



# Addendum to the Mitigated Negative Declaration

THE GREENS AT OAK CREEK SUBDIVISION PROJECT

AUGUST 2020

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## 1.0 INTRODUCTION

This environmental document is an Addendum to the Initial Study/Mitigated Declaration (IS/MND) for General Plan Amendment No. 2017-02 and Zone Amendment No. 720, adopted on September 19, 2017 by the City of Tulare, now known as The Greens at Oak Creek Subdivision project. Since adoption of the mitigated negative declaration (MND), conversations have started with Caltrans on the required frontage and street improvements on Mooney Boulevard. While the original MND mentioned the project would comply with Caltrans requirements outlined in the letter from May 9, 2017, the requirements and improvements were not explicitly described in the project description and analysis portions of the original MND. The proposed changes to the project's original MND consist of clarifying information to make it clear that construction of the proposed project will require the installation of the following components on the Mooney Boulevard frontage, in addition to the required improvements for Aberdeen Street and all internal streets and drive aisles in the Subdivision, to meet City of Tulare Standards:

- The Project will construct a raised median along Mooney Boulevard throughout the Project's frontage;
- The Project will lengthen the existing left-hand turn lane onto eastbound Seminole Avenue from southbound Mooney Boulevard to at least 580 feet in length;
- The Project will lengthen the existing dedicated right-turn lane on northbound Mooney Boulevard to eastbound Seminole Avenue to at least 580 feet in length;
- The Project will construct curb, gutter, and sidewalks, matching the sidewalk width for the existing development along the east side of Mooney, north of Seminole Avenue, and making sure facilities, including curb ramps meet current ADA standards or other applicable State or Federal accessibility and safety requirements;
- The Project applicant will provide an irrevocable offer of dedication to Caltrans of 14 feet of right-of-way to accommodate the ultimate configuration of Mooney Boulevard;
- The Project's legal property owner or his/her authorized agent shall obtain a Caltrans encroachment permit for any improvements constructed within the State right-of-way on Mooney Boulevard; and
- The Project will conduct a warrant study at the completion of each phase to determine if the additional traffic trips would warrant a traffic signal at Mooney Boulevard and Seminole Avenue.

These project requirements are included as part of the Project, however the purpose of this Addendum is to clarify and make abundantly clear that the Project will be making these

improvements as part of the Project development, with the provision of a Caltrans encroachment permit, and therefore are part of the project and analyzed accordingly.

This Addendum was prepared in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. This document has been prepared to serve as an Addendum to the previously adopted MND for General Plan Amendment No. 2017-02 and Zone Amendment No. 720 (Original Project). The City of Tulare is the lead agency for the environmental review of the proposed project clarifications.

This Addendum addresses the clarification of existing information provided in the previous environmental review prepared for the Project. CEQA Guidelines Section 15164(b) states:

*An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.*

*...The decision making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.*

Information and technical analyses from the Original Project's MND are incorporated by reference and utilized throughout this Addendum. Relevant passages from this document (The Greens Subdivision Map Project MND) are cited and available for review at:

City of Tulare  
Community & Economic Development Department  
411 East Kern Ave.  
Tulare, CA 93274

### *1.1 BACKGROUND*

The adopted MND evaluated potential environmental effects on aesthetics, agriculture resources, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hazards and hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, transportation/traffic, utilities/service systems, and mandatory findings of significance.

At the time of the original MND's preparation, a brief description of the required improvements to be constructed on the Mooney Boulevard frontage were included in Chapter 2 – Project Description. However, in preliminary discussions with Caltrans about obtaining an encroachment permit in the near future to construct the project's frontage improvements, it was decided that the improvements to be constructed as part of the development of the subdivision, along with their potential impacts should be more explicitly described. Therefore, this Addendum was

prepared to clarify and confirm the required frontage improvement requirements along Mooney Boulevard, requiring an encroachment permit from Caltrans, that were originally considered and analyzed in the original MND document, but are now further clarified and confirmed explicitly as components of the project's development.

## 1.2 BASIS FOR DECISION TO PREPARE AN ADDENDUM

When a negative declaration has been adopted for a project, Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15164 set forth the criteria for determining whether a subsequent EIR, subsequent negative declaration, addendum, or no further documentation be prepared in support of further agency action on the project. Under these Guidelines, a subsequent negative declaration shall be prepared if any of the following criteria are met:

- (a) *When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:*
  - (1) *Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
  - (2) *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
  - (3) *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:*
    - (A) *The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*
    - (B) *Significant effects previously examined will be substantially more severe than shown in the previous EIR;*
    - (C) *Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*

*(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

*(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, and addendum, or no further documentation.*

### *1.3 CONCLUSIONS OF APPROPRIATE CEQA DOCUMENT*

As demonstrated in the environmental analysis provided in Section 3.0 (Environmental Analysis), the proposed changes do not meet the criteria for preparing a subsequent EIR or negative declaration. An addendum is appropriate here because, as explained in Section 3.0, none of the conditions calling for preparation of a subsequent EIR or negative declaration have occurred.

Based upon the information provided in Section 3.0 of this document, this Addendum simply addresses clarification and confirmation of frontage and street improvements included and analyzed as part of the Original Project, and will not result in new significant impacts or substantially increase the severity of impacts previously identified in the MND, and there are no previously infeasible alternatives that are now feasible. None of the other factors set forth in Section 15162(a)(3), or Section 15163 of the CEQA Guidelines are present.

This Addendum addresses the environmental effects associated only with clarifying and confirming the assumptions and information analyzed in the Original Project that have occurred since adoption of the MND. The conclusions of the analysis in this Addendum remain consistent with those made in the MND. No new significant impacts will result, and no substantial increase in severity of impacts will result from those previously identified in the MND.

## **2.0 PROJECT DESCRIPTION**

### *2.1 PROJECT LOCATION AND SETTING*

The Project is located in the eastern portion of the City of Tulare. The Project site is located between Seminole Avenue and Tulare Avenue, off Muirfield Avenue. The Original Project consists of development of 88 detached single-family residential units on an approximately 20-acre infill site surrounded by existing low density residential, medium density residential, and commercial uses. General Plan Amendment (GPA) No. 2017-02 was approved in order to change the General Plan land use designation for the project site from Community Commercial and Medium Density Residential to Low Density Residential. The proposed project also included

Zone Amendment (ZA) No. 720 to change the existing zoning for the project site from RM-2 (Multi-Family Residential) and C-3 (Retail Commercial) to R-1-6 (single family residential).

### *2.2 PROJECT MODIFICATIONS (CLARIFICATIONS) SINCE MND ADOPTION*

At the time of the original MND's preparation, a brief description of the required improvements to be constructed on the Mooney Boulevard frontage were included in Chapter 2 – Project Description. However, in preliminary discussions with Caltrans about obtaining an encroachment permit in the near future to construct the project's frontage improvements, it was decided that the improvements to be constructed as part of the development of the subdivision, along with their potential impacts should be more explicitly described. Therefore, this Addendum was prepared not for any modifications to the project, but to clarify and confirm the required frontage improvement requirements along Mooney Boulevard, requiring an encroachment permit from Caltrans, that were originally considered and analyzed in the original MND document, but are now further clarified and confirmed explicitly as components of the project's development.

### **3.0 ENVIRONMENTAL ANALYSIS**

As explained in Section 1.0, this comparative analysis has been undertaken pursuant to the provisions of CEQA Sections 15162 and 15164 to provide the City with the factual basis for determining whether any changes in the project, any changes in circumstances, or any new information since the MND was adopted require additional environmental review to the MND previously prepared.

As described in Section 2.0, Project Description, since adoption of the MND, in preliminary discussions with Caltrans about obtaining an encroachment permit in the near future to construct the project's frontage improvements, it was decided that the improvements to be constructed as part of the development of the subdivision, along with their potential impacts should be more explicitly described. Therefore, this Addendum was prepared not for any modifications to the project, but to clarify and confirm the required frontage improvement requirements along Mooney Boulevard, requiring an encroachment permit from Caltrans, that were originally considered and analyzed in the original MND document, but are now further clarified and confirmed explicitly as components of the project's development.

The environmental analysis provided in the MND remains current and applicable to the proposed project in areas unaffected by these clarification of project improvements along Mooney Boulevard, as listed below:

**Aesthetics:** The clarification of project improvements on Mooney Boulevard would not result in additional impacts to aesthetic resources, and findings would be consistent with the findings in the adopted MND. The clarifications of project improvements are not substantial changes to the originally anticipated project relating to Aesthetics. The Modified Project would still be required to comply with development standards and design guidelines to minimize aesthetic changes on surrounding properties, and would not have an impact on aesthetic resources. There would be no new impacts to aesthetics and no new mitigation measures are required for the clarification of improvements required of the Original Project.

**Agriculture Resources:** The clarification of project improvements on Mooney Boulevard would not result in additional impacts to agriculture resources, and findings would be consistent with the findings in the adopted MND. The clarifications of project improvements are not substantial changes to the originally anticipated project relating to Agriculture Resources. There would be no new impacts to agriculture resources and no new mitigation measures are required for the clarification of improvements required of the Original Project.

**Air Quality:** The clarification of project improvements on Mooney Boulevard would not result in additional impacts to air quality and findings would be consistent with the findings in the adopted MND. The type of construction activities and type of equipment used in construction would not change from what was considered in the adopted MND. There would not be additional uses added to the project in the adopted MND. The findings of less than significant impacts would still be appropriate. Therefore, no new mitigation measures are required for the clarification of improvements required of the Original Project.

**Biological Resources:** The clarification of project improvements on Mooney Boulevard would not increase impacts to biological resources, either directly or indirectly. There would be no tree removal or disturbance in potential habitat as part of the project's clarification of improvements required along Mooney Boulevard. Therefore, the original findings for biological resources impacts in the adopted MND remains applicable to the Modified Project. No new impacts would occur and no new mitigation measures are required for the clarification of improvements required of the Original Project.

**Cultural Resources:** The clarification of project improvements on Mooney Boulevard would not result in changes to the project's operational characteristics once constructed, and the overall physical impacts to cultural resources during construction would not be materially different than under the Original Project. The intensity of construction activities would not vary substantially relative to that evaluated in the Original Project. Therefore, no new impacts would occur and no new mitigation measures are required for the clarification of improvements required of the Original Project.

**Geology and Soils:** The clarification of project improvements on Mooney Boulevard would not result in substantially different geophysical impacts beyond those identified in the MND, and the

conclusions of the MND remain valid. Compliance with applicable code standards and seismic requirements identified in the adopted MND would reduce geotechnical concerns to below the level of significance, and would be applicable to the activities clarified in this Addendum. Therefore, the findings in the adopted MND with regard to Geology and soils remain valid.

**Greenhouse Gas Emissions:** The clarification of project improvements on Mooney Boulevard would result in a similar duration and intensity of construction activities relative to the Original Project, and both the Original Project and Modified Project would be operationally identical. Therefore, the proposed changes to the Original Project would not result in any significant increase in greenhouse gas emissions or related impacts to global climate or conflict with any applicable climate change plans, policies, or regulations.

**Hazards and Hazardous Materials:** The clarification of project improvements on Mooney Boulevard would not increase risks related to hazards and hazardous materials relative to the Original Project. The proposed project would still be required to comply with mandated regulations applicable to the Original Project for hazards and hazardous materials. Given the similarity in overall construction activities and identical operational characteristics, the clarification of project improvements on Mooney Boulevard would not result in new or greater impacts in this regard.

**Hydrology and Water Quality:** The Original Project would still be required to comply with all applicable water quality regulations during and following construction and operational activities. No new mitigation measures are required for the Original Project for hydrology and water quality.

**Land Use and Planning:** The clarification of project improvements on Mooney Boulevard would not result in notably increased adverse impacts on adjacent land uses, as the overall proximity and intensity of construction activities would not be substantially different than under the Original Project. No new mitigation measures are required for the clarification of improvements required of the Original Project related to land use.

**Mineral Resources:** There are no known mineral resources of importance to the region and the project site is not designated under the City's General Plan as an important mineral resource recovery site. The clarification of the project improvements would not change this conclusion, which was made in the MND for the Original Project. Therefore, no new mitigation measures are required for the clarification of improvements required of the Original Project related to mineral resources.

**Noise:** The clarification of project improvements on Mooney Boulevard would not result in any additional impacts to noise beyond those identified in the MND. The proposed construction timing/activities would not change, and there would not be any change to the operation of the

Proposed Project beyond what was analyzed in the MND. No new mitigation measures are required for the clarification of improvements required of the Original Project.

**Population and Housing:** The clarification of project improvements on Mooney Boulevard would not result in an increased demand for housing or generate population growth. The proposed single family residential subdivision would serve the existing population as well as that planned for in the City's General Plan. The findings in the MND for the Original Project remain valid.

**Public Services:** The clarification of project improvements on Mooney Boulevard would not result in any additional impact to public services beyond those identified in the MND because they would not result in operational changes to the project beyond those evaluated in the MND for the Original Project. The MND did not identify any potentially significant impacts to public services; therefore, mitigation was not required. No new mitigation measures are required for the clarification of improvements required of the Original Project.

**Recreation:** The clarification of project improvements on Mooney Boulevard would not result in an increased demand for parkland or recreational facilities. The findings in the MND for the Original Project remain valid.

**Transportation/Traffic:** The clarification of project improvements on Mooney Boulevard would not result in additional substantial impacts to transportation/traffic beyond those identified in the MND. The project improvements constructed along the Mooney Boulevard frontage would accommodate existing and future transportation demand and improve circulation for automobile traffic, as well as provide sidewalks to improve and promote pedestrian circulation. Therefore, the clarification of improvements required of the Original Project would not result in new or more significant impacts, nor require additional mitigation measures.

**Utilities and Service Systems:** The clarification of project improvements on Mooney Boulevard would not increase demand or effects on utility and service systems, from what was analyzed in the adopted MND. Therefore, no new mitigation measures would be required for the clarification of improvements required of the Original Project.

**Mandatory Findings of Significance:** The potential impacts due to the clarification of project improvements on Mooney Boulevard with regard to biological resources, cultural resources, and direct and indirect effects on human beings would be comparable to the Original Project as described throughout Section 3.0. Therefore, impacts would be less than significant and no mitigation measures are required.

### *3.1 CONCLUSION*

Based on the information provided above, the clarification of project improvements on Mooney Boulevard would not result in a measurable increase in environmental impacts over what was previously analyzed in the MND. No new significant impacts have been identified, nor is the severity of potential new impacts greater than the impact conclusions identified in the MND. Therefore, the Modified Project's contribution to these site-specific topics would also be less than cumulatively considerable.

Mitigation Measures identified for the Original Project would be sufficient in addressing the requirements for the Modified Project. There are no new impacts beyond what was addressed in the MND. Lastly, there are no changed circumstances or new information that meets the standard for requiring further environmental review under CEQA Guidelines Section 15162.

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**APPENDIX A: ORIGINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT No. 2017-02, ZONE AMENDMENT No. 720 (THE GREENS SUBDIVISION MAP PROJECT)**

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# CITY OF TULARE

411 EAST KERN AVENUE  
TULARE, CA 93274

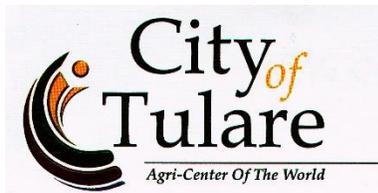
## Conditional Use Permit No. 2016-19 The Greens Tentative Subdivision Map

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### Draft Initial Study & Mitigated Negative Declaration

August 2017

Prepared by:



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# CHAPTER 1

## INTRODUCTION

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# Chapter 1 – INTRODUCTION

The City of Tulare (City) has prepared this Initial Study/Negative Declaration (IS/MND) for Tentative Subdivision Map 2016-19, General Plan Amendment 2017-02, Zone Amendment 720 and Landscape and Maintenance District 2017-01 to address the environmental effects of construction of an approximately 88 lot single family residence subdivision (Project). This document has been prepared in accordance with the California Environmental Quality Act (CEQA; Public Resources Code §21000 et seq.) and the CEQA Guidelines (California Code of Regulations Title 14, Chapter 3, §15000 et seq.). The City of Tulare is the CEQA lead agency for this Project.

The Project involves the development of an 88-lot subdivision, on an approximately 19.5-acre site. The Project is described in detail in Chapter 2, Project Description.

## Regulatory Information

An Initial Study (IS) is an analysis conducted by a lead agency to determine if a project may have a significant effect on the environment. CEQA Guidelines §15064(a)(1) states that an environmental impact report (EIR) must be prepared if there is substantial evidence considering the whole record that the proposed project under review may have a significant effect on the environment and should be further analyzed to determine mitigation measures or project alternatives that might avoid or reduce project impacts to less than significant. A negative declaration may be prepared instead if the lead agency finds that there is no substantial evidence considering the whole record that the project may have a significant effect on the environment. A negative declaration is a written statement describing the reasons why a proposed project, not otherwise exempt from CEQA, would not have a significant effect on the environment and, therefore, why it would not require the preparation of an EIR (CEQA Guidelines §15371). According to CEQA Guidelines §15070, a negative declaration shall be prepared for a project subject to CEQA when either:

- a) The IS shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or
- b) The IS identified potentially significant effects, but:
  - (1) Revisions in the Project plans or proposals made by or agreed to by the applicant before the proposed negative declaration and initial study is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur is prepared, and
  - (2) There is no substantial evidence, in light of the whole record before the agency, that the Project *as revised* may have a significant effect on the environment. If revisions are adopted by the Lead Agency into the proposed project in accordance with the CEQA Guidelines §15070(b), a *Mitigated Negative Declaration (MND)* is prepared.

## Document Format

This IS/MND contains four chapters and three technical appendices. Chapter 1, Introduction, provides an overview of the Project and the CEQA environmental documentation process. Chapter 2, Project Description, provides a detailed description of Project objectives and components. Chapter 3, Impact Analysis, presents the CEQA checklist and environmental analysis for all impact areas, mandatory findings of

significance, and feasible mitigation measures. If the Project does not have the potential to significantly impact a given issue area, the relevant section provides a brief discussion of the reasons why no impacts are expected. If the Project could have a potentially significant impact on a resource, the issue area discussion provides a description of potential impacts, and appropriate mitigation measures and/or permit requirements that would reduce those impacts to a less than significant level. Chapter 4, Mitigation Monitoring and Reporting Program (MMRP), provides the proposed mitigation measures, completion timeline, and person/agency responsible for implementation, and Chapter 5, List of Preparers, provides a list of key personnel involved in the preparation of the IS/MND.

The NRCS Custom Soil Resource Report, Tribal Consult Request, Cultural Records Search, CalTrans Comment Letter and CalEEMod Output Files are provided as appendices at the end of this document.

Environmental impacts are separated into the following categories:

**Potentially Significant Impact.** This category is applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less than significant level. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.

**Less Than Significant After Mitigation Incorporated.** This category applies where the incorporation of mitigation measures would reduce an effect from a “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measure(s), and briefly explain how they would reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).

**Less Than Significant Impact.** This category is identified when the proposed Project would result in impacts below the threshold of significance, and no mitigation measures are required.

**No Impact.** This category applies when a project would not create an impact in the specific environmental issue area. “No Impact” answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency, which show that the impact does not apply to the specific project (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

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## Acronyms Used in this Document

AB	Assembly Bill
AE-20	Exclusive Agricultural
AF	Acre Feet
APE	Area of Potential Effect
APN	Assessor's Parcel Number
ARB	Air Resources Board
AST	Aboveground Storage Tank
BMPs	Best Management Practices
BPS	Best Performance Standards
CAA	Clean Air Act
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CAAQS	California Ambient Air Quality Standards
CCAA	California Clean Air Act
CDF	California Department of Forestry
CDFG	California Department of Fish and Game
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
City	City of Tulare
CNDDDB	California Department of Fish and Wildlife Natural Diversity Database
CO	Carbon Monoxide
CO <sub>2</sub>	Carbon Dioxide
CO <sub>2e</sub>	
CUPA	Certified Unified Program Agency
District	Riverdale Public Utility District
DOC	California Department of Conservations
EIR	Environmental Impact Report
EPA	United States Environmental Protection Agency
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Maps

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FMMP.....	Farmland Mapping and Monitoring Program
FTA .....	Federal Transit Administration
GHGs.....	Greenhouse Gases
GIS .....	Geographic Information System
IS .....	Initial Study
IS/MND.....	Initial Study/Mitigated Negative Declaration
MBTA.....	Migratory Bird Treaty Act
MMRP .....	Mitigation Monitoring & Reporting Program
MND.....	Mitigated Negative Declaration
N <sub>2</sub> O .....	Nitrous Oxide
NAHC .....	Native American Heritage Commission
NAAQS.....	National Ambient Air Quality Standards
NO <sub>2</sub> .....	Nitrogen Dioxide
NO <sub>x</sub> .....	Nitrogen Oxide
NRCS.....	Natural Resources Conservation Service
O <sub>3</sub> .....	Ozone
Pb .....	Lead
PM <sub>10</sub> .....	Particulate Matter less than 10 microns in diameter
PM <sub>25</sub> .....	Particulate Matter less than 25 microns in diameter
RMA.....	Resources Management Agency
RMS .....	Root Mean Squared
ROG.....	Reactive Organic Gases
SAAQS .....	State Ambient Air Quality Standards
SJVAB.....	San Joaquin Valley Air Basin
SJVAPCD.....	San Joaquin Valley Air Pollution Control District
SMARA .....	Surface Mining and Reclamation Act
SO <sub>2</sub> .....	Sulfur Dioxide
SR .....	State Route
SWPPP.....	Storm Water Pollution Prevention Plan
UST .....	Underground Storage Tank
USGS .....	United States Geological Service
VdB .....	Vibration Velocity Levels in Decibels
Vba .....	Vibration Velocity
VOC.....	Volatile Organic Compounds

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## CHAPTER 2

# PROJECT DESCRIPTION

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# Chapter 2 - PROJECT DESCRIPTION

## **Project Background and Objectives**

### **Project Title:**

The Greens Subdivision Map

### **Lead Agency Name and Address:**

City of Tulare  
411 East Kern Avenue  
Tulare, CA 93274

### **Contact Person and Phone Number:**

Lead Agency Contact  
Traci Myers, Deputy Community Development Director  
559.684.4217

### **CEQA Consultant**

Provost & Pritchard Consulting Group  
Amy M. Wilson, Associate Planner  
559.684.4223

### **Applicant**

Great Valley Land Builders  
559.688.2071

### **Property Owner**

Mooney Property's LLC  
1969 Hillman  
Tulare, CA 93274

### Project Location:

The Project is in the northeast portion of the City of Tulare, approximately five miles south of Visalia and 12 miles southwest of Lindsay. The Project site is located between Seminole Street and Tulare Avenue, off Muirfield Avenue. The Project can be found within Tulare, CA, United States Geological Survey (USGS) 7.5-minute quadrangle, in Section 6, Township 20 South, Range 25 East, M.D.B. & M. The Project site comprises one legal lot, with two Assessor's Parcel Numbers 172-100-001 and 172-070-003 (see Figure 1).

### Latitude and Longitude:

The approximate center of the Project site is at 36°12'54.9" N, 119°18'45.389" W

### General Plan Designation:

Community Commercial, Medium Density Residential (see Figure 3). Project proposes a General Plan Amendment to Low Density Residential.

### Zoning:

RM-2, Residential Multi-Family (See Figure 4)  
C-3, Retail Commercial (See Figure 4)

Project proposes a Zone Change to single family residential (R-1-6).

### Description of Project:

The Project site is comprised of one parcel that has two Assessor's Parcel Numbers (APNs): 172-100-001 and 172-070-003. The generally level Project site is currently undeveloped, except for one rural residence, and is covered with grassland vegetation and scattered trees.

The General Plan designation for the Project site is split, with the western half being Community Commercial, and the eastern half being Medium Density Residential. As part of this Project the site will be designated to Low Density Residential. The Low Density Residential designation represents typical single-family subdivisions typically represented by the R-1-4, R-1-5, R-1-6, R-1-7 and R-1-8 zone districts. The maximum density of Low Density Residential is 7.0 units per gross acre.

The zoning designation for the Project site is split, with the western half being C-3, and the eastern half being RM-2. As part of this Project the entire site will be rezoned to R-1-6, Single Family Residential, 6,000 square foot minimum lot size. This zone allows attached or detached single-family homes with a maximum residential density of 7.0 units per net acre. The R-1-6 zone district also allows for limited uses such as daycare homes, parks, and religious facilities that are appropriate in a low density residential environment. This zone district has a minimum lot area requirement of 6,000 square feet.

The Project consists of the development of 88 detached single-family residential units with average lot sizes of 6,000 square feet. The Project site plan is illustrated in [Figure 2-1](#). Streetlights would be provided throughout the Project site. Vehicular access to the site would primarily be provided by Muirfield Avenue, and a proposed Aberdeen Street. The proposed Aberdeen Street would access the site on the northern border feeding off Seminole Avenue. The Project will construct Aberdeen Street, Muirfield Avenue and all internal streets and internal drive aisles to meet City standards. The Project will also construct a raised median along Mooney Boulevard throughout the Project's frontage, along with the left-hand turn lane onto eastbound Seminole Avenue being lengthened to at least 580 feet. These Project components will meet the CalTrans requirements outlined in their letter, dated May 9, 2017. Lastly, the Project will conduct a warrant study at the completion of each phase to determine if the additional traffic trips would warrant a traffic signal at Mooney Boulevard and Seminole Avenue.

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The Project would be developed in three phases with the northeastern 33 lots developed in the first phase. Construction is proposed to begin in 2017 and will be built out over several years depending on market conditions. Construction of the Project would require excavation; however, it is anticipated that the soil would be balanced on the Project site and would not require off-haul. A landscape and lighting maintenance district will be formed to cover the cost of maintaining the landscape and lighting frontage along Mooney Boulevard, and the ponding basin.

### Utilities and Electrical Services:

The City of Tulare provides water service within its corporate limits, including to the Project site. The water distribution system within the Project site would be provided and maintained by the City of Tulare. Sanitary sewer service, including wastewater treatments, will be provided to the project site by the City of Tulare. Existing water mains are located along Muirfield Avenue, sewer mains are located along Seminole Avenue, these will provide connections for this Project. The stormwater collection will be connected to a stormwater basin being constructed to the north of the Project development.

Electrical and gas service to the Project site would be provided by the Southern California Edison and the Gas Company. AT&T would provide telephone service and cable television service would be provided by Comcast. The Applicant will be required to extend the services to the site.

### Surrounding Land Uses and Setting:

The Project is in an area of suburban residential and undeveloped land uses. To the east of the Project site is residential development. To the north and south of the Project site is vacant undeveloped land. Mooney Boulevard runs along the western edge of the Project site.

Other Public Agencies Whose Approval May Be Required:

Discretionary approvals that may be required:

- City of Tulare Tentative Subdivision Map
- City of Tulare Zone Amendment
- City of Tulare General Plan Amendment
- City of Tulare Landscape and Maintenance District

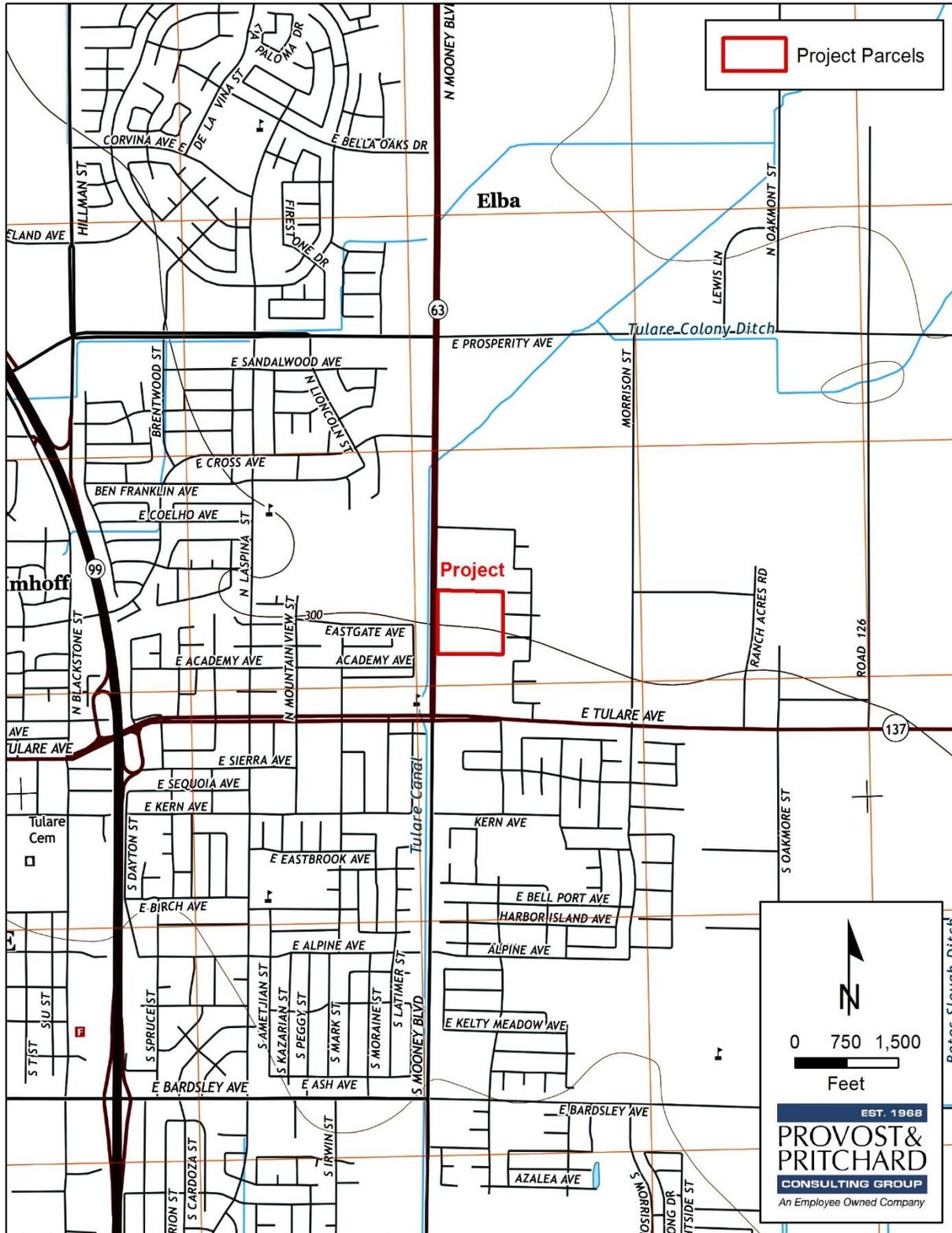
Ministerial approvals and agreements that may be required:

- City of Tulare building and encroachment permits
  - San Joaquin Valley Air Pollution Control District Rule 9510, and Rule 2201
-



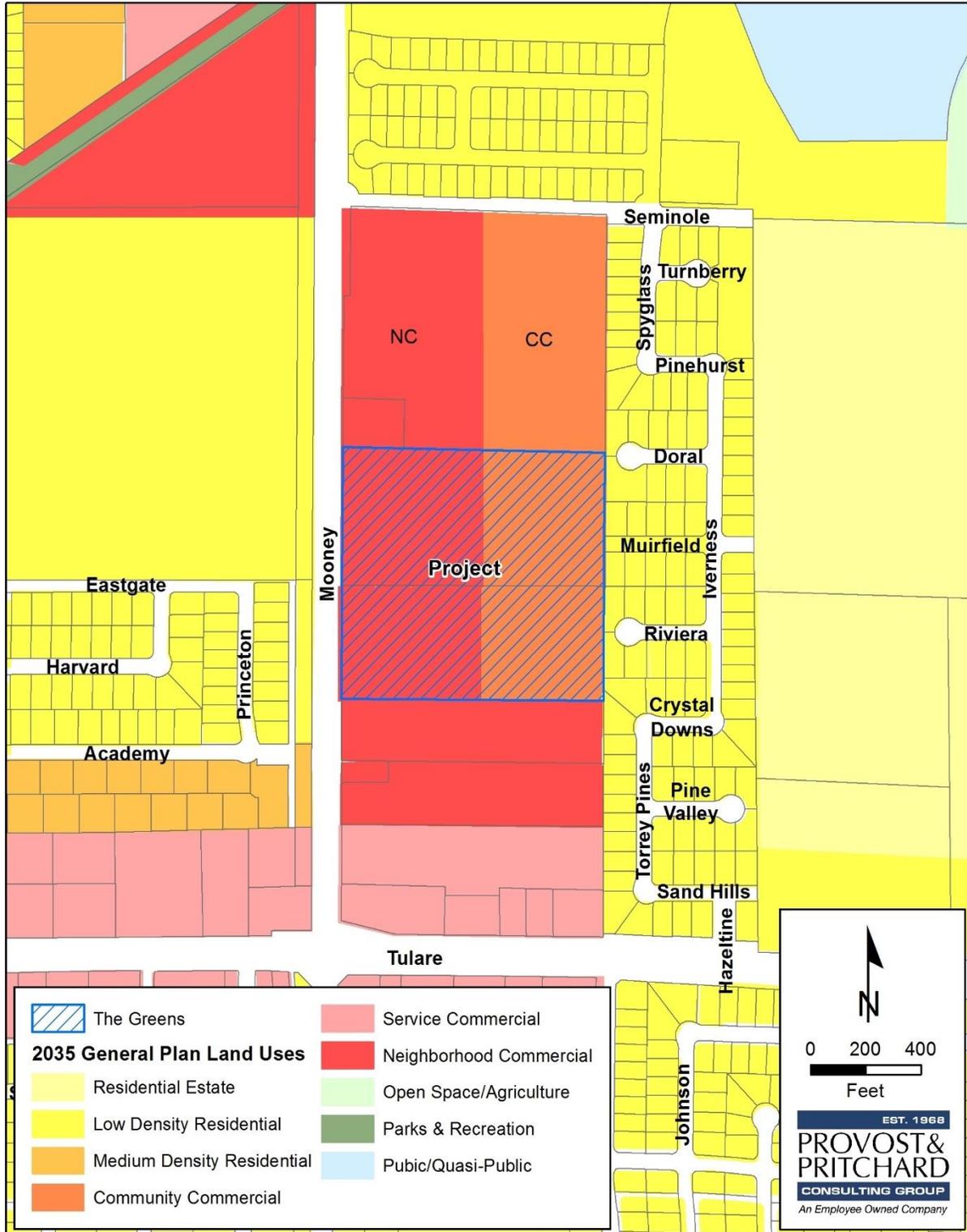
6/29/2017 : G:\Tulare\_City of-1543\154316001-Planning Services\GIS\Map\Greens\_at\_Oak\_Creek\Aerial.mxd

Figure 2-1. Aerial Map



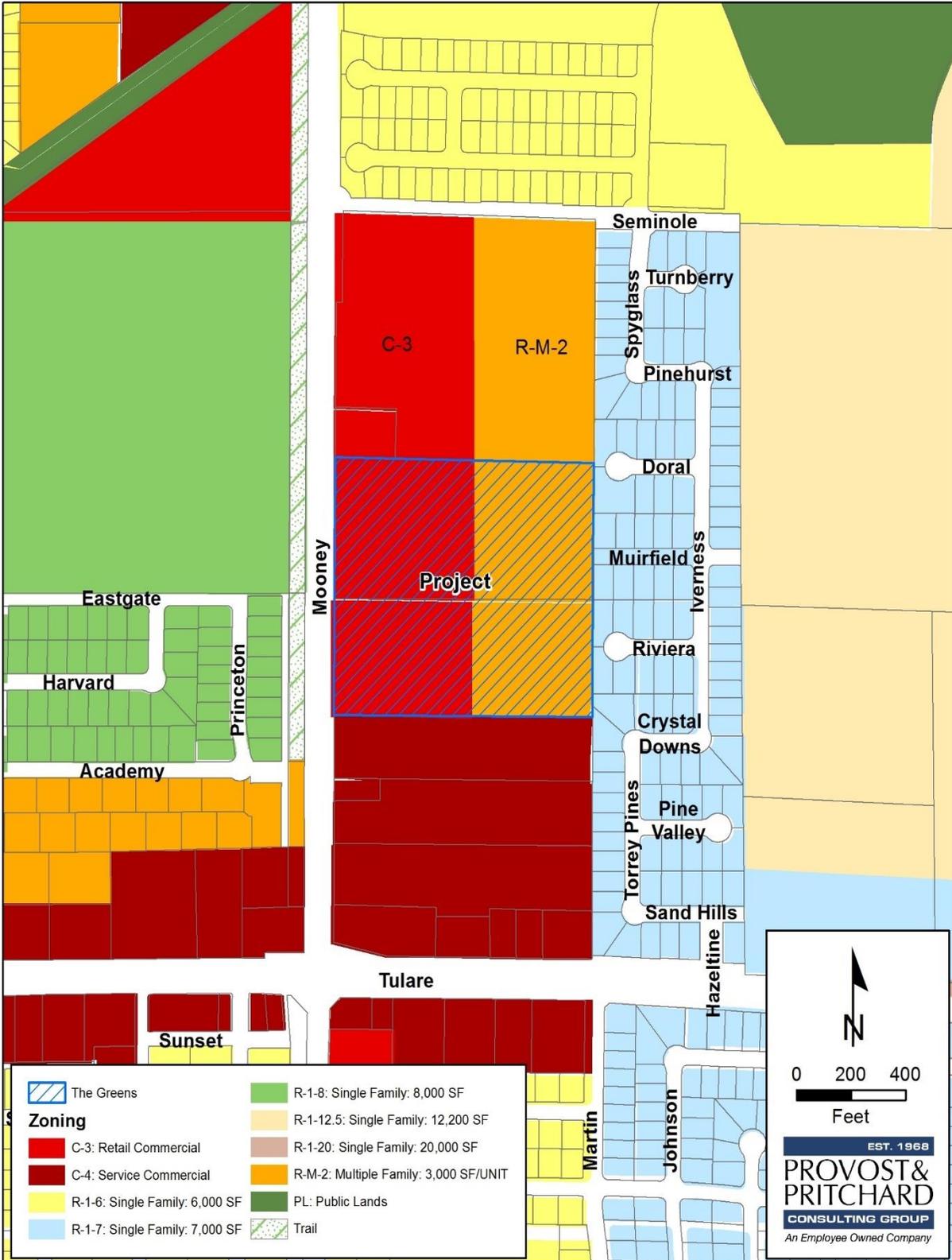
G:\Tulare\_City of-1543\154316001-Planning Services\GIS\Map\Greens\_at\_Oak\_Creek\Topo\_Project\_Shape.mxd

Figure 2-2. Topographic Map



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Figure 2-3. General Plan Designation



G:\Tulare\_City of-1543\154316001-Planning Services\GIS\Map\Greens\_at\_Oak\_Creek\Zoning.mxd

Figure 2-4. Zoning



Figure 2-5. FEMA

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

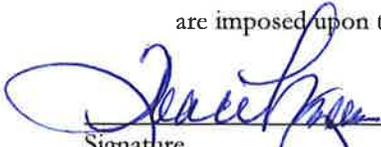
The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and subsequent discussion on the following pages.

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agriculture Resources         | <input type="checkbox"/> Air Quality                        |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources            | <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/Traffic          | <input type="checkbox"/> Utilities / Service Systems   | <input type="checkbox"/> Mandatory Findings of significance |

**DETERMINATION:** (To be completed by the Lead Agency)

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.

  
 \_\_\_\_\_  
 Signature  
 Tracy Myers  
 \_\_\_\_\_  
 Printed name

7/28/17  
 \_\_\_\_\_  
 Date  
 City of Tulare  
 \_\_\_\_\_  
 For

## CHAPTER 3

# INITIAL STUDY CHECKLIST

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# Chapter 3 - INITIAL STUDY 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The aesthetic character of the Project site and the surrounding area can generally be described as moderately urbanized. Most adjacent properties are either vacant or contain residential uses. Adjacent properties contain vacant lots to the North that are zoned Retail Commercial (C-3), and Multi Family (R-M-2), the properties to the East are zoned Single Family, (R-1-7) and a residential neighborhood that is mostly built out. Mooney Boulevard is directly adjacent to the West, with vacant land that is zoned Single Family (R-1-8) beyond that. The property to the south is zoned Retail Commercial (C-3) and is vacant.

There are no designated scenic resources within the City of Tulare, however eastward views to the Sierra Nevada Mountains within the city are considered to scenic vistas<sup>1</sup>.

The Project site is accessible from Seminole Avenue through the proposed Aberdeen Street, and Muirfield Avenue. The Project site itself has been vacant for several years except for one rural residence. It is flat and level with no remarkable topography or geologic features. From all viewing perspectives, the predominant views of the Project site currently consist of a vacant infill lot.

### Responses:

- a) **No Impact.** The Project site is located on the San Joaquin Valley floor in the southern area of the City. Views of the distant Sierra Nevada Mountains are afforded only during clear conditions. Due to poor air quality in the valley, this mountain range is not visible on the majority days. Distant views of the Sierra Nevada Mountains would largely be unaffected by the development of the Project because of the distance and limited visibility of these features. No impact would occur.
- b) **No Impact.** The Scenic Highway Program protects and enhances California's natural scenic beauty by allowing county and city governments to apply to the California Department of Transportation (Caltrans) to establish a scenic corridor protection program. The Project site is located within the City

<sup>1</sup> DEIR General Plan, Transit-Oriented Development Plan, and Climate Action Plan, November 1, 2013, Page 4.1-6.

of Tulare, which does not have any Officially Designated or Eligible State Scenic Highways. No impact would occur.

- c) **No Impact.** The Project site is currently a vacant infill lot with one rural residence. The Project would be completed in three phases and would result in the construction of approximately 88 single family residences, internal access roads, landscaped grounds, and off-site improvements subject to City standards. The visual character of the Project area would not be substantially degraded; in contrast, the Project would result in the development of a vacant lot which would improve the visual character and quality of the site and its surroundings. No impact would occur.
- d) **Less Than Significant Impact.** Project implementation would create new lighting sources on the Project site associated with the residences, street lighting, and security lighting. Precise Project details are not yet available; however, it is expected that the proposed residences would have lighting typical of residential structures and landscaping, and would not create substantial light or glare that would impact day or nighttime views in the Project area. The street lighting would be designed to be consistent with the City's lighting standards to avoid the creation of intrusive lighting and glare within the immediate Project area. Furthermore, this lighting would be subject to compliance with General Plan Policies LU-P13.24 and LU-P13.25, which will minimize the amount of spillover lighting that could otherwise occur near the Project area. Although the Project will add new light sources for exterior and interior building lighting, the Project's lighting will not be substantial. Consistency with the General Plan Policies will ensure that the Project impacts related to light and glare are less than significant.

**II. AGRICULTURE AND FOREST RESOURCES**

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

**Would the project:**

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

**Responses:**

- a) **Less Than Significant Impact.** The California Department of Conservation (DOC) applies the United States Department of Agriculture, National Resources Conservation Service (NRCS) soil classifications to identify agricultural lands. These designations are used in planning California’s present and future agricultural land resources. Maps of important farmlands are prepared by the DOC as part of its Farmland Mapping and Monitoring Program (FMMP). The DOC has a minimum mapping unit of 10 acres, with parcels that are smaller than 10 acres being absorbed into the surrounding classifications.

The list below provides a description of the categories mapped by the DOC. Collectively, lands classified as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland are referred to as Farmland (California Department of Conservation, 2012).

- **Prime Farmland.** Farmland that has the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
  - **Farmland of Statewide Importance.** Farmland is similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to stored soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
  - **Unique Farmland.** Farmland of lesser quality soil that is used for the production of the state’s leading agricultural crops. This land is usually irrigated but may include nonirrigated orchards or vineyards, as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.
  - **Farmland of Local Importance.** Land of importance to the local agricultural economy, as determined by each county’s board of supervisors and a local advisory committee.
  - **Grazing Land.** Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen’s Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.
  - **Urban and Built-up Land.** Land occupied by structures with a building density of at least one unit to 1.5 acres, or approximately six structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, or public administrative purposes; railroad and other transportation yards; cemeteries; airports; golf courses; sanitary landfills; sewage treatment facilities; water control structures; and other developed purposes.
  - **Other Land.** Land not included in any other mapping category. Common examples include low-density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines and borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and larger than 40 acres is mapped as Other Land.  
According to the DOC’s 2012 FMMP map for southern Tulare County, the Project site is designated as Farmland of Local Importance. However, the site is within the City limits surrounded by urban uses and is therefore not economically viable farmland. Additionally, the City of Tulare General Plan designates the Project site for both commercial and residential uses. The site has been graded and is not used for agricultural activities, and no agricultural uses occur on the adjacent properties. Therefore, any impacts would be less than significant.
- b) **No Impact.** The Project site is an urban infill property which is zoned C-3 (Retail Commercial) and R-M-2 (Multi-Family). The Project site is not currently being farmed and is not under a Williamson Act contract. There are no properties within the immediate vicinity of the Project site that are under Williamson Act contract. Therefore, the Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. No impact would occur.
- c) **No Impact.** See Impact II(b) above. No forest or timberland is located on or near the Project area. No impact would occur.
- d) **No Impact.** No forest land is on or near the Project site. No impact would occur.
- e) **No Impact.** The site is within an urban area and the City’s General Plan for the area is commercial and medium density residential. No land conversion from Farmland would occur for the Project. Surrounding land uses include residential and commercial that are mostly urban developed lands. Therefore, the Project has no impacts.

### III. AIR QUALITY

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

**Would the project:**

	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) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Current Policies and Regulations

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

**California Clean Air Act** - and account for air pollutant effects on soils, water, visibility, materials, vegetation and other aspects of general welfare. The U.S. EPA revoked California Air Resources Board coordinates and oversees both state and federal air pollution control programs in California. As part of this responsibility, California Air Resources Board monitors existing air quality, establishes California Ambient Air Quality Standards, and limits allowable emissions from vehicular sources. Regulatory authority within established air basins is provided by air pollution control and management districts, which control stationary-source and most categories of area-source emissions and develop regional air quality plans. The Project is located within the jurisdiction of the San Joaquin Valley Air Pollution Control District. The state and federal standards for the criteria pollutants are presented in (see **Error! Reference source not found.**). These standards are designed to protect public health and welfare. The “primary” standards have been established to protect the public health. The “secondary” standards are intended to protect the nation’s welfare the national 1-hour ozone standard on June 15, 2005, and the annual PM<sub>10</sub> standard on September 21, 2006, when a new PM<sub>2.5</sub> 24-hour standard was established.

Table 3-1. Summary of Ambient Air Quality Standards & Attainment Designation

Summary of Ambient Air Quality Standards & Attainment Designation					
Pollutant	Averaging Time	California Standards*		National Standards*	
		Concentration*	Attainment Status	Primary	Attainment Status
Ozone (O <sub>3</sub> )	1-hour	0.09 ppm	Non-Attainment/ Severe	–	No Federal Standard
	8-hour	0.070 ppm		0.075 ppm	Non-Attainment (Extreme)**
Particulate Matter (PM <sub>10</sub> )	AAM	20 µg/m <sup>3</sup>	Non-Attainment	–	Attainment
	24-hour	50 µg/m <sup>3</sup>		150 µg/m <sup>3</sup>	
Fine Particulate Matter (PM <sub>2.5</sub> )	AAM	12 µg/m <sup>3</sup>	Non-Attainment	12 µg/m <sup>3</sup>	Non-Attainment
	24-hour	No Standard		35 µg/m <sup>3</sup>	
Carbon Monoxide (CO)	1-hour	20 ppm	Attainment/ Unclassified	35 ppm	Attainment/ Maintenance
	8-hour	9 ppm		9 ppm	
	8-hour (Lake Tahoe)	6 ppm		–	
Nitrogen Dioxide (NO <sub>2</sub> )	AAM	0.030 ppm	Attainment	0.053 ppm	Attainment/ Unclassified
	1-hour	0.18 ppm		0.100 ppb	
Sulfur Dioxide (SO <sub>2</sub> )	AAM	–	Attainment	0.03 ppm	Attainment/ Unclassified
	24-hour	0.04 ppm		0.14 ppm	
	3-hour	–		--	
	1-hour	0.25 ppm		75 ppb	
Lead	30-day Average	1.5 µg/m <sup>3</sup>	Attainment	–	No Designation/ Classification
	Calendar Quarter	–		1.5 µg/m <sup>3</sup>	
	Rolling 3-Month Average	–		0.15 µg/m <sup>3</sup>	

Summary of Ambient Air Quality Standards & Attainment Designation					
Pollutant	Averaging Time	California Standards*		National Standards*	
		Concentration*	Attainment Status	Primary	Attainment Status
Sulfates	24-hour	25 µg/m <sup>3</sup>	Attainment	No Federal Standards	
Hydrogen Sulfide	1-hour	0.03 ppm (42 µg/m <sup>3</sup> )	Unclassified		
Vinyl Chloride	24-hour	0.01 ppm (26 µg/m <sup>3</sup> )	Attainment		
Visibility-Reducing Particle Matter	8-hour	Extinction coefficient: 0.23/km-visibility of 10 miles or more (0.07-30 miles or more for Lake Tahoe) due to particles when the relative humidity is less than 70%.	Unclassified		

\* For more information on standards visit :<http://ww.arb.ca.gov/research/aids/aaqs2.pdf>

\*\* No federal 1-hour standard. Reclassified extreme nonattainment for the federal 8-hour standard May 5, 2010.

\*\*\*Secondary Standard

Source: ARB 2015; SJVAPCD 2015

Air quality is described in terms of emissions rate and concentration of emissions. An emissions rate is the amount of pollutant released into the atmosphere by a given source over a specified time period. Emissions rates are generally expressed in units such as pounds per hour (1lbs/hr.) or tons per year. Concentrations of emissions, on the other hand, represent the amount of pollutant in a given space at any time. Concentration is usually expressed in units such as micrograms per cubic meter, kilograms per metric ton, or parts per million. There are 4 primary sources of air pollution within the San Joaquin Valley Air Board (SJVAB): motor vehicles, stationary sources, agricultural activities, and construction activities.

Criteria air pollutants are classified in each air basin, county, or, in some cases, within a specific urbanized area. The classification is determined by comparing actual monitoring data with state and federal standards. If a pollutant concentration is lower than the standard, the pollutant is classified as “attainment” in that area. If an area exceeds the standard, the pollutant is classified as “non-attainment.” If there are not enough data available to determine whether the standard is exceeded in an area, the area is designated “unclassified.”

Air quality in the vicinity of the Project is regulated by several jurisdictions including the State and Federal Environmental Protection Agency (EPA), California Resources Board (CARB), and the San Joaquin Valley Air Pollution Control District (SJVAPCD). Each jurisdiction develops rules, regulations, policies, and/or goals to attain the directives imposed upon them through Federal and State legislation.

The Clean Air Act (CAA) of 1990 requires emission controls on factories, businesses, and automobiles by:

- Lowering the limits on hydrochloric acid and nitrogen oxides (NO<sub>x</sub>) emissions, requiring the increased use of alternative-fuel cars, on-board canisters to capture vapors during refueling, and extending emission-control warranties.
- Reducing airborne toxins by requiring factories to install “maximum achievable control technology” and installing urban pollution control programs.
- Reduction Acid rain production by cutting sulfur dioxide emissions for coal-burning power plants.

In July of 1997, the EPA adopted a PM<sub>2.5</sub> standard in recognition of increased concern over particulate matter 2.5 microns in diameter (PM<sub>2.5</sub>). Ending several years of litigation, EPA’s PM<sub>2.5</sub> regulations were upheld by the U.S. Supreme Court on February 27, 2001. According to information provided by the EPA, designations for the new PM<sub>2.5</sub> standards began in the year 2002 with attainment plans submitted by 2005 for regions that violate the standard. PM<sub>2.5</sub> measurements have not yet been conducted to determine if the City is in attainment under the new federal PM<sub>2.5</sub> standards. A PM<sub>2.5</sub> monitoring network plan has been developed by the CARB and local air districts in California, and data is in the process of being collected.

The following rules and regulations have been adopted by the Air District to reduce emissions throughout the San Joaquin Valley and verification by the City of compliance with these rules and regulations will be required, as applicable, to construct and operation of the Project.

- Rule 4002 – National Emission Standards for Hazardous Air Pollutants. There are no existing structures located on the proposed site.
- Rule 4102 – Nuisance  
This rule applies to any source operation that emits or may emit air contaminants or other materials. In the event that the Project or construction of the project creates a public nuisance, it could be in violation and b subject to district enforcement action.
- Rule 4601 – Architectural coatings.  
The purpose of this rule is to limit volatile organic compound (VOC) emissions from architectural coatings. Emission are reduced by limits on VOC content and providing requirements on coatings storage, cleanup, and labeling
- Rule 4641- Cutback, slow cure, and emulsified asphalt, paving and maintenance operations. The purpose of this rule is to limit VOC emissions from asphalt paving and maintenance operations. If asphalt paving will be used, then the paving operations will be subject to Rule 4641.
- Rule 9510 – Indirect Source Review (ISR)  
This rule reduces the impact PM<sub>10</sub> and NO<sub>x</sub> emissions from growth on the SJVB. This rule places application and emission reduction requirements on applicable development projects in order to reduce emissions through onsite mitigation, offsite SJVAPCD-administered projects, or a combination of the two. *This Project will be required to submit an Air Impact Assessment (AIA) application in accordance with Rule 9510’s requirements.*
- Compliance with SJVAPCD Rule 9510 (ISR) reduces the emissions impact of the project through incorporation of onsite measures as well as payment of an offsite fee that funds emissions reduction projects in the SJVAB. A number of “optional”/Above and Beyond” mitigation measures included in this project can be created as Rule 9510 – onsite mitigation measures.
- Regulation VIII – fugitive PM<sub>10</sub> Prohibitions

Rules 8011 – 8081 are designed to reduce PM<sub>10</sub> emissions (predominantly dust/dirt) generated by human activity, including construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout and trackout etc. Among the Regulation VIII Rules applicable to the project are the following:

1. Rule 8011 – Fugitive Dust Administrative Requirements for Control of Fine Particulate Matter (PM<sub>10</sub>)
2. Rule 8021 – Fugitive Dust Requirements for Control of fine Particulate Matter (PM<sub>10</sub>) from Construction, Excavation, and Extraction Activities
3. Rule 8030 – Fugitive dust Requirements for Control of Fine Particulate Matter (PM<sub>10</sub>) from Handling and Storage of Fine Bulk Materials.
4. Rule 8060 – Fugitive dust Requirements for Control of fine Particulate Matter (PM<sub>10</sub>) from Paved and Unpaved Roads.
5. Rule 8070 - Fugitive Dust Requirements for Control of Fine Particulate Matter PM<sub>10</sub>) from Vehicle and/or Equipment Parking, Shipping, Receiving, Transfer, Fueling, and Service Areas.
6. Rule 8071 – Unpaved vehicle/equipment traffic areas. The purpose of this rule is to limit dust emissions from travel on unpaved parking areas. If the project exceeds the applicability threshold of 25 daily vehicle trips by vehicles and three or more axles, control requirements listed in the rule must be met.

**Responses:**

- a) **Less Than Significant Impact.** The Proposed Project is located within the boundaries of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAPCD is responsible for bringing air quality in the air basin, including the City, into compliance with federal and state air quality standards. As discussed below, the Project qualifies to be categorized at a *Small Project Analysis Level* (SPAL) by the SJVAPCD, which is a categorization that projects the identified Project will not have a significant level of impact of air quality. Therefore, would not conflict with or obstruct implementation of any SJVAPCD plans or guidelines and impacts would be less than significant.

The San Joaquin Valley Air Pollution Control District (SJVAPCD) has adopted attainment plans, known as State Implementation Plans that identify measures to reduce regional emissions within the air basin and bring the basin into compliance with federal and state air quality standards for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>.

Since the Project would result in new construction and grading activities, the applicant will be required to submit a Fugitive Dust Control Plan to the SJVAPCD to comply with Regulation VIII for PM<sub>10</sub> emissions prior to the initiation of construction.

Through compliance with the SJVAPCD's Regulation VIII, any impacts would be less than significant. Additionally, an Indirect Source Review (ISR) would be required.

Finally, as noted in Impact Assessment III-b and III-c below, implementation of the Project would not result in short-term or long-term increases in emissions that would exceed applicable thresholds of significance. Projects that do not exceed the recommended thresholds would not be considered to conflict with or obstruct the implementation of applicable air quality plans. This impact would be considered less than significant.

- b) **Less Than Significant Impact.** Construction of the Project involves grading, excavation, and use of construction equipment. Project construction would result in short-term air pollutant emissions from use of construction equipment, earth-moving activities (grading), construction workers' commutes, materials deliveries and short-distance earth and debris hauling.

To aid in evaluating potentially significant construction and/or operational impacts of a Project, SJVAPCD has prepared an advisory document, the Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI), which contains standard procedures for addressing air quality in CEQA documents (SJVAPCD, 2002). The guide was adopted in 1998 and revised in 2002.

GAMAQI presents a three-tiered approach to air quality analysis. The Small Project Analysis Level (SPAL) is first used to screen a project for potentially significant impacts. A project that meets the screening criteria at this level requires no further analysis and air quality impacts of the project may be deemed less than significant. If a project does not meet all the criteria at this screening level, additional screening is recommended at the Cursory Analysis Level and, if warranted, the Full Analysis Level.

**Table 3-2** below (from GAMAQI 5-3(a), which SJVAPCD recommends using as part of the initial screening process, shows the maximum project size be considered a SPAL project. According to the SPAL categorization, the development of 88 single-family residential units would result in a project size lower than the screening level for SPAL categorization. Therefore, the Project meets the SPAL criterion for project type and is excluded from quantifying criteria pollutant emissions for CEQA purposes.

**Table 3-2. Small Project Analysis Level (SPAL) by Project Type**

Land Use Category – Housing	Project Size
Single Family	152 Units
Apartments, Low Rise	220 Units
Apartments, High Rise	345 Units
Condominiums, General	270 Units
Condominiums, High Rise	330 Units
Mobile Homes	330 Units
Retirement Community	460 Units

*Source: SJVAPCD-Small Project Analysis Level, pg. 2, June 2012*

SJVAPCD Regulation VIII mandates requirements, as seen in **Table 3-3**, for any type of ground moving activity and would be adhered to during the construction; however, during construction, air quality impacts would be less than SJVAPCD thresholds for nonattainment pollutants and operation of the Project would not result in impacts to air quality standards for criteria pollutants. As such, any impacts would be less than significant.

**Table 3-3. San Joaquin Valley Air Pollution Control District - Regulation VIII Control Measures for Construction Emissions of PM10**

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.

**c) Less Than Significant Impact.**

**Short-Term Construction-Generated Emissions**

Construction-generated emissions are temporary in duration, lasting approximately 12 months. The construction of the Project would result in the temporary generation of emissions associated with site grading and excavation, motor vehicle exhaust associated with construction equipment and worker trips, as well as the movement of construction equipment on unpaved surfaces.

Estimated construction-generated emissions are summarized in [Table 3-4](#). As indicated, construction of the Project would not exceed any thresholds.

Table 3-4. Short-Term Construction-Generated Emissions of Criteria Air Pollutants

Short-Term Construction-Generated Emissions of Criteria Air Pollutants					
Source	Annual Emissions (Tons/Year) <sup>(1)</sup>				
	ROG	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Total Proposed Project Emissions:	2.1033	5.6384	4.0035	0.6792	0.4681
<i>SJVAPCD Significance Thresholds:</i>	<i>10</i>	<i>10</i>	<i>100</i>	<i>15</i>	<i>15</i>
<i>Exceed SJVAPCD Thresholds?</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>

1. Emissions were quantified using CalEEmod Version 2016.3.1. Refer to **Appendix A** for modeling results and assumptions. Totals may not sum due to rounding.

Table 3-5. Long-Term Operations-Generated Emissions of Criteria Air Pollutants

Long-Term Operations-Generated Emissions of Criteria Air Pollutants					
Source	Annual Emissions (Tons/Year) <sup>(1)</sup>				
	ROG	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Total Proposed Project Emissions:	1.1819	3.2156	4.8594	0.9227	0.2734
<i>SJVAPCD Significance Thresholds:</i>	<i>10</i>	<i>10</i>	<i>100</i>	<i>15</i>	<i>15</i>
<i>Exceed SJVAPCD Thresholds?</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>	<i>No</i>

1. Emissions were quantified using CalEEmod Version 2016.3.1. Refer to **Appendix A** for modeling results and assumptions. Totals may not sum due to rounding.

It is important to note that the Project would be required to comply with SJVPACD Regulation VIII (Fugitive PM<sub>10</sub> Prohibitions). Mandatory compliance with SJVAPCD Regulation VIII would further reduce emissions of fugitive dust from the Project site, and adequately minimize the Project’s potential to adversely affect nearby sensitive receptors to localized PM impacts.

The Project would also be required to comply with Indirect Source Review (ISR) Rule 9510 to fulfill the District’s emission reduction commitments in the PM<sub>10</sub> and Ozone attainment plans. The applicant will submit an Air Impact Assessment Application, in accordance with the Rule.

Given that Project-generated emissions would not exceed applicable SJVAPCD significance thresholds and the Project would be required to comply with SJVAPCD Regulation VIII and ISR Rule 9510, construction-generated emissions of criteria pollutants would be considered less than significant.

#### Long-Term Operational Emissions

Long-term operation of the Project would result in emissions generated by worker trips, operations equipment, emergency diesel generators and electricity for the aerators. As indicated, in **Table 3-5** above, operation and maintenance of the Project would not result in a substantial increase in emissions of criteria pollutants. The impact of operations and maintenance generated emissions would be considered less than significant.

- d) **Less Than Significant Impact.** The nearest sensitive receptors (a residential neighborhood, and a rural residence) to the Project area are located directly to the east, and north, respectively, of the Project site. The Project does not include any project components identified by the California Air Resources Board that could potentially impact any sensitive receptors. These include heavily traveled roads, distribution centers, fueling stations and dry cleaning operations. The Project would not expose sensitive receptors to substantial pollutant concentrations and therefore there would be less than significant impact.
- e) **Less Than Significant Impact.** The Project will create temporary typical construction odors as the Project develops. The Project will not introduce a conflicting land use (surrounding land includes vacant commercial and residential land and residential residences) to the area. The Project would not create objectionable odors affecting a substantial number of people and therefore there will be less than significant.

**IV. BIOLOGICAL RESOURCES**

**Would the project:**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

a) **Less Than Significant Impact with Mitigation.** The Project site is located on an urban infill property and has been vacant land for several years, with the exception of one rural residence. The Project site has been disced periodically. It is not located within an area where special-status species have been recorded as reviewed by the California Natural Diversity Database (CNDDDB). The Project site is flat and level with no remarkable topography, geologic, or habitat features. The Project site may provide marginal foraging opportunities for special status animal species and migratory birds; however, the site has been disturbed, is surrounded by urban development and there are no linkage corridors identified in the project area. As such, it is unlikely that any special status species occur on the site; however, to protect any special status species, Mitigation Measure BIO-1 shall be imposed on the Project.

**Mitigation Measure BIO-1:** Prior to the start of construction, the applicant will implement the following measure:

**Mitigation Measure BIO-1 (Preconstruction Survey).** A preconstruction survey will be conducted by a qualified biologist within 30 days prior to the start of Project activities. The survey will be limited to the Project site, and will entail walking transects suitably spaced to ensure full visual coverage of the survey area. If any potential impacts are determined, the City of Tulare shall initiate consultation with the California Department of Fish and Wildlife to develop and implement site-specific measures. Mitigation Monitoring and Reporting for each phase shall be conducted by qualified professionals and their results shall be submitted to the City of Tulare and, if needed, the California Department of Fish and Wildlife.

The Project mitigation will be the responsibility of the Applicant and will be monitored by the City of Tulare. The implementation of the City of Tulare General Plan 2035 Conservation and Open Space Element Policy COS-P2.1: *Protection of Rare and Endangered Species. The City shall support preservation, restoration, and enhancement of designated habitats of State or federally-listed rare, threatened, endangered and/or other sensitive and special status species* and Mitigation Measure BIO-1 will reduce any potential impact to a less than significant level.

**b) No Impact.** The Project site is located on an urban infill property. The Project site itself is disturbed land that has been vacant for several years. It is flat and level with no remarkable topography, geologic, or habitat features. The vacant site is surrounded by existing urban development or vacant lots on all sides. According to the National Wetlands Inventory Maps for the respective USGS quads, no wetlands or riparian communities exist on the Project site. The nearest natural waterway is Elk Bayou, located approximately 3.25 miles southeast of the Project site. There would be no impact.

**c) No Impact.** As stated in Impact IV-b, wetlands or riparian communities do not exist on or near the Project site. There would be no impact.

**d) No Impact.** As discussed in Impact IV-a, there is no viable habitat for any special status species. There would be no impact.

**e) Less Than Significant Impact.** The City of Tulare has an oak tree preservation policy according to Tulare Municipal Code 8.52.100 (Preservation of Heritage Trees). It is not anticipated that the Project will require removal of oak trees. However, if oak trees are removed, replacement and/or replanting shall be done in accordance with the City's municipal code. Any impacts would be less than significant.

**f) No Impact.** No habitat conservation plan, natural community conservation plan, or other approved local, regional or state habitat conservation plan, is in effect for the area of the Project. Therefore, the Project would have no impact.

**V. CULTURAL RESOURCES**

**Would the project:**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Responses:**

a) **Less Than Significant Impact.** The Project site is an infill development, previous grading activities onsite have not uncovered any historical resources. Archeological and historical searches were conducted throughout the city limits and the proposed SOI during the General Plan Update process. According to the search, there are no known historical structures or monuments recorded to be on the site. Additionally, a cultural resources records search of the proposed location was conducted on June 19, 2017 to determine whether cultural resources are present within the project area (see Appendix B). No cultural resources were identified within the project area.

Although no archaeological or historical sites appear to be within the Project area, it has not been physically surveyed and as such, the possibility remains that resources do exist on the site. However, the following Conservation and Open Space Element Policies listed below would assist in reducing potential disturbances of cultural resources and human remains.

- **COS-P5.9 Discovery of Archaeological Resources.** In the event that archaeological/paleontological resources are discovered during site excavation, grading, or construction, the City shall require that work on the site be suspended within 100 feet of the resource until the significance of the features can be determined by a qualified archaeologist /paleontologist. If significant resources are determined to exist, an archaeologist shall make recommendations for protection or recovery of the resource. City staff shall consider such recommendations and implement them where they are feasible in light of Project design as previously approved by the City.
- **COS-P5.10 Discovery of Human Remains.** Consistent with Section 7050.5 of the California Health and Safety Code and CEQA Guidelines (Section 15064.5), if human remains of Native American origin are discovered during Project construction, it is necessary to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Public Resources Code Sec. 5097). If any human remains are discovered or recognized in any location on the Project site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
  - The Tulare County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and

- If the remains are of Native American origin, - The descendants of the deceased Native Americans have made a timely recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98. - The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission, or - The landowner or his or her authorized representative rejects any timely recommendations of the descendent, and mediation conducted by the Native American Heritage Commission has failed to provide measures acceptable to the landowner.

Thus, impacts to potential cultural resources would be less than significant.

**b) Less Than Significant Impact.** Any impacts to archaeological resources have been discussed in Impact V-a. Impacts are less than significant with the incorporation of the Conservation and Open Space Element policies in the City's General Plan.

**c) Less Than Significant Impact.** No known paleontological resources exist within the Project area. The Project site is an infill development lot that was previously farmed. Previous discing and site grading activities onsite have not uncovered any paleontological resources. Construction activities associated with the proposed Project are not expected to be conducted significantly below grade, at a level where they would have the potential to disturb any previously unknown paleontological resources or geologic features. Impacts would be less than significant.

**d) Less Than Significant Impact.** No formal cemeteries or other places of human internment are known to exist on the Project site; however, in accordance with Health and Safety Code §7050.5 and Public Resources Code §5097.98, if human remains are unearthed during Project construction, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition of such remains. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC would then identify the person(s) thought to be the most likely descendent of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains. As such, any impacts would be less than significant.

**VI. GEOLOGY AND SOILS**

**Would the project:**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Expose people or structures to 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 type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Responses:**

**a-i) Less Than Significant Impact.** No substantial faults are known to occupy the City of Tulare according to the Alquist-Priolo Earthquake Fault Zoning Maps and the State of California Department of Conservation.

Additionally, the proposed residences would be constructed to the standards of the most recent seismic standards as set forth in the California Building Code (CBC). Compliance with these standards would ensure potential impacts related to strong seismic ground shaking would be less than significant.

**a-ii) Less Than Significant Impact.** Any impacts regarding strong seismic ground shaking have been discussed in Impact VI-a-i. The impact would be less than significant.

**a-iii) No Impact.** The Project does not involve any subsidence-prone soils or oil or gas production. There would be no impact.

a-iv) **No Impact.** No geologic landforms exist on or near the site that would result in a landslide event. There would be no impact.

b) **Less Than Significant Impact.** The Project would eventually result in the removal of topsoil through construction grading activities. This could in turn result in exposing the underlying soil to erosion from wind and water. However, construction of the Project would result in new structures, interior access roads and landscaped grounds which would stabilize disturbed soils. Additionally, the proposed Project would be required to implement General Plan Safety Element policies which would further reduce any impacts associated with wind and water erosion to a less than significant level.

c) and d) **Less Than Significant Impact.** There are two soil types within the Project area. Nord fine sandy loam, 0 to 2 percent slopes, and Yetter sandy loam, 0 to 2 percent slopes. Both of these soil types are very well drained with a moderate shrink-swell potential. Additionally, substantial grade change would not occur in the topography to the point where the Project would expose people or structures to potential substantial adverse effects on, or offsite, such as landslides, lateral spreading, subsidence, liquefaction or collapse. Any impacts would be less than significant.

e) **Less Than Significant Impact.** No septic tanks or alternative waste water disposal systems are proposed as a part of the Project. The Project would not generate a significant increase in wastewater discharge. Therefore, the Project would not require alternative wastewater treatment facilities. Any impacts would be less than significant.

**VII. GREENHOUSE GAS EMISSIONS**

**Would the project:**

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

**Responses:**

**Less Than Significant Impact.**

**Construction:** Greenhouse gas emissions, generated during construction, would include activities such as site preparation, grading, the construction of the building, paving, etc. The District does not have a recommendation for assessing the significance to construction-related emissions. Construction activities occurring before 2020, the year when the State is required to reduce its GHG emissions to 1990 levels, are therefore considered less than significant.

**Operation:** The Project will include long-term emissions over the lifetime of the Project that include mobile operations, waste generated, water consumed, and energy consumed. The U.S. Environmental Protection Agency published a rule for the mandatory reporting of greenhouse gases (GHG) from sources that in general emit 25,000 metric tons or more of carbon dioxide equivalent (CO<sub>2</sub>e) per year. Project GHG emissions were calculated using CalEEMod based on 19.86 acres of development, 88 single family residential units and an average of 831.34 trips/day. This Project is estimated to produce 1,798.6 metric tons per year of CO<sub>2</sub>e, which is well below the 25,000 metric tons action threshold for greenhouse gas emissions. As such, operational GHG emissions are considered less than significant.

**b) No Impact.** California State Legislature, in 2006 enacted AB32, the California Global Warming Solutions Act of 2006. AB 32 focuses on reducing greenhouse gas emissions in California. See VII.a) above. Projects implementing of Best Performance Standards and SJVAPCD Regulation VIII would be determined to have a less than significant individual and cumulative impact on global climate change. The Project does not conflict with any applicable plan, policy, or regulation of an agency adopted for reducing GHG emissions. There would be no impact.

**VIII. 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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

a, b) **Less than Significant Impact.** The Project would be completed in three phases and would result in the construction of approximately 88 single family residences, internal access roads, landscaped grounds, and off-site improvements subject to City standards. Construction activities would involve the use, storage, transportation and disposal of oil, gasoline, diesel fuel, paints, solvents and other hazardous materials. Federal and state laws provide handling requirements for these materials to ensure that spills are minimized. Compliance with these requirements would reduce impacts to a less than significant level. During operation, no use or storage of hazardous materials beyond those used for landscaping and maintenance activities are anticipated. Less than significant impacts would occur.

c) **No Impact.** The nearest schools, Children’s House Montessorri School and Live Oak Middle School, are approximately 0.25 miles southwest, and 0.5 miles northwest, respectively, of the Project site. Neither the Project nor any resultant development of the Project site would emit hazardous emissions, involve hazardous materials, or create a hazard to the schools in any way. There would be no impact.

d) **No Impact.** The Project does not involve land that is listed as a hazardous materials site pursuant to Government Code §65962.5 and is not included on a list compiled by the Department of Toxic Substances Control per a review of “Identified Hazardous Waste Sites”, conducted in June of 2017 by Provost & Pritchard Consulting Group. The nearest inactive site is the Del Lago Site (54010010), over 1.4 miles from the site. Evaluation of this site was completed in 2002 and no further action is needed. There would be no impact.

e) and f) **No Impact.** The closest airport is the Mefford Field Airport (approximately 4 miles southwest of the site). The closest regional airport is the Fresno Yosemite International Airport, approximately 44 miles northwest of the Project site. The Project would not result in a safety hazard for people working in the Project area. There would be no impact.

g) **No Impact.** The Project site has adequate emergency access from Muirfield Avenue to the east, and the proposed road Aberdeen Street to the north. Additionally, onsite road networks will be designed for adequate circulation and emergency vehicle accesses. Therefore, the proposed Project would not result in emergency evacuations, nor would the Project interfere with implementation of a City-established emergency response plan or evacuation. There would be no impact.

h) **No Impact.** The Project site and the surrounding lands are not considered to be wildlands. Most of the surrounding land is either vacant or fully developed with similar and compatible urban uses. There would be no impact.

**IX. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<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, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a matter which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

**a) and e) Less Than Significant Impact.** Upon development, the Project will connect to the City of Tulare’s water and sanitary sewer systems. The Project would result in the construction of approximately 88 single family residences, internal access roads, landscaped grounds, and off-site improvements subject to City standards. The Project has been reviewed by the Public Works Director and City Engineer and determined that the Project will not have a significant impact on the existing water system, and would not require the construction of any new facilities or the acquisition of any new water sources. The impacts would be less than significant.

**b) Less Than Significant Impact.** The Project has been reviewed by the Public Works Director and City Engineer and determined that the Project will not have a significant impact on the existing water system, and would not require the construction of any new facilities or the acquisition of any new water sources. Any impacts would be less than significant.

**c) Less Than Significant Impact.** Implementation of the Project would result in grading and landform alteration on the site that would expose native soils that could be subject to the effects associated with wind and water erosion unless adequate measures are taken to limit the transport of soils in surface water from the site to downstream locations. The Project applicant would be required to implement a Storm Water Pollution Prevention Program (SWPPP) that would identify specific measures to address erosion and siltation resulting from grading and construction as well as the potential long-term water quality impacts. The Project would also include a retention basin that would capture runoff and reduce peak flows. Implementation of the Project would result in new internal access roads, increasing impervious surface area which is not prone to erosion or siltation. The Project would also include landscaping that would minimize erosion and siltation. The Project site would be designed for storm water to be captured by the retention basin and to the storm drain system. No streams or rivers would be altered. Therefore, on-site flooding, erosion, and siltation would not occur. Any impacts would be less than significant.

**d) Less Than Significant Impact.** Impact IX.c) above discusses Project-related changes to site drainage and runoff. The on-site storm water collection shall meet City standards for capacity. As such, the potential for flooding on or off-site as a result of the Project is considered less than significant.

**e) Less Than Significant Impact.** The Project would result in new structures, interior access roads and landscaped grounds. As discussed in impact IX.c) above, implementation of the Project would not substantially increase the rate or amount of surface runoff that would result in flooding on or off site. Any impacts would be less than significant.

**g) and h) Less Than Significant Impact.** According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for Community Panel No. 06107C1275E, dated June 2009, the Project site is located in Zone-X which is considered to be an area of minimal risk. With the installation of onsite and offsite storm drainage improvements, impacts would be less than significant.

**i) No Impact.** The Project is located in a relatively flat area and is not located near any levees or dams. The two closest dams that could cause flooding are Terminus Dam and Success Dam, both of which are located more than 20 miles away. Although there are numerous Tulare Irrigation District Canals located throughout the City of Tulare, the canals do not include storage of large amounts of aboveground water that could be released suddenly due to a structural failure. Therefore, the Project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam. There would be no impact.

**j) No Impact.** The Project is located inland and not near an ocean or large body of water, therefore, would not be affected by a tsunami. The Project is located in a relatively flat area and would not be impacted by inundation related to mudflow. Therefore, the Project would have no impact to seiche, tsunami, or mudflow.

**X. LAND USE AND PLANNING**

**Would the project:**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

a) **No Impact.** The physical division of an established community refers to the construction or removal of a physical feature or structure such that will impair mobility within the existing community, or between a community and outlying areas. The proposed Project would be completed in three phases and would result in the construction of approximately 88 single family residences, internal access roads, landscaped grounds, and off-site improvements subject to City standards. Additionally, existing circulation throughout the area would not be impacted as the proposed Project would not result in any roadway closure. The Project site would be accessed off the existing Muirfield Avenue and the proposed Aberdeen Street. There would be no impact.

b) **Less Than Significant Impact.** To accommodate the density of the new development, the Project would amend the General Plan from commercial and medium density residential to low density residential land uses. The Project also proposes to change the zoning from C-3 and R-M-2 to R-1-6, see [Figure 2-3](#) and [Figure 2-4](#). While the Project would conflict with the current City of Tulare General Plan 2035, the proposed land use amendments and zoning changes are compatible with the surrounding land uses (multi-family/ single-family residential and commercial) and zoning, and therefore would have a less than significant impact.

c) **No Impact.** The Project area is not subject to any habitat conservation plan or similar plan. There would be no impact.

**XI. 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"/>

**Responses:**

a) **No Impact.** Although there are currently 26 mines permitted to operate in Tulare County, none of them are in or adjacent to the City of Tulare<sup>2</sup> The Project would not result in the loss of an available known mineral resource. There would be no impact.

b) **No Impact.** The Project site is not delineated on a local land use plan as a locally important mineral resource recovery site; therefore, the existence of the Project would not result in the loss of availability of any mineral resources. There would be no impact.

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<sup>2</sup> State of California Department of Conservation, Mine Reclamation – AB 3098 List, [http://www.conservation.ca.gov/omr/SMARA%20Mines/ab\\_3098\\_list/Documents/July\\_2016-3098.pdf](http://www.conservation.ca.gov/omr/SMARA%20Mines/ab_3098_list/Documents/July_2016-3098.pdf), accessed on September 26, 2016.

**XII. NOISE**

**Would the project:**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people living or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people living or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

a), c), and d) **Less Than Significant Impact.** Construction activities generally involve temporary noise sources. Typical construction equipment includes graders, trenchers, small tractors, a crane and miscellaneous equipment. During construction, noise from construction activities would contribute to the noise environment in the immediate Project vicinity. Activities involved in construction would generate maximum noise levels, as indicated in **Table 3-6**, 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 control.

**Table 3-6. Typical Construction Noise Levels<sup>3</sup>**

Type of Equipment	dBA at 50 ft.	
	Without Feasible Noise Control <sup>1</sup>	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

<sup>1</sup> Feasible noise control includes the use of intake mufflers, exhaust mufflers and engine shrouds operating in accordance with manufacturers specifications.

The City of Tulare General Plan and Noise Ordinance does not specifically identify short-term, construction-noise-level thresholds or long-term operational noise thresholds. 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. Construction and operational activities would comply with the following City of Tulare General Plan Policies:

- **NOI-P1.5 Construction Noise.** Reduce noise associated with construction activities by requiring properly maintained mufflers on construction vehicles, requiring the placement of stationary construction equipment as far as possible from developed areas, and requiring temporary acoustical barriers/shielding to minimize construction noise impacts at adjacent receptors. Special attention should be paid to noise-sensitive receptors (including residential, hospital, school, and religious land uses).
- **NOI-P1.6 Limiting Construction Activities.** The City shall limit construction activities to the hours of 6 am to 10 pm, Monday through Saturday.

Changes to the existing neighborhood’s noise levels on a long-term basis resulting from the Project would include low-density, single-family residential homes, which are not typically associated with high levels of operational noise. Therefore, Project-related operational noise impacts would be less than significant, and no mitigation would be required.

**b) Less Than Significant Impact.** Vibration is the periodic oscillation of a medium or object. Vibration sources may be continuous, such as factory machinery, or transient, such as explosions. As is the

<sup>3</sup> U.S. Department of Transportation, Federal Transit Administration. 2006.

case with airborne sound, ground borne vibrations may be described by amplitude and frequency. Vibration amplitudes are usually expressed in peak particle velocity (PPV) or root mean squared (RMS), as in RMS vibration velocity. The PPV and RMS (VbA) vibration velocity are normally described in inches per second (in/sec). PPV is defined as the maximum instantaneous positive or negative peak of a vibration signal and is often used in monitoring of blasting vibration because it is related to the stresses that are experienced by buildings<sup>4</sup>.

Although PPV is appropriate for evaluating the potential for building damage, it is not always suitable for evaluating human response. As it takes some time for the human body to respond to vibration signals, it is more prudent to use vibration velocity when measuring human response. The vibration velocity level is reported in decibels relative to a level of  $1 \times 10^{-6}$  inches per second and is denoted as VdB. The typical background vibration-velocity level in residential areas is approximately 50 VdB. Ground borne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels<sup>5</sup>.

Typical outdoor sources of perceptible ground borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. Construction vibrations can be transient, random, or continuous. The approximate threshold of vibration perception is 65 VdB, while 85 VdB is the vibration acceptable only if there are an infrequent number of events per day (FTA 2006). Table 5 describes the typical construction equipment vibration levels.

**Table 3-7. Typical Construction Vibration Levels<sup>6</sup>**

Equipment	VdB at 25 ft <sup>2</sup>
Small Bulldozer	58
Jackhammer	79

Based on the typical vibration levels identified in the table above, any temporary vibration levels associated with construction activities are not expected to exceed the FTA threshold for the nearest residence which is located approximately 556 feet from the proposed Project. The impact would be less than significant.

**e) and f) No Impact.** The Project area is approximately four miles from the Mefford Field Airport; however, the site is well outside of the noise contour areas established for the Mefford Field Airport<sup>7</sup>. There are no private airstrips in the vicinity of Project site. As such, the Project would not subject people to noises associated with public or private airport use. There would be no impact.

<sup>4</sup> U.S. Department of Transportation. Federal Transit Administration, Transit Noise and Vibration Impact Assessment. 2006.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> City of Tulare Draft

**XIII. 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 checked="" type="checkbox"/>	<input 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"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

a) **Less Than Significant Impact.** The Project would be completed in three phases and would result in the construction of approximately 88 single family residences, internal access roads, landscaped grounds, and off-site improvements subject to City standards. The City of Tulare has an average household size of 3.35 persons,<sup>8</sup> resulting in an anticipated population increase of 294 persons. Whether this increase will comprise persons from Tulare or from out of the area is speculative. All of the utilities infrastructure, including sewer and water facilities, exist in the immediate vicinity of the Project site and would be extended to the Project site. Storm drains would be added and a ponding basin would be constructed to serve the Project site. These existing utility and service systems have adequate capacity to serve the Project (refer to Section XVI, below). The small increase of total persons coupled with the speculative nature of whether the increase at the site will comprise current Tulare residents or people relocating to Tulare from elsewhere results in a less than significant impact

b) and c) **No Impact.** The Project site itself has historically been vacant, with only one rural residence located on the parcel, therefore construction would not displace substantial numbers of people. Additionally, the Project will involve the construction of approximately 88 single family residences. Therefore, the Project would not displace existing housing for a substantial number of people or residents. Further, the Project would provide additional housing upon completion. There would be no impact.

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<sup>8</sup> City of Tulare General Plan 2035, page 2-12.

**XIV. PUBLIC SERVICES**

**Would the project:**

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:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
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"/>

**Responses:**

a) **Less Than Significant Impact.**

**Fire Protection** – The City of Tulare will provide fire protection services to the proposed Project site. Station 61 is the closest to the Project site and is located approximately 1.4 miles to the southwest. In order to offer adequate onsite fire protection, life safety, and suppression service to the Project site, the City of Tulare Fire Department must have adequate onsite circulation and access to hydrants with adequate fire-flow pressure in the event of an emergency. The Project site has adequate emergency access from Muirfield Avenue located on the eastern side site, and the proposed Aberdeen Street, to the North of the Project site. Additionally, onsite road networks are designed for adequate circulation and emergency vehicle accesses. Finally, the final site plans and development specifications will indicate the location and design specifications of the fire hydrants and no-parking zones that may be required in the Project site. The implementation of the proposed Project would not adversely impact existing fire protection or emergency services within the City, and would not require the construction of an additional fire protection facility in Tulare. Impacts to fire services would be less than significant.

**Police Protection** – The Project site will be served by the Tulare Police Department. Implementation of the proposed Project would result in an increase in demand for police services. This increase would be minimal compared to the number of officers currently employed by the Tulare Police Department and would not result in significant demand for additional police services or additional staffing. Implementation of the Project would not require the construction of a new police facility to serve the Project, nor would it create a negative impact to existing emergency response times and existing police protection service levels. Impacts to police services would be less than significant.

**Schools** – The potentially affected school districts are the Tulare Joint Union High School District, and Tulare City Elementary School District. Using a student generation rate of 0.661

students/household, the Project would result in approximately 58 K-12 students. Under Senate Bill 50 – School Facilities Act of 1998 a Project's impacts on school facilities are fully mitigated via the payment of the requisite new school construction fees established pursuant to Government Code §65995. Payment of applicable impact fees by the developer, and ongoing revenue that would come from local taxes would ensure that this Project pays its share of impacts to local school's services. Therefore, any impact is less than significant.

**Parks** – The Project does not include additional recreational facilities. The nearest park is Live Oak Park, located 0.3 miles to the northeast. Santa Fe Public Trail is located 0.3 miles to the north. Current City standard is 4.0 acres of parkland per 1,000 population<sup>9</sup>. According to the State Department of finance, in 2012 Tulare's average household size was 3.35 persons per household<sup>10</sup>. Therefore, the proposed Project could house up to 294 people, and require 1.17 acres of parkland. The applicant will fill this need through payment of park impact fees. Therefore, any impact would be less than significant.

**Other public facilities** – The Project would connect to the City's water and sewer systems. The Project will also collect and discharge stormwater to a ponding basin that will be located to the north of the proposed Project site. Any impacts would be less than significant.

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<sup>9</sup> City of Tulare General Plan 2035, page 4-10.

<sup>10</sup> City of Tulare General Plan 2035, page 2-12.

**XV. 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"/>

**Responses:**

a) and b) **Less Than Significant Impact.** The nearest park is Live Oak Park, located 0.3 miles to the northeast. Santa Fe Public Trail is located 0.3 miles to the north. The Project is not required to construct additional recreational facilities or open space. As discussed in Impact XIV. a) the Project will pay park impact fees to cover the cost of park maintenance, these fees could also go towards the construction or expansion of existing recreational facilities should the City deem that necessary. Therefore, any impact will be less than significant.

**XVI. TRANSPORTATION/TRAFFIC**

**Would the project:**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

a) and b) **Less Than Significant Impact.** The Project would be completed in three phases and would result in the construction of approximately 88 single family residences, internal access roads, landscaped grounds, and off-site improvements subject to City standards. Vehicular access to the site would primarily be provided by Muirfield Avenue, and a proposed Aberdeen Street. The proposed Aberdeen Street would access the site on the northern border feeding off of Seminole Avenue. The Project will construct Aberdeen Street, Muirfield Avenue and all internal streets and internal drive aisles to meet City standards.

According to the Institute of Transportation Engineers (ITE) Trip Generation Manual (9th Edition), the Single-Family Housing (Land Use 210) has the potential to generate 9.57 weekday traffic trips per dwelling unit, resulting in a potential trip generation of approximately 842.16 weekday trips per day. The Project would average 10.08 Saturday traffic trips per dwelling unit, resulting in 887.04 Saturday trips, and an average of 8.77 Sunday traffic trips per dwelling unit, resulting in 771.76 Sunday trips. The City of Tulare General Plan 2035 designates Mooney Boulevard (State Route 63) as a State Freeway and Highway and the Project will not exceed the Level of Service (LOS) thresholds of LOS 'D' as defined in the Highway Capacity Manual.

To accommodate the Project's vehicle trips, the existing dedicated right turn lane on northbound Mooney Boulevard to eastbound Seminole Avenue will be lengthened to 580 feet. Further, the Project will pay its fair share of the City's established Development Impact Fees for City Streets and State Highways. The Project will also construct its portion of the proposed Aberdeen Street and frontage improvements along Mooney Boulevard, as required by Caltrans (see appendix E). In addition, the Project will improve the circulation system by installing a raised median within Mooney Boulevard, pedestrian sidewalks along Mooney Boulevard and throughout the subdivision.

The Project does not conflict with any circulation plan or level of service standards. The site will maintain vehicular access to two streets, which themselves connect to the larger city-wide circulation system. Any impacts would be less than significant.

**c) No Impact.** The Project is located approximately four miles northeast of the Mefford Field Airport, and approximately 44 miles southeast of the Fresno Yosemite International Airport, in the City of Fresno. The Project site is outside of the established area of the Airport Land Use Plan. There is no potential for the Project to result in a change in air traffic patterns. There would be no impact.

**d) No Impact.** The Project would not include any sharp curves or hazardous roadway design elements. The use will include large trucks that will circulate in and out of the Project area and will require City Standard curb return design to accommodate the large truck turn radius. The impacts would be less than significant.

**e) No Impact.** The Project site is within an urbanized area that currently receives adequate emergency services. The Project does not propose any roadway construction or onsite uses that would affect emergency services as they are currently provided. There would be no impact.

**f) No Impact.** The Project would not conflict with any adopted transportation policies or plans. There would be no impact.

**XVII. TRIBAL CULTURAL RESOURCES**

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public 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 type="checkbox"/>	<input checked="" type="checkbox"/>

a) **No Impact.** The City of Tulare sent a request to the NAHC on May 2, 2017 for a Sacred Lands File search to identify any known Native American resources in the APE (Appendix C). The City additionally requested a list of parties that may have interest in the Project or knowledge of any unrecorded Native American resources in the area.

In a letter dated May 5, 2017, Sharaya Souza of the NAHC informed the City that no resources were identified within the subject portion of the APE as a result of the Sacred Lands File search. Souza’s letter included a list of six Native American contacts who may have special knowledge of the Project area (Appendix C). On May 9, 2017, the City sent a letter describing the Project and its location to each of the following contacts identified by the NAHC:

- Julie Turner, Secretary, Kern Valley Indian Council;
- Rueben Barrios Sr., Chairperson, Santa Rosa Rancheria Tachi Yokut Tribe;
- Robert Robinson, Chairperson, Kern Valley Indian Council;
- Neil Peyron, Chairperson, Tule River Indian Tribe;
- Robert L. Gomez, Jr., Tribal Chairperson, Tubatulabals of Kern Valley;
- Kenneth Woodrow, Chairperson, Wuksache Indian Tribe/Shum Valley Band;

Copies of the Native American outreach documentation are included in Appendix C.

An email was received on June 12, 2017, from Kerri Vera of the Tule River Tribe. The email stated that at this time, they did not have any knowledge of culturally sensitive items or sites within the proposed Project area. However, if items or sites are revealed during research or Project initiation, within the Project site, they requested to be contacted.

Voicemails were left on June 14-15, 2017, to the remaining five tribes on the NAHC contact list. No other information has been received in response to phone calls, letters, or e mails.

A records search was conducted at the Southern San Joaquin Valley Archaeological Information Center, California State University, Bakersfield, and at the Native American Heritage Commission *Sacred Lands File*. These investigations determined that the study area had not been previously surveyed and that no archaeological sites, sacred sites or traditional cultural places had been identified within or adjacent to the proposed Project Area. Additionally, as discussed above, the City has not been contacted by any California Native American tribes regarding tribal cultural resources within the proposed Project vicinity. Therefore, there will be no impact

**b) No Impact.** As noted in Impact XVII-a-i, no tribal cultural resources were identified within the proposed Project area. Therefore, there will be no impact.

**XVIII. UTILITIES AND SERVICE SYSTEMS**

**Would the project:**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

**a) and b) Less Than Significant Impact.** The Project will connect to the City of Tulare water and sanitary sewer systems. The Project would require the extension of sewer and water lines to the Project site from the existing lines located in Seminole Avenue. The Project has been reviewed by the Public Works Director and City Engineer and determined that the Project will not have a significant impact on the existing water or sewer system, and would not require the construction of any new facilities or the acquisition of any new water sources. The Public Works department will regularly monitor the waste water discharge to meet City requirements. Impacts would be less than significant.

**c) Less Than Significant Impact.** The Project would result in the construction of structures, interior access roads and landscaped grounds. The Project will alter the existing drainage pattern with the development of the Project. However, the storm water will be collected and discharged to a proposed basin located to the north of the Project site. Any impacts will be less than significant.

**d) and e) Less Than Significant Impact.** See Impacts XVIII(a) and (b) above.

**f) Less Than Significant Impact.** The Project would be served by the Woodville Disposal Site, 10 miles southeast of the City. The landfill has sufficient permitted capacity to accommodate the proposed Project's solid waste disposal needs. Any impacts would be less than significant.

g) **No Impact.** The Project would continue to comply with any federal, state, and local regulations related to solid waste. There would be no impact.

**XVIII. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Responses:**

a) **Less Than Significant Impact with Mitigation Incorporation.** Based on the analysis conducted in this Initial Study, impacts to Aesthetics, Agriculture and Forestry Resources, Air Quality, Geology/Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Land Use and Planning, Mineral Resources, Population/Housing, Public Services, Recreation, Transportation/Traffic, and Utility/Services Systems would be less than significant. Potential impacts to Biological Resources would be less than significant with implementation of mitigation measure BIO-1. Additionally, with implementation of the Best Management Practices for construction activities, the proposed Project’s potential to degrade the quality of the environment, 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 protected species or eliminate important examples of the major periods of California history or prehistory would be less than significant with implementation of the above noted mitigation measure. The analysis conducted in this Initial Study/Mitigated Negative Declaration results in a determination that the Project would have a less than significant effect on the local environment.

b) **Less Than Significant Impact with Mitigation Incorporation.** As discussed in the initial study, impacts associated with the Project are incremental and minor in nature, would result in less than significant impacts to the environment with incorporation of mitigation measure BIO-1. As mitigated, the proposed Project will not have impacts that are cumulatively considerable.

c) **Less Than Significant Impact.** The Project will not result in substantial adverse effects on human beings, either directly or indirectly. With implementation of Best Management Practices and general safety protocols during construction and maintenance of the proposed Project, impacts will be less than significant.

## CHAPTER 4

# MITIGATION MONITORING REPORTING PROGRAM

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# Chapter 4 - MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Greens Subdivision Map Project (Project) in the City of Tulare (City). The MMRP lists mitigation measures recommended in the IS/MND for the proposed Project and identifies monitoring and reporting requirements.

**Table 4-1** presents the mitigation measures identified for the Project. Each mitigation measure is numbered with a symbol indicating the topical section to which it pertains, a hyphen, and the impact number. For example, AIR-2 would be the second mitigation measure identified in the Air Quality analysis of the IS/MND.

The first column of **Table 4-1** identifies the mitigation measure. The second column, entitled “When Monitoring is to Occur,” identifies the time the mitigation measure should be initiated. The third column, “Frequency of Monitoring,” identifies the frequency of the monitoring of the mitigation measure. The fourth column, “Agency Responsible for Monitoring,” names the party ultimately responsible for ensuring that the mitigation measure is implemented. The last columns will be used by the City to ensure that individual mitigation measures have been complied with and monitored.

**Table 4-1. Mitigation Monitoring and Reporting Program**

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance
<b>Biological Resources:</b>					
<b>BIO - 1 (Preconstruction Survey).</b> A preconstruction survey will be conducted by a qualified biologist within 30 days prior to the start of Project activities. The survey will be limited to the Project site, and will entail walking transects suitably spaced to ensure full visual coverage of the survey area. If any potential impacts are determined, the City of Tulare shall initiate consultation with the California Department of Fish and Wildlife to develop and implement site-specific measures. Mitigation Monitoring and Reporting for each phase shall be conducted by qualified professionals and their results shall be submitted to the City of Tulare and, if needed, the California Department of Fish and Wildlife.	Prior to construction	Prior to Construction	City of Tulare	Field inspection and report submittal to City of Tulare	

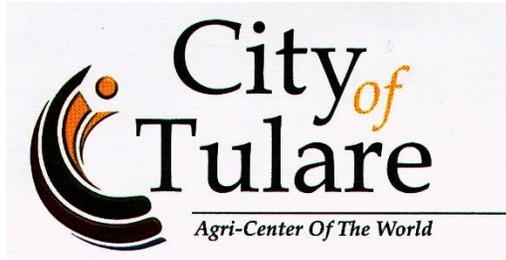
## **CHAPTER 5**

### **LIST OF PREPARERS**

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## Chapter 5 - LIST OF PREPARERS

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