

Initial Study

Woodlake Reconciliation Project

Prepared for:



City of Woodlake
350 N. Valencia Ave
Woodlake, CA 93286
(559) 564-8055
Contact: Rebecca Griswold

Prepared by:



Crawford & Bowen Planning, Inc.
113 N. Church Street, Suite 310
Visalia, CA 93291
(559) 840-4414
Contact: Emily Bowen, LEED AP

February 2023

TABLE OF CONTENTS

PROJECT INFORMATION4

 Project title.....4

 Lead agency name and address4

 Contact person and phone number4

 Project location4

 Project sponsor’s name/address.....7

 General plan designation.....7

 Zoning7

 Project Description.....7

 Other Public Agencies Involved21

 Tribal Consultation21

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED22

DETERMINATION.....22

ENVIRONMENTAL CHECKLIST24

 I. AESTHETICS.....24

 II. AGRICULTURE AND FOREST RESOURCES.....29

 III. AIR QUALITY32

 IV. BIOLOGICAL RESOURCES.....41

 V. CULTURAL RESOURCES49

 VI. ENERGY.....55

 VII. GEOLOGY AND SOILS.....60

 VIII. GREENHOUSE GAS EMISSIONS.....65

IX. HAZARDS AND HAZARDOUS MATERIALS.....69

XII. MINERAL RESOURCES.....86

XIII. NOISE.....87

XIV. POPULATION AND HOUSING91

XV. PUBLIC SERVICES.....94

XVI. RECREATION98

XVII. TRANSPORTATION/100

TRAFFIC.....100

XVIII. TRIBAL CULTURAL RESOURCES.....103

XIX. UTILITIES AND SERVICE SYSTEMS108

XX. WILDFIRE.....113

XXI. MANDATORY FINDINGS OF SIGNIFICANCE116

LIST OF PREPARERS.....118

Persons and Agencies Consulted.....118

PROJECT INFORMATION

This document is the Initial Study for the potential environmental effects of the City of Woodlake's (City) Reconciliation Project (Project), which includes a Residential Development, Zone Change and General Plan Amendment Project. The City of Woodlake will act as the Lead Agency for this project pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines. Copies of all materials referenced in this report are available for review in the project file during regular business hours at 350 N. Valencia Avenue, Woodlake, CA 93286.

Project title

Woodlake Reconciliation Project

Lead agency name and address

City of Woodlake
350 N. Valencia Avenue
Woodlake, CA 93286

Contact person and phone number

Rebecca Griswold, Community Services Director
City of Woodlake
(559) 564-8055

Project location

The City of Woodlake is located in Tulare County in the southeastern part of the San Joaquin Valley (Figure 1). The proposed Project is located in various locations, as demonstrated on Figure 2 – Project Map. Woodlake is bisected by SR 216 and SR 245 and the City is situated five miles north of SR 198.

Figure 1 – Regional Location

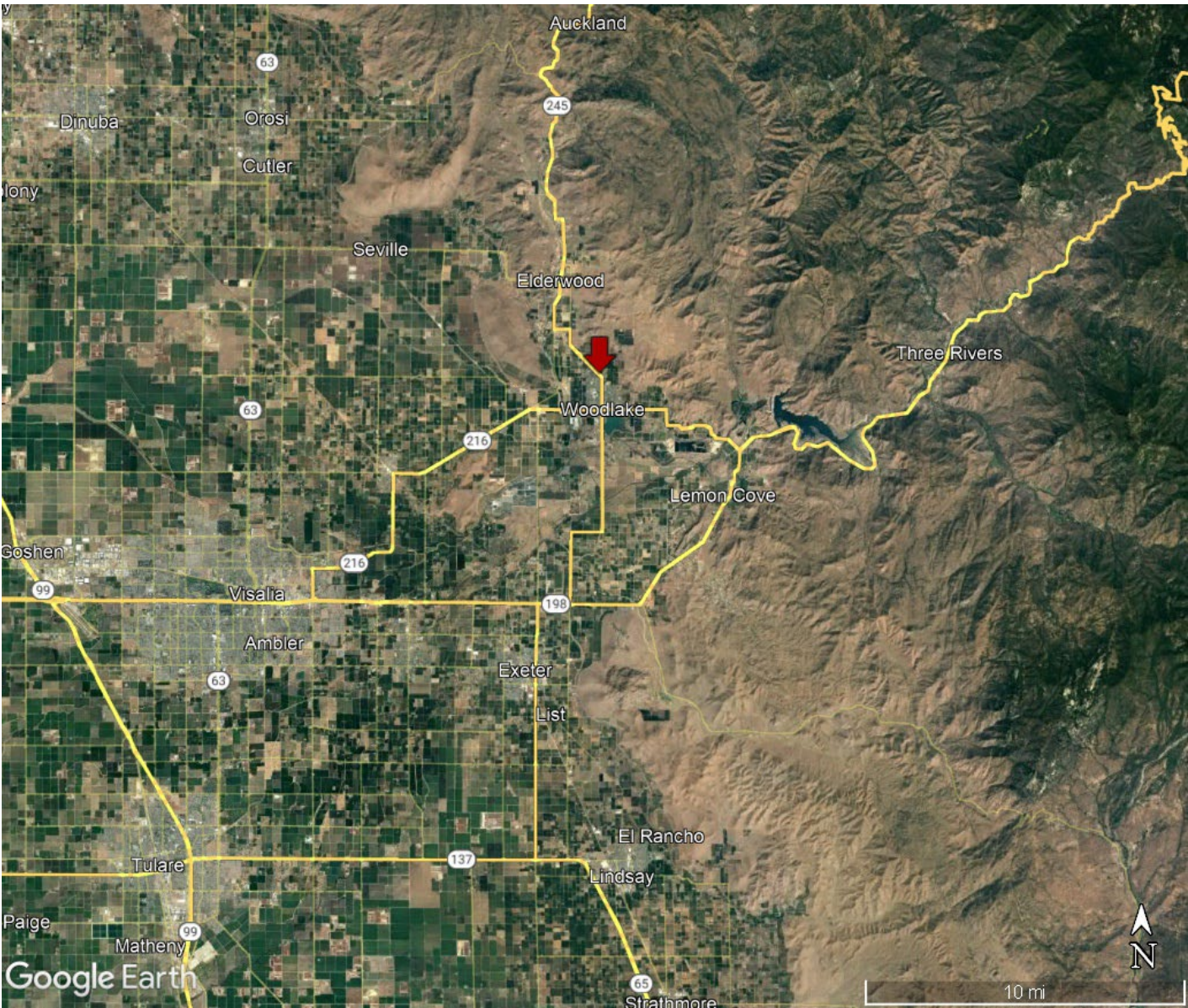
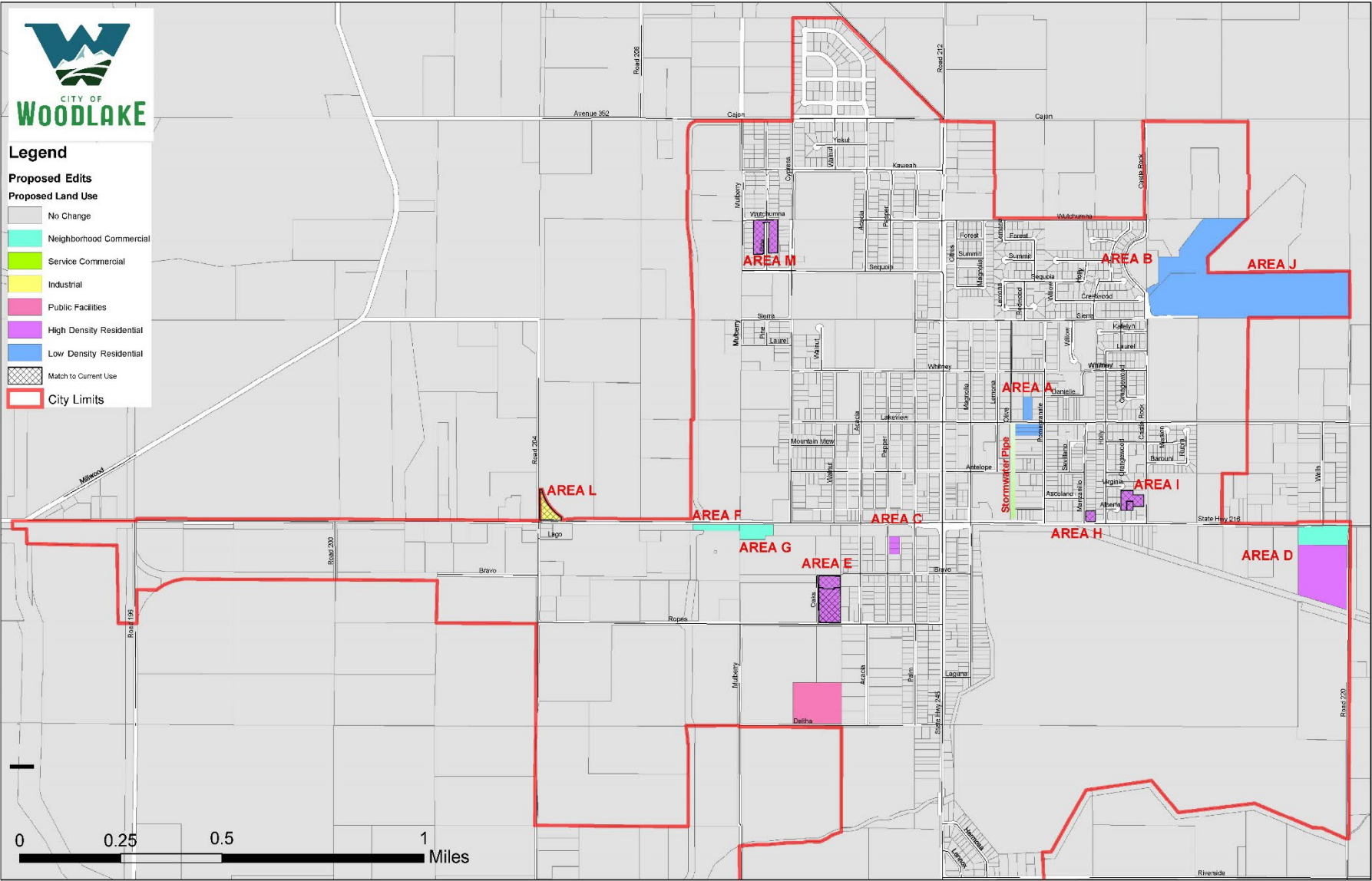


Figure 2 – Proposed Land Use Designation Changes



Project sponsor's name/address

City of Woodlake
350 N. Valencia Avenue
Woodlake, CA 93286

General plan designation

Various – see project description

Zoning

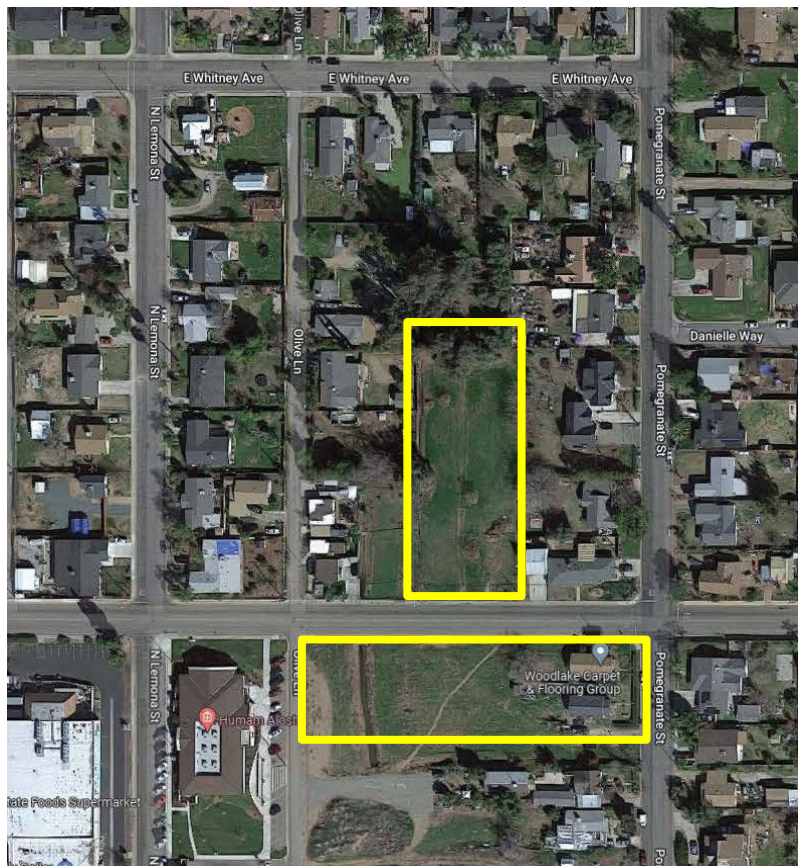
Various – see project description

Project Description

The City intends to amend the land use through a General Plan Amendment (GPA), and/or change the zone in twelve distinct areas, labeled Areas A-L, as described below.

Area A

2.24 acres – APN 061-140-024, -023, -022, 061-133-017 and -016



	Land Use	Zone	Total number of houses per zone density
Current	Low Density Residential	High Density Residential	31
Proposed	--	Low Density Residential	9
Entitlements Required: Zone Change, Tentative Map			

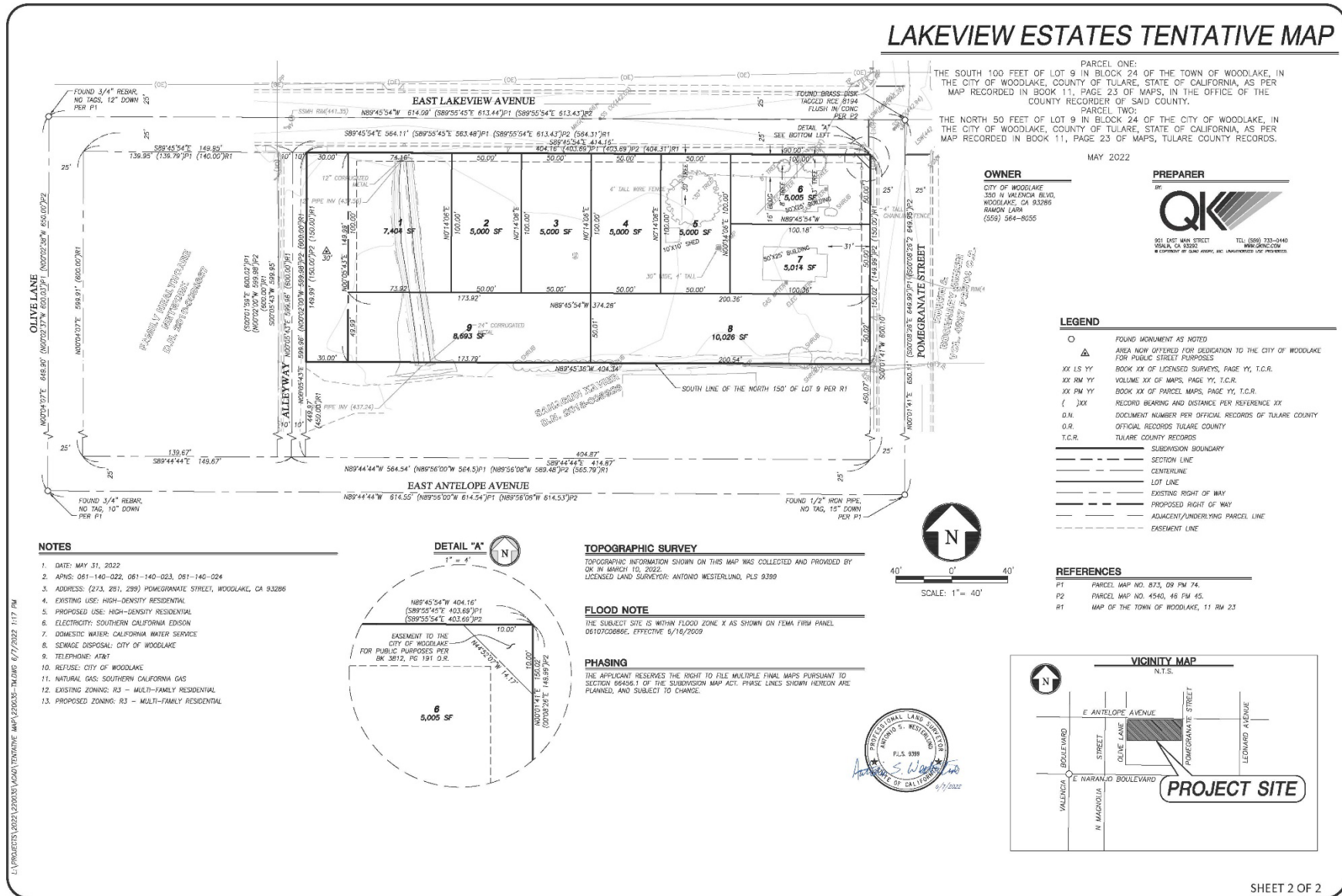
Proposed Development

A nine-unit single-family residential development is proposed to be developed at the southeast corner of East Lakeview Avenue and Pomegranate Street, as depicted in Figure 3. The residential development would connect to existing City water, sewer and storm drain infrastructure. Lots would range from 5,000 square feet to 10,026 square feet and the development would require an approved Tentative Map.

In addition to the zone change and residential development, approximately 1,100 linear feet of 18-inch diameter stormwater pipe would be undergrounded along Olive Lane, which would connect to the existing stormwater pipe at Lakeview Ave. and at Woodlake City Park, as shown below.



Figure 3 – Tentative Map



Area B

9.15 acres – APN 061-020-045



	Land Use	Zone	Total number of houses per zone density
Current	High Density Residential	High Density Residential	128
Proposed	Low Density Residential	Low Density Residential	37
Entitlements Required: General Plan Amendment, Zone Change			

Proposed Development

No development is proposed at this time.

Area C

0.82 acres – APN 060-133-012, -013, -014



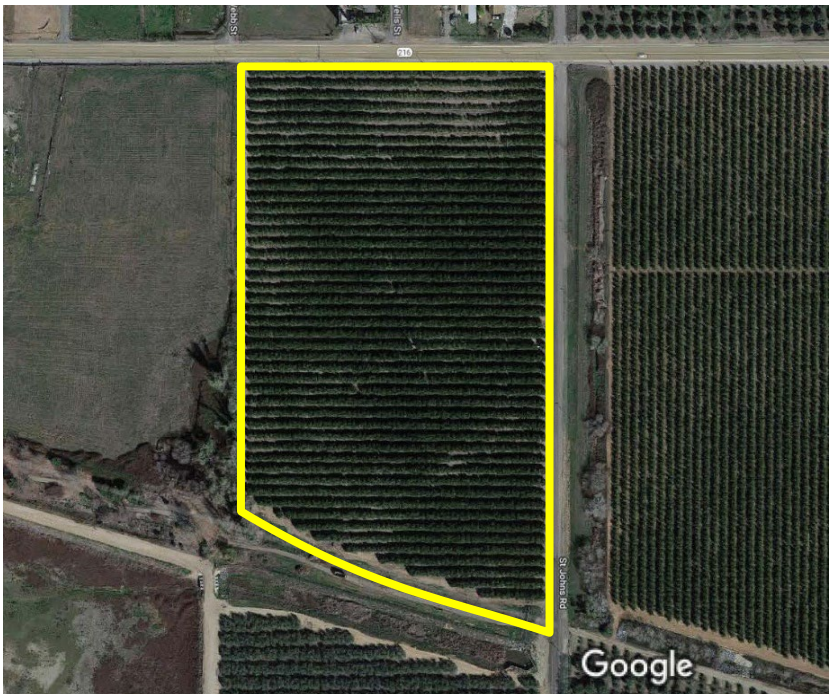
	Land Use	Zone	Total number of houses per zone density
Current	Medium Density Residential	Low Density Residential	3
Proposed	High Density Residential	High Density Residential	12
Entitlements Required: General Plan Amendment, Zone Change			

Proposed Development

No development is proposed at this time.

Area D

14.22 acres - APN 061-007-013



	Land Use	Zone	Total number of houses per zone density
Current	Service Commercial	Service Commercial	0
Proposed	10.57 acres High Density Residential 3.65 acres Service Commercial	10.57 acres High Density Residential 3.65 acres Service Commercial	105
Entitlements Required: General Plan Amendment, Zone Change			

Proposed Development

No development is proposed at this time.

Area E

3.95 acres - APN 060-170-101, -102



	Land Use	Zone	Total number of houses per zone density
Current	Medium Density Residential	High Density Residential	--
Proposed	High Density Residential	--	--
Entitlements Required: General Plan Amendment			

Proposed Development

No development is proposed at this time. The General Plan Amendment is required to match the existing residential zone.

Area F

1.08 acres - APN 060-270-017



	Land Use	Zone	Total number of houses per zone density
Current	Industrial	Neighborhood Commercial	0
Proposed	Neighborhood Commercial	--	0
Entitlements Required: General Plan Amendment			

Proposed Development

No development is proposed at this time. The General Plan Amendment is required to match the existing commercial zone.

Area G

1.92 acres – APN 060-170-108



	Land Use	Zone	Total number of houses per zone density
Current	Community Commercial	Neighborhood Commercial	--
Proposed	Neighborhood Commercial	--	--
Entitlements Required: General Plan Amendment			

Proposed Development

No development is proposed at this time. The General Plan Amendment is required to match the existing commercial zone.

Area H

0.41 acres – APN 061-155-022



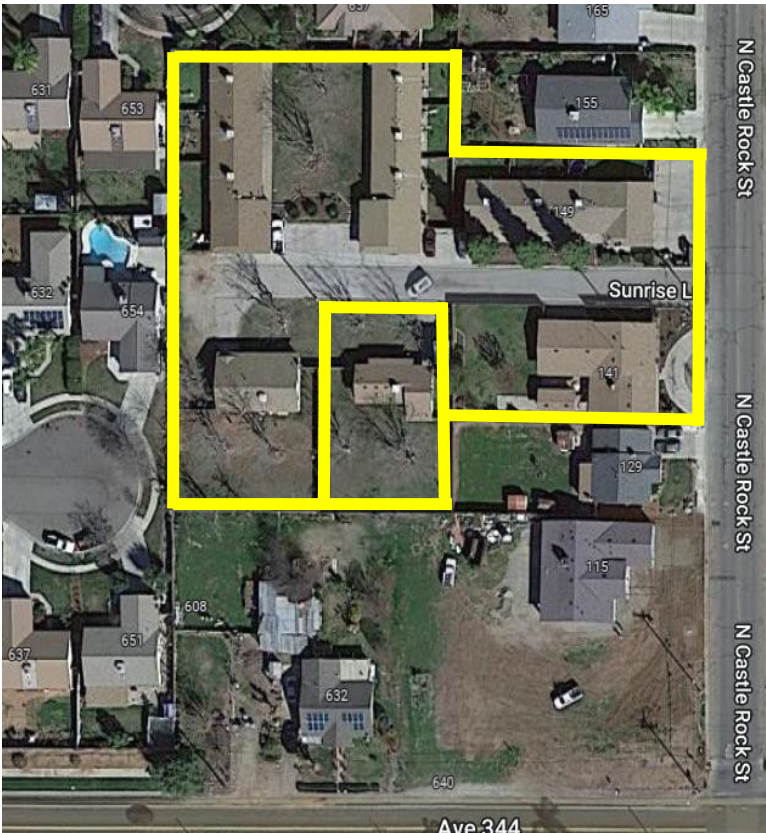
	Land Use	Zone	Total number of houses per zone density
Current	Low Density Residential	High Density Residential	--
Proposed	High Density Residential	--	--
Entitlements Required: General Plan Amendment			

Proposed Development

No development is proposed at this time. The General Plan Amendment is required to match the existing residential zone.

Area I

1.46 acres – APN 061-090-019, -011



	Land Use	Zone	Total number of houses per zone density
Current	Low Density Residential	High Density Residential	--
Proposed	High Density Residential	--	--
Entitlements Required: General Plan Amendment			

Proposed Development

No development is proposed at this time. The General Plan Amendment is required to match the existing residential zone.

Area I

38.05 acres – APN 061-020-046



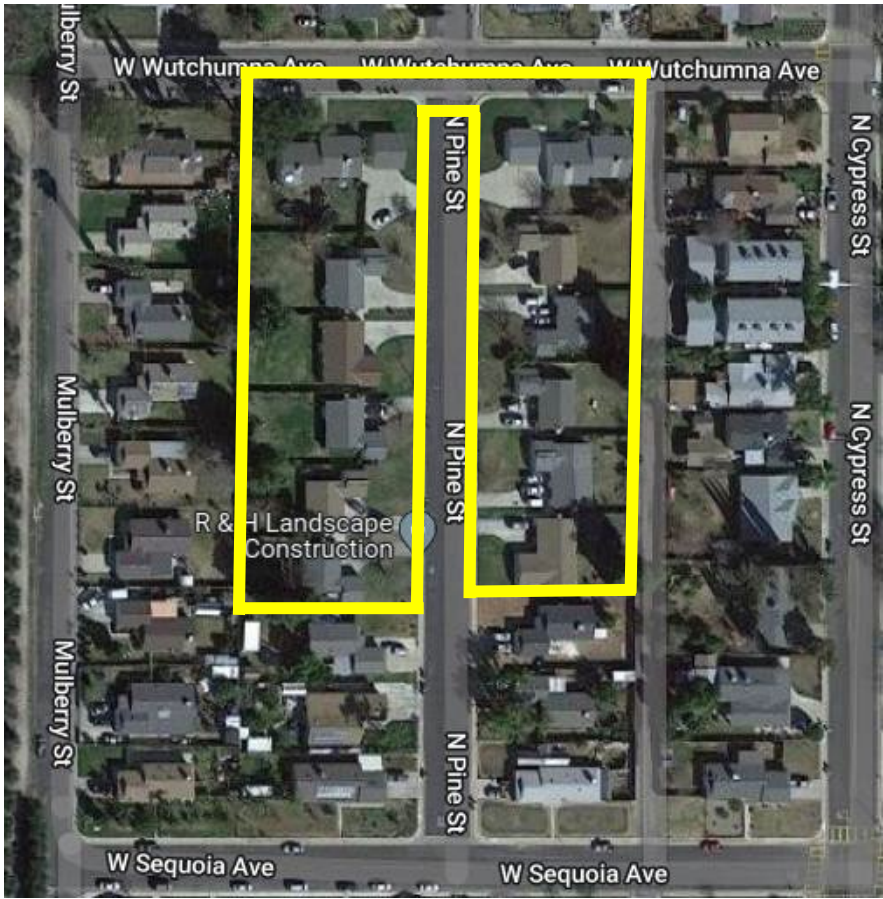
	Land Use	Zone	Total number of houses per zone density
Current	Medium Density Residential	Low Density Residential	0
Proposed	Low Density Residential	--	0
Entitlements Required: General Plan Amendment			

Proposed Development

No development is proposed at this time. The General Plan Amendment is required to match the existing residential zone.

Area K

2.73 acres – APN 060-210-026



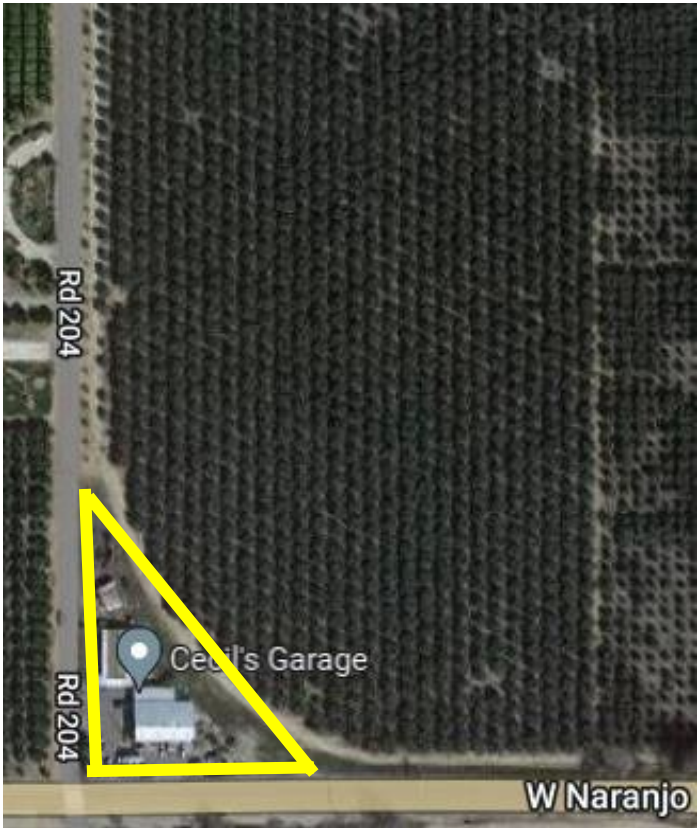
	Land Use	Zone	Total number of houses per zone density
Current	Low Density Residential	High Density Residential	--
Proposed	High Density Residential	--	--
Entitlements Required: General Plan Amendment			

Proposed Development

No development is proposed at this time. The General Plan Amendment is required to match the existing residential zone.

Area L

1.22 acres – APN 060-260-010



	Land Use	Zone	Total number of houses per zone density
Current	Agriculture	Industrial	--
Proposed	Industrial	--	--
Entitlements Required: General Plan Amendment			

Proposed Development

No development is proposed at this time. The General Plan Amendment is required to match the existing industrial zone.

Other Public Agencies Involved

- Approval of a Stormwater Pollution Prevention Plan by the Central Valley Regional Water Quality Control Board.
- Approval of a Dust Control Plan by the San Joaquin Valley Air Pollution Control District.
- Compliance with other federal, State, and local requirements.

Tribal Consultation

Public Resources Code Section 21080.3.1, *et seq.* (codification of AB 52, 2013-14) requires that a lead agency, within 14 days of determining that a project application is complete, must notify in writing any California Native American Tribe traditionally and culturally affiliated with the geographic area of the project if that Tribe has previously requested notification about projects in that geographic area. The notice must briefly describe the project and inquire whether the Tribe wishes to initiate request formal consultation. Tribes have 30 days from receipt of notification to request formal consultation. The lead agency then has 30 days to initiate the consultation, which then continues until the parties come to an agreement regarding necessary mitigation or agree that no mitigation is needed, or one or both parties determine that negotiation occurred in good faith, but no agreement will be made.

Because the Project involves amendment to the General Plan, the City provided additional Tribal notification pursuant to Government Code Section 65352.3 (SB 18). Tribes identified by the Native American Heritage Commission, as identified below, were notified of the Project by Certified US Mail on December 14, 2022. The Santa Rosa Rancheria Tachi Yokut Tribe responded via email on January 9th, 2023 requesting to be notified of any discoveries. No other comments were received as of this writing.

- Kern Valley Indian Community
- Tubatulabals of Kern Valley
- Tule River Indian Tribe
- Wuksache Indian Tribe/Eshom Valley Band
- Santa Rosa Rancheria Tachi Yokut Tribe

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

DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

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



2/8/2023

 Rebecca Griswold

 Date

Community Services Director

City of Woodlake

ENVIRONMENTAL CHECKLIST

I. AESTHETICS

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 a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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

The City of Woodlake is located on the San Joaquin Valley floor at the western foothills of the Sierra Nevada mountain range. On clear days, the peaks are visible from the majority of the City. The sites are located in residential, industrial, commercial and agricultural areas with urban development and agriculture dominating the landscape. There are no adopted scenic resources or scenic in the area. State Routes in the proposed Project vicinity include 216 and 198, in addition to SR 245.

REGULATORY SETTING

Federal

Aesthetic resources are protected by several federal regulations, none of which are relevant to the proposed Project because it will not be located on lands administered by a federal agency, and the proposed Project applicant is not requesting federal funding or a federal permit.

State

Nighttime Sky – Title 24 Outdoor Lighting Standards

The Energy Commission adopted changes to Title 24, Parts 1 and 6, Building Energy Efficiency Standards (Standards), on April 23, 2008. These new Standards became effective on January 1, 2010. Requirements for outdoor lighting remained consistent with past Standards and the requirements vary according to which “Lighting Zone” the equipment is in. The Standards contain lighting power allowances for newly installed equipment and specific alterations that are dependent on which Lighting Zone the Project is located in. Existing outdoor lighting systems are not required to meet these lighting power allowances. However, alterations that increase the connected load, or replace more than 50% of the existing luminaires, for each outdoor lighting application that is regulated by the Standards, must meet the lighting power allowances for newly installed equipment.

An important part of the Standards is to base the lighting power that is allowed on how bright the surrounding conditions are. The eyes adapt to darker surrounding conditions, and less light is needed to properly see; when the surrounding conditions get brighter, more light is needed to see. The least power is allowed in Lighting Zone 1 and increasingly more power is allowed in Lighting Zones 2, 3, and 4.

The Energy Commission defines the boundaries of Lighting Zones based on U.S. Census Bureau boundaries for urban and rural areas as well as the legal boundaries of wilderness and park areas. By default, government designated parks, recreation areas and wildlife preserves are Lighting Zone 1; rural areas are Lighting Zone 2; and urban areas are Lighting Zone 3. Lighting Zone 4 is a special use district that may be adopted by a local government.

California Scenic Highway Program

The Scenic Highway Program allows county and city governments to apply to the California Department of Transportation (Caltrans) to establish a scenic corridor protection program which was created by the Legislature in 1963. Its purpose is to protect and enhance the natural scenic beauty of

California highways and adjacent corridors, through special conservation treatment. The state laws governing the Scenic Highway Program are found in the Streets and Highways Code, Sections 260 through 263. While not Designated State Scenic Highways, two Eligible State Scenic Highways occur in Tulare County, SR 198 and SR 190.

RESPONSES

- a. Have a substantial adverse effect on a scenic vista?
- b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and regulations governing scenic quality?

Less than Significant Impact. The City of Woodlake General Plan does not identify any scenic vistas within the proposed Project area; however, the peaks of the Sierra Nevada mountain range are clearly visible on many days of the year. A scenic vista is generally considered a view of an area that has remarkable scenery or a resource that is indigenous to the area.

The proposed Project includes a zone change to match the existing land use designation at Area A, a land use change to residential density at Areas B and C, a change in land use from Service Commercial to High Density Residential at Area D and changes in land use to match existing zoning at Areas E – L as described in the Project Description.

The proposed Project also includes construction of up to nine single-family units and the installation of a 1,100 linear foot pipeline in Area A. The proposed Project is consistent with the existing character and uses of the surrounding area, as other built-up land, including residential and commercial businesses, are in the neighboring vicinities. As such, Project operations will not degrade the existing visual character of the site. Construction activities may be visible from the adjacent roadside; however, the construction activities will be temporary in nature and will not affect a scenic vista.

There are no state designated scenic highways within the immediate proximity to the Project site. California Department of Transportation Scenic Highway Mapping System identifies SR 198 east of SR

99 as an Eligible State Scenic Highway.¹ This is the closest highway, located approximately seven miles south of the Project site; however, the Project site is both physically and visually separated from SR 198 by intervening land uses. In addition, no scenic highways or roadways are listed within the Project area in the City of Woodlake's General Plan or Tulare County's General Plan. Based on the National Register of Historic Places (NRHP) and the City's General Plan, no historic buildings exist on the Project site. The proposed Project would not cause damage to rock outcroppings or historic buildings within a State scenic highway corridor. Any impacts would be considered *less than significant*.

Mitigation Measures: None are required.

d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less Than Significant Impact. Nighttime lighting is necessary to provide and maintain safe, secure, and attractive environments; however, these lights have the potential to produce spillover light and glare and waste energy, and if designed incorrectly, could be considered unattractive. Light that falls beyond the intended area is referred to as "light trespass." Types of light trespass include spillover light and glare. Minimizing all these forms of obtrusive light is an important environmental consideration. A less obtrusive and well-designed energy efficient fixture would face downward, emit the correct intensity of light for the use, and incorporate energy timers.

Glare results when a light source directly in the field of vision is brighter than the eye can comfortably accept. Squinting or turning away from a light source is an indication of glare. The presence of a bright light in an otherwise dark setting may be distracting or annoying, referred to as discomfort glare, or it may diminish the ability to see other objects in the darkened environment, referred to as disability glare. Glare can be reduced by design features that block direct line of sight to the light source and that direct light downward, with little or no light emitted at high (near horizontal) angles, since this light would travel long distances. Cutoff-type light fixtures minimize glare because they emit relatively low-intensity light at these angles.

Currently the sources of light in the Project areas are from the surrounding residential, commercial and agricultural uses and the vehicles traveling nearby. The residential development in Area A would include nighttime lighting with internal road streetlights and residences, as well as vehicles traveling to

¹ California Department of Transportation. California Scenic Highway Mapping System, Tulare County. <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways> . Accessed December 2022.

and from homes. Accordance with the Municipal Code will also ensure that outdoor lighting does not produce obtrusive glare onto the public right-of-way or adjoining properties. Lighting fixtures for security would be designed with “cutoff” type fixtures or shielded light fixtures, or a combination of fixture types to cast light downward, thereby providing lighting at the ground level for safety while reducing glare to adjacent properties. Accordingly, the Project would not create substantial new sources of light or glare. Potential impacts are *less than significant*.

Mitigation Measures: None are required.

II. AGRICULTURE AND FOREST RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land 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 forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL SETTING

The proposed Project sites are all located within the City of Woodlake city limits. Areas A, C, E, H, I, K and L are all considered *Urban and Built Up* by the California Important Farmland Finder.² These sites are completely surrounded by urban development. The northern portion of Area C, Area E, Area H, Area I, Area K, and Area L are completely built out while the majority of Area A and the southern portion of Area C are vacant. Areas B, D and J are along the western edge of the City and are considered *Prime Farmland* and *Farmland of Statewide Importance* by the California Important Farmland Finder.³ Areas F and G are considered *Farmland of Statewide Importance* by the California Important Farmland Finder.⁴

None of the Areas are under a Williamson Act Contract.

REGULATORY SETTING

Federal

Federal regulations for agriculture and forest resources are not relevant to the proposed Project because it is not a federal undertaking (the Project sites are not located on lands administered by a federal agency, and the Project applicant is not requesting federal funding or a federal permit).

State

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, is promulgated in California Government Code Sections 51200–51297.4. The Williamson Act enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space uses. In return, the landowners receive property tax assessment based on farming and open space uses, as opposed to full market value, thus resulting in a lower tax burden. Private land within locally designated agricultural preserve areas is eligible for enrollment under Williamson Act contracts. However, an agricultural preserve must consist of no less than 100 acres. In order to meet this requirement, two or more parcels may be combined if they are contiguous, or if they are in common ownership.

² Department of Conservation, California Important Farmland Finder. <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed December 2022.

³ Ibid.

⁴ Ibid.

RESPONSES

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

No Impact. The proposed Project includes a zone change to match the existing land use designation at Area A, a land use change to residential density at Areas B and C, a change in land use from Service Commercial to High Density Residential at Area D and changes in land use to match existing zoning at Areas E – L as described in the Project Description.

The proposed Project also includes construction of up to nine single-family units and the installation of a 1,100 linear foot pipeline in Area A. Only Areas B, D, F, G and J are considered to be farmland according to the California Important Farmland Finder; however, they have all been designated for urban development by the Woodlake General Plan. As such, potential conversion of farmlands on these sites have been found to be significant and unavoidable in the Woodlake General Plan, 2008-2028 EIR (Sch#2008101159) and a Statement of Overriding Consideration has been adopted by the City. Therefore, no new farmland conversion impacts would occur as a result of Project implementation. The Project is not zoned for forestland and does not propose any zone changes related to forest or timberland. There is *no impact*.

Mitigation Measures: None are required.

III. AIR QUALITY

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 checked="" type="checkbox"/>	<input 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 or adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL SETTING

The climate of the San Joaquin Valley is characterized by long, hot summers and stagnant, foggy, winters. Precipitation is low and temperature inversions are common. These characteristics are conducive to the formation and retention of air pollutants and are in part influenced by the surrounding mountains which intercept precipitation and act as a barrier to the passage of cold air and air pollutants.

The proposed Project lies within the San Joaquin Valley Air Basin, which is managed by the San Joaquin Valley Air Pollution Control District (SJVAPCD or Air District). National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) have been established for the following criteria pollutants: carbon monoxide (CO), ozone (O₃), sulfur dioxide (SO₂), nitrogen dioxide (NO₂), particulate matter (PM₁₀ and PM_{2.5}), and lead (Pb). The CAAQS also set standards for sulfates, hydrogen sulfide, and visibility.

Air quality plans or attainment plans are used to bring the applicable air basin into attainment with all state and federal ambient air quality standards designed to protect the health and safety of residents within that air basin. Areas are classified under the Federal Clean Air Act as either

“attainment”, “non-attainment”, or “extreme non-attainment” areas for each criteria pollutant based on whether the NAAQS have been achieved or not. Attainment relative to the State standards is determined by the California Air Resources Board (CARB). The San Joaquin Valley is designated as a State and Federal extreme non-attainment area for O₃, a State and Federal non-attainment area for PM_{2.5}, a State non-attainment area for PM₁₀, and Federal and State attainment area for CO, SO₂, NO₂, and Pb.⁵

REGULATORY SETTING

Federal

Clean Air Act

The federal Clean Air Act of 1970 (as amended in 1990) required the U.S. Environmental Protection Agency (EPA) to develop standards for pollutants considered harmful to public health or the environment. Two types of National Ambient Air Quality Standards (NAAQS) were established. Primary standards protect public health, while secondary standards protect public welfare, by including protection against decreased visibility, and damage to animals, crops, landscaping and vegetation, or buildings. NAAQS have been established for six “criteria” pollutants: carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), ozone (O₃), particulate matter (PM₁₀ and PM_{2.5}), and lead (Pb).

State

California Air Resources Board

The California Air Resources Board (CARB) is the state agency responsible for implementing the federal and state Clean Air Acts. CARB has established California Ambient Air Quality Standards (CAAQS), which include all criteria pollutants established by the NAAQS, but with additional regulations for Visibility Reducing Particles, sulfates, Hydrogen Sulfide (H₂S), and vinyl chloride.

The proposed Project is located within the San Joaquin Valley Air Basin, which includes San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and parts of Kern counties and is managed by the SJVAPCD.

Air basins are classified as attainment, nonattainment, or unclassified. Attainment is achieved when monitored ambient air quality data is in compliance with the standards for a specified pollutant.

⁵ San Joaquin Valley Air Pollution Control District. Ambient Air Quality Standards & Valley Attainment Status. <http://www.valleyair.org/aqinfo/attainment.htm>. Accessed December 2022.

Non-compliance with an established standard will result in a nonattainment designation and an unclassified designation indicates insufficient data is available to determine compliance for that pollutant.

Standards and attainment status for listed pollutants in the Air District can be found in Table 1. Note that both state and federal standards are presented.

Table 1
Standards and Attainment Status for Listed Pollutants in the Air District⁶

	Federal Standard	California Standard
Ozone	0.075 ppm (8-hr avg)	0.07 ppm (8-hr avg) 0.09 ppm (1-hr avg)
Carbon Monoxide	9.0 ppm (8-hr avg) 35.0 ppm (1-hr avg)	9.0 ppm (8-hr avg) 20.0 ppm (1-hr avg)
Nitrogen Dioxide	0.053 ppm (annual avg)	0.30 ppm (annual avg) 0.18 ppm (1-hr avg)
Sulfur Dioxide	0.03 ppm (annual avg) 0.14 ppm (24-hr avg) 0.5 ppm (3-hr avg)	0.04 ppm (24-hr avg) 0.25 ppm (1hr avg)
Lead	1.5 µg/m ³ (calendar quarter) 0.15 µg/m ³ (rolling 3-month avg)	1.5 µg/m ³ (30-day avg)
Particulate Matter (PM ₁₀)	150 µg/m ³ (24-hr avg)	20 µg/m ³ (annual avg) 50 µg/m ³ (24-hr avg)
Particulate Matter (PM _{2.5})	15 µg/m ³ (annual avg)	35 µg/m ³ (24-hr avg) 12 µg/m ³ (annual avg)

Note: µg/m³ = micrograms per cubic meter

Additional State regulations include:

CARB Portable Equipment Registration Program – This program was designed to allow owners and operators of portable engines and other common construction or farming equipment to register their equipment under a statewide program so they may operate it statewide without the need to obtain a permit from the local air district.

⁶ San Joaquin Valley Air Pollution Control District. Ambient Air Quality Standards & Valley Attainment Status. <http://www.valleyair.org/aqinfo/attainment.htm>. Accessed December 2022.

U.S. EPA/CARB Off-Road Mobile Sources Emission Reduction Program – The California Clean Air Act (CCAA) requires CARB to achieve a maximum degree of emissions reductions from off-road mobile sources to attain State Ambient Air Quality Standards (SAAQS); off-road mobile sources include most construction equipment. Tier 1 standards for large compression-ignition engines used in off-road mobile sources went into effect in California in 1996. These standards, along with ongoing rulemaking, address emissions of nitrogen oxides (NOX) and toxic particulate matter from diesel engines. CARB is currently developing a control measure to reduce diesel PM and NOX emissions from existing off-road diesel equipment throughout the state.

California Global Warming Solutions Act – Established in 2006, Assembly Bill 32 (AB 32) requires that California’s GHG emissions be reduced to 1990 levels by the year 2020. This will be implemented through a statewide cap on GHG emissions, which will be phased in beginning in 2012. AB 32 requires CARB to develop regulations and a mandatory reporting system to monitor global warming emissions levels.

In addition, the proposed Project is being evaluated pursuant to CEQA.

Local

San Joaquin Valley Air Pollution Control District

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the local agency charged with preparing, adopting, and implementing mobile, stationary, and area air emission control measures and standards. The SJVAPCD has several rules and regulations that may apply to the Project:

Rule 3135 (Dust Control Plan Fees) – This rule requires the project applicant to submit a fee in addition to a Dust Control Plan. The purpose of this rule is to recover the SJVAPCD’s cost for reviewing these plans and conducting compliance inspections.

Rules 4101 (Visible Emissions) and 4102 (Nuisance) – These rules apply to any source of air contaminants and prohibits the visible emissions of air contaminants or any activity which creates a public nuisance.

Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations) – This rule applies to use of asphalt for paving new roadways or restoring existing roadways disturbed by project activities.

Regulation VIII (Fugitive PM₁₀ Prohibitions) – This regulation, a series of eight regulations, is designed to reduce PM₁₀ emissions by reducing fugitive dust. Regulation VIII requires implementation of control measures to ensure that visible dust emissions are substantially reduced. The control measures are summarized in Table 2.

Table 2
San Joaquin Valley Air Pollution Control District
Regulation VIII Control Measures for Construction Related Emissions of PM₁₀⁷

The following are required to be implemented at all construction sites:
All disturbed areas, including storage piles, which are not actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizers/suppressants, covered with a tarp or other similar cover, or vegetative ground cover.
All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions during construction using water or chemical stabilizer suppressant.
All land clearing, grubbing, scraping, excavation, land leveling, grading cut and fill, and demolition activities during construction shall be effectively controlled of fugitive dust emissions utilizing application of water or pre-soaking.
When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from top of container shall be maintained.
All operations shall limit, or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.
Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.
Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site at the end of each workday.
Any site with 150 or more vehicle trips per day shall prevent carryout and trackout.

RESPONSES

a. Conflict with or obstruct implementation of the applicable air quality plan?

⁷ San Joaquin Valley Air Pollution Control District. Current District Rules and Regulations. <http://www.valleyair.org/rules/1ruleslist.htm#reg8>. Accessed December 2022.

- 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?
- c. Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact. The proposed Project lies within the San Joaquin Valley Air Basin (SJVAB). At the Federal level, the SJVAB is designated as extreme nonattainment for the 8-hour ozone standard, attainment for PM₁₀ and CO, and nonattainment for PM_{2.5}. At the State level, the SJVAB is designated as nonattainment for the 8-hour ozone, PM₁₀, and PM_{2.5} standards. Although the Federal 1-hour ozone standard was revoked in 2005, areas must still attain this standard, and the SJVAPCD recently requested an EPA finding that the SJVAB has attained the standard based on 2011-2013 data⁸. To meet Federal Clean Air Act (CAA) requirements, the SJVAPCD has multiple air quality attainment plan (AQAP) documents, including:

- Extreme Ozone Attainment Demonstration Plan (EOADP) for attainment of the 1-hour ozone standard (2004);
- 2007 Ozone Plan for attainment of the 8-hour ozone standard;
- 2007 PM₁₀ Maintenance Plan and Request for Redesignation; and
- 2008 PM_{2.5} Plan.

Because of the region's non-attainment status for ozone, PM_{2.5}, and PM₁₀, if the project-generated emissions of either of the ozone precursor pollutants (ROG or NO_x), PM₁₀, or PM_{2.5} were to exceed the SJVAPCD's significance thresholds, then the project uses would be considered to conflict with the attainment plans.

The annual significance thresholds to be used for the Project for construction and operational emissions are as follows⁹:

- 10 tons per year ROG;
- 10 tons per year NO_x;
- 15 tons per year PM₁₀; and
- 15 tons per year PM_{2.5}.

In an effort to streamline CEQA requirements, single family residential developments under 155 units qualify for the SJVAPCD Small Project Analysis Levels (SPAL) and have been deemed to have a less than

⁸ San Joaquin Valley Air Pollution Control District. Guide to Assessing and Mitigating Air Quality Impacts. March 19, 2015. Page 28. http://www.valleyair.org/transportation/GAMAQI_3-19-15.pdf. Accessed December 2022.

⁹ San Joaquin Valley Air Control District – Air Quality Threshold of Significance – Criteria Pollutants. <http://www.valleyair.org/transportation/0714-GAMAQI-Criteria-Pollutant-Thresholds-of-Significance.pdf>. Accessed December 2022.

significant impact on air quality and are excluded from quantifying criteria pollutant emissions for CEQA purposes.¹⁰

Short-Term (Construction) Emissions

The proposed Project includes a zone change to match the existing land use designation at Area A, a land use change to residential density at Areas B and C, a change in land use from Service Commercial to High Density Residential at Area D and changes in land use to match existing zoning at Areas E – L as described in the Project Description.

The proposed Project also includes construction of up to nine single-family units and the installation of a 1,100 linear foot pipeline in Area A. Site preparation and project construction would involve grading, hauling, and various activities needed to construct the project. During construction, the project could generate pollutants such as hydrocarbons, oxides of nitrogen, carbon monoxide, and suspended PM. A major source of PM would be windblown dust generated during construction activities. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. Vehicles leaving the site could deposit dirt and mud on local streets, which could be an additional source of airborne dust after it dries. PM₁₀ emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. PM₁₀ emissions would depend on soil moisture, the silt content of soil, wind speed, and the amount of operating equipment. Larger dust particles would settle near the source, while fine particles would be dispersed over greater distances from the construction site. These emissions would be temporary and limited to the immediate area surrounding the construction site.

Operational Emissions

Operational emissions would primarily be generated from vehicles traveling to and from the residences proposed for development in Area A. The nine residences would generate an average of 87 trips per day and there are no substantial stationary emission generators associated with the project.

Total Project Emissions

The construction emissions generated by the pipeline installation were estimated by the Sacramento Metropolitan Air Pollution Control Districts Road Construction Emissions Model, Version 9.0.0 and are provided below and in Appendix A.

Table 3

¹⁰ San Joaquin Valley Air Pollution Control District. Small Project Analysis Levels. November 20, 2020. <https://www.valleyair.org/transportation/CEQA%20Rules/GAMAOL-SPAL.PDF>. Accessed December 2022.

Proposed Project Pipeline Construction Emissions				
	VOC/ROG (tons/year) (tons/year)	NO _x (tons/year)	PM ₁₀ (tons/year)	PM _{2.5} (tons/year)
Maximum annual construction emissions	0.00	3.15	0.34	0.07
Annual Threshold of	10	10	15	15
Significant?	No	No	No	No

Source: Road Construction Emissions Model, Version 9.0.0 results (Appendix A). Crawford & Bowen Planning (2023)

As demonstrated in Table 3, estimated construction emissions would not exceed the SJVAPCD's significance thresholds for ROG, NO_x, PM₁₀, and PM_{2.5}. As the Project includes the construction of nine single family residential units, the Project qualifies for the SPAL analysis and potential emissions resulting from construction and operation of the residences are considered less than significant. As a result, the Project uses would not conflict with emissions inventories contained in regional air quality attainment plans, would not result in a significant contribution to the region's air quality non-attainment status, and would not expose sensitive receptors to substantial pollutant concentrations.¹¹

Any impacts to air resources would be considered *less than significant*.

Mitigation Measures: None are required.

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

Less Than Significant Impact. Land uses that are typically identified as sources of objectionable odors include landfills, transfer stations, sewage treatment plants, wastewater pump stations, composting facilities, feed lots, coffee roasters, asphalt batch plants, and rendering plants. Construction associated with the Project includes a residential development and pipeline installation and as such, would not be a source of ongoing objectionable odors.

During construction, the various diesel-powered vehicles and equipment in use on-site would create localized odors. These odors would be temporary and would not likely be noticeable for extended periods of time beyond the Project's site boundaries. The potential for diesel odor impacts would therefore be less than significant.

¹¹ San Joaquin Valley Air Pollution Control District. Guide to Assessing and Mitigating Air Quality Impacts. March 19, 2015. Page 65. http://www.valleyair.org/transportation/GAMAOL_3-19-15.pdf. Accessed December 2022.

The land use/zoning changes at Areas B – L do not allow land uses that are typically identified as sources of objectionable odors. Any impacts would be *less than significant*.

Mitigation Measures: None are required.

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 and 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 U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<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 type="checkbox"/>	<input checked="" type="checkbox"/>

- e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ☐ ☐ ☐ ☒
- f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ☐ ☐ ☐ ☒

ENVIRONMENTAL SETTING

The proposed Project site is located in a portion of the central San Joaquin Valley that has, for decades, experienced intensive agricultural and urban disturbances. Current agricultural endeavors in the region include dairies, groves, and row crops.

Like most of California, the Central San Joaquin Valley experiences a Mediterranean climate. Warm dry summers are followed by cool moist winters. Summer temperatures usually exceed 90 degrees Fahrenheit, and the relative humidity is generally very low. Winter temperatures rarely raise much above 70 degrees Fahrenheit, with daytime highs often below 60 degrees Fahrenheit. Annual precipitation within the proposed Project site is about 10 inches, almost 85% of which falls between the months of October and March. Nearly all precipitation falls in the form of rain and storm-water readily infiltrates the soils of the surrounding the sites.

Native plant and animal species once abundant in the region have become locally extirpated or have experienced large reductions in their populations due to conversion of upland, riparian, and aquatic habitats to agricultural and urban uses. Remaining native habitats are particularly valuable to native wildlife species including special status species that still persist in the region. According to the Woodlake General Plan, most of the open space in the Woodlake area is dominated by agriculture. Citrus, olives, and grazing land are the dominant uses, which may attract the San Joaquin kit fox and burrowing owls.

Area A currently consists of vacant land and two existing residences, and is surrounded by residences and a medical office. The pipeline alignment is within the right-of-way along Olive Lane from Lakeview Avenue south to where Olive Lane turns east. There is no development proposed for Areas B – L.

According to the National Wetlands Inventory¹², there are no designated wetlands within Area A.

REGULATORY SETTING

Federal

Endangered Species Act

The USFWS and the National Oceanographic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) enforce the provisions stipulated in the Federal Endangered Species Act of 1973 (FESA, 16 United States Code [USC] § 1531 et seq.). Threatened and endangered species on the federal list (50 Code of Federal Regulations [CFR] 17.11 and 17.12) are protected from take unless a Section 10 permit is granted to an entity other than a federal agency or a Biological Opinion with incidental take provisions is rendered to a federal lead agency via a Section 7 consultation. Take is defined as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct.

Pursuant to the requirements of the FESA, an agency reviewing a proposed action within its jurisdiction must determine whether any federally listed species may be present in the proposed action area and determine whether the proposed action may affect such species. Under the FESA, habitat loss is considered an effect to a species. In addition, the agency is required to determine whether the proposed action is likely to jeopardize the continued existence of any species that is listed or proposed for listing under the FESA (16 USC § 1536[3], [4]). Therefore, proposed action-related effects to these species or their habitats would be considered significant and would require mitigation.

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) (16 USC § 703, Supp. I, 1989) prohibits killing, possessing, trading, or other forms of take of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. "Take" is defined as the pursuing, hunting, shooting, capturing, collecting, or killing of birds, their nests, eggs, or young (16 USC § 703 and § 715n). This act encompasses whole birds, parts of birds, and bird nests and eggs. The MBTA specifically protects migratory bird nests from possession, sale, purchase, barter transport, import, and export, and take. For nests, the definition of take per 50 CFR 10.12 is to collect. The MBTA does not include a definition of an "active nest". However, the "Migratory Bird Permit Memorandum" issued by the USFWS in 2003 clarifies the MBTA in that regard

¹² U.S. Department of Fish and Wildlife. National Wetlands Inventory. Surface Waters and Wetlands. <https://www.fws.gov/wetlands/data/Mapper.html>. Accessed December 2022.

and states that the removal of nests, without eggs or birds, is legal under the MBTA, provided no possession (which is interpreted as holding the nest with the intent of retaining it) occurs during the destruction.

U.S. Army Corps of Engineers Jurisdiction

Areas meeting the regulatory definition of “waters of the United States” (jurisdictional waters) are subject to the jurisdiction of the United States Army Corps of Engineers (USACE) under provisions of Section 404 of the Clean Water Act (1972) and Section 10 of the Rivers and Harbors Act (1899). These waters may include all waters used, or potentially used, for interstate commerce, including all waters subject to the ebb and flow of the tide, all interstate waters, all other waters (intrastate lakes, rivers, streams, mudflats, sandflats, playa lakes, natural ponds, etc.), all impoundments of waters otherwise defined as waters of the United States, tributaries of waters otherwise defined as waters of the United States, the territorial seas, and wetlands adjacent to waters of the United States (33 CFR part 328.3). Ditches and drainage canals where water flows intermittently or ephemerally are not regulated as waters of the United States.

Wetlands on non-agricultural lands are identified using the *Corps of Engineers Wetlands Delineation Manual* and related Regional Supplement¹³¹⁴. Construction activities, including direct removal, filling, hydrologic disruption, or other means in jurisdictional waters are regulated by the USACE. The placement of dredged or fill material into such waters must comply with permit requirements of the USACE. No USACE permit will be effective in the absence of state water quality certification pursuant to Section 401 of the Clean Water Act. The State Water Resources Control Board is the state agency (together with the Regional Water Quality Control Boards) charged with implementing water quality certification in California.

State

California Endangered Species Act

The California Endangered Species Act (CESA) of 1970 (Fish and Game Code § 2050 et seq. and California Code of Regulations (CCR) Title 14, Subsection 670.2, 670.51) prohibits the take of species listed under CESA (14 CCR Subsection 670.2, 670.5). Take is defined as hunt, pursue, catch, capture, or kill or attempt to hunt, pursue, catch, capture, or kill. Under CESA, state agencies are required to consult with the California Department of Fish and Wildlife when preparing CEQA documents. Consultation ensures

¹³ United States Army Corps of Engineers (USACE). 1987. Corps of Engineers Wetlands Delineation Manual. Wetland Research Program Technical Report Y-87-1.

¹⁴ United States Army Corps of Engineers (USACE). 2008. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0). ERDC/EL TR-08-28. <https://usace.contentdm.oclc.org/utils/getfile/collection/p266001coll1/id/7627>. Accessed December 2022.

that proposed projects or actions do not have a negative effect on state-listed species. During consultation, CDFW determines whether take would occur and identifies “reasonable and prudent alternatives” for the project and conservation of special-status species. CDFW can authorize take of state-listed species under Sections 2080.1 and 2081(b) of Fish and Game Code in those cases where it is demonstrated that the impacts are minimized and mitigated. Take authorized under section 2081(b) must be minimized and fully mitigated.

A CESA permit must be obtained if a project will result in take of listed species, either during construction or over the life of the project. Under CESA, CDFW is responsible for maintaining a list of threatened and endangered species designated under state law (Fish and Game Code § 2070). CDFW also maintains lists of species of special concern, which serve as “watch lists”. Pursuant to the requirements of CESA, a state or local agency reviewing a proposed project within its jurisdiction must determine whether the proposed project will have a potentially significant impact upon such species. Project-related impacts to species on the CESA list would be considered significant and would require mitigation. Impacts to species of concern or fully protected species would be considered significant under certain circumstances.

Native Plant Protection Act

The California Native Plant Protection Act of 1977 (California Fish and Game Code §§ 1900–1913) requires all state agencies to use their authority to carry out programs to conserve endangered and otherwise rare species of native plants. Provisions of the act prohibit the taking of listed plants from the wild and require the project proponent to notify CDFW at least 10 days in advance of any change in land use, which allows CDFW to salvage listed plants that would otherwise be destroyed.

Nesting Birds

California Fish and Game Code Subsections 3503, 3503.5, and 3800 prohibit the possession, incidental take, or needless destruction of birds, their nests, and eggs. California Fish and Game Code Section 3511 lists birds that are “Fully Protected” as those that may not be taken or possessed except under specific permit.

California Department of Fish and Wildlife Jurisdiction

The CDFW has regulatory jurisdiction over lakes and streams in California. Activities that divert or obstruct the natural flow of a stream; substantially change its bed, channel, or bank; or use any materials (including vegetation) from the streambed, may require that the project applicant enter into a Streambed Alteration Agreement with the CDFW in accordance with California Fish and Game Code Section 1602.

California Environmental Quality Act

The California Environmental Quality Act (CEQA) of 1970 (Subsections 21000–21178) requires that CDFW be consulted during the CEQA review process regarding impacts of proposed projects on special-status species. Special-status species are defined under CEQA Guidelines subsection 15380(b) and (d) as those listed under FESA and CESA and species that are not currently protected by statute or regulation but would be considered rare, threatened, or endangered under these criteria or by the scientific community. Therefore, species considered rare or endangered are addressed in this biological resource evaluation regardless of whether they are afforded protection through any other statute or regulation. The California Native Plant Society (CNPS) inventories the native flora of California and ranks species according to rarity.¹⁵ Plants with Rare Plant Ranks 1A, 1B, 2A, or 2B are considered special-status species under CEQA.

Although threatened and endangered species are protected by specific federal and state statutes, CEQA Guidelines Section 15380(d) provides that a species not listed on the federal or state list of protected species may be considered rare or endangered if it can be shown to meet certain specified criteria. These criteria have been modeled after the definition in the FESA and the section of the California Fish and Game Code dealing with rare and endangered plants and animals. Section 15380(d) allows a public agency to undertake a review to determine if a significant effect on species that have not yet been listed by either the USFWS or CDFW (i.e., candidate species) would occur. Thus, CEQA provides an agency with the ability to protect a species from the potential impacts of a project until the respective government agency has an opportunity to designate the species as protected, if warranted.

RESPONSES

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

Less than Significant Impact with Mitigation Incorporation. The proposed Project includes a zone change to match the existing land use designation at Area A, a land use change to residential density at Areas B and C, a change in land use from Service Commercial to High Density Residential at Area D and changes in land use to match existing zoning at Areas E – L as described in the Project Description.

The proposed Project also includes construction of up to nine single-family units and the installation of a 1,100 linear foot pipeline in Area A. Area A consists of vacant land and two existing residences. Pipeline

¹⁵ California Native Plant Society, Rare Plant Program. 2022. Rare Plant Inventory (online edition, v9-01 1.5). <https://www.rareplants.cnps.org>. Accessed December 2022.

installation will occur within the right-of-way of Olive Lane. The site is highly disturbed; however several large trees along Olive Lane and Lakeview Avenue may serve as habitat for bird species. Several bird species in the Project area are protected under the Migratory Bird Treaty Act. Migratory birds can typically be seen foraging in fallow fields and grassland habitats and they nest in dense vegetation. The tree growth on the site areas and presence of nearby fields can potentially attract Migratory Birds or other sensitive bird species for nesting or foraging purposes. Construction activities such as excavating, trenching, and grading that disturb a nesting bird on the Project site or immediately adjacent to the construction zone could constitute a significant effect.

No development is proposed for Areas B – L and Areas E and H – L are already fully developed. Implementation of Mitigation Measure BIO-1 will ensure that any impacts remain *less than significant*.

Mitigation Measures:

BIO-1

To the extent practicable, construction shall be scheduled to avoid the nesting season, which extends from February through August. If it is not possible to schedule construction between September and January, a pre-construction clearance survey for nesting birds shall be conducted by a qualified biologist to ensure that no active nests will be disturbed during the implementation of the Project. A pre-construction clearance survey shall be conducted no more than 14 days prior to the start of construction activities. During this survey, the qualified biologist shall inspect all potential nest substrates in and immediately adjacent to the impact areas, including within 250 feet in the case of raptor nests. If an active nest is found close enough to the construction area to be disturbed by these activities, the qualified biologist shall determine the extent of a construction-free buffer to be established around the nest. If work cannot proceed without disturbing the nesting birds, work may need to be halted or redirected to other areas until nesting and fledging are completed or the nest has failed for non-construction related reasons.

- b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. There are no natural waterways, sensitive natural communities, or protected wetlands on the subject site. As such, there is *no impact*.

Mitigation Measures: None are required.

- 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?

No Impact. There are no natural waterways or natural vegetation on the subject site. There would be *no impact* to native species movement.

Mitigation Measures: None are required.

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

No Impact. The City of Woodlake's General Plan includes policies for the protection of biological resources. The proposed Project would not conflict with any of the adopted policies. There is *no impact*.

Mitigation Measures: None are required.

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

No Impact. The proposed Project site is not within an area set aside for the conservation of habitat or sensitive plant or animal species pursuant to a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. As such, there is *no impact*.

Mitigation Measures: None are required.

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 as defined in §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 §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL SETTING

Archaeological resources are places where human activity has measurably altered the earth or left deposits of physical remains. Archaeological resources may be either prehistoric (before the introduction of writing in a particular area) or historic (after the introduction of writing). The majority of such places in this region are associated with either Native American or Euroamerican occupation of the area. The most frequently encountered prehistoric and early historic Native American archaeological sites are village settlements with residential areas and sometimes cemeteries; temporary camps where food and raw materials were collected; smaller, briefly occupied sites where tools were manufactured or repaired; and special-use areas like caves, rock shelters, and sites of rock art. Historic archaeological sites may include foundations or features such as privies, corrals, and trash dumps.

A prehistoric and historic site records and literature search was completed by the California Historical Resources Information System, Southern San Joaquin Valley Information Center (CHRIS/SSJVIC), California State University Bakersfield for a previous Project, that included the areas to experience ground disturbance as a result of Project implementation. Specialized listings for cultural resources consulted by the SSJVIC include the Historic Properties Directory for Tulare County with the most recent updates of the National Register of Historic Places, California Historical Landmarks, and California Points of Historical Interest as well as other evaluations of properties reviewed by the State of California Office of Historic Preservation. Other sources consulted by the SSJVIC include California Inventory of

Historic Resources, California Points of Historical Interest, and California Register. In addition, The California History Plan and Five Views: An Ethnic Sites Survey for California, Historic Properties Directory and available local and regional surveys/inventories/historic maps were consulted.

The records search found no recorded cultural resources (including archaeological sites and architectural properties) located within or adjacent to the proposed Project area. This review included cultural resources listed in the National Register of Historic Places, California Register of Historical Resources, California State Landmarks, and the California Points of Historical Interest.

No additional archaeological or historic resources were identified within or near the Project site experiencing ground disturbing activities.

REGULATORY SETTING

Federal

Cultural resources are protected by several federal regulations, none of which are relevant to this proposed Project because it will not be located on lands administered by a federal agency and the Project applicant is not requesting federal funding.

State

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

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

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

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

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

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

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

Public Resources Code §5097.5

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

Human Remains

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

RESPONSES

- a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

No Impact. As discussed above, no historic resources were identified within or adjacent to the Project site experiencing ground disturbing activities. There is *no impact*.

Mitigation Measures: None are required.

- b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

- c. Disturb any human remains, including those interred outside of formal cemeteries?

Less Than Significant Impact With Mitigation. The proposed Project includes a zone change to match the existing land use designation at Area A, a land use change to residential density at Areas B and C, a change in land use from Service Commercial to High Density Residential at Area D and changes in land use to match existing zoning at Areas E – L as described in the Project Description.

The proposed Project also includes construction of up to nine single-family units and the installation of a 1,100 linear foot pipeline in Area A. Project Area A is highly disturbed, consisting of vacant land and two residences. There are no known or visible cultural or archaeological resources, paleontological resources, or human remains that exist on the surface of Area A. Therefore, it is determined that the project has low potential to impact any sensitive resources and no further cultural resources work is required unless project plans change to include work not currently identified in the project description. There are no ground disturbing activities associated with Areas B – L.

Although no cultural or archaeological resources, paleontological resources or human remains have been identified in the project area, the possibility exists that such resources or remains may be discovered during Project site preparation, excavation and/or grading activities. Mitigation Measures CUL – 1 and CUL – 2 will be implemented to ensure that Project will result in *less than significant impacts with mitigation*.

Mitigation Measures:

- CUL – 1** Should evidence of prehistoric archeological resources be discovered during construction, the contractor shall halt all work within 25 feet of the find and the resource shall be evaluated by a qualified archaeologist. If evidence of any archaeological, cultural, and/or historical deposits is found, hand excavation and/or mechanical excavation shall proceed to evaluate the deposits for determination of significance as defined by the CEQA guidelines. The archaeologist shall submit reports, to the satisfaction of the City of Woodlake, describing the testing program and subsequent results. These reports shall identify any program mitigation that the project proponent shall complete in order to mitigate archaeological impacts (including resource recovery and/or avoidance testing and analysis, removal, reburial, and curation of archaeological resources).
- CUL – 2** In order to ensure that the proposed project does not impact buried human remains during project construction, the project proponent shall be responsible for on-going monitoring of project construction. Prior to the issuance of any grading permit, the project proponent shall provide the City of Woodlake with documentation identifying construction personnel that will be responsible for on-site monitoring. If buried human remains are encountered during construction, further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall be halted until the Tulare County Coroner is contacted and the coroner has made the determinations and notifications required pursuant to Health and Safety Code Section 7050.5. If the coroner determines that Health and Safety Code Section 7050.5(c) require that he give notice to the Native American Heritage Commission, then such notice shall be given within 24 hours, as required by Health and Safety Code Section 7050.5(c). In that event, the NAHC will conduct the notifications required by Public Resources Code Section 5097.98. Until the consultations described below have been completed, the landowner shall further ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices where Native American human remains are located, is not disturbed by further development activity until the landowner has discussed and conferred with the Most Likely Descendants on all reasonable options

regarding the descendants' preferences and treatments, as prescribed by Public Resources Code Section 5097.98(b). The NAHC will mediate any disputes regarding treatment of remains in accordance with Public Resources Code Section 5097.94(k). The landowner shall be entitled to exercise rights established by Public Resources Code Section 5097.98(e) if any of the circumstances established by that provision become applicable.

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 checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL SETTING

California's total energy consumption is second-highest in the nation in 2019, but its per capita energy consumption was less than in all other states except Rhode Island, due in part to its mild climate and its energy efficiency programs¹⁶. In 2021, California was the top-ranking producer of electricity from solar, geothermal and biomass energy, and fourth in the nation in conventional hydroelectric power generation, down from second in 2019, in part because of drought and increased water demand.

Energy usage is typically quantified using the British thermal unit (BTU)¹⁷. As a point of reference, the approximately amounts of energy contained in common energy sources are as follows:

Energy Source	BTUs ¹⁸
Motor Gasoline	120,238 per gallon
Natural Gas	1,039 per cubic foot
Electricity	3,412 per kilowatt-hour

¹⁶ U.S. Energy Information Administration. Independent Statistics and Analysis. California Profile Overview. <https://www.eia.gov/state/?sid=CA>. Accessed December 2022.

¹⁷ U.S. Energy Information Administration. Energy Units and Calculators Explained. <https://www.eia.gov/energyexplained/units-and-calculators/british-thermal-units.php>. Accessed December 2022.

¹⁸ Ibid.

California energy consumption in 2020 was 6,922.7 trillion BTU¹⁹, as provided in Table 4. This represents an approximately 11.1% decrease from energy consumption in 2019.

Table 4
2020 California Energy Consumption²⁰

End User	BTU of energy consumed (in trillions)	Percentage of total consumption
Residential	1,507.7	21.8
Commercial	1,358.3	19.6
Industrial	1,701.2	24.6
Transportation	2,355.5	34.0
Total	6,922.7	--

Total electrical consumption by Tulare County in 2020 was 4,642.8 GWh, while total Gas consumption was 159.5 million Therms.²¹

The California Department of Transportation (Caltrans) reports that approximately 36.23 million vehicles were registered in the state in 2021, while in 2020 a total estimated 298.9 billion vehicle miles were traveled (VMT) on all public roads.²²

REGULATORY SETTING

California Energy Code (Title 24, Part 6, Building Energy Efficiency Standards)

California Code of Regulations Title 24, Part 6 comprises the California Energy Code, which was adopted to ensure that building construction, system design and installation achieve energy efficiency. The

¹⁹ U.S. Energy Information Administration. Independent Statistics and Analysis. California Profile Overview. <https://www.eia.gov/state/?sid=CA#tabs-2>. Accessed December 2022.

²⁰ U.S. Energy Information Administration. Independent Statistics and Analysis. California Profile Overview. <https://www.eia.gov/state/?sid=CA#tabs-1>. Accessed December 2022.

²¹ California Energy Commission. Electricity Consumption by County. <http://ecdms.energy.ca.gov/elecbycounty.aspx>. Accessed December 2022.

²² Caltrans Fact Booklet. 2021. California Department of Transportation. <https://dot.ca.gov/-/media/dot-media/programs/research-innovation-system-information/documents/caltrans-fact-booklets/2022-caltrans-factsv2-a11y.pdf>. Accessed December 2022.

California Energy Code was first established in 1978 by the CEC in response to a legislative mandate to reduce California's energy consumption, and apply to energy consumed for heating, cooling, ventilation, water heating, and lighting in new residential and non-residential buildings. The standards are updated periodically to increase the baseline energy efficiency requirements. The 2013 Building Energy Efficiency Standards focus on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings and include requirements to enable both demand reductions during critical peak periods and future solar electric and thermal system installations. Although it was not originally intended to reduce greenhouse gas (GHG) emissions, electricity production by fossil fuels results in GHG emissions and energy efficient buildings require less electricity. Therefore, increased energy efficiency results in decreased GHG emissions.

California Green Building Standards Code (Title 24, Part II, CALGreen)

The California Building Standards Commission adopted the California Green Buildings Standards Code (CALGreen in Part 11 of the Title 24 Building Standards Code) for all new construction statewide on July 17, 2008. Originally a volunteer measure, the code became mandatory in 2010 and the most recent update (2019) went on January 1, 2020. CALGreen sets targets for energy efficiency, water consumption, dual plumbing systems for potable and recyclable water, diversion of construction waste from landfills, and use of environmentally sensitive materials in construction and design, including eco-friendly flooring, carpeting, paint, coatings, thermal insulation, and acoustical wall and ceiling panels. The 2019 CALGreen Code includes mandatory measures for non-residential development related to site development; water use; weather resistance and moisture management; construction waste reduction, disposal, and recycling; building maintenance and operation; pollutant control; indoor air quality; environmental comfort; and outdoor air quality. Mandatory measures for residential development pertain to green building; planning and design; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; environmental quality; and installer and special inspector qualifications.

Clean Energy and Pollution Reduction Act (SB 350)

The Clean Energy and Pollution Reduction Act (SB 350) was passed by California Governor Brown on October 7, 2015, and establishes new clean energy, clean air, and greenhouse gas reduction goals for the year 2030 and beyond. SB 350 establishes a greenhouse gas reduction target of 40 percent below 1990 levels for the State of California, further enhancing the ability for the state to meet the goal of reducing greenhouse gas emissions by 80 percent below 1990 levels by the year 2050.

Renewable Portfolio Standard (SB 1078 and SB 107)

Established in 2002 under SB 1078, the state's Renewables Portfolio Standard (RPS) was amended under SB 107 to require accelerated energy reduction goals by requiring that by the year 2010, 20 percent of electricity sales in the state be served by renewable energy resources. In years following its adoption, Executive Order S-14-08 was signed, requiring electricity retail sellers to provide 33 percent of their service loads with renewable energy by the year 2020. In 2011, SB X1-2 was signed, aligning the RPS target with the 33 percent requirement by the year 2020. This new RPS applied to all state electricity retailers, including publicly owned utilities, investor-owned utilities, electrical service providers, and community choice aggregators. All entities included under the RPS were required to adopt the RPS 20 percent by year 2020 reduction goal by the end of 2013, adopt a reduction goal of 25 percent by the end of 2016, and meet the 33 percent reduction goal by the end of 2020. In addition, the Air Resources Board, under Executive Order S-21-09, was required to adopt regulations consistent with these 33 percent renewable energy targets.

RESPONSES

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

Less Than Significant Impact. The proposed Project includes a zone change to match the existing land use designation at Area A, a land use change to residential density at Areas B and C, a change in land use from Service Commercial to High Density Residential at Area D and changes in land use to match existing zoning at Areas E – L as described in the Project Description.

The proposed Project also includes construction of up to nine single-family units and the installation of a 1,100 linear foot pipeline in Area A. The Project would introduce energy usage on a site that is currently demanding minimal energy in both the short-term during Project construction and in the long-term during Project operation.

During construction, the Project would consume energy in two general forms: (1) the fuel energy consumed by construction vehicles and equipment; and (2) bound energy in construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass. Title 24 Building Energy Efficiency Standards provide guidance on construction techniques to maximize energy conservation and it is expected that contractors and owners have a strong financial incentive to use recycled materials and products originating from nearby sources in order to reduce materials costs.

As such, it is anticipated that materials used in construction and construction vehicle fuel energy would not involve the wasteful, inefficient, or unnecessary consumption of energy.

Operational Project energy consumption would occur for multiple purposes, including but not limited to, building heating and cooling, refrigeration, lighting and electronics. Operational energy would also be consumed during each vehicle trip by residents occupying the single-family units proposed for Area A.

The proposed Project would be required to comply with Title 24 Building Energy Efficiency Standards, which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of Title 24 standards significantly increases energy savings, and it is generally assumed that compliance with Title 24 ensures projects will not result in the inefficient, wasteful, or unnecessary consumption of energy.

As discussed in Impact XVII – Transportation/Traffic, the proposed Project would generate approximately 87 vehicle trips per day. The length of these trips and the individual vehicle fuel efficiencies are not known; therefore, the resulting energy consumption cannot be accurately calculated. Adopted federal vehicle fuel standards have continually improved since their original adoption in 1975 and assists in avoiding the inefficient, wasteful, and unnecessary use of energy by vehicles.

As discussed previously, the proposed Project would be required to implement and be consistent with existing energy design standards at the local and state level. The Project would be subject to energy conservation requirements in the California Energy Code and CALGreen. Adherence to state code requirements would ensure that the Project would not result in wasteful and inefficient use of non-renewable resources due to building operation.

Therefore, any impacts are *less than significant*.

Mitigation Measures: None are required.

VII. GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

creating substantial direct or indirect risks to life or property?

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

ENVIRONMENTAL SETTING

The City of Woodlake is situated along the western slope of a northwest-trending belt of rocks comprising the Sierra Nevada and within the southern portion of the Cascade Range. The Sierra Nevada geomorphic province is primarily composed of Cretaceous granitic plutons and remnants of Paleozoic and Mesozoic metavolcanic and metasedimentary rocks, and Cenozoic volcanic and sedimentary rocks.

There are no known active earthquake faults in the City of Woodlake. According to the Woodlake General Plan, the nearest active faults are the San Andreas, 65 miles west; the Owens Valley, 75 miles east; and the White Wolf, 75 miles south.

According to the City's General Plan, much of the Project area has soils with high clay content that can expand and contract as water conditions change.

REGULATORY SETTING

Federal

Federal regulations for geology and soils are not relevant to the proposed Project because it is not a federal undertaking (the Project site is not located on lands administered by a federal agency, and the Project applicant is not requesting federal funding or a federal permit).

State

California Building Code

California law provides a minimum standard for building design through the California Building Code (CBC). The CBC is based on the IBC, with amendments for California conditions. Part 2, Volume 2, Chapter 16 of the CBC contains specific requirements for seismic safety. Part 2, Volume 2, Chapter 18 of the CBC regulates soils and foundations. Part 2, Volume 2, Appendix J of the CBC regulates grading activities. Construction activities also are subject to occupational safety standards for excavation, shoring, and trenching as specified in California Occupational Safety and Health Administration regulations (Title 8 of the California Code of Regulations) and in section A33 of the CBC. About one-third of the text within the California Building Code has been tailored for California earthquake conditions.

Paleontological Resources

Paleontological resources are the fossilized remains of plants and animals and associated deposits. The Society of Vertebrate Paleontology has identified vertebrate fossils, their taphonomic and associated environmental indicators, and fossiliferous deposits as significant nonrenewable paleontological resources. Botanical and invertebrate fossils and assemblages may also be considered significant resources.

CEQA requires that a determination be made as to whether a project would directly or indirectly destroy a unique paleontological resource or site or unique geological feature (CEQA Appendix G(v)(c)). If an impact is significant, CEQA requires feasible measures to minimize the impact (CCR Title 14(3) §15126.4 (a)(1)). California Public Resources Code §5097.5 (see above) also applies to paleontological resources.

In addition, the proposed Project is being evaluated pursuant to CEQA.

RESPONSES

- a-i. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
- a-ii. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?
- a-iii. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

- a-iv. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

Less Than Significant Impact. The City of Woodlake is not located in an earthquake fault zone as delineated by the 1972 Alquist-Priolo Earthquake Fault Zoning Map Act. The nearest known potentially active fault is the Clovis Fault, located over thirty miles northwest of the City. No active faults have been mapped within the City, so there is no potential for fault rupture. It is anticipated that development at the proposed Project site would be subject to some ground acceleration and ground shaking associated with seismic activity during its design life. The residential development proposed in Area A would be engineered and constructed in strict accordance with the earthquake resistant design requirements contained in the latest edition of the California Building Code (CBC) for seismic zone III, as well as Title 24 of the California Administrative Code, and therefore would avoid potential seismically induced hazards on planned structures. The impact of seismic hazards on the project would be *less than significant*.

Mitigation Measures: None are required.

- b. Result in substantial soil erosion or the loss of topsoil?
- c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- d. Be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial risks to life or property?

Less than Significant Impact. The City of Woodlake is not at significant risk from ground shaking, liquefaction, or landslide and is otherwise considered geologically stable. Liquefaction typically occurs when there is shallow groundwater, low-density non-plastic soils, and high-intensity ground motion. Groundwater wells in the City of Woodlake typically pull domestic water from depths ranging from 100 to 150 feet below the ground surface. The City of Woodlake is relatively flat which precludes the occurrence of landslides. Subsidence is typically related to over-extraction of groundwater from certain types of geologic formations where the water is partly responsible for supporting the ground surface;

however, the City of Woodlake is not recognized by the U.S. Geological Service as being in an area of subsidence.²³ See also Response (a-i) to (a-iv) and (c). Impacts are considered *less than significant*.

Mitigation Measures: None are required.

- 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?

Less than Significant Impact. The proposed Project, Area A, includes the construction necessary to tie the new residential units into the City of Woodlake's existing sewer and water system. Septic systems will not be utilized on these parcels. The sewer tie-ins will be designed to the specifications necessitated by the on-site soils, in compliance with the building code. Any impacts will be *less than significant*.

Mitigation Measures: None are required.

- f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact. As identified in Records Search, there are no known paleontological resources on or near the site. (See Section V. for more details). Mitigation measures have been added that will protect unknown (buried) resources during construction, including paleontological resources. There are no unique geological features on site or in the area. Therefore, there is a *less than significant impact*.

Mitigation Measures: None are required.

²³ U.S. Geological Service. Areas of Land Subsidence in California. https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html. Accessed December 2022.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

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

Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
--------------------------------------	---	------------------------------------	--------------

☐☐☒☐

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

☐☐☒☐

ENVIRONMENTAL SETTING

Various gases in the earth's atmosphere play an important role in moderating the earth's surface temperature. Solar radiation enters earth's atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. GHGs are transparent to solar radiation but are effective in absorbing infrared radiation. Consequently, radiation that would otherwise escape back into space is retained, resulting in a warming of the earth's atmosphere. This phenomenon is known as the greenhouse effect. Scientific research to date indicates that some of the observed climate change is a result of increased GHG emissions associated with human activity. Among the GHGs contributing to the greenhouse effect are water vapor, carbon dioxide (CO₂), methane (CH₄), ozone, Nitrous Oxide (NO_x), and chlorofluorocarbons.

Human-caused emissions of these GHGs in excess of natural ambient concentrations are considered responsible for enhancing the greenhouse effect. GHG emissions contributing to global climate change are attributable, in large part, to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. In California, the transportation sector is the largest emitter of GHGs, followed by electricity generation. Global climate change is, indeed, a global issue. GHGs are global pollutants, unlike criteria pollutants and TACs (which are pollutants of regional and/or local concern). Global climate change, if it occurs, could potentially affect water resources in California. Rising temperatures could be anticipated to result in sea-level rise (as polar ice caps melt) and possibly change the timing and amount of precipitation, which could alter water quality. According to some, climate change could result in more extreme weather patterns; both heavier precipitation that could lead to flooding, as well as more extended drought periods. There is uncertainty regarding the timing,

magnitude, and nature of the potential changes to water resources as a result of climate change; however, several trends are evident.

Snowpack and snowmelt may also be affected by climate change. Much of California's precipitation falls as snow in the Sierra Nevada and southern Cascades, and snowpack represents approximately 35 percent of the state's useable annual water supply. The snowmelt typically occurs from April through July; it provides natural water flow to streams and reservoirs after the annual rainy season has ended. As air temperatures increase due to climate change, the water stored in California's snowpack could be affected by increasing temperatures resulting in: (1) decreased snowfall, and (2) earlier snowmelt.

REGULATORY SETTING

Federal

The USEPA Mandatory Reporting Rule (40 CFR Part 98), which became effective December 29, 2009, requires that all facilities that emit more than 25,000 metric tons CO₂-equivalent per year beginning in 2010, report their emissions on an annual basis. On May 13, 2010, the USEPA issued a final rule that established an approach to addressing GHG emissions from stationary sources under the CAA permitting programs. The final rule set thresholds for GHG emissions that define when permits under the New Source Review Prevention of Significant Deterioration and title V Operating Permit programs are required for new and existing industrial facilities.

In addition, the Supreme Court decision in *Massachusetts v. EPA* (Supreme Court Case 05-1120) found that the USEPA has the authority to list GHGs as pollutants and to regulate emissions of GHGs under the CAA. On April 17, 2009, the USEPA found that CO₂, CH₄, NO_x, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride may contribute to air pollution and may endanger public health and welfare. This finding may result in the USEPA regulating GHG emissions; however, to date the USEPA has not proposed regulations based on this finding.

State

California is taking action to reduce GHG emissions. In June 2005, Governor Schwarzenegger signed Executive Order S-3-05 to address climate change and GHG emissions in California. This order sets the following goals for statewide GHG emissions:

- Reduce to 2000 levels by 2010
- Reduce to 1990 levels by 2020
- Reduce to 80 percent below 1990 levels by 2050

In addition, the proposed Project is being evaluated pursuant to CEQA.

Local

San Joaquin Valley Air Pollution Control District (SJVAPCD)

In August 2008, the SJVAPCD adopted the Climate Change Action Plan, which directed the SJVAPCD to develop guidance to assist lead agencies, project proponents, permit applicants, and interested parties in assessing and reducing the impacts of project specific greenhouse gas emissions on global climate change.

In 2009, the SJVAPCD adopted the guidance document: Guidance for Valley Land-Use Agencies in Addressing GHG Emission Impacts for New Projects Under CEQA. This document recommends the usage of performance-based standards, otherwise known as Best Performance Standards (BPS), to assess significance of project-specific greenhouse gas emissions on global climate change during the environmental review process. Projects implementing BPS in accordance with SJVAPCD's guidance would be determined to have a less than significant individual and cumulative impact on greenhouse gas emissions and would not require project specific quantification of greenhouse gas emissions.²⁴

RESPONSES

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

Less Than Significant Impact. The proposed Project includes a zone change to match the existing land use designation at Area A, a land use change to residential density at Areas B and C, a change in land use from Service Commercial to High Density Residential at Area D and changes in land use to match existing zoning at Areas E – L as described in the Project Description.

The proposed Project also includes construction of up to nine single-family units and the installation of a 1,100 linear foot pipeline in Area A. Greenhouse gas emissions would generate from long-term area and mobile sources as well as indirectly from energy consumption. Mobile sources would include residential vehicle trips and area source emissions would result from consumption of natural gas and

²⁴ SJVAPCD. Guidance for Assessing and Mitigating Air Quality Impacts. March 19, 2015. <http://www.valleyair.org/transportation/GAMAQI.pdf>. Pg 112. Accessed December 2022.

electricity. As discussed above, projects implementing BPS would not require quantification of specific greenhouse gas emissions and such projects would be determined to have a less than significant individual and cumulative impact for greenhouse gas emissions. As such, the proposed Project's greenhouse gas emissions would not be considered a significant impact if the Project would implement BPS strategies, in accordance with SJVAPCD recommendations. Exact project feature details are not yet available, therefore, the implementation of **GHG-1** as a mitigation measure would ensure that any impacts remain *less than significant*.

Mitigation Measures

GHG-1: The project applicant shall demonstrate compliance with the applicable BPS strategies to the Planning Division prior to the issuance of a building permit. The following PBS strategies are considered to be applicable, feasible, and effective in reducing greenhouse gas emissions generated by the project:

- The project applicant shall ensure site design and building placement minimize barriers to pedestrian access and interconnectivity. Physical barriers such as wells, berms, landscaping, and slopes between residential uses that impede bicycle or pedestrian circulation shall be eliminated. In addition, barriers to pedestrian access of neighboring facilities and sites shall be minimized.
- The project applicant shall install energy efficient roofing materials.
- The project applicant shall plant trees to provide shade.
- The project applicant shall install only natural gas or electric stoves in residences. The project applicant shall install energy efficient heating and cooling systems, appliances and equipment, and control systems.

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 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 or excessive noise 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

response plan or emergency evacuation plan?

- g. Expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?

Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
--------------------------------------	---	------------------------------------	--------------

☐☐☐☒

ENVIRONMENTAL SETTING

The proposed Project is located throughout the City of Woodlake. The portion of the Project that includes development is located within an urbanized area and is bordered by residences and commercial uses. The site is vacant with the exception of two residences. The pipeline installation will follow the existing right-of-way of Olive Lane between Lakeview Avenue and the southern point of Olive Lane, along the east side of the Woodlake Kiwanis park.

The Woodlake Municipal Airport is 0.78 miles to the south of the closest Project site. Fresno-Yosemite International Airport is the closest major airport to the proposed Project site, located approximately 41 miles to the northwest.

REGULATORY SETTING

Federal

The primary federal agencies with responsibility for hazardous materials management include the EPA, U.S. Department of Labor Occupational Safety and Health Administration (OSHA), and the U.S. Department of Transportation (DOT). The Environmental Protection Agency (EPA) was created to protect human health and to safeguard the natural environment – air, water and land – and works closely with other federal agencies, and state and local governments to develop and enforce regulations under existing environmental laws. Where national standards are not met, EPA can issue sanctions and take other steps to assist the states in reaching the desired levels of environmental quality. EPA also works with industries and all levels of government in a wide variety of voluntary pollution prevention programs and energy conservation efforts.

State

The California Department of Industrial Relations, Division of Occupational Safety and Health is the administering agency designed to protect worker health and general facility safety. The California Department of Forestry and Fire Protection has designated the area that includes the proposed Project site as a Local Responsibility Area, defined as an area where the local fire jurisdiction is responsible for emergency fire response.

In addition, the proposed Project is being evaluated pursuant to CEQA.

Tulare County Environmental Health Division

The Tulare County Environmental Health Division (TCEHD) is the Certified Unified Program Agency (CUPA) for all cities and unincorporated areas within Tulare County. The CUPA was created by the California Legislature to minimize the number of inspections and different fees for businesses. The TCEHD provides the management and record keeping of hazardous materials and underground storage tank (UST) sites for Tulare County, including the City of Woodlake.

RESPONSES

- a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less than Significant Impact. The proposed Project includes a zone change to match the existing land use designation at Area A, a land use change to residential density at Areas B and C, a change in land use from Service Commercial to High Density Residential at Area D and changes in land use to match existing zoning at Areas E – L as described in the Project Description.

The proposed Project also includes construction of up to nine single-family units and the installation of a 1,100 linear foot pipeline in Area A. This impact is associated with hazards caused by the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Proposed Project construction activities may involve the use and transport of hazardous materials. These materials may include fuels, oils, mechanical fluids, and other chemicals used during construction. Transportation, storage, use, and disposal of hazardous materials during construction activities would be required to comply with applicable federal, state, and local statutes and regulations. Compliance would ensure that

human health and the environment are not exposed to hazardous materials. In addition, the Project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) permit program through the submission and implementation of a Stormwater Pollution Prevention Plan during construction activities to prevent contaminated runoff from leaving the project site. Therefore, no significant impacts would occur during construction activities.

The operational phase of the proposed Project would occur after construction is completed and residents move in to occupy the expanded space on a day-to-day basis. The proposed Project includes land uses that are considered compatible with the surrounding uses. None of these land uses routinely transport, use, or dispose of hazardous materials, or present a reasonably foreseeable release of hazardous materials, with the exception of common commercial grade hazardous materials such as household and commercial cleaners, paint, etc. The proposed Project would not create a significant hazard through the routine transport, use, or disposal of hazardous materials, nor would a significant hazard to the public or to the environment through the reasonably foreseeable upset and accidental conditions involving the likely release of hazardous materials into the environment occur. Therefore, the proposed Project will not create a significant hazard to the public or the environment and any impacts would be *less than significant*.

Mitigation Measures: None are required.

- c. 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. No schools are located within 0.25 mile of Area A. This condition precludes the possibility of activities associated with the proposed Project exposing schools within a 0.25-mile radius of the project site to hazardous materials. Castlerock Elementary School and Woodlake Valley Middle School are just over 0.25 miles away, approximately 0.3 miles east and northwest, respectively. However, *no impact* is expected to occur.

Mitigation Measures: None are required.

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

No Impact. The proposed Project site is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Geotracker and DTSC Envirostor databases – accessed in December 2022).²⁵ There are no hazardous materials sites that impact the Project. As such, *no impacts* would occur that would create a significant hazard to the public or the environment.

Mitigation Measures: None are required.

- 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 southernmost portion of the Project site, Area E, is approximately 0.78 miles north of the Woodlake Municipal Airport. Fresno-Yosemite International Airport is the closest major airport to the proposed Project site, located approximately 41 miles to the northwest. The Tulare County Comprehensive Airport Land Use Plan indicates that Area E of the Project is just within the Woodlake Municipal Airport Safety Zone. All other Areas associated with the Project are outside of the Safety Zone.

Area E is already developed with residences and as part of the Project, the land use designation will be changed to match the existing zone.²⁶ No new development at Area E is proposed. There is *no impact*.

Mitigation Measures: None are required.

- f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No Impact. The Project will not interfere with any adopted emergency response or evacuation plan. There is *no impact*.

Mitigation Measures: None are required.

²⁵ California Department of Toxic Substances Control. Envirostor Database. <http://www.envirostor.dtsc.ca.gov/public/map/?myaddress=woodlake+ca>. Accessed December 2022.

²⁶ Tulare County Comprehensive Airport Land Use Plan. December 2012. <https://tularecounty.ca.gov/rma/rma-documents/planning-documents/tulare-county-comprehensive-airport-land-use-plan/>. Accessed December 2022.

- g. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No Impact. There are no wildlands on or near the Project site. There is *no impact*.

Mitigation Measures: None are required.

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 substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Result in substantial erosion or siltation on- or off- site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

X. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
d. In flood hazard, tsunami, or seiche zones, risk 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 management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL SETTING

The City of Woodlake obtains its water supply from a vast aquifer underlying the San Joaquin Valley. The City provides water service to all developed areas within the City and the unincorporated county service area called Wells Tract, which contains approximately 50 residential dwellings.

Water is supplied to the City by five wells that are located in the southern portion of the City; adjacent to the St. Johns River. The yield of city wells ranges from 350 to 1,500 gallons per minute.

REGULATORY SETTING

Federal

Clean Water Act

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

The National Flood Insurance Act (1968) makes available federally subsidized flood insurance to owners of flood-prone properties. To facilitate identifying areas with flood potential, Federal Emergency

Management Agency (FEMA) has developed Flood Insurance Rate Maps (FIRM) that can be used for planning purposes.

State

State Water Resources Control Board

The State Water Resources Control Board (SWRCB), located in Sacramento, is the agency with jurisdiction over water quality issues in the State of California. The SWRCB is governed by the Porter-Cologne Water Quality Act (Division 7 of the California Water Code), which establishes the legal framework for water quality control activities by the SWRCB. The intent of the Porter-Cologne Act is to regulate factors which may affect the quality of waters of the State to attain the highest quality which is reasonable, considering a full range of demands and values. Much of the implementation of the SWRCB's responsibilities is delegated to its nine Regional Boards. The proposed Project site is located within the Central Valley Region.

Regional Water Quality Board

The Regional Water Quality Control Board (RWQCB) administers the NPDES storm water-permitting program in the Central Valley region. Construction activities on one acre or more are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). The General Construction Permit requires the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP). The plan will include specifications for Best Management Practices (BMPs) that will be implemented during proposed Project construction to control degradation of surface water by preventing the potential erosion of sediments or discharge of pollutants from the construction area. The General Construction Permit program was established by the RWQCB for the specific purpose of reducing impacts to surface waters that may occur due to construction activities.

BMPs have been established by the RWQCB in the California Storm Water Best Management Practice Handbook (2003), and are recognized as effectively reducing degradation of surface waters to an acceptable level. Additionally, the SWPPP will describe measures to prevent or control runoff degradation after construction is complete, and identify a plan to inspect and maintain these facilities or project elements.

In addition, the proposed Project is being evaluated pursuant to CEQA.

RESPONSES

- a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact. The proposed Project includes a zone change to match the existing land use designation at Area A, a land use change to residential density at Areas B and C, a change in land use from Service Commercial to High Density Residential at Area D and changes in land use to match existing zoning at Areas E – L as described in the Project Description.

The proposed Project also includes construction of up to nine single-family units and the installation of a 1,100 linear foot pipeline in Area A. The Project has the potential to impact water quality standards and/or waste discharge requirements during construction (temporary impacts) and operation. Impacts are discussed below.

Construction

Site grading, excavation and loading activities associated with construction activities at Area A could temporarily increase runoff, erosion, and sedimentation. Construction activities also could result in soil compaction and wind erosion effects that could adversely affect soils and reduce the revegetation potential at construction sites and staging areas.

Three general sources of potential short-term construction-related stormwater pollution associated with the proposed project are: 1) the handling, storage, and disposal of construction materials containing pollutants; 2) the maintenance and operation of construction equipment; and 3) earth moving activities which, when not controlled, may generate soil erosion and transportation, via storm runoff or mechanical equipment. Generally, routine safety precautions for handling and storing construction materials may effectively mitigate the potential pollution of stormwater by these materials. These same types of common sense, “good housekeeping” procedures can be extended to non-hazardous stormwater pollutants such as sawdust and other solid wastes.

Poorly maintained vehicles and heavy equipment leaking fuel, oil, antifreeze, or other fluids on the construction site are also common sources of stormwater pollution and soil contamination. In addition, grading activities can greatly increase erosion processes. Two general strategies are recommended to prevent construction silt from entering local storm drains. First, erosion control procedures should be implemented for those areas that must be exposed. Secondly, the area should be secured to control offsite migration of pollutants. These Best Management Practices (BMPs) would be required in the Stormwater Pollution Prevention Plan (SWPPP) to be prepared prior to commencement of Project construction. When properly designed and implemented, these “good-housekeeping” practices are expected to reduce short-term construction-related impacts to less than significant.

In accordance with the National Pollution Discharge Elimination System (NPDES) Stormwater Program, the Project will be required to comply with existing regulatory requirements to prepare a SWPPP designed to control erosion and the loss of topsoil to the extent practicable using BMPs that the Regional Water Quality Control Board (RWQCB) has deemed effective in controlling erosion, sedimentation, runoff during construction activities. The specific controls are subject to review and approval by the RWQCB and are an existing regulatory requirement.

Any impacts are *less than significant*.

Mitigation Measures: None are required.

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

Less Than Significant Impact. According to the City of Woodlake Draft Environmental Impact Report, there are three surface water systems in the Woodlake area - St. Johns River, Antelope Creek and the Bravo Lake/Wutchumna Ditch system. These surface water systems ensure that the water table underlying Woodlake is relatively shallow compared to other parts of Tulare County. In 2000, the water table depth in Woodlake ranged from 30 to 50 feet while Tulare and Visalia had water table depths that were 60 to 90 feet. Woodlake's five domestic wells draw water from depths that range from 210 feet to 250 feet. These well are located near the St. Johns River, which forms the southern boundary of Woodlake.

Over the last 30 to 40 years, an "overdraft" condition has occurred in the southern San Joaquin Valley and more specifically, in the Kaweah River Basin. This "overdraft" has caused local groundwater levels to drop.²⁷ However, as noted previously, actual population growth within the City has not kept up with the population growth projections of the General Plan. Therefore, the actual water use in the City is less than what was projected under the City's General Plan. Residential development at Area A has been planned for in the General Plan and as such, has been accounted for in the City infrastructure planning documents. Project demands for groundwater resources would not substantially deplete groundwater supplies and/or otherwise interfere with groundwater recharge efforts being implemented by the City of Woodlake. Future demand can be met with continued groundwater pumping, surface water purchases and conservation measures.

As such, there is *a less than significant impact* to this impact area.

²⁷ Ch 4.06, Ground Water, Woodlake General Plan Draft Environmental Impact Report. Pg 46.

- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
 - i. result in substantial erosion or siltation on- or offsite;
 - ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
 - iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or
 - iv. impede or redirect flood flows?

The proposed Project includes changes to the existing stormwater drainage pattern of the area through implementation of the Lakeview Estates Tentative Map at Area A. The residences will have stormwater runoff directed to the existing stormwater drainage system along E. Lakeview Avenue. The proposed Project will be required to comply with existing regulatory requirements to prepare a SWPPP which will limit on or offsite erosion or siltation. The Project would not otherwise degrade water quality nor impede flood flows. The project will have a *less than significant impact*.

Mitigation Measures: None required.

- d. In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation?
- e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than Significant Impact. Areas A, D, I, K and L are not in a flood zone. Areas B, C, E, F, G and J are in the 500-year flood zone and Area H is within Flood Zone A, according to the FEMA Flood Map Service Center.²⁸ The only development resulting from Project implementation will occur at Area A, which is not

²⁸ FEMA. Fema Flood Map Service Center: Search By Address.
<https://msc.fema.gov/portal/search?AddressQuery=woodlake%20ca#searchresultsanchor>. Accessed January 2023.

in a special flood hazard area, according to the Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan²⁹ (MJLHMP) as compiled by Tulare County, FEMA, USGS, USDA and US Census.

The City of Woodlake is located inside the Terminus Dam inundation area. If the Terminus Dam failed while at full capacity, its floodwaters would arrive in Woodlake within approximately six hours. The Project Areas are located inside the Dam Inundation Area, defined by the City of Woodlake Dam Inundation Area Map. Dam failure has been adequately planned for through the Tulare County MJLHMP, which the proposed Project is required to be in compliance with. Project implementation will not conflict with any water quality control plans or sustainable groundwater management plan or expose people or structures to a risk of loss, injury or death involving flooding as a result of levee or dam failure. Therefore, any impacts are *less than significant*.

Mitigation Measures: None are required.

²⁹ Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan. March, 2018.
http://www.dinuba.org/images/2018/Tulare_County_MJLHMP-COMP-2018.pdf. Accessed December 2022.

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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL SETTING

The proposed Project is located at several sites throughout the City. The Project vicinity is heavily disturbed with residential, commercial and agricultural uses. The sites are currently being utilized for orchards, residential homes, and commercial. See Project Description.

REGULATORY SETTING

Federal

Federal regulations for land use are not relevant to the proposed Project because it is not a federal undertaking (the proposed Project site is not located on lands administered by a federal agency, and the Project applicant is not requesting federal funding or a federal permit).

State

SB 330 Housing Crisis Act of 2019

On October 9, 2019, Gov. Gavin Newsom signed the Housing Crisis Act of 2019 into law, commonly known as Senate Bill 330 (Chapter 654, Statutes of 2019) to respond to the California housing crisis. Effective January 1, 2020, SB330 aims to increase residential unit development, protect existing housing inventory, and expedite permit processing. This new law makes a number of modifications to existing legislation, such as the Permit Streamlining Act and the Housing Accountability Act and institutes the Housing Crisis Act of 2019. Many of the changes proposed last for a 5-year period and sunset on January

1, 2025. Under this legislation, municipal and county agencies are restricted in ordinances and policies that can be applied to residential development. The revised definition of “Housing Development” now contains residential projects of two or more units, mixed-use projects (with two-thirds of the floor area designated for residential use), transitional, supportive, and emergency housing projects.

RESPONSES

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

Less Than Significant Impact. Project implementation would cause land use changes. Specifically:

- Area A: Change zone from High Density Residential to Low Density Residential
- Area B: Change zone from High Density Residential to Low Density Residential and change Land Use Designation from High Density to Low Density
- Area C: Change zone from Medium Density Residential to High Density Residential and change Land Use Designation from Low Density to High Density
- Area D: Change zone from Service Commercial to High Density and change Land Use Designation from Service Commercial to High Density on a 10.57-acre portion of the site.
- Areas E – F require changes in Land Use Designation to match the current zone. Specifically:
 - Area E: Change from Medium Density to High Density
 - Area F: Change from Industrial to Neighborhood Commercial
 - Area G: Change from Community Commercial to Neighborhood Commercial
 - Area H: Change from Low Density to High Density
 - Area I: Change from Low Density to High Density
 - Area J: Change from Medium Density to Low Density
 - Area K: Change from Low Density to High Density

- Area L: Change from Agriculture to Industrial

It should be noted that Areas E, H, I, K and L are completely built out and the only development proposed as a part of this Project will occur in Area A. The land use changes in the surrounding vicinity would not divide an established community but would rather expand and connect the community already existing in the areas. Project development and land use and zoning changes will not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

California Senate Bill 330 Housing Crisis Act of 2019 restricts the adoption of land use or zoning amendment that would result in a net loss in residential capacity. Existing planned housing density and proposed planned density are provided in Tables 5 and 6.

Table 5
Existing Planned Density

Zone Name	Existing Housing	Acres	Housing Element Realistic Density	Total Housing
Area A - High Density Residential	2 Single Family Units	2.24	14.0	31
Area B – High Density Residential	Vacant	9.15	14.0	128
Area C – Medium Density Residential	Vacant	0.823	4.0	3
Area D- Service Commercial	Vacant	14.22	0.0	0
Total Per <u>Current</u> Housing Designation				162

Table 6
Proposed Planned Density

Zone Name	Acres	Housing Element Density	Total Housing
Area A – Low Density Residential	2.24	4.0	9
Area B – Low Density Residential	9.15	4.0	37
Area C – High Density Residential	0.823	14.0	12
Area D- High Density Residential	7.5	14.0	105
Area D – Service Commercial (Remainder)	6.72	0.0	0
Total Per <u>Revised</u> Planned Designations			163

The changes in Land Use Designations will result in a change from 162 units to 163 units, resulting in a gross gain in density.

With Project approval, the proposed Project will be consistent with Woodlake General Plan objectives and policies and will not significantly conflict with applicable land use plans, policies or regulations of the City of Woodlake. *Less Than Significant Impacts* would occur as a result of this Project.

Mitigation Measures: None are required.

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 land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL SETTING

There are no known mineral resources within the planning area and no known mining of mineral resources occurs in the City of Woodlake. The closest significant mineral resources consist of sand and gravel deposits along the St. Johns River southeast of Woodlake, near the Sierra Nevada foothills.³⁰

REGULATORY SETTING

There are no federal, state or local regulations pertaining to mineral resources relevant to the proposed Project.

RESPONSES

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

³⁰ Open Space, Parks, Recreation and Conservation Element, Woodlake General Plan 2008-2028. Page 7.

No Impact. There are no known mineral resources in the proposed Project area and the site is not included in a State classified mineral resource zones. Therefore, there is *no impact*.

Mitigation Measures: None are required.

XIII. NOISE

Would the project:

	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 groundborne 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 a 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

The Project sites are located within the City of Woodlake in residential and agricultural areas, see Figure 2 – Proposed Land Use Designation Changes.

REGULATORY SETTING

Federal

The Federal Railway Administration (FRA) and the Federal Transit Administration (FTA) have published guidance relative to vibration impacts. According to the FRA, fragile buildings can be exposed to ground-borne vibration levels of 0.5 PPV without experiencing structural damage.³² The FTA has identified the human annoyance response to vibration levels as 80 RMS.

State

The State Building Code, Title 24, Part 2 of the State of California Code of Regulations establishes uniform minimum noise insulation performance standards to protect persons within new buildings which house people, including hotels, motels, dormitories, apartment houses and dwellings other than single-family dwellings. Title 24 mandates that interior noise levels attributable to exterior sources shall not exceed 45 dB L_{dn} or CNEL in any habitable room.

Title 24 also mandates that for structures containing noise-sensitive uses to be located where the L_{dn} or CNEL exceeds 60 dB, an acoustical analysis must be prepared to identify mechanisms for limiting exterior noise to the prescribed allowable interior levels. If the interior allowable noise levels are met by requiring that windows be kept closed, the design for the structure must also specify a ventilation or air conditioning system to provide a habitable interior environment

Local

The City of Woodlake's General Plan deems Woodlake's Noise element identifies the state highways, the Woodlake airport, and local industries as the major noise sources in Woodlake.

RESPONSES

- a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b. Generation of excessive groundborne vibration or groundborne noise levels?

Less than Significant Impact.

Short-term (Construction) Noise Impacts

Proposed Project construction related activities at Area A will involve temporary noise sources and are anticipated to begin in 2020 and last approximately two years. Typical construction related equipment include graders, trenchers, small tractors and excavators. During the proposed Project construction,

noise from construction related activities will contribute to the noise environment in the immediate vicinity. Activities involved in construction will generate maximum noise levels, as indicated in Table 7, ranging from 79 to 91 dBA at a distance of 50 feet, without feasible noise control (e.g., mufflers) and ranging from 75 to 80 dBA at a distance of 50 feet, with feasible noise controls.

Table 7
Typical Construction Noise Levels

Type of Equipment	dBA at 50 ft	
	Without Feasible Noise Control	With Feasible Noise Control
Dozer or Tractor	80	75
Excavator	88	80
Scraper	88	80
Front End Loader	79	75
Backhoe	85	75
Grader	85	75
Truck	91	75

The distinction between short-term construction noise impacts and long-term operational noise impacts is a typical one in both CEQA documents and local noise ordinances, which generally recognize the reality that short-term noise from construction is inevitable and cannot be mitigated beyond a certain level. Thus, local agencies frequently tolerate short-term noise at levels that they would not accept for permanent noise sources. A more severe approach would be impractical and might preclude the kind of construction activities that are to be expected from time to time in urban environments. Most residents of urban areas recognize this reality and expect to hear construction activities on occasion.

In addition, construction activities would not occur between the hours of 10:00 PM and 7:00 AM, in accordance with Woodlake Municipal Code Section 8.24.020, which limits work “between the hours of ten p.m of one day and seven a.m. of the following day...” Further restrictions on construction noise may be placed on the project as determined through the Conditional Use permit process.

Long-term (Operational) Noise Impacts

Area A is located in an urban area adjacent to roadways that are regularly travelled. Noise from the proposed Project will be similar to existing conditions and will generally include noise from vehicles, air conditioner units and other similar equipment. Because of its location in proximity to regularly travelled roadways, it is not expected that the proposed Project will result in a discernable increase in noise to surrounding land uses. As such, any impacts would be *less than significant*.

Mitigation Measures: None are required.

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

No Impact. The southernmost portion of the Project site, Area E, is approximately 0.78 miles north of the Woodlake Municipal Airport. The Tulare County Comprehensive Airport Land Use Plan indicates that all Project areas are outside of the established 2020 Aircraft Noise Contours.³¹ There is *no impact*.

Mitigation Measures: None are required.

³¹ Tulare County Comprehensive Airport Land Use Plan. December 2012. <https://tularecounty.ca.gov/rma/rma-documents/planning-documents/tulare-county-comprehensive-airport-land-use-plan/>. Accessed December 2022.

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 population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ENVIRONMENTAL SETTING

At the time of General Plan adoption in 2008, the City of Woodlake's population was 7,524, up from the 1990 census figure of 5,678. The State Department of Finance, which provides population projections for cities and counties in California, estimated Woodlake's population to be 7,648 as of January 1st, 2022.³² Build-out of the 2028 General Plan will accommodate a population of 10,315 (low population projection) to 11,514 (high population projection) in Woodlake, which represents an annual population growth rate of 1.59%-2.15%.³³

The proposed Project is Citywide and specifically, the Areas are located in areas dominated by agricultural and residential uses.

REGULATORY SETTING

Federal

The U.S. Department of Housing and Urban Development's (HUD) mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. HUD is working to strengthen

³² E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2022. State of California Department of Finance. <https://dof.ca.gov/Forecasting/Demographics/Estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2022/>. Accessed December 2022.

³³ Land Use Element, Woodlake General Plan 2008-2028. Pg 21.

the housing market to bolster the economy and protect consumers; meet the need for quality affordable rental homes; utilize housing as a platform for improving quality of life; build inclusive and sustainable communities free from discrimination and transform the way HUD does business.³⁴

State

The California Department of Housing and Community Development (HCD's) mission is to "[p]romote safe, affordable homes and vibrant, inclusive, sustainable communities for all Californians".³⁵ In 1977, the State Department of Housing and Community Development (HCD) adopted regulations under the California Administrative Code, known as the Housing Element Guidelines, which are to be followed by local governments in the preparation of local housing elements. AB 2853, enacted in 1980, further codified housing element requirements. Since that time, new amendments to State Housing Law have been enacted.

State Housing Law also mandates that local governments identify existing and future housing needs in a Regional Housing Needs Assessment (RHNA).

Local

California Housing Element law requires every jurisdiction to prepare and adopt a housing element as part of a City's General Plan. State Housing Element requirements are framed in the California Government Code, Sections 65580 through 65589, Chapter 1143, Article 10.6. The law requires the State Department of Housing and Community Development (HCD) to administer the law by reviewing housing elements for compliance with State law and by reporting its written findings to the local jurisdiction. Although State law allows local governments to decide when to update their general plans, State Housing Element law mandates that housing elements be updated every eight years.

RESPONSES

- a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

³⁴ U.S. Department of Housing and Urban Development, Mission, <https://www.hud.gov/about/mission>. Accessed December 2022.

³⁵ California Department of Housing and Community Development, Mission, <https://hcd.ca.gov/about/mission.shtml>. Accessed December 2022.

- b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. There are up to nine new homes associated with the proposed Project, which would result in approximately 35 additional residents, based on the estimated 3.86 persons per household³⁶ for the City of Woodlake. The land use and zone changes described in the Project Description and in Impact Area XI – Land Use describes Project implementation as increasing the housing density of the City by one residence. As such, the proposed Project will not affect any regional population, housing, or employment projections anticipated by City policy documents. No housing will be displaced as a part of Project implementation. There is *no impact*.

Mitigation Measures: None are required.

³⁶ City of Woodlake General Plan Draft Environmental Impact Report. Page 16.

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

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL SETTING

The proposed Project site is located in an area that is already served by public service systems. Fire protection in the project area is provided by the Woodlake Fire Protection District and police services are provided by the Woodlake Police Station.

The Woodlake Unified School District and Tulare County Office of Education serves the Project area and the City provides several types of parks and other public facilities. The Visalia Landfill plant is approximately 16.5 miles southwest of the City, while the Woodlake Wastewater Treatment Plant is located approximately one mile south of the City.

REGULATORY SETTING

Federal

National Fire Protection Association

The National Fire Protection Association (NFPA) is an international nonprofit organization that provides consensus codes and standards, research, training, and education on fire prevention and public safety. The NFPA develops, publishes, and disseminates more than 300 such codes and standards intended to minimize the possibility and effects of fire and other risks. The NFPA publishes the NFPA 1, Uniform Fire Code, which provides requirements to establish a reasonable level of fire safety and property protection in new and existing buildings.

State

California Fire Code and Building Code

The 2007 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 Fire Code also establishes requirements intended to provide safety and assistance to fire fighters and emergency responders during emergency operations. The provision of the Fire Code includes regulations regarding fire-resistance rated construction, fire protection systems such as alarm and sprinkler systems, fire service features such as fire apparatus access roads, fire safety during construction and demolition, and wildland urban interface areas.

In addition, the proposed Project is being evaluated pursuant to CEQA.

RESPONSES

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

Fire protection?

Less than Significant Impact. Development associated with the proposed Project site will continue to be served by the City of Woodlake Fire Department. No additional fire personnel or equipment is anticipated, as the site is already served by the Fire Station. The impact is *less than significant*.

Police Protection?

Less than Significant Impact. The proposed Project will continue to be served by the City of Woodlake police department. No additional police personnel or equipment is anticipated. The impact is *less than significant*.

Schools?

Less than Significant Impact. The proposed Project site is located within the Woodlake Unified School District. Castlerock Elementary School and Woodlake Valley Middle School are just over 0.25 miles away, approximately 0.3 miles east and northwest, respectively, to Area A. Of the Project Areas, the changes to Area C includes more dense residential uses and the changes in Area D will introduce residential development in lieu of commercial development. The other areas are either introducing less dense residential development or are already built to capacity.

According to the Woodlake General Plan, the Woodlake Elementary School and Woodlake High School Districts have set enrollment figures for the following types of schools: elementary school, 600 to 700 students; middle school, 750 to 900 students; and high school, 1000 to 2000 students.³⁷

Pursuant to California Education Code Section 17620(a)(1), the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district for the purpose of funding the construction or reconstruction of school facilities. The Project applicant would be required to pay such fees to reduce any impacts of new residential development of school services. Payment of the developer fees will offset the addition of school-age children within the district. As such, any impacts would be *less than significant*.

Parks?

No Impact. As residential development is proposed, park impact fees may apply to offset potential recreational features as directed by the City of Woodlake. The proposed Project would have *no impacts* on parks.

Other public facilities?

No Impact. The proposed Project is within the land use and growth projections identified in the City's General Plan and other infrastructure studies. The Project, therefore, would not result in increased demand for, or impacts on, other public facilities such as library services. Accordingly, *no impact* would occur.

³⁷ Land Use Element, Woodlake General Plan 2008-2028. Pg 34.

https://drive.google.com/drive/folders/1IfiTZRkmV2_qafSPlj_OwedRXtluGgwk . Accessed December 2022.

Mitigation Measures: None are required.

XVI. RECREATION

Would the project:

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

ENVIRONMENTAL SETTING

The City of Woodlake currently has two developed park sites and one privately owned park site, located in Olivewood Estates. Willow Court Park, containing 3.91 acres, contains a baseball field, playground equipment and a low elevation area designated for storm water detention. Miller-Brown Park, containing 6.74 acres, houses playground equipment, picnic arbors, a skate park feature, and a basketball court. A small watercourse traverses the area. In addition to the city's parks, the athletic fields on the campuses of Woodlake's two school districts provide recreational opportunities after school hours.

REGULATORY SETTING

The proposed Project is being evaluated pursuant to CEQA; however, there are no additional federal, state or local regulations, plans, programs, and guidelines associated with recreation that are applicable to the proposed Project.

RESPONSES

- 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?

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

Less than Significant Impact. The proposed Project includes several land use and zoning changes, and the development of nice single-family residences and a pipeline installation. As described in Impact XIV(a), the City has established a Park Impact Fee through the Municipal Code, which states that parks must be constructed or expanded commensurate with growth of the City. The City requires the applicant to pay a Park Impact Fee, which will be paid as part of the development fees collected by the City. As such, any impacts will be *less than significant*.

Mitigation Measures: None are required.

XVII. TRANSPORTATION/ TRAFFIC

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. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL SETTING

The proposed Project is located on several areas throughout the City. Area A is the only site with development proposed (up to nine residential units and installation of a pipeline), and it located to the north and south of Lakeview Avenue, between Olive Lane and Pomegranate Street. The pipeline installation will occur along the right-of-way of Olive Lane from Lakeview Avenue to the southern point of Olive Lane. The development site is surrounded by residential and commercial uses. Woodlake is bisected by SR 216 and SR 245 and the City is situated five miles north of SR 198.

REGULATORY SETTING

Federal

Federal Transit Administration

The Federal Transit Administration (FTA) is an authority that provides financial and technical assistance to local public transit systems, including buses, subways, light rail, commuter rail, trolleys, and ferries.

The FTA is funded by Title 49 of the United States Code, which states the FTA’s interest in fostering the development and revitalization of public transportation.

Americans with Disabilities Act of 1990

Titles I, II, III, IV, and V of the ADA have been codified in Title 42 of the United States Code, beginning at Section 12101. Title III prohibits discrimination on the basis of disability in “places of public accommodation” (businesses and nonprofit agencies that serve the public) and “commercial facilities” (other businesses). The regulation includes Standards for Accessible Design, which establish minimum standards for ensuring accessibility when designing and constructing a new facility or altering an existing facility.

State

Senate Bill (SB) 743

On September 27, 2013, Governor Jerry Brown signed SB 743 into law and codified a process that changed transportation impact analysis as part of CEQA compliance. SB 743 directs the California Office of Planning and Research (OPR) to administer new CEQA guidance for jurisdictions that removes automobile vehicle delay and LOS or other similar measures of vehicular capacity or traffic congestions from CEQA transportation analysis. Rather, it requires the analysis of VMT or other measures that “promote the reduction of greenhouse gas emissions, the development of multi-modal transportation networks, and a diversity of land uses,” to be used as a basis for determining significant impacts to circulation in California. The goal of SB 743 is to appropriately balance the needs of congestion management with statewide goals related to reducing GHG emissions, encourage infill development, and promote public health through active transportation.

RESPONSES

- a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact. The only development associated with the proposed Project is the construction of up to nine single-family residences and the installation of a pipeline. The single-family residences could generate up to 87 average daily vehicle trips. The proposed Project development would be in accordance with alternative transportation policies included in the Tulare County Regional Transportation Plan, and any other adopted policies, plans or programs supporting alternative transportation. As such, any impacts are considered less than significant.

Mitigation Measures: None are required.

- b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less Than Significant Impact. In 2020 the County of Tulare prepared the County of Tulare Draft SB 743 Guidelines for the implementation of Senate Bill 743 in the unincorporated area of Tulare County. SB 743 was passed by the legislature and signed into law in the fall of 2013. This legislation led to a change in the way that transportation impacts will be measured under the California Environmental Quality Act (CEQA). Starting on July 1, 2020, automobile delay and level of service (LOS) may no longer be used as the performance measure to determine the transportation impacts of land development projects under CEQA and the new performance measure will be vehicle miles traveled (VMT).

The proposed Project consists of development of nine single-family residential units and is expected to generate an average of 87 vehicle trips per day once fully developed. County of Tulare SB 743 Guidelines (SB 743 Guidelines) contain recommendations regarding VMT assessment, significance thresholds and mitigation measures. The SB 743 guidelines specify that projects which generate less than 500 trips per day would not meet the VMT threshold and can be presumed to have a less than significant VMT.³⁸ Thus, the proposed Project will have a less than significant impact.

Mitigation Measures: None are required.

- c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- d. Result in inadequate emergency access?

Less Than Significant Impact. The proposed Project will not conflict with any congestion management programs, as none are applicable to the proposed Project. No roadway design features associated with this proposed Project would result in an increase in hazards due to a design feature or be an incompatible use. Any impacts would be considered less than significant.

Mitigation Measures: None are required.

³⁸ County of Tulare. Tulare County SB 743 Guidelines. 3.21. Small Projects. June 2020. Page 6. Prepared by VRPA Technologies; Inc. <https://tularecounty.ca.gov/rma/rma-documents/planning-documents/tulare-county-sb-743-guidelines-final/> Accessed January 2023.

XVIII. TRIBAL 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 tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of the Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

REGULATORY SETTING

Federal

The National Historic Preservation Act

The National Historic Preservation Act of 1966 (NHPA) established federal regulations for the purpose of protecting significant cultural resources. The legislation established the National Register of Historic Places and the National Historic Landmarks Program. It mandated the establishment of the Office of Historic Preservation, responsible for implementing statewide historic preservation programs in each state.

State

California State Office of Historic Preservation (OHP)

The California State Office of Historic Preservation (OHP) is responsible for administering federally and state mandated historic preservation programs to further the identification, evaluation, registration and protection of California's irreplaceable archaeological and historical resources under the direction of the State Historic Preservation Officer (SHPO), appointed by the governor, and the State Historical Resources Commission, a nine-member state review board appointed by the governor.

Among OHP's responsibilities are identifying, evaluating, and registering historic properties; and ensuring compliance with federal and state regulations. The OHP administers the State Register of Historical Resources and maintains the California Historical Resources Information System (CHRIS) database. The CHRIS database includes statewide Historical Resources Inventory (HRI) database. The records are maintained and managed under contract by eleven independent regional Information Centers. Tulare, Fresno, Kern, Kings and Madera counties are served by the Southern San Joaquin Valley Information Center (Center), located in Bakersfield, CA. The Center provides information on known historic and cultural resources to governments, institutions and individuals.³⁹

A historical resource may be eligible for inclusion in the California Register of Historical Resources (CRHR) if it:

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

³⁹ California Office of Historic Preservation, Mission and Responsibilities, http://ohp.parks.ca.gov/?page_id=1066, Accessed December 2022.

- 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; or
- Has yielded, or may be likely to yield, information important in prehistory or history.⁴⁰

Tribal Consultation Requirements: SB 18 (Burton, 2004)⁴¹

On September 29, 2004, Governor Schwarzenegger signed Senate Bill 18, Tribal Consultation Guidelines, into law. This bill amended Section 815.3 of the Civil Code, to amend Sections 65040.2, 65092, 65351, 65352, and 65560 of, and to add Sections 65352.3, 65352.4, and 65562.2 to, the Government Code, relating to traditional tribal cultural Places. SB 18, enacted March 1, 2005, creates a mechanism for California Native American Tribes to identify culturally significant sites that are located within public or private lands within the city or county's jurisdiction. SB 18 requires cities and counties to contact, and offer to consult with, California Native American Tribes before adopting or amending a General Plan, a Specific Plan, or when designating land as Open Space, for the purpose of protecting Native American Cultural Places (PRC 5097.9 and 5097.993). The Native American Heritage Commission (NAHC) provides local governments with a consultation list of tribal governments with traditional lands or cultural places located within the Project Area of Potential Effect. Tribes have 90 days from the date on which they receive notification to request consultation, unless a shorter timeframe has been agreed to by the tribe.

Tribal Consultation Requirements: AB 52 (Gatto, 2014)⁴²

This bill was approved by Governor Brown on September 25, 2014 and became effective July 1, 2015. This bill amended Section 5097.94 of, and to add Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3 to, the Public Resources Code, relating to Native Americans. The bill specifies that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource, as defined, is a project that may have a significant effect on the environment. This bill requires a lead agency to begin consultation with a California Native American tribe that is traditionally and culturally affiliated (can be a tribe anywhere within the State of California) with the geographic area of the proposed project, if the tribe requested to the lead agency, in writing, to be informed by the lead agency of proposed projects in that geographic area and the tribe requests consultation, prior to

⁴⁰ California Office of Historic Preservation, California Register of Historical Resources: Criteria for Designation. https://ohp.parks.ca.gov/?page_id=21238. Accessed December 2022.

⁴¹ Senate Bill No. 18, Chapter 905. https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=200320040SB18. Accessed December 2022.

⁴² Assembly Bill No. 52, Chapter 532. https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB52. Accessed December 2022.

determining whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project.

Existing law establishes the Native American Heritage Commission (NAHC) and vests the commission with specified powers and duties. This bill required the NAHC to provide each California Native American tribe, as defined, on or before July 1, 2016, with a list of all public agencies that may be a lead agency within the geographic area in which the tribe is traditionally and culturally affiliated, the contact information of those agencies, and information on how the tribe may request those public agencies to notify the tribe of projects within the jurisdiction of those public agencies for the purposes of requesting consultation.

The NAHC provides protection to Native American burials from vandalism and inadvertent destruction, provides a procedure for the notification of most likely descendants regarding the discovery of Native American human remains and associated grave goods, brings legal action to prevent severe and irreparable damage to sacred shrines, ceremonial sites, sanctified cemeteries and place of worship on public property, and maintains an inventory of sacred places.⁴³

The NAHC performs a Sacred Lands File search for sites located on or near the Project site upon request. The NAHC also provides local governments with a consultation list of tribal governments with traditional lands or cultural places located within the Project Area of Potential Effect.

RESPONSES

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
- i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
 - ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public

⁴³ Native American Heritage Commission, About the Native American Heritage Commission <http://nahc.ca.gov/about/>. Accessed December 2022.

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. A Tribal Cultural Resource (TCR) is defined under Public Resources Code section 21074 as a site, feature, place, cultural landscape that is geographically defined in terms of size and scope, sacred place, and object with cultural value to a California Native American tribe that are either included and that is listed or eligible for inclusion in the California Register of Historic Resources or in a local register of historical resources, or if the City of Woodlake, acting as the Lead Agency, supported by substantial evidence, chooses at its discretion to treat the resource as a TCR.

As discussed above, under Section V, Cultural Resources, criteria (b) and (d), no known archeological resources, ethnographic sites or Native American remains are located on the proposed Project site. As discussed under criterion (b) implementation of Mitigation Measure CUL-1 would reduce impacts to unknown archaeological deposits, including TCRs, to a less than significant level. As discussed under criterion (d), compliance with California Health and Safety Code Section 7050.5 would reduce the likelihood of disturbing or discovering human remains, including those of Native Americans. Any impacts to TCR would be considered *less than significant*.

Mitigation Measures: No additional measures are required.

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 storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL SETTING

Utilities required to serve the proposed Project would include: water, sanitary sewer, storm drainage, electricity, and telecommunications infrastructure. Solid waste services in the City of Woodlake have been contracted to Mid Valley Disposal.

REGULATORY SETTING

State

State Water Resources Control Board (SWRCB)

Waste Discharge Requirements Program. State regulations pertaining to the treatment, storage, processing, or disposal of solid waste are found in Title 27, CCR, Section 20005 et seq. (hereafter Title 27). In general, the Waste Discharge Requirements (WDRs) Program (sometimes also referred to as the "Non Chapter 15 (Non 15) Program") regulates point discharges that are exempt pursuant to Subsection 20090 of Title 27 and not subject to the Federal Water Pollution Control Act. Exemptions from Title 27 may be granted for nine categories of discharges (e.g., sewage, wastewater, etc.) that meet, and continue to meet, the preconditions listed for each specific exemption. The scope of the WDRs Program also includes the discharge of wastes classified as inert, pursuant to section 20230 of Title 2744. Several SWRCB programs are administered under the WDR Program, including the Sanitary Sewer Order and recycled water programs.

National Pollutant Discharge Elimination System (NPDES) Permit

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

In addition, the proposed Project is being evaluated pursuant to CEQA.

RESPONSES

- a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less than Significant Impact. Implementation of the proposed Project would include up to nine single-family residential units on the Project Area A. The Project site is located within the service territory of the Woodlake Wastewater Treatment Facility (WWTF). Since the WWTF is considered a publicly owned treatment works, operational discharge flows treated at the WWTF would be required to comply with applicable water discharge requirements issued by the Central Valley Regional Water Quality Control Board (RWQCB). Compliance with conditions or permit requirements established by the City as well as water discharge requirements outlined by the Central Valley RWQCB would ensure that wastewater discharges coming from the proposed Project site and treated by the WWTF system would not exceed applicable Central Valley RWQCB wastewater treatment requirements.

As discussed in Section X, Hydrology and Water Quality, with an increase in the area of impervious surfaces on the Project site, an increase in the amount of storm water runoff is anticipated. The site will be designed so that storm water is collected and deposited in the City's existing storm drain system. The storm water collection system design will be subject to review and approval by the City Public Works Department. Storm water during construction will be managed as part of the Storm Water Pollution Prevention Plan (SWPPP). A copy of the SWPPP is retained on-site during construction. Thus, the proposed Project would have a *less than significant impact*.

Mitigation Measures: None are required.

- b. 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. See Section X – Hydrology for a full discussion pertaining to available water supply. Project Areas A – L have all been designated for urban development and as such, have been accounted for in the City's infrastructure planning documents. The City will have sufficient supply to serve the proposed Project and as such, the proposed Project will have a *less than significant impact*.

Mitigation Measures: None are required.

- 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?

Less Than Significant Impact. As discussed in Section XVIII(a), implementation of the proposed Project would result in the need for additional wastewater treatment service; however, the proposed development was accounted for in the General Plan and has been planned for in the City's adopted infrastructure planning documents. Additionally, the proposed Project applicant would be required to comply with any applicable City and WWTF regulations and would be subject to applicable development impact fees and wastewater connection charges. Therefore, with compliance to applicable standards and payment of required fees and connection charges, the Project would not result in a significant impact related to construction or expansions of existing wastewater treatment facilities.

Mitigation Measures: None are required.

- 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?

Less than Significant Impact. Disposal services in the City are provided by a contractor, Mid Valley Disposal. The Visalia Landfill plant is approximately 16.5 miles southwest of the City, while the Woodlake Wastewater Treatment Plant is located just south of the City.

The Project would comply with federal, state and local statutes and regulations related to solid waste. The proposed Project would be required to comply with all standards related to solid waste diversion, reduction, and recycling during Project construction and operation. The proposed Project would result in *less than significant* impacts to solid waste and landfill facilities.

Mitigation Measures: None are required.

- e. Comply with federal, state, and local statutes and regulations related to solid waste?

Less than Significant Impact. See Response d, above. The proposed Project would be required to comply with all federal, State, and local regulations related to solid waste. Furthermore, the proposed Project would be required to comply with all standards related to solid waste diversion, reduction, and recycling during Project construction and operation. The proposed Project will comply with all federal, state and local statutes and regulations related to solid waste. As such, any impacts would be *less than significant*.

Mitigation Measures: None are required.

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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL SETTING

Human activities such as smoking, debris burning, and equipment operation are the major causes of wildland fires. Within Tulare County, over 1,029,130 acres (33% of the total area) are classified as “Very High” fire threat and approximately 454,680 acres (15% of the total area) are classified as “High” fire threat.⁴⁴ The portion of the county that transitions from the valley floor into the foothills and mountains

⁴⁴ Tulare County General Plan Background Report. February 2010. Pg 8-21.
<http://generalplan.co.tulare.ca.us/documents/GP/002Board%20of%20Supervisors%20Materials/001BOS%20Agenda%20Items%20-%20Public%20Hearing%20August.%2028%202012/002Attachment%20A.%20FEIR/001Exhibit%201.%20FEIR%20Exec%20Summary%20&%20C hap%201-6/Appendix%20B%20-%20Background%20Report.pdf>. Accessed December 2022.

is characterized by high to very high threat of wildland fires.⁴⁵ While the City of Woodlake is nestled at the base of the foothills, the majority of the City is developed into urban uses or in active agriculture, severely reducing the risk of wildland fire. According to the Tulare County Background Report Figure 8-2⁴⁶, the majority of the City has no threat of wildfire. The proposed Project site is relatively flat in an area actively utilized with primarily residential and agricultural uses.

RESPONSES

- a. Substantially impair an adopted emergency response plan or emergency evacuation plan?
- b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Less Than Significant Impact. State Responsibility Areas (SRA) are recognized by the Board of Forestry and Fire Protection as areas where Cal Fire is the primary emergency response agency responsible for fire suppression and prevention.⁴⁷ The Fire Hazard Severity Zone maps are developed using a science-based and field-tested model that assigns a hazard score based on the factors that influence fire likelihood and fire behavior. Many factors are considered such as fire history, existing and potential fuel (natural vegetation), predicted flame length, blowing embers, terrain, and typical fire weather for the area. There are three levels of hazard in the State Responsibility Areas: moderate, high and very high. Urban and wildland areas are treated differently in the model, but the model does recognize the influence of burning

⁴⁵ Tulare County General Plan Background Report. February 2010. Pg 8-21.

⁴⁶ Tulare County General Plan Background Report. February 2010.

<http://generalplan.co.tulare.ca.us/documents/GP/002Board%20of%20Supervisors%20Materials/001BOS%20Agenda%20Items%20-%20Public%20Hearing%20August,%2028%202012/002Attachment%20A.%20FEIR/001Exhibit%201.%20FEIR%20Exec%20Summary%20&%20C%20hap%201-6/Appendix%20B%20-%20Background%20Report.pdf>. Accessed December 2022.

⁴⁷ Board of Forestry and Fire Protection. <https://bof.fire.ca.gov/projects-and-programs/state-responsibility-area-viewer/>. Accessed December 2022.

embers traveling into urban areas, which is a major cause of fire spread.⁴⁸ Project Areas B and J are adjacent to a State Responsibility Area or on lands classified as High Fire Hazard Severity Zones.

The proposed Project is located in an area developed with residential and agricultural uses, which precludes the risk of wildfire. The area is flat in nature which would limit the risk of downslope flooding and landslides, and limit any wildfire spread. As such, any impacts to this resource area will be *less than significant*.

Mitigation Measures: None are required.

⁴⁸ Office of the State Fire Marshal. <https://osfm.fire.ca.gov/divisions/community-wildfire-preparedness-and-mitigation/wildfire-preparedness/fire-hazard-severity-zones/>. Accessed December 2022.

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 to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

☐ ☐ ☒ ☐

☐ ☐ ☒ ☐

☐ ☐ ☒ ☐

RESPONSES

- 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. The analyses of environmental issues contained in this Initial Study indicate that the proposed Project may have substantial impact on the environment or on any resources identified in the Initial Study. Mitigation measures have been incorporated, as discussed in the Biological and Cultural Resource areas to reduce potential impacts to less than significant.

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

Less Than Significant Impact. CEQA Guidelines Section 15064(i) states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects. The proposed Project may contribute substantially to adverse cumulative conditions, or create any substantial indirect impacts (i.e., increase in population could lead to an increase need for housing, increase in traffic, air pollutants, etc). Mitigation measures, as discussed in the Biological Resources, Cultural Resources and Greenhouse Gas impact assessments, have been incorporated to reduce potential impacts to 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 may have substantial impact on human beings, either directly or indirectly.

Mitigation measures, as discussed in the Biological Resources, Cultural Resources and Greenhouse Gas impact assessments, have been incorporated to reduce potential impacts to less than significant.

LIST OF PREPARERS

Crawford & Bowen Planning, Inc.

- Emily Bowen, LEED AP, Principal Environmental Planner
- Travis Crawford, AICP, Principal Environmental Planner
- Deepesh Tourani, Associate Environmental Planner

Persons and Agencies Consulted

City of Woodlake

- Rebecca Griswold, Community Services Director
- Emmanuel Llamas, Community Development Director

California Historic Resources Information System

- Celeste Thomson, Coordinator

Native American Heritage Commission

Andrew Green, Staff Services Analyst

Appendix A

Air Modeling Output Files

Road Construction Emissions Model, Version 9.0.0

Daily Emission Estimates for -> Woodlake Reorganization Project														
Project Phases (Pounds)	ROG (lbs/day)	CO (lbs/day)	NOx (lbs/day)	PM10 (lbs/day)	Exhaust (lbs/day)	Fugitive Dust (lbs/day)	Total (lbs/day)	Exhaust (lbs/day)	Fugitive Dust (lbs/day)	SOx (lbs/day)	CO2 (lbs/day)	CH4 (lbs/day)	N2O (lbs/day)	CO2e (lbs/day)
Grubbing/Land Clearing	0.00	0.00	0.00	6.00	0.00	6.00	1.25	0.00	1.25	0.00	0.00	0.00	0.00	0.00
Grading/Excavation	0.00	0.00	0.00	6.00	0.00	6.00	1.25	0.00	1.25	0.00	0.00	0.00	0.00	0.00
Drainage/Utilities/Sub-Grade	0.00	0.00	0.00	6.00	0.00	6.00	1.25	0.00	1.25	0.00	0.00	0.00	0.00	0.00
Paving	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Maximum (pounds/day)	0.00	0.00	0.00	6.00	0.00	6.00	1.25	0.00	1.25	0.00	0.00	0.00	0.00	0.00
Total (tons/construction project)	0.00	0.00	0.00	0.34	0.00	0.34	0.07	0.00	0.07	0.00	0.00	0.00	0.00	0.00
Notes: Project Start Year -> 2023														
Project Length (months) -> 6														
Total Project Area (acres) -> 0														
Maximum Area Disturbed/Day (acres) -> 0														
Water Truck Used? -> No														
	Total Material Imported/Exported Volume (yd³/day)		Daily VMT (miles/day)											
Phase	Soil	Asphalt	Soil Hauling	Asphalt Hauling	Worker Commute	Water Truck								
Grubbing/Land Clearing	0	0	0	0	0	0								
Grading/Excavation	0	0	0	0	0	0								
Drainage/Utilities/Sub-Grade	0	0	0	0	0	0								
Paving	0	0	0	0	0	0								
PM10 and PM2.5 estimates assume 50% control of fugitive dust from watering and associated dust control measures if a minimum number of water trucks are specified.														
Total PM10 emissions shown in column F are the sum of exhaust and fugitive dust emissions shown in columns G and H. Total PM2.5 emissions shown in Column I are the sum of exhaust and fugitive dust emissions shown in columns J and K.														
CO2e emissions are estimated by multiplying mass emissions for each GHG by its global warming potential (GWP), 1, 25 and 298 for CO2, CH4 and N2O, respectively. Total CO2e is then estimated by summing CO2e estimates over all GHGs.														
Total Emission Estimates by Phase for -> Woodlake Reorganization Project														
Project Phases	ROG (tons/phase)	CO (tons/phase)	NOx (tons/phase)	PM10 (tons/phase)	Exhaust (tons/phase)	PM10 (tons/phase)	PM2.5 (tons/phase)	Exhaust (tons/phase)	PM2.5 (tons/phase)	SOx (tons/phase)	CO2 (tons/phase)	CH4 (tons/phase)	N2O (tons/phase)	CO2e (MT/phase)
(Tons for all except CO2e. Metric tonnes for CO2e)														
Grubbing/Land Clearing	0.00	0.00	0.00	0.04	0.00	0.04	0.01	0.00	0.01	0.00	0.00	0.00	0.00	0.00
Grading/Excavation	0.00	0.00	0.00	0.16	0.00	0.16	0.03	0.00	0.03	0.00	0.00	0.00	0.00	0.00
Drainage/Utilities/Sub-Grade	0.00	0.00	0.00	0.14	0.00	0.14	0.03	0.00	0.03	0.00	0.00	0.00	0.00	0.00
Paving	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Maximum (tons/phase)	0.00	0.00	0.00	0.16	0.00	0.16	0.03	0.00	0.03	0.00	0.00	0.00	0.00	0.00
Total (tons/construction project)	0.00	0.00	0.00	0.34	0.00	0.34	0.07	0.00	0.07	0.00	0.00	0.00	0.00	0.00
PM10 and PM2.5 estimates assume 50% control of fugitive dust from watering and associated dust control measures if a minimum number of water trucks are specified.														
Total PM10 emissions shown in column F are the sum of exhaust and fugitive dust emissions shown in columns G and H. Total PM2.5 emissions shown in Column I are the sum of exhaust and fugitive dust emissions shown in columns J and K.														
CO2e emissions are estimated by multiplying mass emissions for each GHG by its global warming potential (GWP), 1, 25 and 298 for CO2, CH4 and N2O, respectively. Total CO2e is then estimated by summing CO2e estimates over all GHGs.														
The CO2e emissions are reported as metric tons per phase.														