¹²	8 Hour	See footnote 12	Beta Attenuation and Transmittance through Filter Tape	No National Standard		
Sulfates	24 Hour	25 µg/m ³	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m ³)	Ultraviolet Fluorescence			
Vinyl Chloride ¹⁰	24 Hour	0.01 ppm (26 µg/m ³)	Gas Chromatography			

1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM10, PM2.5, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

2. National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m³ is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.

3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.

4. Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.

5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.

6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

7. Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.

8. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national standards are in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national standards to the California standards the units can be converted from ppb to ppm. In this case, the national standards of 53 ppb and 100 ppb are identical to 0.053 ppm and 0.100 ppm, respectively.

9. On June 2, 2010, a new 1-hour SO₂ standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO₂ national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved. Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.

10. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

11. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 µg/m³ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.

Pollutant	Averaging Time	California Standards ¹		National Standards ²		
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷
12. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are “extinction of 0.23 per kilometer” and “extinction of 0.07 per kilometer” for the statewide and Lake Tahoe Air Basin standards, respectively.						

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

San Joaquin Valley Air Pollution Control District (SJVAPCD)

The SJVAPCD is responsible for enforcing air quality standards in the project area. To meet state and federal air quality objectives, the SJVAPCD adopted the following thresholds of significance for projects:

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

Table 3-4. SJVAPCD Thresholds of Significance for Criteria Pollutants; Source: SJVAPCD

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

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

Discussion

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

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

Together, these plans quantify the required emission reductions to meet federal and state air quality standards and provide strategies to meet these standards. The SJVAPCD adopted the Indirect Source Review (ISR) Rule in order to fulfill the District's emission reduction commitments in its PM10 and Ozone (NOx) attainment plans and has since determined that implementation and compliance with ISR would reduce the cumulative PM10 and NOx impacts anticipated in the air quality plans to a less than significant level.

Construction Phase. Project construction would generate pollutant emissions from the following construction activities: demolition, site preparation, grading, building construction, application of architectural coatings, and paving. The construction related emissions from these activities were calculated using CalEEMod. The full CalEEMod Report can be found in Appendix A. As shown in Table 3-5 below, project construction related emissions do not exceed the thresholds established by the SJVAPCD.

	CO (tpy)	ROG (tpy)	SOx (tpy)*	Nox (tpy)	PM10 (tpy)	PM2.5 (tpy)
Emissions Generated from Project Construction	3.3184	7.2943	.00804	3.4786	1.2036	.5800
SJVAPCD Air Quality Thresholds of Significance	100	10	27	10	15	15
*Threshold established by SJVAPCD for SOx, however emissions are reported as SO2 by CalEEMod.						

Table 3-5. Projected Project Emissions Compared to SJVAPCD Thresholds of Significance for Criteria Pollutants related to Construction; Source: SJVAPCD, CalEEMod (v. 2020.4.0) Analysis (Appendix A)

Operational Phase. Implementation of the proposed project would result in long-term emissions associated with area sources, such as natural gas consumption, landscaping, applications of architectural coatings, and consumer products, as well as mobile emissions. Operational emissions from these factors were calculated using CalEEMod. The full CalEEMod report can be found in Appendix A. As shown in Table 3-6 below, the project's operational emissions do not exceed the thresholds established by the SJVAPCD.

	CO (tpy)	ROG (tpy)	SOx (tpy)*	Nox (tpy)	PM10 (tpy)	PM2.5 (tpy)
Operational Emissions (Dry Years)	24.9838	6.5072	.0525	4.3347	5.3962	1.5302
SJVAPCD Air Quality Thresholds of Significance	100	10	27	10	15	15
*Threshold established by SJVAPCD for SOx, however emissions are reported as SO2 by CalEEMod.						

Table 3-6. Projected Project Emissions Compared to SJVAPCD Thresholds of Significance for Criteria Pollutants related to Operations; Source: SJVAPCD, CalEEMod (v. 2020.4.0) Analysis (Appendix A)

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

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

Less Than Significant Impact: The SJVAPCD is responsible for bringing air quality in the Visalia Planning Area into compliance with federal and state air quality standards. The significance thresholds and rules developed by the SJVAPCD are designed to prevent projects from violating air quality standards or significantly contributing to existing air quality violations. As discussed above, neither construction-related emissions nor operation-related emissions will exceed thresholds established by the SJVAPCD. The project will comply with all applicable SJVAPCD rules and regulations, which will further reduce the potential for any significant impacts related to air quality as a result of project implementation. Because these thresholds and regulations are designed to achieve and/or maintain federal and state air quality standards, and the project is compliant with these thresholds and regulations, the project will not violate an air quality standard or significantly contribute to an existing air quality violation. The impact is *less than significant*.

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

Less than Significant Impact: The single-family residences bordering the project site to the southeast and, in the future, surrounding the project site are the closest sensitive receptors. The C-N zone of the project is located 1,000 feet away from the nearest existing residence. Table 1-1 of the California Air Resources Board Air Quality and Land Use Handbook (2005) identifies source categories with advisory recommendations for distance from sensitive receptors. Of the pollution sources listed, dry cleaning centers and gasoline dispensing facilities are the only uses

permitted within the C-N zone and would therefore be the only sources that could expose sensitive receptors to substantial pollutant concentrations. These uses are subject to separate district permitting under SJVAPCD Rules 4672, 7070, and 4622. These rules are developed specifically to limit toxic pollutant emissions and prevent exposure to sensitive receptors. . Therefore, the impact would be less than significant.

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

Less Than Significant Impact: Less Than Significant Impact: The project will create temporary localized odors during project construction. The proposed project will not introduce a conflicting land use (surrounding land includes residential neighborhoods) to the area and will not have any component that would typically emit odors. The project would not create objectionable odors affecting a substantial number of people. However, restaurants in the C-N zone may use under-fired charbroilers. These can create significant amounts of Particulate Matter. Mitigation measure AQ-1 will reduce these pollutants to a less than significant level. Impacts would be less than significant with mitigation incorporation.

- **Mitigation Measure AQ-1:** If any restaurants in the C-N portion of the project will utilize under-fired charbroilers, measures will be utilized to reduce Particulate Matter to a less than significant level, as technologically feasible. These can include Mechanical Filtration Systems, Electrostatic Precipitators, or Wet-Scrubbers.

IV. BIOLOGICAL RESOURCES

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

Discussion for this section originates from the Biological Resource Review that was prepared for this project by Soar Environmental Consulting to identify biological resources present or potentially present on the project site and assess the significance of project impacts on such resources per provisions of the California Environmental Quality Act (CEQA), the Federal Clean Water Act (CWA), the state and federal endangered species acts (FESA and CESA respectively), California Fish and Game Code, and California Water Code. The research included the California Natural Diversity Database (CNDDDB), the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), and the California Native Plant Society (CNPS) Online Rare Plant Inventory. The full document can be found in Appendix B.

Environmental Setting

The Project site is in the northern portion of the Visalia Planning Area within the lower San Joaquin Valley, in the Central Valley of California. The Central Valley is bordered by the Sierra Nevada Mountain Ranges to the east and the Coast Ranges to the west. Like most of California, Visalia is considered a Mediterranean climate. Warm, dry summers are followed by cool, moist winters. Summer temperatures often reach above 90 degrees Fahrenheit, and the humidity is relatively low. Winter temperatures are often below 60 degrees Fahrenheit during the day and rarely exceed 70 degrees. On average, the Central Valley receives approximately 10 inches of precipitation in the form of rainfall yearly, most of which occurs between October and March.

The proposed Project site is in a residential and agricultural interface environment just outside the northern boundary of the City of Visalia. The proposed Project site is bounded by agricultural fields to the north, east, and west, and single-family homes to the south. A canal runs north and south in the central portion of the site. The canal is surrounded by agricultural fields. No other natural water features occur in the vicinity of the proposed Project site. The topography of the area is flat. The soil on the proposed Project site is highly compacted. Few trees exist in the surrounding area.

Regulatory Setting

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

The Federal Migratory Bird Treaty Act (FMBTA: 16 USC 703-712): FMBTA prohibits killing, possessing, or trading in any bird species covered in one of four international conventions to which the United States is a party, except in accordance with regulations prescribed by the Secretary of the Interior. The name of the act is misleading, as it actually covers almost all birds native to the United States, even those that are non-migratory. The FMBTA encompasses whole birds, parts of birds, and bird nests and eggs. Although the USFWS and its parent administration, the U.S. Department of the Interior, have traditionally interpreted the FMBTA as prohibiting incidental as well as intentional “take” of birds, a January 2018 legal opinion issued by the Department of the Interior now states that incidental take of migratory birds while engaging in otherwise lawful activities is permissible under the FMBTA. However, California Fish and Game Code makes it unlawful to take or possess any non-game bird covered by the FMBTA (Section 3513), as well as any other native non-game bird (Section 3800), even if incidental to lawful activities.

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

Clean Water Act: Section 404 of the Clean Water Act of (1972) is to maintain, restore, and enhance the physical, chemical, and biological integrity of the nation’s waters. Under Section 404 of the Clean Water Act, the US Army Corps of Engineers (USACE) regulates discharges of dredged and fill materials into “waters of the United States” (jurisdictional waters). Waters of the US including navigable waters of the

United States, interstate waters, tidally influenced waters, and all other waters where the use, degradation, or destruction of the waters could affect interstate or foreign commerce, tributaries to any of these waters, and wetlands that meet any of these criteria or that are adjacent to any of these waters or their tributaries.

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

City of Visalia Oak Tree Ordinance: The City of Visalia has an oak tree ordinance that protects valley oak trees with a diameter at breast height (dbh) of 2 inches or greater. Under this ordinance, removal or encroachment within the drip-line of or damage to valley oak trees is prohibited. Removal requires a permit from the city manager and mitigation either by replacement in-kind or payment of an in-lieu fee to be used for oak tree planting.

Visalia Planning Area General Plan: The Visalia Planning Area General Plan contains the following policies related to the preservation of biological resources that may be considered relevant to the proposed Project’s environmental review:

- OSC-P-8 Protect, restore, and enhance a continuous corridor of native riparian vegetation along Planning Area waterways, including the St. Johns River; Mill, Packwood, and Cameron Creeks; and segments of other creeks and ditches where feasible, in conformance with the Parks and Open Space diagram of this General Plan.
- OSC-P-19 Establish easements or require dedication of land along waterways to protect natural habitat areas, allow maintenance operations and promote trails and bike paths.
- OSC-P-26 Establish Best Management Practices (BMPs) for control of invasive plant species where such plants could adversely impact wildlife habitat.
- OSC-P-27 Establish a “no net loss” standard for sensitive habitat acreage, including wetlands and vernal pools potentially affected by development.
- OSC-P-30 Require assessments of biological resources prior to approval of any discretionary development projects involving riparian habitat, wetlands, or special status species habitat. Early in the development review process, consult with California Department of Fish and Game, U.S. Fish and Wildlife Service, and other agencies.
- OSC-P-31 Protect and enhance habitat for special status species, designated under state and federal law. Require protection of sensitive habitat areas and special status species in new development in the following order: 1) avoidance; 2) onsite mitigation, and 3) offsite mitigation.

Discussion

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

Less Than Significant Impact with Mitigation: Soar Environmental Consulting conducted a records search of three database record systems for historical occurrences of special-status species within the vicinity of the project site. The record search identified the following special status species with known occurrences within 5 miles of the Project site.

1. California tiger salamander (*Ambystoma californiense*)
2. Hoover's spurge (*Euphorbia hooveri*)
3. San Joaquin kit fox (*Vulpes macrotis mutica*)
4. San Joaquin Valley Orcutt grass (*Orcuttia inaequalis*)
5. Swainson's hawk (*Buteo swainsoni*)
6. Vernal pool fairy shrimp (*Branchinecta lynchi*)
7. Western yellow-billed cuckoo (*Coccyzus americanus occidentalis*)

Vernal pools, which provide habitat for Hoover's Spurge, San Joaquin Valley Orcutt Grass, and Vernal Pool Fairy Shrimp, are absent from the project site. Therefore, the project is not anticipated to have any impact on these species.

Suitable habitat for California tiger salamander, San Joaquin kit fox, Swainson's hawk, and western yellow-billed cuckoo is poor on and near the proposed Project site due to agricultural activity. CNDDDB records indicate that the nearest and most recent occurrence of San Joaquin kit fox was approximately 3.2 miles east of the proposed Project site, the Swainson's hawk approximately 4 miles southwest, the Western yellow-billed cuckoo approximately 3.5 miles southeast, and the California tiger salamander approximately 5 miles north. Due to the level of agricultural activity, residential development of the surrounding area, lack of suitable habitat, and the distance of other known occurrences from the site, occurrence of these special-status species within the vicinity of the proposed Project site is unlikely, and the proposed Project would be unlikely to adversely affect populations of this species. However, there is a possibility that special status species may be present within the Project site. Therefore, mitigations BIO-1 – BIO-4 would reduce potential impacts to less than significant. Impacts would be *less than significant with mitigation incorporation*.

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

No Impact: There are no CNDDDB-designated "natural communities of special concern" recorded within the proposed Project area or surrounding lands. The Visalia General Plan identifies Grasslands, Valley Oak Riparian Woodland, Valley Oak Woodland, Vernal Pools, and Wetlands as vegetation communities to protect. The nearest community is a Wetland approximately 0.5 miles south. The proposed Project site consists of agricultural fields. There would be *no impact*.

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

No Impact: A canal runs through the eastern portion of the site. However, the project will not affect the canal and leave a buffer surrounding the canal. There is *less than significant impact*.

- d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

Less than Significant Impact: The proposed Project area is surrounded by cultivated agricultural lands, residential development, and paved roads. Therefore, the proposed Project area does not contain features that would be likely to function as a wildlife movement corridor. The San Joaquin kit fox, Swainson's hawk, Western yellow-billed cuckoo, and California tiger salamander, are the only special status species with potential to exist within the site. Due to the level of agricultural activity, residential development of the surrounding area, lack of suitable habitat, and distance of other known occurrences from the site, occurrence of special status species within the vicinity of the proposed Project site is unlikely. Impacts would be *less than significant*.

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

No Impact: The proposed Project would comply with the goals and policies of the Visalia General Plan. There are few trees on the site, but the project will follow the Visalia Tree Ordinance. There would be *no impact*.

- f) **Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

No Impact: There are no known habitat conservation plans or Natural Community Conservation Plans (NCCP) in the proposed Project area. There would be *no impact*.

Mitigation Measures for Biological Resources:

Mitigation Measure BIO-1: Mitigation Measures for Swainson's Hawk

- **Mitigation Measure BIO-1a:** Construction Timing. If feasible, project construction will occur entirely outside the Swainson's hawk nesting season, typically defined as March 1- September 15.
- **Mitigation Measure BIO-1b:** Preconstruction Surveys. If construction activities must occur between March 1 and September 15, then within 10 days prior to the start of work, a qualified biologist will conduct preconstruction surveys from publicly accessible roads for Swainson's hawk nests within ½ mile of the work area(s) in question.
- **Mitigation Measure BIO-1c:** Avoidance. Should any active nests be identified, the biologist will establish a suitable disturbance-free buffer around the nest, to be maintained until the biologist has determined that the young have fledged.

Mitigation Measure BIO-2: Mitigation Measures for Nesting Birds Including the Western yellow-billed cuckoo

- **Mitigation Measure BIO-2a:** Avoidance. In order to avoid impacts to nesting migratory birds and raptors, construction will occur, where possible, outside the nesting season, or between September 1 and January 31.
- **Mitigation Measure BIO-2b:** Preconstruction Surveys. If construction must occur during the nesting season (February 1-August 31), a qualified biologist will conduct preconstruction surveys for active migratory bird and raptor nests within 10 days of the onset of these activities. Nest surveys will include all areas on and within 500 feet of the project site, where accessible. Inaccessible areas will be surveyed using binoculars or a spotting scope. If no active nests are found within the survey area, no further mitigation is required.
- **Mitigation Measure BIO-2c:** Establish Buffers. Should any active nests be discovered in or near proposed work areas, the biologist will determine appropriate construction setback distances based on applicable CDFW guidelines and/or the biology of the affected species. Construction-free buffers will be identified on the ground with flagging, fencing, or by other easily visible means, and will be maintained until the biologist has determined that the young have fledged.
- **Mitigation Measure BIO-2d:** Nest Monitoring. Should construction need to occur within the construction free buffers, then prior to initiation of these activities a qualified biologist will conduct a survey to establish a behavioral baseline of the affected nest(s). When construction begins within the buffer, the qualified biologist will continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, the work causing that change will cease. If there are no behavioral changes after one week of monitoring, then monitoring may be reduced as determined by the biologist.

Mitigation Measure BIO-3: Mitigation Measures for San Joaquin Kit Fox

- **Mitigation Measure BIO-3a:** Pre-construction Surveys. Preconstruction surveys for the San Joaquin kit fox shall be conducted on and within 200 feet of the project site, no less than 14 days and no more than 30 days prior to the start of ground disturbance activities on the site. The primary objective is to identify kit fox habitat features (e.g., potential dens and refugia) on and adjacent to the site and evaluate their use by kit foxes.
- **Mitigation Measure BIO-3b:** Avoidance. Should active kit fox dens be detected during preconstruction surveys, the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW will be notified. A disturbance-free buffer will be established around the burrows in consultation with the USFWS and CDFW, to be maintained until an agency-approved biologist has determined that the burrows have been abandoned.
- **Mitigation Measure BIO-3c:** Minimization. Construction activities shall be carried out in a manner that minimizes disturbance to kit foxes in accordance with the USFWS Standardized Recommendations. The applicant shall implement all minimization measures presented in the Construction and On-going Operational Requirements section of the Standardized Recommendations, including, but not limited to: restriction of project-related vehicle traffic to established roads, construction areas, and other designated areas; inspection and covering of structures (e.g. pipes), as well as installation of escape structures, to prevent the inadvertent entrapment of kit foxes; restriction of rodenticide and herbicide use; and proper disposal of food items and trash.

- **Mitigation Measure BIO-3d: Mortality Reporting.** The Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW will be notified in writing within three working days in case of the accidental death or injury of a San Joaquin kit fox during project-related activities. Notification must include the date, time, location of the incident or of the finding of a dead or injured animal, and any other pertinent information.

Mitigation Measure BIO-4: Mitigation Measures for California Tiger Salamander

- **Mitigation Measure BIO-4: Pre-construction Surveys.** Preconstruction surveys for the California tiger salamander shall be conducted on and within 200 feet of the project site, no less than 14 days and no more than 30 days prior to the start of ground disturbance activities on the site.
 - If special status animal species are not identified during pre-construction surveys, no further action is required.
 - If special status animal species are detected during pre-construction surveys, the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW shall be contacted immediately to identify the appropriate avoidance and minimization actions to be taken as applicable for the species identified and to determine permitting needs.

V. CULTURAL RESOURCES

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

Taylorred Archaeology performed a phase 1 cultural resources assessment for the Belissa Tentative Subdivision Project in the Visalia Planning Area, Tulare County, California. The Project proposes to construct 310 single-family units and 168 multi-family units of residential development and 7.88 acres of neighborhood commercial development. The Project is subject to the California Environmental Quality Act (CEQA).

Environmental Setting

The Project area is in the Southern Valley Yokuts ethnographic territory of the San Joaquin Valley and located between the Kings River and the north shore of Tulare Lake. The Yokuts were generally divided into three major groups, the Northern Valley Yokuts, the Southern Valley Yokuts, and the Foothill Yokuts. The Project area is likely within the Telamni and Wukchamni Yokuts territory. The closest village for this area was Waitatshulu, which was located on Packwood Creek approximately 5.5 miles south of the Project site.

The San Joaquin Valley did not experience contact with Europeans until the late 1700s. The earliest exploration of the San Joaquin Valley by Europeans was likely by the Spaniards when in the fall of 1772 a group known as the Catalanian Volunteers entered the valley through Tejon Pass in search of deserters from the Southern California Missions. However, the group only made it as far north as Buena Vista Lake in modern day Kern County before turning around due to the extensive swamps. Initial settlement within the valley by Europeans in the 1830s was largely either by trappers or horse thieves. With the end of the Mexican American War and the beginning of the gold rush in 1848, the San Joaquin Valley became more populated with ranchers and prospectors. By 1850, California became a state, Tulare County was established in 1853, and Visalia was formed in 1852. During the first few decades, Visalia was a supply center for nearby gold rushes, and had an agricultural economy based on livestock.

On August 20, 2021, Taylorred Archaeology requested a copy of prior cultural resource studies reports in the result letter that the SSJVIC of the CHRIS at California State University in Bakersfield, California, provided to 4Creeks. The records search included the Project area and surrounding land within a 0.5-mile radius of the Project. Sources consulted included archaeological site and survey base maps, historical USGS topographic maps, reports of previous investigations, cultural resource records (DPR forms) as well as listings of the Historic Properties Directory of the Office of Historic Preservation, General Land Office

Maps, Archaeological Determinations of Eligibility, and the California Inventory of Historic Resources. According to the SSJVIC records search, there has been no previous cultural resource investigations within the Project area. There has only been one cultural resource study conducted withing a 0.5-mile radius of the project. There have been no cultural resources were previously recorded within the Project area or within the 0.5-mile radius. Additionally, no recorded cultural resources are recorded within the Project area or 0.5-mile radius that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Interest, California Inventory of Historic Resources, or the California State Historic Landmarks.

Regulatory Setting

Cultural resources within the context of this report are defined as a historical or prehistorical archaeological site, or a historical structure, object, or building. Consistent with 36 CFR 60.3, the term “historical” in this report applies to archaeological features and artifacts, and additionally to buildings, objects, or structures that are at least 50 years old. While exceptions to the 50-year criterion occur, they are relatively rare. The significance or importance of a cultural resource is dependent upon whether the resource qualifies for inclusion at the local or state in the California Register of Historical Places (CRHR). Cultural resources that are determined to be eligible for inclusion in the CRHR are called “historical resources” (CCR 15064.5[a]). Under this statue the determination of eligibility is partially based on the consideration of the criteria of significance as defined in 14 CCR 15064.5(a)(3).

National Historic Preservation Act

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

California Historic Register

The California Historic Register was developed as a program to identify, evaluate, register, and protect Historical Resources in California. Historical resources may include, but are not limited to, “any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically or archaeologically significant” (PRC §5020.1[j]). In addition, a resource included in a local register of historical resources or identified as significant in a local survey conducted in accordance with the state guidelines are also considered historic resources under California Public Resources Code (PRC) Section 5020.1.

According to CEQA guidelines §15064.5 (a)(3), criteria for listing on the California Register of Historical Resources includes the following:

- Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
- Is associated with the lives of persons important in our past.
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- Has yielded, or may be likely to yield, information important in prehistory or history.

City of Visalia General Plan

The 2030 General Plan includes the policies related to cultural resources that correlate to the proposed project:

- *LU-P-48*: Preserve established and distinctive neighborhoods throughout the City by maintaining appropriate zoning and development standards to achieve land use compatibility in terms of height, massing, and other characteristics; providing design guidelines for high-quality new development; supporting housing rehabilitation programs; and other means.
- *OSC-P-42*: Establish requirements to avoid potential impacts to sites suspected of being archeologically, paleontologically, or historically significant or of concern, by:
 - Requiring a records review for development proposed in areas that are considered archeologically or paleontologically sensitive;
 - Determining the potential effects of development and construction on archaeological or paleontological resources (as required by CEQA);
 - Requiring pre-construction surveys and monitoring during any ground disturbance for all development in areas of historical and archaeological sensitivity (defined as areas identified according to the National Historic Preservation Act as part of the Section 106 process); and
 - Implementing appropriate measures to avoid the identified impacts, as conditions of project approval.

Discussion

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

Less Than Significant Impact with Mitigation: A records search was conducted on behalf of the Applicant from the SSJVIC of the CHRIS at California State University in Bakersfield, California, to determine if historical or archaeological sites had previously been recorded within the study area, if the project area had been systematically surveyed by archaeologists prior to the initial study, and/or whether the region of the field project was known to contain archaeological sites and to thereby be archaeologically sensitive.

According to the SSJVIC records search, there has been no previous cultural resource investigations within the Project area. There has only been one cultural resource study conducted withing a 0.5-mile radius of the project. There have been no cultural resources were previously recorded within the Project area or within the 0.5-mile radius. Additionally, no recorded cultural resources are recorded within the Project area or 0.5-mile radius that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Interest, California Inventory of Historic Resources, or the California State Historic Landmarks.

Additionally, a pedestrian survey was taken, and it also did not locate any prehistoric resources. However, a historic-era resource, a canal segment of the Modoc Ditch was identified in the Project boundary during the survey. The segment of the Modoc Ditch within the Project boundary was evaluated and found to not be eligible for inclusion within the CRHR.

Although no cultural resources were identified, the presence of remains or unanticipated cultural resources under the ground surface is possible. Implementation of Mitigation Measures CUL-1 and

CUL-2 will ensure that impacts to this checklist item will be *less than significant with mitigation* incorporation.

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

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

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

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

Mitigation Measures for Impacts to Cultural Resources

Mitigation Measure CUL-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on 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 Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance.

If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

Mitigation Measure CUL-2: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally

accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.

Mitigation Measure CUL-3: Native American pre-construction presentation. Prior to any ground disturbance, the proponent shall retain Santa Rosa Rancheria Cultural Staff to provide a pre-construction Cultural Sensitivity Training to construction staff regarding the discovery of cultural resources and the potential for discovery during ground disturbing activities, which will include information on potential cultural material finds and, on the procedures, to be enacted if resources are found. Tribal participation would be dependent upon the availability and interest of the Tribe.

VI. ENERGY

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

Environmental Setting

Southern California Edison (SCE) provides electricity services to the City of Visalia. SCE serves approximately 15 million people in a 50,000 square-mile area of Central, Coastal, and Southern California. SCE supplies electricity to its customers through a variety of renewable and nonrenewable sources. Table 3-7 below shows the proportion of each energy resource sold to California consumers by SCE in 2019 as compared to the statewide average.

Fuel Type		SCE Power Mix	California Power Mix
Coal		0%	2.7%
Large Hydroelectric		7.9%	12.2%
Natural Gas		16.1%	37%
Nuclear		8.2%	9.3%
Other (Oil/Petroleum Coke/Waste Heat)		0.1%	0.2%
Unspecified Sources of Power ¹		32.6%	5.4%
Eligible Renewables	Biomass	0.6%	2.5%
	Geothermal	5.9%	4.9%
	Small Hydro	1%	1.4%
	Solar	16%	13.2%
	Wind	11.5%	11.1%
	Total Eligible Renewable	35.1%	33.1%
1. "Unspecified sources of power" means electricity from transactions that are not traceable to specific generation sources.			

Table 3-7. 2019 SCE and 2020 State average power resources; Source: Southern California Edison, California Energy Commission

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

Southern California Gas (SoCalGas) Company provides natural gas services to the project area. Natural gas is an energy source developed from fossil fuels composed primarily of methane (CH₄). Approximately 45% of the natural gas burned in California is used for electricity generation, while 21% is consumed by the residential sector, 25% is consumed by the industrial sector, and 9% is consumed by the commercial sector.

Regulatory Setting

California Code of Regulations, Title 20

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

California Code of Regulations, Title 24

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

California Green Building Standards Code (CALGreen)

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

SB 100

SB 100, passed in 2018, set a deadline in 2045 for 100% of energy to be renewable. Additionally, by 2030, 60% of all energy must be renewable. California is targeting this goal through solar and other renewable sources.

AB 178

For California to meet its renewable goals, AB 178 was passed in 2018. AB 178 states that starting in 2020 all new low rise residential buildings must be built with solar power.

City of Visalia General Plan

The 2030 General Plan includes the policies related to energy use that correlate to the proposed project:

- *T-P-41*: Integrate the bicycle transportation system into new development and infill redevelopment. Development shall provide short term bicycle parking and long-term bicycle storage facilities, such as bicycle racks, stocks, and rental bicycle lockers. Development also shall provide safe and convenient bicycle and pedestrian access to high activity land uses such as schools, parks, shopping, employment, and entertainment centers.
- *T-P-53*: Develop flexible parking requirements in the zoning ordinance for development proposals based on “best practices” and the proven potential to reduce parking demand.

Discussion

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

Less Than Significant Impact: The proposed project includes the construction and operation of single-family housing and neighborhood commercial space. During project construction there would be an increase in energy consumption related to worker trips and operation of construction equipment. This increase in energy use would be temporary and limited to the greatest extent possible through compliance with local, state, and federal regulations. Vehicle fuel consumption during project construction was estimated based on the assumed construction schedule, vehicle trip lengths, and the number of workers per construction phase as provided by CalEEMod, and Year 2023 gasoline/diesel MPG factors provided by the EMFAC2017. To simplify the estimation process, it was assumed that all worker vehicles used gasoline as a fuel source and all vendor vehicles used diesel as a fuel source. Table 3-8, below, provides gasoline and diesel fuel used by construction and on-road sources during each phase of project construction.

Construction Phase	# of Days	Daily Worker Trips ¹	Daily Vendor Trips ¹	Daily Hauling Trips ¹	Total Gasoline Fuel Use (gallons) ²	Total Diesel Fuel Use (gallons) ²
Demolition	70	15	0	45	13,790	2,727
Site Preparation	40	18	0	0	7,799	0
Grading	110	20	0	0	33,871	0
Building Construction	1110	289	76	0	262,856	73,051
Paving	75	15	0	0	8,836	0
Architectural Coating	75	58	0	0	2,574	0
Total	1480	N/A	N/A	N/A	315,935	75,779
1. Data provided by CalEEMod (Appendix A) 2. See Appendix D						

Table 3-8. On-Road Mobile Fuel Use Generated by Construction Activities. Source: CalEEMod (v. 2020.4.0); EMFAC2014

While construction of the proposed project will result in additional energy consumption, this energy use is not unnecessary or inefficient. This energy use is justified by the energy-efficient nature of the proposed project and would be limited to the greatest extent possible through compliance with local, state, and federal regulations. Once construction is complete, the project is expected to achieve net zero energy consumption. The proposed project is subject to the California New Residential Zero Net Energy Action Plan 2015-2020. This plan establishes a goal for all residential buildings built after January 1, 2020, to be zero net energy. The California Energy Commission is responsible for the development and enforcement of specific strategies to achieve this goal. These strategies are implemented through Title 24, Part 6 of the California Building Code, which requires developers to include certain measures (including solar panels on all new residential buildings) to achieve required building efficiency standards.

Total Annual Operational VMT ¹	Annual Fuel Use (Gasoline)	Annual Fuel Use (Diesel)	Average MPG
14,141,034 Miles	541,798 Gallons	60,808 Gallons	23.5
1. Data Provided by CalEEMod 2. See Appendix D			

Table 3-9. On-Road Mobile Fuel Use Generated by Operational Activities. Source CalEEMod (v. 2020.4.0); EMFAC2014

During project operations, the proposed project is not anticipated to result in wasteful fuel consumption. This is due to the distance of the project site to the commercial, recreational, and denser residential uses, resulting in less of a reliance on personal vehicles.

Because construction-related energy use would be temporary and limited to the greatest extent feasible through consistency with Federal, State, and local policies related to energy conservation, and operation of the project will comply with all energy efficiency standards required under Title 24, Section 6, and these standards were specifically developed to achieve net zero energy for residential projects, it can be presumed that the project will achieve net zero energy. The project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources. The impact is *less than significant*.

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

No Impact: The proposed project will not conflict with or obstruct any state or local plans for renewable energy or energy efficiency. The proposed project will comply with all state and local policies related to energy efficiency and there is *no impact*.

VII. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct and indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

Geologic Stability and Seismic Activity

- **Seismicity**

The Visalia Planning Area has no known major fault systems within its boundaries. There are small faults in the Southern San Joaquin Valley, approximately 30 miles away, though none of them are known to be active. The greatest potential for seismic activity in Visalia Planning Area is posed by the San Andreas Fault, approximately 75 miles away from the site, or the

Owens Valley Fault Group, which is located approximately 125 miles away from the project site.

- **Liquefaction**

Liquefaction is a phenomenon whereby unconsolidated and/or near saturated soils lose cohesion and are converted to a fluid state as a result of severe vibratory motion. The relatively rapid loss of soil shear strength during strong earthquake shaking results in temporary, fluid-like behavior of the soil, which can result in landslides and lateral spreading. Soil liquefaction causes ground failure that can damage roads, pipelines, underground cables, and buildings with shallow foundations. Liquefaction hazards may exist in and around wetland areas and creeks, though soil types are generally too coarse or too high in clay content, and not likely to be subject to sufficient acceleration to cause liquefaction.

- **Landslides**

Landslides refer to a wide variety of processes that result in the downward and outward movement of soil, rock, and vegetation under gravitational influence. Landslides are caused by both natural and human-induced changes in slope stability and often accompany other natural hazard events, such as floods, wildfire, or earthquake. Due very little elevation changes throughout the planning area, including the proposed project site, it is considered a low landslide hazard area.

- **Subsidence**

Land Subsidence refers to the vertical sinking of land because of either manmade or natural underground voids. Subsidence has occurred throughout the Central Valley because of groundwater, oil, and gas withdrawal. The Kaweah Subbasin that underlies the Planning Area is in an overdraft condition on an average long-term basis. According to the most recent Urban Water Management Plan (UWMP), groundwater elevations have declined up to 50 feet between 1990 and 2010. While groundwater recharge efforts are in progress, groundwater levels will continue to decline unless recharge is increased.

Soils Involved in Project

The proposed project involves construction on two soil types. The properties of the soil are described briefly below:

- **Akers:** The Akers series consists of very deep, well drained soils formed in alluvium derived from granitic rock. Akers soils are on terraces. Slopes are 0 to 2 percent. They are well drained, negligible runoff, moderate permeability, but have moderately slow permeability in saline-sodic phases. There is available water storage of 24.61 cm.
- **Grangeville:** The Grangeville series consists of very deep, somewhat poorly drained soils that formed in moderate coarse textured alluvium dominantly from granitic rock sources. Grangeville soils are on alluvial fans and floodplains and have slopes ranging from 0 to 2 percent. It has negligible to very low runoff; moderately rapid permeability and moderate permeability in saline-sodic phases. There is available water storage of 18.34 cm.

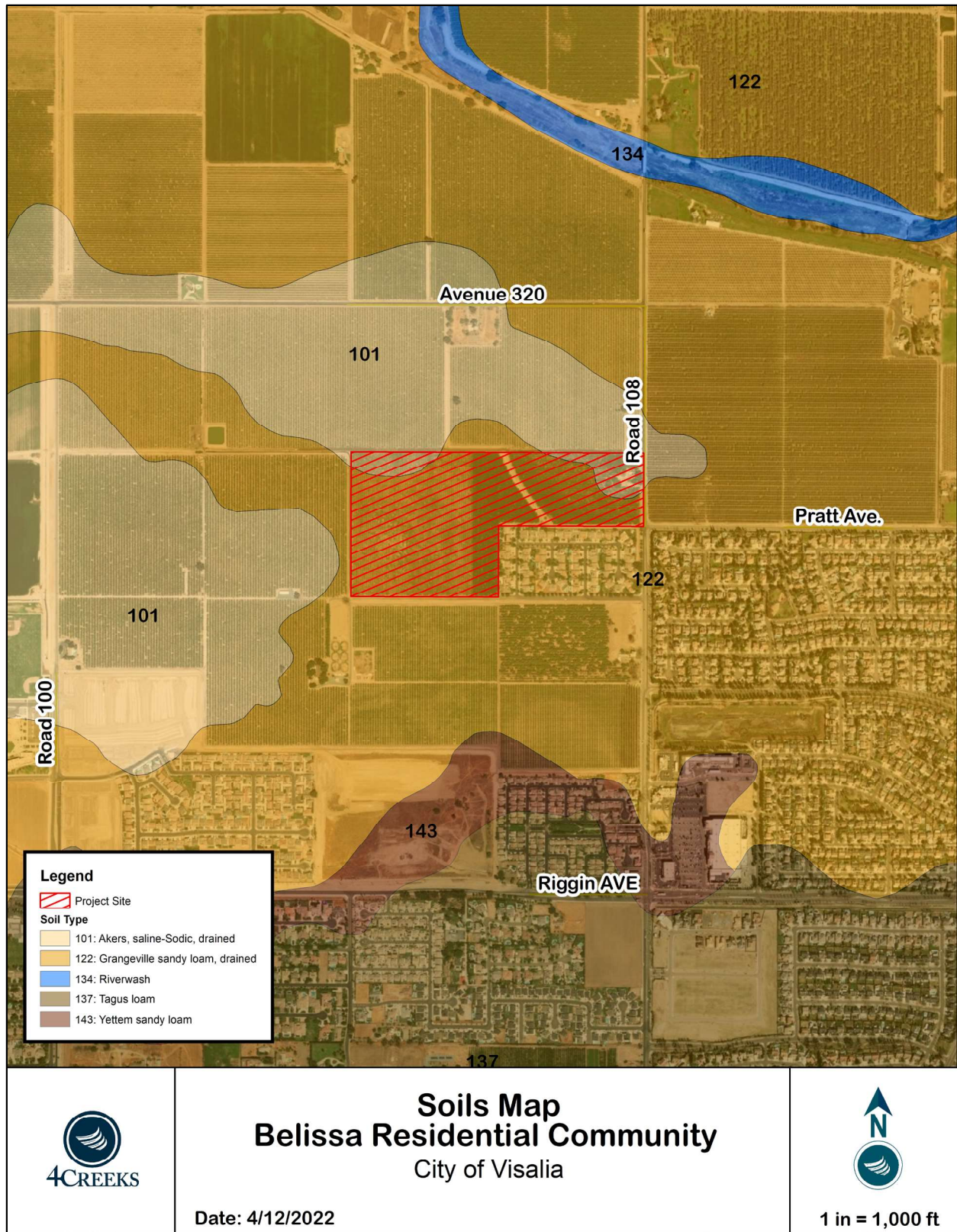


Figure 3-4: Soils Map

Regulatory Setting

California Building Code

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

City of Visalia Municipal Code (California Building Code)

The City of Visalia Municipal Code has incorporated and adopted the CBC, 2013 Edition, as promulgated by the California Building Standards Commission, which incorporates the adoption of the 2012 edition of the of the International Building Code, as amended with necessary California amendments and the 2012 International Building Code of the International Code Council.

City of Visalia General Plan

The 2030 General Plan includes the policies related to geology and soils that correlate to the proposed project:

- *OSC-P-28*: Require new development to implement measures, as appropriate, to minimize soil erosion related to grading, site preparation, landscaping, and construction.

Discussion

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

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

No Impact: Although the project is located in an area of relatively low seismic activity, the project site has a low chance of being affected by ground shaking from distant faults. The potential for strong seismic ground shaking on the project site is not a significant environmental concern due to the infrequent seismic activity of the area and distance to the faults. The project does not propose any components which could cause substantial adverse effects in the event of an earthquake. Additionally, the project has no potential to indirectly or directly cause the rupture of an earthquake fault. Therefore, there is *no impact* related to the risk of loss, injury or death involving a rupture of a known earthquake fault.

- ii. **Strong seismic ground shaking?**

No Impact: The project site is in an area of low seismic activity. The proposed project does not include any activities or components which could feasibly cause strong seismic ground shaking, either directly or indirectly. There is *no impact*.

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

No Impact: The risk of liquification within the planning area outside of wetland areas is low because the soil types are generally unsuitable for liquefaction. The area's low potential for seismic activity would further reduce the likelihood of liquefaction occurrence. Because the project site is within an area of low seismic activity, and the soils associated with the project area not suitable for liquefaction, there are *no impacts*.

iv. **Landslides?**

No Impact: The Planning Area of Visalia is considered at low risk of small landslides. Additionally, the project site is generally flat and there are no hill slopes in the area. No geologic landforms exist on or near the site that would result in a landslide event. As a result, there is very low potential for landslides. There would be *no impact*.

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

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

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

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

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

No Impact: The proposed project site is not in an area with expansive soils. Because the soils associated with the project do not exhibit shrink swell behavior, implementation of the project will pose no risk to life or property caused by expansive soils and there is *no impact*.

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

No Impact: The proposed project would not include the use of septic tanks or any other alternative wastewater disposal systems. The proposed buildings will tie into the Visalia's existing sewer services. Therefore, there would be *no impact*.

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

Less Than Significant Impact with Mitigation: There are no unique geologic features and no known paleontological resources located within the project area. However, there is always the possibility that paleontological resources may exist below the ground surface. Implementation of Mitigation Measures CUL-1 and CUL-2 will ensure that any impacts resulting from project implementation remain less than significant with mitigation incorporation.

VIII. GREENHOUSE GAS EMISSIONS

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

Environmental Setting

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

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

GHGs as defined by AB 32 include the following gases: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. GHGs as defined by AB 32 are summarized in Table 3-10. Each gas's effect on climate change depends on three main factors. The first being the quantity of these gases are in the atmosphere, followed by how long they stay in the atmosphere and finally how strongly they impact global temperatures.

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

Greenhouse Gas	Description and Physical Properties	Lifetime	GWP	Sources
Carbon dioxide (CO ₂)	An odorless, colorless, natural greenhouse gas.	30-95 years	1	Enters the atmosphere through burning fossil fuels (coal, natural gas, and oil), solid waste, trees, and wood products, and also as a result of certain chemical reactions (e.g., manufacture of cement). Carbon dioxide is removed from the atmosphere (or "sequestered") when it is absorbed by plants as part of the biological carbon cycle.
Chloro-fluorocarbons	Gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are non-toxic nonflammable, insoluble and chemically unreactive in the troposphere (the level of air at the earth's surface).	55-140 years	3,800 to 8,100	Were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. They destroy stratospheric ozone.
Hydro-fluorocarbons	A man-made greenhouse gas. It was developed to replace ozone-depleting gases found in a variety of appliances. Composed of a group of greenhouse gases containing carbon, chlorine and at least one hydrogen atom.	14 years	140 to 11,700	Powerful greenhouse gases that are emitted from a variety of industrial processes. Fluorinated gases are sometimes used as substitutes for stratospheric ozone-depleting substances. These gases are typically emitted in smaller quantities, but because they are potent greenhouse gases.
Nitrous oxide (N ₂ O)	Commonly known as laughing gas, is a chemical compound with the formula N ₂ O. It is an oxide of nitrogen. At room temperature, it is a colorless, non-flammable gas, with a slightly sweet odor and taste. It is used in surgery and dentistry for its anesthetic and analgesic effects.	120 years	310	Emitted during agricultural and industrial activities, as well as during combustion of fossil fuels and solid waste.
Pre-fluorocarbons	Has a stable molecular structure and only breaks down by ultraviolet rays about 60 kilometers above Earth's surface.	50,000 years	6,500 to 9,200	Two main sources of pre-fluorocarbons are primary aluminum production and semiconductor manufacturing.
Sulfur hexafluoride	An inorganic, odorless, colorless, and nontoxic nonflammable gas.	3,200 years	23,900	This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing and as a tracer gas.

Table 3-10. Greenhouse Gasses; Source: EPA, Intergovernmental Panel on Climate Change

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

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

Regulatory Setting

AB 32

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

SB 1078, SB 107, and Executive Order S-14-08

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

San Joaquin Valley Air Pollution Control District

SJVAPCD adopted a Climate Change Action Plan (CCAP) in August 2008. While the plan does not have regulatory powers, it directs SJVAPCD to develop guidance to assist District staff, valley businesses, land-use agencies, and other permitting agencies in addressing GHG emissions as part of the CEQA process.

City of Visalia Climate Action Plan (CAP)

Visalia's draft 2013 CAP includes a baseline GHG emissions inventory of municipal and community emissions, identification, and analysis of existing and proposed GHG reduction measures, and reduction targets to help Visalia work toward the State's goal of an 80 percent reduction below baseline emissions by 2050. The plan sets 2020 and 2030 reduction targets, and includes reduction actions for energy, transportation, and waste and resource conservation.

City of Visalia Climate Change Initiatives

In January 2007, Visalia's mayor signed the "Cool Cities" pledge, part of the U.S. Mayors Climate Protection Agreement. By entering into this agreement, the City has adopted the goal of reducing citywide GHG emissions to 7% below 1990 levels by 2012. As detailed in the CAP, this goal was subsequently expanded in response to ARB's recommended reduction target of 15% below the 2005 baseline, and the City added a 2030 mitigation target to correlate with the 2030 General Plan Update and the goal of achieving an 80% reduction by 2050.

Discussion

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

Less Than Significant Impact: The SJVAPCD does not provide numeric thresholds to assess the significance of greenhouse gas emissions. Instead, the SJVAPCD “Guidance for Valley Land Use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA” states that projects which achieve a 29% GHG emission reduction compared to Business as Usual (BAU) would be determined to have a less than significant individual and cumulative impact for GHG. “Business as usual” (BAU) conditions are defined based on the year 2005 building energy efficiency, average vehicle emissions, and electricity energy conditions. The BAU conditions assume no improvements in energy efficiency, fuel efficiency, or renewable energy generation beyond that existing today. The 2005 BAU conditions were estimated using CalEEMod.

Implementation of the proposed project would result in long-term greenhouse gas emissions associated with area sources, such as natural gas consumption, landscaping, applications of architectural coatings, and consumer products, as well as mobile emissions. The GHG emissions were estimated using CalEEMod (Appendix A).

	CO2 (MT/Year)	CH4 (MT/Year)	N2O (MT/Year)	CO2e (MT/Year)
Operational Emissions	6,298	7.08	.29	6,562
2005 BAU	9,708	9.49	.75	10,171
% Reduction From BAU				35%

Table 3-11: Projected Project Operational GHG Emissions Compared to 2005 BAU; Source: (CalEEMod, V.2020.4.0)

The project’s operational GHG are estimated to be 3,609 CO2e MT lower than the 2005 BAU. This is a reduction of 35%, more than the 29% threshold. Therefore, the impact is considered *less than significant*.

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

No Impact: The SJVAPCD states that individual and cumulative GHG emissions are considered less than significant if a project complies with an approved GHG emission reduction plan or GHG mitigation program within the geographic area in which the project is located. The City of Visalia Climate Action Plan meets the requirements for a Qualified Greenhouse Gas Reduction Strategy. Therefore, the proposed project’s GHG emissions would not be considered a significant impact if the proposed Project would be consistent with the City’s GHG Reduction Strategy. Table 3-12, below, evaluates the proposed project’s consistency with the applicable measures, both existing and proposed, in the GHG reduction plan.

Climate Action Plan Measures	Project Consistency with Strategy
2. Increase in Solar Photovoltaic (PV) Installations:	Consistent. The proposed project would involve solar panels on the new homes.
7. Urban Forestry: Requirement for all new development to have street trees, require shade over at least 25% of area in city pocket parks.	Consistent. The proposed project plans to provide trees on all local roads and included in the improvements on existing roads.
10. Bicycle Path Plan:	Consistent. The proposed project includes improvements with bike paths on Demaree Street and Linwood Street.
11. Infill and High-Density Development	Consistent. The proposed project has denser residential housing consistent with the 2030 General Plan.

Table 3-12. Project Consistency with Climate Action Plan Strategies.

As discussed above, the proposed project is consistent with the City of Visalia Climate Action Plan. The proposed project will comply with all Federal, State, and Local rules pertaining to the regulation of greenhouse gas emissions and the project will implement Best Performance Standards developed by the SJVAPCD. The project will not conflict with any plan, policy, or regulation developed to reduce GHG emissions. There is *no impact*.

IX. HAZARDS AND HAZARDOUS MATERIALS

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

Environmental Setting

The proposed project site is located approximately .6 miles Southeast of the nearest school (Ridgeview Middle School) and approximately 4.3 miles Northeast of the nearest public airport (Visalia Municipal Airport).

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

Regulatory Setting

Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S. Code [U.S.C.] §9601 et seq.).

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, or the Superfund Act) authorizes the President to respond to releases or threatened releases of hazardous substances into the environment.

Occupational Safety and Health Administration

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

Toxic Substances Control Act of 1976 (15 U.S.C. §2601 et seq.).

The Toxic Substance Control Act was enacted by Congress in 1976 and authorizes the EPA to regulate any chemical substances determined to cause an unreasonable risk to public health or the environment.

Hazardous Waste Control Law, Title 26.

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

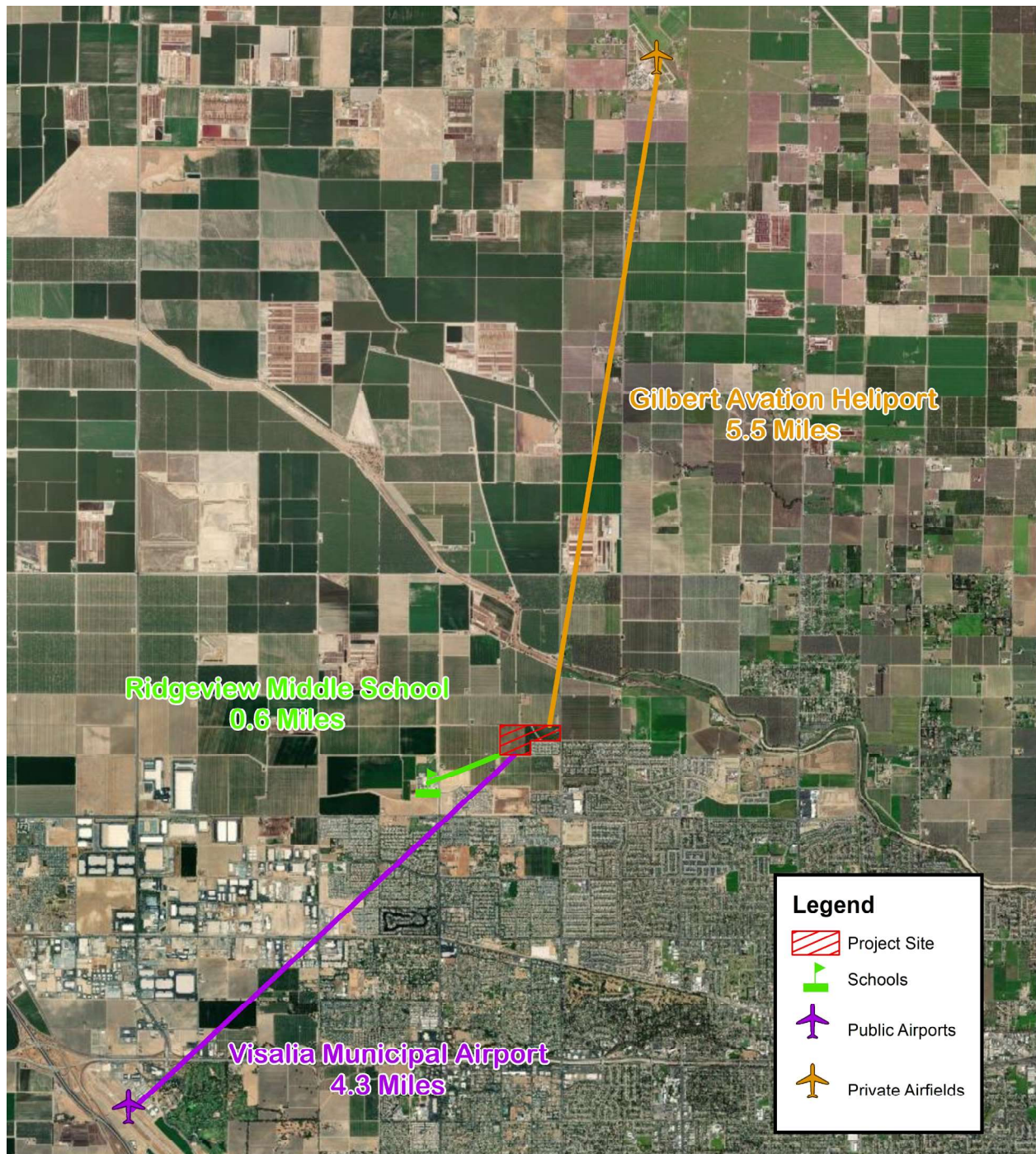
- Identification and classification;
- Generation and transportation;
- Design and permitting of recycling, treatment, storage, and disposal facilities;
- Treatment standards;
- Operation of facilities and staff training; and
- Closure of facilities and liability requirements.

California Code of Regulations, Title 22, Chapter 11.

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

California Emergency Services Act

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



Distance to Schools and Airports Belissa Residential Community

City of Visalia

Date: 4/13/2022



1 in = 1 miles

Figure 3-5: Distance to Schools and Airports

Discussion

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

Less than Significant Impact: Project construction activities may involve the use, storage, and transport of hazardous materials. During construction, the contractor will use fuel trucks to refuel onsite equipment and may use paints and solvents to a limited degree. The storage, transport, and use of these materials will comply with Local, State, and Federal regulatory requirements. There is the potential for small leaks due to refueling of construction equipment, however standard construction Best Management Practices (BMPs) included in the SWPPP will reduce the potential for the release of construction related fuels and other hazardous materials by controlling runoff from the site and requiring proper disposal or recycling of hazardous materials. The impact is *less than significant*.

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

Less than Significant Impact: There is no reasonably foreseeable condition or incident involving the project that could result in release of hazardous materials into the environment, other than any potential accidental releases of standard fuels, solvents, or chemicals encountered during typical construction of a residential subdivision. Should an accidental hazardous release occur or should the project encounter hazardous soils, existing regulations for handling hazardous materials require coordination with the California Department of Toxic Substances Control for an appropriate plan of action, which can include studies or testing to determine the nature and extent of contamination, as well as handling and proper disposal. Therefore, potential impacts are *less than significant*.

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

No Impact: The project is located approximately .6 miles from an existing middle school. The project does not involve the use or storage of hazardous substances other than small amounts of pesticides, fertilizers, and cleaning agents required for normal maintenance of structures and landscaping. The project would not emit hazardous emissions or involve the handling of acutely hazardous materials or waste. Therefore, there would be *no impact*.

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

No Impact: The project site is not listed as a hazardous materials site pursuant to Government Code Section 65962.5 and is not included on a list compiled by the Department of Toxic Substances Control. There would be *no impact*.

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

No Impact: The proposed project is located approximately 4.1 miles West of the nearest public airport (Visalia Municipal Airport) and is not located in an airport land use plan. Implementation of the proposed project would not result in a safety hazard for people residing or working in the project area. There is *no impact*.

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

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

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

No Impact: The land surrounding the project site is developed with urban uses and farmlands which are not considered to be wildlands. Additionally, the City of Visalia General Plan finds that fire hazards within the Planning Area, including the proposed project site, have low frequency, limited extent, limited magnitude, and low significance. The proposed project would not expose people or structures to significant risk of loss, injury or death involving wildland fires and there is *no impact*.

X. HYDROLOGY AND WATER QUALITY

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

Environmental Setting**Surface Water**

Visalia is in the center of the Kaweah River Delta System, resulting in many rivers and creeks flowing through the city. The St. Johns River is the City's primary surface water feature. Other significant surface water features include Modoc Ditch, Mill Creek Ditch, Mill Creek, Tulare Irrigation District (TID) Canal, Packwood Creek, Cameron Creek, Deep Creek, Evans Creek, Persian Ditch, and several other local ditches. These receive a significant amount of water during the rainy season and help drain stormwater.

Groundwater

Groundwater in Tulare County is present in valley deposits of alluvium that are several thousand feet thick and occurs in both confined and unconfined conditions. The creeks in Visalia are tied to the groundwater system. The creeks lose water in the winter while they feed the groundwater, and gain water in the summer when the groundwater feeds the creeks. The depth to groundwater varies

significantly throughout the valley floor area of Tulare County. In the area around Visalia, depth to groundwater varies from about 120 feet below ground surface along the western portion of the city to approximately 100 feet below ground surface to the east, as measured in spring 2010. Groundwater levels measured in the city have declined since the 1940s, from approximately 30 feet below ground surface in 1940 to 120 feet below ground surface in 2010. Water quality of the groundwater that underlies the Planning Area is excellent for domestic and agricultural uses. This is most likely due to the abundant snowmelt that originates in the Sierra Nevada. Groundwater is the primary source of drinking water for the planning area residents.

Stormwater Drainage

The City, in conjunction with Kaweah Delta Water Conservation District and Tulare Irrigation District, operates and maintains a vast municipal storm drainage system that consists of drainage channels, 23 detention and retention basins, 33 pump stations and 250 miles of pipe. Stormwater from the project site will be collected and conveyed to an on-site stormwater basin.

Regulatory Setting

Clean Water Act

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

National Flood Insurance Act

The Federal Emergency Management Agency (FEMA) is tasked with responding to, planning for, recovering from, and mitigating against disasters. The Federal Insurance and Mitigation Administration within FEMA is responsible for administering the National Flood Insurance Program (NFIP) and administering programs that aid with mitigating future damages from natural hazards.

California Water Quality Porter-Cologne Act

California's primary statute leading water quality and water pollution concerns with respect to both surface waters and groundwater is the Porter-Cologne Water Quality Control Act of 1970 (Porter-Cologne Act). The Porter-Cologne Act grants the State Water Resource Control Board (SWRCB) and each of the nine Regional Water Quality Boards (RWQCB) power to protect water quality and further develop the Clean Water Act within California. The applicable RWQCB for the proposed project is the Central Valley RWQCB.

Central Valley RWQCB

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

City of Visalia General Plan

The 2030 General Plan includes the policies related to hydrology and water quality that correlate to the proposed project:

- *PSCU-P-59*: Require new developments to incorporate floodwater detention basins into project designs where consistent with the Stormwater Master Plan and the Groundwater Recharge Plan.
- *PSCU-P-60*: Control urban and stormwater runoff and point and non-point discharge of pollutants. As part of the City's Stormwater Management Program, adopt and implement a Stormwater Management Ordinance to minimize stormwater runoff rates and volumes, control water pollution, and maximize groundwater recharge. New development will be required to include Low Impact Development features that reduce impermeable surface areas and increase infiltration. Such features may include, but are not limited to:
 - Canopy trees or shrubs to absorb rainwater;
 - Grading that lengthens flow paths over permeable surfaces and increases runoff travel time to reduce the peak hour flow rate;
 - Partially removing curbs and gutters from parking areas where appropriate to allow stormwater sheet flow into vegetated areas;
 - Use of permeable paving in parking lots and other areas characterized by significant impervious surfaces;
 - On-site stormwater detention, use of bioswales and bioretention basins to facilitate infiltration; and
 - Integrated or subsurface water retention facilities to capture rainwater for use in landscape irrigation and other non-potable uses.
- *PSCU-P-46*: Adopt and implement a Water Efficient Landscaping Ordinance for new and/or refurbished development that exceeds mandated sizes, and ensure that all new City parks, streetscapes, and landscaped areas conform to the Ordinance's requirements. The Ordinance should include provisions to optimize outdoor water use by:
 - Promoting appropriate use of plants and landscaping;
 - Establishing limitations on use of turf including size of turf areas and use of cool-season turf such as Fescue grasses, with exceptions for specified uses (e.g., recreation playing fields, golf courses, and parks);
 - Establishing water budgets and penalties for exceeding them;
 - Requiring automatic irrigation systems and schedules, including controllers that incorporate weather-based or other self-adjusting technology;
 - Promoting the use of recycled water; and
 - Minimizing overspray and runoff.

Discussion

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

Less than Significant with Mitigation: The project will result in less than significant impacts to water quality due to potentially polluted runoff generated during construction activities. Construction may include excavation, grading, and other earthwork across most of the 58.78-acre project site. During

storm events, exposed construction areas across the project site may cause runoff to carry pollutants, such as chemicals, oils, sediment, and debris. Implementation of a Stormwater Pollution Prevention Plan (SWPPP) will be required for the project. A SWPPP identifies all potential sources of pollution that could affect stormwater discharges from the project site and identifies best management practices (BMPs) related to stormwater runoff. As such, implementation of Mitigation Measures HYD-1 and HYD-2 will ensure impacts remain *less than significant with mitigation*.

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

Less than Significant Impact: Water services will be provided by the Cal Water, Visalia District, upon development. The District currently produces about 27 million gallons of local groundwater per day from 75 active wells and delivers it to customers through more than 519 miles of pipeline. The District delivers water to residential, commercial, industrial, and governmental customers. Residential customers account for most of the District's service connections and 69 percent of its water uses. Non-residential water uses account for 28 percent of total demand, while distribution system losses account for 3 percent. The system produced 30,152 acre-feet (AF) of groundwater in 2020. The available water supply is expected to supply the projected population. The system has a capacity to pump 100,829 acre-feet per year (afy), all from groundwater. The projected demand is expected to be 35,276 AF in 2030, 38,310 AF in 2035, and 41,258 AF in 2040.

Using average per-person water use in Visalia (183 gallons; 2020 Urban Water Management Plan) and the average household size in Visalia (2.99 persons; US Census Bureau), water demand for the proposed 477-unit residential development is estimated to be approximately 261,000 gallons of water daily, or about 292-acre feet per year. With an expected increase of 5,124 AF from 2020 to 2030, there will be enough water supply for the proposed project. The most water-intensive aspect of the Project (High Density Residential homes) is consistent with the City's General Plan land use designation. As such, the Project would not affect groundwater supplies beyond what has already been analyzed in the most current General Plan EIR or Urban Water Management Plan.

The project would result in nearly full development of the site, which would convert approximately 58.78 acres from pervious surfaces to impervious surfaces. However, this would not significantly interfere with groundwater recharge because all stormwaters would be collected and diverted to a new stormwater basin located on the Southwest area of the project site for groundwater recharge. Because the addition of impervious surfaces would not interfere substantially with groundwater recharge and the project would not utilize groundwater resources beyond what has been previously analyzed in the Visalia Planning Area General Plan EIR or the Urban Water Management Plan, the impact would be *less than significant*.

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

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

Less than Significant with Mitigation: The proposed project would result in the addition of impervious surfaces and alter existing drainage patterns on the 58.78-acre project site which would have the potential to result in erosion or siltation on- or off-site. The disturbance of soils during construction could cause erosion, resulting in temporary construction impacts. However, this impact would be appropriately mitigated through implementation of a Stormwater Pollution Prevention Plan (SWPPP) which include mandated erosion control measures, which are developed to prevent significant impacts related to erosion caused by runoff during construction (Mitigation Measure HYD-1). The Project proponent will also be required to prepare drainage plans (Mitigation Measure HYD-2) and a Development Maintenance Manual (Mitigation Measure HYD-3) to ensure that existing drainage patterns are maintained during project operations and that that the project would not result in substantial erosion or siltation on- or off-site. The impact is *less than significant with implementation of these mitigation measures*.

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

Less than Significant with Mitigation: The proposed project would result in the addition of impervious surfaces on the 58.78-acre project site which would have the potential to increase surface runoff resulting in flooding on- or off-site. This impact would be appropriately mitigated through implementation of Mitigation Measure HYD-2, which requires the project to submit drainage plans to the City Engineer prior to the issuance of grading permits. The drainage plans will include BMPs to ensure runoff from the project will not result in flooding on- or off-site. Therefore, impacts are *less than significant with mitigation*.

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less than Significant with Mitigation: The proposed project would result in the addition of impervious surfaces and alter existing drainage patterns on the 58.78-acre project site which would have the potential to impact existing stormwater drainage systems or provide additional sources of polluted runoff. The proposed project would contain a storm drainage basin to collect all runoff from the site. The disturbance of soils during construction could cause erosion, resulting in temporary construction impacts. However, this impact would be appropriately mitigated through implementation of a Stormwater Pollution Prevention Plan (SWPPP) which include mandated erosion control measures, which are developed to prevent significant impacts related to erosion caused by runoff during construction (Mitigation Measure HYD-1). During project operations, the proposed impervious surfaces, including roads, building pads, and parking areas, would collect automobile derived pollutants such as oils, greases, rubber, and heavy metals. This could contribute to point source and non-point source pollution if these pollutants were transported into waterways during storm events. The Project proponent will be required to prepare drainage plans (Mitigation Measure HYD-2) and a

Development Maintenance Manual (Mitigation Measure HYD-3) to ensure that the project would not overwhelm the planned stormwater drainage basin or result in discharges of polluted runoff into local waterways. The impact is *less than significant with implementation of these mitigation measures*.

iv. Impede or redirect flood flows?

Less than Significant with Mitigation: The Project site is generally flat and no significant grading or leveling will be required. The proposed project site is not in proximity to a stream or river and will not alter the course of a stream or river. According to National Flood Hazard mapping by the Federal Emergency Management Agency, the proposed project is slightly in an AE flood zone, which has a 1% chance of flooding every year. Only .46 acres on the Northern portion of the site is designated as an AE flood zone, while the rest is not at risk of flooding.

The proposed project would result in the addition of impervious surfaces on the 58.78-acre project site which could affect drainage and flood patterns. This impact would be appropriately mitigated through implementation of Mitigation Measure HYD-2, which requires the project to submit drainage plans to the City Engineer prior to the issuance of grading permits. The drainage plans will include BMPs to ensure the project would not impede or redirect flood flows. Therefore, impacts are *less than significant with mitigation*.

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

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

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

No Impact: The project would not conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan. The proposed project is consistent with the Central Valley RWQCB. The project will comply with all applicable rules and regulations regarding water quality and groundwater management and there is *no impact*.

Mitigation Measures for Hydrology and Water Quality

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

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

Mitigation Measure HYD-2: The Applicant shall require the building contractor to prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) to the City 45 days prior to the start of work for approval. The contractor is responsible for understanding the State General Permit and instituting the SWPPP during construction. A SWPPP for site construction shall be developed prior to the initiation of grading and implemented for all construction activity on the Project site in excess of one (1) acre, or where the area of disturbance is less than one acre but is part of the Project's plan of development that in total disturbs one or more acres. The SWPPP shall identify potential pollutant sources that may affect the quality of discharges to storm water and shall include specific BMPs to control the discharge of material from the site. The following BMP methods shall include, but would not be limited to:

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

Mitigation Measure HYD-3: A Development Maintenance Manual for the Project shall include comprehensive procedures for maintenance and operations of any stormwater facilities to ensure long-term operation and maintenance of post-construction stormwater controls. The maintenance manual shall require that stormwater BMP devices be inspected, cleaned, and maintained in accordance with the manufacturer's maintenance conditions. The manual shall require that devices be cleaned prior to the onset of the rainy season (i.e., mid-October) and immediately after the end of the rainy season (i.e., mid-May). The manual shall also require that all devices be checked after major storm events. The Development Maintenance Manual shall include the following:

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

XI. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The proposed project site is in the Visalia Planning Area, just outside of the city limits. The site is approximately 3 miles Northwest of the Visalia downtown. The site is currently zoned as AE-40 by the County of Tulare and is designated as Neighborhood Commercial, as well as Low, Medium, and High Density Residential by the Visalia General Plan. The Project involves rezoning from AE-40 to R-1-5 but does not need any General Plan Amendments.

The site currently contains one single-family residence and agriculture uses. The site is topographically flat and is bounded by agricultural uses to the North, South, East, and West. The site partially borders a single-family residential development to the Southeast. The agricultural properties adjacent to the site are designated by the Visalia General Plan as Low Density Residential, Medium Density Residential, Public Space, and Parks/Recreation.

Regulatory Setting

Visalia General Plan

The proposed project site is designated as Neighborhood Commercial, as well as Low, Medium, and High Density Residential by the Visalia General Plan.

- The Neighborhood Commercial designation provides for small-scale commercial that primary serves local neighborhoods such as convince shopping and small offices. Residential uses ranging from 10 to 15 housing units per gross acre are also allowed but are not assumed in the buildout.
- The Low-Density Residential designation is intended to provide for single family detached housing. Residential densities are typical of single-family subdivisions. The typical residential density for this designation ranges from two to 10 housing units per gross acre. Buildout is assumed at four units per gross acre.
- The Medium-Density Residential designation can accommodate a mix of housing types, from small-lot starter homes, zero-lot-line developments, and duplexes, to townhouses and garden apartments. Pedestrian-oriented design and clustering can support higher density. The typical residential density for this designation ranges from 10 to 15 housing units per gross acre. Buildout is assumed at 10 units per gross acre.

- The High-Density Residential designation is intended to accommodate attached homes, two- to four-plexes, and apartment buildings. High density residential development is typically found at neighborhood centers and along corridors. The typical residential density for this designation ranges from 15 to 35 housing units per gross acre. Buildout is assumed at 16.5 units per gross acre.

The 2030 General Plan includes the policies related to land use that correlate to the proposed project:

- *LU-P-19*: Ensure that growth occurs in a compact and concentric fashion by implementing the General Plan's phased growth strategy.
- *LU-P-20*: Allow annexation and development of residential, commercial, and industrial land to occur within the Tier I Urban Development Boundary (UDB) at any time, consistent with the City's Land Use Diagram.
- *LU-P-28*: Continue to use natural and man-made edges, such as major roadways and waterways within the city's Urban Area Boundary, as urban development limit and growth phasing lines.
- *LU-P-71*: Ensure that noise, traffic, and other potential conflicts that may arise in a mix of commercial and residential uses are mitigated through good site planning, building design, and/or appropriate operational measures.
- *LU-P-47*: Establish criteria and standards for pedestrian, bicycle, and vehicle circulation networks within new subdivisions and non-residential development.

City of Visalia Zoning Ordinance

The proposed project site needs rezoning from AE-40 to R-1-5. A conditional use permit is needed for density spread and lot sizes that do not meet the R-1 zoning standards. R-1-5 is intended to provide living area within the city where development is limited to low density concentrations of one-family dwellings where regulations are designed to accomplish the following:

- to promote and encourage a suitable environment for family life;
- to provide space for community facilities needed to compliment urban residential areas and for institutions that require a residential environment;
- to minimize traffic congestion and to avoid an overload of utilities designed to service only low-density residential use.

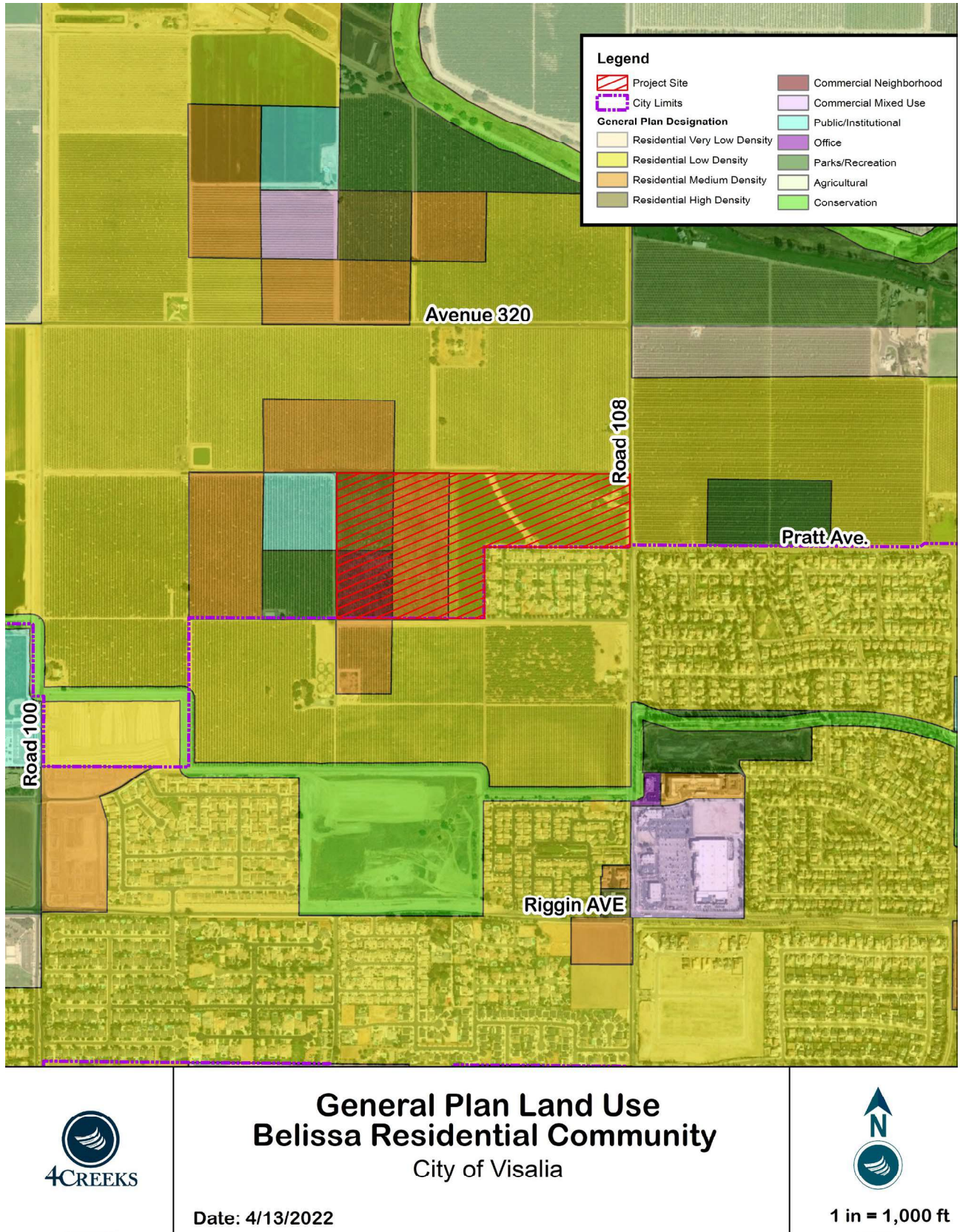


Figure 3-6: General Plan Land Use Designation

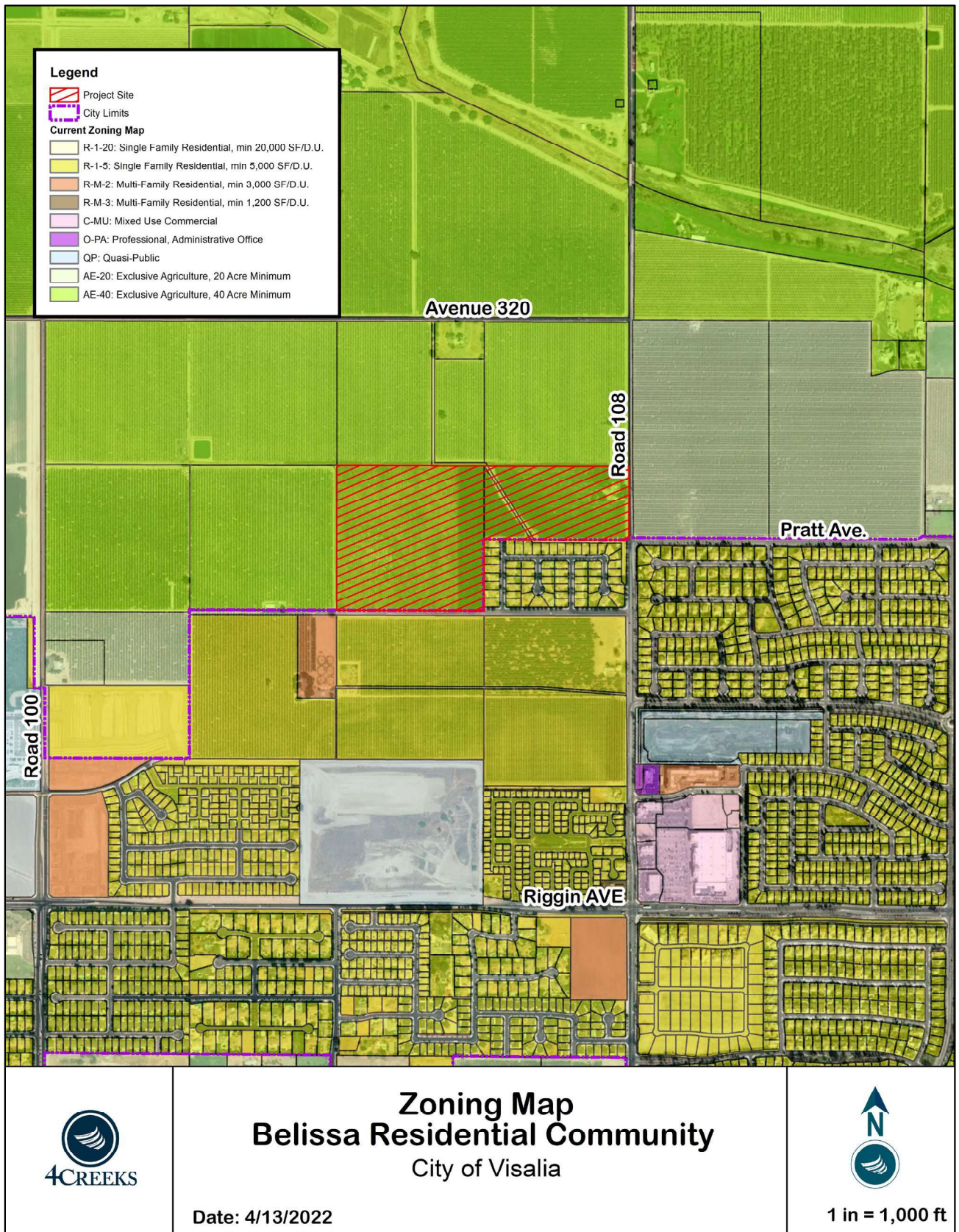


Figure 3-7: Zoning Map

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

No Impact: The proposed project will not physically divide an established community. The proposed project site is designated for Neighborhood Commercial, as well as Low, Medium, and High Density Residential by the Visalia General Plan and the project is consistent with this land use designation. The project would continue to operate as the same designation following project implementation. There is *no impact*.

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

No Impact: The project site is located on land designated for residential and commercial use. The proposed project does not conflict with this land use, or any other policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect. There is *no impact*.

XII. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally - important mineral resource recovery site delineated on a local general plan, specific plan, or other lands use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Tulare County contains mineral resources of sand, gravel, and crushed stone, found in alluvial deposits and hard rock quarries. Most of this mining takes place along rivers and at the base of the Sierra foothills. However, the Visalia Planning Area currently contains three former sand and gravel mines, but no currently operating mines and no designated Mineral Resource Zones.

Regulatory Setting

California State Surface Mining and Reclamation Act

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

Discussion

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

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

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

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

XIII. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground-borne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or, an airport land use plan or, where such a plan has not been adopted, within two miles of public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

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

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

Vibration is seismic waves that radiate along the surface of the earth and downward into the earth. Operation of heavy construction equipment, particularly pile driving and other impacts devices such as pavement breakers create this vibration.

Sensitive Receptors

Noise level allowances for various types of land uses reflect the varying noise sensitivities associated with those uses. Residences, hotels/motels, hospitals, schools, and libraries are some of the most sensitive land uses to noise intrusion and therefore have more stringent noise level allowances than most commercial or agricultural uses that are not subject to impacts such as sleep disturbance. The nearest sensitive receptor is the Wildhorse Subdivision that borders the Southeast border of the site.

Regulatory Setting

City of Visalia Noise Ordinance

The City of Visalia Noise Ordinance provides noise level standards for land use compatibility. Exterior and interior noise levels may not exceed any of the categorical noise level standards shown in Table 3-13. The standards are shown in A-weighted decibels (dBA). For Single Family Residential, the exterior noise during the daytime is to be below 70 dBA, and the indoor noise during the daytime is to be below 55 dBA.

Category	Cumulative number of minutes in any one hour time period	Evening and daytime (6:00 a.m. to 7:00 p.m.)	Nighttime (7:00 p.m. to 6:00 a.m.)
Exterior Levels			
1	30	50	45
2	15	55	50
3	5	60	55
4	1	65	60
5	0	70	65
Interior Levels			
1	5	45	35
2	1	50	40
3	0	55	45

Table 3-13: City of Visalia Noise Standards. Source: City of Visalia Noise Ordinance

City of Visalia General Plan

The current noise element of the City's General Plan establishes goals and policies intended to limit community exposure to excessive noise levels. Visalia's current General Plan identifies noise sources such as roadways, rails, and airports within the city and includes land use compatibility guidelines.

- *N-P-3*: Establish performance standards for noise reduction for new housing that may be exposed to community noise levels above 65 dB DNL/CNEL, as shown on the Noise Contour Maps, based on the target acceptable noise levels for outdoor activity levels and interior spaces in Tables 8-2 and 8-3. Noise mitigation measures that may be considered to achieve these noise level targets include but are not limited to the following:
 - Construct façades with substantial weight and insulation;
 - Use sound-rated windows for primary sleeping and activity areas;
 - Use sound-rated doors for all exterior entries at primary sleeping and activity areas;
 - Use minimum setbacks and exterior barriers;
 - Use acoustic baffling of vents for chimneys, attics, and gable ends;
 - Install a mechanical ventilation system that provides fresh air under closed window conditions.

Discussion

- a) **Would the project result in generation of a substantial temporary or permeant increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Less than Significant Impact: Project construction is anticipated to last approximately 70 months and will involve temporary noise sources in the vicinity of the project. The average noise levels generated by construction equipment that will likely be used in the proposed project are provided in Table 3-14.

The nearest residence and sensitive receptor is the Wildhorse Subdivision along the Southeast portion of the site. The City requires that mitigation measures be implemented if noise levels exceed 70 dB in sensitive outdoor areas or if interior noise levels exceed 55 dB. As shown in Figure 3-8, it was found that a residence must be at least 250 feet from construction in the exterior and 100 feet from construction in the interior to avoid noise levels exceeding these thresholds.

With the project bordering another residential community, a noise disturbance is unavoidable. However, the construction would comply with Visalia Municipal Code Chapter 8.36 to ensure that the construction noise impacts would be less than significant. Measures such as maintaining minimum setback distances between construction equipment and receptors, only having construction during weekday daytime hours, and noise barriers would be implemented to avoid significant construction noise impacts.

Long term noise levels resulting from the project would be produced by single family residential homes and neighborhood commercial, which are not normally associated with high operational noise levels. Because noise generated during project construction would be intermittent, short term, and would not exceed the thresholds established by the Visalia Noise Ordinance for sensitive receptors and the project does not propose uses that would typically generate high noise levels, the impact is *less than significant*.

Type of Equipment	Exterior Lmax at 50 feet (dBA)
Tractors	84
Loaders	80
Backhoes	80
Excavators	85
Generator Sets	82
Air Compressors	80
Rubber Tired Dozers	85
Forklifts	75
Welders	73
Graders	85
Scrapers	85
Cranes	85
Paving Equipment	85
Rollers	85

Table 3-14. Noise levels of noise-generating construction equipment at various distances. Source: Federal Highway Administration Construction Noise Handbook (dBA at 50 feet). Noise levels beyond 50 feet were estimated using the inverse square law based on given values for dBA at 50 feet.

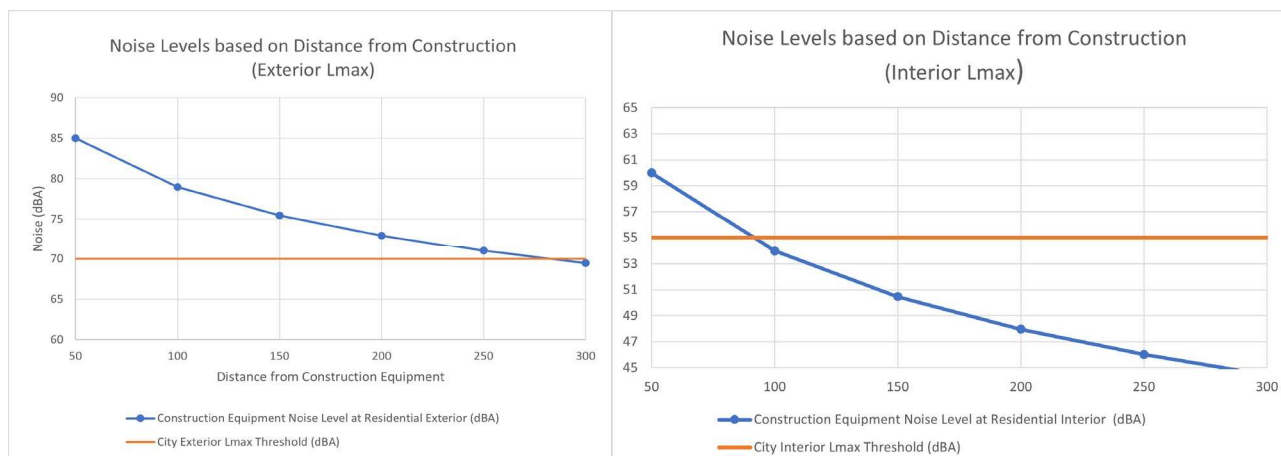


Figure 3-8: Construction Related Noise Levels Based on Distance from Construction Equipment. Interior Noise Assume 25 dB Exterior to Interior Noise Reduction

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

Less than Significant Impact: Although project operations would not include uses or activities that typically generate excessive groundborne vibration or groundborne noise levels, project construction could introduce temporary groundborne vibration to the project site and the surrounding area. Sources that may produce perceptible vibrations are provided in Table 3-15.

Equipment	Peak Particle Velocity (inches/second) at 25 feet	Approximate Vibration Level (LV) at 25 feet
Pile driver (impact)	1.518 (upper range)	112
	0.644 (typical)	104
Pile driver (sonic)	0.734 upper range	105
	0.170 typical	93
Clam shovel drop (slurry wall)	0.202	94
Hydromill (slurry wall)	0.008 in soil	66
	0.017 in rock	75
Vibratory Roller	0.210	94
Hoe Ram	0.089	87
Large bulldozer	0.089	87
Caisson drill	0.089	87
Loaded trucks	0.076	86
Jackhammer	0.035	79
Small bulldozer	0.003	58

Table 3-15. Vibration Levels Generated by Construction Equipment. Source: Transit Noise and Vibration Impact Assessment, Federal Transit Administration, September 2018.

The primary source of vibration during project construction would likely be from a bulldozer (tractor), which would generate 0.089 inch per second PPV at 25 feet with an approximate vibration level of 87 VdB. Vibration from the bulldozer would be intermittent and not a source of continual vibration. There are no adopted City standards or thresholds of significance for vibration. The evaluation of potential impacts related to construction vibration levels is based on the published data in the 2018 FTA Guidelines. At 25 feet, the buildings most susceptible to vibration could be impacted at .12 inch/second. Because vibrations generated by project construction would not exceed 0.12 inch/second, the impact is *less than significant*.

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

No Impact: The proposed project is not located within an airport land use plan, within the vicinity of a private airstrip, or within two miles of a public airport. There is *no impact*.

XIV. POPULATION AND HOUSING

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

Environmental Setting

The United States Census Bureau stated the population in the City of Visalia to be 141,214 as of April 2020. This is an increase from the 2010 census, which counted the population in the City of Visalia to be 124,442. Factors that influence population growth in Visalia include job availability, housing availability, and the capacity of proposed and existing infrastructure.

Regulatory Setting

The City of Visalia population size is controlled by the development code and Housing Element of the General Plan. These documents regulate the number of dwelling units per acre allowed on various land uses and establish minimum and maximum lot sizes, which has a direct impact on the City's population size.

City of Visalia 2003 General Plan Housing Element

The 2030 General Plan includes the policies related to population and housing that correlate to the proposed project:

- *LU-P-50*: Provide development standards to ensure residential development is not negatively affected by adjacent non-residential land uses.
- *U-P-71*: Ensure that noise, traffic, and other potential conflicts that may arise in a mix of commercial and residential uses are mitigated through good site planning, building design, and/or appropriate operational measures.

Discussion

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

No Impact: The United States Census Bureau stated the population in the City of Visalia to be 141,214 as of April 2020. The project proposes to construct 309 new single family residential lots and 168

multifamily residential units. The US Census Bureau states that the City's average household size is 2.99 persons. Based on this average household size, the anticipated population increase because of the proposed project is 1,429 persons. The construction of housing at this location would not be unplanned, as the Visalia General Plan designated the proposed project site for low, medium, and high density residential, as well as neighborhood commercial. Additionally, the city is planning for more businesses, services, and infrastructure to accommodate the new population. Overall, the project will not constitute an unplanned increase in growth and population. There is *no impact*.

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

No Impact: There project would not displace any existing housing. There is one existing house on the site which will be removed. Overall, this will increase the amount of available housing in the community. There is *No Impact*.

XV. PUBLIC SERVICES

Would the Project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable serve ratios, response times of other performance objectives for any of the public services:				
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

Fire

Visalia and project site is served by The Visalia Fire Department (VFD), which operates 5 fire stations within the City of Visalia. The VFD will continue to provide fire protection services to the proposed project site following project implementation. VFD Fire Station No.55 is the nearest fire station to the site, approximately 1.9 miles to the Southwest.

Police

Law enforcement services are provided to the project site via The Visalia Police Department (VPD). The VPD will continue to provide police protection services to the proposed project site following project implementation. The VPD headquarters are located approximately 3.24 miles Southeast of the proposed project site. VPD Substation District 1 is located approximately 2.9 miles Southeast of the project site.

Schools

The proposed project site is located within the Visalia Unified School District (VUSD) from Kindergarten through 12th Grade. The District includes 25 elementary schools, four middle schools, four traditional high schools, and alternative education programs. The nearest school is located approximately .6 miles Southeast (Ridgeview Middle School).

Regulatory Setting

California Fire Code

The California Fire Code (Title 24, Part 9 of the California Code of Regulations) establishes regulations to safeguard against hazards of fire, explosion, or dangerous conditions in new and existing buildings,

structures, and premises. The provisions of the Fire Code apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure throughout the State of California. The Fire Code includes regulations regarding fire-resistance-rated construction, fire protection systems such as alarm and sprinkler systems, fire services features such as fire apparatus access roads, means of egress, fire safety during construction and demolition, and wildland-urban interface areas.

City of Visalia Fire Department Plan Check and Hydrant Ordinance

Visalia's requirements for new construction include provisions for the Fire Department to review building and site plans prior to the issuance of any permit. The Fire Department ensures that proposed projects will be adequately served by water, and accessible to emergency vehicles. The Department also enforces the City's Hydrant Ordinance, which states that subdividers are responsible for the installation of water mains and hydrants and determines the minimum spacing for fire hydrants. Street dimensions are scrutinized to ensure that space will be preserved for ladder trucks to be stabilized, and for emergency vehicles to turn around. Basic requirements in the City's subdivision ordinance include 52-foot minimum right-of-way widths and a 53-foot turning radius for cul-de-sacs.

City of Visalia General Plan

The 2030 General Plan includes the policies related to public services that correlate to the proposed project:

- *PSCU-P-33*: Coordinate land use and development with school location and site design, working with the Visalia Unified School District and other districts to ensure that adequate facilities are available and integrated with neighborhoods.

Discussion

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

a. Fire protection?

Less than Significant Impact: The VFD will provide fire protection services to the proposed development. The closest fire station is Station No.55, located 1.9 miles Southwest of the project site at 6921 W Ferguson Ave. The Fire Department uses the National Fire Protection Association (NFPA) standard for fire protection services, which requires 1 responder per 1,000 residents. The addition of 477 residential units will increase the demand for fire protection services. The city currently has .48 responders per 1,000 residents. By 2030, the city expects growth up to a total of 210,000 residents. This would result in .32 responders per 1,000 residents. This will require an additional 85 on-duty responders by 2030 to meet 1 responder per 1,000 residents, or 41 new responders to meet the current ratio. The existing fire stations are placed to provide optimum service, however new stations will be needed to support the expanding city. To support the

expansion of fire services, a development impact fee of \$2,002 per gross acre will be paid for fire services. The total development impact fee for fire services would be \$117,678.

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

b. Police protection?

Less than Significant Impact: The VPD will provide services to the proposed development. The VPD headquarters are located approximately 3.24 miles Southeast of the proposed project site. VPD Substation District 1 is located approximately 2.9 miles Southeast of the project site. The development would increase the demand for police service with the addition of 477 residential units. The VPD does not establish service standards either in terms of officers per thousand residents or in incident response time but plans to maintain the current ratio of 1.7 officers per 1,000 residents. The Department has 143 sworn officers working out of two districts, as well as seven reserve sworn officers, 64 civilian officers, and 65 volunteers. The demand for additional officers and equipment will be compensated by the development impact fee of \$ 1,832 per acre of Low-Density Housing, \$4,618 per acre of Medium-Density Housing, \$7,857 per acre of High-Density Housing, and \$9,154 per acre of Neighborhood Commercial. The total development impact fee for police protection services would be \$245,602.

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

c. Schools?

Less than Significant Impact: The proposed project is within the (VUSD) from Kindergarten through 12th Grade. The District includes 25 elementary schools, four middle schools, four traditional high schools, and alternative education programs. The City of Visalia predicts the generation rates shown below in Table 3-16.

School Type	Single Family Generation Rate	Multi Family Generation Rate
Elementary School	0.448	.144
Middle School	.092	.017
High School	.156	.025

Table 3-16: Student Generation Rates, City of Visalia General Plan

Since the proposed project includes the addition of 309 single family homes and 168 multi-family residential units, the number of students will increase by approximately 672. The proposed project site is located within the Planning Area's limits and therefore, growth associated with the Project has been planned and expected. In addition to the goals and policies of the City's General Plan, future development is required to pay development impact fees to the school districts at the time of building permit issuance. The City of Visalia charges \$4.41 per square foot of residential development and \$0.66 per square foot of commercial development. This would total up to \$3,244,560. These impact fees are used by the school districts to maintain existing and develop new facilities, as needed. Therefore, the impact is *less than significant*.

d. Parks?

Less than Significant Impact: The addition of 477 new residential units would result in more use of the existing parks. Parks within a half-mile to one-mile radius that would service the proposed development include Shannon Ranch Neighborhood Park. The project plans to include 2.18 acres of parkland. Since the project would not lower the existing level of services for parks, and the proposed project would contribute its fair share to parks facilities through in-lieu fees, the impact is *less than significant*.

e. Other public facilities?

Less than Significant Impact: The proposed project would be required to pay a development impact fee for Public Facilities, including for the Civic Center, Corporation Yard, and Libraries. The fees for these are \$602 per single family unit, \$536 per multi-family unit, and \$438 per 1,000 square feet of commercial space. This is a total of \$305,138 for Public Facilities. Additional development fees will be paid to offset the increased demand for public services related to transportation, water, wastewater, groundwater recharge, storm drainage, and general governmental services. Fees for transportation, water, wastewater, and general government are based on building square footage and will be calculated prior to the issuance of building permits. Fees for groundwater recharge and storm drainage are based on site acreage.

While the payment of development fees could result in the construction of new or altered public service facilities, no specific projects have been identified at this time. As new or expanded public

service facilities become necessary, construction or expansion projects would be subject to their own separate CEQA review in order to identify and mitigate any potential environmental impacts. Therefore, the impact is *less than significant*.

XVI. PARKS AND RECREATION

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

There are 40 park facilities totaling 678 acres within the Visalia Planning Area. The City of Visalia provides different types of parks and open space facilities, or park types, to meet park and open space recreation needs of the community. Park types include:

- Pocket Parks: A park typically between one-half and two acres in size intended to serve the needs of a specific neighborhood within a half-mile radius. There are currently 17 pocket parks in Visalia.
- Neighborhood Parks: A park typically 2 to 5 acres in size that provides basic recreation activities for one or more neighborhoods. There are currently 19 neighborhood parks in Visalia.
- Community Parks: A park typically ranging from 5 to 12 acres in size or larger, which are intended to serve the recreational needs of a larger area of the city. There are currently 4 community parks in Visalia.
- Large City Parks: A park generally larger than 40 acres in size intended to serve the recreational needs of all city residents and to create opportunities for contact with the natural environment. These parks may include a concentration of sports fields, golf courses, and areas for picnicking and passive enjoyment of open space. There are currently 2 large city parks in Visalia.
- Natural Corridors and Greenways: A network of greenways of varying size intended to serve the recreational needs of city residents. These parks may include facilities such as bikeways, walkways, and riding trails, and are primarily developed along the city's waterways. There is a total of 196 acres of natural corridors and greenways.

The Visalia Planning Area additionally contains two county parks and a public golf course. The golf course is not counted to the total amount of parkland. The Visalia General Plan states a total parkland standard of 5 acres of city parkland per 1,000 residents.

Regulatory Setting

Quimby Act

The 1975 Quimby Act (California Government Code section 66477) authorized cities and counties to pass ordinances requiring that developers set aside land, donate conservation easements, or pay fees for park improvements. The Act states that the dedication requirement of parkland can be a minimum of three acres per thousand residents or more and up to five acres per thousand residents if the existing ratio is greater than the minimum standard. Revenues generated through in-lieu fees collected and the Quimby Act cannot be used for the operation and maintenance of park facilities. In 1982, the Act was substantially amended. The amendments further defined acceptable uses of or restrictions on Quimby funds, provided acreage/population standards and formulas for determining the exaction, and indicated that the exactions must be closely tied (nexus) to a project's impacts as identified through studies required by the California Environmental Quality Act (CEQA).

City of Visalia General Plan

The 2030 General Plan includes the policies related to parks and recreation that correlate to the proposed project:

- *PSCU-P-2*: Strive to achieve and maintain a citywide standard of at least five acres of neighborhood and community parks per 1,000 residents.
- *PSCU-P-7*: Promote development of small pocket parks or play lots dispersed throughout new neighborhoods and in existing neighborhoods, where needed, on a voluntary basis in coordination with new infill development, consistent with the following planning guidelines:
 - Size: 0.5 to 2 acres; and
 - Facilities: the specific features of pocket parks should address the anticipated needs of nearby residents and/or workers. In a residential environment, the needs of small children and seniors should be emphasized. In mixed-use or commercial areas, lunchtime use by office workers and shoppers should be facilitated.
- *PSCU-P-10*: Adopt and implement parkland dedication requirements for all subdivisions, consistent with the Quimby Act and Policy PSCU-P-2. This requirement will be integrated with the City's Park Acquisition Development Fee Program.

Discussion

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

Less than Significant Impact: The proposed project is anticipated to increase the Visalia population by approximately 1,429 residents. Based on the desired parkland ratio of 5 acres per 1000 residents identified in the Visalia General Plan, the Project would need to provide approximately 7.14 acres of parkland/open space. The project would provide the minimum of 2.18 acres on site but will be required to pay in-lieu fees to offset the costs of parks and recreational facilities outside of the site. The impact is *less than significant*.

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

No Impact: The proposed project does not include any recreational facilities or require the construction or expansion of any recreational facilities that would have an adverse physical effect on the environment. There is *no impact*.

XVII. TRANSPORTATION

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with the CEQA guidelines Section 15064.3, Subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting**Vehicular Access**

Vehicular access to the project is available via North Demaree Street, River Way Drive, North Linwood Street and through the existing Wildhorse Subdivision via North Chinowth Street. The project includes a network of local streets that provide full access to the project site.

Parking

Each Single-Family home will contain a two-car garage, as well as room for two more cars in the driveway. Additionally, there will be parking available on the street. For the 168-unit Multi-family section, there is 284 parking spots. 168 of these spots are in garages. During construction, workers will utilize existing parking areas and/or temporary construction staging areas for parking of vehicles and equipment.

Regulatory Setting**CEQA Guidelines Section 15064.3, Subdivision (b): Criteria for Analyzing Transportation Impacts**

- (1) Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be considered to have a less than significant transportation impact.
- (2) Transportation Projects. Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent

that such impacts have already been adequately addressed at a programmatic level, a lead agency may tier from that analysis as provided in Section 15152.

- (3) **Qualitative Analysis.** If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.
- (4) **Methodology.** A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

City of Visalia Standard Specifications

The City of Visalia Standard Specifications are developed and enforced by the City of Visalia Public Works Department to guide the development and maintenance of streets within the City. The cross-section drawings contained in the City's Standard Specifications dictate the development of roads within the City.

City of Visalia General Plan:

The 2030 General Plan includes the policies related to transportation that correlate to the proposed project:

- *T-P-3:* Design and build future roadways that complement and enhance the existing network, as shown on the General Plan Circulation Diagram, to ensure that each new and existing roadway continues to function as intended.
- *T-P-5:* Take advantage of opportunities to consolidate driveways, access points, and curb cuts along existing arterials when a change in development or a change in intensity occurs or when traffic operation or safety warrants.
- *T-P-10:* Manage local residential streets to limit average daily vehicle volumes to 1,500 or less and maintain average vehicle speeds between 15 and 25 miles per hour.
- *T-P-22:* Require all residential subdivisions to be designed to discourage use of local streets as a bypass to congested arterials, and when feasible, require access to residential development to be from collector streets.
- *T-P-23:* Require that all new developments provide right-of-way, which may be dedicated or purchased, and improvements (including necessary grading, installation of curbs, gutters, sidewalks, parkway/landscape strips, bike, and parking lanes) other city street design standards. Design standards will be updated following General Plan adoption
- *T-P-24:* Require that proposed developments make necessary off-site improvements if the location and traffic generation of a proposed development will result in congestion on major streets or failure to meet LOS D during peak periods or if it creates safety hazards.

- *T-P-26:* Require that future commercial developments or modifications to existing developments be designed with limited points of automobile ingress and egress, including shared access, onto major streets.
- *T-P-40:* Develop a community-wide trail system along selected planning area waterways, consistent with the Waterways and Trails Master Plan and General Plan diagrams.

Discussion

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

Less than Significant Impact: The existing General Plan established LOS “D” as the minimum acceptable LOS standard on city facilities. A traffic study prepared by Ruettggers and Schuler (Appendix E) studied the impacts from the project on all intersections within a one-mile radius. Analysis was provided for Existing Traffic, 2023 Traffic, 2025 Traffic, 2031 Traffic, and 2041 Traffic. The studied intersections are:

- Akers St & Ave 320
- Demaree St & Ave 320
- Demaree St & Pratt Rd
- Country Center St & Pratt Rd
- Mooney Blvd & Pratt Rd
- Akers St & Shannon Prkwy
- Chinowth St & Shannon Prkwy
- Demaree St & River Way Dr
- Demaree St & Shannon Pkwy
- Country Center St & Shannon Pkwy
- Demaree St & Flagstaff Ave
- Akers St & Riggin Ave
- Linwood St & Riggin Ave
- Demaree St & Riggin Ave
- Country Center St & Riggin Ave
- Linwood St & Ferguson Ave
- Demaree St & Ferguson Ave
- Also included are the driveways for the multi-family and retail portions of the project.

PM Intersection Level of Service

Intersection	2021 LOS	2023 LOS	2025 LOS	2031 LOS	2041 LOS
<i>Akers St. and Ave 320</i>	A	A	A	B	B
<i>Demaree St. and Ave 320</i>	B	B	B	B	B
<i>Linwood St. and Project Road North</i>	A	A	A	A	A
<i>Demaree St. and Arlet Ave</i>	A	A	A	A	A
<i>Demaree St. and Pratt Rd.</i>	B	B	B	B	C

<i>Country Center St. and Pratt Rd.</i>	A	A	A	A	A
<i>Mooney Blvd. and Pratt Rd.</i>	A	A	A	A	A
<i>Akers St. and Shannon Prkwy.</i>	A	A	A	A	A
<i>Linwood St. and Shannon Prkwy.</i>	A	A	A	A	A
<i>Chinowth St. and Shannon Prkwy.</i>	A	A	A	B	B
<i>Coburn Ave. & Shannon Prkwy. / Residential Driveway & Shannon Prkwy.</i>	A	A	A	B	B
<i>Demaree St & River Way Dr</i>	B	B	B	C	C
<i>Demaree St & Shannon Pkwy</i>	C	C	D	F (A LOS with Traffic Signal)	F (A LOS with Traffic Signal)
<i>Country Center St & Shannon Pkwy</i>	A	A	A	A	A
<i>Demaree St & Flagstaff Ave</i>	B	C	D	F (A LOS with Traffic Signal)	F (A LOS with Traffic Signal)
<i>Akers St & Riggin Ave</i>	D	D	D	D	D
<i>Linwood St & Riggin Ave</i>	C	C	D	E (B LOS with Traffic Signal)	F (F LOS with Traffic Signal)
<i>Demaree St & Riggin Ave</i>	D	D	D	D	E
<i>Country Center St & Riggin Ave</i>	C	C	C	E	F (B LOS with Traffic Signal)
<i>Linwood St & Ferguson Ave</i>	A	A	B	B	C
<i>Demaree St & Ferguson Ave</i>	D	D	D	D	F
<i>Linwood St & Residential Driveway</i>	A	A	A	A	A
<i>Linwood St & Commercial Driveway</i>				A	A
<i>Commercial Driveway & Shannon Prkwy</i>				A	A

Table 3-17: PM Projected LOS

AM Intersection Level of Service

Intersection	2021 LOS	2023 LOS	2025 LOS	2031 LOS	2041 LOS
<i>Akers St. and Ave 320</i>	A	A	A	B	B
<i>Demaree St. and Ave 320</i>	B	B	B	B	C
<i>Linwood St. and Project Road North</i>	A	A	A	A	A
<i>Demaree St. and Arlet Ave</i>	A	A	A	A	A
<i>Demaree St. and Pratt Rd.</i>	B	B	B	B	C
<i>Country Center St. and Pratt Rd.</i>	A	A	A	A	A
<i>Mooney Blvd. and Pratt Rd.</i>	A	A	A	A	A
<i>Akers St. and Shannon Prkwy.</i>	A	A	A	A	A
<i>Linwood St. and Shannon Prkwy.</i>	A	A	A	A	A
<i>Chinowth St. and Shannon Prkwy.</i>	A	A	A	A	A
<i>Coburn Ave. & Shannon Prkwy. / Residential Driveway & Shannon Prkwy.</i>	A	A	A	A	A
<i>Demaree St & River Way Dr</i>	A	A	B	B	B

<i>Demaree St & Shannon Pkwy</i>	B	B	C	E (A LOS with Traffic Signal)	F (A LOS with Traffic Signal)
<i>Country Center St & Shannon Pkwy</i>	A	A	A	A	A
<i>Demaree St & Flagstaff Ave</i>	B	B	C	C	E (A LOS with Traffic Signal)
<i>Akers St & Riggin Ave</i>	D	D	D	D	D
<i>Linwood St & Riggin Ave</i>	B	C	C	E (B LOS with Traffic Signal)	F (C LOS with Traffic Signal)
<i>Demaree St & Riggin Ave</i>	D	D	D	D	E
<i>Country Center St & Riggin Ave</i>	B	B	B	B	C
<i>Linwood St & Ferguson Ave</i>	B	B	B	B	D
<i>Demaree St & Ferguson Ave</i>	D	D	D	D	D
<i>Linwood St & Residential Driveway</i>				A	A
<i>Linwood St & Commercial Driveway</i>				A	A
<i>Commercial Driveway & Shannon Prkwy</i>				A	A

Table 3-18: AM Projected LOS

The proposed project would cause unacceptable LOS at four separate intersections. Intersection improvements needed to maintain or improve the operational level of service of the street system in the vicinity of the project is presented in Table 3-19.

Intersection	Improvements Required by 2031	Improvements Required by 2041
<i>Demaree St & Shannon Pkwy</i>	Signal	
<i>Demaree St & Flagstaff Ave</i>	Signal	
<i>Linwood St & Riggin Ave</i>	Signal	
<i>Country Center St & Riggin Ave</i>		Signal

Table 3-19: Unacceptable Projected LOS in One Mile Radius

The City of Visalia Traffic Impact Fee facilities list includes signal projects which are not individually identified. Three of the four intersections (excluding Demaree Street and Flagstaff Avenue) are arterial or collector roadways and are understood to be included in the traffic impact fee. The intersection of Demaree Street and Flagstaff Avenue is currently full access and will require signalization in the future with or without the project. Inclusion of Demaree Street and Flagstaff Avenue in the traffic impact fee facilities list should be considered. The project will pay its fair share of traffic impact fees to support payment of the signals. There is *a less than significant impact*.

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

Less than Significant Impact: The State of California Governor's Office of Planning and Research document entitled Technical Advisory on Evaluating Transportation Impacts in CEQA dated December 2018 (OPR Guidelines) provides guidance for determining a project's transportation impacts based on

vehicle miles traveled (VMT). The City of Visalia has adopted a VMT thresholds and guidelines to address the shift from delay-based LOS CEQA traffic analyses to VMT CEQA traffic analyses. Visalia currently has a threshold of 84 percent of the existing County average, or 16 percent less than the County average, for residential and mixed-use projects. The County currently has a VMT per Capita of 11.9, requiring a VMT per Capita of 10.0 or less. The location of the project site currently has a VMT per capita of less than 10.0, a “green-colored VMT zone.”

However, projects can be screened out to not have a VMT analysis. Some projects have conditions that may exist which would presume the development project has a less than significant impact. These may be size, location, proximity to transit, or trip-making potential. One of the screening criteria is if the project is a “Residential, office, or mixed-use projects that are consistent with the City’s General Plan and located within green-colored VMT zones...Residential and office projects that are located in areas with low VMT, and that incorporate similar features (i.e., density, mix of uses, transit accessibility), will tend to exhibit similarly low VMT.” The project is consistent with the Visalia General Plan and is located within a green VMT zone. There is a *less than significant impact*.

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

No Impact: The project does not propose any incompatible uses or include any design features that could increase traffic hazards. The project does include three new vehicle access points at North Demaree Street, River Way Drive, and North Linwood Street. This improvement will be subject to review by the City’s engineer to ensure the new access point does not pose any safety risks due to project design. The proposed project would not substantially increase hazards in or around the project area there is *no impact*.

d) Would the project result in inadequate emergency access?

No Impact This project would not result in inadequate emergency access. Emergency access to the site would be via North Demaree Street, River Way Drive, and North Linwood Street. A network of local roads within the proposed project property provides full access to all buildings within the development. The Project would have *no impact* on emergency access.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

The Project area is in the Southern Valley Yokuts ethnographic territory of the San Joaquin Valley. The Yokuts are a sub-group of the Penutian language that covers much of coastal and central California and Oregon. The Yokuts were generally divided into three major groups, the Northern Valley Yokuts, the Southern Valley Yokuts, and the Foothill Yokuts. The Project area is likely within the Telamni and Wukchamni Yokuts territory. The closest village for this area was *Waitatshulu*, which was located on Packwood Creek approximately 5.5 miles south of the Project site. Primary Yokuts villages were typically located along lakeshores and major stream courses, with scattered secondary or temporary camps and settlements located near gathering areas in the foothills. Prior to Euro-American contact, the Yokuts were one of the densest populations of Native Americans in western North America due to the substantial natural resources surrounding Tulare Lake. According to the Native American Heritage Commission, six Native American tribal groups are currently associated with the Project area, including the Tubatulabals of Kern Valley, Wukasache Indian Tribe/Eshom Valley Band, the Kern Valley Indian Community, the Santa Rosa Rancheria Tachi Yokut Tribe, and the Tule River Indian Tribe.

Cultural Resources Record Search

A records search was conducted on behalf of the Applicant from the SSJVIC of the CHRIS at California State University in Bakersfield, California, to determine if historical or archaeological sites had

previously been recorded within the study area, if the project area had been systematically surveyed by archaeologists prior to the initial study, and/or whether the region of the field project was known to contain archaeological sites and to thereby be archaeologically sensitive. According to the SSJVIC records search, there has been no previous cultural resource investigations within the Project area. There has only been one cultural resource study conducted withing a 0.5-mile radius of the project. There have been no cultural resources were previously recorded within the Project area or within the 0.5-mile radius. Additionally, no recorded cultural resources are recorded within the Project area or 0.5-mile radius that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Interest, California Inventory of Historic Resources, or the California State Historic Landmarks.

Native American Consultation

The State requires lead agencies to consider the potential effects of proposed projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the California Environmental Quality Act (CEQA) Guidelines. Pursuant to PRC Section 21080.3.1, the lead agency shall begin consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the proposed project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe which is either on or eligible for inclusion in the California Historic Register or local historic register, or, the lead agency, at its discretion, and support by substantial evidence, choose to treat the resources as a Tribal Cultural Resources (PRC Section 21074(a)(1-2)).

Additional information may also be available from the California Native American Heritage Commission's Sacred Lands File per PRC Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that PRC Section 21082.3(c) contains provisions specific to confidentiality.

The site is currently vacant and has been routinely disturbed as part of the agricultural operations. If any artifacts are inadvertently discovered during ground-disturbing activities, existing federal, State, and local laws, and regulations as well as the mitigation measures will require construction activities to cease until such artifacts are properly examined and determined not to be of significance by a qualified cultural resource professional.

The NAHC Sacred Lands File search and outreach to local tribal representatives did not result in the identification of sacred places or other special areas important to the tribes within the Project boundary.

Regulatory Setting

Historical Resources

Historical resources are defined by CEQA as resources that are listed in or eligible for the California Register of Historical Resources, resources that are listed in a local historical resource register, or resources that are otherwise determined to be historical under California Public Resources Code Section 21084.1 or California Code of Regulations Section 15064.5. Under these definitions Historical Resources can include archaeological resources, Tribal cultural resources, and Paleontological Resources.

Archaeological Resources

As stated above, archaeological resources may be considered historical resources. If they do not meet the qualifications under the California Public Resources Code 21084.1 or California Code of Regulations Section 15064.5, they are instead determined to be “unique” as defined by the CEQA Statute Section 21083.2. A unique archaeological resource is an artifact, object, or site that: (1) contains information (for which there is a demonstrable public interest) needed to answer important scientific research questions; (2) has a special and particular quality, such as being the oldest of its type or the best available example of its type; or (3) is directly associated with a scientifically recognized important prehistoric or historic event or person.

Tribal Cultural Resource (TCR)

Tribal Cultural Resources can include site features, places, cultural landscapes, sacred places, or objects, which are of cultural value to a Tribe. It is either listed on or eligible for the CA Historic Register or a local historic register or determined by the lead agency to be treated as TCR.

Paleontological Resources

For the purposes of this section, “paleontological resources” refers to the fossilized plant and animal remains of prehistoric species. Paleontological Resources are a limited scientific and educational resource and are valued for the information they yield about the history of the earth and its ecology. Fossilized remains, such as bones, teeth, shells, and leaves, are found in geologic deposits (i.e., rock formations). Paleontological resources generally include the geologic formations and localities in which the fossils are collected.

Native American Reserve (NAR)

This designation recognizes tribal trust and reservation lands managed by a Native American Tribe under the United States Department of the Interior’s Bureau of Indian Affairs over which the County has no land use jurisdiction. The County encourages adoption of tribal management plans for these areas that consider compatibility and impacts upon adjacent area facilities and plans.

National Historic Preservation Act

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

California Historic Register

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

- Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
- Is associated with the lives of persons important in our past.

- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- Has yielded, or may be likely to yield, information important in prehistory or history.

City of Visalia General Plan

The 2030 General Plan includes the policies related to tribal resources that correlate to the proposed project:

OSC-P-42: Establish requirements to avoid potential impacts to sites suspected of being archeologically, paleontologically, or historically significant or of concern, by:

- Requiring a records review for development proposed in areas that are considered archaeologically or paleontologically sensitive;
- Determining the potential effects of development and construction on archaeological or paleontological resources (as required by CEQA);
- Requiring pre-construction surveys and monitoring during any ground disturbance for all development in areas of historical and archaeological sensitivity (defined as areas identified according to the National Historic Preservation Act as part of the Section 106 process); and
- Implementing appropriate measures to avoid the identified impacts, as conditions of project approval.

Discussion

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**

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

- 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.**

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

Mitigation Measures for Impacts to Cultural Resources:

Mitigation Measure TCR-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on 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 Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance.

If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

Mitigation Measure TCR-2: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.

Mitigation Measure TCR-3: Native American pre-construction presentation. Prior to any ground disturbance, the proponent shall retain Santa Rosa Rancheria Cultural Staff to provide a pre-construction Cultural Sensitivity Training to construction staff regarding the discovery of cultural

resources and the potential for discovery during ground disturbing activities, which will include information on potential cultural material finds and on the procedures to be enacted if resources are found. Tribal participation would be dependent upon the availability and interest of the Tribe.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting**Wastewater**

Sewer services are provided to the site by the City of Visalia. Visalia owns a Water Conservation Plant (WCP) located West of Highway 99 and South of Highway 198. Presently, the WCP's permitted capacity as established by the Regional Water Quality Control Board (RWQCB) is 20 million gallons per day (mgd). A planned upgrade will increase the capacity to 26 mgd. The WCP has a daily flow of 13 mgd. The City of Visalia operates a sewer system divided into eight service areas. The system currently has over 468 miles of sewer pipe.

Solid Waste

The City of Visalia provides solid waste collection, and the County of Tulare provides disposal services via landfills. Sunset Waste Paper is contracted to process residential and commercial recycling. The Tulare County Resource Management Agency manages some solid waste disposal. Programs include household hazardous waste disposal, electronics recycling, tire recovery, yard waste recycling, metal recycling and appliance recovery programs. The county landfills approximately 300,000 tons of waste per year, which is equivalent to about 5 pounds per person per day or one ton per county resident per year. The County operates three disposal sites: the Visalia Disposal Site, northwest of Visalia; the

Woodville Disposal Site, southeast of Tulare; and the Teapot Dome Disposal Site, southwest of Porterville. These sites have a remaining capacity of 24,258,052 cubic yards, with a total capacity of 37,101,523 cubic yards.

Water

The California Water Service Company (Cal Water) distribute groundwater supply. Cal Water's Visalia District supply wells extract groundwater from the Kaweah Groundwater Subbasin. The Cal Water system includes 75 operational groundwater wells, about one third of which have auxiliary power for backup. There are 519 miles of main pipeline in the system. The system includes two elevated 300,000-gallon storage tanks, an ion exchange treatment plant, four granular activated carbon filter plants and one nitrate blending facility.

The system currently has the capacity to pump 100,829 acre-feet per year (afy), all from groundwater. This will be able to supply a growing population, as in 2010, 31,762 AF was needed. By 2030, the city is expected to use 43,002 afy.

Regulatory Setting

CalRecycle

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

Central Valley RWQCB

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

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

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

Cal Water Urban Water Management Plan (UWMP) – Visalia District

The UWMP describes the Visalia District service area, system demand and usage, available water resources, reliability of the water supply, and contingency planning for water shortage. It also contains a conservation section in compliance with SB X7-7 describing water usage reduction targets and implementation measures. The UWMP identifies five core programs for water conservation in the District that involve promotion of high-efficiency fixtures in residential settings, promotion of high-efficiency irrigation systems, and public information and education.

City of Visalia General Plan

The 2030 General Plan includes the objectives and policies related to utilities and service systems that correlate to the proposed project:

- *PSCU-O-14*: Provide for long-range community water needs by adopting best management practices for water use, conservation, groundwater recharge and wastewater and stormwater management.
- *PSCU-P-46*: Adopt and implement a Water Efficient Landscaping Ordinance for new and/or refurbished development that exceeds mandated sizes, and ensure that all new City parks, streetscapes, and landscaped areas conform to the Ordinance's requirements. The Ordinance should include provisions to optimize outdoor water use by:
 - Promoting appropriate use of plants and landscaping;
 - Establishing limitations on use of turf including size of turf areas and use of cool-season turf such as Fescue grasses, with exceptions for specified uses (e.g., recreation playing fields, golf courses, and parks);
 - Establishing water budgets and penalties for exceeding them;
 - Requiring automatic irrigation systems and schedules, including controllers that incorporate weather-based or other self-adjusting technology;
 - Promoting the use of recycled water; and
 - Minimizing overspray and runoff.
- *PSCU-P-59*: Require new developments to incorporate floodwater detention basins into project designs where consistent with the Stormwater Master Plan and the Groundwater Recharge Plan.
- *PSCU-P-60*: Control urban and stormwater runoff and point and non-point discharge of pollutants. As part of the City's Stormwater Management Program, adopt and implement a Stormwater Management Ordinance to minimize stormwater runoff rates and volumes, control water pollution, and maximize groundwater recharge. New development will be required to include Low Impact Development features that reduce impermeable surface areas and increase infiltration. Such features may include, but are not limited to:
 - Canopy trees or shrubs to absorb rainwater;
 - Grading that lengthens flow paths over permeable surfaces and increases runoff travel time to reduce the peak hour flow rate;
 - Partially removing curbs and gutters from parking areas where appropriate to allow stormwater sheet flow into vegetated areas;
 - Use of permeable paving in parking lots and other areas characterized by significant impervious surfaces;
 - On-site stormwater detention, use of bioswales and bioretention basins to facilitate infiltration; and
 - Integrated or subsurface water retention facilities to capture rainwater for use in landscape irrigation and other non-potable uses.

Discussion

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

Less than Significant Impact: The proposed project would result in new water services. However, the proposed site has no change of use proposal. Visalia's current system for water and wastewater have the capacity to handle the projected growth expected in the General Plan. To compensate for these services, new development will be required to pay impact fees. It is not anticipated that implementation of the proposed project would result in increased demand for any utility services beyond the planned conditions. There is *a less than significant impact*.

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

Less than Significant Impact: Water services will be provided by Cal Water. The City's water supply source is comprised of 75 operational groundwater wells. The system currently has the capacity to pump 100,829 acre-feet per year (afy), all from groundwater. This will be able to supply a growing population, as in 2010, 31,762 AF was needed. By 2030, the city is expected to use 43,002 afy. Using average per-person water use in Visalia (183 gallons; 2020 Urban Water Management Plan) and the average household size in Visalia (2.99 persons; US Census Bureau), water demand for the proposed 477-unit residential development is estimated to be approximately 261,000 gallons of water daily, or about 292-acre feet per year. With the system capacity at 100,829 afy, there will be enough water supply for the proposed project. The project does not propose any new or expanded uses against the Visalia General Plan. The available water supply is expected to supply the projected population. In 2030, the projected demand is expected to 35,276 AF of groundwater, in 2035, there is expected to be 38,310 AF of groundwater, and in 2040 there is expected to be 41,258 AF of groundwater. To compensate for these services, new development will be required to pay impact fees for new water services, along with the reduced water use implementations from the policies set forth in the Visalia General Plan. Therefore, the impact is *less than significant*.

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

Less than Significant Impact: The project does not propose any new or expanded uses and is therefore not anticipated to result in increased demand for wastewater treatment services beyond existing conditions in the Visalia General Plan. Additionally, the City's MEIR has evaluated the site's current and future wastewater service demand. The current capacity of the wastewater system is approximately 20 mgd. It currently receives 13 mgd, leaving an available 7 mgd. In addition, a future upgrade plans to increase the capacity to 26 mgd. Based on the average per-acre daily wastewater use (1,300 gallons; City of Visalia General Plan), the 58.78-acre project would produce approximately 76,414 mgd of wastewater.

Because the City's sewer system has the capacity to meet the project site's expected demand for wastewater treatment, and it is not anticipated that the project will increase the site's demand for wastewater treatment, it can be inferred that the existing wastewater treatment system has adequate capacity to serve the proposed project. There is a *less than significant impact*.

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

No Impact: Sunset Waste Systems provides solid waste services to the proposed project site. The project does not propose any new or expanded uses and is therefore not anticipated to result in increased generation of solid waste beyond existing conditions. Additionally, the disposal sites are at less than half capacity. Because the City's existing infrastructure has the capacity to accommodate the solid waste currently planned in the General Plan for expanded population, it can be inferred that the existing solid waste infrastructure has adequate capacity to serve the proposed project. The project would not generate solid waste in excess of State or Local Standards and there is *no impact*.

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

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

XX. WILDFIRE

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

Environmental Setting

There are no State Responsibility Areas (SRAs) within the vicinity of the project site, and the project site is not categorized as a "Very High" Fire Hazard Severity Zone (FHSZ) by CalFire. This CEQA topic only applies to areas within an SRA or a Very High FHSZ.

Regulatory Setting

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

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

No Impact: The project would not substantially impair an adopted emergency response plan or emergency evacuation plan. The project will be reviewed by the Visalia Fire Department to ensure the project does not impair emergency response or emergency evacuation. Additionally, the proposed project site is not located within an SRA or a Very High FHSZ. There is *no impact*.

- b) **Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

No Impact: The project is located on a flat area of agricultural and urban land which is considered to be at little risk of fire. Additionally, the proposed project site is not located within an SRA or a Very High FHSZ. There is *no impact*.

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

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

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

No Impact: The project site is not located in an area designated as a Fire Hazard Severity Zone and lands associated with the Project site are relatively flat. Therefore, the project would not be susceptible to downslope or downstream flooding or landslides as a result of post-fire instability or drainage changes. There is *no impact*.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion

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

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

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

Less than Significant Impact: CEQA Guidelines Section 15064(h) states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects. Due to the nature of the project and consistency with environmental policies, incremental contributions to impacts are considered less than cumulatively considerable. The proposed project would not contribute substantially to adverse cumulative conditions, or create any substantial indirect impacts (i.e., increase in population could lead to an increased need for housing, increase in traffic, air pollutants, etc). Impacts would be *less than significant*.

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

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

3.6 MITIGATION MONITORING AND REPORTING PROGRAM

As required by Public Resources Code Section 21081.6, subd. (a)(1), a Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the project in order to monitor the implementation of the mitigation measures that have been adopted for the project. This Mitigation Monitoring and Reporting Program (MMRP) has been created based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Radio Neighborhood Park Project in the City of Visalia.

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

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

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
<p>Mitigation Measure TCR-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on 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 Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance.</p> <p>If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.</p>	Project Applicant	Ongoing during construction	Contractor/Lead Agency	
Mitigation Measure TCR-2: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to	Project Applicant	Ongoing during construction	Contractor/Lead Agency	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment.				
Mitigation Measure TCR-3: Prior to any ground disturbance, the proponent shall retain Santa Rosa Rancheria Cultural Staff to provide a pre-construction Cultural Sensitivity Training to construction staff regarding the discovery of cultural resources and the potential for discovery during ground disturbing activities, which will include information on potential cultural material finds and, on the procedures, to be enacted if resources are found. Tribal participation would be dependent upon the availability and interest of the Tribe.	Project Applicant	Prior to the Start of Construction and Ongoing During Construction	Contractor/Lead Agency	
Mitigation Measure HYD-1: Prior to the issuance of any construction/grading permit and/or the commencement of any clearing, grading, or excavation, the Applicant shall submit a Notice of Intent (NOI) for discharge from the Project site to the California SWRCB Storm Water Permit Unit. <ul style="list-style-type: none"> • Prior to issuance of grading permits for Phase 1 the Applicant shall submit a copy of the NOI to the City. • The City shall review noticing documentation prior to approval of the grading permit. City monitoring staff will inspect the site during construction for compliance. 	Project Applicant	Prior to the Start of Construction	Contractor/Lead Agency	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
<p>Mitigation Measure HYD-2: The Applicant shall require the building contractor to prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) to the City 45 days prior to the start of work for approval. The contractor is responsible for understanding the State General Permit and instituting the SWPPP during construction. A SWPPP for site construction shall be developed prior to the initiation of grading and implemented for all construction activity on the Project site in excess of one (1) acre, or where the area of disturbance is less than one acre but is part of the Project's plan of development that in total disturbs one or more acres. The SWPPP shall identify potential pollutant sources that may affect the quality of discharges to storm water and shall include specific BMPs to control the discharge of material from the site. The following BMP methods shall include, but would not be limited to:</p> <ul style="list-style-type: none"> • Dust control measures will be implemented to ensure success of all onsite activities to control fugitive dust; • A routine monitoring plan will be implemented to ensure success of all onsite erosion and sedimentation control measures; • Provisional detention basins, straw bales, erosion control blankets, mulching, silt fencing, sand bagging, and soil stabilizers will be used; • Soil stockpiles and graded slopes will be covered after two weeks of inactivity and 24 hours prior to and during extreme weather conditions; and, • BMPs will be strictly followed to prevent spills and discharges of pollutants onsite, such as material storage, trash disposal, construction entrances, etc. 	Project Applicant	45 Days Prior to the Start of Construction	Contractor/Lead Agency	
<p>Mitigation Measure HYD-3: A Development Maintenance Manual for the Project shall include comprehensive procedures for maintenance and operations of any stormwater facilities to ensure long-term operation and maintenance of post-construction stormwater controls. The maintenance manual shall require that stormwater BMP devices be inspected, cleaned, and maintained in accordance with the manufacturer's maintenance conditions. The manual shall require that devices be cleaned prior to the onset of the rainy season (i.e., mid-October) and immediately after the end of the rainy season (i.e., mid-May). The manual shall also require that all devices be checked after major storm events. The Development Maintenance Manual shall include the following:</p>	Project Applicant	Prior to the Start of Construction	Contractor/Lead Agency	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
<ul style="list-style-type: none"> Runoff shall be directed away from trash and loading dock areas; Bins shall be lined or otherwise constructed to reduce leaking of liquid wastes; Trash and loading dock areas shall be screened or walled to minimize offsite transport of trash; and, Impervious berms, trench catch basin, drop inlets, or overflow containment structures nearby docks and trash areas shall be installed to minimize the potential for leaks, spills or wash down water to enter the drainage system. 				
<p>Mitigation Measure CUL-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on 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 Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance.</p> <p>If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.</p>	Project Applicant	Ongoing during construction	Contractor/Lead Agency	
<p>Mitigation Measure CUL-2: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission</p>	Project Applicant	Ongoing during construction	Contractor/Lead Agency	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
(NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment				
Mitigation Measure CUL-3: Prior to any ground disturbance, the proponent shall retain Santa Rosa Rancheria Cultural Staff to provide a pre-construction Cultural Sensitivity Training to construction staff regarding the discovery of cultural resources and the potential for discovery during ground disturbing activities, which will include information on potential cultural material finds and, on the procedures, to be enacted if resources are found. Tribal participation would be dependent upon the availability and interest of the Tribe.	Project Applicant	Prior to the Start of Construction and Ongoing During Construction	Contractor/Lead Agency	
Mitigation Measure AQ-1: If any restaurants in the C-N portion of the project will utilize under-fired charbroilers, measures will be utilized to reduce Particulate Matter to a less than significant level, as technologically feasible. These can include Mechanical Filtration Systems, Electrostatic Precipitators, or Wet-Scrubbers.	Project Applicant	Prior to the start of construction and ongoing during operational use.	Contractor/Lead Agency	
Mitigation Measure BIO-1a: Construction Timing. If feasible, project construction will occur entirely outside the Swainson's hawk nesting season, typically defined as March 1- September 15.	Project Applicant	Prior to the Start of Construction	Contractor/Lead Agency	
Mitigation Measure BIO-1b: Preconstruction Surveys. If construction activities must occur between March 1 and September 15, then within 10 days prior to the start of work, a qualified biologist will conduct preconstruction surveys from publicly accessible roads for Swainson's hawk nests within ½ mile of the work area(s) in question.	Project Applicant	Prior to the Start of Construction	Contractor/Lead Agency	
Mitigation Measure BIO-1c: Avoidance. Should any active nests be identified, the biologist will establish a suitable disturbance-free buffer around the nest,	Project Applicant	Ongoing during construction	Contractor/Lead Agency	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
to be maintained until the biologist has determined that the young have fledged.				
Mitigation Measure BIO-2a: Avoidance. In order to avoid impacts to nesting migratory birds and raptors, construction will occur, where possible, outside the nesting season, or between September 1 and January 31.	Project Applicant	Prior to the Start of Construction	Contractor/Lead Agency	
Mitigation Measure BIO-2b: Preconstruction Surveys. If construction must occur during the nesting season (February 1-August 31), a qualified biologist will conduct preconstruction surveys for active migratory bird and raptor nests within 10 days of the onset of these activities. Nest surveys will include all areas on and within 500 feet of the project site, where accessible. Inaccessible areas will be surveyed using binoculars or a spotting scope. If no active nests are found within the survey area, no further mitigation is required.	Project Applicant	Prior to the Start of Construction	Contractor/Lead Agency	
Mitigation Measure BIO-2c: Establish Buffers. Should any active nests be discovered in or near proposed work areas, the biologist will determine appropriate construction setback distances based on applicable CDFW guidelines and/or the biology of the affected species. Construction-free buffers will be identified on the ground with flagging, fencing, or by other easily visible means, and will be maintained until the biologist has determined that the young have fledged.	Project Applicant	Ongoing during construction	Contractor/Lead Agency	
Mitigation Measure BIO-2d: Nest Monitoring. Should construction need to occur within the construction free buffers, then prior to initiation of these activities a qualified biologist will conduct a survey to establish a behavioral baseline of the affected nest(s). When construction begins within the buffer, the qualified biologist will continuously monitor nests to detect behavioral changes resulting from the project. If behavioral changes occur, the work causing that change will cease. If there are no behavioral changes after one week of monitoring, then monitoring may be reduced as determined by the biologist.	Project Applicant	Prior to the Start of Construction	Contractor/Lead Agency	
Mitigation Measure BIO-3a: Pre-construction Surveys. Preconstruction surveys for the San Joaquin kit fox shall be conducted on and within 200 feet of the project site, no less than 14 days and no more than 30 days prior to the start of ground disturbance activities on the site. The primary objective is to identify kit fox habitat features (e.g., potential dens and refugia) on and adjacent to the site and evaluate their use by kit foxes.	Project Applicant	14-30 days prior to the Start of Construction	Contractor/Lead Agency	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
Mitigation Measure BIO-3b: Avoidance. Should active kit fox dens be detected during preconstruction surveys, the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW will be notified. A disturbance-free buffer will be established around the burrows in consultation with the USFWS and CDFW, to be maintained until an agency-approved biologist has determined that the burrows have been abandoned.	Project Applicant	Prior to the Start of Construction	Contractor/Lead Agency	
Mitigation Measure BIO-3c: Minimization. Construction activities shall be carried out in a manner that minimizes disturbance to kit foxes in accordance with the USFWS Standardized Recommendations. The applicant shall implement all minimization measures presented in the Construction and On-going Operational Requirements section of the Standardized Recommendations, including, but not limited to: restriction of project-related vehicle traffic to established roads, construction areas, and other designated areas; inspection and covering of structures (e.g. pipes), as well as installation of escape structures, to prevent the inadvertent entrapment of kit foxes; restriction of rodenticide and herbicide use; and proper disposal of food items and trash.	Project Applicant	Ongoing during construction	Contractor/Lead Agency	
Mitigation Measure BIO-3d: Mortality Reporting. The Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW will be notified in writing within three working days in case of the accidental death or injury of a San Joaquin kit fox during project-related activities. Notification must include the date, time, location of the incident or of the finding of a dead or injured animal, and any other pertinent information.	Project Applicant	Ongoing during construction	Contractor/Lead Agency	
<p>Mitigation Measure BIO-4: Pre-construction Surveys. Preconstruction surveys for the California tiger salamander shall be conducted on and within 200 feet of the project site, no less than 14 days and no more than 30 days prior to the start of ground disturbance activities on the site.</p> <p>If special status animal species are not identified during pre-construction surveys, no further action is required.</p> <p>If special status animal species are detected during pre-construction surveys, the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW shall be contacted immediately to identify the appropriate avoidance and minimization actions to</p>	Project Applicant	14-30 days Prior to the Start of Construction	Contractor/Lead Agency	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
be taken as applicable for the species identified and to determine permitting needs.				

3.7 Supporting Information and Sources

1. AB 3098 List
2. EMFAC2014
3. Tulare County General Plan
4. City of Visalia General Plan
5. City of Visalia General Plan MEIR
6. City of Visalia Greenhouse Gas Reduction Plan
7. City of Visalia Zoning Ordinance
8. Engineering Standards, City of Visalia
9. SJVAPCD Regulations and Guidelines
10. FEMA Flood Maps
11. California Air Resources Board's (CARB's) Air Quality and Land Use Handbook
12. 2019 California Environmental Quality Act CEQA Guidelines
13. California Building Code
14. California Stormwater Pollution Prevention Program (SWPPP)
15. "Construction Noise Handbook." U.S. Department of Transportation/Federal Highway Administration.
16. Government Code Section 65962.5
17. California Environmental Protection Agency (CEPA) San Joaquin Valley Air Pollution Control District Mitigation Measures (<http://www.valleyair.org/transportation/Mitigation-Measures.pdf>)
18. Southern California Edison 2019 Power Content Label
19. Transit Noise and Vibration Impact Assessment, Federal Transit Administration, September 2018.
20. 2020 U.S. Census
21. California Department of Transportation Scenic Roadways
22. EPA, Intergovernmental Panel on Climate Change
23. 2020 Cal Water Urban Water Management Plan (UWMP) – Visalia District
24. State of California Governor's Office of Planning and Research

Section 4

List of Preparers

City of Visalia

315 E Acequia Ave
Visalia, CA 93291

SECTION 4

List of Preparers

Project Title: Belissa Residential Community

List of Preparers

4-Creeks Inc.

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

Persons and Agencies Consulted

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

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