COUNTY OF TULARE
RESOURCE MANAGEMENT AGENCY

5961 South Mooney Boulevard
Visalia, CA 93277

DRAFT
Initial Study and Mitigated Negative Declaration

Morgan Convenience Store (with gas station)/ Mini– Storage/Service Commercial Uses (GPA 21-001, PZC 22-007)

October 2022

Prepared by:
County of Tulare Resource Management Agency
Economic Development and Planning Branch
Environmental Planning Division

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Mitigation Monitoring and Reporting Program

INITIAL STUDY CHECKLIST

1. **Project Title:** Morgan Convenience Store (with gas station)/Mini–Storage/Service Commercial Uses; GPA 21-001 & PZC 22-007

2. **Lead Agency:** County of Tulare
Resource Management Agency
5961 S. Mooney Blvd.
Visalia, CA 93277

3. **Contact Persons:** Aaron Bock, Assistant Director – Planning – 559-624-7000
Hector Guerra, Chief, Environmental Planning Division – 559-624-7121

4. **Project Location:** The proposed Project site is located on the southeast corner of Avenue 280/Caldwell Avenue and Road 140/Lovers Lane directly southeast of Visalia city limits. The proposed Project site is also within the Urban Area and Urban Development Boundaries of the City of Visalia on Assessor's Parcel Number (APN) 127-010-035 and a portion of APN 127-010-037. The site is currently planted to walnuts and contains a single-family residence. The proposed Project site is located in the Visalia Quadrangle USGS 7.5 Minute Series in Tulare County, it lies within the North ½ of Section 10, Township 19 South, Range 25 East, Mount Diablo Meridian.

5. **Applicant:** Chase Morgan
3600 W. Mineral King, Ste. B
Visalia, CA 93291

6. **Owner(s):** Bill Morgan
3600 W. Mineral King, Ste. B
Visalia, CA 93291

7. **General Plan Designation:** Heavy Industrial & Low-Medium Density Residential

8. **Zoning:** C-1 (Neighborhood Commercial) & AE-20 (Exclusive Agricultural Zone-20 Acre Minimum)

9. **Description of Project (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)** The applicant is requesting to change the County's land use designation within the Urban Area Boundary (UAB) and Urban Development Boundary (UDB) of Visalia, on approximately 8.46 gross acres, from "Heavy Industrial" to "Service Commercial" and change the Land Use Designation on approximately 5.4 gross acres from "Low-Medium Density" to "Service Commercial" and change the zone districts from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project site is located directly southeast of the City of Visalia.

10. **Surrounding land uses and setting (Brief description):**
North: agricultural (orchard) and Cameron Creek;
South: church and agricultural (orchard);
East: agricultural (orchard)
West: agricultural (row crops) and Cameron Creek

11. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):** City of Visalia, Regional Water Quality Control Board, San Joaquin Valley Unified Air Pollution Control District, other TBD.

12. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that include, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?** Pursuant to AB 52 and SB 18(as the proposed Project includes a general plan amendment), a Sacred Land File search was requested from the Native American Heritage Commission (NAHC) on July 18, 2022. On July 19, 2022, tribal consultation notices were sent to 19 tribal contacts representing eight (8) Native American tribes. On August 27, 2022, the NAHC returned the SLF with "negative" results and provided a Tribal contact list. Also, the County received two (2) responses from the tribes within the 30-day response time regarding AB 52consultation, and __ response(s) within the 90-day response period regarding SB 18 consultation. It is noted that mitigation measures have been included in the project to reduce potential impacts on tribal cultural resources in the unlikely event that any are unearthed during construction-related activities.

Figure 1

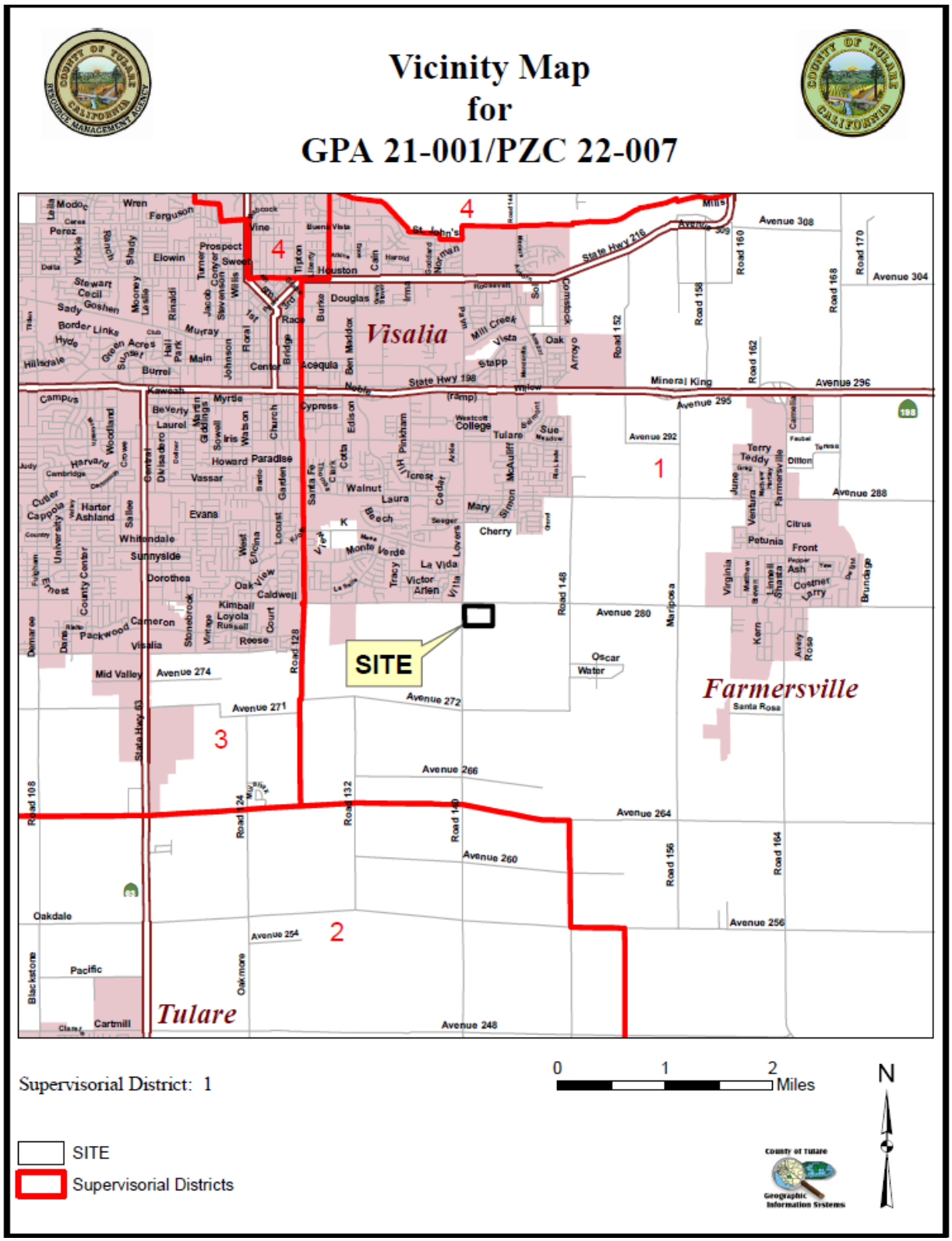

Vicinity Map
for
GPA 21-001/PZC 22-007
Visalia
Farmersville
Tulare
SITE
Supervisorial District: 1
0
1
2
Miles
N
SITE
Supervisorial Districts

Figure 2

Aerial Photograph for GPA 21-001/PZC 22-007

Owner:	Chase Morgan
Address:	3600 W. Mineral King, Suite B
City, State, ZIP:	Visalia, CA 93291
Applicant:	same
Agent:	N/A
Supervisorial District:	1
Assessors Parcel:	127-010-035

0 500 Feet

SITE

Parcels

N

Figure 3

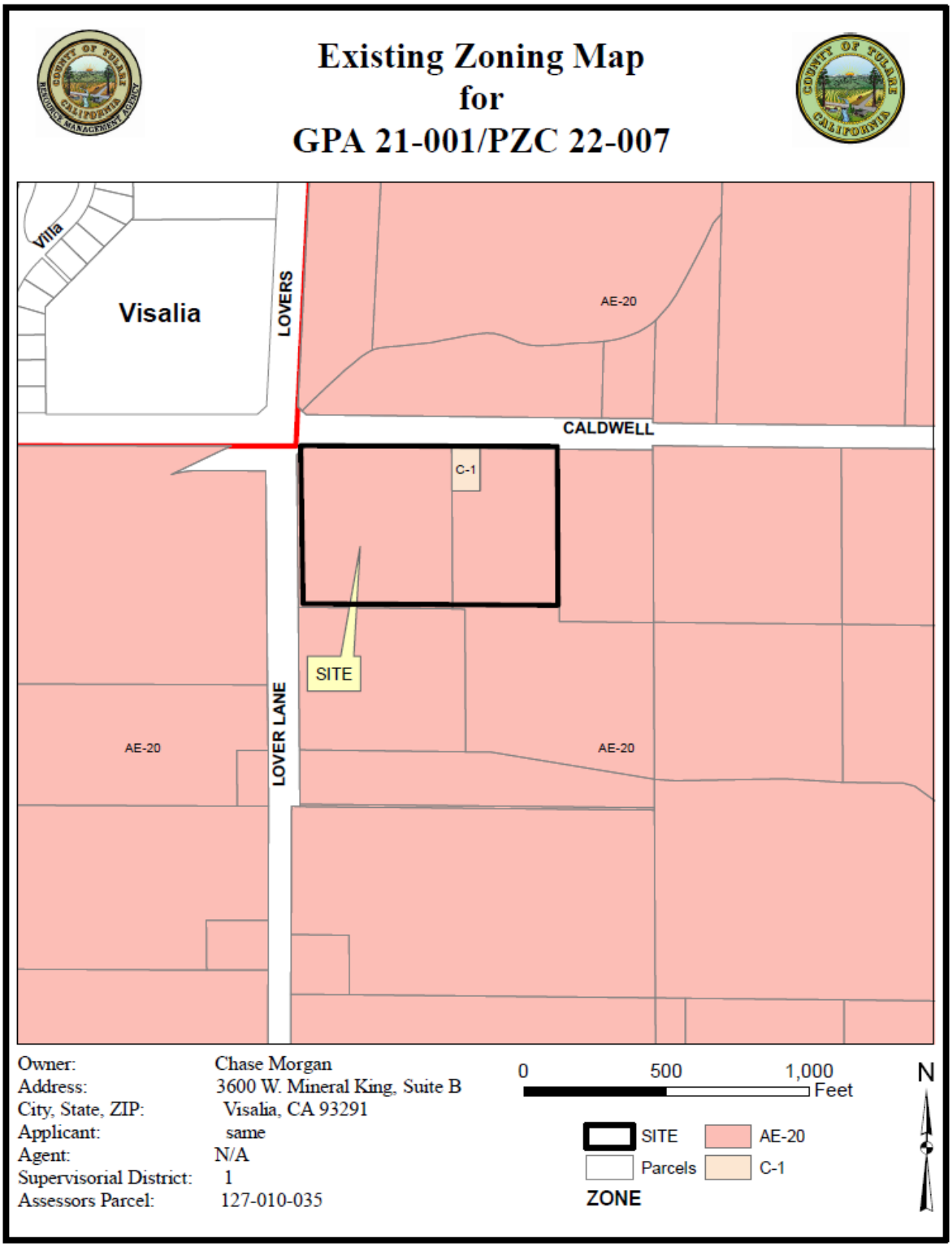

Existing Zoning Map
for
GPA 21-001/PZC 22-007
Visalia
Villa
LOVERS
AE-20
CALDWELL
C-1
SITE
LOVER LANE
AE-20
AE-20
Owner: Chase Morgan
Address: 3600 W. Mineral King, Suite B
City, State, ZIP: Visalia, CA 93291
Applicant: same
Agent: N/A
Supervisorial District: 1
Assessors Parcel: 127-010-035
0 500 1,000 Feet
N
SITE
AE-20
Parcels
C-1
ZONE

Figure 4

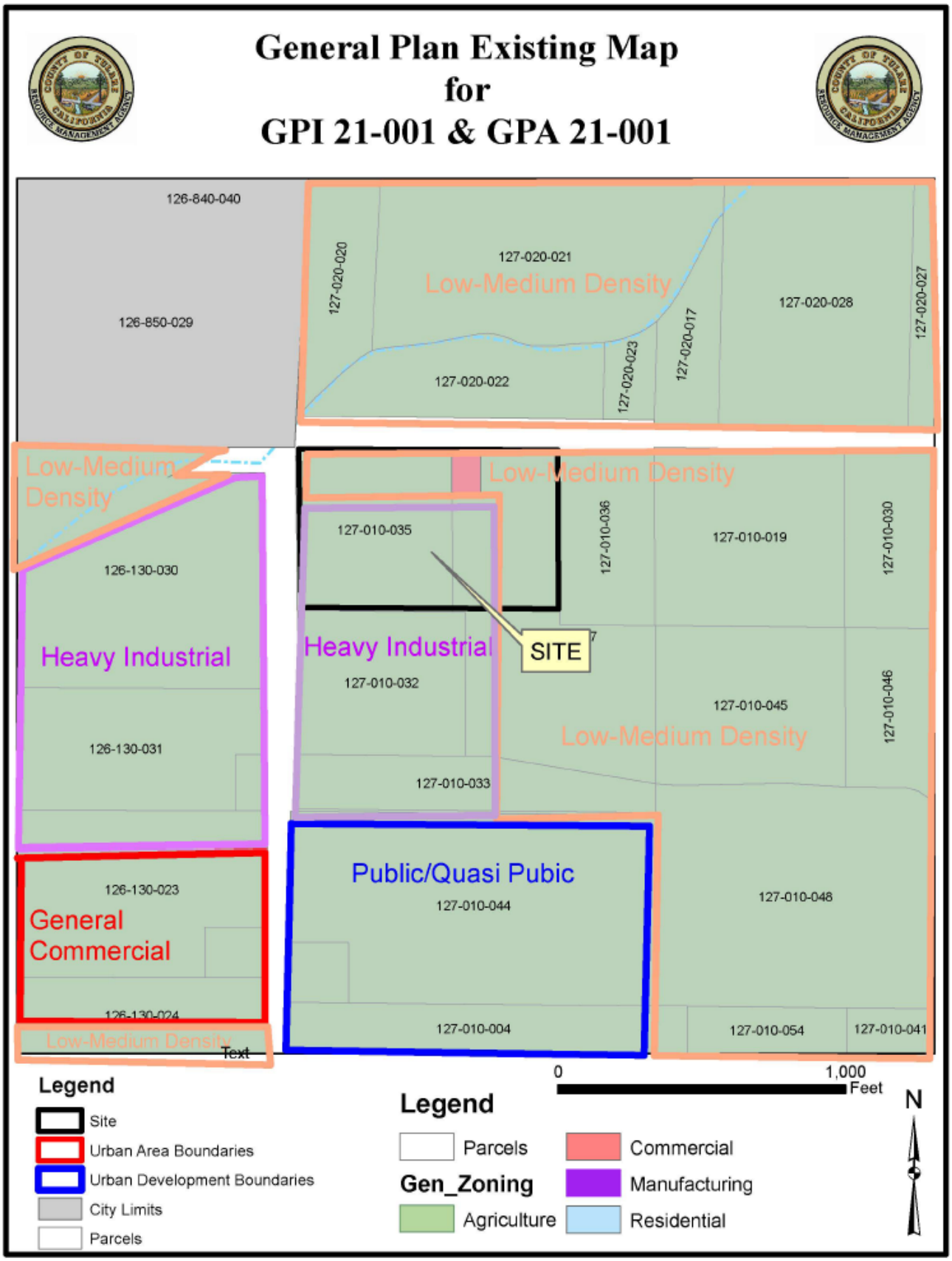
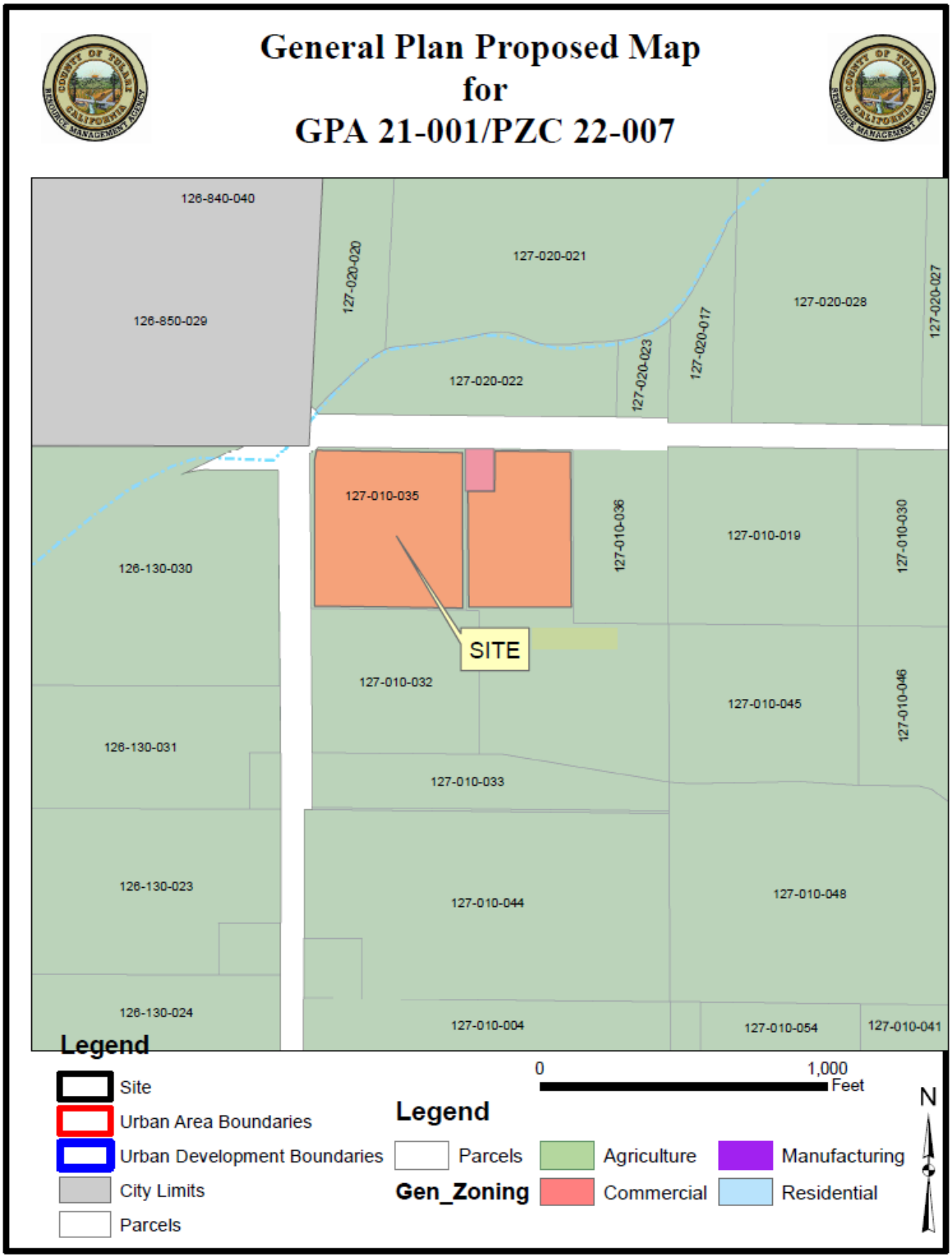

General Plan Existing Map
for
GPI 21-001 & GPA 21-001
126-840-040
126-850-029
127-020-020
127-020-021
Low-Medium Density
127-020-022
127-020-023
127-020-017
127-020-028
127-020-027
Low-Medium Density
Low-Medium Density
126-130-030
Heavy Industrial
126-130-031
127-010-035
Heavy Industrial
127-010-032
127-010-033
SITE
127-010-036
127-010-019
127-010-030
127-010-045
Low-Medium Density
127-010-046
Public/Quasi Pubic
127-010-044
127-010-004
127-010-048
127-010-054
127-010-041
126-130-023
General Commercial
126-130-024
Low-Medium Density
Text
0
1,000
Feet
N
Legend
Site
Urban Area Boundaries
Urban Development Boundaries
City Limits
Parcels
Legend
Parcels
Gen_Zoning
Agriculture
Commercial
Manufacturing
Residential

Figure 5


General Plan Proposed Map
for
GPA 21-001/PZC 22-007
126-840-040
126-850-029
127-020-020
127-020-021
127-020-022
127-020-023
127-020-017
127-020-028
127-020-027
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127-010-036
127-010-019
127-010-030
126-130-030
SITE
127-010-032
127-010-045
127-010-046
126-130-031
127-010-033
126-130-023
127-010-044
127-010-048
126-130-024
127-010-004
127-010-054
127-010-041
Legend
Site
Urban Area Boundaries
Urban Development Boundaries
City Limits
Parcels
0
1,000
Feet
N
Legend
Parcels
Gen_Zoning
Agriculture
Commercial
Manufacturing
Residential

Figure 6

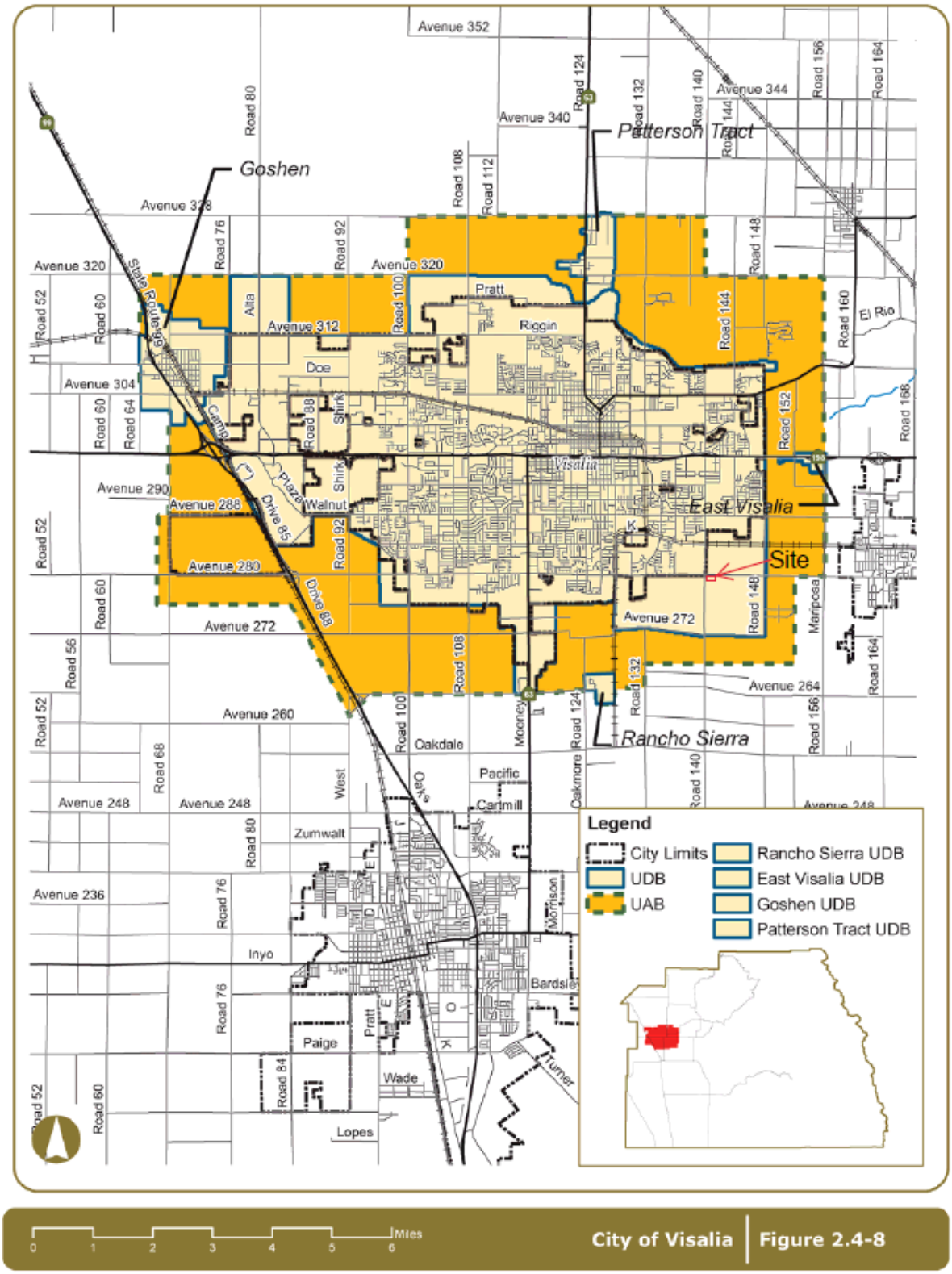
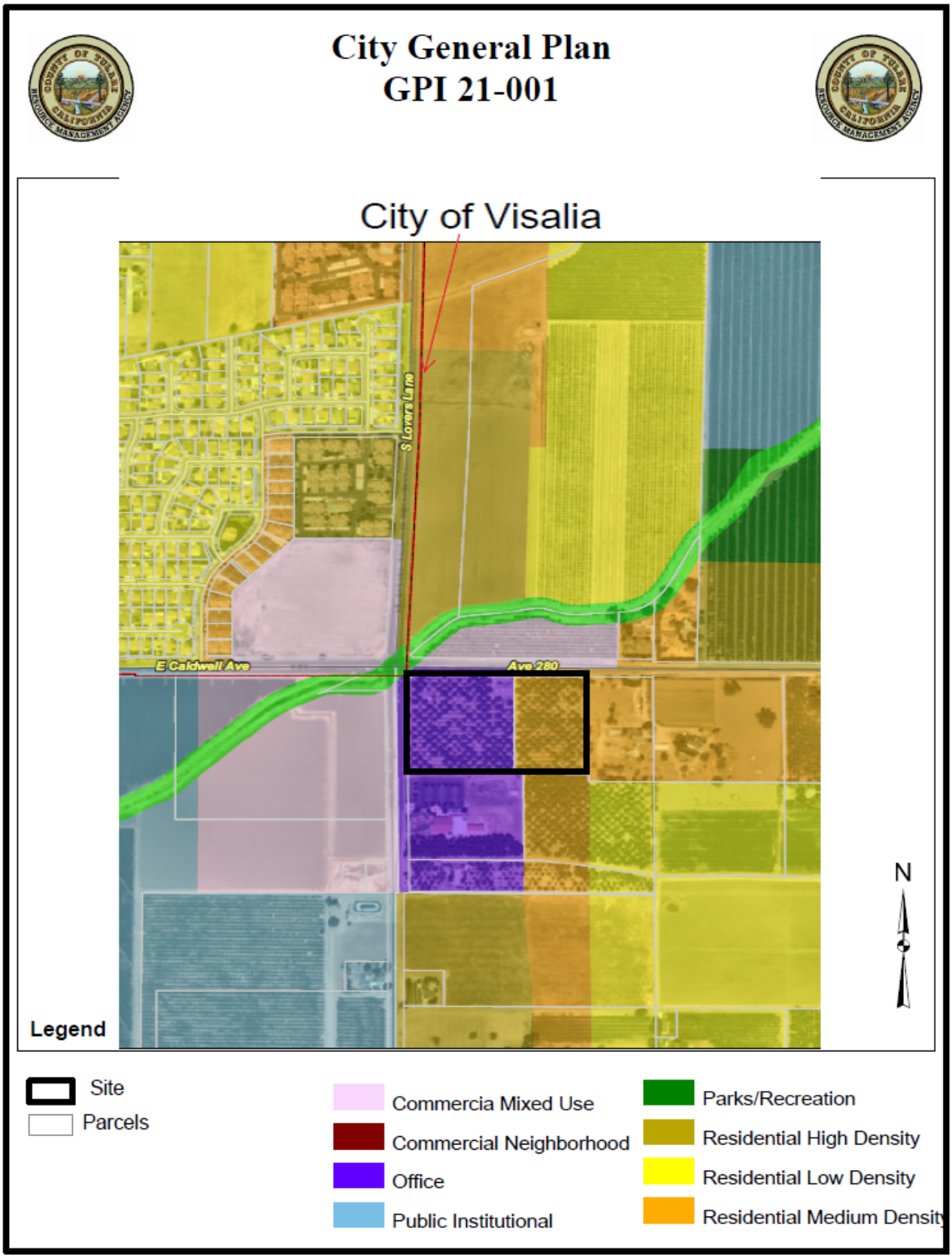

Goshen
Patterson Tract
East Visalia
Site
Rancho Sierra
Visalia
Legend
City Limits
UDB
UAB
Rancho Sierra UDB
East Visalia UDB
Goshen UDB
Patterson Tract UDB
Miles
City of Visalia
Figure 2.4-8

Figure 7


City General Plan
GPI 21-001
City of Visalia
S Lovers Lane
E Caldwell Ave
Ave 280
N
Legend
Site
Parcels
Commercia Mixed Use
Commercial Neighborhood
Office
Public Institutional
Parks/Recreation
Residential High Density
Residential Low Density
Residential Medium Density

A. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

☐ Aesthetics	☒ Agriculture / Forestry Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Energy
☐ Geology / Soils	☐ Greenhouse Gas Emissions	☒ Hazards and Hazardous Materials
☐ Hydrology / Water Quality	☒ Land Use / Planning	☐ Mineral Resources
☐ Noise	☐ Population / Housing	☐ Public Services
☐ Recreation	☒ Transportation	☒ Tribal Cultural Resources
☐ Utilities / Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

B. DETERMINATION:

On the basis of this initial evaluation:

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

☒ I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because revisions in the project have been made 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: _____ Date: _____

Hector Guerra _____ Chief Environmental Planner _____
Printed Name Title

Signature: _____ Date: _____

Reed Schenke, P.E. _____ Environmental Assessment Officer _____
Printed Name Title

C. EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063©(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.

   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

   a) the significance criteria or threshold, if any, used to evaluate each question; and

   b) the mitigation measure identified, if any, to reduce the impact to less than significance.

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
1.	**AESTHETICS**					
	Would the project:					
	a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
	b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
	c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
	d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Aesthetics, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and the Tulare County General Plan 2030 Update EIR are incorporated herein in their entirety. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion.

Analysis:

Environmental Setting

Tulare County is located in a predominately agricultural region of central California. The terrain in the County varies. The western portion of the County includes a portion of the San Joaquin Valley (Valley), and is generally flat, with large agricultural areas with generally compact towns interspersed. In the eastern portion of the County are foothills and the Sierra Nevada mountain range. The project site is located on the Valley floor, which is very fertile and has been intensively cultivated for many decades. Agriculture and related industries such as agricultural packing and shipping operations and small and medium sized manufacturing plants make up the economic base of the Valley region. Many communities are small and rural, surrounded by agricultural uses such as row crops, orchards, and dairies. From several locations on major roads and highways throughout the County, electric towers and telephone poles are noticeable. Mature trees, residential, commercial, and industrial development, utility structures, and other vertical forms are highly visible in the region because of the flat terrain. Where such vertical elements are absent, views are expansive. Most structures are small; usually one story in height, through occasionally two story structures can be seen commercial or industrial agricultural complexes. The County provides a wide range of views from both mobile and stationary locations… [1]

The proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested

[1] Tulare County 2030 General Plan: Recirculated Draft EIR (RDEIR). Page 3.1-11. Accessed in August 2022 at: http://generalplan.co.tulare.ca.us/documents/generalplan2010/RecirculatedDraftEIR.pdf

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

Regulatory Setting

Federal

Aesthetic resources are protected by several federal regulations, none of which are relevant to this Project because it will not be located on lands administered by a federal agency nor is the Project applicant requesting federal funding or any federal permits.

State

Title 24 Outdoor Lighting Standards

"The 2019 Building Energy Efficiency Standards improve upon the 2016 Energy Standards for new construction of, and additions and alterations to, residential and nonresidential buildings. Buildings whose permit applications are dated on or after January 1, 2020, must comply with the 2019 Standards. The California Energy Commission updates the standards every three years."[2] Title 24 Outdoor Lighting Standards were adopted by the State of California Energy Commission (Commission) (Title 24, Parts 1 and 6, Building Energy Efficiency Standards (Standards) went into effect on January 1, 2020. The changes focus on "four key areas: smart residential photovoltaic systems, updated thermal envelope standards (preventing heat transfer from the interior to exterior and vice versa), residential and nonresidential ventilation requirements, and nonresidential lighting requirements."[3] "The significant changes for outdoor lighting systems in the 2019 update to the Energy Standards include:

- Changes to outdoor lighting power allowances with the allowance values based on LED lighting technologies. Revisions to the general hardscape lighting values in Tables 140.7-A and the specific lighting application values in Table 140.7-B for all Lighting Zones (LZ) – Lighting Zone 1 thru Lighting Zone 4.
- Add separate lighting power allowance values for concrete-surfaced and for asphalt-surfaced hardscape lighting application in Table 140.7-A.
- Add new lighting power allowances for narrow band spectrum light sources used in applications for minimizing outdoor lighting impacts on professional astronomy and nocturnal habitat. (Table 140.7-A)
- Revision and streamlining outdoor lighting control requirements. (§130.2(c))
- Healthcare facilities overseen by the California Office of Statewide Health Planning and Development (OSHPD) have to comply with the Energy Standards including the outdoor lighting requirements for all outdoor areas of healthcare facilities."[4]

Outdoor Lighting Zones

"The basic premise of the Energy Standards is to base allowable outdoor lighting power on the brightness of the surrounding conditions. The Energy Standards contain lighting power allowances for new lighting installations and specific alterations that are dependent on the lighting zone in which the project is located.

Five categories of outdoor lighting zones are defined, and they are LZ0, LZ1, LZ2, LZ3 and LZ4. Lighting zones with lower numbers are darker from LZ0 which is in national parks and other areas intended to be very dark at night to LZ4 for high intensity nighttime use, such as entertainment or commercial districts or areas with special security considerations requiring very high light levels. The eyes adapt to darker surrounding conditions and less light is required to properly see; when the surrounding conditions get brighter, more light is needed to see."[5]

"The least power is allowed in Lighting Zone 1 and increasingly more power is allowed in Lighting Zones 2, 3, and 4. Lighting Zone 0 is intended for undeveloped spaces in parks and wildlife preserves and is very low ambient illumination.

[2] California Energy Commission (CEC). Accessed July August 2022 at: 2019 Building Energy Efficiency Standards (ca.gov)

[3] CEC. Accessed August 2022 at: Energy Commission Adopts Standards Requiring Solar Systems for New Homes, First in Nation (ca.gov)

[4] CEC. Outdoor Lighting – Overview. 6.1. Overview. What's new for the 2019 California Energy Code. Page 6-1Accessed August 2022 at: Outdoor Lighting (ca.gov)

[5] Ibid. Outdoor Lighting Zones. 6-4.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

The following summarizes the default locations for outdoor lighting zones as specified in §10-114:

- Lighting Zone 0 areas are undeveloped areas of government designated parks, recreation areas, and wildlife preserves;
- Lighting Zone 1 areas are developed portions of government designated parks, recreation areas and wildlife preserves;
- Rural areas are Lighting Zone 2;
- Urban areas are Lighting Zone 3;
- Lighting Zone 4 is a special use district that may be created by a local government through application to the Energy Commission."[6]

California Scenic Highway Program

The California Scenic Highway Program was established by the state Legislature in 1963 for the purpose of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. The State Scenic Highway System includes a list of highways that are either eligible for designation as scenic highways or have been officially designated. The state laws governing the scenic highways program are found in The Streets and Highways Code Sections 260-263.[7] In Tulare County, portions of State Routes 180, 190, and 198 are designated as state scenic highways.[8]

Local

Tulare County General Plan 2030 Update

The Tulare County General Plan Update 2030 Part 1: Goals and Policies Report (GPR) (August 2012) includes a number of goals and policies relating to scenic protection of County resources. The Goals and Policies Report Framework Concept No. 3 addresses Scenic Landscapes:

"The scenic landscapes in Tulare County will continue to be one of the County's most visible assets. The Tulare County General Plan emphasizes the enhancement and preservation of these resources as critical to the future of the County. The County will continue to assess the recreational, tourism, quality of life, and economic benefits that scenic landscapes provide and implement programs that preserve and use this resource to the fullest extent."[9]

The Tulare County General Plan 2030 Update: Chapter 7 – Scenic Landscapes, contains the following goals and policies that relate to aesthetics, preservation of scenic vistas and daytime lighting/nighttime glare and which have potential relevance to the proposed Project's CEQA review: *SL-1.1 Natural Landscapes* which requires new development to not significantly impact or block views of Tulare County's natural landscapes*; SL-1.2 Working Landscapes* which requires that new non-agricultural structures and infrastructure located in or adjacent to croplands, orchards, vineyards, and open rangelands be sited so as to not obstruct important viewsheds and to be designed to reflect unique relationships with the landscape; *LU-5.3 Storage Screening* which shall require adequate landscaping and screening of industrial storage areas to minimize visual impacts and enhance the quality of the environment; *LU-5.6 Industrial Use Buffer* wherein, Unless mitigated, the County shall prohibit new heavy industrial uses to a minimum of 500 feet from schools, hospitals, or populated residential areas (more than 10 dwelling units within a quarter mile diameter area). The buffer area may be used for activities not creating impacts to adjoining sensitive land uses for uses accessory to the heavy industrial use. The establishment of a buffer may not be required when mitigated or may not apply to industrial uses that do not impact adjoining uses identified herein. The buffer area shall be landscaped and maintained; *LU-7.6 Screening* wherein the County shall require landscaping to adequately screen new industrial uses to minimize visual impacts; *ERM-5.19 Night Sky Protection* where Upon demonstrated interest by a community, mountain service center, or hamlet, the County will determine the

[6] Op. Cit.

[7] California Department of Transportation (Caltrans). Scenic Highway Program. Frequently Asked Questions. Accessed August 2022 at: Scenic Highways - Frequently Asked Questions | Caltrans

[8] County of Tulare. Tulare County General Plan 2030 Update. Goals and Policies Report. Designated Candidate Scenic and County Scenic Routes Figure 7-1. Page 7-5.Accessed August 2022 at: http://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/000General%20Plan%202030%20Part%20I%20and%20Part%20II/GENERAL%20PLAN%202012.pdf

[9] Ibid. C. Environment. Environmental Landscapes. Concept 1: Scenic Landscapes. C-1.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

best means by which to protect the visibility of the night sky; and *ERM-1.15 Minimize Lighting Impacts* where in the County shall ensure that lighting associated with new development or facilities (including street lighting, recreational facilities, and parking) shall be designed to prevent artificial lighting from illuminating adjacent natural areas at a level greater than one foot candle above ambient conditions.

"Tulare County's existing General Plan identifies State designated scenic highways and County designated eligible highways. There are three highway segments designated as eligible by the State. These include State Route 198 from Visalia to Three Rivers, State Route 190 from Porterville to Ponderosa, and State Route 180 extending through Federal land in the northern portion of Tulare County. State Route 198 closely follows around Lake Kaweah and the Kaweah River, while State Route 190 follows around Lake Success and the Tule River. Both Scenic Highways travel through agricultural areas of the valley floor to the foothills and the Sierra Nevada Range. Additionally, the General Plan Update identifies preserving the rural agricultural character of SR 99 and SR 63 as valuable to the County and communities."[10]

Project Impact Analysis:

a) No Impact: The proposed Project site is located in the Valley portion of Tulare County. The site is generally flat (planted to an existing walnut orchard and an existing single-family residence which will be converted to an office) with unobstructed views toward the agricultural lands to the north, vacant land to the northwest, agricultural lands to the east (with scattered rural residences), and an existing church to the south and agricultural land to the southwest (see Figure 2 Aerial View map). Avenue 280/Caldwell Avenue is to the immediate north, while Road 140/Lovers Lane is to the immediate west. Neither the proposed Project site nor any of the surrounding land uses contains features typically associated with scenic vistas (e.g.; ridgelines, peaks, overlooks). Therefore, no opportunity exists for the proposed Project's development to obscure views of scenic vistas that may be located within the immediate area of the proposed Project site. Although the proposed Project will be visible from Avenue 280/Caldwell Avenue and partially visible from Road 140/Lovers Lane when fully built out, it is anticipated that design features will minimize negative visual impacts to those viewing the site. On-site landscaping (as applicable), and landscaping along Avenue 280/Caldwell Avenue and Road 140/Lovers Lane will be in accordance with City of Visalia standards. Any structure developed on the site will not exceed 75 feet in height (per Section 12.5 of the County of Tulare Zoning Ordinance for Service Commercial (C-3) Zone District); therefore, the height will be consistent with those allowed in a commercial zone. The proposed Project will not include any structures that would exceed a maximum of 75 feet in height. As noted earlier, there are no designated scenic vistas within visible distance of the proposed Project site. Therefore, the proposed Project would have no impact on a scenic vista.

b) No Impact: There are no rock outcroppings, historic buildings, or other designated scenic resources within or near the proposed Project site. The California Scenic Highway Program allows counties to nominate an eligible scenic highway to be approved by the California Department of Transportation and placed under the scenic corridor protection program. In Tulare County, there is currently one officially designated scenic highway, and two highways that are eligible for designation. State Route (SR) 180 is the nearest Officially Designated State Scenic Highway, greater than 20 miles north of the proposed Project site. The Tulare County General Plan 2030 Update also lists a series of Scenic County Routes, several of which are in agricultural areas; however, none are in the proposed Project vicinity. There will be no impact to this Checklist Item.

c) Less Than Significant Impact: Agricultural landscapes throughout Tulare County are typically considered scenic and visually appealing. While the proposed Project is not located on a Scenic County Road or Eligible State Scenic Highway, the proposed Project site is located in an area where it is the agriculturally productive land visible from Avenue 280/Caldwell Avenue and Road 140/Lovers Lane. At full build-out, implementation of the proposed Project will alter the visual character of the site from non-productive agricultural land to a commercial development. The proposed Project will be required to comply with the substantial design review and design limitations required by the City of Visalia's adopted design guidelines and zoning regulations (as applicable), which require setbacks, landscaping and designs to limit impact to neighboring properties. As such, the County does not anticipate that the commercial development of the proposed Project would create a visually degraded character or quality to the proposed Project site or to the properties near and around the proposed Project site. The proposed Project is in a transitional area where urban-type development has encroached on it from the northwest; however, it would not

[10] Tulare County General Plan 2030 Update. August 2012. Recirculated Draft EIR. Page 3.1-11. Accessed in August 2022 at: http://generalplan.co.tulare.ca.us/documents/generalplan2010/RecirculatedDraftEIR.pdf

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

conflict with applicable zoning and other regulations governing scenic quality. Therefore, the proposed Project would result in a less than significant impact on the visual character within or adjacent to the proposed Project site.

d) Less Than Significant Impact: Lighting impacts are often associated with the use of artificial light during the evening and nighttime hours. Impacts could potentially include light emanating from building interiors (seen through windows) and light from exterior sources, such as security lighting, street lighting, etc. Glare is typically a daytime occurrence caused by light reflecting off highly polished surfaces such as window glass or polished metallic surfaces. The proposed Project will include new street and commercial lighting within the development and all new lighting will be consistent with current City of Visalia standards (as applicable), which will minimize light spillage or other negative lighting impacts. Other than typical daylight reflecting from commercial windows, no other sources of glare (such as light reflecting off highly polished surfaces) would occur as a result of the proposed Project. Therefore, a less than significant impact to this Checklist Item will occur.

Cumulative Impact Analysis: **Less Than Significant Impact** - The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and the Tulare County General Plan 2030 Update EIR. As noted earlier, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). As the proposed Project would not create any project specific visual impacts, a less than significant cumulative impact on visual character will occur.

2. AGRICULTURAL AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the Rural Valley Lands Plan point evaluation system prepared by the County of Tulare as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☒	☐
	b)	Conflict with existing zoning for agriculture use, or a Williamson Act contract?	☐	☐	☐	☒
	c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources code 12220(g), timberland (as defined in Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
	d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
	e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Agriculture and Forest Resources, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and the Tulare County General Plan 2030 Update EIR are incorporated herein in their entirety. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion.

Analysis:

Environmental Setting

The proposed Project site is located in the San Joaquin Valley portion of Tulare County. This area is characterized by rich, highly productive farmland. Agriculture is the most important sector in Tulare County's economy, and agriculture and related industries make Tulare County one of the two most productive agricultural counties in the United States, according to Tulare County Farm Bureau statistics.[11] "Agricultural lands (crop and commodity production and grazing) also provide the County's most visible source of open space lands. As such, the protection of agricultural lands and continued growth and production of agriculture industries is essential to all County residents."[12]

The proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a single-family residence. The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

The *2021 Tulare County Annual Crop and Livestock Report* stated "Tulare County's total gross production value for 2021 as $8,089,621,300. This represents an increase of $949,544,800 or 13.3% above 2020's value of $7,140,076,500. Milk continues to be the leading agricultural commodity in Tulare County; with a gross value of $1,943,043,000, an increase of $76,347,000 or 4%. Milk represents 23% of the total crop and livestock value for 2021. Total milk production increased by 1%. Livestock and Poultry's gross value of $732,406,000 represents an increase of 9% above that of 2020, mostly due to the higher per unit value for both cattle and poultry. The total value of all Field Crop production in 2021 was $571,436,000, an increase of 13% from the previous year. This increase is mostly attributed to better yields and prices for several field crops. Fruit and Nut commodities were valued at $4,607,905,000 an increase of 20%. This increase can be partially attributed to the increase in Almond, Pistachio, and Tangerine acreage. Nursery Products increased by 9% compared to 2020 with an overall value of $118,779,000. Vegetable crops were valued at $20,544,000, representing a 22% decrease. This can be attributed to a decrease in acreage for Sweet Corn compared to 2020.

Tulare County's agricultural strength is based on the diversity of the crops produced. The 2021 crop report covers more than 150 different commodities, 42 of which have a gross value in excess of $1,000,000. Although individual commodities may experience difficulties from year to year, Tulare County continues to produce high-quality crops that provide food and fiber to more than 90 countries throughout the world."[13]

[11] Tulare County Farm Bureau, "Agricultural Facts," Accessed August 2022 at: http://www.tulcofb.org/index.php?page=agfacts

[12] Tulare County General Plan 2030 Update. August 2012. Page 3-4.

[13] 2021 Tulare County Annual Crop and Livestock Report. September 2021. Cover letter from Tom Tucker, Agricultural Commissioner. Accessed September 2022 at:

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

According to the California Department of Conservation (DOC) Farmland Mapping and Monitoring Program (FMMP), in 2012 agricultural lands in Tulare County included 860,120 acres of important farmland (designated as FMMP Prime, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance) and 439,940 acres of grazing land, for a total of 1,300,060 acres of agricultural land.[14]

Important Farmland Trends

Using data collected by the FMMP, farmland acreage has been consistently decreasing for each two-year period since 1998. Tulare County lost 13,815 acres of important farmland, and 14,424 acres of total farmland between 2010 and 2012.[15]

According to the DOC, much of Tulare County's farmland is under California Land Conservation Act (Williamson Act) contracts, a program designed to prevent premature conversion of farmland to residential or other urban uses. As of January 1, 2012, there were 1,096,299 acres of farmland under Williamson Act or Farmland Security Zone contracts in Tulare County. This total includes 571,904 acres of Williamson Act prime, 513,243 acres nonprime, and 11,152 acres of Farmland Security Zone lands.[16] The acreage totals also include 6,040 acres Williamson Act prime contracted land in nonrenewal and 7,513 acres of Williamson Act nonprime in nonrenewal.[17]

According to the Tulare County Subvention Report (Fiscal Year 2015-2016), much of Tulare County's farmland is under California Land Conservation Act (Williamson Act) contracts, a program designed to prevent premature conversion of farmland to residential or other urban uses. As of January 1, 2015, there were 1,097,728 acres of farmland under Williamson Act or Farmland Security Zone contracts in Tulare County. As presented in **Table 2-1**, this total includes 565,190 acres of Williamson Act prime, 505,645 acres nonprime, and 11,101 acres of Farmland Security Zone lands. (The acreage totals also include Williamson Act prime contract land in nonrenewal and nonprime contract land in nonrenewal).[18] As shown in **Table 2-2**, a total of 1,298,053 acres are included in the Farmland Category.

Forest Lands

"Timberlands that are available for harvesting are located in the eastern portion of Tulare County in the Sequoia National Forest. Hardwoods found in the Sequoia National Forest are occasionally harvested for fuel wood, in addition to use for timber production. Since most of the timberlands are located in Sequoia National Forest, the U.S. Forest Service has principal jurisdiction, which encompasses over 3 million acres. The U.S. Forest Service leases these federal lands for timber harvests."[19]

Table 2-1[20]
2014 Tulare County Lands under Williamson Act or Farmland Security Zone Contracts

Acres	Category
565,190	Total prime = Prime active + NR Prime
505,645	Total Nonprime = Nonprime active + NR Prime
11,101	Farmland Security Zone
1,081,936	TOTAL ACRES in Williamson Act and Farmland Security Zone contracts

https://agcomm.co.tulare.ca.us/pest-exclusion-standardization/crop-reports1/crop-reports-2021-2030/crop-and-livestock-report-2021/

[14] California Department of Conservation, California Farmland Conversion Report, Table A-44: Tulare County 2010-2012 Land Use Conversion. Page 72. Accessed August 2022 at: https://www.conservation.ca.gov/dlrp/fmmp/Pages/Tulare.aspx.

[15] California Department of Conservation. Division of Land Resource Protection. FMMP. "Tulare County 2008-2010 Land Use Conversion" Report. Table A-44. Accessed August 2022 at: https://www.conservation.ca.gov/dlrp/fmmp/Pages/Tulare.aspx.

[16] California Department of Conservation. The California Land Conservation Act 2014 Status Report. Table A-1: Total Reported Enrollment 2012. Page 34 Accessed August 2022 at: http://www.conservation.ca.gov/dlrp/lca/stats_reports/Documents/2014%20LCA%20Status%20Report_March_2015.pdf

[17] Ibid. Table A-5: Cumulative Nonrenewal Acreage. 38.

[18] California Department of Conservation, Division of Land Resource Protection. Farmland Mapping and Monitoring Program California Farmland Conversion Report 2015. Accessed August 2022 at: https://www.conservation.ca.gov/dlrp/fmmp/Documents/fmmp/pubs/2010-2012/FCR/FCR%202015_complete.pdf.

[19] Ibid. 4-20.

[20] Ibid.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Table 2-2
Tulare County FMMP-Designated Land (1998-2016)

Farmland Category	Total Acres Inventoried								
	1998[21]	**2000[22]**	**2002[23]**	**2004[24]**	**2006[25]**	**2010[26]**	**2012[27]**	**2014[28]**	**2016[29]**
Prime Farmland	396,130	393,030	387,620	384,340	379,760	370,249	368,527	366,414	366,136
Farmland of Statewide Importance	357,220	351,720	345,760	339,580	332,160	323,599	321,296	320,886	322,355
Unique Farmland	11,790	11,720	12,750	12,530	12,220	11,593	11,474	11,421	11,691
Important Farmland Subtotal	**765,140**	**756,470**	**746,130**	**736,450**	**724,140**	**705,441**	**701,297**	**859,171**	**858,119**
Farmland of Local Importance	110,040	124,140	126,820	137,440	143,830	154,550	158,823	160,450	157,937
Grazing Land	439,960	434,050	440,550	440,620	440,140	440,042	439,940	439,961	439,934
Total	1,315,140	1,314,660	1,313,500	1,314,560	1,308,110	1,300,033	1,300,060	1,299,132	1,298,053

TABLE 2-3
Soil Information for Project Site

Map Unit Symbol	Map Unit Name	Non-Irrigated Capability Class	Rating Grade	Acreage/Site Percentage
122	Grangeville sandy loam, 0 to 2% slopes	4	Well suited	100%

Source: USDA/NRCS 2020 accessed at: https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx

As the proposed Project is located on the Valley floor, there is no timberland or forest in the Project vicinity.

Regulatory Setting

Federal

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

State

[21] Tulare County General Plan 2030 Update Recirculated Draft EIR Sch#2006041162. Table 3.10-4.
[22] Ibid.
[23] Op. Cit.
[24] Op. Cit.
[25] Op. Cit.
[26] Tulare County Resource Management Agency. Tulare County Subvention Report for Fiscal Year 2012-2013 (submitted to Department of Conservation, November 2012).
[27] Ibid.
[28] California Department of Conservation (DOC) Division of Land Resource Protection. Department of Conservation, Farmland Mapping and Monitoring Program, *Table 2014-2016. Table A-44, Part I.* Accessed August 2022 at: https://www.conservation.ca.gov/dlrp/fmmp/Pages/Tulare.aspx.
[29] Ibid.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

California Environmental Quality Act (CEQA) Definition of Agricultural Lands

Public Resources Code Section 21060.1 defines "agricultural land" for the purposes of assessing environmental impacts using the FMMP. The FMMP was established in 1982 to assess the location, quality, and quantity of agricultural lands and the conversion of these lands. The FMMP serves as a tool to analyze agricultural land use and land use changes throughout California. As such, this Project is being evaluated using the FMMP pursuant to CEQA.

California Department of Conservation, Division of Land Resource Protection

The California Department of Conservation (DOC) applies the Natural Resources Conservation Service (NRCS) soil classifications to identify agricultural lands. These agricultural designations are used in planning for the present and future of California's agricultural land resources. Pursuant to the DOC's FMMP, these designated agricultural lands are included in the Important Farmland Maps (IFM). As noted earlier the FMMP was established in 1982 to assess the location, quality and quantity of agricultural lands, and the conversion of these lands. The FMMP serves as tool to analyze agricultural land use and land use changes throughout California. 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 following list provides a comprehensive description of all the categories mapped by the DOC. Collectively, lands classified as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland are referred to as Farmland.[30]

- 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 similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store 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 soils used for the production of the State's leading agricultural crops. This land is usually irrigated, but may include non-irrigated groves 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 Builtup Land. Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, 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 greater than 40 acres is mapped as Other Land.

According to the California Department of Conservation (DOC) Farmland Mapping and Monitoring Program (FMMP) the entire site is locate on Prime Farmland.[31]

California Land Conservation Act (Williamson Act)

[30] DOC. FMMP – Important Farmland Map Categories. Accessed August 2022 at: https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx
[31] Ibid. Accessed August 2022 at: https://maps.conservation.ca.gov/DLRP/CIFF/

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

The Williamson Act, also known as the California Land Conservation Act of 1965, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value. The Department of Conservation assists all levels of government, and landowners in the interpretation of the Williamson Act related government code. The Department also researches, publishes and disseminates information regarding the policies, purposes, procedures, and administration of the Williamson Act according to government code. Participating counties and cities are required to establish their own rules and regulations regarding implementation of the Act within their jurisdiction. These rules include but are not limited to: enrollment guidelines, acreage minimums, enforcement procedures, allowable uses, and compatible uses.[32]

Williamson Act Contracts are formed between a county or city and a landowner for the purpose of restricting specific parcels of land to agricultural or related open space use. Private land within locally-designated agricultural preserve areas are eligible for enrollment under a contract. The minimum term for contracts is ten years. However, since the contract term automatically renews on each anniversary date of the contract, the actual term is essentially indefinite. Landowners receive substantially reduced property tax assessments in return for enrollment under a Williamson Act contract. Property tax assessments of Williamson Act contracted land are based upon generated income as opposed to potential market value of the property.[33]

Forestry Resources

State regulations regarding forestry resources are not relevant to the proposed project because no forestry resources exist at the Project site.

Local

County of Tulare

The Tulare County General Plan has several policies that apply to projects within the County of Tulare. Policies that relate to the proposed Project are listed as follows: *AG-1.1 - Primary Land Use* – wherein the County shall maintain agriculture as the primary land use in the valley region of the County, not only in recognition of the economic importance of agriculture, but also in terms of agriculture's real contribution to the conservation of open space and natural resources; *AG-1.7 Preservation of Agricultural Lands* - wherein the County shall promote the preservation of its agricultural economic base and open space resources through the implementation of resource management programs such as the Williamson Act, Rural Valley Lands Plan, Foothill Growth Management Plan or similar types of strategies and the identification of maximum growth parameters for all urban areas located in the County; *AG-1.14 Right-to-Farm Noticing* - wherein the County shall condition discretionary permits for special uses and residential development within or adjacent to agricultural areas upon the recording of a Right-to-Farm Notice (Ordinance Code of Tulare County, Part VII, Chapter 29, Section 07-29-1000 and following), which is an acknowledgement that residents in the area should be prepared to accept the inconveniences and discomfort associated with normal farming activities and that an established agricultural operation shall not be considered a nuisance due to changes in the surrounding area; and *AG-1.17 Agricultural Water Resources* – wherein the County shall seek to protect and enhance surface water and groundwater resources critical to agriculture.

Project Impact Analysis:

a) Less Than Significant Impact: The entire proposed Project area is mapped as Prime Farmland. As such, the proposed Project would result in the Conversion of 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.[34] Although the site is currently planted to walnuts, it is the landowner's desire to discontinue farming as urban-type development within the City of Visalia has encroached upon the site from the northwest and north. The site is ideally suited for the proposed Project as it is within a reasonable continuity of urban-type development along the southeast intersection of Road Avenue 280/Caldwell Avenue and Road 140/Lovers Lane. Locating the proposed Project at this site would result in a loss of 0.000010%

[32] DOC. Williamson Act Program. Accessed August 2022 at: https://www.conservation.ca.gov/dlrp/wa.

[33] Ibid. Williamson Act Contracts. Accessed July 2022 at https://www.conservation.ca.gov/dlrp/wa/Pages/contracts.aspx

[34] DOC. FMMP – Important Farmland Map Accessed August 2022 at: https://maps.conservation.ca.gov/DLRP/CIFF/

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

of 1, 298,053 total acres of agricultural lands and 0.000035% of 366,136 acres of all Prime Farmlands within Tulare County. The Project is not required to comply with Tulare County General Plan policy AG-1.6 Conservation Easements for conservation of important agricultural land to non-agricultural use through an in-lieu fee or other conservation mechanism as the parcel containing the AE-20 zoning is less than five (5) acres in area. Therefore, a less than significant impact related to this Checklist Item will occur.

b) **Less Than Significant Impact:** The proposed Project site is currently zoned AE-20 (Exclusive Agriculture- 40 acre minimum). The proposed Project conflicts with existing zoning as commercial operations are not permitted in the AE-20 Zone. Therefore, the Proposed project applicant seeks a zone change to PD-C-3-SC (Planned Development – Service Commercial – Scenic Corridor Combining) Zone thereby allowing the proposed Project. The proposed Project parcel is not under a Williamson Act Contract, as such, there would be no impact to a Williamson Act Contract. As noted in Item a), the site is currently planted to walnuts; however, it is the landowner's desire to discontinue farming as urban-type development is encroaching the site from the northwest. The site is ideally suited for the proposed Project as it is within a reasonable continuity of urban-type development that is encroaching from the northwest. Locating the proposed Project at this site would result in a loss of 0.000037% of 1, 298,053 total acres of agricultural lands and 0.00013% of 366,136 acres of all Prime Farmlands within Tulare County. Therefore, the impact is less than significant.

c) **No Impact:** The proposed Project will not occur on land zoned as forest land or timberland, or result in a loss of forest land. As such, the proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources code 12220(g), timberland (as defined in Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)). There is no impact.

d) **No Impact:** As noted above, the proposed Project will not occur on land zoned as forest land or timberland, or result in a loss of forest land. As such, the proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources code 12220(g), timberland (as defined in Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)). There is no impact.

e) **No Impact:** The proposed Project site is not located near land zoned as forest land or timberland and therefore would not result in any changes in the environment that might convert forest land to non-forest land. Therefore, no other changes to the environment are anticipated that could result in the conversion of adjacent farmland to non-farmland. There is no impact.

Cumulative Impact Analysis: **Less Than Significant Impact** - The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and the Tulare County General Plan 2030 Update EIR. As noted earlier, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). Also, as the Project must comply with Tulare County General Plan policy AG-1.6 Conservation Easements for conservation of important agricultural land to non-agricultural use through an in-lieu fee or other conservation mechanism. implementation of Mitigation Measure 2-1 will reduce the Project's impact to less than significant. As such, the proposed Project would result in a less than significant cumulative impact on this resource.

Mitigation: See Mitigation 2-1.

2-1 The applicant will be required to create an agricultural land conservation easement at a ratio of 1 acre of developed property for 1 acre of conserved agricultural land (a 1:1 ratio). This amount of 1:1 will be represented by 12 acres within the County. Any replacement acreage will be to the satisfaction of the Planning Director of Tulare County. The applicant will purchase an agricultural land conservation easement, of like agricultural land within the County, on the entire 12 acres to be maintained and kept in

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

agriculture in perpetuity. The "ultimate" agricultural easement shall be placed on other suitable and agriculturally compatible property, of the same soil types and arability, within Tulare County; at a replacement ratio of 1:1, and to be established as an agricultural land conservation easement in perpetuity.

Therefore, implementation of Mitigation Measure 2-1, as applicable, would reduce impacts to less than significant.

3.	**AIR QUALITY**					
	Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:					
	a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
	b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
	c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
	d)	Result is other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☒	☐

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Air Quality Resource, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and the Tulare County General Plan 2030 Update EIR are incorporated herein in their entirety. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion.

Analysis:

Environmental Setting

The proposed Project is located in the San Joaquin Valley Air Basin (SJVAB), a continuous inter-mountain air basin. The Sierra Nevada Range forms the eastern boundary; the Coast Range forms the western boundary; and the Tehachapi Mountains form the southern boundary. These topographic features restrict air movement through and beyond the SJVAB. The SJVAB is comprised of San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, and Tulare Counties and the valley portion of Kern County; it is approximately 25,000 square miles in area. Tulare County lies within the southern portion of the SJVAB. Air resources in the SJVAB is managed by the San Joaquin Valley Air Pollution Control District (Air District, District, or SJVAPCD).

The proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a single-family residence. The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

Ambient Air Quality Standards

Both the federal government (through the United State Environmental Protection Agency (EPA)) and the State of California (through the California Air Resources Board (CARB or ARB)) have established health-based ambient air quality standards (AAQS) for six air pollutants, commonly referred to as "criteria pollutants." The six criteria pollutants are: carbon monoxide (CO), ozone (O3), sulfur dioxide (SO2), nitrogen dioxide (NO2), particulate matter (PM10 and PM2.5), and lead (Pb).

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Criteria Pollutants Assessed

The following criteria air pollutants are assessed in this document: reactive organic gases (ROG), oxides of nitrogen (NOX), carbon monoxide (CO), sulfur dioxide (SO2), particulate matter less than 10 microns in diameter (PM10), and particulate matter less than 2.5 microns in diameter (PM2.5). Note that the proposed Project would emit ozone precursors ROG and NOX. However, the proposed project would not directly emit ozone since it is formed in the atmosphere during the photochemical reaction of ozone precursors. General descriptions and most relevant effects from pollutant exposure of the criteria pollutants of concern are listed in **Table 3-1**.

Table 3-1
Descriptions of Criteria Pollutants of Concern[35]

Criteria Pollutant	Physical Description and Properties	Sources	Most Relevant Effects from Pollutant Exposure
Ozone	Ozone is a photochemical pollutant as it is not emitted directly into the atmosphere, but is formed by a complex series of chemical reactions between volatile organic compounds (VOC), nitrous oxides (NO_X), and sunlight. Ozone is a regional pollutant that is generated over a large area and is transported and spread by the wind.	Ozone is a secondary pollutant; thus, it is not emitted directly into the lower level of the atmosphere. The primary sources of ozone precursors (VOC and NO_X) are mobile sources (on-road and off-road vehicle exhaust).	Irritate respiratory system; reduce lung function; breathing pattern changes; reduction of breathing capacity; inflame and damage cells that line the lungs; make lungs more susceptible to infection; aggravate asthma; aggravate other chronic lung diseases; cause permanent lung damage; some immunological changes; increased mortality risk; vegetation and property damage.
Particulate matter (PM_{10}) Particulate matter ($PM_{2.5}$)	Suspended particulate matter is a mixture of small particles that consist of dry solid fragments, droplets of water, or solid cores with liquid coatings. The particles vary in shape, size, and composition. PM_{10} refers to particulate matter that is between 2.5 and 10 microns in diameter, (one micron is one-millionth of a meter). $PM_{2.5}$ refers to particulate matter that is 2.5 microns or less in diameter, about one-thirtieth the size of the average human hair.	Stationary sources include fuel or wood combustion for electrical utilities, residential space heating, and industrial processes; construction and demolition; metals, minerals, and petrochemicals; wood products processing; mills and elevators used in agriculture; erosion from tilled lands; waste disposal, and recycling. Mobile or transportation related sources are from vehicle exhaust and road dust. Secondary particles form from reactions in the atmosphere.	• Short-term exposure (hours/days): irritation of the eyes, nose, throat; coughing; phlegm; chest tightness; shortness of breath; aggravate existing lung disease, causing asthma attacks and acute bronchitis; those with heart disease can suffer heart attacks and arrhythmias. • Long-term exposure: reduced lung function; chronic bronchitis; changes in lung morphology; death.

[35] U.S. Environmental Protection Agency (EPA). Criteria Air Pollutants. Accessed August 2022 at: https://www.epa.gov/criteria-air-pollutants.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Nitrogen dioxide (NO_2)	During combustion of fossil fuels, oxygen reacts with nitrogen to produce nitrogen oxides—NO_X (NO, NO_2, NO_3, N_2O, N_2O_3, N_2O_4, and N_2O_5). NO_X is a precursor to ozone, PM_{10}, and $PM_{2.5}$ formation. NO_X can react with compounds to form nitric acid and related small particles and result in particulate matter (PM) related health effects.	NO_X is produced in motor vehicle internal combustion engines and fossil fuel-fired electric utility and industrial boilers. Nitrogen dioxide forms quickly from NO_X emissions. NO_2 concentrations near major roads can be 30 to 100 percent higher than those at monitoring stations.	Potential to aggravate chronic respiratory disease and respiratory symptoms in sensitive groups; risk to public health implied by pulmonary and extra-pulmonary biochemical and cellular changes and pulmonary structural changes; contributions to atmospheric discoloration; increased visits to hospital for respiratory illnesses.
Carbon monoxide (CO)	CO is a colorless, odorless, toxic gas. CO is somewhat soluble in water; therefore, rainfall and fog can suppress CO conditions. CO enters the body through the lungs, dissolves in the blood, replaces oxygen as an attachment to hemoglobin, and reduces available oxygen in the blood.	CO is produced by incomplete combustion of carbon-containing fuels (e.g., gasoline, diesel fuel, and biomass). Sources include motor vehicle exhaust, industrial processes (metals processing and chemical manufacturing), residential wood burning, and natural sources.	Ranges depending on exposure: slight headaches; nausea; aggravation of angina pectoris (chest pain) and other aspects of coronary heart disease; decreased exercise tolerance in persons with peripheral vascular disease and lung disease; impairment of central nervous system functions; possible increased risk to fetuses; death.
Sulfur dioxide (SO_2)	Sulfur dioxide is a colorless, pungent gas. At levels greater than 0.5 parts per million (ppm), the gas has a strong odor, similar to rotten eggs. Sulfur oxides (SO_X) include sulfur dioxide and sulfur trioxide. Sulfuric acid is formed from sulfur dioxide, which can lead to acid deposition and can harm natural resources and materials. Although sulfur dioxide concentrations have been reduced to levels well below state and federal standards, further reductions are desirable because sulfur dioxide is a precursor to sulfate and PM_{10}.	Human caused sources include fossil-fuel combustion, mineral ore processing, and chemical manufacturing. Volcanic emissions are a natural source of sulfur dioxide. The gas can also be produced in the air by dimethyl sulfide and hydrogen sulfide. Sulfur dioxide is removed from the air by dissolution in water, chemical reactions, and transfer to soils and ice caps. The sulfur dioxide levels in the State are well below the maximum standards.	Bronchoconstriction accompanied by symptoms which may include wheezing, shortness of breath and chest tightness, during exercise or physical activity in persons with asthma. Some population-based studies indicate that the mortality and morbidity effects associated with fine particles show a similar association with ambient sulfur dioxide levels. It is not clear whether the two pollutants act synergistically or one pollutant alone is the predominant factor.

National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) have been established for each criteria pollutant to protect the public health and welfare. The federal and state standards were developed independently with differing purposes and methods, although both processes are intended to avoid health-related effects. As a result, the federal and state standards differ in some cases. In general, the California state standards are more stringent. NAAQS and CAAQS are provided in **Table 3-2**.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Table 3-2
State and Federal Ambient Air Quality Standards[36]

Pollutant	Averaging Time	California Standards	National Standards	
			Primary	Secondary
Ozone (O_3)	1-hour	0.09 ppm (180 µg/m^3)	---	Same as Primary
	8-hour	0.070 ppm (137 µg/m^3)	0.070 ppm (137 µg/m^3)	
Respirable Particulate Matter (PM_{10})	24-hour	50 µg/m^3	150 µg/m^3	Same as Primary
	Annual Arithmetic Mean	20 µg/m^3	---	
Fine Particulate Matter ($PM_{2.5}$)	24-hour	---	35 µg/m^3	Same as Primary
	Annual Arithmetic Mean	12 µg/m^3	12 µg/m^3	15 µg/m^3
Carbon Monoxide (CO)	1-hour	20 ppm (23 mg/m^3)	35 ppm (40 mg/m^3)	---
	8-hour	9.0 ppm (10 mg/m^3)	9 ppm (10 mg/m^3)	---
Nitrogen Dioxide (NO_2)	1-hour	0.18 ppm (339 µg/m^3)	100 ppb (188 µg/m^3)	Same as Primary
	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)	0.053 ppm (100 µg/m^3)	
Sulfur Dioxide (SO_2)	1-hour	0.25 ppm (655 µg/m^3)	75 ppb (196 µg/m^3)	---
	3-hour	---	---	0.5 ppm (1300 µg/m^3)
	24-hour	0.04 ppm (105 µg/m^3)	0.14 ppm (certain areas)	---
	Annual Arithmetic Mean	---	0.030 ppm (certain areas)	---
Lead (Pb)	30-day Average	1.5 µg/m^3	---	---
	Calendar Quarter	---	1.5 µg/m^3 (certain areas)	Same as Primary
	Rolling 3-month Average	---	0.15 µg/m^3	
Visibility Reducing Particles	8-hour	instrumental equivalents "extinction of 0.23 per kilometer"	No National Standards	
Sulfates	24-hour	25 µg/m^3		
Hydrogen Sulfide (H_2S)	1-hour	0.03 ppm (42 µg/m^3)		
Vinyl Chloride	24-hour	0.01 ppm (26 µg/m^3)		

Toxic Air Contaminants

[36] California Air Resources Board. Ambient Air Quality Standards. Accessed August 2022 at: https://ww2.arb.ca.gov/sites/default/files/2020-07/aaqs2.pdf.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

A TAC is defined as an air pollutant that may cause or contribute to an increase in mortality or serious illness, or that may pose a hazard to human health. TACs are usually present in minute quantities in the ambient air; however, their high toxicity or health risk may pose a threat to public health even at low concentrations.

The California Almanac of Emissions and Air Quality—2009 Edition presents the relevant concentration and cancer risk data for the ten TACs that pose the most substantial health risk in California based on available data. The ten TACs are acetaldehyde, benzene, 1.3-butadiene, carbon tetrachloride, hexavalent chromium, para-dichlorobenzene, formaldehyde, methylene chloride, perchloroethylene, and diesel particulate matter (DPM).

Some studies indicate that DPM poses the greatest health risk among the TACs listed above. A 10-year research program demonstrated that DPM from diesel-fueled engines is a human carcinogen and that chronic (long-term) inhalation exposure to DPM poses a chronic health risk. In addition to increasing the risk of lung cancer, exposure to diesel exhaust can have other health effects. Diesel exhaust can irritate the eyes, nose, throat, and lungs, and it can cause coughs, headaches, lightheadedness, and nausea. Diesel exhaust is a major source of fine particulate pollution as well, and studies have linked elevated particle levels in the air to increased hospital admissions, emergency room visits, asthma attacks, and premature deaths among those suffering from respiratory problems.

DPM

For purposes of this analysis, DPM exhaust emissions are represented as PM10.

The proposed Project would generate passenger vehicle and truck trips from employees, visitors, deliveries, and service vehicles traveling to and from the project site. The main source of DPM from the long-term operations of the proposed project would be from combustion of diesel fuel in diesel-powered engines in on-road trucks, while additional DPM would be emitted from on-site equipment. On-site motor vehicle emissions refer to DPM exhaust emissions from the motor vehicle traffic that would travel and idle within the project site each day.

Asbestos

Asbestos is the name given to a number of naturally occurring fibrous silicate minerals that have been mined for their useful properties such as thermal insulation, chemical and thermal stability, and high tensile strength. The three most common types of asbestos are chrysotile, amosite, and crocidolite. Chrysotile, also known as white asbestos, is the most common type of asbestos found in buildings.

Chrysotile makes up approximately 90 to 95 percent of all asbestos contained in buildings in the United States. Exposure to asbestos is a health threat; exposure to asbestos fibers may result in health issues such as lung cancer, mesothelioma (a rare cancer of the thin membranes lining the lungs, chest, and abdominal cavity), and asbestosis (a non-cancerous lung disease that causes scarring of the lungs). Exposure to asbestos can occur during demolition or remodeling of buildings that were constructed prior to the 1977 ban on asbestos for use in buildings. Exposure to naturally occurring asbestos can occur during soil-disturbing activities in areas with deposits present.

Attainment Status

Air basins are designated as attainment or nonattainment for both federal and state AAQS. Attainment is achieved when monitored ambient air quality data is in compliance with the standards for a specified pollutant. Non-compliance with an established standard will result in a nonattainment designation and an unclassified designation indicates insufficient data is available to determine compliance for that pollutant.

The SJVAB is considered to be in attainment for federal and state air quality standards for carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2); attainment for federal and non-attainment for state air quality standards for respirable particulate matter (PM_{10}); and non-attainment of state and federal air quality standards for ozone (O_3) and fine particulate matter ($PM_{2.5}$). Attainment status for listed federal and state criteria pollutant standards in the SJVAB can be found in **Table 3-3**.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Table 3-3
SJVAB Attainment Status[37]

Pollutant	Designation/Classification	
	Federal Standards	**State Standards**
Ozone – one hour	No Federal Standard[1]	Nonattainment/Severe
Ozone – eight hour	Nonattainment/Extreme[2]	Nonattainment
PM_{10}	Attainment[3]	Nonattainment
$PM_{2.5}$	Nonattainment[4]	Nonattainment
CO	Attainment/Unclassified	Attainment/Unclassified
Nitrogen Dioxide	Attainment/Unclassified	Attainment
Sulfur Dioxide	Attainment/Unclassified	Attainment
Lead	No Designation/Classification	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Vinyl Chloride	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified

1 Effective June 15, 2005, the U.S. EPA revoked the federal 1-hour ozone standard, including associated designations and classifications. However, EPA had previously classified the SJVAB as extreme nonattainment for this standard. Many applicable requirements for extreme 1-hour ozone nonattainment areas continue to apply to the SJVAB.

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

3 On September 25, 2008, EPA redesignated the San Joaquin Valley to attainment for the PM_{10} National Ambient Air Quality Standard (NAAQS) and approved the PM_{10} Maintenance Plan.

4 The Valley is designated nonattainment for the 1997 $PM_{2.5}$ NAAQS. EPA designated the Valley as nonattainment for the 2006 PM2.5 NAAQS on November 13, 2009 (effective December 14, 2009).

Regulatory Setting

Both the federal government (through the United State Environmental Protection Agency (EPA)) and the State of California (through the California Air Resources Board (ARB)) have established health-based ambient air quality standards (AAQS) for six air pollutants, commonly referred to as "criteria pollutants." The six criteria pollutants are: carbon monoxide (CO), ozone (O_3), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter (PM_{10} and $PM_{2.5}$), and lead (Pb).

Federal

"The Federal Clean Air Act (CAA), adopted in 1970 and amended twice thereafter (including the 1990 amendments), establishes the framework for modern air pollution control. The act directs the Environmental Protection Agency (EPA) to establish ambient air standards, the National Ambient Air Quality Standards (NAAQS)… for six pollutants: ozone, carbon monoxide, lead, nitrogen dioxide, particulate matter (less than 10 microns in diameter [PM_{10}] and less than 2.5 microns in diameter [$PM_{2.5}$]), and sulfur dioxide. The standards are divided into primary and secondary standards; the former are set to protect human health with an adequate margin of safety and the latter to protect environmental values, such as plant and animal life.

[37] San Joaquin Valley Unified Air Pollution Control District. Ambient Air Quality Standards & Valley Attainment Status. Accessed August 2022 at: http://www.valleyair.org/aqinfo/attainment.htm.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Areas that do not meet the ambient air quality standards are called "non-attainment areas". The Federal CAA requires each state to submit a State Implementation Plan (SIP) for non-attainment areas. The SIP, which is reviewed and approved by the EPA, must demonstrate how the federal standards will be achieved. Failing to submit a plan or secure approval could lead to the denial of federal funding and permits for such improvements as highway construction and sewage treatment plants. For cases in which the SIP is submitted by the State but fails to demonstrate achievement of the standards, the EPA is directed to prepare a federal implementation plan or EPA can "bump up" the air basin in question to a classification with a later attainment date that allows time for additional reductions needed to demonstrate attainment, as is the case for the San Joaquin Valley.

SIPs are not single documents. They are a compilation of new and previously submitted plans, programs (such as monitoring, modeling, permitting, etc.), district rules, state regulations and federal controls. The California SIP relies on the same core set of control strategies, including emission standards for cars and heavy trucks, fuel regulations and limits on emissions from consumer products. California State law makes the California Air Resources Board (CARB) the lead agency for all purposes related to the SIP. Local Air Districts and other agencies, such as the Bureau of Automotive Repair and the Department of Pesticide Regulation, prepare SIP elements and submit them to CARB for review and approval. The CARB forwards SIP revisions to the EPA for approval and publication in the Federal Register."[38]

The Federal CAA classifies nonattainment areas based on the severity of the nonattainment problem, with marginal, moderate, serious, severe, and extreme nonattainment classifications for ozone. Nonattainment classifications for PM range from marginal to serious. The Federal CAA requires areas with air quality violating the NAAQS to prepare an air quality control plan referred to as the State Implementation Plan (SIP). The SIP contains the strategies and control measures that states will use to attain the NAAQS. The Federal CAA amendments of 1990 require states containing areas that violate the NAAQS to revise their SIP to incorporate additional control measures to reduce air pollution. The SIP is periodically modified to reflect the latest emissions inventories, planning documents, rules, and regulations of Air Basins as reported by the agencies with jurisdiction over them. The EPA reviews SIPs to determine if they conform to the mandates of the Federal CAA amendments and will achieve air quality goals when implemented. If the EPA determines a SIP to be inadequate, it may prepare a Federal Implementation Plan (FIP) for the nonattainment area and impose additional control measures.

The SJVAB is considered to be in attainment for federal and state air quality standards for carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2); attainment for federal and non-attainment for state air quality standards for respirable particulate matter (PM_{10}); and non-attainment of state and federal air quality standards for ozone (O_3) and fine particulate matter ($PM_{2.5}$). To meet federal Clean Air Act requirements, the Air District has adopted the following attainment plans: the 2004 Extreme Ozone Attainment Demonstration Plan (for the 1-hour standard); the 2007 Ozone Plan (for the 1997 8-hour standard); the 2009 RACT SIP; the 2013 Plan for the Revoked 1-Hour Ozone Standard; the 2014 RACT SIP; the 2016 Plan for the 2008 8-Hour Ozone Standard; the 2020 RACT Demonstration; the 2007 PM10 Maintenance Plan; the 2008 PM2.5 Plan (for the 1997 annual standard); the 2012 PM2.5 Plan (for the 2006 24-hour standard); the 2015 Plan for the 1997 PM2.5 Standard (for annual and 24-hour standards); 2016 Moderate Area Plan for the 2012 PM2.5 Standard; 2018 Plan for the 1997, 2006, and 2012 PM2.5 Standards; and the 2004 Revision to the California State Implementation Plan for Carbon Monoxide. The State does not have an attainment deadline for the ozone standards; however, it does require implementation of all feasible measures to achieve attainment at the earliest date possible. State PM_{10} and $PM_{2.5}$ standards have no attainment planning requirements but must demonstrate that all measures feasible for the area have been adopted.[39]

State

The California Air Resources Board (CARB or ARB) is the state agency responsible for implementing the federal and state Clean Air Acts. ARB has established California Ambient Air Quality Standards (CAAQS), which include all criteria pollutants established by the NAAQS, but with additional regulations for Visibility Reducing Particles, sulfates, hydrogen Sulfide (H_2S), and vinyl chloride.

<u>The California Clean Air Act</u>

[38] Tulare County General Plan 2030 Update REIR. Pages 3.3-1 to 3.3-2.

[39] SJVAPCD. Air Quality Attainment Plans. Ozone Plans. Accessed July 2022 at http://valleyair.org/Air_Quality_Plans/Ozone_Plans.htm; Particulate Matter Plans at http://valleyair.org/Air_Quality_Plans/PM_Plans.htm.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

"The California CAA of 1988 establishes an air quality management process that generally parallels the federal process. The California CAA, however, focuses on attainment of the State ambient air quality standards (see Table 3.3-1 [of the General Plan RDEIR]), which, for certain pollutants and averaging periods, are more stringent than the comparable federal standards. Responsibility for meeting California's standards is addressed by the CARB and local air pollution control districts (such as the eight county SJVAPCD, which administers air quality regulations for Tulare County). Compliance strategies are presented in district-level air quality attainment plans.

The California CAA requires that Air Districts prepare an air quality attainment plan if the district violates State air quality standards for criteria pollutants including carbon monoxide, sulfur dioxide, nitrogen dioxide, PM2.5, or ozone. Locally prepared attainment plans are not required for areas that violate the State PM10 standards. The California CAA requires that the State air quality standards be met as expeditiously as practicable but does not set precise attainment deadlines. Instead, the act established increasingly stringent requirements for areas that will require more time to achieve the standards."[40]

"The air quality attainment plan requirements established by the California CAA are based on the severity of air pollution caused by locally generated emissions. Upwind air pollution control districts are required to establish and implement emission control programs commensurate with the extent of pollutant transport to downwind districts."[41]

<u>The California Air Resources Board</u>

The ARB is the state agency responsible for implementing the federal and state Clean Air Acts. ARB established CAAQS, which include all criteria pollutants established by the NAAQS, but with additional regulations for visibility reducing particles, sulfates, hydrogen sulfide (H_2S), and vinyl chloride.

"The CARB is responsible for establishing and reviewing the State ambient air quality standards, compiling the California State Implementation Plan (SIP) and securing approval of that plan from the U.S. EPA. As noted previously, federal clean air laws require areas with unhealthy levels of ozone, inhalable particulate matter, carbon monoxide, nitrogen dioxide, and sulfur dioxide to develop SIPs. SIPs are comprehensive plans that describe how an area will attain NAAQS. The 1990 amendments to the Federal CAA set deadlines for attainment based on the severity of an area's air pollution problem. State law makes CARB the lead agency for all purposes related to the SIP. The California SIP is periodically modified by the CARB to reflect the latest emission inventories, planning documents, and rules and regulations of various air basins. The CARB produces a major part of the SIP for pollution sources that are statewide in scope; however, it relies on the local Air Districts to provide emissions inventory data and additional strategies for sources under their jurisdiction. The SIP consists of the emission standards for vehicular sources and consumer products set by the CARB, and attainment plans adopted by the local air agencies as approved by CARB. The EPA reviews the air quality SIPs to verify conformity with CAA mandates and to ensure that they will achieve air quality goals when implemented. If EPA determines that a SIP is inadequate, it may prepare a Federal Implementation Plan for the nonattainment area, and may impose additional control measures.

In addition to preparation of the SIP, the CARB also regulates mobile emission sources in California, such as construction equipment, trucks, automobiles, and oversees the activities of air quality management districts and air pollution control districts, which are organized at the county or regional level. The local or regional Air Districts are primarily responsible for regulating stationary emission sources at industrial and commercial facilities within their jurisdiction and for preparing the air quality plans that are required under the Federal CAA and California CAA."[42]

Local

<u>San Joaquin Valley Unified Air Pollution Control District</u>

[40] Tulare County General Plan 2030 Update REIR. Pages. 3.3-2 to 3.3-3.
[41] Ibid. 3.3-5.
[42] Op. Cit. 3.3-6 to 3.3-7.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

The San Joaquin Valley Unified Air Pollution Control District (Air District) is the local agency charged with preparing, adopting, and implementing mobile, stationary, and area air emission control measures and standards. The Air District has several rules and regulations that may apply to the Project, following is an example of those rules/regulations which likely apply to the proposed Project:

- Rule 2201—New and Modified Stationary Source Review Rule (or New Source Review). The review of new and modified Stationary Sources of air pollution and to provide mechanisms including emission trade-offs by which Authorities to Construct such sources may be granted, without interfering with the attainment or maintenance of Ambient Air Quality Standards
- Rule 3135 (Dust Control Plan Fees) – This rule requires the project applicant to submit a fee in addition to a Dust Control Plan. The purpose of this rule is to recover the Air District's cost for reviewing these plans and conducting compliance inspections.
- Rule 4002 (National Emission Standards for Hazardous Air Pollutants) – Also known as NESHAPs, this rule applies to all sources of hazardous air pollution and requires developers to comply with federal requirements for handling and usage of hazardous air pollutants (HAPs) to protect the health and safety of the public from HAPs such as asbestos.
- Rule 4101 (Visible Emissions) – This rule applies to any source of air contaminants and prohibits the visible emissions of air contaminants.
- Rule 4102 (Nuisance) – This rule applies to any source of air contaminants and prohibits any activity which creates a public nuisance.
- Rule 4201—Particulate Matter Concentration. This rule shall apply to any source operation that emits or may emit dust, fumes, or total suspended particulate matter.
- Rule 4601 (Architectural Coatings) – This rule specifies requirements for the storage, cleanup, and labeling of architectural coatings. The rule applies to any person who supplies, sells, offers for sale, applies, or solicits the application of any architectural coating, or who manufactures, blends or repackages any architectural coating for use within the Air District.
- Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations) – This rule applies to the manufacture and use of cutback asphalt, slow cure asphalt and emulsified asphalt for paving and maintenance operations.
- Rule 4702—Internal Combustion Engines. The purpose of this rule is to limit the emissions of NOX, carbon monoxide (CO), VOC, and sulfur oxides (SOX) from internal combustion engines. If the project includes emergency generators, the equipment is required to comply with Rule 4702.
- Regulation VIII (Fugitive PM10 Prohibitions) – This regulation is a series of eight rules designed to reduce PM_{10} emissions by reducing fugitive dust emissions. Regulation VIII requires implementation of control measures to ensure that visible dust emissions are substantially reduced.
- Rule 9510 (Indirect Source Review) – Also known as ISR, this rule requires developers to mitigate project emissions through 1) on-site design features that reduce trips and vehicle miles traveled, 2) controls on other emission sources, and 3) with reductions obtained through the payment of a mitigation fee used to fund off-site air quality mitigation projects. Rule 9510 requires construction-related NOx emission reductions of 20 percent and PM10 exhaust reductions of 45 percent and operation-related NOx reductions of 33 percent and PM10 exhaust reductions of 50 percent.

<u>Tulare County General Plan 2030 Update</u>

The following Tulare County General Plan 2030 Update policies for this resource apply to the proposed Project: *AQ-1.1 Cooperation with Other Agencies* requiring the County to cooperate with other local, regional, Federal, and State agencies (e.g., Valley Air District) in developing and implementing air quality plans to achieve State and federal Ambient Air Quality Standards to achieve better air quality conditions locally and regionally; *AQ-1.2 Cooperation with Local Jurisdictions* requiring the County to coordinate with regional agencies, such as the Air District, to address cross-jurisdictional air quality issues; *AQ-1.3 Cumulative Air Quality Impacts* requiring development to be located, designed, and construction in a manner that minimizes cumulative air quality impacts; *AQ-1.4 Air Quality Land Use Compatibility* requiring the County to evaluate compatibility of proposed land uses; *AQ-1.5 California Environmental Quality Act (CEQA) Compliance* where the County will ensure that air quality impacts identified during the CEQA

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

review process are consistently and reasonable mitigated when feasible*; AQ-2.2* Indirect Source Review regarding mitigating major development projects, as defined by the SJVAPCD, to reasonably mitigate air quality impacts associated with the project. The County shall notify developers of SJVAPCD Rule 9510 – Indirect Source Review requirements and work with SJVAPCD to determine mitigations, as feasible, that may include, but are not limited to the following:

1. Providing bicycle access and parking facilities,
2. Increasing density,
3. Encouraging mixed use developments,
4. Providing walkable and pedestrian-oriented neighborhoods,
5. Providing increased access to public transportation,
6. Providing preferential parking for high-occupancy vehicles, carpools, or alternative fuels vehicles, and
7. Establishing telecommuting programs or satellite work centers.

AQ-3.2 Infill near Employment requiring the County of identify opportunities for infill development near employment areas*; AQ-2.2 Indirect Source Review* regarding mitigating air quality impacts associated with the Project to Valley Air District's Rule 9510*; AQ-3.4 Landscape* regarding the use of ecologically based landscape design principles that can improve local air quality by absorbing CO_2, producing oxygen, providing shade that reduces energy required for cooling, and filtering particulates*; AQ-3.6 Mixed Land Uses* where the County shall encourage the clustering of land uses that generate high trip volumes, especially when such uses can be mixed with support services and where they can be served by public transportation; *AQ-4.1 Air Pollution Control Technology* where the County shall utilize the BACM and RACM as adopted by the County to support SJVAPCD air quality attainment plans to achieve and maintain healthful air quality and high visibility standards. These measures shall be applied to new development approvals and permit modifications as appropriate; and *AQ-4.2 Dust Suppression Measures* regarding implementation of dust suppression measures during excavation, grading, and site preparation activities consistent with SJVAPCD Regulation VIII – Fugitive Dust Prohibitions. Techniques may include, but are not limited to, the following:

1. Site watering or application of dust suppressants,
2. Phasing or extension of grading operations,
3. Covering of stockpiles,
4. Suspension of grading activities during high wind periods (typically winds greater than 25 miles per hour), and
5. Re-vegetation of graded areas.

Project Impact Analysis:

a) Less Than Significant Impact: The CEQA Guidelines indicate that a significant impact would occur if the Project would conflict with or obstruct implementation of the applicable air quality plan (AQP). Air quality plans (also known as attainment plans) and subsequent rules are used to bring the applicable air basin into attainment with federal ambient air quality standards designed to protect the health and safety of residents within that air basin. The assumptions, inputs, and control measures are analyzed to determine if the Air Basin can reach attainment for the ambient air quality standards. To demonstrate attainment of the standards, the San Joaquin Valley Air Pollution Control District (Air District) analyzes the growth projections in the San Joaquin Valley, contributing factors in air pollutant emissions and formations, and existing and future emissions controls. The Air District then formulates a control strategy to reach attainment that includes both State and Air District regulations and other local programs and measures.

This document utilizes the following criteria for determining Project consistency with the applicable AQPs:

1. Is the project consistent with the land use and growth assumptions used in the AQPs?
2. Will the Project comply with applicable control measures in the AQPs?
3. Will the project result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the AQPs?

The use of the criteria listed above is a standard approach for CEQA analysis of projects in the Air District's jurisdiction, as well as within other air districts, for the following reasons:

- AQP emissions inventories and attainment modeling are based on growth assumptions for the area within the air district's jurisdiction.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

- AQPs rely on a set of air district-initiated control measures as well as implementation of federal and state measures to reduce emissions within their jurisdictions, with the goal of attaining the air quality standards.
- Significant contribution to existing or new exceedances of the air quality standards would be inconsistent with the goal of attaining the air quality standards.

Land Use and Growth Assumptions

As previously discussed, the U.S. EPA requires each state with nonattainment areas to prepare and submit a SIP that demonstrates the means to attain the federal standards. The SIP must integrate federal, state, and local plan components and regulations to identify specific measures to reduce pollution in nonattainment areas, using a combination of performance standards and market-based programs. Similarly, under state law, the CCAA requires an AQP to be prepared for areas designated as nonattainment with regards to the NAAQS and CAAQS. The Air District has prepared various AQPs that outline a number of control strategies to help the Air District reach attainment for the revoked federal 1-hour ozone standard, the 8-hour ozone standard, the 24-hour PM10 standard, and both federal and state PM2.5 standards. The Air District's AQPs include: the 2004 Extreme Ozone Attainment Demonstration Plan; 2007 Ozone Plan; 2009 RACT SIP; 2013 Plan for the Revoked 1-Hour Ozone Standard; 2014 RACT SIP; 2016 Plan for the 2008 8-Hour Ozone Standard; 2020 RACT Demonstration for the 2015 8-Hour Ozone Standard; 2007 PM10 Maintenance Plan and Request for Redesignation; 2008 PM2.5 Plan; 2012 PM2.5 Plan; 2015 Plan for the 1997 PM2.5 Standard; 2016 Moderate Area Plan for the 2012 PM2.5 Standard; and 2018 Plan for the 1997, 2006, and 2012 PM2.5 Standards.[43] The San Joaquin Valley Air Basin is in attainment for CO, SO_2, and lead, so there are no attainment plans for those pollutants.

These AQPs establish pollutant control strategies based on the latest scientific and technical information and planning assumptions, updated emission inventory methodologies for various source categories, and the latest population growth projections and associated vehicle miles traveled (VMT) projections for the region. The Air District's latest population growth forecasts were defined in consultation with local governments and with reference to local general plans. As such, the primary way of determining consistency with the AQP's assumptions is determining consistency with the applicable General Plan to ensure that the Project's population density and land uses are consistent with the growth assumptions used in the AQPs for the SJVAB.

The proposed Project includes a mini mart with gas station, a mini-storage facility, and commercial space. Other than the two (2) onsite employees for the mini storage facility, the proposed Project does not include residential development. Therefore, the Project is consistent with the population projections used in the General Plan and the Air District's AQP. The Project site is located within areas designated as Urban Area Boundary and Urban Development Boundary of the City of Visalia. The developments proposed by the Project are consistent with these General Plan designations and would not exceed the job growth projections used in the General Plan and by the Air District to develop its AQPs. Although the proposed Project requires a General Plan Amendment to amend the specific land use designations and zoning for consistency with the General Plan, the proposed Project is consistent with the County's job growth projections and would not result in an increase in the actual amount of land developed by the AQP's attainment year. As such, the proposed Project will not conflict with or obstruct implementation of the air quality plan.

Control Measures

The proposed Project site is located within the jurisdictional boundaries of the San Joaquin Valley Air Pollution Control District. For projects that include stationary sources of emissions, the Air District relies on project compliance with Rule 2201—New and Modified Stationary Source Review to ensure that growth in stationary source emissions would not interfere with the applicable AQP. Projects exceeding the offset thresholds included in the rule are required to purchase offsets in the form of Emission Reduction Credits (ERCs).

Contribution to Air Quality Violations

[43] SJVAPCD Attainment Plans. Accessed August 2022 at: http://valleyair.org/Air_Quality_Plans/air-quality-plans.htm.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

The Air District's *Guidance for Assessing and Mitigating Air Quality Impacts* (GAMAQI) states, "…the District has established thresholds of significance for criteria pollutant emissions, which are based on District New Source Review (NSR) offset requirements for stationary sources. Stationary sources in the District are subject to some of the toughest regulatory requirements in the nation. Emission reductions achieved through implementation of District offset requirements are a major component of the District's air quality plans. Thus, projects with emissions below the thresholds of significance for criteria pollutants would be determined to "Not conflict or obstruct implementation of the District's air quality plan."[44]

The Air District has also determined that a project would be considered to have a significant impact if the emissions are predicted to cause or contribute to a violation of ambient air quality standards. An Ambient Air Quality Analysis (AAQA) would be required if the project emissions are predicted to exceed the Air District's AAQA screening threshold of 100 pounds per day.

As discussed below with respect to item b), emissions of ROG, NOx, CO, SOx, PM10, and PM2.5 during construction- and operational-related activities (see **Table 3-6**) would not exceed the Air District significance thresholds (see **Table 3-4**). Therefore, the proposed project would not be considered to obstruct implementation of the applicable air quality plan or be in conflict with the applicable air quality plan.

b) Less Than Significant Impact: According to the Air District's GAMAQI, a project would be considered to contribute considerably to a significant cumulative impact if it would result in an increase in ROG, NOx, SOx, CO, PM10, or $PM_{2.5}$ of more than its respective significance thresholds. **Table 3-4** provides the significant thresholds established by the Air District.

The Air District's thresholds of significance are provided in **Table 3-4**.

Table 3-4
Air Quality Thresholds of Significance – Criteria Pollutants

Pollutant/ Precursor	Construction Emissions	Operational Emissions	
		Permitted Equipment/Activity	Non- Permitted Equipment/Activity
	Tons per Year (tpy)	Tons per Year (tpy)	Tons per Year (tpy)
CO	100	100	100
NOx	10	10	10
ROG	10	10	10
SOx	27	27	27
PM_{10}	15	15	15
$PM_{2.5}$	15	15	15

Source: Air District, GAMAQI, Table 2, page 80.

"Determination of whether a project would exceed the applicable thresholds of significance for criteria pollutants requires quantification of project specific emissions. To streamline the process of assessing significance of criteria pollutant emissions from commonly encountered projects, the District has developed the screening tool, Small Project Analysis Level (SPAL). Using project type and size, the District has pre-quantified emissions and determined a size below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants."[45]

As presented in **Tables AQ-6** and **AQ-7**, emissions during construction- and operation-related activities would not exceed the Air District significance thresholds. The proposed Project would be required to comply with applicable Air District rules and regulations, such as Regulation VIII (Fugitive PM10 Prohibitions) and Rule 9510 (Indirect Source Review), further reducing proposed Project-related emissions.

As presented in **Table 3-6**, proposed Project construction- and operational-related activities emissions would not exceed the annual Air District thresholds of significance for ROG, NOx, SOx, CO, PM10, and PM2.5.

The Air District recommends a three-tiered approach to determine project significance using pre-calculated levels for comparison.

[44] SJVAPCD. Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI). Page 65. Accessed August 2022 at: www.valleyair.org/transportation/GAMAQI_3-19-15.pdf
[45] Ibid. 85.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

The Air District uses these recommended thresholds of significance for determining whether projects have a significant adverse air quality impacts as defined by CEQA (See **Tables 3-2 and 3-3**).[46] The three levels are as follows:

- Small Project Analysis Level (SPAL) – A level at which there is virtually no possibility of exceeding the Air District's thresholds of significance;
- Cursory Analysis Level (CAL) – Projects over the SPAL but may be close to the Air District's thresholds of significance (and may be able to drop below the CAL with effective mitigation)
- Full Analysis Level (FAL) – Projects of sufficient magnitude that the emissions would definitely be greater than the Air District's thresholds of significance.

Small Project Analysis Level (SPAL)

The Air District has established thresholds of significance for criteria pollutant emissions, which are based on District New Source Review (NSR) offset requirements for stationary sources. Using project type and size, the Air District has pre-quantified emissions and determined a size below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants.

In the interest of streamlining CEQA requirements, projects that fit the descriptions and project sizes provided below are deemed to have a less than significant impact on air quality and as such are excluded from quantifying criteria pollutant emissions for CEQA purposes. Following are SPAL thresholds based on land use, project size, and vehicle trips. [47]

Table 3-5
Air District Small Project Analysis Level

Land Use Type	Size	Unit		1-way ADT, except HHDT	1-way ADT, HHDT (50-mile trip length)
Office Park	190,000	sq. ft.	and less than	1,000	15
Research & Development	256,000	sq. ft.	and less than	1,600	25
General Light Industrial	280,000	sq. ft.	and less than	550	70
Industrial Park	295,000	sq. ft.	and less than	550	70
Unrefrigerated Warehouse – No Rail	190,000	sq. ft.	and less than	140	15
Unrefrigerated Warehouse – No Rail	190,000	sq. ft.	and less than	N/A	25

Source: Air District, https://www.valleyair.org/transportation/CEQA%20Rules/GAMAQI-SPAL.PDF , accessed August 8, 2022.

As the proposed Project includes 200,000 square feet of industrial park land use it qualifies for SPAL based on project size; however, as indicated in Checklist Item 17 Transportation, the Project is expected to generate 1,460 daily vehicle trips, which exceeds the SPAL threshold for daily vehicle trips. Therefore, an emissions analysis is needed to determine whether Project-related construction- and operational emissions would exceed the Air District's criteria pollutant thresholds of significance.

Emissions Modeling Assumption

The California Emissions Estimator Model (CalEEMod) was used to quantify Project-related construction and operational criteria pollutant emissions. This model is accepted by the Air District for calculating potential air emissions for specific projects. The model results, which are included in Attachment "A", are then compared to the Air District's annual emissions thresholds of significance which are identified in.

With the exception of the convenience store (with gas station) and mini storage facility, specific uses of the service commercial

[46] SJVAPCD. CEQA Project Analysis Levels. Accessed August 2022 at: http://www.valleyair.org/transportation/ceqaanalysislevels.htm.

[47] SJVAPCD. Small Project Analysis Level (SPAL). November 13, 2020. Accessed July 2022 at: http://www.valleyair.org/transportation/CEQA%20Rules/GAMAQI-SPAL.PDF.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

component are unknown at this time. As such, assumptions for the buildout of the commercial component must be made to facilitate the emissions analysis. CalEEMod does not have a commercial land use specific to service commercial; rather, commercial is classified by specific commercial uses (e.g., bank, office building, medical office, office park, etc.). The Project proposes a zone change to allow C-3 (Service Commercial) uses on the entire site. The C-3 zone establishes areas intended for wholesale establishment and establishments engaged in repairing and servicing equipment, materials and products, but which do not involve the manufacturing, assembling, packing or processing of articles of merchandise for distribution and retail sales. As such, the Industrial Park land use was used to evaluate emissions from the commercial component of the Project. As CalEEMod does not have a land use specific to mini-/self-storage facilities, the most closely related land use, Unrefrigerated Warehouse – No Rail, was used to evaluate the emissions for the mini storage component of the Project. The size of the convenience store is known, but the number of pumps in the gas station is not; as such, the Convenience Market with Gas Pumps land use was used to evaluate emissions for this component of the Project. To evaluate potential stationary sources that could be included in the Project design, the emissions analysis also assumes that one diesel-fueled emergency generator and two diesel-fueled fire pumps are operated 100 hours per year for maintenance. The construction emissions were evaluated using the model's default construction timeline and construction fleet. However, CalEEMod does not adjust the construction fleet to present a worst-case emissions scenario, it is assumed that construction of the entire Project could be completed in an 12-month period (January 2023 through December 2023) and the yearly construction emissions provided by the model are added to provide total construction. The CalEEMod model run is included as a component of Attachment "A" of this MND.

Emissions Analysis

Table 3-5 provides summary results of proposed Project related construction and operational emissions. As indicated in **Table 3-5**, the emissions model results provided annual operation related emissions of ROG, NOx, PM_{10}, $PM_{2.5}$, CO, and SOx, which are below the Air District's threshold for each pollutant. The model results indicate that the proposed Project falls below SPAL thresholds for vehicle trip and project size and all Project related emissions are below the Air District's thresholds of significance at a project specific level. Therefore, the proposed Project will not potentially conflict with or obstruct the implementation of the any Air District air quality plans. As such, the impact is less than significant.

As shown in **Table 3-5**, the proposed Project falls below the Air District's SPAL levels and Project related emissions will not exceed the Air District's thresholds of significance; therefore, the proposed Project will not conflict with or obstruct implementation of the applicable air quality plan. Therefore, the proposed Project would result in a less than significant impact.

Table 3-5
Project-Related Criteria Air Pollutant Emissions

	ROG	NOx	CO	SOx	PM_{10}	$PM_{2.5}$
Construction Emissions (tons per year)						
Year 2023						
Year 2024						
Construction Total (tons/year)						
CEQA Significance Threshold	10	10	100	27	15	15
Exceeds Threshold?	No	No	No	No	No	No
Total Construction (pounds/day) [a]						
AAQA Screening Threshold	100	100	100	100	100	100
Exceeds Threshold?	No	No	No	No	No	No
Operational Emissions (tons per year)						
Year 2024						
CEQA Significance Threshold	10	10	100	27	15	15
Exceeds Threshold?	No	No	No	No	No	No
Year 2026 (pounds /day) [b]						
AAQA Screening Threshold	100	100	100	100	100	100

			SIGNIFICANT IMPACT	**LESS THAN SIGNIFICANT IMPACT WITH MITIGATION**		**LESS THAN SIGNIFICANT IMPACT**	**NO IMPACT**
	Exceeds Threshold?	No	No	No	No	No	No

a Value based on the sum of all construction and for worst-case scenario assumes all construction occurs in one year (260 work days)
b Values based on 360 operational days per year.

Source: CalEEMod report (see Attachment "A" of this MND).

To result in a less than significant impact, emissions of nonattainment pollutants must be below the SJVAPCD's regional significance thresholds. This is an approach recommended by the SJVAPCD in its GAMAQI. The SJVAB is in nonattainment for ozone, PM10 (State only), and PM2.5. Ozone is a secondary pollutant that can be formed miles from the source of emissions, through reactions of ROG and NOX emissions in the presence of sunlight. Therefore, ROG and NOX are termed "ozone precursors." As such, the primary pollutants of concern during project construction- and operation-related activities are ROG, NOX, PM10, and PM2.5. The air quality standards were set to protect public health, including the health of sensitive individuals (such as children, the elderly, and the infirm). Therefore, when the concentration of those pollutants exceeds the standard, it is likely that some sensitive individuals in the population could experience adverse health effects. However, the health effects are a factor of the dose-response curve; that is, concentration of the pollutant in the air (dose), the length of time exposed, and the response of the individual are factors involved in the severity and nature of health impacts. If a significant health impact results from a project's emissions, it does not necessarily mean that 100 percent of the population would experience adverse health effects.

Since the SJVAB is nonattainment for ozone, PM10, and PM2.5, it is considered to have an existing significant cumulative health impact without the proposed Project. When this occurs, the analysis considers whether the proposed Project's contribution to the existing violation of air quality standards is cumulatively considerable. The SJVAPCD regional thresholds for NOX, ROG/VOC, PM10, or PM2.5 are applied as cumulative contribution thresholds. Projects that exceed the regional thresholds would have a cumulatively considerable health impact.

The SJVAPCD GAMAQI (adopted in 2015) contains thresholds for CO, NO_X, ROG, SO_X, PM_{10}, and $PM_{2.5}$. Air pollutant emissions have both regional and localized effects. The proposed Project's regional emissions are compared to the applicable SJVAPCD significance threshold in **Table 3-4**.

Conclusion

As shown in **Tables 3-6, 3-7** and **3-8**, the proposed Project's regional emissions would not exceed the applicable regional criteria pollutant emissions quantitative thresholds. In addition, any permitted sources will be required to comply with SJVAPCD BACT requirements. Therefore, the proposed Project would not result in significant cumulative health impacts.

c) Less Than Significant Impact: Diesel particulate matter (DPM) represents the primary toxic air contaminates (TAC) of concern associated with the proposed Project. DPM emissions are primarily the result of the operation of internal combustion engines in equipment (e.g., loaders, backhoes, and cranes, as well as haul trucks) commonly associated with construction-related activities. Since activities associated with the operation-related activities of the proposed Project would result in short-term, temporary, and intermittent use of mobile or stationary sources of DPM (e.g., maintenance workers driving to and from the Project site, and the occupational use of off-road equipment to move equipment), operation-related activities of the proposed Project would not expose nearby sensitive receptors to DPM emissions that would result in a health risk. Therefore, health risks associated only with proposed Project construction-related activities are evaluated below.

The dose to which receptors are exposed is the primary factor affecting health risk from TACs. Dose is a function of the concentration of a substance or substances in the environment and the duration of exposure to the substance. According to the State of California Office of Environmental Health Hazard Assessment (OEHHA), health risk assessments (which determine the exposure of sensitive receptors to TAC emissions), should be based on 9, 30, and/or 70-year exposure periods when assessing TACs (such as DPM) that have only cancer or chronic non-cancer health effects. However, such health risk assessments should be limited to the duration of the emission-producing activities associated with the Project, unless the activities occur for less than 6-months. Activities that would last more than 2-months, but less than 6 months, are recommended to be evaluated as if they would last for 6-months. The OEHHA does not recommend assessing cancer risk for projects lasting less than 2-months near the maximum exposed individual resident (MEIR). Since construction-related activities of the proposed

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Project would occur over a one-month period and the nearest sensitive receptors (property owners to the east) are located within 200 feet from the proposed Project's western boundary, the proposed Project has the potential to temporarily and intermittently expose off-site sensitive receptors to increased criteria pollutant emission concentrations from diesel powered construction-related equipment during the short-term, temporary construction-related phase.

The Air District recommends conducting a screening analysis for projects that have the potential to expose sensitive receptors to TAC emissions (e.g.; DPM during project construction-related activities) that could pose a significance health risk. The SJVAPCD has developed a prioritization tool to evaluate whether a Health Risk Assessment (HRA) should be prepared, which is based on the California Air Pollution Control Officers Association's (CAPCOA) latest methodology and OEHHA guidance. According to the Air District guidance, projects that obtain a prioritization score of 10 or more is considered to be potentially significant and an HRA would be required for the project.

d) **Less Than Significant Impact:** Operation of the proposed Project would not create odorous emissions. However, proposed Project construction-related activities would include fuels and other odor sources (such as diesel-fueled equipment), could result in the creation of objectionable odors. Since construction-related activities would be short-term, temporary, and spatially dispersed (i.e., intermittent), and occur in a predominantly rural area, these activities would not affect a substantial number of people. Therefore, odors generated by construction-related activities of the Project would result in a less than significant impact.

Cumulative Impact Analysis: **Less Than Significant –** The geographic area of this cumulative analysis is SJVAB. This cumulative analysis is based on the information provided in the Air Quality Analysis in Attachment "A" of this MND. As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). There are no County-related projects either adjacent to or in the vicinity of the proposed Project and there are there are no projects within the jurisdiction of the City of Visalia in the vicinity of the proposed Project. No other potential or actual sources of emissions are in the vicinity of the proposed Project. As noted earlier, the proposed Project qualifies as a Small Project Analysis Level (SPAL) as defined in the Valley Air District's GAMAQI. No mitigation measures are required or necessary reduce Project air quality impacts. As such, with less than Project-specific impacts, there will be a less than significant cumulative impact.

4.	**BIOLOGICAL RESOURCES**					
	Would the project:					
	a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
	b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
	c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
	d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
	e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
	f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Biological Resources, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update Environmental Impact Report are incorporated herein in their entirety. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion.

Analysis:

As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted with walnuts and contains a single-family residence. The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

Environmental Setting

The proposed Project site is located in central Tulare County, immediately southeast of the City of Visalia (southeast of Caldwell Avenue and Lovers Lane). The topography of the proposed Project site is relatively flat and is currently planted with walnuts and includes a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). Cameron Creeks is both north and west of the project site flowing in a northeast to southwest direction.

The California Department of Fish and Wildlife's California Natural Diversity Database (CNDDB), RareFind 5 and Biogeographic Information and Observation System (BIOS) mapping applications were accessed on August 15, 2022 and August 29, 2022.[48] The CNDDB Reports (species lists) and BIOS map are included as attachments to the Biological Species Evaluation Technical Memorandum (Bio Memo) which is included as Attachment "B" of this MND.

Based on the information in the CNDDB and BIOS, there are 41 special status species and four (4) natural communities recorded

[48] California Department of Fish and Wildlife. California Natural Diversity Database (CNDDB). CNDDB Maps and Data. https://wildlife.ca.gov/Data/CNDDB/Maps-and-Data and Biogeographic Information and Observation System (BIOS). BIOS 5 Viewers. https://wildlife.ca.gov/Data/BIOS.

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(mapped) within the 9-quadrangle Project area. These species include: three (3) amphibian species; one (1) arachnid species; five (5) bird species; three (3) crustacean species; four (4) insect species; five (5) mammal species; two (2) reptile species; and eighteen (18) plant species.

The CNDDB and BIOS indicated that there are 9 special status species and no natural communities recorded (mapped) within the Visalia quadrangle. These species include: one (1) bird species; two (2) insect species; three (3) mammal species; one (1) reptile species; and two (2) plant species.

The results from the CNDDB and BIOS also indicated that there is one (1) special status species, *Vulpes Macrotis Mutica* (San Joaquin kit fox, recorded (mapped) within or in close proximity (a two (2) mile radius) to the Project site. This single occurrence was recorded within the Project site and adjacent parcels (see **Figure 2-1** and Attachment "B") between the years 1972 and 1975.

There are two habitat conservation plans that apply in Tulare County: 1) Recovery Plan for Upland Species of the San Joaquin Valley, and 2) the Kern Water Bank Habitat Conservation Plan. The Recovery Plan for Upland Species of the San Joaquin Valley identifies the species that are important in the San Joaquin Valley; the only species that could apply to the site is the San Joaquin kit fox (SJKF). Although not seen on the proposed Project site or the vicinity in nearly fifty (50) years, mitigation measures contained in the original project EIR regarding SJKF are incorporated by reference. The Kern Water Bank Habitat Conservation Plan also applies to Tulare County; however, this Plan area is limited to an area in Allensworth (approximately33 miles southwest of the proposed Project site).

Regulatory Setting

Applicable Federal, State, and local regulations specific to biological resources are described below. The following environmental regulatory settings were summarized, in part, from information contained in the Tulare County General Plan 2010 Background Report.

Figure 2-1

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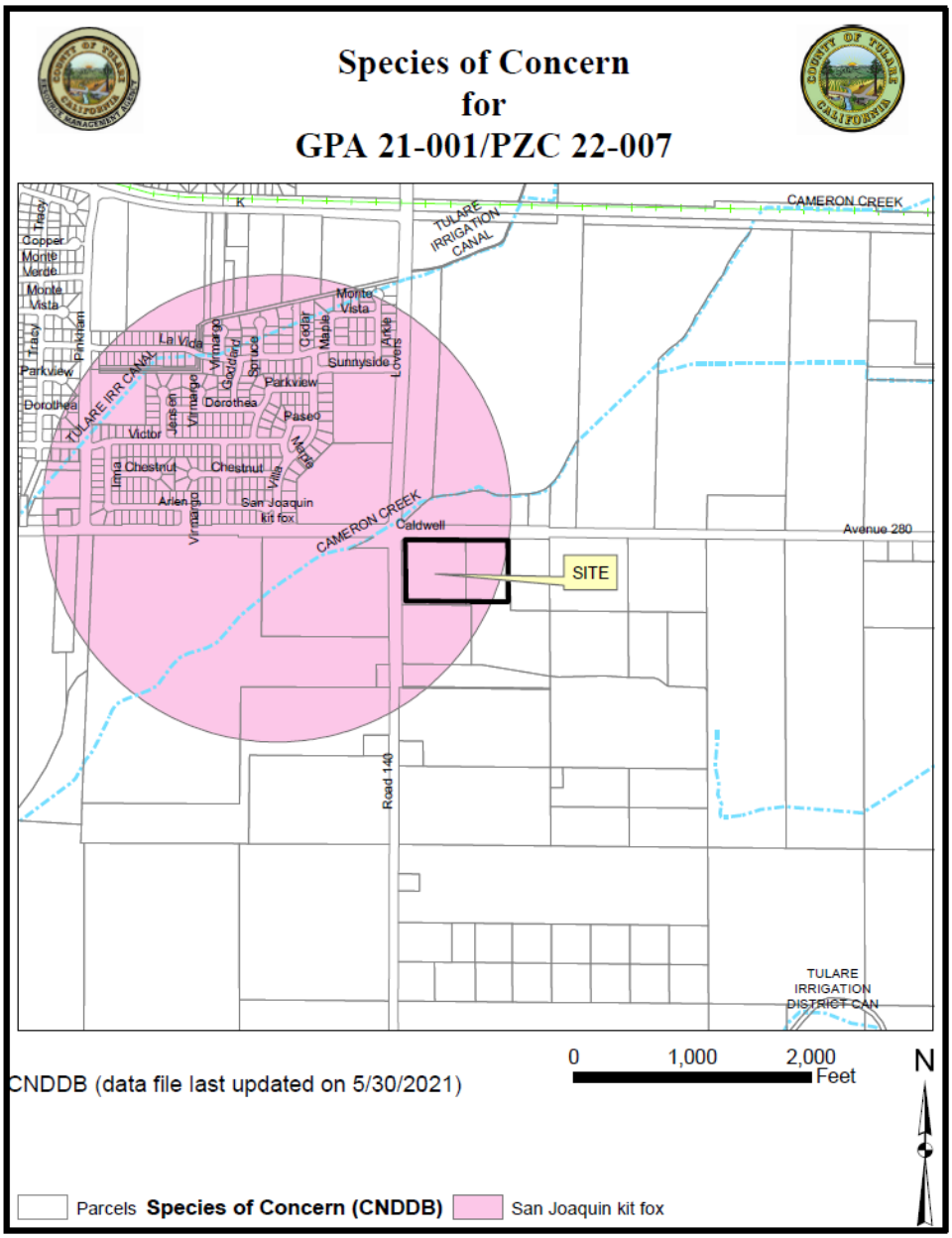

Federal Endangered Species Act

"The U.S. Fish and Wildlife Service (USFWS) administers the Federal Endangered Species Act (16 USC Section 153 et seq.) and thereby has jurisdiction over federally listed threatened, endangered, and proposed species. Projects that may result in a "take" of a listed species or critical habitat must consult with the USFWS. "Take" is broadly defined as harassment, harm, pursuing, hunting, shooting, wounding, killing, trapping, capturing, or collection; any attempt to engage in such conduct; or destruction of habitat that prevents an endangered species from recovering (16 USC 1532, 50 CFR 17.3). Federal agencies that propose, fund, or must issue a permit for a project that may affect a listed species or critical habitat are required to consult with the USFWS under Section 7 of the Federal Endangered Species Act. If it is determined that a federally listed species or critical habitat may be adversely affected by the federal action, the USFWS will issue a "Biological Opinion" to the federal agency that describes minimization and avoidance measures that must be implemented as part of the federal action. Projects that do not have a federal nexus must apply for a take permit under

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Section 10 of the Act. Section 10 of the Act requires that the project applicant prepare a habitat conservation plan as part of the permit application (16 USC 1539)."[49]

"Under Section 4 of the Federal Endangered Species Act, a species can be removed, or delisted, from the list of threatened and endangered species. Delisting is a formal action made by the USFWS and is the result of a determined successful recovery of a species. This action requires posts in the federal registry and a public comment period before a final determination is made by the USFWS."[50]

Habitat Conservation Plans

"Habitat Conservation Plans (HCPs) are required for a non-federal entity that has requested a take permit of a federal listed species or critical habitat under Section 10 of the Endangered Species Act. HCPs are designed to offset harmful effects of a proposed project on federally listed species. These plans are utilized to achieve long-term biological and regulatory goals. Implementation of HCPs allows development and projects to occur while providing conservation measures that protect federally listed species or their critical habitat and offset the incidental take of a proposed project. HCPs substantially reduce the burden of the Endangered Species Act on small landowners by providing efficient mechanisms for compliance with the ESA, thereby distributing the economic and logistic effects of compliance. A broad range of landowner activities can be legally protected under these plans (County of Tulare, 2010 Background Report, pages 9-6 and 9-7, 2010a). There are generally two types of HCPs, project-specific HCPs which typically protect a few species and have a short duration and multi-species HCPs which typically cover the development of a larger area and have a longer duration."[51]

There are two habitat conservation plans that apply in Tulare County: The Kern Water Habitat Conservation Plan, which applies to an area in Allensworth; and the U.S. Fish and Wildlife's "The Recovery Plan for Upland Species in the San Joaquin Valley," which includes sensitive species in the San Joaquin Valley, several of which may be found in Tulare County.

Migratory Bird Treaty and Bald and Golden Eagle Protection Act

"The Migratory Bird Treaty Act (MBTA, 16 USC Section 703-711) and the Bald and Golden Eagle Protection Act (16 USC Section 668) protect certain species of birds from direct "take". The MBTA protects migrant bird species from take by setting hunting limits and seasons and protecting occupied nests and eggs. The Bald and Golden Eagle Protection Act (16 USC Sections 668-668d) prohibits the take or commerce of any part of Bald and Golden Eagles. The USFWS administers both acts, and reviews federal agency actions that may affect species protected by the acts."[52]

Clean Water Act - Section 404

"Wetlands and other waters of the U.S. are subject to the jurisdiction of the U.S. Army Corp of Engineers (USACE) and U.S. Environmental Protection Agency (EPA) under Section 404 of the Clean Water Act (33 U.S.C. 1251 et seq., 1972). Together, the EPA and the USACE determine whether they have jurisdiction over the non-navigable tributaries that are not relatively permanent based on a fact-specific analysis to determine if there is a significant nexus. These non-navigable tributaries include wetlands adjacent to non-navigable tributaries that are not relatively permanent and wetlands adjacent to but that does not directly abut a relatively permanent non-navigable tributary."[53]

"Wet areas that are not regulated by this Act do not have a hydrologic link to other waters of the U.S., either through surface or subsurface flow and include ditches that drain uplands, swales or other erosional features. The USACE has the authority to issue a permit for any discharge, fill, or dredge of wetlands on a case-by-case basis, or by a general permit. General permits are handled through a Nationwide Permit (NWP) process. These permits allow specific activities that generally create minimal environmental effects. Projects that qualify under the NWP program must fulfill several general and specific conditions under each applicable NWP. If a proposed project cannot meet the conditions of each applicable NWP, an individual permit would likely be required from the USACE."[54]

[49] Tulare County 2030 General Plan RDEIR. Page 3.11-1.
[50] Ibid.
[51] Op. Cit. 3.11-2.
[52] Op. Cit.
[53] Op. Cit. 3.11-1 and 3.11-2.
[54] Op. Cit.

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State Agencies and Regulations

California Department of Fish and Wildlife (formerly Dept. of Fish and Game)

The California Department of Fish and Wildlife (DFW) regulates the modification of the bed, bank, or channel of a waterway under Sections 1601-1607 of the California Fish and Game Code. Also included are modifications that divert, obstruct, or change the natural flow of a waterway. Any party who proposes an activity that may modify a feature regulated by the Fish and Game Code must notify DFW before project construction. DFW will then decide whether to enter into a Streambed Alteration Agreement with the project applicant either under Section 1601 (for public entities) or Section 1603 (for private entities) of the Fish and Game Code.

California Endangered Species Act

DFW administers the California Endangered Species Act of 1984 (Fish and Game Code Section 2080), which regulates the listing and "take" of endangered and threatened State-listed species. A "take" may be permitted by California Department of Fish and Game through implementing a management agreement. "Take" is defined by the California Endangered Species Act as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill" a State-listed species (Fish and Game Code Sec. 86). Under State laws, DFW is empowered to review projects for their potential impacts to State-listed species and their habitats.

The DFW maintains lists for Candidate-Endangered Species (SCE) and Candidate-Threatened Species (SCT). California candidate species are afforded the same level of protection as State-listed species. California also designates Species of Special Concern (CSC) that are species of limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. These species do not have the same legal protection as listed species, but may be added to official lists in the future. The CSC list is intended by DFW as a management tool for consideration in future land use decisions (Fish and Game Code Section 2080).[55]

All State lead agencies must consult with DFW under the California Endangered Species Act when a proposed project may affect State-listed species. DFW would determine if a project under review would jeopardize or result in taking of a State-listed species, or destroy or adversely modify its essential habitat, also known as a "jeopardy finding" (Fish and Game Code Sec. 2090). For projects where DFW has made a jeopardy finding, DFW must specify reasonable and prudent alternatives to the proposed project to the State lead agency (Fish and Game Code Sec. 2090 et seq.).[56]

Natural Communities Conservation Planning Act

The Natural Communities Conservation Planning Act allows a process for developing natural community conservation plans (NCCPs) under DFW direction. NCCPs allow for regional protection of wildlife diversity, while allowing compatible development. DFW may permit takings of State-listed species whose conservation and management are provided in a NCCP, once a NCCP is prepared (Fish and Game Code Secs. 2800 et seq.).[57]

Federally and State-Protected Lands

Ownership of California's wildlands is divided primarily between federal, state, and private entities. State-owned land is managed under the leadership of the Departments of Fish and Game (CDFW), Parks and Recreation, and Forestry and Fire Protection (CDF [CalFire]). Tulare County has protected lands in the form of wildlife refuges, national parks, and other lands that have large limitations on appropriate land uses. Some areas are created to protect special status species and their ecosystems.[58]

California Wetlands Conservation Policy

The California Wetlands Conservation Policy's goal is to establish a policy framework and strategy that will ensure no overall net

[55] General Plan Background Report. Pages 9-7 and 9-8.
[56] Ibid. 9-8.
[57] Op. Cit.
[58] Op. Cit. 9-9.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

loss and achieve a long-term net gain in the quantity, quality, and permanence of wetlands acreage and values in California. Additionally, the policy aims to reduce procedural complexity in the administration of State and federal wetlands conservation programs and to encourage partnerships with a primary focus on landowner incentive programs and cooperative planning efforts. These objectives are achieved through three policy means: statewide policy initiatives, three geographically based regional strategies in which wetland programs can be implemented, and creation of interagency wetlands task force to direct and coordinate administration and implementation of the policy. Leading agencies include the Resources Agency and the California Environmental Protection Agency (Cal/EPA) in cooperation with Business, Transportation and Housing Agency, Department of Food and Agriculture, Trade and Commerce Agency, Governor's Office of Planning and Research, Department of Fish and Game, Department of Water Resources, and the State Water Resources Control Board.[59]

Birds of Prey

Birds of Prey are protected under the California Fish and Game Code Section 3503.5, which states:

> *"It is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto."*

This includes any construction disturbance which could lead to nest abandonment, which is considered a "taking" by the DFW.

CEQA and Oak Woodland Protection

CEQA Statute Section 21083.4, "Counties; Conversion of Oak Woodlands; Mitigation Alternatives," requires that counties determine whether a development will have potential impacts on oak woodlands:

> 21083.4(a): "For purposes of this section, "oak" means a native tree species in the genus Quercus, not designated as Group A or Group B commercial species pursuant to regulations adopted by the State Board of Forestry and Fire Protection pursuant to Section 4526, and that is 5 inches or more in diameter at breast height."
>
> 21083.4(b): "…a county shall determine whether a project within its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment. If a county determines that there may be a significant effect to oak woodlands, the county shall require one or more of the…[listed] oak woodlands mitigation alternatives…"

Local Policy and Regulations

Tulare County General Plan 2030 Update Policies

The following Tulare County General Plan 2030 Update Environmental Resources Management Element policies for this resource apply to this Project: *ERM-1.1 Protection of Rare and Endangered Species* - wherein the County shall ensure the protection of environmentally sensitive wildlife and plant life, including those species designated as rare, threatened, and/or endangered by State and/or Federal government, through compatible land use development; *ERM-1.2 Development in Environmentally Sensitive Areas* - wherein the County shall limit or modify proposed development within areas that contain sensitive habitat for special status species and direct development into less significant habitat areas. Development in natural habitats shall be controlled so as to minimize erosion and maximize beneficial vegetative growth; *ERM-1.4 Protect Riparian Areas* - wherein the County shall protect riparian areas through habitat preservation, designation as open space or recreational land uses, bank stabilization, and development controls; *ERM-1.6 Management of Wetlands* - wherein the County shall support the preservation and management of wetland and riparian plant communities for passive recreation, groundwater recharge, and wildlife habitats; *ERM-1.7 Planting of Native Vegetation* – wherein the County shall encourage the planting of native trees, shrubs, and grasslands in order to preserve the visual integrity of the landscape, provide habitat conditions suitable for native vegetation and wildlife, and ensure that a maximum number and variety of well-adapted plants are maintained; *ERM-1.15 Minimize Lighting Impacts*; - wherein the County shall ensure that lighting associated with new development or facilities (including street lighting, recreational facilities, and parking) shall be designed to prevent artificial lighting from illuminating adjacent natural areas at a level greater than one foot candle above ambient conditions;

[59] Op. Cit.

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ERM-1.16 Cooperate with Wildlife Agencies - wherein the County shall cooperate with State and federal wildlife agencies to address linkages between habitat areas and *ERM-2.7 Minimize Adverse Impacts* where the County will minimize the adverse effects on environmental features such as water quality and quantity, air quality, flood plains, geophysical characteristics, biotic, archaeological, and aesthetic factors..

Project Impact Analysis:

a) Less than Significant Impact with Mitigation Incorporated: As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

According to the CNDDB search and as described in the Bio Memo in Attachment "B" of this MND, one (1) special status animal species is known to have occurred in the general proposed Project vicinity (see Attachment "B").

On-site Special Status Plant Species

The current nature of the site and its long disturbance history does not provide suitable habitat for any of the special status plant species that are listed in the CNDDB. As the proposed Project site is currently planted to walnuts and remains actively farmed, the intensive active use of the walnut orchard has permanently changed any habitat suitable for special status plant species. Among the activities that have rendered the site as unsuitable habitat are weed control (through disking and application of herbicides), leveling for irrigation, scouring to allow percolation of flood irrigation, irrigation (i.e., flood irrigation), tree shaking during harvest, walnut sweeping machine, etc., and other related activities necessary for economic and efficient production of a walnut crop. The seasonality (timing) of these activities is scattered throughout the year with only the winter months (December-February) as the least active periods to conduct these activities. As such, it is highly unlikely that a special status plant would inhabit the proposed Project site. The recent CNDDB search conducted by RMA staff for the proposed Project showed that the proposed Project site and the 2-mile vicinity is not an historical area of special status plants; and, as noted earlier, the intensive active use of the walnut orchard has permanently changed any habitat suitable for special status plants.

On-site Special Status Animal Species

As noted earlier, one (1) special status animal species, the San Joaquin kit fox, is known to have occurred in the general vicinity of the proposed Project site. However, as noted earlier, the intensive active use of the walnut orchard has permanently changed any habitat suitable for special status animal species. Among the activities that have rendered the site as unsuitable habitat are weed control (through disking and application of herbicides), leveling for irrigation, scouring to allow percolation of flood irrigation, irrigation (i.e., flood irrigation), tree shaking during harvest, walnut peeling machine, a walnut brush washer, dryer loading conveyor and the dryer itself, and other related activities necessary for economic and efficient production of a walnut crop. The seasonality (timing) of these activities is scattered throughout the year with only the winter months (December-February) as the least active periods to conduct these activities. As such, it is highly unlikely that a special status animal would use the proposed Project site other than transiting the site and possibly for foraging. Nests, dens, burrows, etc., on this highly disturbed and active site are not conducive to special status animals.

Cameron Creek is located north of Avenue 280/Caldwell Avenue and west of Road 140/Lovers Lane and is separated from the proposed Project site by the existing roadways. As the creek typically conveys water periodically for agricultural-related purposes, it is unlikely that the creek provides suitable habitat for special status species. As noted earlier, only one (1) special status species, the San Joaquin kit fox, has been recorded within the proposed Project site and immediate vicinity. If special status species were to occur on or in the vicinity of the proposed Project site, it is possible that significant impacts to those species could occur because

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

of proposed Project construction-related activities. With implementation of conditions of approval requiring compliance with applicable Regional Water Quality Control Board (RWQCB) requirements, including Best Management Practices (BMP) and submittal of a Storm Water Pollution Prevention Plan (SWPPP), and submittal of a grading and drainage plan to the Tulare County Resource Management Agency Engineering Branch, potential impacts to both on- and off-site special status species from onsite construction activities would be less than significant. **Mitigation Measures 4-1** and **4-2**, which require pre-construction surveys for special status plant and animal species, respectively, will be implemented prior to the onset of project-related activities. If no special status species are identified within the Project site during pre-construction surveys, no further action would be required; however, in the event that special status species are identified, **Mitigation Measures 4-3** through **4-7** would be implemented as appropriate and in consultation with the CDFW and/or USFWS. Specifically, **Mitigation Measure 4-3** would apply to all identified special status species and **Mitigation Measures 4-4** through **4-7** would apply to San Joaquin kit fox. As such, incorporation of **Mitigation Measures 4-1** through **4-7** would reduce potential Project-specific impacts related to this Checklist Item to less than significant with mitigation.

b) - d) No Impact: The proposed Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; would not result in an adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; and it would not 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. The nearest body of water is Cameron Creek, located to the north and west. Cameron Creek typically only conveys water for agricultural-related purposes during limited months (i.e., spring/summer), but will not be impacted by the proposed Project as it is located north of Avenue 280/Caldwell Avenue and west of Road 140/Lovers Lane which would provide a separation from the proposed Project. As such, there would be no impact.

e) and f) No Impact: The proposed Project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinances. Moreover, the proposed Project is not expected to conflict with the goals or policies of the Tulare County General Plan that protect biological resources. Also, as the proposed Project is not within or in the vicinity of any approved habitat conservation plans, natural community conservation plans, or regional or state habitat conservation plans in effect, the proposed Project would result in no impact to these resources within the vicinity of the proposed Project site.

Cumulative Impact Analysis: Less Than Significant Impact - The geographic area of this cumulative analysis is the San Joaquin Valley. While the study area is limited to Tulare County, sensitive species with similar habitat requirements may exist in other portions of the San Joaquin Valley, and therefore cumulative impacts would extend beyond Tulare County's jurisdictional boundaries. The proposed Project would only contribute to cumulative impacts related to this Checklist Item if Project-specific impacts were to occur. As the proposed Project does not result in significant loss of habitat or direct impact to these special status species, a less than significant cumulative impact with mitigation will occur.

Mitigation Measure(s): **Mitigation Measure 4-1** through **4-7**

The Mitigation Measures contained in the Bio Memo have been sequenced differently and numbered rather than using the format contained in the Bio Memo. Following is a summarized version of the mitigation measures; the full text is available in the Attachment "F", Mitigation Monitoring and Reporting Program (MMRP).

Pres-construction and education

4-1 Pre-construction plant surveys.
4-2 Pre-construction animal surveys.
4-3. Employee education program.

San Joaquin kit fox:

4-4 Pre-construction Survey.

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4-5 Avoidance.
4-6 Minimization.
4-7 Mortality reporting.

Therefore, implementation of **Mitigation Measure 4-1** through **4-7**, as applicable, would reduce impacts to less than significant.

5.	**CULTURAL RESOURCES**					
	Would the project:					
	a)	Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☒	☐	☐
	b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐
	c)	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Cultural Resource, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County Environmental Impact Report are incorporated herein in their entirety. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion.

Analysis:

Environmental Setting

As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

Cultural Background

"Tulare County lies within a culturally rich province of the San Joaquin Valley. Studies of the prehistory of the area show inhabitants of the San Joaquin Valley maintained fairly dense populations situated along the banks of major waterways, wetlands, and streams. Tulare County was inhabited by aboriginal California Native American groups consisting of the Southern Valley Yokuts, Foothill Yokuts, Monache, and Tubatulabal. Of the main groups inhabiting the Tulare County area, the Southern Valley Yokuts occupied the largest territory."[60]

"California's coast was initially explored by Spanish (and a few Russian) military expeditions during the late 1500s. However, European settlement did not occur until the arrival into southern California of land-based expeditions originating from Spanish Mexico starting in the 1760s. Early settlement in the Tulare County area focused on ranching. In 1872, the Southern Pacific Railroad entered Tulare County, connecting the San Joaquin Valley with markets in the north and east. About the same time, valley settlers constructed a series of water conveyance systems (canals, dams, and ditches) across the valley. With ample water supplies and the

[60] Tulare County 2030 General Plan. Page 8-5.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

assurance of rail transport for commodities such as grain, row crops, and fruit, a number of farming colonies soon appeared throughout the region."[61]

"The colonies grew to become cities such as Tulare, Visalia, Porterville, and Hanford. Visalia, the County seat, became the service, processing, and distribution center for the growing number of farms, dairies, and cattle ranches. By 1900, Tulare County boasted a population of about 18,000. New transportation links such as SR 99 (completed during the 1950s), affordable housing, light industry, and agricultural commerce brought steady growth to the valley. The California Department of Finance estimated the 2007 Tulare County population to be 430,167."[62]

Tulare County's Documented Cultural Resources

Tulare County's known and recorded cultural resources were identified through historical records, such as those found in the National Register of Historic Places, the Historic American Building Survey/Historic American Engineering Record (HABS/HAER), the California Register of Historic Resources, California Historical Landmarks, and the Tulare County Historical Society list of historic resources. These resources are available to the general public. They have been summarized in the Tulare County General Plan Update 2030 Background Report (2010).[63]

The California Historical Resources Information Center (CHRIS), Southern San Joaquin Valley Historical Resources Information Center (SSJVIC) located at California State University, Bakersfield (Center) conducted a search for the proposed Project location as requested by Tulare County RMA. In summary, the Center's search response letter (dated August 29, 2022) indicated that; "According to the information in our files, there has been one previous cultural resource study conducted within the project area: TU-01659. There has been one additional cultural resource study conducted within the one-half mile radius: TU-01167. It should be noted that TU-01659 only intersects a small sliver of the north side of the project area, leaving approximately [~~%~~]98[%] of the project area un-studied. According to the information in our files, there are no recorded resources within the project area, and it is unknown if any exist there. There are three known resources within the one-half mile radius: P-54-000107, 005066, 005289. These resources consist of a historic era single family property, and ditch, as well as a prehistoric lithic scatter. There are no recorded cultural resources within the project area or radius that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, for the California State Historic Landmarks."[64]. The Center also recommended that the NAHC be contacted regarding cultural resources that may not be included in the CHRIS inventory (see later dated August 29, 2022, in Attachment "C"). Tulare County RMA also requested a Sacred Lands File (SLF) search from the California Native American Heritage Commission (NAHC). The NAHC provided a letter dated August 27, 2022, showing "negative" results which indicates there are no documented Sacred Lands within the Project area (see NAHC response letter dated August 27, 2022; also in Attachment "C").

Natural Setting

<u>The Windmiller Pattern</u>

According to the Society for California Archaeology (SCA), there are many chronological and cultural units (i.e., periods, phases, horizons, stages, traditions, etc.) that define California prehistory. "The literature on prehistoric California contains numerous designations for units referring to chronological, geographical, cultural, technological, or functional diversity in the archaeological record. These dimensions have often been invoked in overlapping or inconsistent ways."[65] The Windmiller pattern was identified in the Sacramento-San Joaquin Delta and is thought to be one of the oldest archaeological complexes (Lillard et al. 1939). As defined by SCA, a Pattern is "A geographically and chronologically extended cultural unit within a region, characterized by similar technology, economy, and burial practices."[66]

[61] Ibid.

[62] Op. Cit. 8-6.

[63] Tulare County General Plan Background Report. Pages 9-57 to 9-59.

[64] The California Historical Resources Information Center (CHRIS). Southern San Joaquin Valley Historical Resources Information Center (SSJVIC) located at California State University, Bakersfield. Record Search 22-323. August 209, 2022. See Attachment "C".

[65] Society for California Archaeology. Chronological and Cultural Units. A Glossary of Proper Names in California History. Accessed August 2022 at: https://scahome.org/public-resources/glossary-of-terms/chronological-and-cultural-units/

[66] Ibid.

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The Windmiller pattern is identified as "A middle to late Holocene tradition, pattern, facies, or culture in central California, particularly in the Sacramento delta, dated between 5000-2500 and 2000-500 B.C. The Windmiller tradition has been identified with the Early horizon or period and classified within the late Archaic period. Locally, the Windmiller facies was followed by the Morse, Deterding, Brazil, Need, or Orwood facies. The pattern has been identified with the Utian ethnolinguistic group. The type site is the Windmiller Mound Site (SAC-107). (Beardsley 1954; Bennyhoff and Fredrickson 1994; Chartkoff and Chartkoff 1984; Fredrickson 1994; Lillard et al. 1939; Ragir 1972)."[67] The Windmiller Pattern represents an important facet of Tulare County's prehistory.

As noted previously, the proposed Project will include the development of a commercial business park on approximately 65.45 acres located at the southwest corner of Road 100 and Oakdale Avenue, east of SR 99, APN 149-090-006. The proposed Project will include a General Plan Amendment ("GPA") to change the Land Use Designation from "Valley Agriculture" to "Mixed Use," a Zone Change ("PZC") to change the Zone from AE-20 (Exclusive Agricultural – 20 Acre Minimum) to C-3-MU (Service Commercial with a Mixed-Use Overlay Zone) to facilitate a Tentative Subdivision Map ("TSM") to subdivide a 65.45-acre parcel and develop the proposed Akers Business Park as a mixed use commercial project that includes the expansion of the existing Magic Touch Recreational Vehicle Sales facility at the south end of the proposed Project (3567 N. Oaks St. Tulare, CA 93274), contractor offices, boat sales, and other related uses allowed in the C-3-MU Zone.

Regulatory Setting

Federal

Cultural resources are protected by several federal regulations, none of which are relevant to this project because it will not be located on lands administered by a federal agency and the project applicant is not requesting federal funding and does not require any permits from any federal agencies.

State

California State Office of Historic Preservation (OHP)

"The California State Office of Historic Preservation (OHP) is responsible for administering federally and state mandated historic preservation programs to further the identification, evaluation, registration and protection of California's irreplaceable archaeological and historical resources under the direction of the State Historic Preservation Officer (SHPO), appointed by the governor, and the State Historical Resources Commission, a gubernatorial appointee, and the State Historic Resources Commission."[68]

"OHP's responsibilities include: Identifying, evaluating, and registering historic properties; Ensuring compliance with federal and state regulatory obligations; Encouraging the adoption of economic incentives programs designed to benefit property owners; Encouraging economic revitalization by promoting a historic preservation ethic through preservation education and public awareness and, most significantly, by demonstrating leadership and stewardship for historic preservation in California."[69]

"The California Historical Resources Information System (CHRIS) maintains a wide range of documents and materials relating to historical resources (e.g., buildings, structures, objects, historic and archaeological sites, landscapes, districts). The CHRIS operates structurally through the California Office of Historic Preservation (OHP), nine Information Centers (ICs), and the State Historical Resources Commission (SHRC). The OHP administers and coordinates the CHRIS and presents proposed CHRIS policies to the SHRC, which approves these polices in public meetings, under authorization of Public Resources Code 5020.4(a)(2) and 5020.4(a)(3). Policies are codified in the CHRIS Information Center Rules of Operations Manual.[70]

"The CHRIS Information Centers (ICs) are located on California State University and University of California campuses in regions throughout the state. The nine ICs provide historical resources information, generally on a fee-for-service basis, to local governments,

[67] Ibid.

[68] California State Parks. Office of Historic Preservation. Mission and Responsibilities. Accessed August 2022 at: https://ohp.parks.ca.gov/?page_id=1066.

[69] Ibid.

[70] California State Parks. California Office of Historic Preservation. California Historical Resources Information System. Accessed August 2022 at: http://ohp.parks.ca.gov/?page_id=1068.

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state and federal agencies, Native American tribes, and individuals with responsibilities under the National Environmental Policy Act, the National Historic Preservation Act, and the California Environmental Quality Act (CEQA), as well as to the general public. Currently, the OHP and the ICs each maintain separate parts of the CHRIS Inventory. The OHP's portion of the Inventory is forwarded to the ICs according to their county-based service areas so that it can be accessed by CHRIS users. It is statewide in scope, but primarily includes information that has been submitted directly to the OHP. Each of the ICs maintains a part of the CHRIS Inventory that although it is geographically limited to that IC's service area, includes both information forwarded from the OHP and information that has been submitted directly to that IC by users of the CHRIS. These different parts of the CHRIS Inventory are a combination of paper documents and maps and digital files (whether submitted digitally or converted to that format by the CHRIS). The collective information managed electronically in the CHRIS Inventory is generally referred to as the CHRIS Database."[71] Tulare, Fresno, Kern, Kings and Madera counties are served by the Southern San Joaquin Valley Historical Resources Information Center (Center), located at California State University, Bakersfield, in Bakersfield, CA. The Center provides information on known historic and cultural resources to governments, institutions, and individuals.[72]

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

> "Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States (Criterion 1).
>
> Associated with the lives of persons important to local, California or national history (Criterion 2).
>
> Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values (Criterion 3).
>
> Has yielded, or may be likely to yield, information important in prehistory or local, California or national history (Criterion 4)."[73]

<u>CEQA Guidelines: Historical Resources Definition</u>[74]

CEQA Guidelines Section 15064.5(a) defines a historical resource as:

> "(1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code Section 5024.1; Title 14 CCR, Section 4850 et seq.).
>
> (2) A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

(3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code Section 5024.1; Title 14 CCR, Section 4852) including the following:

(A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural

[71] California State Parks. California Office of Historic Preservation. About the CHRIS Information Centers. Accessed August 2022 at: http://ohp.parks.ca.gov/?page_id=28730.

[72] California State Parks. California Office of Historic Preservation. CHRIS Information Center Locations and Contacts. Accessed August 2022 at: https://ohp.parks.ca.gov/?page_id=30331.

[73] California State Parks. Office of Historic Preservation. California Register of Historical Resources. Accessed August 2022 at: http://www.ohp.parks.ca.gov/?page_id=21238.

[74] CA Natural Resources Agency. Governor's Office of Planning and Research (OPR). California Environmental Quality Act (CEQA) Guidelines. Section 15064.4 Determining the Significance of Impacts from Greenhouse Gas Emissions Accessed August 2022 at: https://www.califaep.org/statute_and_guidelines.php

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heritage;

(B) Is associated with the lives of persons important in our past;

(C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

(D) Has yielded, or may be likely to yield, information important in prehistory or history.

(4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code), or identified in an historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code Sections 5020.1(j) or 5024.1."[75]

CEQA Guidelines: Archaeological Resources

Section 15064.5(c) of CEQA Guidelines provides specific guidance on the treatment of archaeological resources as noted below.

"(1) When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource, as defined in subdivision (a).

(2) If a lead agency determines that the archaeological site is an historical resource, it shall refer to the provisions of Section 21084.1 of the Public Resources Code, and this section, Section 15126.4 of the Guidelines, and the limits contained in Section 21083.2 of the Public Resources Code do not apply.

(3) If an archaeological site does not meet the criteria defined in subdivision (a), but does meet the definition of a unique archeological resource in Section 21083.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of Section 21083.2. The time and cost limitations described in Public Resources Code Section 21083.2 (c–f) do not apply to surveys and site evaluation activities intended to determine whether the project location contains unique archaeological resources.

(4) If an archaeological resource is neither a unique archaeological nor an historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or EIR, if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process."[76]

CEQA Guidelines: Human Remains

Section 15064.5 of CEQA Guidelines provides specific guidance on the treatment of human remains pursuant to Public Resources Code § 5097.98, which provides specific guidance on the disposition of Native American burials (human remains), and fall within the jurisdiction of the Native American Heritage Commission:

"(d) When an initial study identifies the existence of, or the probable likelihood, of Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code Section 5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission. Action implementing such an agreement is exempt from:

[75] CEQA Guidelines. Section 15064.5(d).

[76] Ibid. Section 15064.5(c).

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(1) The general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5).

(2) The requirements of CEQA and the Coastal Act."[77]

"(e) In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:

(1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

(A) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and

(B) If the coroner determines the remains to be Native American:

1. The coroner shall contact the Native American Heritage Commission within 24 hours.

2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.

3. The most likely descendent may make recommendations 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, or

(2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.

(A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.

(B) The descendant identified fails to make a recommendation; or

(C) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner."[78]

(f) As part of the objectives, criteria, and procedures required by Section 21082 of the Public Resources Code, a lead agency should make provisions for historical or unique archaeological resources accidentally discovered during construction. These provisions should include an immediate evaluation of the find by a qualified archaeologist. If the find is determined to be an historical or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be available. Work could continue on other parts of the building site while historical or unique archaeological resource mitigation takes place."[79]

<u>Paleontological Resource/Public Resources Code §5097.5</u>

California Public Resources Code §5097.5 prohibits excavation or removal of any "vertebrate paleontological site…or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands." Public lands are defined to include lands owned by or under the jurisdiction of the state or any

[77] Op. Cit. Section 15064.5(d).
[78] Op. Cit. Section 15064.5(e).
[79] Op. Cit. Section 15064.5(f).

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city, county, district, authority or public corporation, or any agency thereof. Section 5097.5 states that any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands is a misdemeanor.

Human Remains/Health and Safety Code 7050.5

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

Tribal Consultation Requirements: SB 18 (Burton, 2004)[80]

On September 29, 2004, Governor Schwarzenegger signed Senate Bill 18, Tribal Consultation Guidelines, into law. This bill amended Section 815.3 of the Civil Code, to amend Sections 65040.2, 65092, 65351, 65352, and 65560 of, and to add Sections 65352.3, 65352.4, and 65562.2 to, the Government Code, relating to traditional tribal cultural Places. SB 18, enacted March 1, 2005, creates a mechanism for California Native American Tribes to identify culturally significant sites that are located within public or private lands within the city or county's jurisdiction. SB 18 requires cities and counties to contact, and offer to consult with, California Native American Tribes before adopting or amending a General Plan, a Specific Plan, or when designating land as Open Space, for the purpose of protecting Native American Cultural Places (PRC 5097.9 and 5097.993). The Native American Heritage Commission (NAHC) provides local governments with a consultation list of tribal governments with traditional lands or cultural places located within the Project Area of Potential Effect. Tribes have 90 days from the date on which they receive notification to request consultation, unless a shorter timeframe has been agreed to by the tribe.[81]

As this Project is not adopting or amending a General Plan, a Specific Plan, or when designating land as Open Space, for the purpose of protecting Native American Cultural Places (PRC 5097.9 and 5097.993); Tribal Consultation for SB 18 compliance is not required.

Tribal Consultation Requirements: AB 52 (Gatto, 2014)[82]

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

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

The NAHC provides protection to Native American burials from vandalism and inadvertent destruction, provides a procedure for

[80] CA Senate Bill No. 18, Chapter 905. Accessed August 2022. http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=200320040SB18.

[81] CA Government Code §65352.3 Accessed August 2022 at: Section 65352.4 - Consultation defined, Cal. Gov. Code § 65352.4 | Casetext Search + Citator

[82] CA Assembly Bill No. 52 Chapter 532. Accessed August 2022 at: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB52.

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the notification of most likely descendants regarding the discovery of Native American human remains and associated grave goods, brings legal action to prevent severe and irreparable damage to sacred shrines, ceremonial sites, sanctified cemeteries and place of worship on public property, and maintain an inventory of sacred places.[83]

Upon written request, the NAHC is required to conduct a Sacred Lands File search for sites located on or near a project site. As noted earlier, a Sacred Lands File search indicated "negative" results (that is, no Sacred Lands were identified) for the Project location (See Attachment "C" of this MND at NAHC Sacred Lands File search letter dated August 27, 2022). An opportunity has been provided to Native American tribes listed by the Native American Heritage Commission during the CEQA process as required by both AB 52 and SB 18, and two (2) tribes responded to the consultation requests within the mandatory response time-frames; therefore, this MND has been completed consistent and compliant with AB 52 and SB 18 (see Attachment "C" of this MND regarding Tribal consultation process).

Local

Tulare County General Plan 2030 Update

The following Tulare County General Plan 2030 Update policies for this resource apply to this Project: *ERM-6.1 Evaluation of Cultural and Archaeological Resources* which states that the County shall participate in and support efforts to identify its significant cultural and archaeological resources using appropriate State and Federal standards; *ERM-6.2 Protection of Resources with Potential State or Federal Designations* wherein the County shall protect cultural and archaeological sites with demonstrated potential for placement on the National Register of Historic Places and/or inclusion in the California State Office of Historic Preservation's California Points of Interest and California Inventory of Historic Resources. Such sites may be of Statewide or local significance and have anthropological, cultural, military, political, architectural, economic, scientific, religious, or other values as determined by a qualified archaeological professional; *ERM-6.3 Alteration of Sites with Identified Cultural Resources* which states that when planning any development or alteration of a site with identified cultural or archaeological resources, consideration should be given to ways of protecting the resources. Development can be permitted in these areas only after a site specific investigation has been conducted pursuant to CEQA to define the extent and value of resource, and mitigation measures proposed for any impacts the development may have on the resource; *ERM-6.4 Mitigation* – which states that if preservation of cultural resources is not feasible, every effort shall be made to mitigate impacts, including relocation of structures, adaptive reuse, preservation of facades, and thorough documentation and archival of records; *ERM-6.7 Cooperation of Property Owners* where the County should encourage the cooperation of property owners to treat cultural resources as assets rather than liabilities, and encourage public support for the preservation of these resources; *ERM-6.8 Solicit Input from Local Native Americans* (which is consistent with AB 52 in regards to Tribal Consultation) wherein the County shall continue to solicit input from the local Native American communities in cases where development may result in disturbance to sites containing evidence of Native American activity and/or to sites of cultural importance; *ERM-6.9 Confidentiality of Archaeological Sites* which is also consistent with AB 52) where the County shall, within its power, maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts; and *ERM-6.10 Grading Cultural Resources Sites* wherein the County shall ensure all grading activities conform to the County's Grading Ordinance and California Code of Regulations, Title 20, § 2501 et. seq.

Project Impact Analysis:

a) and b) Less Than Significant Impact With Mitigation: As noted previously, information provided by the Southern San Valley Historical Resources Information Center, at California State University, Bakersfield (Center) and the California Native American Heritage Commission Sacred Lands File search (included in Attachment "C" of this document) were used as the basis for determining that the proposed Project would result in a less than significant impact with mitigation. As noted earlier, although only one cultural resource was identified within "a sliver" of the proposed Project area in the records search, there is a possibility that subsurface resources could be uncovered during proposed Project construction-related activities. In such an event, potentially significant impacts to previously unknown subsurface resources may occur. However, implementation of the **Mitigation Measures 5-1** through **5-3** will reduce potential impacts in the unlikely event of encountering a historical or archaeological resource to a less than significant impact with mitigation.

[83] CA Native American Heritage Commission. About the Native American Heritage Commission Accessed August 2022 at: http://www.nahc.ca.gov/about/.

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c) Less Than Significant Impact With Mitigation: As noted in Items a) and b), CHRIS, NAHC, SLF searches, and consultation with Native American tribes did not identify any known remains or formal cemeteries. However unlikely, there is a possibility that subsurface resources could be uncovered during construction-related activities. In such an event, potentially significant impacts to previously unknown subsurface resources may occur. With the implementation of **Mitigation Measure 5-3**, inadvertent disturbance of any human remains, including those interred outside of formal cemeteries) resulting in the discovery of human remains would require work to halt in the vicinity of a find until the County coroner determines whether the remains are Native American in origin and, if they are, contacting the Native American Heritage Commission.

Cumulative Impact Analysis: **Less Than Significant Impact -** The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, General Plan background Report, and the Tulare County 2030 General Plan EIR. The proposed Project would only contribute to cumulative impacts related to this Checklist Item if Project-specific impacts were to occur. With implementation of **Mitigation Measure 5-1** through **5-3**, potential Project-specific impacts would be reduced to less than significant levels. Therefore, the Project's cumulative impacts would be less than significant with mitigation. Also see the Mitigation Monitoring and Reporting Program (MMRP) in Attachment "F".

Mitigation Measure(s): **Mitigation Measures 5-1** through **5-3**

Mitigation Measure 5-1: In the event that historical, archaeological or paleontological resources are discovered during site excavation, the County shall require that grading and construction work on the Project site be immediately suspended until the significance of the features can be determined by a qualified archaeologist or paleontologist. In this event, the specialists shall provide recommendations for measures necessary to protect any site determined to contain or constitute an historical resource, a unique archaeological resource, or a unique paleontological resource or to undertake data recovery, excavation analysis, and curation of archaeological or paleontological materials. County staff shall consider such recommendations and implement them where they are feasible in light of Project design as previously approved by the County.

Mitigation Measure 5-2: If cultural resources are encountered during construction or land modification activities work shall stop and the County shall be notified at once to assess the nature, extent, and potential significance of any cultural resources. If such resources are determined to be significant, appropriate actions shall be determined. Depending upon the nature of the find, mitigation could involve avoidance, documentation, or other appropriate actions to be determined by a qualified archaeologist. For example, activities within 50 feet of the find shall be ceased.

If it is determined that the proposed Project could damage a significant cultural resource, mitigation should be implemented with a preference for preservation in place, consistent with the priorities set forth in CEQA Guidelines Section 15126.4(b)(3). If avoidance is not feasible, a qualified archaeologist should prepare and implement a detailed treatment plan in consultation with the County of Tulare and, for prehistoric resources, the ethnographically associated Native American tribe. If the resource is determined to be a tribal cultural resource, as defined by Public Resources Code 21074, the County of Tulare, in consultation with the ethnographically associated Native American tribe, should, if feasible, minimize significant adverse impacts by avoiding the resource or treating the resource with culturally appropriate dignity, which includes protecting the cultural character and integrity of the resource, protecting the traditional use of the resource, and protecting the confidentiality of the resource.

Mitigation Measure 5-3: 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). In the event of the accidental [that is, unanticipated] discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
   a. The Tulare County Coroner/Sheriff must be contacted to determine that no investigation of the cause of death is required; and
   b. If the coroner determines the remains to be Native American:
   i. The coroner shall contact the Native American Heritage Commission within 24 hours.

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ii. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.

iii. The most likely descendent may make recommendations 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, or

2. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
   a. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
   b. The descendant fails to make a recommendation; or
   c. The landowner or his authorized representative rejects the recommendation of the descendent.

Therefore, implementation of **Mitigation Measures 5-1** through **5-3** would result in a less than significant impact to this item. See Attachment "F", Mitigation Monitoring and Reporting Program (MMRP).

6.	**ENERGY**				
	Would the project:				
a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Energy Resource, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update Environmental Impact Report. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion.

Environmental Setting

As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

The proposed Project would be served with electricity provided by SCE. SCE's 2019 Green Rate 50 percent option includes 67.5 percent eligible renewable resources, including wind, geothermal, solar, eligible hydroelectric, and biomass and biowaste; 4 percent large hydroelectric; 8.1 percent natural gas; 4.1 percent nuclear; 0.1 percent other; and 16.3 percent unspecified sources of power[84] SCE's 2019 Green Rate 100 percent option includes 100 percent eligible renewable resources, composed entirely of solar. Approximately 43 percent of the electricity that SCE delivered in 2020 was a combination of renewable and GHG-emissions-free resources.[85] SCE was ahead of schedule in meeting the California's RPS 2020 mandate of serving their load with at least 33 percent

[84] "Unspecified sources of power" means electricity from transactions that are not traceable to specific generation sources.

[85] Renewable sources included solar, wind, geothermal, biomass, and small hydroelectric sources. GHG-emissions-free sources of energy included nuclear and large

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RPS-eligible resources. SCE would be required to meet California's RPS standards of 60 percent by 2030 and carbon-free sourced-electricity by 2045.[86]

Natural Gas and Electric Service

"Southern California Edison provides electric service to the majority of Tulare County, including the majority of the San Joaquin Valley and the foothills. Natural gas service is primarily provided by The Gas Company (formerly Southern California Gas Company). Pacific Gas & Electric also serves northern Tulare County's electric needs on limited basis. The electrical facilities network includes both overhead and underground lines, with new development required to install underground service lines. All utility providers indicate that additional service should be available to new development, depending on the necessary load of the services requested."[87]

Existing Energy Consumption

Electrical and natural gas services for the Project area are provided by SCE & SoCalGas. In 2020, SCE and SoCalGas provided 83,532.630.620 GWh of electricity and 5,231,452. 869 million therms of natural gas; respectively, within its entire service area; which includes the northern areas of Tulare County. In 2019, Tulare County consumed 4,642.806.091 gigawatt-hours (GWh) of electricity and 159.463.309 million therms of natural gas (see **Table 6-1**).

Table 6-1
2020 County and State Energy Demands on Energy Providers
SCE and SoCal Gas

Demand by:	Electricity (in MWh)[88]	Gas (in Therms)[89]
Tulare County	[1]4,642,806.091	[2]159,463,309
SCE & SoCalGas Service Area	[1]83,532,630.620	[2]5,231,452,869

Notes: 1 Converted to MWh as CEC Energy Reports expresses in Millions of kWh (GWh).
2 Converted to MWh as CEC Energy Reports expresses in Millions of Therms.

Regulatory Setting

Federal

Energy Policy Act of 2005

The Energy Policy Act of 2005[90] seeks to reduce reliance on non-renewable energy resources and provide incentives to reduce current demand on these resources. For example, under the Act, consumers and businesses can obtain federal tax credits for purchasing fuel efficient appliances and products, including buying hybrid vehicles, building energy-efficient buildings, and improving the energy efficiency of commercial buildings. Additionally, tax credits are available for the installation of qualified fuel cells, stationary microturbine power plants, and solar power equipment.

State

hydroelectric. "GHG-emissions-free resources" refers to energy sources other than renewable energy resources that also do not result in GHG emissions, such as non-emitting nuclear and hydroelectric.

86 Southern California Edison (SCE). 2020. 2019 Power Content Label. Accessed August 2022 at: https://www.sce.com/sites/default/files/inline-files/SCE_2019PowerContentLabel.pdf.

87 Tulare County General Plan 2030 Update. Recirculated Draft EIR. 3.4 Energy and Global Climate Change. February 2010. Page 3.4-14. Accessed August 2022 at: http://generalplan.co.tulare.ca.us/documents/generalplan2010/RecirculatedDraftEIR.pdf

88 California Energy Commission. California Energy Consumption Database. Electricity Consumption by County and Plan Area. Energy reports accessed August 2022 at: http://ecdms.energy.ca.gov/elecbycounty.aspx and http://ecdms.energy.ca.gov/elecbyplan.aspx

89 Ibid. Gas Consumption by County and Plan Area. Energy reports accessed August 2022 at: http://ecdms.energy.ca.gov/gasbycounty.aspx and http://ecdms.energy.ca.gov/gasbyplan.aspx

90 Congress.GOV. Energy Policy Act of 2005. H.R. 6, Public Law No. 109-58. Accessed August 2022 at: https://www.congress.gov/bill/109th-congress/house-bill/6 and https://www.govinfo.gov/content/pkg/BILLS-109hr6enr/pdf/BILLS-109hr6enr.pdf.

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California Energy Commission

The California Energy Commission (CEC) was created in 1974 to serve as the state's primary energy policy and planning agency. The CEC is tasked with reducing energy costs and environmental impacts of energy use - such as greenhouse gas emissions - while ensuring a safe, resilient, and reliable supply of energy.

State of California Integrated Energy Policy (SB 1389)

In 2002, the Legislature passed Senate Bill 1389, which required the CEC to develop an integrated energy plan every two years for electricity, natural gas, and transportation fuels, for the California Energy Policy Report. The plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators in implementing incentive programs for Zero Emission Vehicles and their infrastructure needs, and encouragement of urban designs that reduce vehicles miles traveled and accommodate pedestrian and bicycle access. The CEC adopted the 2013 Integrated Energy Policy Report on February 20, 2014. The 2013 Integrated Energy Policy Report provides the results of the CEC's assessment of a variety of issues, including:

- Ensuring that the state has sufficient, reliable, and sage energy infrastructure to meet current and future energy demands;
- Monitoring publicly-owned utilities' progress towards achieving 10-year energy efficiency targets; defining and including zero-net-energy goals in state building standards;
- Overcoming challenges to increased use of geothermal heat pump/ground loop technologies and procurement of biomethane;
- Using demand response to meet California's energy needs and integrate renewable technologies;
- Removing barriers to bioenergy development; planning for California's electricity infrastructure needs given potential retirement of power plants and the closure of the San Onofre Nuclear Generating Station;
- Estimating new generation costs for utility-scale renewable and fossil-fueled generation;
- Planning for new or upgraded transmission infrastructure;
- Monitoring utilities' progress in implementing past recommendations related to nuclear power plants;
- Tracking natural gas market trends;
- Implementing the Alternative and Renewable Fuel and Vehicle Technology Program;
- Addressing the vulnerability of California's energy supply and demand infrastructure to the effects of climate change; and
- Planning for potential electricity system needs in 2030.

Renewable Portfolio Standard (SB 1078 and SB 107)

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

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

California Code of Regulations Title 24, Part 6 comprises the California Energy Code, which was adopted to ensure that building construction, system design and installation achieve energy efficiency. The California Energy Code was first established in 1978 by the CEC in response to a legislative mandate to reduce California's energy consumption, and apply to energy consumed for heating, cooling, ventilation, water heating, and lighting in new residential and non-residential buildings. The standards are updated periodically to increase the baseline energy efficiency requirements. The 2013 Building Energy Efficiency Standards focus on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings and include requirements to enable both demand reductions during critical peak periods and future solar electric and thermal system installations. Although it was not originally intended to reduce greenhouse gas (GHG) emissions, electricity production by fossil fuels results in

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

GHG emissions and energy efficient buildings require less electricity. Therefore, increased energy efficiency results in decreased GHG emissions.

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

The California Building Standards Commission adopted the California Green Buildings Standards Code (CALGreen in Part 11 of the Title 24 Building Standards Code) for all new construction statewide on July 17, 2008. Originally, a volunteer measure, the code became mandatory in 2010 and the most recent update (2013) went into effect on January 1, 2014. CALGreen sets targets for energy efficiency, water consumption, dual plumbing systems for potable and recyclable water, diversion of construction waste from landfills, and use of environmentally sensitive materials in construction and design, including eco-friendly flooring, carpeting, paint, coatings, thermal insulation, and acoustical wall and ceiling panels. The 2013 CALGreen Code includes mandatory measures for non-residential development related to site development; water use; weather resistance and moisture management; construction waste reduction, disposal, and recycling; building maintenance and operation; pollutant control; indoor air quality; environmental comfort; and outdoor air quality. Mandatory measures for residential development pertain to green building; planning and design; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; environmental quality; and installer and special inspector qualifications.

California Global Warming Solutions Act of 2006 (Assembly Bill 32)

Assembly Bill 32 (Health and Safety Code Sections 38500–38599; AB 32), also known as the California Global Warming Solutions Act of 2006, commits the state to achieving year 2000 GHG emission levels by 2010 and year 1990 levels by 2020. To achieve these goals, AB 32 tasked the CPUC and CEC with providing information, analysis, and recommendations to the ARB regarding ways to reduce GHG emissions in the electricity and natural gas utility sectors.

"In 2006, the Legislature passed the California Global Warming Solutions Act of 2006 [Assembly Bill 32 (AB 32)], which created a comprehensive, multi-year program to reduce greenhouse gas (GHG) emissions in California. AB 32 required the California Air Resources Board (ARB or Board) to develop a Scoping Plan that describes the approach California will take to reduce GHGs to achieve the goal of reducing emissions to 1990 levels by 2020. The Scoping Plan was first approved by the Board in 2008 and must be updated every five years. The First Update to the Climate Change Scoping Plan was approved by the Board on May 22, 2014. In 2016, the Legislature passed SB 32, which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels. With SB 32, the Legislature passed companion legislation AB 197, which provides additional direction for developing the Scoping Plan."[91] California's 2017 Climate Change Scoping Plan was adopted in December 2018. The plan identifies the State's strategy for achieving the 2030 emission reduction targets.

Clean Energy and Pollution Reduction Act (SB 350)

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

Environmental Quality Act (CEQA) Requirements

"In 1974, the Legislature adopted the Warren-Alquist State Energy Resources Conservation and Development Act. (Pub. Resources Code, § 25000 et seq.) That act created what is now known as the California Energy Commission, and enabled it to adopt building energy standards. (See, e.g., id. at § 25402.) At that time, the Legislature found the "rapid rate of growth in demand for electric energy is in part due to wasteful, uneconomic, inefficient, and unnecessary uses of power and a continuation of this trend will result in serious depletion or irreversible commitment of energy, land and water resources, and potential threats to the state's environmental quality." (Id. at § 25002; see also § 25007 ("It is further the policy of the state and the intent of the Legislature to employ a range of measures to reduce wasteful, uneconomical, and unnecessary uses of energy, thereby reducing the rate of growth of energy consumption, prudently conserve energy resources, and assure statewide environmental, public safety, and land use goals"))

[91] Air Resources Board. AB 32 Scoping Plan. Accessed August 2022 at: https://ww3.arb.ca.gov/cc/scopingplan/scopingplan.htm.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

The same year that the Legislature adopted Warren-Alquist, it also added section 21100(b)(3) to CEQA, requiring environmental impact reports to include "measures to reduce the wasteful, inefficient, and unnecessary consumption of energy." As explained by a court shortly after it was enacted, the "energy mitigation amendment is substantive and not procedural in nature and was enacted for the purpose of requiring the lead agencies to focus upon the energy problem in the preparation of the final EIR." (People v. County of Kern (1976) 62 Cal.App.3d 761, 774 (emphasis added)). It compels an affirmative investigation of the project's potential energy use and feasible ways to reduce that use.

Though Appendix F of the CEQA Guidelines has contained guidance on energy analysis for decades, implementation among lead agencies has not been consistent. (See, e.g., California Clean Energy Committee v. City of Woodland, supra, 225 Cal.App.4th 173, 209.) While California is a leader in energy conservation, the importance of addressing energy impacts has not diminished since 1974. On the contrary, given the need to avoid the effects of climate change, energy use is an issue that we cannot afford to ignore. As the California Energy Commission's Integrated Energy Policy Report (2016) explains:

> Energy fuels the economy, but it is also the biggest source of greenhouse gas emissions that lead to climate change. Despite California's leadership, Californians are experiencing the impacts of climate change including higher temperatures, prolonged drought, and more wildfires. There is an urgent need to reduce greenhouse gas emissions and increase the state's resiliency to climate change. With transportation accounting for about 37 percent of California's greenhouse gas emissions in 2014, transforming California's transportation system away from gasoline to zero emission and near-zero-emission vehicles is a fundamental part of the state's efforts to meet its climate goals. Energy efficiency and demand response are also key components of the state's strategy to reduce greenhouse gas emissions. (Id. at pp. 5, 8, 10.) Appendix F was revised in 2009 to clarify that analysis of energy impacts is mandatory. OPR today proposes to add a subdivision in section 15126.2 on energy impacts to further elevate the issue, and remove any question about whether such an analysis is required."[92]

Further, an "Explanation of Proposed Amendments" contained in the Proposed Update (and now adopted amendments) to the CEQA Guidelines documents stated that OPR proposed to add a new subdivision (b) to section 15126.2 which discusses the required contents of an environmental impact report. The new subdivision would specifically address the analysis of a project's potential energy impacts. This addition is necessary for several reasons explained as follows. [93]

> "The first sentence clarifies that an EIR must analyze whether a project will result in significant environmental effects due to "wasteful, inefficient, or unnecessary consumption of energy." This clarification is necessary to implement Public Resources Code section 21100(b)(3). Since the duty to impose mitigation measures arises when a lead agency determines that the project may have a significant effect, section 21100(b)(3) necessarily requires both analysis and a determination of significance in addition to energy efficiency measures. (Pub. Resources Code, § 21002.)
>
> > The second sentence further clarifies that all aspects of the project must be considered in the analysis. This clarification is consistent with the rule that lead agencies must consider the "whole of the project" in considering impacts. It is also necessary to ensure that lead agencies consider issues beyond just building design. (See, e.g., California Clean Energy Com. v. City of Woodland, supra, 225 Cal.App.4th at pp. 210-212.) The analysis of vehicle miles traveled provided in proposed section 15064.3 (implementing Public Resources Code section 21099 (SB 743)) on transportation impacts may be relevant to this analysis.
> >
> > The third sentence signals that the analysis of energy impacts may need to extend beyond building code compliance. (Ibid.) The requirement to determine whether a project's use of energy is "wasteful, inefficient, and unnecessary" compels consideration of the project in its context. (Pub. Resources Code, § 21100(b)(3).) While building code compliance is a relevant factor, the generalized rules in the building code will not necessarily indicate whether a particular project's energy use could be improved. (Tracy First v. City of Tracy (2009) 177 Cal.App.4th 912, 933 (after analysis, lead agency concludes that project proposed to be at least 25% more energy efficient than the building code requires would have a less than significant impact); see also CEQA Guidelines, Appendix F, § II.C.4 (describing building code compliance as one of

[92] State of California. Office of Planning and Research. Proposed Update to the CEQA Guidelines. November 2017. Pages 65-66. Accessed August 2022 at: http://opr.ca.gov/docs/20171127_Comprehensive_CEQA_Guidelines_Package_Nov_2017.pdf

[93] Ibid. 66.

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several different considerations in determining the significance of a project's energy impacts).) That the Legislature added the energy analysis requirement in CEQA at the same time that it created an Energy Commission authorized to impose building energy standards indicates that compliance with the building code is a necessary but not exclusive means of satisfying CEQA's independent requirement to analyze energy impacts broadly.

The new proposed [now adopted] subdivision (b) also provides a cross-reference to Appendix F. This cross-reference is necessary to direct lead agencies to the more detailed provisions contained in that appendix. Finally, new proposed subdivision (b) cautions that the analysis of energy impacts is subject to the rule of reason, and must focus on energy demand actually caused by the project. This sentence is necessary to place reasonable limits on the analysis. Specifically, it signals that a full "lifecycle" analysis that would account for energy used in building materials and consumer products will generally not be required. (See also Cal. Natural Resources Agency, Final Statement of Reasons for Regulatory Action: Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB97 (Dec. 2009) at pp. 71-72.)"[94]

Specifically, Section 15121.6 added new sub-section (b), to wit: "(b) Energy Impacts. If the project may result in significant environmental effects due to wasteful, inefficient, or unnecessary consumption of energy, the EIR shall analyze and mitigate that energy use. This analysis should include the project's energy use for all project phases and components, including transportation-related energy, during construction and operation. In addition to building code compliance, other relevant considerations may include, among others, the project's size, location, orientation, equipment use and any renewable energy features that could be incorporated into the project. (Guidance on information that may be included in such an analysis is presented in Appendix F.) This analysis is subject to the rule of reason and shall focus on energy demand that is caused by the project. This analysis may be included in related analyses of air quality, greenhouse gas emissions or utilities in the discretion of the lead agency."[95]

CEQA Thresholds of Significance

- Result in significant environmental effects due to wasteful, inefficient, or unnecessary consumption of energy.
- The project's energy use for all project phases and components, including transportation-related energy, during construction and operation.
- The project's size, location, orientation, equipment use and any renewable energy features that could be incorporated into the project.
- Analysis is subject to the rule of reason and shall focus on energy demand that is caused by the project.

Local Policy & Regulations

Tulare County General Plan 2030 Update

The following Tulare County General Plan 2030 Update policies for this resource apply to this Project: *AQ-3.5 Alternative Energy Design* – wherein the County shall encourage all new development, including rehabilitation, renovation, and redevelopment, to incorporate energy conservation and green building practices to maximum extent feasible; *ERM-4.1 Energy Conservation and Efficiency Measures* – wherein the County shall encourage the use of solar energy, solar hot water panels, and other energy conservation and efficiency features in new construction and renovation of existing structures in accordance with State law; *ERM-4.2 Streetscape and Parking Area Improvements for Energy Conservation* – wherein the County shall promote the planting and maintenance of shade trees along streets and within parking areas of new urban development to reduce radiation heating; and *ERM-4.3 Local and State Programs* wherein the County shall participate, to the extent feasible, in local and State programs that strive to reduce the consumption of natural or man-made energy sources; *ERM-4.8 Energy Efficiency Standards* wherein the County shall encourage renovations and new development to incorporate energy efficiency and conservation measures that exceed State Title 24 standards. When feasible, the County shall offer incentives for use of energy reduction measures such as expedited permit processing, reduced fees, and technical assistance; and *LU-7.15 Energy*

[94] Op. Cit. 66-67.
[95] Op. Cit. 67-68.

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Conservation wherein the County shall encourage the use of solar power and energy conservation building techniques in all new development.

Project Impact Analysis:

a) Less than Significant Impact: The energy requirements for the proposed project were determined using the construction- and operational-related estimates generated from the California Emissions Estimator Model (CalEEMod). The CalEEMod report and the calculation worksheets for diesel fuel consumption rates for off-road construction equipment and on-road vehicles are provided in Attachment "A". Short-term construction-related energy consumption is discussed below.

Short Term Construction

Off-Road Equipment

The proposed project is anticipated to begin construction in 2023. For modeling purposes, construction was assumed to be completed in a twelve (12) month period. **Table 6-1** provides estimates of the project's construction fuel consumption from off-road construction equipment for the entire project, categorized by construction activity.

As shown in **Table 6-1**, use of off-road equipment associated with construction of the proposed project is estimated to consume approximately 14,333 gallons of diesel fuel over the entire construction duration. There are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction sites in the Tulare County region or other parts of California. Therefore, it is expected that construction fuel consumption associated with the proposed Project would not be any more inefficient, wasteful, or unnecessary than at other construction sites in the region.

Table 6-1
Construction Off-Road Fuel Consumption

Project Component	Construction Activity	Fuel Consumption (gallons)
Proposed Project (On-site, Off-road Equipment Use)	Site Preparation	352
	Grading	441
	Building Construction	12,811
	Paving	618
	Architectural Coating	111
Total		**14,333**

Note: Totals may not appear to sum correctly due to rounding.
Source: Energy Consumption Calculations (Attachment" A" of this MND).

On-Road Vehicles

On-road vehicles for construction workers, vendors, and haulers would require fuel for travel to and from the site during construction. **Table 6-2** provides an estimate of the total on-road vehicle fuel usage during construction. There are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction sites in other parts of the state. Therefore, it is expected that construction fuel consumption associated with the proposed project would not be any more inefficient, wasteful, or unnecessary than at other construction sites in the region.

Table 6-2
Construction On-Road Fuel Consumption

Project Component	Total Annual Fuel Consumption (gallons)
Site Preparation	77
Grading	318
Building Construction	4,963

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Paving	243
Architectural Coating	118
Total	**5,719**
Note: Totals may not appear to sum correctly due to rounding *Source: Energy Consumption Calculations (Attachment "A" of this MND).*	

Other Energy Consumption Anticipated During Project Construction

Other equipment could include construction lighting, field services (office trailers), and electrically driven equipment such as pumps and other tools. As the on-site construction activities would be restricted to the permissible hours allowed in Tulare County, it is anticipated that the use of construction lighting would be minimal. Singlewide mobile office trailers, which are commonly used in construction staging areas, generally range in size from 160 square feet to 720 square feet. A typical 720-square-foot office trailer would consume approximately 2,744 kWh during the approximate 4-month construction phase.

Construction Energy Demand

As summarized in **Table 6-1** and **Table 6-2**, the proposed project would require 14,333 gallons of diesel fuel for construction-related off-road equipment and 5,719 gallons of gasoline and diesel for on-road vehicles during construction-related activities. There are no unusual project characteristics that would necessitate the use of construction-related equipment that would be less energy efficient than at comparable construction sites in the region or other parts of the state. In addition, the overall construction-related schedule and process is already designed to be efficient in order to avoid excess monetary costs. For example, equipment and fuel are not typically used wastefully due to the added expense associated with renting the equipment, maintaining it, and fueling it. Therefore, it is anticipated that construction-related fuel consumption associated with the proposed Project would not be any more inefficient, wasteful, or unnecessary than at other construction sites in the region, and as such, impacts would be less than significant.

Long-Term Operations

Transportation Energy Demand

Table 6-3 provides an estimate of the daily and annual fuel consumed by vehicles traveling to and from the proposed Project. These estimates were derived using the same assumptions used in the operational air quality analysis for the proposed project.

Table 6-3
Long-Term Operational Vehicle Fuel Consumption[96]

Vehicle Type	Total Daily Trips	Percent of Vehicle Trips	Daily VMT	Annual VMT	Average Fuel Economy (miles/ gallon)	Total Daily Fuel Consumption (gallons)	Total Annual Fuel Consumption (gallons)
Passenger Vehicles							
Heavy-Heavy Trucks (HHDT)							
Total							

Notes: Percent of Vehicle Trips and VMT provided by CalEEMod.
VMT = vehicle miles traveled
Source: Energy Consumption Calculations (Attachment "A" of this MND).

[96] Op. Cit.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

The daily vehicular fuel consumption is estimated to be 1,321 gallons of both gasoline and diesel fuel (95.4 gallons from passenger vehicles and 1,226 gallons from heavy trucks). Annual consumption is estimated at 482,322 gallons (34,824 from passenger vehicles and 447,498 gallons from heavy trucks). In addition, the proposed project would constitute development within very near proximity of an established community and would not be opening a new geographical area for development. As such, the proposed project would not result in unusually long trip lengths for future employees, vendors, or visitors. As previously noted, the proposed Project site is located on an approximately 12-acre site directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane) and near extensive single- and multi-family residential development. The proposed project is well-positioned to accommodate an existing community. Vehicles accessing the site would be typical of vehicles accessing similar urban-type commercial development in the Tulare County and the City of Visalia. For these reasons, it would be expected that vehicular fuel consumption associated with the proposed project would not be any more inefficient, wasteful, or unnecessary than for any other similar land use activities in the region, and impacts would be less than significant.

Building Energy Demand

As shown in **Tables 6-4** and **6-5**, the proposed Project is estimated to demand 500,500 kilowatt-hours (KWhr) of electricity and 851,500 1,000-British Thermal Units (KBTU) of natural gas, respectively, on an annual basis.

Buildings and infrastructure constructed pursuant to the proposed Project would comply with the versions of CCR Titles 20 and 24, including California Green Building Standards (CALGreen), that are applicable at the time that building permits are issued. The proposed Project is estimated to demand 500,500 KWhr of electricity per year and 851,500 KBTU of natural gas per year. This would represent an increase in demand for electricity and natural gas.

Table 6-4
Long-Term Electricity Usage

Land Use	Total Electricity Demand (KWhr/year)
Industrial Park	483,000
Parking Lot	17,500
Other Asphalt Surfaces	0
Other Non-Asphalt Surfaces	0
Total	**500,500**

Source: Energy Consumption Calculations (Attachment "A" of this MND).

Table 6-5
Long-Term Natural Gas Usage

Land Use	Total Natural Gas Demand (KBTU/year)
Industrial Park	851,500
Parking Lot	0
Other Asphalt Surfaces	0
Other Non-Asphalt Surfaces	0
Total	**851,500**

Source: Energy Consumption Calculations (Attachment "A" of this MND).

It would be expected that building energy consumption associated with the proposed Project would not be any more inefficient, wasteful, or unnecessary than for any other similar buildings in the region. Current state regulatory requirements for new building

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

construction contained in the 2019 CALGreen and Title 24 standards would increase energy efficiency and reduce energy demand in comparison to existing commercial structures, and therefore would reduce actual environmental effects associated with energy use from the proposed Project. Additionally, the CALGreen and Title 24 standards have increased efficiency standards through each update. Therefore, while the proposed Project would result in increased electricity and natural gas demand, the electricity and natural gas would be consumed more efficiently and would be typical of existing commercial development.

Based on the above information, the proposed Project would not result in the inefficient or wasteful consumption of electricity or natural gas, and impacts would be less than significant. As such, Project-specific impacts related to this Checklist Item to a level considered less than significant.

The Tulare County General Plan contains policies that aim to reduce GHG emissions. The Tulare County CAP (the 2018 CAP Update) references the General Plan policies as tools for reducing GHG emissions. These policies are divided into the categories of Transportation Strategies, Building Energy Efficiency, Water Conservation Energy Savings, Solid Waste Reduction and Recycling, and Agricultural Programs and Incentives. Polices identified in the CAP under the Building Energy Efficiency section are provided earlier and summarized as follows: *AQ-3.5 Alternative Energy Design; ERM-4.1 Energy Conservation and Efficiency Measures*; *ERM-4.2 Streetscape and Parking Area Improvements for Energy Conservation*; *ERM-4.3 Local and State Programs;* and *LU-7.15 Energy Conservation*.

The policies are aimed at County action and do not specifically mandate action at the project level. Therefore, compliance with established and applicable regulations would ensure consistency with GHG reduction measures contained in the Tulare County 2030 General Plan. Moreover, compliance with Title 24 standards would ensure that the proposed Project would not conflict with any of the General Plan energy conservation policies related to the proposed Project's building envelope, mechanical systems, and indoor and outdoor lighting. As previously noted, the proposed Project site is located on an approximately 12-acre site directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane) and near extensive single- and multi-family residential development. The proposed project is well-positioned to accommodate an existing community. Vehicles accessing the site would be typical of vehicles accessing similar urban-type commercial development in the Tulare County and the City of Visalia. The proposed Project would be well-positioned to accommodate an existing community. As such, the proposed Project would not be opening a new geographical area for development such that it would not result in unusually long trip lengths for future employees or vendors. For the above reasons, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and impacts would be less than significant.

Cumulative Impact Analysis: Less than Significant - The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan Update 2030 EIR.

In summary, as noted previously, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). The proposed Project would incrementally contribute to adverse impacts on energy resource demand and conservation when considering the cumulative impact of concurrently planned projects; however, like the proposed Project, discretionary actions requiring agency approval are required to comply with local, regional, state, and federal policies designed to reduce wasteful energy consumption, and improve overall energy conservation and sustainability. For instance, all local projects involving the development of new buildings must be designed to conform to CALGreen and the current California Energy Code (for this Project it will be the 2019 Code). Therefore, it is anticipated that the proposed Project's contribution to cumulative impacts would not result in a significantly considerable wasteful use of energy resources, such that the proposed Project, and other cumulative projects, would not have a cumulative effect on energy conservation. The proposed Project will not have a direct or cumulative impact, or create wasteful, inefficient, or unnecessary consumption of energy resources during project construction-related activities or operations, nor will it conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, with less than Project-specific impacts, there will be a less than significant Cumulative Impact.

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

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Geology/soils Resource, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update Environmental Impact Report are incorporated herein in their entirety. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion.

Environmental Setting

As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

"Tulare County is divided into two major physiographic and geologic provinces: the Sierra Nevada Mountains and the Central Valley. The Sierra Nevada Physiographic Province, in the eastern portion of the county, is underlain by metamorphic and igneous rock. It consists mainly of homogeneous granitic rocks, with several islands of older metamorphic rock. The central and western parts of the county are part of the Central Valley Province, underlain by marine and non-marine sedimentary rocks. It is basically a flat, alluvial plain, with soil consisting of material deposited by the uplifting of the mountains. The foothill area of the county is essentially a transition zone, containing old alluvial soils that have been dissected by the west-flowing rivers and streams that carry runoff from the Sierra Nevada Mountains. This gently rolling topography is punctured in many areas by outcropping soft bedrock. The native mountain soils are generally quite dense and compact"[97]

"The Central Valley is an asymmetrical structural trough filled with marine and continental sediments up to 15-kilometers (km) thick covering an area of more than 50,000 square kilometers (km^2), bounded by the Cascade Range to the north, the Sierra Nevada ranges to the east, the Klamath Mountains and Coast Ranges to the west, and the Tehachapi Mountains to the south. The aquifer system in the Central Valley comprises unconfined, semi-confined, and confined aquifers, which are primarily contained within the upper 300 meters (m; though some wells exceed that depth) of alluvial sediments deposited by streams draining the surrounding Sierra Nevada and Coast Ranges (Page, 1986; California Department of Water Resources, 2003; Faunt, 2009). The [Sacramento] SAC occupies the northern third of the Central Valley and the [San Joaquin Valley] SJV occupies the southern two-thirds of the Central Valley (Fig. 1 [in the Scientific Investigations Report 2019-506]). The SJV is often further divided into the San Joaquin River Basin, which occupies the northern half of the SJV, and the Tulare Basin, which occupies the southern half of SJV. The Tulare Basin is, hydrologically, a closed basin, but it receives imported water from the San Joaquin and Sacramento Rivers. These will collectively be referred to as the SJV. In much of the western side of the SJV, the aquifer system is divided into an upper and lower zone by the Corcoran Clay Member of the Tulare Formation, a regionally extensive clay layer that limits vertical movement of groundwater (Page, 1986; Williamson and others, 1989; Belitz and Heimes, 1990; Burow and others, 2004). Both zones of the aquifer in the area of the Corcoran Clay generally are tapped for groundwater withdrawals (Shelton and others, 2013; Fram, 2017)."[98]

Geology & Seismic Hazards

Seismic hazards, such as earthquakes, can cause loss of human life and property damage, disrupt the local economy, and undermine the fiscal condition of a community. Secondary seismic hazards, including subsidence and liquefaction, can cause building and infrastructure damage.

<u>Seismicity</u>

"Seismicity varies greatly between the two major geologic provinces represented in Tulare County. The Central Valley is an area of relatively low tectonic activity bordered by mountain ranges on either side. The Sierra Nevada Mountains, partially located within Tulare County, are the result of movement of tectonic plates which resulted in the creation of the mountain range. The Coast Range on the west side of the Central Valley is also a result of these forces, and the continued uplifting of Pacific and North American tectonic plates continues to elevate these ranges. The remaining seismic hazards in Tulare County generally result from movement along faults associated with the creation of these ranges.

Earthquakes are typically measured in terms of magnitude and intensity. The most commonly known measurement is the Richter Scale, a logarithmic scale which measures the strength of a quake. The Modified Mercalli Intensity Scale measures the intensity of an earthquake as a function of the following factors:

- Magnitude and location of the epicenter;
- Geologic characteristics;
- Groundwater characteristics;

[97] Tulare County 2030 General Plan 2030 Update Background Report. Page 8-4 through 8-5.

[98] United States Department of the Interior United States Geologic Survey. "Delineation of Spatial Extent, Depth, Thickness, and Potential Volume of Aquifers Used for Domestic and Public Water-Supply in the Central Valley, California. Scientific Investigations Report 2019-5076 (SIR). Page 2. Accessed August 2022 at: https://pubs.usgs.gov/sir/2019/5076/sir20195076.pdf.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

- Duration and characteristic of the ground motion;
- Structural characteristics of a building."[99]

Faults

"Faults are the indications of past seismic activity. It is assumed that those that have been active most recently are the most likely to be active in the future. Recent seismic activity is measured in geologic terms. Geologically recent is defined as having occurred within the last two million years (the Quaternary Period). All faults believed to have been active during Quaternary time are considered "potentially active."[100]. "In 1973, five counties within the Southern San Joaquin Valley undertook the preparation of the Five County Seismic Safety Element to assess seismic hazards… In general, zones C1, S1, and V1 are safer than zones C2, S2, and V2. Hazards due to groundshaking are considered to be "minimal" in the S1 Zone and "minimal" to "moderate" in the S2 and S2S Zones. Development occurring within the S1 Seismic Zone must conform to the Uniform Building Code-Zone II; while development within the S2 Zone must conform to Uniform Building Code-Zone III. There are three faults within the region that have been, and will be, principal sources of potential seismic activity within Tulare County. These faults are described below:

- **San Andreas Fault** is located approximately 40 miles west of the Tulare County boundary and [approximately] 60 miles west of the project area. This fault has a long history of activity, and is thus the primary focus in determining seismic activity within the County. Seismic activity along the fault varies along its span from the Gulf of California to Cape Mendocino. Just west of Tulare County lays the "Central California Active Area," section of the San Andreas Fault where many earthquakes have originated.

- **Owens Valley Fault Group** is a complex system containing both active and potentially active faults, located on the eastern base of the Sierra Nevada Mountains approximately [approximately] 60 miles east of the project area. The Group is located within Tulare and Inyo Counties and has historically been the source of seismic activity within Tulare County.

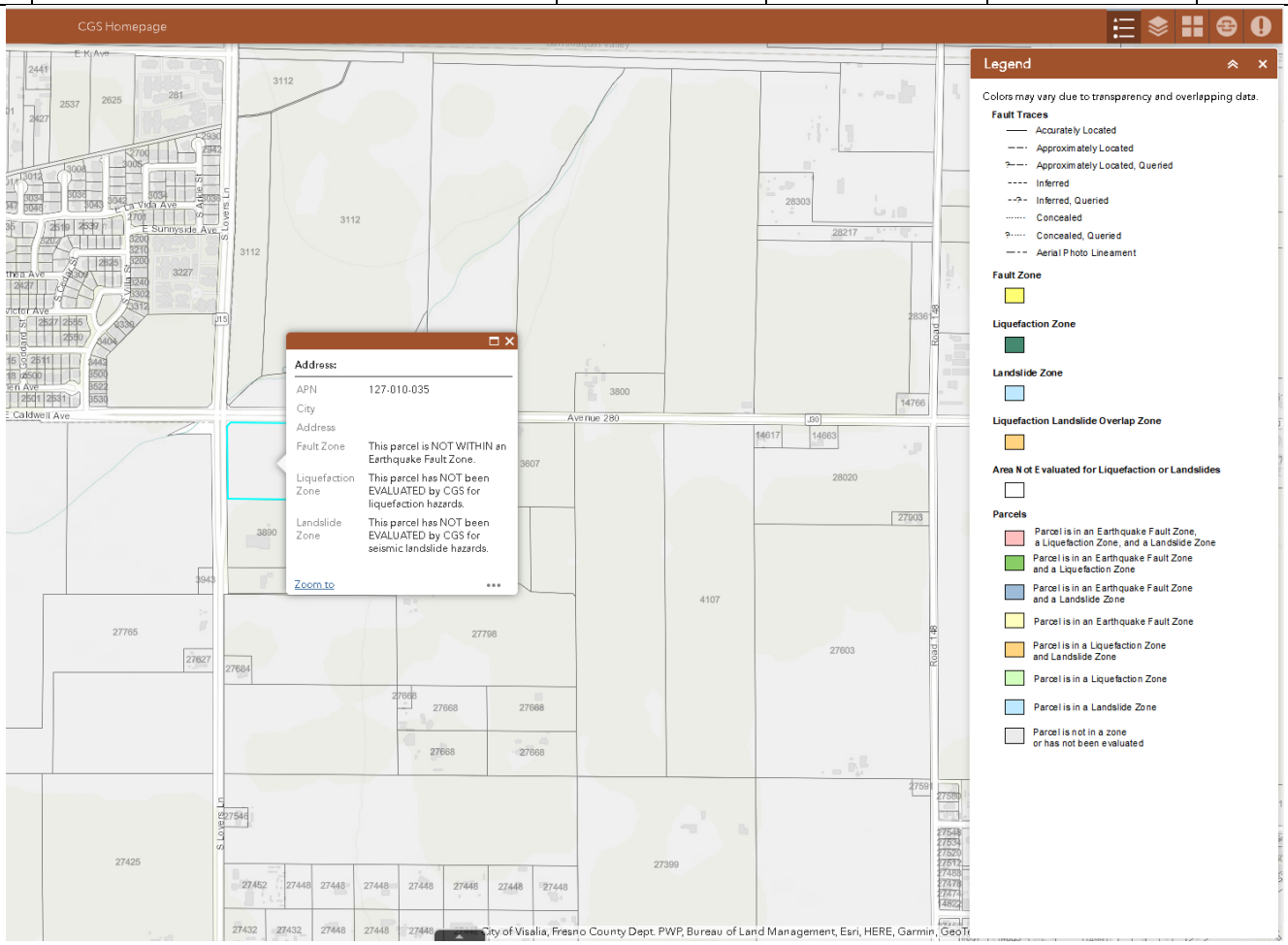
- **Clovis Fault** is considered to be active within the Quaternary Period, although there is no historic evidence of its activity, and is therefore classified as "potentially active." This fault lies approximately six miles south of the Madera County boundary in Fresno County and [approximately] 70 miles north of the project area. Activity along this fault could potentially generate more seismic activity in Tulare County than the San Andreas or Owens Valley fault systems. In particular, a strong earthquake on the Fault could affect northern Tulare County. However, because of the lack of historic activity along the Clovis Fault, inadequate evidence exists for assessing maximum earthquake impacts." [101]

There are other unnamed faults north of Bakersfield and near Tulare Buttes about 30 miles north of Porterville. These faults are small and have exhibited activity in the last 1.6 million years, but not in the last 200 years. It is also possible, but unlikely, that previously unknown faults could become active in the area. [102] As shown in **Figure 7-1**, the proposed Project parcel site is not within an earthquake fault zone.[103]

Figure 7-1
Earthquake Fault Map of Project Site

[99] Tulare County General Plan 2030 Update. Appendix B General Plan Background Report. Page 8-5. http://generalplan.co.tulare.ca.us/documents/GeneralPlan2010/Appendix%20B%20-%20Background%20Report.pdf .
[100] Op. Cit.
[101] Op. Cit. 8-5 through 8-7.
[102] California Geological Survey. Accessed August 2022. Fault Activity Map of California
[103] California Department of Conservation. EQ Zapp: California Earthquake Hazards Zone Application. Earthquake Zones of Required Investigation. Accessed August 2022. See: https://maps.conservation.ca.gov/cgs/EQZApp/app/

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT



Settlement

"Settlement can occur in poorly consolidated soils during ground-shaking. During settlement, the soil materials are physically rearranged by the shaking and result in reduced stabling alignment of the individual minerals. Settlement of sufficient magnitude to cause significant structural damage is normally associated with rapidly deposited alluvial soils, or improperly founded or poorly compacted fill. These areas are known to undergo extensive settling with the addition of irrigation water, but evidence due to ground-shaking is not available. Fluctuating groundwater levels also may have changed the local soil characteristics. Sufficient subsurface data is lacking to conclude that settlement would occur during a large earthquake; however, the data is sufficient to indicate that the potential exists in Tulare County."[104]

Other Geologic Hazards

Landslides

"Landslides are a primary geologic hazard and are influenced by four factors:

- Strength of rock and resistance to failure, which is a function of rock type (or geologic formation);
- Geologic structure or orientation of a surface along which slippage could occur;
- Water (can add weight to a potentially unstable mass or influence strength of a potential failure surface); and,

[104] Op. Cit. 8-9.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

- Topography (amount of slope in combination with gravitation forces).

"As of June 2009, the California Geological Survey had not developed landslide hazard identification maps for Tulare County. However, it is reasonable to assume that certain areas in Tulare County are more prone to landslides than other areas… [As such,] There is no risk of large landslides in the valley area of the county due to its relatively flat topography."[105]

Subsidence

"Subsidence occurs when a large portion of land is displaced vertically, usually due to the withdrawal of groundwater, oil, or natural gas. Soils that are particularly subject to subsidence include those with high silt or clay content. Subsidence caused by groundwater withdrawal generally presents a more serious problem, since it can affect large areas. Oil and gas withdrawal, on the other hand, tends to affect smaller, localized areas. Some areas of the Central Valley have subsided more than 20 feet during the past 50 years." [106]

Seiche

"A seiche is a standing wave produced in a body of water such as a reservoir, lake, or harbor, by wind, atmospheric changes, or earthquakes. Seiches have the potential to damage shoreline structures, dams, and levees…Since this is less than wave heights that could be expected from wind induced waves, earthquake-induced seiches are not considered a risk in Tulare County. In addition, the effects from a seiche would be similar to the flood hazard for a particular area, and the risk of occurrence is perceived as considerably less than the risk of flooding."[107]

Volcanic Hazard

"The nearest volcanoes lie to the northeast of Tulare County in Mono County, in the Mammoth Lakes/Long Valley area. The most serious effect on Tulare County of an eruption in the Mammoth Lakes, area according to the California Geological Survey, would be ash deposition."[108] "A volcanic eruption during the winter could result in snowmelt and lead to flooding. The state has formulated a contingency plan, the "Long Valley Caldera Response Plan," designed to notify the public in the event of an earthquake in the Long Valley area (outside of Tulare County)."[109]

Paleontology

"Paleontological resources are any fossilized remains, traces, or imprints of organisms, preserved in or on the earth's crust, that are of paleontological interest and that provide information about the history of life on earth, with the exception of materials associated with an archaeological resource (as defined in Section 3(1) of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470bb[1]), or any cultural item as defined in Section 2 of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001)."[110] " According to the University of California Museum of Paleontology (UCMP), 12 paleontological resources have been recorded in Tulare County, generally within the valley portion of the County. These resources primarily consist of invertebrates, vertebrate, and plant fossils (UCMP, 2009)."[111] CEQA requires that a determination be made as to whether a project would directly or indirectly destroy a unique paleontological resource or site or unique geological feature (CEQA Appendix G(v)(c)). If an impact is significant, CEQA requires feasible measures to minimize the impact (CCR Title 14(3) §15126.4 (a)(1)). California Public Resources Code §5097.5 also applies to paleontological resources.

Soil Characteristics

[105] Op. Cit. 8-10.
[106] Op. Cit. 8-10 through 8-11.
[107] Op. Cit. 8-11.
[108] Op. Cit.
[109] Op. Cit.
[110] Op. Cit. 9-43.
[111] Op. Cit. 9-53.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

"The San Joaquin Valley portion of Tulare County is located on alluvial deposits, which tend to experience greater groundshaking intensities than areas located on hard rock. Therefore, structures located in the valley will tend to suffer greater damage from groundshaking than those located in the foothill and mountain areas. However, existing alluvium valleys and weathered or decomposed zones are scattered throughout the mountainous portions of the county which could also experience stronger intensities than the surrounding solid rock areas. The geologic characteristics of an area can therefore be a greater hazard than its distance to the epicenter of the quake."[112]

Figure 7-2 shows the soil type(s) found on the site as provided by the USDA Natural Resources Conservation Service.[113] The Grangeville sandy loam series consists of very deep, somewhat poorly drained soils that formed in moderate coarse textured alluvium dominantly from granitic rock sources. Grangeville soils are on alluvial fans and flood plains and have slopes ranging from 0 to 2 percent.[114] Elevations are 190 to 400 feet.[115] As Grangeville sandy loam soils are somewhat poorly drained, they have negligible to very low runoff and moderately to rapid permeability.[116]

REGULATORY SETTING

Federal

None that apply to the Project.

State

Seismic Hazards Mapping Act

"Under the Seismic Hazards Mapping Act, the State Geologist is responsible for identifying and mapping seismic hazards zones as part of the California Geologic Survey (CGS). The CGS provides zoning maps of non-surface rupture earthquake hazards (including liquefaction and seismically induced landslides) to local governments for planning purposes. These maps are intended to protect the public from the risks associated with strong ground shaking, liquefaction, landslides or other ground failure, and other hazards caused by earthquakes. For projects within seismic hazard zones, the Seismic Hazards Mapping Act requires developers to conduct geological investigations and incorporate appropriate mitigation measures into project designs before building permits are issued."[117]

California Building Code

"The California Building Code is another name for the body of regulations known as the California Code of Regulations (C.C.R.), Title 24, Part 2, which is a portion of the California Building Standards Code. Title 24 is assigned to the California Building Standards Commission, which, by law, is responsible for coordinating all building standards."[118]

Alquist-Priolo Earthquake Fault Zoning Act

"The Alquist-Priolo Earthquake Fault Zoning Act (formerly the Alquist-Priolo Special Studies Zone Act), signed into law December 1972, requires the delineation of zones along active faults in California. The purpose of the Alquist-Priolo Act is to regulate development on or near active fault traces to reduce the hazards associated with fault rupture and to prohibit the location of most structures for human occupancy across these traces."[119]

[112] Tulare County General Plan 2030 Update. Background Report. Page 8-7.
[113] United States Department of Agriculture (USDA). Natural Resources Conservation Service (NRCS). Accessed August 2022 at: Web Soil Survey (usda.gov)
[114] United States Department of Agriculture. Natural Resources Conservation Service. Official Soil Series. Grangeville Series. Accessed August 2022 at: https://soilseries.sc.egov.usda.gov/OSD_Docs/G/GRANGEVILLE.html
[115] United States Department of Agriculture (USDA). Natural Resources Conservation Service (NRCS). Accessed August 2022 at: Web Soil Survey (usda.gov)
[116] United States Department of Agriculture. Natural Resources Conservation Service. Official Soil Series. Grangeville Series. Accessed August 2022 at: https://soilseries.sc.egov.usda.gov/OSD_Docs/G/GRANGEVILLE.html
[117] Tulare County General Plan 2030 Update. Background Report. Page 8-7.
[118] Tulare County. Revised Draft General Plan 2030 Update. August 2012. Page. 8-3.
[119] Ibid.

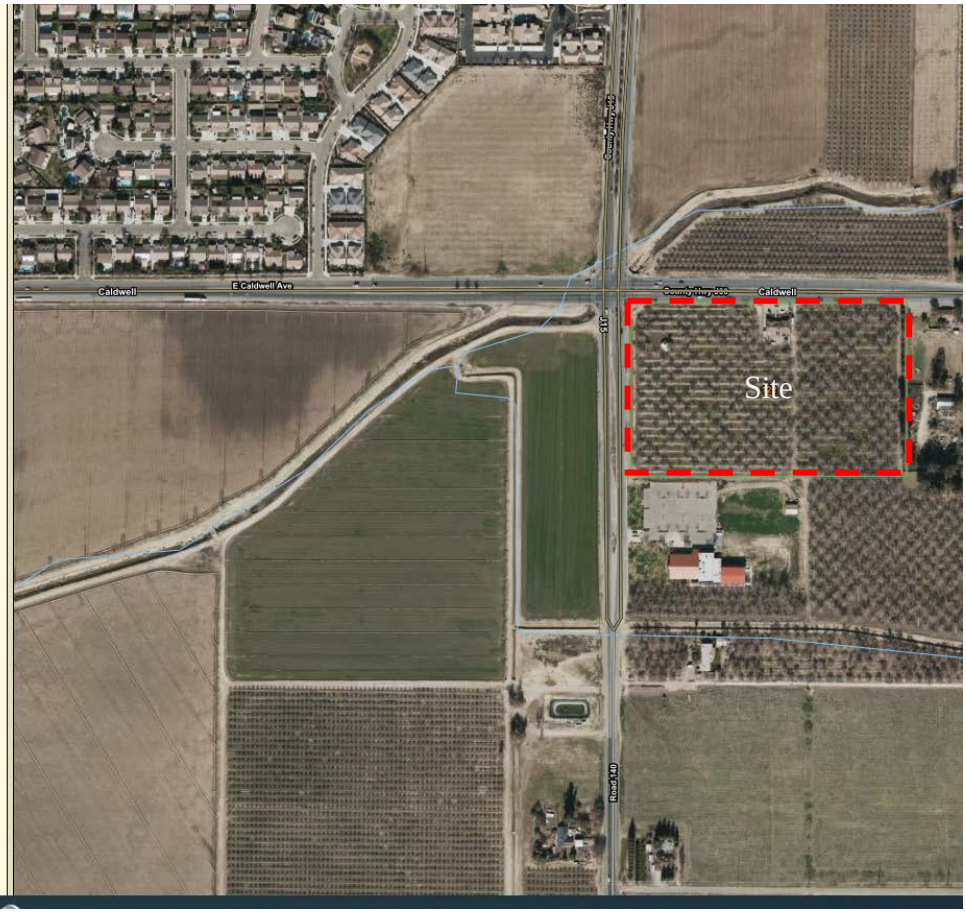
		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Figure 7-2
Soil Type(s) at Project site

Tulare County, Western Part, California (CA659)

Tulare County, Western Part, California (CA659)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
122	Grangeville sandy loam, drained, 0 to 2 percent slopes	12.3	100.0%
Totals for Area of Interest		12.3	100.0%



State Water Resources Control Board and Regional Water Quality Control Board

National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity- Water Quality Order 99-08 DWQ.

Typically, General Construction Storm Water NPDES permits are issued by the RWQCB for grading and earth-moving activities. The General Permit is required for construction activities that disturb one or more acres. The General Permit requires development and implementation of a Storm Water Pollution Prevention Plan (SWPPP), which specifies practices that include prevention of all construction pollutants from contacting stormwater with the intent of keeping all products of erosion form moving off site into receiving waters. The NPDES permits are issued for a five-year term. NPDES general permits require adherence to the Best Management Practices (BMPs) including:

- Site Planning Consideration- such as preservation of existing vegetation.
- Vegetation Stabilization- through methods such as seeding and planting.
- Physical Stabilization- through use of dust control and stabilization measures.
- Diversion of Runoff – by utilizing earth dikes and temporary drains and swales.
- Velocity Reduction – through measures such as slope roughening/terracing.
- Sediment Trapping/Filtering – through use of silt fences, straw bale and sand bag filters, and sediment traps and basins.

Local

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Tulare County General Plan Policies

The General Plan has a number of policies that apply to projects within Tulare County. General Plan policies that relate to the Project include: *HS-1.11 Site Investigations* wherein the County shall conduct site investigations in areas planned for new development to determine susceptibility to landslides, subsidence/settlement, contamination, and/or flooding; *HS-2.1 Continued Evaluation of Earthquake Risks* wherein the County shall continue to evaluate areas to determine levels of earthquake risk; *HS-2.4 Structure Siting* The wherein the County shall permit development on soils sensitive to seismic activity permitted only after adequate site analysis, including appropriate siting, design of structure, and foundation integrity; *HS-2.7 Subsidence* wherein the County shall confirm that development is not located in any known areas of active subsidence; *HS-2.8 Alquist-Priolo Act Compliance* wherein The County shall not permit any structure for human occupancy to be placed within designated Earthquake Fault Zones; *WR-2.2 NPDES Enforcement* wherein the County shall continue to support the State in monitoring and enforcing provisions to control non-point source water pollution contained in the U.S. EPA NPDES program as implemented by the Water Quality Control Board; *WR-2.3 Best Management Practices* wherein the County shall continue to require the use of feasible BMPs and other mitigation measures designed to protect surface water and groundwater from the adverse effects of construction activities, agricultural operations requiring a County Permit and urban runoff in coordination with the Water Quality Control Board; and *WR-2.4 Construction Site Sediment Control* wherein the County shall continue to enforce provisions to control erosion and sediment from construction sites.

Five County Seismic Safety Element (FCSSE)

The FCSSE report represents a cooperative effort between the governmental entities within Fresno, Kings, Madera, Mariposa and Tulare Counties to develop an adoptable Seismic Safety Element as required by State law. Part I, the Technical Report, is designed to be used when necessary to provide background for the Summary document. Part II, the Summary Report, establishes the framework and rationale for evaluation of seismic risks and hazards in the region. Part II of the Seismic Safety Element, the Policy Report, has been prepared as a "model" report designed to address seismic hazards as delineated in the Technical Report. The intent has been to develop a planning tool for use by county and city governments in implementing their seismic safety elements. The planning process utilized to develop the Element was developed through the efforts of Technical and Policy Committees, composed of both staff and elected representatives from Cities, Counties, and Special Districts or Areawide Planning Organizations in cooperation with the consulting firms of Envicom Corporation and Quinton-Redgate.[120]

Project Impact Analysis:

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

i) *Earthquakes?* **Less Than Significant Impact:** There have been no past or present indications of faults occurring at the Site. Figure 7-1 shows an absence of any faults based upon information provided by the California Divisions of Mines and Geology (CDMG) website.

From the project location there are currently no active faults within 40 to 50 miles based on the Department of Conservation's Alquist-Priolo (AP) maps. According to the 2012 Tulare County General Plan 2030 Update, there is no presence of active faults within the county where the effects of large earthquakes are felt. Faults with potential seismic activity include the San Andreas, Owens Valley, and Clovis Faults. The Owens Valley Fault group located west of the project is said to be the source of seismic activity in the past.[121]

No substantial faults are known to traverse Tulare County according to the Alquist-Priolo Earthquake Fault Zoning Maps and the State of California Department of Conservation.[122] The nearest major fault line, which lies outside of Tulare County, is the San Andreas fault zones; approximately 60 miles west of the proposed Project site. According to the Five

[120] Five County Seismic Safety Element. Fresno, Kings, Madera, Mariposa, & Tulare Counties. 1974. Pages 4-7. Prepared by Envicom Corporation. Accessed August 2022 at https://tularecounty.ca.gov/rma/index.cfm/planning-building/environmental-planning/environmental-planning-resources/five-county-seismic-safety-element-1974/.

[121] Tulare County General Plan Background Report. Pages 8-1 through 8-10.

[122] State of California Department of Conservation. Alquist-Priolo Earthquake Fault Zone Maps. Accessed August 2022 at: https://www.conservation.ca.gov/cgs/alquist-priolo and https://maps.conservation.ca.gov/cgs/informationwarehouse/regulatorymaps/

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

County Seismic Safety Element (FCSSE), Tulare County is located in the V-1 zone. This zone includes most of the eastern San Joaquin Valley, and is characterized by a relatively thin section of sedimentary rock overlying a granitic basement. Amplification of shaking that would affect low to medium-rise structures is relatively high, but the distance of the faults that are expected sources of the shaking is sufficiently great that the effects should be minimal. The requirements of Zone II of the Uniform Building Code should be adequate for normal facilities.[123] Therefore, a less than significant impact would result from the rupture of a known earthquake fault.

ii) *Ground Shaking:* Tulare County is characterized as Severity Zone "Nil" and "Low" for ground-shaking events.[124] De-aggregation of the hazard was performed by using the USGS Interactive De-aggregation website and it was found that all faults within a 20 mile radius are quaternary faults between the ages of 750,000 and 1.6 million years old. [125] Quaternary faults are defined as those faults that have been recognized at the surface and which have evidence of movement in the past 1.6 million years, which is the duration of the Quaternary Period.[126] Due to the distance and types of faults in the proposed Project vicinity, strong ground shaking is unlikely. Therefore, a less than significant impact would occur as a result of this Project.

iii) *Ground Failure and Liquefaction:* "Liquefaction is a failure mechanism in water-saturated, well sorted fine sands. Liquefaction occurs as a result of rearrangement of sand grains. Shaking or vibration can cause the grains to rearrange to a denser soil thus decreasing porosity leaving excess water in the interstices. The grains no longer support the overburden and the soil behaves as a liquid. If the soil mass is saturated and the water cannot escape, the material turns into a viscous fluid that can damage foundations or generate slope failures. This is normally caused by earthquakes. Liquefaction generally occurs in areas with shallow water tables or near waterbodies. Based on soil types and depth to groundwater beneath the site, liquefaction potential will be very low…"[127] The proposed Project area is not located within an area mapped to have a potential for soil liquefaction. Liquefaction in soils and sediments occurs during earthquake events, when soil material is transformed from a solid state to a liquid state, generated by an increase in pressure between pore space and soil particles. Earthquake induced liquefaction typically occurs in low-lying areas with soils or sediments composed of unconsolidated, saturated, clay-free sands and silts, but it can also occur in dry, granular soils or saturated soils with partial clay content. Based on available subsurface data, it is unlikely that the soil of the proposed Project site would not liquefy. As such, there would be a less than significant impact caused by seismic-related ground failure, including liquefaction.

iv) *Landslides:* Topography of the site is relatively flat sloping down to the west with a slope of 0 to 2% with a Grade rating of 2 -Good. Landslides are not a significant threat as the topography in the proposed Project area is relatively flat. No geologic landforms exist on or near the site that would result in a landslide event. The nearest naturally formed slopes are foothills located approximately four miles east of the site, as such, potential for slope failure from these nearby hills to affect the site are highly unlikely. Therefore, there is no risk of landslides within or near the Project area.

b) Less Than Significant Impact: Site construction-related activities will include trenching, earth-moving, pouring concrete, and grading. These activities could expose soils to erosion processes. The extent of erosion will vary depending on slope steepness/stability, vegetation/cover, concentration of runoff, and weather conditions. The site has little slope (i.e., a slight grade from east to west of 0 to 2%) and will have a flat topography after minimal grading.

As noted earlier, General Construction Storm Water NPDES permits are issued by the RWQCB for grading and earth-moving activities. The General Permit is required for construction activities that disturb one or more acres. The General Permit requires development and implementation of a Storm Water Pollution Prevention Plan (SWPPP), which specifies practices that include prevention of all construction pollutants from contacting stormwater with the intent of keeping all products of erosion form moving off site into receiving waters. As such, the Project would not result in substantial soil erosion or loss. There would be a less than significant impact.

[123] Five County Seismic Safety Element. Summary & Policy Recommendations II. Pages 3 and 15. Available upon request at the Tulare County RMA Office.

[124] Tulare County General Plan 2030 Update. Part 1-Goals and Policies Report. Page 253.

[125] United States Department of the Interior (DOI). United States Geologic Survey (USGS). Earthquake Hazards Program: Custom Mapping & Analysis Tools. Accessed August 2022 at: https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf

[126] DOI. USGS. Earthquake Hazards Program: Glossary. Accessed August 2022 at: http://earthquake.usgs.gov/hazards/qfaults/glossary.php#Q.

[127] Op. Cit. 6.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

c) Less Than Significant Impact: The nearest naturally formed slopes are foothills located approximately five miles east of the site. Potential for slope failure from these nearby hills to affect the site are unlikely. As indicated earlier, **Figure 7-2** shows the soil type found on the site as provided by the USDA Natural Resources Conservation Service. The soil type located at the proposed Project site (Grangeville sandy loam series) consists of very deep, somewhat poorly drained soils that formed in moderate coarse textured alluvium dominantly from granitic rock sources. Grangeville soils are on alluvial fans and flood plains and have slopes ranging from 0 to 2 percent. Based on topography of the site off-site landslides or lateral spreading would result in a less than significant impact.

"Subsidence is characterized as the settling of the ground surface with minimal horizontal change. Often this is caused through the extraction of natural resources found below the surface including water, natural gas, and oil. As of now the Kaweah River Basin is considered to be in an overdraft. This was based on the findings in the Water Resources Investigation of the Kaweah Delta Water Conservation District report (Fugro, 2003). Based on the site investigations and findings from the Department of Water Resources (DWR), the groundwater surface elevations are decreasing. Regional subsidence throughout the San Joaquin Valley, including the area underneath the site is experiencing subsidence resultant from regional groundwater pumping. This may potentially have an impact on the properties susceptibility to subsidence.

Substantial grade change would not occur in the topography to the point where the future developments within the proposed Project area would expose people or structures to potential substantial adverse effects on, or offsite, such as landslides, lateral spreading, liquefaction or collapse. According to the Five County Seismic Safety Element the V-1 zone the proposed Project site inhabits has a low to moderate risk of subsidence. Compaction of site soil during construction is expected to take place within three to five feet of the surface. It is not anticipated that compaction efforts during construction will contribute to collapse of naturally deposited soils beneath the site. There is no evidence to suggest that the soil type located within the Project area are subject to lateral spreading. Subsidence is due to non-compacted, wind-deposited, soils consolidation under load, to oil or gas production or to severe overdraft existing in the Project area. As such, the proposed Project would result in a less than significant impact.

d) No and Less Than Significant Impact: "Based on Table 18-1-B of the 1994 Uniform Building Code, soils with an expansion index less than 20 have very low expansion potential. There are no known instances of expansive soils in direct proximity to the site. Given the soil type at the site (Grangeville sandy loam) and no known instances of expansive soils in the area, significant shrink-swell behavior is not anticipated at the site. No housing will be developed at the site. As such, the Project would not create a substantial direct or indirect risk to life and; a less than substantial direct or indirect risks to property.

e) Less Than Significant Impact: According to the NRCS soils information, Grangeville sandy loam soils are "very Limited" indicating that the soil has one or more features that are unfavorable for the specified use but can be overcome with special design. The proposed Project will be required to comply with applicable state and local requirements regarding septic systems for on-site wastewater treatment systems (also see Item 19 Utilities and Service Systems). As such, the Project would result in a less than significant impact

f) Less Than Significant Impact: There are no known paleontological resources within the Project area, nor are there any known geologic features in the proposed Project area. The CHRIS and NAHC/SLF searches did not identify any paleontological (or cultural) resources. Additionally, no paleontological resources or sites, or unique geologic features have previously been encountered in the Project area. Project construction will not be anticipated to disturb any paleontological resources not previously disturbed; however unlikely, there is a possibility that subsurface resources could be uncovered during construction-related activities. In such an event, potentially significant impacts to previously unknown subsurface resources may occur. With the implementation of **Mitigation Measure(s) 5-1** thru **5-3**, as specified in Item V Cultural Resources (as applicable), will ensure that any impact will be less than significant.

Cumulative Impact Analysis: Less than Significant - The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and the Tulare County General Plan EIR. In summary, as noted previously, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

and Road 140/Lovers Lane). The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). As such, with less than Project-specific impacts, there will be a less than significant cumulative impact.

8.	**GREENHOUSE GAS EMISSIONS**					
	Would the project:					
	a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
	b)	Conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Greenhouses Gases, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County Environmental Impact Report are incorporated herein in their entirety. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion.

Analysis:

Environmental Setting

As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and a detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

"An increase in the near surface temperature of the earth. Global warming has occurred in the distant past as the result of natural influences, but the term is most often used to refer to the warming predicted to occur as a result of increased emissions of greenhouse gases. Scientists generally agree that the earth′s surface has warmed by about 1 degree Fahrenheit in the past 140 years, but warming is not predicted evenly around the globe. Due to predicted changes in the ocean currents, some places that are currently moderated by warm ocean currents are predicted to fall into deep freeze as the pattern changes."[128] "The warming of the earth′s atmosphere attributed to a buildup of CO_2 or other gases; some scientists think that this build-up allows the sun′s rays to heat the earth, while making the infra-red radiation atmosphere opaque to infrared radiation, thereby preventing a counterbalancing loss of heat. Ibid. Gases that trap heat in the atmosphere are called greenhouse gases (GHGs). The major concern is that increases in GHGs are causing global climate change. Global climate change is a change in the average weather on earth that can be measured by wind patterns, storms, precipitation and temperature. The gases believed to be most responsible for global warming are water vapor, carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6)."[129] "Enhancement of the greenhouse effect can occur when concentrations of GHGs exceed the natural concentrations in the atmosphere. Of these gases, CO_2 and methane are emitted in the greatest quantities from human activities. Emissions of CO_2 are largely by-products of fossil fuel combustion, whereas methane primarily results from off-gassing associated with agricultural practices and landfills. SF6 is a GHG commonly used in the utility industry as an insulating gas in transformers and other electronic equipment. There is widespread international scientific agreement that human-caused increases in GHGs has and will continue to

[128] Tulare County General Plan 2030 Update Background Report. Page 6-31.

[129] Ibid. 6-16 and 6-20.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

contribute to global warming, although there is much uncertainty concerning the magnitude and rate of the warming."[130] "Some of the potential resulting effects in California of global warming may include loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years (CARB, 2006). Globally, climate change has the potential to impact numerous environmental resources through potential, though uncertain, impacts related to future air temperatures and precipitation patterns. The projected effects of global warming on weather and climate are likely to vary regionally, but are expected to include the following direct effects (IPCC, 2001):

- Higher maximum temperatures and more hot days over nearly all land areas;
- Higher minimum temperatures, fewer cold days and frost days over nearly all land areas;
- Reduced diurnal temperature range over most land areas; o Increase of heat index over land areas; and
- More intense precipitation events."[131]

"Snowpack and snowmelt may also be affected by climate change. Much of California's precipitation falls as snow in the Sierra Nevada and southern Cascades Mountain ranges, and snowpack represents approximately 35 percent of the state's useable annual water supply."[132] "The snowmelt typically occurs from April through July; it provides natural water flow to streams and reservoirs after the annual rainy season has ended."[133] "As air temperatures increase due to climate change, the water stored in California's snowpack could be affected by increasing temperatures resulting in: (1) decreased snowfall, and (2) earlier snowmelt."[134]

"In 2007, Tulare County generated approximately 5.2 million tonnes of Carbon Dioxide Equivalent (CO_2e). The largest portion of these emissions (63 percent) is attributed to dairies/feedlots, while the second largest portion (16 percent) is from mobile sources, the third largest portion (11%) is from electricity sources."[135] Table 6-7 [**Table 7-1** in this document] identifies Tulare County's emissions by sector in 2007."[136]

"In 2030, Tulare County is forecast to generate approximately 6.1 million tonnes of CO2e. The largest portion of these emissions (59%) is attributed to dairies/feedlots, while the second largest portion (20%) is from mobile sources, and third largest portion (11%) is from electricity as shown on Table 6-8 [**Table 7-2** in this document]. Per capita emissions in 2030 are projected to be approximately 27 tonnes of CO2e per resident."[137]

The Tulare County General Plan contains the following: Enhancement of the greenhouse effect can occur when concentrations of GHGs exceed the natural concentrations in the atmosphere. Of these gases, CO2 and methane are emitted in the greatest quantities from human activities. Emissions of CO2 are largely by-products of fossil fuel combustion, whereas methane primarily results from off-gassing associated with agricultural practices and landfills. SF6 is a GHG commonly used in the utility industry as an insulating gas in transformers and other electronic equipment. There is widespread international scientific agreement that human-caused increases in GHGs has and will continue to contribute to global warming, although there is much uncertainty concerning the magnitude and rate of the warming.[138]

Table 7-1
GHG Emissions by Sector in 2007[139]

Sector	CO2e (tons/year)	% of Total
Electricity	542,690	11%
Natural Gas	321,020	6%

[130] Op. Cit. 6-31.
[131] Op. Cit.
[132] Op. Cit. 8-85.
[133] Op. Cit.
[134] Op. Cit.
[135] Op. Cit. 6-36.
[136] Op. Cit. 6-38.
[137] Op. Cit.
[138] Op. Cit. 6-31.
[139] Op. Cit.

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Mobile Sources	822,230	16%
Dairy/Feedlots	3,294,870	63%
Solid Waste	227,250	4%
Total	5,208,060	100%
Per Capita	*36.1*	

Table 7-2
GHG Emissions by Sector in 2030[140]

Sector	CO_{2e} (tons/year)	% of Total
Electricity	660,560	11%
Natural Gas	384,410	6%
Mobile Sources	1,212,370	20%
Dairy/Feedlots	3,601,390	59%
Solid Waste	246,750	4%
Total	6,105,480	100%
Per Capita	*27.4*	

The San Joaquin Valley Air Pollution Control District (Air District) proposed, and subsequently adopted, the following process for determining the cumulative significance of project specific GHG emissions on global climate change when issuing permits for stationary source projects:

- "Projects determined to be exempt from the requirements of CEQA would be determined to have a less than significant individual and cumulative impact for GHG emissions and would not require further environmental review, including analysis of project specific GHG emissions. Projects exempt under CEQA would be evaluated consistent with established rules and regulations governing project approval and would not be required to implement [Best Performance Practices] BPS.
- Projects complying with an approved GHG emission reduction plan or GHG mitigation program which avoids or substantially reduces GHG emissions within the geographic area in which the project is located would be determined to have a less than significant individual and cumulative impact for GHG emissions. Such plans or programs must be specified in law or approved by the lead agency with jurisdiction over the affected resource and supported by a CEQA compliant environmental review document adopted by the lead agency. Projects complying with an approved GHG emission reduction plan or GHG mitigation program would not be required to implement BPS.
- Projects implementing Best Performance Standards would not require quantification of project specific GHG emissions. Consistent with CEQA Guideline, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions.
- Projects not implementing Best Performance Standards would require quantification of project specific GHG emissions and demonstration that project specific GHG emissions would be reduced or mitigated by at least 29%, compared to [Business As Usual] BAU, including GHG emission reductions achieved since the 2002-2004 baseline period, consistent with GHG emission reduction targets established in ARB's AB 32 Scoping Plan. Projects achieving at least a 29% GHG emission reduction compared to BAU would be determined to have a less than significant individual and cumulative impact for GHG.
- Project requiring preparation of an Environmental Impact Report would require quantification of project specific GHG emissions. Projects implementing BPS or achieving at least a 29% GHG emission reduction compared to BAU would be determined to have a less than significant individual and cumulative impact for GHG."[141]

Regulatory Setting

[140] Op. Cit.

[141] SJVAPCD. District Policy. Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as Lead Agency. Page 8 and 9. Accessed in August 2022 at: https://www.valleyair.org/Programs/CCAP/12-17-09/2%20CCAP%20-%20FINAL%20District%20Policy%20CEQA%20GHG%20-%20Dec%2017%202009.pdf

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Federal

While climate change has been a concern since at least 1988, as evidenced by the establishment of the United Nations and World Meteorological Organization's Intergovernmental Panel on Climate Change (IPCC), the efforts devoted to greenhouse gas (GHG) emissions reduction and climate change research and policy have increased dramatically in recent years.

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

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

State

In 2002, with the passage of Assembly Bill 1493 (AB 1493), California launched an innovative and pro-active approach to dealing with GHG emissions and climate change at the state level. AB 1493 requires the Air Resources Board (ARB) to develop and implement regulations to reduce automobile and light truck GHG emissions; these regulations applied to automobiles and light trucks beginning with the 2009 model year.

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

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

In 2006, California passed AB 32, the California Global Warming Solutions Act of 2006. The Act requires ARB to design and implement emission limits, regulations, and other feasible cost-effective measures to reduce statewide GHG emissions to 1990 levels by 202014. Senate Bill 97 was signed into law in August 2007. The Senate Bill required the Office of Planning and Research (OPR) to prepare, develop, and transmit to the Resource Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions by July 1, 2009. On April 13, 2009, the OPR submitted to the Secretary for Natural Resources its recommended amendments to the State CEQA Guidelines for addressing GHG emissions. On July 3, 2009, the Natural Resources Agency commenced the Administrative Procedure Act rulemaking process for certifying and adopting the amendments. Following a 55-day public comment period and 2 public hearings, and in response to comments, the Natural Resources Agency proposed revisions to the text of the proposed Guidelines amendments. The Natural Resources Agency transmitted the adopted amendments and the entire rulemaking file to the Office of Administrative Law on December 31, 2009. On February 16, 2010, the Office of Administrative Law approved the amendments, and filed them with the Secretary of State for inclusion in the CCR. The Amendments became effective on March 18, 2010.

The AB 32 Scoping Plan contains the main strategies California will use to reduce GHG emissions that cause climate change. The scoping plan has a range of GHG reduction actions which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms (such as a cap-and-trade system), and an AB 32 cost of implementation fee regulation to fund the program. The first regulation adopted by the ARB pursuant to AB 32 was the regulation requiring mandatory reporting of GHG emissions. The regulation requires large industrial sources emitting more than 25,000 metric tons of CO2 per year to report and verify their GHG emissions from combustion of both fossil fuels and biomass-derived fuels. The California Cap and Trade program is being developed and the ARB must adopt regulations by January 1, 2011.Also, Governor

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Schwarzenegger directed the ARB, pursuant to Executive Order S-21-09, to adopt a regulation by July 31, 2010, requiring the state's load serving entities to meet a 33 percent renewable energy target by 2020.

California Environmental Quality Act (CEQA) Requirements

Section 15064.4 Determining the Significance of Impacts from Greenhouse Gas Emissions

(a) The determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in section 15064. A lead agency should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to:

(1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model or methodology it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; and/or

(2) Rely on a qualitative analysis or performance based standards.

(b) A lead agency should consider the following factors, among others, when assessing the significance of impacts from greenhouse gas emissions on the environment:

(1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;

(2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.

(3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.[142]

Local

Tulare County General Plan 2030 Update

The Tulare County General Plan 2030 Update: Chapter 9 – Air Quality contains a number of policies that apply to projects within Tulare County that support GHG reduction efforts and which have potential relevance to the Project's CEQA review: *AQ-1.3 Cumulative Air Quality Impacts* wherein the County shall require development to be located, designed, and constructed in a manner that would minimize cumulative air quality impacts; *AQ-1.5 California Environmental Quality Act (CEQA) Compliance* wherein the County shall ensure that air quality impacts identified during the CEQA review process are consistently and reasonably mitigated when feasible; *AQ-1.7 Support Statewide Climate Change Solutions* wherein the County shall monitor and support the efforts of Cal/EPA, CARB, and the SJVAPCD, under AB 32 (Health and Safety Code §38501 et seq.), to develop a recommended list of emission reduction strategies, as appropriate, the County will evaluate each new project under the updated General Plan to determine its consistency with the emission reduction strategies; *AQ-1.8 Greenhouse Gas Emissions Reduction Plan/Climate Action Plan* wherein the County will develop a Greenhouse Gas Emissions Reduction Plan (Plan) that identifies greenhouse gas emissions within the County as well as ways to reduce those emissions. The Plan will incorporate the requirements adopted by the California Air

[142]. California Environmental Quality Act (CEQA). Section 15064.4 Determining the Significance of Impacts from Greenhouse Gas Emissions

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Resources Board specific to this issue. In addition, the County will work with the Tulare County Association of Governments and other applicable agencies to include the following key items in the regional planning efforts.

1. Inventory all known, or reasonably discoverable, sources of greenhouse gases in the County,
2. Inventory the greenhouse gas emissions in the most current year available, and those projected for year 2020, and
3. Set a target for the reduction of emissions attributable to the County's discretionary land use decisions and its own internal government operations.

AQ-3.2 Infill near Employment requiring the County of identify opportunities for infill development near employment areas; *AQ-3.3 Street Design* regarding street designed to encourage transit use, biking, and pedestrian movement; *AQ-3.4 Landscape* regarding the use of ecologically based landscape design principles that can improve local air quality by absorbing CO_2, producing oxygen, providing shade that reduces energy required for cooling, and filtering particulates*; AQ-3.5 Alternative Energy Design* wherein the County shall encourage all new development to incorporate energy conservation and green building practices to maximum extent feasible; *ERM-4.1 Energy Conservation and Efficiency Measures* wherein the County shall encourage energy conservation and efficiency features in new construction in accordance with State law; and *ERM-4.8 Energy Efficiency Standards* wherein the County shall encourage new developments to incorporate energy efficiency and conservation measures that exceed State Title 24 standards.

Tulare County Climate Action Plan

The Tulare County Climate Action Plan (CAP) serves as a guiding document for County of Tulare ("County") actions to reduce greenhouse gas emissions and adapt to the potential effects of climate change. The CAP is an implementation measure of the 2030 General Plan Update. The General Plan provides the supporting framework for development in the County to produce fewer greenhouse gas emissions during Plan buildout. The CAP builds on the General Plan's framework with more specific actions that will be applied to achieve emission reduction targets consistent with California legislation.[143]

GHG emissions from construction and operation of the Project were estimated using the California Emissions Estimator Model (CalEEMod). Project-related GHG emissions are shown in **Table 7-3** as provided in the CalEEMod report included as Attachment "A" of this MND.

Project Impact Analysis:

a) Less Than Significant Impact: The Project includes the construction of an approximately 137,000 square foot mini-storage facility; 5,000 square foot convenience store/gasoline station; and 58,000 square feet of yet to be determined service commercial uses. The Project will result in direct GHG emissions from the construction of the Project and from the operations of the proposed buildings (heating and cooling, cleaning supplies, etc.) as well as from on-road vehicles used in the transport of customers and employees to and from the site.

The CAP requires projects to achieve an average of a 6-percent reduction in greenhouse gases over and above reductions achieved by adopted regulations. The CAP identifies a number of strategies and measures that can be used to achieve the required reductions. As indicated in **Table 7-3**, the Project is consistent with the GHG emissions reductions required by the CAP.

Table 7-3. Project GHG Emission Reductions

Source Category	Unmitigated Emissions (tons per year)	Mitigated Emissions (tons per year)	Percent Reduction (%)
Area	5.6749e-003	5.4017	1.27
Energy	221.1607	221.1607	0.00
Mobile	747.1261	669.3551	9.17
Waste	138.5376	135.5376	0.00
Water	176.2322	138.8709	17.65
Total	1,277.7749	1,165.2862	7.75

Source: CalEEMod Emissions Modeling results (Attachment "A" of this MND)

[143] Tulare County Climate Action Plan. Page 1. Accessed 2022 at: http://generalplan.co.tulare.ca.us/documents/GeneralPlan2010/ClimateActionPlan.pdf

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

It should be noted that; "In 2030, Tulare County is forecast to generate approximately 6.1 million tonnes of CO2e. The largest portion of these emissions (59 percent) is attributed to dairies/feedlots, while the second largest portion (20 percent) is from mobile sources. Per capita emissions in 2030 are projected to be approximately 27 tonnes of CO2E per resident." As shown in **Table 7-1** the Project is consistent with the County's policies to reduce overall GHG emissions and will be required to reduce GHG emissions by 6% consistent with the CAP. Therefore, Project related GHG emissions will result in a less than significant impact. Therefore, the Project is presumed to not generate a cumulatively considerable GHG impact nor would it conflict with any applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions. The impact is less than significant.

b) Less Than Significant Impact: The SJVAPCD is responsible for regulating GHG emissions within the project area to meet statewide GHG emission reduction objectives. The regulations and standards enforced by the SJVAPCD are designed to ensure that the region meets the goals of AB 32, SB 1078, SB 107, and Executive Order S-14-08. The project is not in conflict with any local or statewide plans, policies or regulations adopted to reduce GHG emissions. The impact is less than significant. Since the proposed Project is located in an unincorporated area of Tulare County, the most applicable GHG plan is the Tulare County Climate Action Plan (CAP) (County of Tulare, 2010), Executive Order S-3-05, Executive Order B-30-15, SB 350, SB 100, AB 32, and SB 32, including the potential for the Project to conflict with the recommended actions identified by CARB in its 2017 Climate Change Scoping Plan.

The CAP serves as a guiding document for County actions to reduce GHG emissions and adapt to the potential effects of climate change. The CAP requires projects on average achieve a reduction that is six percent in excess of the reductions stated in the ARB Scoping Plan and by regional regulations and programs. AB 32 requires the California Air Resources Board to design and implement feasible and cost-effective emissions limits, regulations, and other measures, such that statewide GHG emissions are reduced to 1990 levels by 2020 (representing a 25 percent reduction in emissions).

The proposed Project involves the ultimate construction of a convenience store (with gas station), self-storage, and future commercial service uses. As discussed earlier, the construction-related activities would generate a very small amount of GHGs. As the Project would be consistent with the General Plan and the CAP, the Project will not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. As such, a less than significant impact would occur as a result of this Project.

Cumulative Impact Analysis: Less Than Significant Impact - The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and the Tulare County General Plan 2030 Update EIR. In summary, as noted previously, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). With less than significant Project-specific impacts, a less than significant cumulative impact will also occur.

9.	HAZARDS AND HAZARDOUS MATERIALS					
	Would the project:					
	a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
	b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
	c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
	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?	☐	☐	☐	☒
	e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working the project area?	☐	☐	☐	☒
	f)	Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
	g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Hazards/Hazardous Materials Resource, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update Environmental Impact Report are incorporated herein in their entirety. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion.

Analysis:

Environmental Setting

"A hazardous material is defined by the California Code of Regulations (CCR) as a substance that, because of physical or chemical properties, quantity, concentration, or other characteristics, may either (1) cause an increase in mortality or an increase in serious, irreversible, or incapacitating, illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of (CCR, Title 22, Division 4.5, Chapter 10, Article 2, Section 66260.10)."[144]

"Hazardous wastes are hazardous materials that no longer have practical use, such as substances that have been discarded, discharged, spilled, contaminated, or are being stored prior to proper disposal. According to Title 22 of the CCR, hazardous materials and hazardous wastes are classified according to four properties: toxic, ignitable, corrosive, and reactive (CCR, Title 22, Chapter 11, Article 3)."[145]

As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south,

[144] Tulare County General Plan 2030 Update Background Report. Page 8-26.
[145] Ibid. 8-26.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

The nearest airport (Visalia Municipal Airport) is approximately seven (7) miles west of the proposed Project site. The nearest operational landfill is Visalia Landfill, approximately nine (9) miles northwest of the proposed Project site.

The nearest elementary school (Annie R. Mitchell Elementary School) is located approximately one (1) mile northeast of the proposed Project site; the next nearest school is Blue Oak Academy (charter school, grades T-K through 8th) approximately one (1) mile east.

Regulatory Setting

Federal

The NFPA 70®: National Electrical Code® is adopted in all 50 states. It includes requirements for electrical wiring and equipment. Article 705 covers interconnecting generators, windmills, and solar and fuel cells with other power supplies. The federal Resource Conservation and Recovery Act (RCRA) and California Hazardous Waste Control Law regulate the disposal of solar PV cells. The local hazardous waste regulatory authority is the County of Tulare.

State

The California Department of Industrial Relations, Division of Occupational Safety and Health, is the administering agency designed to protect worker health and general facility safety. The California Department of Forestry and Fire Protection (CalFire) has designated the area that includes the project site as a Local Responsibility Area which is defined as an area where the local fire jurisdiction is responsible for emergency fire response. The project area is also defined as "Unzoned," which means that the fire hazard severity of the site has not been determined.[146]

Local

<u>Tulare County General Plan 2030 Update</u>

The Tulare County General Plan 2030 Update (at Chapter 10 – Health and Safety) contains the following goals and policies that relate to hazards and hazardous materials, and which have potential relevance to the Project's CEQA review: *HS-4.1 Hazardous Materials* wherein the County shall strive to ensure hazardous materials are used, stored, transported, and disposed of in a safe manner, in compliance with local, State, and Federal safety standards, including the Hazardous Waste Management Plan, Emergency Operations Plan, and Area Plan; *HS-4.2 Establishment of Procedures to Transport Hazardous Wastes* wherein the County shall continue to cooperate with the California Highway Patrol (CHP) to establish procedures for the movement of hazardous wastes and explosives within the County; *HS-4.3 Incompatible Land Uses* wherein the County shall prevent incompatible land uses near properties that produce or store hazardous waste; and *HS-4.4 Contamination Prevention* wherein the County shall review new development proposals to protect soils, air quality, surface water, and groundwater from hazardous materials contamination.

Project Impact Analysis:

a) and b) Less Than Significant Impact: In summary, the proposed Project is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial

[146] California Department of Forestry and Fire Protection. 2007. Draft Fire Severity Zones in LRA Map. Accessed August 2022 at: https://osfm.fire.ca.gov/media/6832/fhszl06_1_map54.pdf.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Zone). The proposed Project may require the transport and use of small quantities of hazardous materials in the form of gasoline, diesel, and oil. There is the potential for small leaks due to refueling of the construction equipment; however, standard construction Best Management Practices (BMPs) will reduce the potential for accidental release of construction-related fuels and other hazardous materials. These BMPs will prevent, minimize, or remedy storm water contamination from spills or leaks, control the amount of runoff from the site, and require proper disposal or recycling of hazardous materials. Therefore, the proposed Project will not result in a significant hazard to the public or the environment and impacts will be less than significant.

c) No Impact: The proposed Project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The nearest school is Annie R. Mitchell Elementary School (is located approximately one mile northwest of the Project site), while Blue Oak Academy is the next nearest school approximately one mile east. There will be no impact.

d) No Impact: The proposed Project will not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, it will not create a significant hazard to the public or the environment. An online search through Envirostor was conducted in August 2022 which indicated that there are no known hazardous or toxic sites in the vicinity of the project site.

e) No Impact: The nearest airport, Visalia Municipal Airport, is approximately seven (7) miles west of the proposed Project site. As noted earlier, the proposed Project site is currently planted to walnuts and contains one vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). Since existing conditions have not changed, the proposed Project would not result in a safety hazard or excessive noise for people residing or working the project area. There is no impact.

f) No Impact: The proposed Project will not impair the implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Per standard conditions of approval, the proposed Project contains sufficient access for emergency access. There is no impact.

g) No Impact: The surrounding land is predominantly agricultural, a religious use, and scattered rural residences uses and are not subject or vulnerable to wildland fires. Therefore, the proposed Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires and would result in no impact.

Cumulative Impact Analysis: Less Than Significant Impact - The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County 2030 General Plan, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update EIR. In summary, as noted previously, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). With less than significant Project-specific impacts, a less than significant cumulative impact will also occur.

10.	**HYDROLOGY AND WATER QUALITY**					
	Would the project:					
	a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
	b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
	c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
	i)	Result in substantial erosion or siltation on-or off-site?	☐	☐	☒	☐
	ii)	Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	☐	☐	☒	☐
	iii)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
	iv)	Impede or redirect flood flows?	☐	☐	☐	☒
	d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
	e)	Conflict with or obstruct implementation of water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Hydrology/Water Quality Resources, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update EIR are incorporated herein in their entirety. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion.

Analysis:

Environmental Setting

Tulare County has a dry climate with evaporation rates that exceeds rainfall. The local climate is considered warm desert with annual precipitation approximately 7 to 9 inches, and variable rainfall rates. The majority of precipitation (roughly 84%) falls during the months of November through April.

Hydrology in the proposed Project vicinity is associated with the Tulare Lake Basin, one of three main water subareas in the county. The Tulare Lake Basin is in the northern alluvial fan and basin subarea which is characterized by southwest-to-south flowing rivers, creeks, and irrigation canal systems that convey water from the Sierra Nevada to the west toward the Tulare Lake Bed. The southern portion of the basin is internally drained by the Kings, Kaweah, Tule, and Kern Rivers.[147] The Tulare Lake Basin comprises the drainage area of the San Joaquin Valley south of the San Joaquin River and is essentially a closed basin because surface water drains north into the San Joaquin River only in years of extreme rainfall. **Figure 10-1** shows waterways in the vicinity of the proposed Project which includes Cameron Creek north and west of the site and Extension Ditch south of the site.[148]

As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains

[147] California Department of Water Resources. Draft California's Groundwater Bulletin 118. 2020. Accessed August 2022 at: https://water.ca.gov/Programs/Groundwater-Management/Bulletin-118.

[148] United States Geological Survey (USGS). National Map Viewer. Accessed August 2022 at: https://apps.nationalmap.gov/viewer/

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

Regulatory Framework

Federal

Clean Water Act

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

The National Flood Insurance Act (1968) makes available federally subsidized flood insurance to owners of flood-prone properties. To facilitate identifying areas with flood potential, Federal Emergency Management Agency (FEMA) has developed Flood Insurance Rate Maps (FIRM) that can be used for planning purposes.

Safe Drinking Water Act

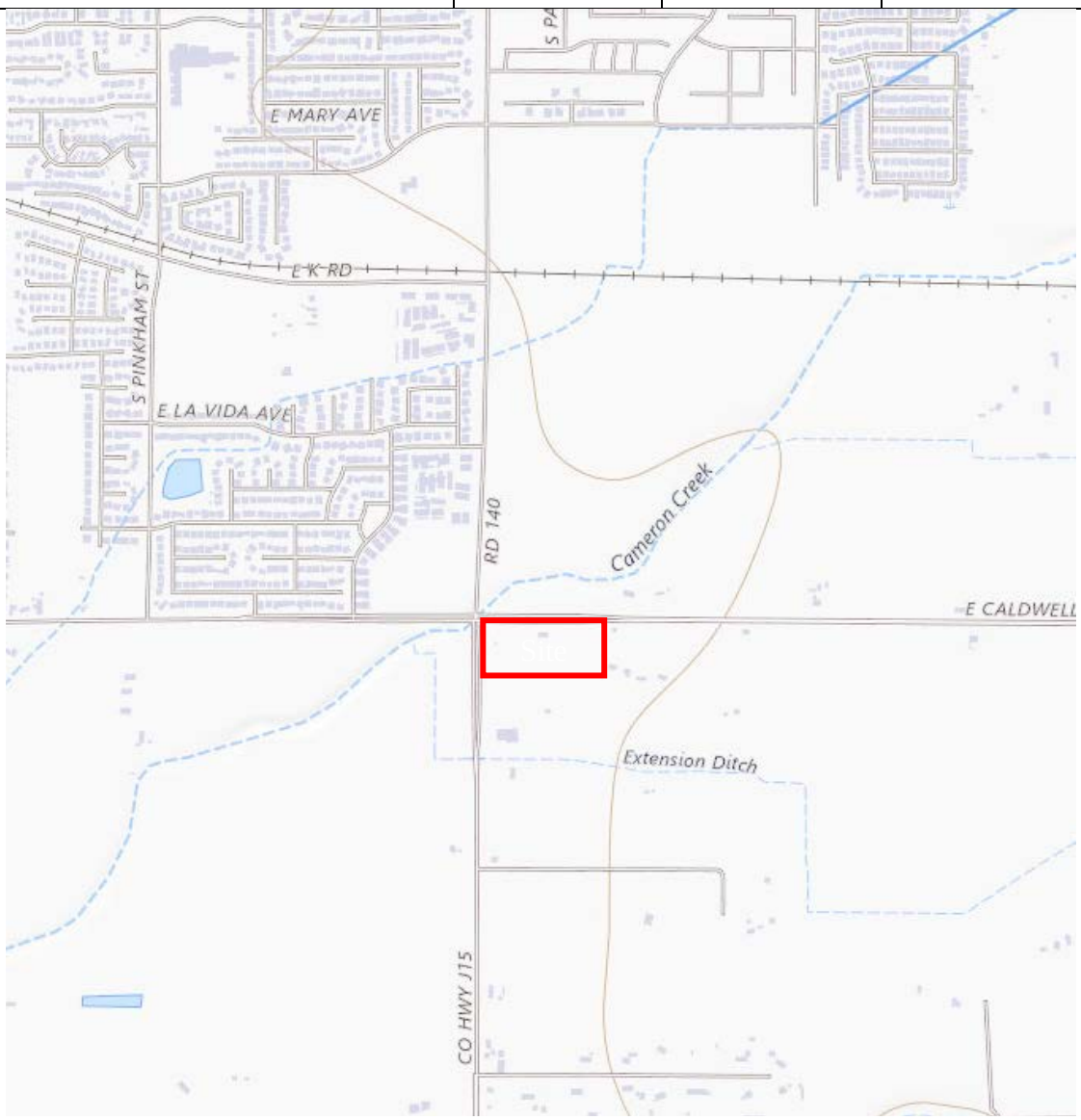
"The Safe Drinking Water Act (SDWA) was established to protect the quality of drinking water in the U.S. This law focuses on all waters actually or potentially designed for drinking use, whether from above ground or underground sources.

The Act authorizes EPA to establish minimum standards to protect tap water and requires all owners or operators of public water systems to comply with these primary (health-related) standards. The 1996 amendments to SDWA require that EPA consider a detailed risk and cost assessment, and best available peer-reviewed science, when developing these standards. State governments, which can be approved to implement these rules for EPA, also encourage attainment of secondary standards (nuisance-related). Under the Act, EPA also establishes minimum standards for state programs to protect underground sources of drinking water from endangerment by underground injection of fluids."[149]

Figure 10-1

[149] U.S. Environmental Protection Agency. Summary of the Safe Drinking Water Act. Accessed August 2022 at: https://www.epa.gov/laws-regulations/summary-safe-drinking-water-act.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT



State

<u>The Porter-Cologne Water Quality Control Act</u>

"The Porter-Cologne Act is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act (California Water Code section 13000 et seq.), the policy of the State is as follows:

- That the quality of all the waters of the State shall be protected,
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason, and
- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

The Porter-Cologne Act established nine Regional Water Boards (based on hydrogeologic barriers) and the State Water Board, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The State Water Board provides program guidance and oversight, allocates funds, and reviews Regional Water Boards decisions. In addition, the State Water Board allocates rights to the use of surface water. The Regional Water Boards have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrologic regions. The State Water Board and Regional Water Boards have numerous NPS-related responsibilities, including monitoring and assessment, planning, financial assistance, and management."[150]

State Water Resources Control Board

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

Regional Water Quality Control Board

The Central Valley Regional Water Quality Control Board (RWQCB) administers the NPDES storm water-permitting program in the Central Valley region. Construction activities on one acre or more are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). The General Construction Permit requires preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The plan will include specifications for Best Management Practices (BMPs) that will be implemented during proposed Project construction to control degradation of surface water by preventing the potential erosion of sediments or discharge of pollutants from the construction area. The General Construction Permit program was established by the RWQCB for the specific purpose of reducing impacts to surface waters that may occur due to construction activities. BMPs have been established by the RWQCB in the California Storm Water Best Management Practice Handbook (2003), and are recognized as effectively reducing degradation of surface waters to an acceptable level. Additionally, the SWPPP will describe measures to prevent or control runoff degradation after construction is complete, and identify a plan to inspect and maintain these facilities or project elements.

SB 610 (Costa) & SB 221 (Kuehl) 2001

"Senate Bills 610 (Chapter 643, Statutes of 2001) and Senate Bill 221 (Chapter 642, Statutes of 2001) amended state law, effective January 1, 2002, to improve the link between information on water supply availability and certain land use decisions made by cities and counties. SB 610 and SB 221 are companion measures which seek to promote more collaborative planning between local water suppliers and cities and counties. Both statutes require detailed information regarding water availability to be provided to the city and county decision-makers prior to approval of specified large development projects. Both statutes also require this detailed information be included in the administrative record that serves as the evidentiary basis for an approval action by the city or county on such projects. Both measures recognize local control and decision making regarding the availability of water for projects and the approval of projects.

Under SB 610, water assessments must be furnished to local governments for inclusion in any environmental documentation for certain projects (as defined in Water Code 10912 [a]) subject to the California Environmental Quality Act. Under SB 221, approval by a city or county of certain residential subdivisions requires an affirmative written verification of sufficient water supply."[151]

Local Policy and Regulations

[150] Tulare County General Plan 2030 Update RDEIR. Page 3.6-13.

[150] Ibid.

[151] California Department of Water Resources. Guidebook for Implementation of Senate Bill 610 and Senate Bill 221 of 2001 to assist water suppliers, cities, and counties in integrating water and land use planning. Page iii. Accessed August 2022 at: https://cawaterlibrary.net/wp-content/uploads/2017/06/guidebook.pdf

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Tulare County Environmental Health Services

"The County Health and Human Services Agency (HHSA), Environmental Health Division has been granted primacy by the DHS, is responsible for the administration and enforcement of the Safe Drinking Water Act involving those systems in Tulare County with less than 200 connections. County Environmental Health staff are also responsible for development review, approval and enforcement related to private wells and septic systems, for properties not served by water or wastewater districts or other public entities."[152]

Tulare County Land Development Regulations

The Tulare County Resource Management Agency (RMA) is responsible for review, approval, and enforcement of planning and land development throughout the unincorporated portions of Tulare County. County of Tulare regulations that direct planning and land development (and related water and wastewater utilities) include the Tulare County General Plan, Zoning Ordinance, Subdivision Ordinance, and CEQA procedures. These responsibilities are divided between Planning Branch, Public Works Branch, and other divisions or departments of RMA, and in coordination with the Environmental Health Division of the Tulare County Health and Human Services Agency, and the Tulare County Fire Department.

The County's flood damage prevention code is intended to promote public health, safety, and general welfare in addition to minimizing public and private losses due to flood conditions. The County code provisions to protect against flooding include requiring uses vulnerable to floods be protected against flood damage at the time of initial construction; controlling the alteration of natural flood plains; and preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas. The County flood damage prevention code, most recently amended by Ord. No. 3212 and effective October 29, 1998, is modeled based upon FEMA guidance.

Tulare County General Plan 2030 Update

The Tulare County General Plan 2030 Update: (Chapter 10 – Health and Safety and Chapter 11 – Water Resources) contains the following goals and policies that relate to hydrology and water quality and which have potential relevance to the Project's California Environmental Quality Act (CEQA) review: *HS-4.4 Contamination Prevention* wherein the County shall review new development proposals to protect soils, air quality, surface water, and groundwater from hazardous materials contamination; *WR-2.1 Protect Water Quality* wherein all major land use and development plans shall be evaluated as to their potential to create surface and groundwater contamination hazards from point and non-point sources. This policy requires the County to confer with other appropriate agencies, as necessary, to assure adequate water quality review to prevent soil erosion; direct discharge of potentially harmful substances; ground leaching from storage of raw materials, petroleum products, or wastes; floating debris; and runoff from the site; *WR-2.2 National Pollutant Discharge Elimination System (NPDES) Enforcement* wherein the County shall continue to support the State in monitoring and enforcing provisions to control non-point source water pollution contained in the U.S. EPA NPDES program as implemented by the Water Quality Control Board; *WR-2.3 Best Management Practices (BMPs)* wherein the County shall continue to require the use of feasible BMPs and other mitigation measures designed to protect surface water and groundwater from the adverse effects of construction activities, agricultural operations requiring a County Permit and urban runoff in coordination with the Water Quality Control Board; *WR-2.4 Construction Site Sediment Control* wherein the County shall continue to enforce provisions to control erosion and sediment from construction sites *WR-2.5 Major Drainage Management* - wherein the County shall continue to promote protection of each individual drainage basin within the County based on the basins unique hydrologic and use characteristics; *WR-3.3 Adequate Water Availability* - wherein the County shall review new development proposals to ensure the intensity and timing of growth will be consistent with the availability of adequate water supplies. Projects must submit a Will-Serve letter as part of the application process, and provide evidence of adequate and sustainable water availability prior to approval of the tentative map or other urban development entitlement; *WR-3.5 Use of Native and Drought Tolerant Landscaping* - wherein the County shall encourage the use of low water consuming, drought-tolerant and native landscaping and emphasize the importance of utilizing water conserving techniques, such as night watering, mulching, and drip irrigation; and *WR-3.6 Water Use Efficiency* - wherein the County shall support educational programs targeted at reducing water consumption and enhancing groundwater recharge.

Project Impact Analysis:

[152] Tulare County General Plan 2030 Update RDEIR. Page 3.6-13.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

a) Less Than Significant Impact: As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

The proposed Project will utilize an on-site septic tank and leach field (aka, on-site wastewater treatment system, OWTS) which, if new or expanded, will be reviewed/approved by the Tulare County Health and Human Services Agency (HHSA), Environmental Health Services Division (EHS). Typically, for new septic system installation, EHS will require submission of a site evaluation report to EHS for review before approval can be granted for any building permits. This evaluation must be done by a Qualified Professional. Qualified Professionals must possess the appropriate State licensure (for example, Professional Engineer, Registered Environmental Health Specialist, etc.). As such, the applicant will be required to comply with all applicable EHS-related permits, rules, regulations, etc. As such, the proposed Project will not result in a violation of any water quality standards or waste discharge requirements with the implementation of an EHS-approved OWTS. Therefore, the proposed Project will result in a less than significant impact.

b) Less Than Significant Impact: The proposed Project site is located in the Tulare Lake Basin, an area significantly affected by overdraft. The Department of Water Resources (DWR) has estimated the groundwater by hydrologic region and for the Tulare Lake Basin. DWR estimates a total overdraft of 820,000 acre-feet per year (which is the largest overdraft projected in the state, and approximately 56 percent of the statewide total overdraft). The proposed Project site is located within the Tule Sub-basin portion of the regional area.

The proposed Project site does not include impacts to any groundwater recharge areas. The proposed Project would not substantially reduce surface runoff that results in groundwater recharge. Improvements associated with the proposed Project. The applicant will utilize an existing, on-site well; or if available, connection to an existing private water company (CalWater) for its permanent potable supply of water and would not utilize or develop an on-site surface or additional groundwater supply over the life of the proposed Project. Given the nature of the proposed Project (i.e.; change of zone to accommodate a convenience store (with gas station) , mini-storage, and yet to be determined future service commercial use), the proposed Project would not require substantial increased use in water consumption. Rather, the proposed Project will substantially reduce water consumption from the existing ag-related use (walnut orchard) by approximately 11.5 million gallons of water per year. As such, the impact would be less than significant.

c) Less Than Significant Impact: Overall, the proposed Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces.

i) Erosion and Siltation; Less Than Significant Impact: The surface topography of the proposed Project site is relatively flat. The final grading of the site will not affect the drainage pattern of the site or area. There is no surface water conveyance on the site, as such, both Cameron Creek and Extension Ditch will remain in place and not be relocated. Grading for the site will include an engineered grading design approved and permitted by Tulare County. Drainage will remain on-site which will be controlled by grading and a stormwater retention basin. No site runoff will flow from the site into either Cameron Creek of Extension Ditch; therefore, no substantial erosion or siltation will occur.

ii) Runoff resulting in Flooding On- or Off-site; Less Than Significant Impact: The site will not result in waters capable of flooding either on- or off-site. The site lies within the Flood Zone X (0.2% annual chance flood hazard) per the Federal

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM map).[153] The proposed Project will not generate substantial amounts of runoff that would result in on- or off-site flooding due to the scale of the improvements. As such, the Project would result in a less than significant impact to or from this resource Item.

iii) Runoff affecting Drainage Systems and Polluted Runoff; Less Than Significant Impact See Items 10 c) i) and ii): Also, the proposed Project will not require the connection to any existing or planned stormwater drainage system. Therefore, it will not provide any additional sources of polluted runoff. Although the proposed Project involves the construction of a new paved surfaces, the improvements will not generate a substantial amount of runoff that will affect the on-site drainage system. The proposed Project would not 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, and as such, would result in a less than significant impact.

iv) Impede or redirect flood flows; Less than Significant Impact: See items 10 c ii) and iii). Two nearby water features, Cameron Creek and Extension Ditch are near, but not within, the proposed Project site; as such, neither water feature would be altered or otherwise impacted by the proposed Project. No other streams or water features are within the Project vicinity that would be altered by the improvements associated with the proposed Project. The proposed Project would not substantially alter the surface area of the site as it will be designed to avoid impeding or redirecting of flood flows, as such, the impact would be less than significant.

d) Less than Significant: As noted earlier, the Project is located within Flood Zone X with a 0.2% of annual flooding, as mapped by the Federal Emergency Management Agency FIRM map (Panel 06107C0945E).[154] The proposed Project is not anticipated to result in the additional exposure of persons or structures to risks associated with inundation. The proposed Project is not located on or near any areas that would result in or be impact by a flood hazard, tsunami, or seiche zones, that would result in a risk release of pollutants due to project inundation. Moreover, the proposed Project site is not exposed to or near any river, reservoirs, pond, or lake subject to seiches from earthquake activity; and it is approximately 100 miles east of the nearest coastline that would be subject to tsunami. Therefore, the impact from potential inundation by the flood hazard, tsunami, or seiches would be less than significant.

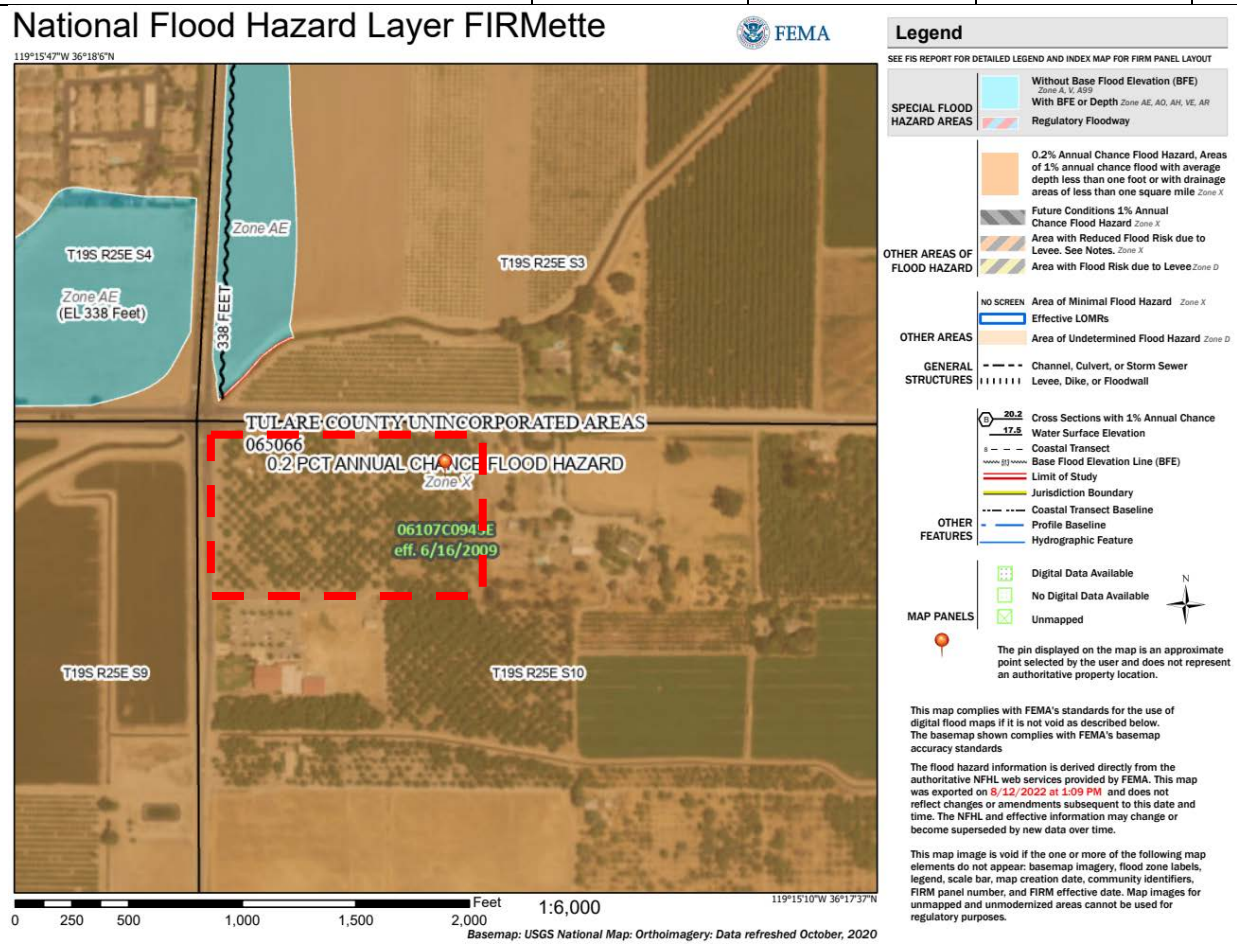
e) No Impact: As noted in Item 9 b.), above, the applicant will utilize the existing private water company (CalWater) for its permanent potable supply of water and would not utilize or develop an on-site surface or groundwater supply over the life of the proposed Project. Given the nature of the proposed Project (i.e.; change of zone to accommodate a convenience store (with gas station), mini-storage, and yet to be determined future service commercial use), the proposed Project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Rather, the proposed Project will substantially reduce water consumption from the existing ag-related use (walnut orchard) by approximately 11.5 million gallons of water per year.

Figure 10-2 Flood Zone Map

[153] U.S. Department of Homeland Security. Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel 06107C0945E June 16, 2009. Accessed August 2022 at: https://msc.fema.gov/portal/search?AddressQuery=Tulare%20County%2C%20CA#searchresultsanchor

[154] Federal Emergency Management Agency. National Flood Hazard Layer FIRMette. Panel 06107C0945E. June 16, 2009. Accessed August 2022 at: FIRMETTE_6e5374b1-a2bb-41e8-a374-29346012426d.pdf (fema.gov).

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT



Cumulative Impact Analysis: **Less Than Significant Impact -** The geographic area of this cumulative analysis is the Tulare Lake Basin. This cumulative analysis is based on information provided in the Water Quality Control Plan for the Tulare Lake Basin, the requirements of Tulare County Environmental Health, Tulare County 2030 General Plan, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update EIR. The proposed Project will be required to comply with all applicable rules/regulations (requirements) of the Central Valley Water Board and Tulare County Health Services Division (TCHSD) as a component of project design features. As noted previously, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). As such, the proposed Project will not contribute to any Project-related impacts and would have a less than significant cumulative impact to this resource item.

11.	**LAND USE AND PLANNING**					
	Would the project:					
	a)	Physically divide an established community?	☐	☐	☐	☒
	b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the	☐	☐	☐	☒

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
	purpose of avoiding or mitigating an environmental effect?				

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Land Use/Planning Resource, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update Environmental Impact Report are incorporated herein in their entirety. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion.

Analysis:

Environmental Setting

As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

Existing land uses in Tulare County have been organized into generalized categories that are summarized on **Table 11-1**. These lands total 3,930 square miles or approximately 81 percent of Tulare County. Open space, which includes wilderness, national forests, monuments and parks, and county parks, encompass 1,230 square miles, or approximately 25 percent of the County. Agricultural uses total over 2,150 square miles or about 44 percent of the entire county. Incorporated cities in Tulare County capture less than three percent of the entire County.

Table 11-1
County of Tulare Summary of Assessed Land by Generalized Use Categories[155]

Generalized Land Use Category	Square Miles[1]	Percentage[2]
Residential	110	2
Commercial	10	Less than 1%
Industrial	10	Less than 1%
Agriculture	2,150	44
Public (including airports, charitable organizations, churches, fraternal organizations, government owned land, hospitals and rest homes, institutional facilities, rehab facilities and schools)	420	9
Open Space (including national forests and parks, timber preserves)	1,230	25
Classified Subtotal	**3,930**	**81**
Unclassified (includes streets and highways, rivers, canals, etc.)	780	16
Unincorporated County Subtotal	**4,710**	**97**
Incorporated Cities	130	3
Total County	**4,840**	**100**

1 One square mile = 640 acres.
2 Percent reflect those estimated for the total land area of the County and may not equal 100 due to rounding.

Regulatory Setting

Federal

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

[155] Tulare County General Plan 2030 Update Background Report. Page 3-53.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

State

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

Local Policies and Regulations

Tulare County Association of Governments

"[The Tulare County Association of Governments] TCAG is committed to improving the quality of life for residents and visitors throughout Tulare County. We prove our commitment by addressing congestion using a preventative approach. We coordinate regional transit programs to make getting around easy and convenient. We have improved air quality and strive to continue to meet national standards. We responsibly use the extra hard earned tax dollars that the people of Tulare County bring in to us from the passage of Measure R under the supervision of the board and citizen's review committee. We address current and future rail needs and possibilities with a forward thinking approach. We gather important data which is used by the census and the public to properly forecast housing and transit needs. We also manage the abandoned vehicle program for the county, and do a whole lot more."[156].

Tulare County General Plan 2030 Update

The General Plan contains the following policies aimed at reducing potential land use conflicts, promoting an efficient urban form, and ensuring consistency with local land use and environmental plans. General Plan policies that relate to the proposed Project are listed as follows.

ED-2.2 Land Requirements – wherein the County shall ensure there is capacity for new and expanding businesses by: Reserving sufficient locations for industry, recognizing industry's need for greater land requirements; Recognizing the need for a variety of locations to avoid creation of a monopoly of the industrial land market and to reflect varying requirements for transportation facilities and utility services; and Reserving land for exclusive industrial use to encourage development of like industries that complement each other and to prevent encroachment on industrial areas by incompatible uses; *ED-3.1 Diverse Economic Base* – wherein the County shall actively promote the development of a diversified economic base by continuing to promote agriculture, recreation services, and commerce, and by expanding its efforts to encourage industrial development including the development of energy resources; *ERM-2.9 Compatibility* – wherein the County will encourage the development of mineral deposits in a manner compatible with surrounding land uses; *PF-1.1 Maintain Urban Edges* – wherein the County shall strive to maintain distinct urban edges for all unincorporated communities within the valley region or foothill region, while creating a transition between urban uses and agriculture and open space; *PF-1.2 Location of Urban Development* – wherein the County shall ensure that urban development only takes place in the following areas:

1. Within incorporated cities and CACUDBs;
2. Within the UDBs of adjacent cities in other counties, unincorporated communities, planned community areas, and HDBs of hamlets;
3. Within foothill development corridors as determined by procedures set forth in Foothill Growth Management Plan;
4. Within areas set aside for urban use in the Mountain Framework Plan and the mountain sub-area plans; and
5. Within other areas suited for non-agricultural development, as determined by the procedures set forth in the Rural Valley Lands Plan;

PF-1.3 Land Uses in UDBs/HDBs – wherein the County shall encourage those types of urban land uses that benefit from urban services to develop within UDBs and HDBs. Permanent uses which do not benefit from urban services shall be discouraged within these areas. This shall not apply to agricultural or agricultural support uses, including the cultivation of land or other uses accessory to the cultivation of land provided that such accessory uses are time-limited through Special Use Permit procedures; *PF-1.4 Available Infrastructure* – wherein the County shall encourage urban development to locate in existing UDBs and HDBs where infrastructure is available or may be established in conjunction with development. The County shall ensure that development does not occur unless adequate infrastructure is available, that sufficient water supplies are available or can be made available and that there are adequate provisions for long term management and maintenance of infrastructure and identified water supplies; *PF 4.13 City Design Standards* - where the Board of Supervisors finds that it is consistent with General Plan objectives to approve

[156] Tulare County Association of Governments. About Us. Accessed August 2022 at: https://tularecog.org/tcag/about-us/history-of-tcag/

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

development within the UDBs of incorporated cities, the County may require the project to substantiate sufficient water supply and meet the County adopted city development standards of the city in question; *PF-4.15 Coordination with Cities on Development Proposals* – wherein the County shall ensure that urban development only take place in CACUDBs if one of the following has occurred: 1.The adjacent city does not consent to annex the property for development purposes (as evidenced through pre-zoning, development agreements, etc.); it shall be conclusively presumed that a city has not consented if it has not submitted an annexation proposal to LAFCo within six months from the date a request to annex is submitted to the city; or 2. Annexation is not possible under the provisions of State law, but it is determined by the County that development of the site does not constitute incompatible development; *PF-4.18 - Future Land Use Entitlements in a CACUDB* – wherein the County may work with an individual city to limit any General Plan amendments to change the land use designations of any parcel or any amendments to the County zoning ordinance to add uses to a current zoning classification or change the zoning district designation of any parcel within a CACUDB with exceptions; *PF-4.19 - Future Land Use Entitlements in a CACUAB* – wherein as an exception to the County policies that the Rural Valley Lands Plan (RVLP) does not apply within CACUDBs and is only advisory within CACUABs, the County may work with an individual city to provide that no General Plan amendments or rezonings will be considered to change the current land use designation or zoning classification of any parcel within a CACUAB unless appropriate under the requirements of the Rural Valley Lands Plan (RVLP) or similar checklist or unless the County has worked with the city to identify and structure an acceptable alternative General Plan land use designation or zoning classification; *PF-4.21 – Application of the RVLP Checklist to Control Development in a CACUAB* – wherein there is an exception to the County policies that the Rural Valley Lands Plan is only advisory within CACUABs, the County may work with an individual city to provide that the requirements of the RVLP will apply to applications for special use permits (including special use permits for the expansion of a non-conforming use), variances considered under Government Code § 65906, or to the extent allowed by law, divisions of land within a CACUAB except in those areas that overlap with a County unincorporated UDB, an HDB, or Corridor Plan area. Such a special use permit, variance, or division of land will be reviewed in light of impacts on such regional concerns as water and sewage disposal availability and preservation of transportation and utility corridors; *PF-2.7 Improvement Standards in Communities* – wherein the County shall require development within the designated UDBs to meet an urban standard for improvements. Typical improvements shall include curbs, gutters, sidewalks, and community sewer and water systems; *LU-1.2 Innovative Development* – wherein the County shall promote flexibility and innovation through the use of planned unit developments, development agreements, specific plans, Mixed Use projects, and other innovative development and planning techniques; *LU-1.8 Encourage Infill Development* - wherein the County shall encourage and provide incentives for infill development to occur in communities and hamlets within or adjacent to existing development in order to maximize the use of land within existing urban areas, minimize the conversion of existing agricultural land, and minimize environmental concerns associated with new development; *LU-1.10 Roadway Access* - wherein County shall require access to public roadways for all new development; *LU-4.6 Commercial Storage Facilities* – wherein the County shall require that commercial storage facilities, including "mini" storage, indoor and outdoor storage facilities, and contractor's materials storage be screened from view through landscape buffers or other natural landscapes; *LU-5.1 Industrial Developments* – wherein the County shall encourage a wide range of industrial development activities in appropriate locations to promote economic development, employment opportunities, and provide a sound tax base; and *LU-5.4 Compatibility with Surrounding Land Use* – wherein the County shall encourage the infill of existing industrial areas and ensure that proposed industrial uses will not result in significant harmful impacts to adjacent land uses.

<u>County of Tulare/City of Visalia Memorandum of Understanding</u>

See previously noted Tulare County General Plan Policies *PF-15, PF-18, PF-4.19, PF-4.21, PF-4.14, PF-4.19,* and *PF-4.21*. In keeping with the County of Tulare – City of Visalia Memorandum of Understanding (MOU) (November 19, 2012), Tulare County will work cooperatively with the City of Visalia to make this project mutually beneficial and consistent with the public interest to provide economic opportunity.

<u>Rural Valley Lands Plan (RVLP).</u>

Any future development project is subject to the Rural Valley Lands Plan (RVLP). An RVLP analysis prepared for the proposed Project when it was initiated resulted in a score of 12 which indicates that the proposed Project meets the RVLP for non-agricultural uses.

Project Impact Analysis:

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

a) and b) No Impact: As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). There are no roads that cross the site and no roads are planned in any adopted planning documents; and currently there is no public access to the site (other than an existing driveway). The site does not currently divide any established communities, nor would the proposed Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect

As included in General Plan Initiation No. GPI 21-01 (Chase Morgan), RMA staff provided the following analysis to the Tulare County of Board Supervisors for consideration of approval of the applicant's request to initiate the General Plan Amendment process.

"The County's General Plan Amendment Policy provides that the Board shall give consideration as to the public need or necessity of the amendment and whether the proposed amendment would further the goals, objectives, and policies of the general plan and not obstruct their attainment (Policies and Procedures 391).

The General Plan Land Use designation for the site is currently "Heavy Industrial" for the 8.46-acre portion of the project site and "Low-Medium Density" for the 5.4-acre portion of the project site, both of which are located within the Visalia UDB. As such, the County General Plan provides the land use mechanism for development projects within this area.

The County does have a memorandum of understanding with the City of Visalia. And per the MOU, the County suggested at the Project Review Committee (PRC) meeting that the applicant make application with the City of Visalia and go through the City's PRC process and request Annexation. The City has shown no additional consideration of this proposal per the attached letter response and email response.

Under GP PF-4.13 Coordination with Cities on Development Proposals: The County shall ensure that urban development only take place in County Adopted City UDBs if one of the following has occurred:

1. The adjacent city does not consent to annex the property for development purposes (as evidenced through pre-zoning, development agreements, etc.); it shall be conclusively presumed that a city has not consented if it has not submitted an annexation proposal to LAFCo within six months from the date a request to annex is submitted to the city. The City has stated it will not support annexation.

The City says under GP LU P-19(Consistent Policies), PF 4.18(Future Entitlements), and '19/'20 (Use of RVLP) that there are no exceptions. It is noted that it is the policy to cooperate with the City, through the MOU and under LU P-19, and the County may work with the City to limit such an amendment. However, the City has stated it will not seek annexation under PF 4-13. The County is not working with the City under PF 4.18 to limit the amendment; therefore, none of the exceptions that would require the County to make an application for an amendment would apply. Moreover, under PF-4.19/20, the County did supply an RVLP score of 12, which would make the project subject to development within the Board's discretion.

Conclusion

"Based on factors listed above, it can be concluded that the proposed GPA (1) will be consistent with Tulare County's General Plan; (2) will promote the public interest as a greatly needed economic opportunity project in the Planning Area; and (3) the

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

proposed project will further the goals, objectives, and policies of the Tulare County General Plan; and will not obstruct their attainment."[157]

Based on the analysis above, and as noted earlier, the proposed Project is an appropriate use for the site and will be consistent with applicable objectives, goals and policies outlined in the Tulare County General Plan 2030 Update. As the proposed Project is within the City of Visalia's Sphere of Influence (and within the City's Urban Area and Urban Development Boundaries), the County of Tulare is committed to ensuring that the proposed Project is consistent with Visalia's applicable policies, standards, etc. Therefore, the proposed Project would result in a less than significant Project-specific impact related to this Checklist Item will occur.

Cumulative Impact Analysis: **Less Than Significant Cumulative Impacts -** The geographic area of this cumulative analysis is Tulare County and the City of Visalia. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, the Tulare County General Plan 2030 Update EIR, and the Visalia General Plan. As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). As such, a less than significant cumulative impact related to this Checklist Item will occur.

12.	**MINERAL RESOURCES**					
	Would the project:					
	a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
	b)	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Mineral Resources, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update Environmental Impact Report are incorporated herein in their entirety. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion.

Analysis:

Environmental Setting

As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south,

[157] See Attachment "E" Application and GPI Information.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

Per the Tulare County General Plan Background Report, Tulare County is divided into two major physiographic and geologic provinces: the Sierra Nevada Mountains and the Central Valley. The Sierra Nevada Physiographic Province, in the eastern portion of the Tulare County, is underlain by metamorphic and igneous rock. It consists mainly of homogeneous granitic rocks, with several islands of older metamorphic rock. The central and western parts of the County are part of the Central Valley Province, underlain by marine and non-marine sedimentary rocks. It is basically a flat, alluvial plain, with soil consisting of material deposited by the uplifting of the mountains.

Economically, the most important minerals that are extracted in Tulare County are sand, gravel, crushed rock, and natural gas. Other minerals that could be mined commercially include tungsten, which has been mined to some extent, and relatively small amounts of chromite, copper, gold, lead, manganese, silver, zinc, barite, feldspar, limestone, and silica. Minerals that are present but do not exist in the quantities desired for commercial mining include antimony, asbestos, graphite, iron, molybdenum, nickel, radioactive minerals, phosphate, construction rock, and sulfur.

Aggregate resources are the most valuable mineral resource in Tulare County because it is a major component of the Portland cement concrete (PCC) and asphaltic concrete (AC). PCC and AC are essential to constructing roads, buildings, and providing for other infrastructure needs. There are four streams that have provided the main source of high quality sand and gravel in Tulare County: Kaweah River, Lewis Creek, Deer Creek and the Tule River. The highest quality deposits are located at the Kaweah and Tule Rivers. Lewis Creek deposits are considerably inferior to those of the other two rivers.

Regulatory Setting

Federal

There are no federal or local regulations pertaining to mineral resources relevant to the proposed project.

State

California Surface Mining and Reclamation Act of 1975

Enacted by the State Legislature in 1975, the Surface Mining and Reclamation Act (SMARA), Public Resources Code Section 2710 et seq., insures a continuing supply of mineral resources for the State. The act also creates surface mining and reclamation policy to assure that:

- Production and conservation of minerals is encouraged;
- Environmental effects are prevented or minimized;
- Consideration is given to recreational activities, watersheds, wildlife, range and forage, and aesthetic enjoyment;
- Mined lands are reclaimed to a useable condition once mining is completed; and
- Hazards to public safety both now and in the future are eliminated.

Areas in the State (city or county) that do not have their own regulations for mining and reclamation activities rely on the Department of Conservation, Division of Mines and Geology, Office of Mine Reclamation to enforce this law. SMARA contains provisions for the inventory of mineral lands in the State of California. The State Geologist, in accordance with the State Board's Guidelines for Classification and Designation of Mineral Lands, must classify Mineral Resource Zones (MRZ) as designated below:

- MRZ-1. Areas where available geologic information indicates that there is minimal likelihood of significant resources.
- MRZ-2. Areas underlain by mineral deposits where geologic data indicate that significant mineral deposits are located or likely to be located.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

- MRZ-3. Areas where mineral deposits are found but the significance of the deposits cannot be evaluated without further exploration.
- MRZ-4. Areas where there is not enough information to assess the zone. These are areas that have unknown mineral resource significance.

SMARA only covers mining activities that impact or disturb the surface of the land. Deep mining (tunnel) or petroleum and gas production is not covered by SMARA.

Local

Tulare County General Plan 2030 Update

The Tulare County General Plan 2030 Update: Chapter 8 – Environmental Resources Management contains the following goals and policies that relate to mineral resources and which have potential relevance to the Project's California Environmental Quality Act (CEQA) review: *ERM-2.1 Conserve Mineral Deposits* wherein the County will encourage the conservation of identified and/or potential mineral deposits, recognizing the need for identifying, permitting, and maintaining a 50 year supply of locally available PCC grade aggregate; and *ERM-4.6 Renewable Energy* wherein the County shall support efforts, when appropriately sited, for the development and use of alternative energy resources, including renewable energy such as wind, solar, bio-fuels and co-generation.

Project Impact Analysis:

a) **No Impact:** Mineral resources located within Tulare County are predominately sand and gravel resources primarily provided by four streams: Kaweah River, Lewis Creek, Deer Creek, and the Tule River. The Kaweah river is the nearest of these four streams to the proposed Project site and is located approximately 14 miles to the east. Due to the distance from these streams, the proposed Project will not result in the loss of an available known mineral resource. The Tulare County General Plan Update (see Figure 8-2 Mineral Resource Zone in the General Plan) indicates the locations of State-designated Mineral Resource Zones. According to the map, the proposed Project site is not located in or within 10 miles of a Mineral Resource Zone. The California Department of Conservation indicates that the nearest, active mining operation (Kaweah South, mining sand and gravel) is located approximately 14 miles east of the proposed Project site.[158] As such, the proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

b) **No Impact:** The proposed Project site is not delineated on a local land use plan as a locally important mineral resource recovery site. Therefore, the proposed Project would not result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

Cumulative Impact Analysis: **Less Than Significant Cumulative Impacts -** The geographic area of this cumulative analysis is Tulare County and the City of Visalia. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, the Tulare County General Plan 2030 Update EIR. As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

[158] State of California Department Of Conservation, Division of Mine Reclamation. Maps: Mines and Mineral Resources. Accessed August 2022 at: https://maps.conservation.ca.gov/mol/index.html.

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
13.	**NOISE**					
	Would the project result in:					
	a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
	b)	Generation of excessive ground-borne vibration or ground-borne noise levels?	☐	☐	☒	☐
	c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Noise Resource, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update Environmental Impact Report are incorporated herein in their entirety. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion.

Analysis:

Environmental Setting

"Noise. Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound power levels to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz). In addition to the actual instantaneous measurement of sound levels, the duration of sound is important since sounds that occur over a long period of time are more likely to be an annoyance or cause direct physical damage or environmental stress. One of the most frequently used noise metrics that considers both duration and sound power level is the equivalent noise level (Leq). The Leq is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time. Typically, Leq is summed over a one-hour period.

Sound pressure is measured on a logarithmic scale with the 0 dB level based on the lowest detectable sound pressure level that people can perceive (an audible sound that is not zero sound pressure level). Based on the logarithmic scale, a doubling of sound energy is equivalent to an increase of 3 dB and a sound that is 10 dB less than the ambient sound level has no effect on ambient noise. Because of the nature of the human ear, a sound must be about 10 dB greater than the reference sound to be judged as twice as loud. In general, a 3 dBA change in community noise levels is noticeable, while 1-2 dBA changes generally are not perceived. Quiet suburban areas typically have noise levels in the range of 40 to 50 dBA, while noise levels along arterial streets are generally in the 50 to 60+ dBA range. Normal conversational levels are in the 60-65 dBA range, and ambient noise levels greater than that can interrupt conversations.

Noise levels typically attenuate at a rate of 6 dBA per doubling of distance from point sources such as industrial machinery. Noise from lightly traveled roads typically attenuates at a rate of about 4.11 dBA per doubling of distance. Noise from heavily traveled roads typically attenuates at about 3 dBA per doubling of distance.

The actual time period in which noise occurs is also important since noise that occurs at night tends to be more disturbing than that which occurs during the daytime. To evaluate community noise on a 24-hour basis, the day-night average sound level was developed (Ldn). Ldn is the time average of all A-weighted levels for a 24-hour period with a 10 dB upward adjustment added to those noise levels occurring between 10:00 PM and 7:00 AM to account for the general increased sensitivity of people to nighttime noise levels.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

The Community Noise Equivalent Level (CNEL) is identical to the Ldn with one exception. The CNEL adds 5 dB to evening noise levels (7:00 PM to 10:00 PM). Thus, both the Ldn and CNEL noise measures represent a 24-hour average of A-weighted noise levels with Ldn providing a nighttime adjustment and CNEL providing both an evening and nighttime adjustment.

Vibration. Vibration is an oscillatory motion through a solid medium in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. Vibration can be a serious concern, causing buildings to shake and rumbling sounds to be heard. In contrast to noise, vibration is not a common environmental problem. It is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads.

There are several different methods that are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. The PPV is most frequently used to describe vibration impacts to buildings and is usually measured in inches per second. The root mean square (RMS) amplitude is most frequently used to describe the effect of vibration on the human body. The RMS amplitude is defined as the average of the squared amplitude of the signal. Decibel notation (VdB) is commonly used to measure RMS. The decibel notation acts to compress the range of numbers required to describe vibration.

High levels of vibration may cause physical personal injury or damage to buildings. However, groundborne vibration levels rarely affect human health. Instead, most people consider groundborne vibration to be an annoyance that can affect concentration or disturb sleep. In addition, high levels of groundborne vibration can damage fragile buildings or interfere with equipment that is highly sensitive to groundborne vibration (e.g., electron microscopes).

In contrast to noise, groundborne vibration is not a phenomenon that most people experience every day. The background vibration velocity level in residential areas is usually 50 RMS or lower which is well below the threshold of perception for humans (human perception is around 65 RMS). Most perceptible indoor vibration is caused by sources within buildings, such as operation of mechanical equipment, movement of people, or slamming of doors. Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel- wheeled trains, and traffic on rough roads. If the roadway is smooth, the vibration from traffic is rarely perceptible

As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

Regulatory Setting

Federal

Federal Vibration Policies

The Federal Railway Administration (FRA) and the Federal Transit Administration (FTA) have published guidance relative to vibration impacts. According to the FRA, fragile buildings can be exposed to ground-borne vibration levels of 0.5 PPV without experiencing structural damage. The FTA has identified the human annoyance response to vibration levels as 80 RMS (Root Mean Square = The square root of the arithmetic average of the squared amplitude of the signal).[159]

State

[159] U.S. Department of Transportation. "The Noise and Vibration Impact Assessment Manual." September 2018. FTA Report No. 0123 Federal Transit Administration Page 113. Accessed August 2022 at: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

The California Noise Control Act was enacted in 1973 (Health and Safety Code § 46010 et seq.), and states that the Office of Noise Control (ONC) should provide assistance to local communities in developing local noise control programs. It also indicates that ONC staff will work with the OPR to provide guidance for the preparation of the required noise elements in city and county General Plans, pursuant to Government Code § 65302(f). California Government Code § 65302(f) requires city and county general plans to include a noise element. The purpose of a noise element is to guide future development to enhance future land use compatibility.

Local

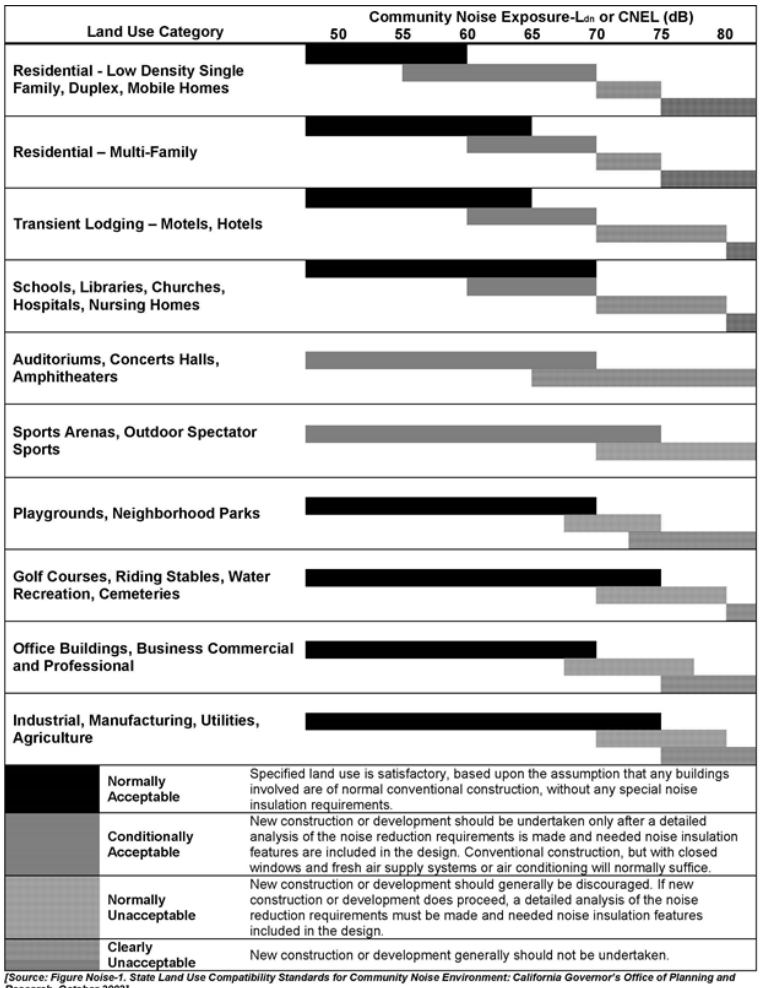
Analytical noise modeling techniques, in conjunction with actual field noise level measurements, were used to develop generalized Ldn or Community Noise Equivalent Level (CNEL) contours for traffic noise sources within Tulare County for existing conditions. Traffic data representing annual average daily traffic volumes, truck mix, and the day/night distribution of traffic for existing conditions (1986) and future were obtained from the Tulare County Public Works Department and used in the Tulare County Noise Element. The Tulare County General Plan 2030 Update Health & Safety Element (2012) includes noise and land use compatibility standards for various land uses. These are shown in **Table 13-1** Land Use Compatibility for Community Noise Environments[160],:

Tulare County General Plan 2030 Update

The Tulare County General Plan 2030 Update: Chapter 10 – Health and Safety contains the following goals and policies that relate to noise and which have potential relevance to the Project's California Environmental Quality Act (CEQA) review: *HS-8.2 Noise Impacted Areas* – wherein the County shall designate areas as noise-impacted if exposed to existing or projected noise levels that exceed 60 dB Ldn (or Community Noise Equivalent Level (CNEL)) at the exterior of buildings; *HS-8.3 Noise Sensitive Land Uses* – wherein the County shall not approve new noise sensitive uses unless effective mitigation measures are incorporated into the design of such projects to reduce noise levels to 60 dB Ldn (or CNEL) or less within outdoor activity areas and 45 dB Ldn (or CNEL) or less within interior living spaces; *HS-8.6 Noise Level Criteria* wherein the County shall ensure noise level criteria applied to land uses other than residential or other noise-sensitive uses are consistent with the recommendations of the California Office of Noise Control (CONC); *HS-8.8 Adjacent Uses* wherein the County shall not permit development of new industrial, commercial, or other noise-generating land uses if resulting noise levels will exceed 60 dB Ldn (or CNEL) at the boundary of areas designated and zoned for residential or other noise-sensitive uses, unless it is determined to be necessary to promote the public health, safety and welfare of the County; *HS-8.11 Peak Noise Generators* wherein the County shall limit noise generating activities, such as construction, to hours of normal business operation (7 a.m. to 7 p.m.). No peak noise generating activities shall be allowed to occur outside of normal business hours without County approval; *HS-8.13 Noise Analysis* – wherein the County shall require a detailed noise impact analysis in areas where current or future exterior noise levels from transportation or stationary sources have the potential to exceed the adopted noise policies of the Health and Safety Element, where there is development of new noise sensitive land uses or the development of potential noise generating land uses near existing sensitive land uses. The noise analysis shall be the responsibility of the project applicant and be prepared by a qualified acoustical engineer (i.e., a Registered Professional Engineer in the State of California, etc.). The analysis shall include recommendations and evidence to establish mitigation that will reduce noise exposure to acceptable levels (such as those referenced in Table 10-1 of the Health and Safety Element); *HS-8.14 Sound Attenuation Features* - The County shall require sound attenuation features such as walls, berming, heavy landscaping, between commercial, industrial, and residential uses to reduce noise and vibration impacts; *HS-8.16 State Noise Insulation* – wherein the County shall enforce the State Noise Insulation Standards (California Administrative Code, Title 24) and Chapter 35 of the Uniform Building Code; *HS-8.18 Construction Noise* wherein the County shall seek to limit the potential noise impacts of construction activities by limiting construction activities to the hours of 7 a.m. to 7 p.m., Monday through Saturday when construction activities are located near sensitive receptors. No construction shall occur on Sundays or national holidays without a permit from the County to minimize noise impacts associated with development near sensitive receptors; *HS-8.19 Construction Noise Control* wherein the County shall ensure that construction contractors implement best practices guidelines (i.e.; berms, screens, etc.) as appropriate and feasible to reduce construction-related noise-impacts on surrounding land uses.

[160] Tulare County General Plan 2030 Update. Goals and Policies Report. Page 10-25.

Table 13-1



[Source: Figure Noise-1. State Land Use Compatibility Standards for Community Noise Environment: California Governor's Office of Planning and Research, October 2003]

Table 3.12-2
Tulare County Maximum Acceptable Ambient Noise Exposure for Various Land Uses[161]

Land Use	Suggested Maximum Ldn
Residential – low density	60
Residential – high density	65
Transient lodging	65
Schools, libraries, churches, hospitals	65
Playgrounds, parks	65
Commercial	70
Industrial	75

Project Impact Analysis:

a) Less Than Significant Impact: As mentioned earlier, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an

office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). Project construction will include site preparation, grading, paving, and construction-related activities. Noise sensitive receptors include residential uses north, south, and west of proposed Project site. By analogy, an environmental impact report prepared for a similar project, that is, business park without mini-/RV storage (Sequoia Drive-In Business Park, SCH No. 2017011027; adopted/certified by the Tulare County Board of Supervisors via Resolution No.2020-0933), is used for a comparative analysis of noise- and vibration-related impacts for this proposed Project.

"Construction Noise Impacts

Proposed Project construction related activities will involve temporary noise sources and will be periodic in nature due to the phased buildout of the Project. Typical construction related equipment include compressors, nail guns, graders, trenchers, small tractors and excavators. During the proposed Project construction, noise from construction related activities will contribute to the noise environment in the immediate vicinity. Activities involved in construction will generate maximum noise levels, as indicated in **Table 3.12-2**, ranging from 79 to 91 dBA at a distance of 50 feet, without feasible noise control (e.g., mufflers) and ranging from 75 to 80 dBA at a distance of 50 feet, with feasible noise controls.

Table 3.12-3
Typical Construction Noise Levels

Type of Equipment	dBA at 50 feet	
	Without Feasible Noise Control[1]	With Feasible Noise Control
Dozer or Tractor	80	75
Excavator	88	80
Scraper	88	80
Front End Loader	79	75
Backhoe	85	75
Grader	85	75
Truck	91	75

The distinction between short-term construction noise impacts and long-term operational noise impacts is a typical one in both CEQA documents and local noise ordinances, which generally recognize the reality that short-term noise from construction is inevitable and cannot be mitigated beyond a certain level. Thus, local agencies frequently tolerate short-term noise at levels that they would not accept for permanent noise sources. A more severe approach would be impractical and might preclude the kind of construction activities that are to be expected from time to time in urban and semi-urban environments. Most residents of these areas recognize this reality and expect to hear construction activities on occasion."[162] The construction-related activities will contribute to short-term, temporary, and intermittent construction-related noise. By their very nature, the mini-storage, convenience store (with gas station), and future commercial operations are inherently very quiet during operation as only traffic-related noise will occur during the hours they are open for use. As such, all construction- and operations-related noise will likely result in non-significant noise levels.

Although impacts are considered less than significant, the proposed Project will be required to adhere to the County's noise policies *HS-8.11*, *HS-8.18*, and *HS-8.19*, as noted earlier, to ensure that impacts remain less than significant.

[161] Tulare County 2030 General Plan Update Background Report. Page 8-50.

[162] Tulare County. Sequoia Drive-In Business Park. Environmental Impact Report. Chapter 3.12. Noise. Page 3.12-6. December 2018. Available upon request at RMA Administrative Office.

Operational Noise Impacts

The site is located on the edge of the Visalia urban area southeast of the city. Existing lands uses adjacent to the proposed Project site include agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. Operational noise from the proposed Project will be generated from typical customer usage of the min-storage component, convenience store (with gas station), and future service commercial uses would generate noise from sources such as customer/employee vehicles, delivery trucks, landscape maintenance equipment, air conditioners, and other similar noise sources. However, it is likely the primary source of noise will be from proposed Project-related vehicular trips.

Existing potential sensitive noise receptors in the area include:

North: None.
East: Single-family residence.
South: Church.
West: None.

When evaluating whether or not a project will result in a potentially significant increase in noise, the County uses a threshold of an increase of 3 dBA if it affects sensitive receptors. Residential units are considered as sensitive receptors.

According to the Tulare County General Plan Background Report, "Roadways and traffic noise are the dominant source of ambient noise in the county. The noise generated from vehicles using roads within the county is governed primarily by the number of vehicles, type of vehicles (mix of automobiles, trucks, and other large vehicles), and speed."[163] "Table 8-9 [of the General Plan Background Report] summarizes the daily traffic volumes, the predicted Ldn noise level at 100 feet from the roadway centerline, and the distance from the roadway centerline to the 60-, 65-, and 70- dB-Ldn contours."[164] "Since these calculated contours do not take into account shielding caused by local buildings, walls, or topographical features, the distances should be considered to be worst-case estimates of noise exposure along roadways in the county."[165]

Generally speaking, parcels adjacent to Avenue 280/Caldwell Avenue and Road 140/Lovers Lane are in the vicinity of the Project are included within a Noise Contour. As excerpted from Table 8-9 (of the General Plan Background Report), the segment of Avenue 280/Caldwell Avenue between Road 140/Lovers Land and Virginia Avenue noise levels are shown in **Table 3.12-3** (the Project is located immediately south of this segment).

As shown in **Table 3.12-1**, the County's suggested maximum Ldn for rural residential is 60 Ldn (dBA). According to a Caltrans Technical Noise Supplement to the Traffic Noise Analysis Protocol (September 2013), "doubling the traffic on a highway would result in an increase of 3dB. Table 8-9 in the Tulare County Background Report shows the average daily trips (ADT) along this segment of Avenue 280/Caldwell Avenue (that is, between Road 140 and Virginia Avenue) is approximately 10,000 ADT; and 7,900 ADT for Road 140/Lovers Lane (between Avenue 280 and Road 272). As shown in Item 17 Transportation, the Project could result in up to 1,460 ADT new trips attributable to the proposed Project based on projections using ITE trip generation rates. Using a conservative estimate, even if all of the Project trips were considered new trips and were all distributed solely on Avenue 280/Caldwell Avenue, or solely on Road 140/Lovers Lane, it would not result in a doubling of traffic numbers and, therefore, would not result in an increase of 3dB. In addition, the noise receptors in the Project area are already included within a defined noise contour (therefore, the noise receptor's baseline noise contour currently exceeds above-normal noise levels). Therefore, the Project's traffic noise generation cannot be distinguished from existing noise conditions. As such, the Project would result in a less than significant impact.

Table 3.12-3
Noise Contours for Avenue 280/Caldwell Avenue & Road 140/Lovers Lane

Contour Line	Avenue 280 / Caldwell Avenue[a]	Road 140/Lovers Lane[b]
70 Ldn (dBA)	41 feet[c]	27 feet[c]
65 Ldn (dBA)	89 feet[c]	59 feet[c]
60 Ldn (dBA)	19 feet[c]	126 feet[c]
55 Ldn (dBA)	413 feet[c]	272feet[c]
Ldn (dBA)		
50 Ldn (dBA) @ 50 feet	68.2	66.0
100 Ldn (dBA) @ 100 feet	64.2	61.5

Notes: a Segment between Road 140/Lovers Land and Virginia Avenue.
b Segment between Avenue 280/Caldwell and Road 272.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

c Distance is feet from centerline of roadway.
Average Daily Traffic (ADT) along this segment of Avenue 280/Caldwell Avenue is approximately 10,000 (ADT); and 7,900 (ADT) for Road 140/Lovers Lane at the time noise contours were developed. (Source: Tulare County General Plan Background Report).

As this project is similar to the Sequoia Drive-In Business Park project, the proposed Project will also generate non-traffic related noise from noises associated with commercial facilities (e.g., air conditioning units, landscape maintenance equipment, car doors shutting, voices, etc.). Nearby receptors will experience a small increase in ambient noise due to the proposed Project, but the noise will be similar to existing conditions and will consist of noise that is typical of other commercial developments in the area. The noise generated from the proposed Project will be similar to and will not likely be distinguishable from existing noise sources.[166] As noted earlier, by their very nature, the mini- storage, convenience store (with gas station), and future commercial operations are inherently quiet during operations as only traffic-related noise will occur during the hours they are open for use. As such, all construction- and operations-related noise will likely result in non-significant noise levels when operational. Therefore, operational noise impacts would be less than significant.

b) Less Than Significant Impact: 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. Increases in groundborne vibration levels attributable to the proposed Project would be primarily from construction-related activities (e.g., earthmoving operations such as grading, leveling, trenching, etc.). These activities would likely require the use of various off-road equipment, such as tractors, concrete mixers, graders, and haul trucks. The use of major groundborne vibration-generating construction equipment, such as pile drivers, would not be required for this Project. Construction-related vibration would be short-term, temporary, and intermittent. Once operational, the proposed Project will not result in the on-going use of equipment that produces groundbourne vibration.

Groundborne vibration levels associated with representative off-road equipment are summarized in **Table 3.12-4**. Based on the vibration levels presented in **Table 3.12-4**, ground vibration generated by off-road equipment would not be anticipated to exceed approximately 0.08 inches per second ppv at 25 feet. Predicted vibration levels at the nearest structures would not exceed the minimum recommended criteria for structural damage or human annoyance (0.2 in/sec ppv). Similar to construction-related and operational noise, by their very nature, the mini- storage, convenience store (with gas station), and future commercial operations are inherently quiet during operations as only traffic-related vibration will occur during the hours they are open for use. As such, the proposed Project will likely result in non-significant vibration levels when operational. Therefore, the proposed Project would result in a less than significant impact and would not generate excessive groundbourne vibration or groundbourne noise.

Table 3.12-4
Vibration Levels for Varying Construction Equipment[167]

Type of Equipment	Peak Particle Velocity @ 25 Feet (inches/second)
Large Bulldozer	0.089
Loaded Trucks	0.076
Small Bulldozer	0.003

[163] Tulare County General Plan Background Report. Page 8-53.
[164] Ibid.
[165] Op. Cit. Table 8-9. 8-58.
[166] Tulare County. Sequoia Drive-In Business Park. Environmental Impact Report. Chapter 3.12. Noise. Pages 3.12-7 through 3.12-8. December 2018. Available upon request at RMA Administrative Office.
[167] Op Cit.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Jackhammer	0.035
Vibratory Hammer	0.070
Vibratory Compactor/roller	0.210

c) No Impact: The nearest airport (Visalia Municipal Airport), is approximately seven (7) miles west of the proposed Project site. The proposed Project is located outside of the 55 dB CNEL noise contour and will not conflict with Tulare County Airport Land Use Plan policy. Therefore, there will be no impact.

Cumulative Analysis: **Less Than Significant Impact -** The geographic area of this cumulative analysis is the Tulare County. This cumulative analysis is based on information from the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update EIR.

As there will be less than significant Project-related impacts, there will be less than significant cumulative impacts. The proposed Project will be required to comply with all applicable policies/standards as specified in the Tulare County General Plan 2030 Update as a component of project design features. As noted previously, and summarized here, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). As such, the proposed Project will not contribute to any cumulative impacts related to this Checklist Item and would have a less than significant cumulative impact to this resource item.

14.	**POPULATION AND HOUSING**				
	Would the project:				
a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Population/Housing Resource, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update Environmental Impact Report are incorporated herein in their entirety. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion.

Analysis:

Environmental Setting

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

The California Department of Finance (DOF) provides population estimates for Tulare County. According to DOF population estimates, between 2010 and 2018, Tulare County grew from 442,179 to 481,733[168] persons; an increase of 39,554persons. Between 2010 and 2020, the County experienced an average yearly population growth of 0.82 percent, for a total (Year 2020) population of 481,733.

The annual growth rate for the entire County is anticipated to increase from 1.9 percent to 2.4 percent through 2030. While the percentage of the County's population living in incorporated cities is anticipated to increase by 2030, the percentage of persons living in unincorporated areas in the County will decrease by 2030. The Tulare County Association of Governments (TCAG) projects an additional 313,970 people to be living in Tulare County by 2030 for a total projected population of approximately 742,970.[169]

As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

Regulatory Setting

Federal

U.S. Department of Housing and Urban Development (HUD)

"HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. HUD is working to strengthen the housing market to bolster the economy and protect consumers; meet the need for quality affordable rental homes: utilize housing as a platform for improving quality of life; build inclusive and sustainable communities free from discrimination; and transform the way HUD does business."[170] However, as the Project does not propose any housing, HUD or other federal regulations do not apply to this Project.

State

California Department of Housing and Community Development (HCD)

HCD's mission is to "Promote safe, affordable homes and strong vibrant communities throughout California."[171] "In 1977, the State Department of Housing and Community Development (HCD) adopted regulations under the California Administrative Code, known as the Housing Element Guidelines, which are to be followed by local governments in the preparation of local housing elements. AB 2853, enacted in 1980, further codified housing element requirements. Since that time, new amendments to State Housing Law have been enacted. Each of these amendments has been considered during development of this Housing Element."[172]

[168] State of California. Department of Finance. E-4 Population Estimates for City, Counties, and the State,2011-2021, with 2010 Benchmark. Sacramento, California. May 2021. Accessed in August 2022 at: https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fdof.ca.gov%2Fwp-content%2Fuploads%2FForecasting%2FDemographics%2FDocuments%2FE-4_2010-2020-Internet-Version.xlsx&wdOrigin=BROWSELINK

[169] Tulare County General Plan 2030 Update. General Plan Background Report. Table 2-16. Page 2-31.

[170] U.S. Department of Housing and Urban Development. Mission. Accessed August 2022 at: https://www.hud.gov/about/mission.

[171] California Department of Housing and Community Development. Mission. Accessed August 2022 at: http://www.hcd.ca.gov/about/mission.shtml.

[172] Tulare County Housing Element 2015 Update. Page 1-3. Accessed August 2022 at: http://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/110Part%20I%20Voluntary%20Elements%20Chapters%206,%2012%20and%2015/001CHP%206%20Tulare%20County%20Housing%20Element%20Update%202015/CHP%206%20Tulare%20County%20Housing%20Element%20Update%202015.pdf

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

California Relocation Assistance Act

The State of California adopted the California Relocation Assistance Act (California Government Code §7260 et seq.) in 1970. This State law, which follows the federal Uniform Relocation Assistance and Real Property Acquisition Act, requires public agencies to provide procedural protections and benefits when they displace businesses, homeowners, and tenants in the process of implementing public programs and projects. This State law calls for fair, uniform, and equitable treatment of all affected persons through the provision of relocation benefits and assistance to minimize the hardship of displacement on the affected persons.

Local

Tulare County Regional Housing Needs Assessment Plan 2014-2023

The Tulare County Association of Governments (TCAG) was responsible for allocating the State's projections to each local jurisdiction within Tulare County including the County unincorporated area, which is reflected in this Housing Element. Tulare County has no control over the countywide population and housing projections provided to TCAG when it prepared the Regional Housing Needs Assessment Plan.

Tulare County Regional Blueprint 2009

This Blueprint includes the following preferred growth scenario principals:[173]

- Increase densities county-wide by 25% over the status quo densities;
- Establish light rail between cities;
- Extend Highway 65 north to Fresno County;
- Expand transit throughout the county;
- Maintain urban separators around cities; and
- Growth will be directed toward incorporated cities and communities where urban development exists and where comprehensive services and infrastructure are or will be provided.

Tulare County Housing Authority

"The Housing Authority of the County of Tulare (HATC) has been officially designated as the local public housing agency for the County of Tulare by the Board of Supervisors and was created pursuant to federal and state laws. …HATC is a unique hybrid: a public sector agency with private sector business practices. Their major source of income is the rents from residents. The HATC mission is "to provide affordable, well-maintained rental housing to qualified low- and very low-income families. Priority shall be given to working families, seniors and the disabled. Tenant self sufficiency and responsibility shall be encouraged. Programs shall be self-supporting to the maximum extent feasible."

HATC provides rental assistance to very low and moderate-income families, seniors and the handicapped throughout the county. HATC offers many different programs, including the conventional public housing program, the housing choice voucher program (Section 8), the farm labor program for families with farm labor income, senior housing programs, and other programs. They also own or manage some individual subsidized rental complexes that do not fall under the previous categories, and can provide information about other affordable housing that is available in Tulare County. All programs are handicap accessible. Almost all of the complexes have 55-year recorded affordability covenants." [174]

Project Impact Analysis:

a) – b) Less than Significant Impact: As noted earlier, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is

[173] TCAG. Tulare County Regional Blueprint. May 2009. Page 18. Accessed at: https://tularecog.org/tcag/planning/regional-transportation-plan-rtp/rtp-20181/tulare-county-blue-print/

[174] Tulare County Housing Element 2015 Update. Page 5-12.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). It is likely that temporary, local construction workers (and an unknown number of permanent employees when the proposed Project is built-out) are anticipated to be utilized for the proposed Project which will not require additional permanent housing and likely will not result in additional construction-related workers. Thus, depending upon timing (i.e., the year build-out will actually occur), construction-related workers would be on site during overall project development. There will not be a demand for additional housing as a direct result of the proposed Project and it will not induce population growth in the area. There is only one existing house on the proposed Project site (which will be converted to an office) and no houses in the immediate vicinity would be displaced because of proposed Project implementation. Therefore, the proposed Project would result in a less than significant Project-specific Impact related to this Checklist Item.

Cumulative Impact Analysis: **Less than Significant -** The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update EIR.

The proposed Project will not require additional permanent housing, it will impact one existing house (which will be converted to an office) on the proposed Project site; and it will not displace a substantial number of existing people or housing unit; as such, it will not necessitate the construction of replacement housing. As such, No Project-specific or Cumulative Impact related to this Checklist Item will occur.

15.	**PUBLIC SERVICES**				
	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:				
a)	Fire protection?	☐	☐	☒	☐
b)	Police protection?	☐	☐	☒	☐
c)	Schools?	☐	☐	☐	☒
d)	Parks?	☐	☐	☐	☒
e)	Other public facilities?	☐	☐	☐	☒

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Public Services Resource, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County Tulare County General Plan Environmental Impact Report are incorporated herein in their entirety. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion.

Analysis:

Environmental Setting

As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

"Law enforcement protection for the unincorporated county is divided into 22 areas with four stations… [T]he Porterville substation serves the largest number of areas with 10 patrols, followed by the headquarters in Visalia with six, and Cutler-Orosi and Pixley, each with three areas."[175] As such, the County of Tulare's Sheriff's Office has the capability to provide police protection services to the proposed Project upon development.

Tulare County Fire Department has 28 stations that are situated throughout the County within its most densely populated areas. Tulare County Fire Station #1 is the nearest County fire station to the proposed Project area located on the east side of Road 140 approximately three (3) miles south of the proposed Project site. In the event of the need for mutual response assistance, the City of Farmersville Volunteer Fire Company is the nearest fire station to the proposed Project site and is located approximately 2.5 miles west of the site.

The nearest elementary school (Annie R. Mitchell Elementary School) is located approximately one (1) mile northeast of the proposed Project site; the next nearest school is Blue Oak Academy (charter school, grades T-K through 8th) approximately one (1) mile east.

The nearest County-owned and operated park is Mooney Grove Park (approximately three miles southwest of the site), the nearest County public library is located in Farmersville (approximately three miles east of the site) and the nearest operational landfill is Visalia Landfill which is located approximately nine miles northwest of the proposed Project site.

Regulatory Setting

Federal

None that are applicable to this Project.

State

California Fire Code and Building Code

The purpose of the California Fire Code (Title 24, Part 9 of the California Code of Regulations) is to establish the minimum requirements consistent with nationally recognized good practices to safeguard the public health, safety and general welfare from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to provide safety and assistance to fire fighters and emergency responders during emergency operations.[176]

Local

Tulare County General Plan 2030 Update

The following Tulare County General Plan 2030 Update, Chapter 14 – Public Facilities and Services, contains the following policies that relate to public services and may apply to this Project: *PFS-7.2 Fire Protection Standards* wherein the County shall require all new development to be adequately served by water supplies, storage, and conveyance facilities supplying adequate volume, pressure, and capacity for fire protection*; PFS-7.3 Visible Signage for Roads and Buildings* – wherein the County shall strive to ensure all roads are properly identified by name or number with clearly visible signs. The County shall strive to ensure all roads are properly identified by name or number with clearly visible signs; *PFS-7.5 Fire Staffing and Response Time Standards* wherein the County shall strive to maintain fire department staffing and response time goals consistent with National Fire Protection Association (NFPA) standards; *PFS-7.6 Provision of Station Facilities and Equipment* wherein the County shall strive to provide sheriff and fire station facilities, equipment (engines and other apparatus), and staffing necessary to maintain the County's service goals. The County shall continue to cooperate with mutual aid providers to provide coverage throughout the County*; PFS-7.8 Law Enforcement Staffing*

[175] Tulare County General Plan 2030 Update. Background Report. Pages 7-71 to 7-72.

[176] 2016 California Fire Code (Title 24, Part 9 of the California Code of Regulations). 1.1.2 Purpose. Page 3. Accessed May 2020. https://www.citymb.info/Home/ShowDocument?id=28089

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Ratios – wherein the County shall strive to achieve and maintain a staffing ratio of 3 sworn officers per 1,000 residents in unincorporated areas; and *PFS-7.9 Sheriff Response Time* wherein the County shall work with the Sheriff's Department to achieve and maintain a response time of:

1. Less than 10 minutes for 90 percent of the calls in the valley region; and
2. 15 minutes for 75 percent of the calls in the foothill and mountain regions; and

PFS-7.12 Design Features for Crime Prevention and Reduction wherein the County shall promote the use of building and site design features as means for crime prevention and reduction

The proposed Project will not rely on the addition or alteration of any public services. The subject site is within the southwestern portion of Tulare County and will utilize existing services provided by Tulare County (and where necessary, mutual aid assistance from agencies near the proposed Project site). There will be a less than significant impact.

Project Impact Analysis:

a) Fire Protection – Less Than Significant Impact: The County of Tulare will continue to provide fire protection services to the proposed Project site upon development. The nearest station, Tulare County Fire Station #1, located east of Road 140, approximately three (3) miles south of the Project site. The proposed Project is not increasing the service area for the Fire Station. The impact is less than significant.

b) Police Protection – Less Than Significant Impact: The County of Tulare will continue to provide police protection services to the proposed Project site upon development. Emergency response is adequate to the proposed Project. No residential construction is proposed on the site. Based on the nature of the proposed Project (i.e., mini-storage, convenience store (with gas station), and service commercial uses), there will be a less than significant impact.

c) Schools – No Impact: As noted earlier, The nearest elementary school (Annie R. Mitchell Elementary School) is located approximately one (1) mile northeast of the proposed Project site; the next nearest school is Blue Oak Academy (charter school, grades T-K through 8th) approximately one (1) mile east. However, the proposed Project will not include construction of any residential structures which could result in an increase in new school students. There will be no impact.

d) Parks – No Impact: As noted earlier, the nearest County-owned and operated park is Mooney Grove Park (approximately three miles southwest of the site). As the proposed Project will not induce population growth, the proposed Project will not create a need for additional park or recreational services. There will be no impact.

e) Other public facilities – No Impact: The proposed Project will include its own, expanded or new septic system(s); and water will be provided by Cal Water. Since no additional improvements to the site will be made, the proposed Project will not impact service levels for other public facilities. Therefore, there is no impact.

Cumulative Impact Analysis: **Less than Significant to No Impact –** The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update EIR.

As noted earlier, and summarized here, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). Based on the nature of the project (that is, convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses), the proposed Project would result in a less than significant impact on fire and police services; it will have no impact on schools, libraries, parks, solid waste, or other public services.

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
16.	**RECREATION**					
	a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
	b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Recreation Resource, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update Environmental Impact Report are incorporated herein in their entirety. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion.

Analysis:

Environmental Setting

As noted earlier, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

"Tulare County contains several county, state, and federal parks. Aside from parks in the county, there are many open space areas as well. This section will highlight these various parks and open space areas and identify recreational opportunities within them."[177] Two new parks were completed and became operational in the unincorporated communities of Plainview (Plainview Community Park) in 2016 and Earlimart (Earlimart Community Park) in 2017. In addition to the 15 parks and recreation facilities that are owned and operated by Tulare County, there are State Parks and Forests, National Parks and National Forests, trails, and recreational areas. Mooney Grove Park (an approximately 143-acre facility) is the nearest park to the Project site and located approximately four miles southeast of the proposed Project site. Lastly, each incorporated city in the County maintains and operates municipal park and recreation facilities which can also be accessed by the County's total population.

Federal

Lakes Kaweah and Success

"Lake Kaweah was formed after the construction of the Terminus Dam on the Kaweah River in 1962. The lake offers many recreational opportunities including fishing, camping, and boating. Lake Kaweah is located 20 miles east of Visalia on Highway 198 and was constructed by the U.S. Army Corps of Engineers for flood control and water conservation purposes. The lake has a maximum capacity to store 143,000 acre-feet of water. There are a total of 80 campsites at the lake's Horse Creek Campground, which contains toilets, showers and a playground. Campfire programs are also available. Aside from camping, boat ramps are provided at the Lemon Hill and Kaweah Recreation Areas. Both Kaweah and Horse Creek provide picnic areas, barbecue grills and

[177] Tulare County General Plan 2030 Update Background Report. February 2010. Page 4-1.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

piped water. Swimming is allowed in designated areas. In addition, there is a one-mile hiking trail between Slick Rock and Cobble Knoll, which is ideal for bird watching.

Lake Success was formed by construction of the Success Dam on the Tule River in 1961. The lake offers many recreational activities including fishing, boating, waterskiing, and picnicking. The U.S. Army Corps of Engineers (USACOE) constructed this reservoir for both flood control and irrigation purposes. The lake has a capacity of 85,000 acre-feet of water. The lake is located eight miles east of Porterville in the Sierra Nevada foothills area. Recreational opportunities include ranger programs, camping at the Tule campground, which provides 104 sites, boating, fishing, picnic sites, playgrounds and a softball field. Seasonal hunting is also permitted in the 1,400-acre Wildlife Management Area."[178]

National Parks and National Forests

"Most of the recreational opportunities in the county are located in Sequoia National Forest, Giant Sequoia National Monument, and in Sequoia and Kings Canyon National Parks (SEKI). Although these parks span adjacent counties, they make a significant contribution to the recreational opportunities that Tulare County has to offer."[179]

Sequoia National Forest

"Sequoia National Forest takes its name from the Giant Sequoia, which is the world's largest tree. There are more than 30 groves of sequoias in the lower slopes of the park. The park includes over 1,500 miles of maintained roads, 1,000 miles of abandoned roads and 850 miles of trails for hikers, off-highway vehicle users and horseback riders. The Pacific Crest Trail connecting Canada and Mexico, crosses a portion of the forest, 78 miles of the total 2,600 miles of the entire trail. It is estimated that 10 to 13 million people visit the forest each year. "[180]

Giant Sequoia National Monument

"The Giant Sequoia National Monument was created in 2000 by President Clinton in an effort to preserve 34 groves of ancient sequoias located in the Sequoia National Forest. The Monument includes a total of 327,769 acres of federal land, and provides various recreational opportunities, including camping, picnicking, fishing, and whitewater rafting. According to the Giant Sequoia National Monument Management Plan EIS, the Monument includes a total of 21 family campgrounds with 502 campsites and seven group campgrounds. In addition, there are approximately 160 miles of system trails, including 12 miles of the Summit National Recreation Trail."[181]

Sequoia and Kings Canyon National Parks (SEKI)

"The U.S. Congress created the Kings Canyon National Park in 1940 and Sequoia National Park in 1890. Because they share many miles of common boundaries, they are managed as one park. The extreme large elevation ranges in the parks (from 1,500 to 14,491 feet above sea level), provide for a wide range of vegetative and wildlife habitats. This is witnessed from exploring Mt. Whitney, which rises to an elevation of 14,491 feet, and is the tallest mountain in the contiguous United States. During the summer months, park rangers lead walks through the parks, and tours of Crystal and Boyden Caves. During the winter, visitors explore the higher elevations of the parks via cross country skis or snowshoes, or hike the trails in the foothills. The SEKI also contains visitor lodges, the majority of which are open year round. According to the National Parks Conservation Association, a combined total of approximately 1.5 million people visit the two parks on an annual basis."[182]

State

Colonel Allensworth State Park

[178] Ibid. 4-7.
[179] Op. Cit. 4-8.
[180] Op. Cit. 4-9.
[181] Op. Cit.
[182] Op. Cit.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

"The only State Park in Tulare County is Colonel Allensworth State Historic Park discussed in Section 9.3 [of the General Plan Background Report]. The park contains a museum and a visitor center addressing the town's history, as well as camping facilities. Allensworth is the only California town to be founded, financed and governed by African Americans. The small farming community was founded in 1908 by Colonel Allen Allensworth and a group of others dedicated to improving the economic and social status of African Americans. Uncontrollable circumstances, including a drop in the area's water table, resulted in the town's demise. With continuing restoration and special events, the town is coming back to life as a state historic park. The park's visitor center features a film about the site. A yearly rededication ceremony reaffirms the vision of its pioneers."[183] Colonel Allensworth State Historic Park is located in the unincorporated community of Allensworth in southwestern Tulare County, approximately 36 miles southwest of the Project site.

Mountain Home State Forest

"The Mountain Home State Forest is a State Forest managed by the California Department of Forestry and Fire Protection (CDF). The Forest consists of 4,807 acres of parkland containing a number of Giant Sequoias, and is located just east of Porterville. The Forest is a Demonstration Forest, which is considered timberland that is managed for forestry education, research, and recreation. Fishing ponds, hiking trails, and campsites are some of the amenities that can be found in the Forest."[184]

Other Recreational Facilities

Other recreational resources available in Tulare County include portions of the Pacific Crest Trail, South Sierra Wilderness Area, Dome Land Wilderness Area, Golden Trout Wilderness Area, International Agri-Center, and the Tulare County Fairgrounds.[185]

In addition, there are several nature preserves open to the public which are owned and operated by non-profit organizations, including the Kaweah Oaks Preserve and Dry Creek-Homer Ranch preserves, both owned and operated by Sequoia Riverlands Trust.[186] Incorporated cities in the County also have a number of recreational facilities including neighborhood parks, play lots, pocket parks and other recreation facilities.[187]

Local

Parks

As mentioned earlier, the nearest County owned- and operated- park is Mooney Grove Park located approximately three miles southwest of the proposed Project site.

Regulatory Setting

Federal

None that apply to this Project.

State

None that apply to this Project.

Local

[183] Op. Cit. 4-3.
[184] Op. Cit. 4-7.
[185] Tulare County General Plan 2030 Update Recirculated DEIR, February 2010. Page 3.9-32
[186] Ibid. 4-1.
[187] Op Cit. 3.9-29.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

None that apply to this Project.

Project Impact Analysis:

a) **No Impact:** As discussed in Item 15 e), the proposed Project will not increase the demand for recreational facilities, nor will it put a strain on the existing recreational facilities. The nearest park is Mooney Grove Park (approximately three miles southwest). As such, the proposed Project would not 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. Therefore, there will be no impact to this resource.

b) **No Impact:** The proposed Project does not include recreational facilities. Since there is no population growth associated with the proposed Project, there will be no need to construct or expand any recreational facilities as there would be no adverse physical effect on the environment; therefore, there would be impact to this resource.

Cumulative Impact Analysis: **No Impact -** The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update EIR.

As noted earlier, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

Based on the nature of the proposed Project (that is, mini-storage, convenience store (with gas station), and future commercial uses), the proposed Project would not 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. The proposed Project would not result in population growth associated with the proposed Project, as such, there will be no need to construct or expand any recreational facilities as there would be no adverse physical effect on the environment. Therefore, there would be no impact to the Recreation resource.

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

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Transportation Resource, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update Environmental Impact Report are incorporated herein in their entirety. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Analysis:

Environmental Setting

As noted earlier, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

"Tulare County has two major regional highways, State Highway [Route] 99 and 198. State Highway [Route] 99 connects Tulare County to Fresno and Sacramento to the north and Bakersfield to the south. State Highway [Route] 198 connects from U.S. Highway 101 on the west and continues eastward to Tulare County, passing through the City of Visalia and into Sequoia National Park. The highway system in the County also includes State highways, County-maintained roads, and local streets within each of the eight cities."[188]

"Tulare County's transportation system is composed of several State Routes, including three freeways, multiple highways, as well as numerous county and city routes. The county's public transit system also includes two common carriers (Greyhound and Orange Belt Stages), the AMTRAK Service Link, other local agency transit and Para transit services, general aviation, limited passenger air service and freight rail service

Travel within Tulare County is a function of the size and spatial distribution of its population, economic activity, and the relationship to other major activity centers within the Central Valley (such as Fresno and Bakersfield) as well as more distant urban centers such as Los Angeles, Sacramento, and the Bay Area. In addition, there is considerable travel between the northwest portions of Tulare County and southern Fresno County and travel to/from Kings County to the west. Due to the interrelationship between urban and rural activities (employment, housing, services, etc.) and the low average density/ intensity of land uses, the private automobile is the dominant mode of travel for residents in Tulare County."[189]

As noted earlier, the proposed the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

Area Roadways

Both Avenue 280/Caldwell Avenue (to the north) and Road 140/Lovers Lane (to the west) are directly abutting/adjacent to the proposed Project site. Avenue 280/Caldwell Avenue. provides a connection to Visalia to the west and Farmersville to the east, and Road 140/Lovers Lane for general north travel (toward Visalia) and south travel (toward Tulare). The proposed Project will include access/egress via Avenue 280/Caldwell Avenue and/or Road 140/Lovers Lane to/from the proposed Project site.

[188] Tulare County General Plan 2030 Update. Page 13-2. Accessed August 2022 at: http://generalplan.co.tulare.ca.us/index.asp.

[189] Tulare County General Plan 2030 Update Background Report. Page 5-4.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Airport

There are seven public use airports in Tulare County. These include six publicly owned and operated facilities (Porterville Municipal, Sequoia Field, Tulare Municipal [Mefford Field], Visalia Municipal, Woodlake, Exeter Airport, and Eckert Field." [190] Visalia Municipal Airport is the nearest public airport and is located approximately seven (7) miles west of the Project site.

Design for Emergency Access

According to § 21060.3 and § 15359 of the CEQA Guidelines, an "Emergency" means a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. "Emergency" includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage.

Alternative Transportation

"Transit planning in Tulare County is done at the county and local level. The Tulare County Association of Governments (TCAG) is the County's designated Metropolitan Planning Organization (MPO) and also serves as the Tulare County Council of Governments, Transportation Authority, and Regional Transportation Planning Agency. TCAG's nine member agencies include eight incorporated cities (Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia, and Woodlake) and Tulare County."[191] Fixed routes transit services operating in Tulare County are provided by Dinuba Area Regional Transit (DART), Porterville Transit (COLT), Tulare Intermodal Express (TIME), Tulare County Area Transit (TCaT), Visalia Transit, and Visalia-Fresno intercity service (V-Line).[192]

Regulatory Setting

Federal

Several federal regulations govern transportation issues. They include: Title 49, CFR, Sections 171-177 (49 CFR 171-177) which governs the transportation of hazardous materials, the types of materials defined as hazardous, and the marking of the transportation vehicles; 49 CFR 350-399, and Appendices A-G, Federal Motor Carrier Safety Regulations which address safety considerations for the transport of goods, materials, and substances over public highways; and 49 CFR 397.9, the Hazardous Materials Transportation Act of 1974, which directs the U.S. Department of Transportation to establish criteria and regulations for the safe transportation of hazardous materials.

State

<u>CEQA Guidelines Section 15064.3, Subdivision (b): Criteria for Analyzing Transportation Impacts</u>

(2) Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be considered to have a less than significant transportation impact.

(3) Transportation Projects. Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such

[190] Tulare County Comprehensive Airport Land Use Plan. Pages 1-1 and 1-3 Accessed August 2022 at: https://tularecounty.ca.gov/rma/rma-documents/planning-documents/tulare-county-comprehensive-airport-land-use-plan/

[191] Tulare County Association of Governments (TCAG). Tulare County Long Range Transit Plan. Page 2-2. Accessed August 2022 at: https://tularecog.org/tcag/planning/transit-planning/transit-plans/transit-development-plans-short-and-long-range-transit-plans/tulare-county-regional-long-range-transit-plan/

[192] Ibid. 30-32.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

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

(4) Qualitative Analysis. If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.

(5) Methodology. A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

Caltrans: Transportation Concept Reports

Each District of the State of California Transportation Department (Caltrans) prepares a Transportation Concept Report (TCP) for every state highway or portion thereof in its jurisdiction. The TCR usually represents the first step in Caltrans' long-range corridor planning process. The purpose of the TCR is to determine how a highway will be developed and managed so that it delivers the targeted LOS and quality of operations that are feasible to attain over a 20-year period, otherwise known as the "route concept" or beyond 20 years, for what is known as the "ultimate concept".

Caltrans has prepared a number concept reports for State Routes, Interstate Routes, and U.S. Routes. Tulare County is located in Caltrans District 6. According to the Transportation Concept Report (June 2016) for State Route 198, there is one potential Concept Project in the proposed Project area as follows:

Segment 17 located 0.1 mile west of Packwood Creek to Road 164 (Farmersville Boulevard). The 20-25 Year System Operations and Management Concept for this segment is described as follows: "Construct shoulders and upgrade/install guard rails, pavement rehabilitation, repair bridge girders at Rd 164 OC, vehicle detection system."[193] These improvements will be located on and/or adjacent to SR 198 ROW and will not be impacted from the proposed Project (due to distance from SR 198 and the Project boundaries.

Caltrans Guide for the Preparation of Traffic Impact Studies

The California Department of Transportation (Caltrans) has developed this "Guide for the Preparation of Traffic Impact Studies" to provide a starting point and a consistent basis in which Caltrans evaluates traffic impacts to State highway facilities. The applicability of this guide for local streets and roads (non-State highways) is at the discretion of the effected jurisdiction. Caltrans Guide for the Preparation of Traffic Impact Studies establishes the following criterion as a starting point in determining when a TIS is needed:

1. Generates over 100 peak hour trips assigned to a State highway facility
2. Generates 50 to 100 peak hour trips assigned to a State highway facility – and, affected State highway facilities are experiencing noticeable delay; approaching unstable traffic flow conditions (LOS "C" or "D").
3. Generates 1 to 49 peak hour trips assigned to a State highway facility – the following are examples that may require a full TIS or some lesser analysis
   a. Affected State highway facilities experiencing significant delay; unstable or forced traffic flow conditions (LOS "E" or "F").
   b. The potential risk for a traffic incident is significantly increased (i.e., congestion related collisions, non-standard sight distance considerations, increase in traffic conflict points, etc.).
   c. Change in local circulation networks that impact a State highway facility (i.e., direct access to State highway facility, a non-standard highway geometric design, etc.).[194]

[193] Caltrans Transportation Concept Report – SR 198 (June 2016). Page 6.

[194] Caltrans. Guide for the Preparation of Traffic Impact Studies. A. Trip Generation Thresholds. December 2002. Page 2. Accessed August 2022 at:

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Local Policy and Regulations

"Transportation Control Measures (TCM) are designed to reduce vehicle miles traveled, vehicle idling, and/or traffic congestion in order to reduce vehicle emissions. Currently, Tulare County is a nonattainment region under the Federal Clean Air Act (CAA) and the California Clean Air Act (CCAA). Both of these acts require implementation of TCMs. These TCMs for Tulare County are as follows:

- Rideshare Programs;
- Park and Ride Lots;
- Alternate Work Schedules;
- Bicycle Facilities;
- Public Transit;
- Traffic Flow Improvement; and
- Passenger Rail and Support Facilities."[195]

Tulare County Association of Governments (TCAG)

The Tulare County Association of Government has prepared the draft 2022 Tulare County Regional Transportation Plan (RTP). The RTP states, "The Regional Transportation Plan is a long-range plan that every Metropolitan Planning Organization (MPO) is required to complete. The plan is meant to provide a long-range, fiscally constrained guide for the future of Tulare County's Transportation system. The long-range plan extends to the year 2046 in its scope. The plan accomplishes its goals by forecasting future growth, identifying regional priorities, and planning for infrastructure improvements."[196] Specific policies that apply to the Proposed Project are listed as follows:

Comprehensive

Objective: Encourage and support a connected and multi-modal regional circulation network that is convenient, safe, and efficient.

Policy 1. Encourage jurisdictions in Tulare County to consider bicycle lanes, public transit, transit-oriented and mixed-use development, pedestrian networks, rail, and other complete streets development during updates of general plans and other local planning processes.

2. Implement a Complete Streets Program whereby agencies will prepare plans to accommodate all transportations users, including pedestrians, bicyclists, transit riders, and motor vehicle operators and riders, and utilize existing revenue and other funding sources to coordinate with local agencies to implement those plans as aggressively as feasible.[197]

Air Quality and Greenhouse Gases

Objective: Encourage coordinated development to achieve an improved jobs-housing balance in the regional plan.

Policy 1 – Encourage mixed-use developments in urbanized areas.[198]

Tulare County General Plan 2030 Update

https://www.contracosta.ca.gov/DocumentCenter/View/34121/Caltrans2002-TIS-Guidelines-PDF

[195] Tulare County General Plan 2030 Update Recirculated Draft Environmental Impact Report. Page 3.2-2.

[196] TCAG. Draft 2022 Tulare County Regional Transportation Plan (RTP). Executive Summary. Page 1. Accessed August 2022 at: https://tularecog.org/tcag/planning/rtp/rtp-2022/chapter-a-executive-summary/

[197] Ibid. Policy Element. Governing Policies. Air Quality and Greenhouse Gases. Page B-2. Accessed August 2022 at: https://tularecog.org/tcag/planning/rtp/rtp-2022/chapter-b-policy-element /

[198] Op. Cit. Comprehensive. B-4.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

The following Tulare County General Plan 2030 Update policies for this resource apply to the proposed Project: *LU-7.4 Streetscape Continuity* – wherein the County shall ensure that streetscape elements (e.g., street signs, trees, and furniture) maintain visual continuity and follow a common image for each community; *TC-1.13 Land Dedication for Roadways and Other Travel Modes* – As required by the adopted County Improvement Standards, the County shall require, where warranted, an irrevocable offer of dedication to the right-of-way for roadways and other travel modes, as part of the development review process; *TC-1.14 Roadway Facilities* - As part of the development review process, new development shall be conditioned to fund, through impact fees, tonnage fees, and/or other mechanism, the construction and maintenance of roadway facilities impacted by the project. As projects or locations warrant, construction or payment of pro-rata fees for planned road facilities may also be required as a condition of approval; *TC-1.16 County Level Of Service (LOS) Standards* wherein the County shall strive to develop and manage its roadway system (both segments and intersections) to meet a LOS of "D" or better in accordance with the LOS definitions established by the Highway Capacity Manual; and *HS-1.9 Emergency Access* wherein the County shall require, where feasible, road networks (public and private) to provide for safe and ready access for emergency equipment and provide alternate routes for evacuation.

Project Impact Analysis:

a) Less Than Significant Impact: The proposed Project site would be accessed/egress from Avenue 280/Caldwell Avenue (and possibly Road 140/Lovers Lane) and includes the development of up to137,000 square feet of mini-storage (plus 2,500 square feet of office from conversion of an existing, vacant house), 5,000 square feet of convenience store (with gas station), and 58,000 square feet of future service commercial uses. As shown in the Tulare County General Plan Background Report, the affected segment of Avenue 280/Caldwell (between Road 140/Lovers Lane and Virginia Avenue (in Farmersville)) had an estimated 10,000 ADT, while the segment between Fairway and Road 140/Lovers Lane had an estimated ADT of 9,700. Recent counts provided by the Tulare County RMA- Public Works Branch shows 8,600 ADT on Avenue 280/Caldwell Avenue between Road 140/Lovers Lane and Road 148 (Mariposa Avenue) in Year 2019 (projected to 12,730 ADT in Year 2029); however, RMA no longer conducts ADT counts along Avenue 280/Caldwell Avenue west of Road 140/Lovers Lane within City of Visalia limits and does not have more recent ADT records for this segment. The affected segment of Road 140/Lovers Lane (between Avenue 272 and Avenue 280/Caldwell Avenue) had an estimated 7,900 ADT, while the segment between Avenue 280/Caldwell Avenue and SR 198 had an estimated ADT of 6,800. RMA no longer conducts ADT counts along Road 140/Lovers Lane within City of Visalia limits and does not have more recent ADT records for this segment. More recent RMA counts along Road 140/Lovers Lane between Avenue 280/Caldwell Avenue and Avenue 264 indicate a volume of 8,800 ADT in Year 2017 (projected to 13,030 in Year 2027). The City of Visalia has traffic counts that are limited to within city limits; as such, the City's traffic counts show Caldwell Avenue (between Ben Maddox Way and Lovers Lane) as 16,170 ADT (Year 2018/2019), while Lovers Lane between Walnut Avenue and Caldwell Avenue as 14,180 ADT (Year 2018/2018).[199] Hypothetically, applying the same increase (that is, 48% in ADT along Avenue 280/Caldwell Avenue and Road 140/Lovers Lane within County jurisdiction) west of Road 140/Lovers Lane through Year 2029 would result in 14,356 ADT (and 15,002 ADT in Year 2030) which is below the City's most recent (2018/2019) ADT count of 16,170 noted earlier.

Trip generation volumes for the proposed Project's mini-storage component were calculated using a methodology contained in a previously approved EIR (SCH No. 2104121067, approved by the Tulare County Board of Supervisors on June 16, 2015, via Resolution No. 2015-0419). The methodology was developed by qualified experts Peters Engineering Group as contained in the "Traffic Impact Study Proposed Mini Storage Facility Northwest of the Intersection of Avenue 280 and the Roeben Road Alignment Tulare County, California" (included in Attachment "D" of this MND). The trip generation rates shown in **Table 17-1** were used to calculate anticipated traffic volumes for the proposed Project.

Table 17-1
Local Trip Generation Rates – Mini Storage Facilities

Independent Variable	A.M. Peak Hour of Adjacent Street	P.M. Peak Hour of Adjacent Street	Weekday
Net Rentable Area	0.12 trips per 1,000 square feet	0.14 trips per 1,000 square feet	1.43 trips per 1,000 square feet

Source: Peters Engineering Group. "Traffic Impact Study Proposed Mini Storage Facility Northwest of the Intersection of Avenue 280 and the Roeben Road Alignment Tulare County, California" Page 4. Available upon request at RMA Administration Office.

[199] City of Visalia. Average Daily Traffic. Accessed August 2022 at: https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=33426

The results of the trip generation calculations are shown on **Table 17-2** which indicates that the proposed Project would generate approximately 1,460 daily trips, 104 during the AM peak hour and 105 trips during the PM peak hour of a typical weekday.

Table 17-2
Weekday Project Trip Generation

Land Use	Units	A.M. Peak Hour Traffic Volumes			P.M. Peak Hour Traffic Volumes			Weekday Traffic Volumes	
		Rate/ Split	Enter	Exit	Rate/ Split	Enter	Exit	Rate	Total
Mini-Storage[a]	137,000 sq. ft.	0.12/ 50/50	8	8	0.14/ 50/50	9.5	9.5	1.43	196
Convenience store with Gas Station[b]	5,000 sq. ft.	19.07/ 50/50	48	48	19.98/ 50/50	49.5	49.5	n/a	542.6
Commercial Uses[c]	58,000 sq. ft.	1.40/ 50/20	40.5	40.5	1.26/ 50/50	36.5	36.5	12.44	722
Total Traffic Volumes			104	104	n/a	105	105	n/a	1,460

Notes: a: Peters Engineering Group. "Traffic Impact Study Proposed Mini Storage Facility Northwest of the Intersection of Avenue 280 and the Roeben Road Alignment Tulare County, California" Page 4. Available upon request at RMA Administration Office.
b: Institute of Transportation Engineers (ITE). Trip Generation Rates. 9th Edition. Vol. 3. Pages 1,672-1,674;
c: ITE. Trip Generation Rates. 9th Edition. Vol. 3. Pages 1,402-1,404.

If 100% of the proposed Project's 1,460 trips utilized only Caldwell Avenue west of Lovers Lane, it would result in a 9.02% increase in ADT on Caldwell Avenue. If 100% of the proposed Project's 1,460 trips utilized only Lovers Lane north of Caldwell Avenue, it would result in a 10.29% increase in ADT. This trip distribution is not likely given the residential population (which would be the primary market of the proposed Project) both north and northwest of Caldwell Avenue and Lovers Lane would result in trips distributed at 50% (that is, 730 trips) toward Caldwell Avenue and 50% (730 trips) toward Lovers Lane. This would then reduce the increase of ADT at this intersection to an approximately 4.51% increase in ADT on Caldwell Avenue and 5.14% in ADT on Lovers Lane. It is noted that trip distribution does not account for any trips which may travel south of Avenue 280/Caldwell Avenue on Road 140/Lovers Lane or trips which may travel east of Road 140/Lovers Lane on Avenue 280/Caldwell; as such, the above analysis is conservative and reflects only a potential increase of traffic volumes on Caldwell Avenue west of Lovers Land; and Lovers Lane north of Caldwell Avenue. Realistically, accounting for trips south and east of Avenue 280/Caldwell Avenue and Road 140/Lovers Lane would further reduce potential impacts to segments of both Caldwell Avenue and Lovers Lane within the City's limits.

It is likely that this increase would not result in a significant deterioration of LOS at the intersection of Caldwell/Lovers Lane. According to the City's General Plan Circulation Element (Table 4-7: Future Intersection LOS (2030)), Caldwell Avenue/Lovers Lane is anticipated to be LOS B for AM Peak Hour and LOS D for PM Peak. It is also noted in this Circulation Element that, "Table 4-7 identifies 2030 forecasted AM and PM peak hour traffic LOS. As shown in Table 4-7, all of the study intersections [including Caldwell Avenue/Lovers Lane] are projected to operate at acceptable LOS with planned improvements, including traffic signalization and lane modifications that will be required during the life of the General Plan."[200] Lastly, as shown in the City's General Plan Circulation Element (Table 4-8: Future Roadway LOS (2030)), the nearest segment of roadway along Caldwell Avenue (that is, between Ben Maddox Way and Pinkham Avenue) shows a LOS B with projected ADT of 21,200 in Year 2030.[201]

The proposed Project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system nor would it conflict with an applicable congestion management program. The proposed Project would not result in an increase in population and would generate only 104 Peak AM trips, 105 Peak PM trips, and 1,460 daily trips; therefore, new or modified intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit would not be required. It is noted that the requirement for a traffic impact analysis is based on exceedance of

[200] Ibid. Page 4-25. Accessed August 2022 at: https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=30476
[201] Op. Cit. 4-28.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

100 trips per peak AM or PM traffic OR if LOS is adversely affected. As the project Peak AM/PM trips are 4-5% above the threshold, LOS will not be adversely affected nor diminished from the County's standing LOS threshold of LOS D and, as noted earlier, both Caldwell Avenue/Avenue 280 and Lovers Lane/Road 140 Levels of Service are projected to operate at acceptable LOS during the life of the Visalia General Plan. Therefore, the proposed Project would result in a less than significant impact to this Checklist Item.

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

Trip Generation

Trip generation volumes were calculated using the methodology noted earlier. The ADT, AM, and PM Peak hour rates were used to estimate traffic volumes generated by the proposed Project. The results of the trip generation calculations show that the Project would generate approximately 1,460 daily trips, 105 during the PM peak hour and 104 trips during the AM peak hour of a typical weekday (see **Table 17-2**).

Vehicle Miles Traveled (VMT) Evaluation

Guidelines for assessing project VMT as part of a transportation impact analysis under CEQA are contained in the "County of Tulare SB 743 Guidelines," dated June 8, 2020. The advisory contains recommendations regarding VMT assessment, significance thresholds and mitigation measures. Under CEQA, lead agencies have the authority to establish their own VMT significance thresholds and analysis methodologies or rely on thresholds and methodologies recommended by other agencies, provided such guidelines are supported by substantial evidence.

The Tulare County advisory provides "screening thresholds" for identifying whether a land use project should be expected to result in a less than significant transportation impact under CEQA. Projects meeting one or more of these criteria would not be required to undergo a detailed VMT analysis. One of the screening thresholds is described as "Small Projects." Small projects are presumed to have a less than significant transportation impact. The guidelines define a small project to be a project that generated less than 500 trips per day.

The proposed Project is anticipated to generate an estimated 1,460 daily trips (see **Table 17-2**), which exceeds the 500-trip threshold. Therefore, the proposed Project is subject to and will be required to provide a VMT in-fee for the overage of VMT. As noted in the SB 743 Guidelines, "The preferred method of VMT mitigation in Tulare County is for project applicants to provide transportation improvements that facilitate travel by walking, bicycling, or transit. This can be accomplished as follows:

- A survey should be conducted within one half mile of the project site to determine any gaps in facilities for walking, bicycling, or transit. For example, this could include repair of damaged or construction of new sidewalks, installation of curb ramps, provision of bicycle facilities, or improvement to transit stops or access to transit routes. For bicycle facilities, the improvement could be a Class I, II, or III bicycle facility consistent with TCAG's Regional Active Transportation Plan or Tulare County Complete Streets plans and programs.
- If suitable improvements are not found within one half mile of the project site, improvements could be suggested in more remote locations as long as they support walking, bicycling, and transit in the unincorporated area of Tulare County.
- The project list in Appendix F [in the SB 743 Guidelines], based on the TCAG Regional Active Transportation Plan, can be consulted for potential projects that could be used for VMT mitigation.
- In order to provide VMT mitigation for CEQA purposes, the cost of the mitigation provided should exceed either $20 per average daily trip generated by the project or 0.5% of the total construction cost of the project (not including land acquisition). The $20 value per average daily trip is based on a generally typical statewide minimum roadway mitigation value of $2,000 per single family dwelling unit and an assumption that transit, bicycling, and walking make up approximately 1% of all trips in Tulare County. The value of 0.5% of construction cost is meant to be roughly equivalent to this value but expressed in a different way.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

- If a project provides mitigation that meets either or both of the VMT mitigation costs described above, it can presume a 1% reduction in VMT for reporting purposes. The goal of this mitigation is that it will be sufficient to reduce a project's VMT impacts to a level of insignificance.
- In some cases, it may be infeasible for projects to meet the requirements described earlier. In these cases, a project may submit reasonable rationale to the County and request mitigation of VMT impacts on a regional basis. The project applicant would then provide reasonable documentation (i.e., evidence) of how its implementation would provide funding toward unfunded projects. Suitable projects may be found in the TCAG Regional Active Transportation Plan, transit development plans, bicycle and pedestrians plans adopted at the local level, or as part of complete streets projects. Payment could be made through direct or indirect payment of fees or other monetary contributions that would be used to fund relevant improvements. In order for a project to demonstrate a 1% reduction in VMT for reporting purposes, a reasonable argument must be made and submitted by the project applicant to the County for review and subsequent approval."[202]

The VMT trip generation is calculated by subtracting the trip threshold (i.e., 500 trip threshold) from the estimated 1,460 daily trips resulting in 960 daily trips. The remaining trips, in this case 960, is then multiplied by $20 resulting in a $19,120 in-lieu VMT fee. It is noted that the County has not determined the actual form and timing of credit or payment to be applied to the proposed Project. As such, the timing may occur prior to commencement of construction or at another time determined in consultation with the proposed Project applicant. It is noted that a project is not "locked-in" to a fee. Rather, a project proponent could include repair of damaged or construction of new sidewalks, installation of curb ramps, provision of bicycle facilities, or improvement to transit stops or access to transit routes as part of a project. For bicycle facilities, the improvement could be a Class I, II, or III bicycle facility consistent with TCAG's Regional Active Transportation Plan or Tulare County Complete Streets plans and programs. It is further noted that the mitigation measure (fee) will be included as a Condition of Approval of the proposed Project. Therefore, based on the earlier analysis regarding VMT, the RMA can reasonably conclude that the proposed Project would result in a less than significant impact with mitigation. Implementation of **Mitigation Measure 17-1**, as applicable, would reduce potential Project-specific impacts related to this Checklist Item to less than significant and shall be implemented as a Condition of Approval of the proposed Project.

c) ***No Impact*:** The proposed Project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses, (e.g., farm equipment). The internal circulation pattern for the proposed Project is typical for a min-storage facility as it has slow speeds (10 mph or less), narrow aisles, and adequate turning geometrics to accommodate vehicles using the facility to import/export stored items. The proposed Project will be required to conform to City of Visalia design/engineering standards for roadways, as applicable. The overall proposed Project does not contain sharp curves or dangerous intersections.

Although there will be an increase in the volume of vehicles along Avenue 280/Caldwell Avenue and/or Road 140/Lovers Lane to access/egress the site, the proposed Project will not present a substantial increase in hazards. Therefore, a less than significant Project-specific impact related to this Checklist Item will occur.

d) ***No Impact*:** In the event of a disaster, certain facilities are critical to serve as evacuation centers, provide vital services, and provide for emergency response. Existing critical facilities in Tulare County include hospitals, county dispatch facilities, electrical, gas, and telecommunication facilities, water storage and treatment systems, wastewater treatment systems, schools, and other government facilities. This plan also addresses evacuation routes, which include all freeways, highways, and arterials that are located outside of the 100-year flood plain."

The proposed Project does not involve a change to any emergency response plan. Emergency access to the site using the primary access/egress point from Avenue 280/Caldwell Avenue and/or Road 140/Lovers Lane would be sufficient. As such, the proposed Project would not result in inadequate emergency access; therefore, there is no impact.

Cumulative Impact Analysis: ***Less Than Significant*** - The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the City of Visalia General Plan, Tulare County General Plan 2030

[202] Tulare County. Tulare County SB 743 Guidelines. Mitigation. Pages 8-9. Accessed August 2022 at: https://tularecounty.ca.gov/rma/rma-documents/planning-documents/tulare-county-sb-743-guidelines-final/

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

Update, Tulare County General Plan Background Report, Tulare County General Plan 2030 General Plan EIR. As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). As there will be less than significant Project-specific impacts, there will be less than significant cumulative impacts.

The proposed Project is consistent the Tulare County 2030 General Plan and EIR. As such, the proposed Project will not 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. Further, it will not 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. The proposed Project will not result in a change in air traffic patterns, including either increase in traffic levels or a change in location that results in substantial safety risks. The proposed Project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. It is possible that the proposed Project may result in one or two access/egress points along Avenue 280/Caldwell Avenue and/or Road 140/Lovers Lane; as such, it will not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses, (e.g., farm equipment) and it will include adequate emergency access. The proposed Project will be required to comply with street/roadway design/engineering standards, access/egress points, and other applicable requirements per the City of Visalia. Lastly, the proposed Project's implementation of **Mitigation Measure 17-1** (as a Condition of Approval) would reduce the proposed Project's impact to less than significant.

Mitigation Measure(s): To be implemented as a Condition of Approval.

17-1 Applicant shall provide VMT in-lieu fee as mitigation as described below:

PAYMENT OF FEES IN LIEU

$20 per trip x 960 Project daily trips = $19,120 VMT mitigation fee to be paid to the County.

18.	**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:					
	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)?	☐	☒	☐	☐
	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, the lead agency shall	☐	☒	☐	☐

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
		consider the significance of the resource to a California Native American tribe?				

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Tribal Consultation Resource, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update Environmental Impact Report are incorporated herein in their entirety. Where necessary, and if available, additional site-specific facts, data, information, etc., are included in this discussion.

Analysis:

Environmental Setting

"Tulare County lies within a culturally rich province of the San Joaquin Valley. Studies of the prehistory of the area show inhabitants of the San Joaquin Valley maintained fairly dense populations situated along the banks of major waterways, wetlands, and streams. Tulare County was inhabited by aboriginal California Native American groups consisting of the Southern Valley Yokuts, Foothill Yokuts, Monache, and Tubatulabal. Of the main groups inhabiting the Tulare County area, the Southern Valley Yokuts occupied the largest territory."[203]

As noted previously, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

Information provided by the Southern San Valley Historical Resources Information Center, at California State University, Bakersfield (Center) and the California Native American Heritage Commission Sacred Lands File search (included in Attachment "C" of this document) were used as the basis for determining that this Project would result in a less than significant impact with mitigation incorporated for the original project site.

Cultural Background

"Tulare County lies within a culturally rich province of the San Joaquin Valley. Studies of the prehistory of the area show inhabitants of the San Joaquin Valley maintained fairly dense populations situated along the banks of major waterways, wetlands, and streams. Tulare County was inhabited by aboriginal California Native American groups consisting of the Southern Valley Yokuts, Foothill Yokuts, Monache, and Tubatulabal. Of the main groups inhabiting the Tulare County area, the Southern Valley Yokuts occupied the largest territory."[204]

"California's coast was initially explored by Spanish (and a few Russian) military expeditions during the late 1500s. However, European settlement did not occur until the arrival into southern California of land-based expeditions originating from Spanish Mexico starting in the 1760s. Early settlement in the Tulare County area focused on ranching. In 1872, the Southern Pacific Railroad entered Tulare County, connecting the San Joaquin Valley with markets in the north and east. About the same time, valley settlers constructed a series of water conveyance systems (canals, dams, and ditches) across the valley. With ample water supplies and the assurance of rail transport for commodities such as grain, row crops, and fruit, a number of farming colonies soon appeared throughout the region."[205]

"The colonies grew to become cities such as Tulare, Visalia, Porterville, and Hanford. Visalia, the County seat, became the service,

[203] Tulare County General Plan 2030 Update. August 2012. Page 8-5.
[204] Tulare County 2030 General Plan. Page 8-5.
[205] Ibid.

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

processing, and distribution center for the growing number of farms, dairies, and cattle ranches. By 1900, Tulare County boasted a population of about 18,000. New transportation links such as SR 99 (completed during the 1950s), affordable housing, light industry, and agricultural commerce brought steady growth to the valley. The California Department of Finance estimated the 2007 Tulare County population to be 430,167."[206]

Tulare County's Documented Cultural Resources

Tulare County's known and recorded cultural resources were identified through historical records, such as those found in the National Register of Historic Places, the Historic American Building Survey/Historic American Engineering Record (HABS/HAER), the California Register of Historic Resources, California Historical Landmarks, and the Tulare County Historical Society list of historic resources. These resources are available to the general public. They have been summarized in the Tulare County General Plan Update 2030 Background Report (2010).[207]

The California Historical Resources Information Center (CHRIS), Southern San Joaquin Valley Historical Resources Information Center (SSJVIC) located at California State University, Bakersfield (Center) conducted a search for the proposed Project location as requested by Tulare County RMA. In summary, the Center's search response letter (dated August 29, 2022) indicated that; "According to the information in our files, there has been one previous cultural resource study conducted within the project area: TU-01659. There has been one additional cultural resource study conducted within the one-half mile radius: TU-01167. It should be noted that TU-01659 only intersects a small sliver of the north side of the project area, leaving approximately [~~%~~]98[%] of the project area un-studied. According to the information in our files, there are no recorded resources within the project area, and it is unknown if any exist there. There are three known resources within the one-half mile radius: P-54-000107, 005066, 005289. These resources consist of a historic era single family property, and ditch, as well as a prehistoric lithic scatter. There are no recorded cultural resources within the project area or radius that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, for the California State Historic Landmarks."[208]. Tulare County RMA also requested a Sacred Lands File (SLF) search from the California Native American Heritage Commission (NAHC). The NAHC response dated August 27, 2022, returned with "negative" results.

Regulatory Setting

Federal

<u>The National Historic Preservation Act</u>

With passage of the National Historic Preservation Act (NHPA) in 1966, Congress made the federal government a full partner and a leader in historic preservation. While Congress recognized that national goals for historic preservation could best be achieved by supporting the drive, enthusiasm, and wishes of local citizens and communities, it understood that the federal government must set an example through enlightened policies and practices.

In the words of the NHPA, the federal government's role is to "provide leadership" for preservation, "contribute to" and "give maximum encouragement" to preservation, and "foster conditions under which our modern society and our prehistoric and historic resources can exist in productive harmony." Indeed, an underlying motivation for passage of the NHPA was to transform the federal government from an agent of indifference, frequently responsible for needless loss of historic resources, to a facilitator, an agent of thoughtful change, and a responsible steward for future generations.

Section 106 of the NHPA requires that federal agencies take into account the effects of their actions on historic properties and give the ACHP an opportunity to comment on any effects. The ACHP has issued regulations that guide how agencies should fulfill this responsibility.[209]

[206] Op. Cit. 8-6.

[207] Tulare County General Plan Background Report. Pages 9-57 to 9-59.

[208] The California Historical Resources Information Center (CHRIS). Southern San Joaquin Valley Historical Resources Information Center (SSJVIC) located at California State University, Bakersfield. Record Search 22-323. August 209, 2022. See Attachment "C".

[209] Advisory Council on Historic Preservation. Accessed August 2022 at: https://www.achp.gov/preservation-legislation.

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State

California State Office of Historic Preservation (OHP)

"The California State Office of Historic Preservation (OHP) is responsible for administering federally and state mandated historic preservation programs to further the identification, evaluation, registration and protection of California's irreplaceable archaeological and historical resources under the direction of the State Historic Preservation Officer (SHPO), a gubernatorial appointee, and the State Historical Resources Commission."[210]

"OHP's responsibilities include identifying, evaluating, and registering historic properties; ensuring compliance with federal and state regulatory obligations; encouraging the adoption of economic incentives programs designed to benefit property owners; encouraging economic revitalization by promoting a historic preservation ethic through preservation education and public awareness and, most significantly, by demonstrating leadership and stewardship for historic preservation in California."[211]

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

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important to our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history.[212]

Native American Heritage Commission

"The Native American Heritage Commission (NAHC), created in statute in 1976, is a nine-member body, appointed by the Governor, to identify and catalog cultural resources (i.e., places of special religious or social significance to Native Americans, and known graves and cemeteries of Native Americans on private lands) in California. The Commission is charged with the duty of preserving and ensuring accessibility of sacred sites and burials, the disposition of Native American human remains and burial items, maintain an inventory of Native American sacred sites located on public lands, and review current administrative and statutory protections related to these sacred sites."[213]

Tribal Consultation Requirements: AB 52 (Gatto, 2014)

"The Public Resources Code now states that "[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." Pub. Res. Code § 21084.2. To determine whether a project may have such an effect, the Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. That consultation must take place prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project. Pub. Res. Code § 21080.3.1. If a lead agency determines that a project may cause a substantial adverse change to tribal cultural resources, the lead agency must consider measures to mitigate that impact. Pub. Res. Code § 20184.3 (b)(2) provides examples of mitigation measures that lead agencies may consider to avoid or minimize impacts to tribal cultural resources.".[214]

CEQA Guidelines: Archaeological Resources

[210] State of California. Office of Historic Preservation. Mission and Responsibilities. Accessed August 2022 at: http://ohp.parks.ca.gov/?page_id=1066

[211] Ibid.

[212] State of California. Office of Historic Preservation. California Register of Historic Places. Accessed August 2022 at: http://www.ohp.parks.ca.gov/?page_id=21238

[213] Native American Heritage Commission (NAHC). Welcome. Accessed August 2022 at: http://nahc.ca.gov/

[214] State of California. Office of Planning and Research. Technical Advisory: AB 52 and Tribal Cultural Resources in CEQA (June 2017). Page 4. Accessed August 2022 at: https://www.opr.ca.gov/docs/20200224-AB_52_Technical_Advisory_Feb_2020.pdf

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Section 15064.5(c) of CEQA Guidelines provides specific guidance on the treatment of archaeological resources as follows:
c) "CEQA applies to archaeological sites.

(1) When a Project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource, as defined in subdivision (a).
(2) If a lead agency determines that the archaeological site is an historical resource, it shall refer to the provisions of Section 21084.1 of the Public Resources Code, and this section, Section 15126.4 of the Guidelines, and the limits contained in Section 21083.2 of the Public Resources Code do not apply.
(3) If an archaeological site does not meet the criteria defined in subdivision (a), but does meet the definition of a unique archeological resource in Section 21083.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of section 21083.2. The time and cost limitations described in Public Resources Code Section 21083.2 (c–f) do not apply to surveys and site evaluation activities intended to determine whether the Project location contains unique archaeological resources.
(4) If an archaeological resource is neither a unique archaeological nor an historical resource, the effects of the Project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or EIR, if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process."[215]

<u>CEQA Guidelines: Human Remains</u>

Public Resources Code Sections 5097.94 and 5097.98 provide guidance on the disposition of Native American burials (human remains), and fall within the jurisdiction of the Native American Heritage Commission:[216]

(d) When an initial study identifies the existence of, or the probable likelihood, of Native American human remains within the Project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code Section 5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any Items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission. Action implementing such an agreement is exempt from:
  (1) The general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5).
  (2) The requirements of CEQA and the Coastal Act.
(e) In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken:
  (1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
    (A) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and
    (B) If the coroner determines the remains to be Native American:
      1. The coroner shall contact the Native American Heritage Commission within 24 hours.
      2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
      3. The most likely descendent may make recommendations 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, or
  (2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
    (A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.

[215] California Natural Resources Agency. 15064.5. Determining the Significance of Impacts to Archeological and Historical Resources, Section 15064.5(c). PDF Pages 185-186. Accessed August2022 at: Statute and Guidelines - California Association of Environmental Professionals (califaep.org)
[216] NAHC. Accessed August 2022 at: https://nahc.ca.gov/codes/california-public-resources-code-5097-9/

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(B) The descendant identified fails to make a recommendation; or

(C) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

(f) As part of the objectives, criteria, and procedures required by Section 21082 of the Public Resources Code, a lead agency should make provisions for historical or unique archaeological resources accidentally discovered during construction. These provisions should include an immediate evaluation of the find by a qualified archaeologist. If the find is determined to be an historical or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be available. Work could continue on other parts of the building site while historical or unique archaeological resource mitigation takes place

Local

Tulare County General Plan 2030 Update

The General Plan has a number of policies that apply to Projects within Tulare County. General Plan policies that relate to the proposed Project are listed as follows:

The following Tulare County General Plan 2030 Update policies for this resource apply to the proposed Project: *ERM-6.1 Evaluation of Cultural and Archaeological Resources* wherein the County shall participate in and support efforts to identify its significant cultural and archaeological resources using appropriate State and Federal standards; *ERM-6.2 Protection of Resources with Potential State or Federal Designations* wherein the County shall protect cultural and archaeological sites with demonstrated potential for placement on the National Register of Historic Places and/or inclusion in the California State Office of Historic Preservation's California Points of Interest and California Inventory of Historic Resources; *ERM-6.3 Alteration of Sites with Identified Cultural Resources* which states that when planning any development or alteration of a site with identified cultural or archaeological resources, consideration should be given to ways of protecting the resources. Development can be permitted in these areas only after a site specific investigation has been conducted pursuant to CEQA to define the extent and value of resource, and Mitigation Measures proposed for any impacts the development may have on the resource; *ERM-6.4 Mitigation* which states that if preservation of cultural resources is not feasible, every effort shall be made to mitigate impacts, including relocation of structures, adaptive reuse, preservation of facades, and thorough documentation and archival of records; *ERM-6.9 Confidentiality of Archaeological Sites* wherein the County shall, within its power, maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts; and *ERM-6.10 Grading Cultural Resources Sites* wherein the County shall ensure all grading activities conform to the County's Grading Ordinance and California Code of Regulations, Title 20, § 2501 et. seq.

The intensive agricultural use of the proposed Project site has continually been disturbed to the point that there are no evident surface Tribal cultural resources. However, as discussed below, mitigation measures are included in the unlikely event that Tribal cultural resources are encountered.

Project Impact Analysis:

a) and b) Less Than Significant Impact With Mitigation: Although no historical, cultural, or tribal cultural resources were identified by the CHRIS or Sacred Lands Files (SLF) searches for the proposed Project, all work will be limited to previously disturbed land, it is possible that subsurface discoveries could occur. Also, to date, one response has been received from the tribes that were notified in compliance with AB 52 requirements through a list of potentially affected tribes provided by the NAHC. As such, it is not anticipated that Native American tribal cultural resources or remains will be found within the Project area. However, **Mitigation Measures 18-1** and **18-2** are included in the unlikely event that Native American remains or tribal cultural resources are unearthed during any ground disturbance activities. **Mitigation Measures 18-1** through **18-2** would be implemented to reduce the potential level of impact to this resource as less than significant for resources 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 to a resource consider significant to a California Native American tribe. Therefore, the proposed Project would result in a less than significant impact to this resource.

Cumulative Impact Analysis: ***Less Than Significant Impact With Mitigation***

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The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update EIR. The proposed Project would only contribute to cumulative impacts related to this Checklist Item if Project-specific impacts were to occur. With implementation of **Mitigation Measure 18-1** through **18-2**, potential Project-specific impacts would be reduced to less than significant levels. Therefore, the Project's cumulative impacts would be less than significant with mitigation. Also see the Mitigation Monitoring and Reporting Program (MMRP) in Attachment "F".

As previously discussed, based on the analysis noted earlier, impacts to Tribal Cultural Resources will be reduced to a level of ***Less Than Significant Project-specific and Cumulative Impacts With Mitigation*** with the implementation of **Mitigation Measures 18-1** and **18-2**.

Mitigation Measure: **Mitigation Measures 18-1** and **18-2**

18-1 In the event that historical, archaeological or paleontological resources are discovered during site excavation, the County shall require that grading and construction work on the Project site be immediately suspended until the significance of the features can be determined by a qualified archaeologist or paleontologist. In this event, the property owner shall retain a qualified archaeologist/paleontologist to provide recommendations for measures necessary to protect any site determined to contain or constitute an historical resource, a unique archaeological resource, or a unique paleontological resource or to undertake data recover, excavation analysis, and curation of archaeological or paleontological materials. County staff shall consider such recommendations and implement them where they are feasible in light of Project design as previously approved by the County.

18-2 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). In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken**:**

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
   a. The Tulare County Coroner/Sheriff must be contacted to determine that no investigation of the cause of death is required; and
   b. If the coroner determines the remains to be Native American:
      i. The coroner shall contact the Native American Heritage Commission within 24 hours.
      ii. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
      iii. The most likely descendent may make recommendations 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, or
2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
   a. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
   b. The descendant fails to make a recommendation; or
   c. The landowner or his authorized representative rejects the recommendation of the descendent.

19.	UTILITIES AND SERVICE SYSTEMS				
	Would the project:				
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water	☐	☐	☐	☒

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		drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?				
	b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
	c)	Result in a determination by the wastewater treatment provider 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?	☐	☐	☐	☒
	d)	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒
	e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

Analysis:

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Utility/Service Systems Resources, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update Environmental Impact Report are incorporated herein in their entirety. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion.

Analysis:

Environmental Setting

"Tulare County and special districts provide many important services to County residents and businesses in unincorporated communities and hamlets such as water, wastewater, storm drainage, solid waste removal, utilities, communications, fire protection, law enforcement, and a number of other community facilities and services (schools, community centers, etc.)."[217]

"Water districts supply water to communities and hamlets throughout the County. Most communities and some hamlets have wastewater treatment systems; however, several communities including Three Rivers, Plainview, Alpaugh, and Ducor rely on individual septic systems. Storm drainage facilities are generally constructed and maintained in conjunction with transportation improvements or new subdivisions in communities. Solid waste collection in the County is divided into service areas, as determined by the Board of Supervisors, with one license for each area. Southern California Edison provides electric service to the south and central areas of Tulare County while PG&E provides electric service in the north. The [Southern California] Gas Company is the primary provider of natural gas throughout the County."[218]

As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be

[217] Tulare County General Plan Update 2030. Page 14-3.
[218] Ibid. 14-3.

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removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).

Regulatory Setting

Federal

Resource Conservation and Recovery Act (RCRA)

"The Resource Conservation and Recovery Act (RCRA) is our nation's primary law governing the disposal of solid and hazardous waste. RCRA was signed into law on October 21, 1976 to address the increasing problems the nation faced from our growing volume of municipal and industrial waste. RCRA was an amendment to the Solid Waste Disposal Act of 1965, which was the first statute that specifically focused on improving solid waste disposal methods.

Since 1976, RCRA has been amended and strengthened by Congress including in November 1984 with the passage of the federal Hazardous and Solid Waste Amendments (HSWA). Among other mandates, these amendments to RCRA required phasing out land disposal of hazardous waste, corrective action for releases and waste minimization. Waste minimization refers to the use of source reduction and/or environmentally sound recycling methods prior to treating or disposing of hazardous wastes.

RCRA has been amended on two occasions since HSWA:

1. Federal Facility Compliance Act of 1992 – strengthened enforcement of RCRA at federal facilities.
2. Land Disposal Program Flexibility Act of 1996 – provided regulatory flexibility for land disposal of certain wastes."[219]

State

California Global Warming Solutions Act of 2006 (AB 32)

With the passage of AB 32, the State Board Air Resources Board was required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions levels in 1990 to be achieved by 2020. To achieve this requirement, a scoping plan was adopted in 2008 that includes high recycling and zero waste as a way to reduce greenhouse gas emissions from landfills. "As virgin raw materials are replaced with recyclables, a large reduction in energy consumption should be realized. Implementing programs with a systems approach that focus on consumer demand, manufacturing, and movement of products will result in the reduction of greenhouse gas emissions and other co-benefits."[220]

State Water Resources Control Board Water Onsite Wastewater Treatment Systems Policy (OWTS)

"The purpose of this Policy is to allow the continued use of OWTS, while protecting water quality and public health. This Policy recognizes that responsible local agencies can provide the most effective means to manage OWTS on a routine basis. Therefore, as an important element, it is the intent of this policy to efficiently utilize and improve upon where necessary existing local programs through coordination between the State and local agencies. To accomplish this purpose, this Policy establishes a statewide, risk-based, tiered approach for the regulation and management of OWTS installations and replacements and sets the level of performance and protection expected from OWTS. In particular, the Policy requires actions for water bodies specifically identified as part this Policy where OWTS contribute to water quality degradation that adversely affect beneficial uses."[221]

[219] United States Environmental Protection Agency. History of the Resource Conservation and Recovery Act (RCRA). Accessed August 2022 at: https://www.epa.gov/rcra/history-resource-conservation-and-recovery-act-rcra

[220] California Air Resources Board Climate Change Scoping Plan. December 2008. Page 62. Accessed August 2022 at: http://www.arb.ca.gov/cc/scopingplan/document/adopted_scoping_plan.pdf.

[221] California State Water Resources Control Board. OWTS Policy. Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems. June 19, 2012. Accessed August 2022 at: https://www.waterboards.ca.gov/water_issues/programs/owts/docs/owts_policy.pdf.

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Local

Tulare County General Plan 2030 Update

As the proposed Project will not utilize any new or expanded water, wastewater treatment or storm water drainage, natural gas, or telecommunications facilities, the applicable Tulare County General Plan 2030 Update policies for this resource are limited to the following for this resource item: *PFS-2.3 Well Testing* wherein the County shall require new development that includes the use of water wells to be accompanied by evidence that the site can produce the required volume of water without impacting the ability of existing wells to meet their needs; *PFS-3.2 Adequate Capacity* wherein the County shall require development proposals to ensure the intensity and timing of growth is consistent with the availability of adequate wastewater treatment and disposal capacity; *PFS-4.3 Development Requirements* wherein the County shall encourage project designs that minimize drainage concentrations and impervious coverage, avoid floodplain areas, and where feasible, provide a natural watercourse appearance; *PFS-4.4 Stormwater Retention Facilities* wherein the County shall require on-site detention/retention facilities and velocity reducers when necessary to maintain existing (pre-development) storm flows and velocities in natural drainage systems. The County shall encourage the multi-purpose design of these facilities to aid in active groundwater recharge; *PFS-4.5 Detention/Retention Basins Design* wherein the County shall require that stormwater detention/retention basins be visually unobtrusive and provide a secondary use, such as recreation, when feasible; *PFS-4.7 NPDES Enforcement* wherein the County shall continue to monitor and enforce provisions to control non-point source water pollution contained in the U.S. Environmental Protection Agency National Pollution Discharge Elimination System (NPDES) program; *PFS-5.3 Solid Waste Reduction* wherein the County shall promote the maximum feasible use of solid waste reduction, recycling, and composting of waste, strive to reduce commercial and industrial waste on an annual basis, and pursue financing mechanisms for solid waste reduction programs; *PFS-5.4 County Usage of Recycled Materials and Products* wherein the County shall encourage all industries and government agencies in the County to use recycled materials and products where economically feasible; and *PFS-5.8 Hazardous Waste Disposal Capabilities* wherein the County shall require the proper disposal and recycling of hazardous materials in accordance with the County's Hazardous Waste Management Plan.

Project Impact Analysis:

a), c – e) No Impact: As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone. No additional improvements are proposed. The proposed Project will utilize an on-site septic system for wastewater disposal; on-site storm water retention/detention basin; would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; and it will comply with federal, state, and local management and reduction statutes and regulations related to solid waste as applicable. As such, there will be no impact to these resources.

b) Less Than Significant Impact: As previously noted, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone. As noted in Item 10 Hydrology & Water Quality, the applicant will utilize an existing private water company (CalWater) for its permanent potable supply of water and would not utilize or develop an on-site surface

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

or groundwater supply over the life of the Project. Beneficially, the proposed Project will substantially reduce water consumption from the existing ag-related use (walnut orchard) by approximately 11 million gallons of water per year. As the proposed Project will utilize water service from an existing private water company (Cal Water); as such, the proposed Project will have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

Cumulative Impact Analysis: **Less than Significant** - The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update EIR. As previously noted, and as summarized, the purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses by requesting re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a single-family residence (which will be converted into an office). As water service will be provided by an existing private water company (Cal Water), the proposed Project will have sufficient water supplies available. Therefore, as there will be less than significant Project-specific impacts, there will be less than significant cumulative impacts.

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

The discussions regarding Environmental Setting, Regulatory Setting, CEQA requirements, Wildfire Resource, etc.; contained in the Tulare County General Plan 2030 Update, Tulare County General Plan, and Tulare County General Plan 2030 Update Environmental Impact Report are incorporated herein in their entirety. Where necessary and if available, additional site-specific facts, data, information, etc., are included in this discussion.

Analysis:

Environmental Setting

As noted earlier, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). There are no forest or timber land present at the proposed Project site or in the proposed Project vicinity.

Regulatory Setting

Federal

None that apply to the Project.

State

None that apply to the Project.

Local

The proposed Project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: As such, no state responsibility areas or lands classified as high fire hazard severity zones policies contained in the Tulare County General Plan 2030 Update policies would apply to this Project.

Project Impact Analysis:

a) – d) No Impact*:* According to the State Responsibility Area (SRA) Viewer, the proposed Project site is not located in the SRA[222]The proposed Project does not impair the implementation of any adopted emergency response plan or evacuation plan. As noted earlier, and summarized as follows, the proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). As such, the proposed Project does not impair the implementation of any adopted emergency response plan or evacuation plan; it will not exacerbate wildfire risks or expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire, due to slope, prevailing winds, and other factors; it does not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment, nor will it expose people or structures to significant risks, including downslope or downstream flooding, or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Lastly, the proposed Project will be required to comply with applicable Tulare County Fire Department requirements/standards (e.g., protect tanks from vehicle impact by barriers complying with 2010 E.D. California Fire Code Section 312 or as determined by Fire Inspector site visit). Therefore, there will be no impact to this resource.

Cumulative Impact Analysis: No Impact - The geographic area of this cumulative analysis is Tulare County. This cumulative analysis is based on the information provided in the Tulare County General Plan 2030 Update, Tulare County General Plan Background Report, and Tulare County General Plan 2030 Update EIR. As previously noted, and as summarized, proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road

[222] California Department of Forestry and Fire Protection (CalFire). Fire Prevention Fee. Accessed August 2022 at: https://www.cdtfa.ca.gov/taxes-and-fees/fire-prev-fee.htm.

			SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone).. As there will be no to Project-related impacts, there will be no cumulative impacts.						
21.	**MANDATORY FINDINGS OF SIGNIFICANCE**					
	a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal species, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
	b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
	c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Analysis:

The analysis conducted in this Initial Study/Mitigated Negative Declaration results in a determination that the proposed Project will have a less than significant effect on the local environment. As noted earlier, the Project site is located on the San Joaquin Valley floor in an unincorporated area. The proposed Project site is located on the San Joaquin Valley floor in an unincorporated area. The purpose of the application is to facilitate the establishment of a convenience store (with gas station), self-storage (mini-warehouses), and future service commercial uses. The proposed Project's approximately 12-acre site is directly southeast of the City of Visalia (southeast of the intersection of Road 280/Caldwell Avenue and Road 140/Lovers Lane). The site is currently planted to walnuts and contains a vacant single-family residence (which will be converted to an office) and detached garage/storage building (which will be removed). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east. The proposed Project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). The proposed Project site is surrounded by agricultural land to the north, a church and agricultural land to the south, agricultural land to the west, and agricultural lands to the west; agriculturally productive land is located to the east..

Project Impact Analysis:

		SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT IMPACT WITH MITIGATION	LESS THAN SIGNIFICANT IMPACT	NO IMPACT

a) Less Than Significant Impact With Mitigation: The potential for impacts to cultural resources (including tribal cultural resources) from the construction-related activities will be less than significant with the incorporation of the Mitigation Measures **5-1** through **5**-3 as contained in Item 5 Cultural Resources and Mitigation Measures **18-1** and **18-2** as contained in Item 18 Tribal Cultural Resources. The analysis contained in Item 4 Biological Resources concludes that this resource has the potential to be impacted and has included Mitigation Measures **4-1** through **4-16**. Mitigation Measures **5-1** through **5-3** (as contained in Item 5 Cultural Resources), would also apply to Item 7 Geology and Soils, specifically; regarding paleontological resources. Accordingly, the proposed Project will involve no potential for significant impacts due to degradation of the quality of the environment, substantial reductions in the habitat of a fish or wildlife species, causing a fish or wildlife population to drop below self-sustaining levels, threatening to eliminate a plant or animal community, reduction in the number or restriction of the range of a rare or endangered plant or animal or elimination of important examples of the major periods of California history or prehistory. As such, the impact will be less than significant with mitigation for biological resources and less than significant with mitigation for cultural, paleontological, and tribal cultural resources.

b) Less Than Significant Impact: Projects considered in a cumulative analysis include those that would be constructed concurrently with the project and those that would be in operation at the same time as the project. Based on the analysis provided earlier for each resource Item, the proposed Project would result in less than significant environmental impacts. Construction-related impacts (for example, noise) would be temporary, short-term, and intermittent and will cease when construction-related activities a completed. There would be no other impacts related to construction or operation that would substantially to any other concurrent construction programs that may be occurring around the proposed Project area.

The majority of the potential impacts resulting from the proposed Project will be short term, temporary, and intermittent occurring during Project construction-related activities; and with negligible impacts resulting from proposed Project operation as discussed in the earlier environmental analysis. Because construction-related impacts are of a short duration, temporary, intermittent, and localized, they would have to occur concurrently and in proximity of other projects in order to have a cumulative impact. Construction-related impacts (which are primarily associated with air quality, biological resources, noise, and traffic) are not likely to act cumulatively with any other projects in a manner that would result in significant impacts.

Tulare County staff have determined that there are no projects that could have the potential to contribute to cumulative impacts. The proposed Project was determined to have no impacts to Aesthetics, Energy, Land Use and Planning, Mineral Resources, Population and Housing, Recreation and Wildfire. Therefore, the proposed Project will not result in considerable impacts in combination with the other similar construction projects. The following environmental impacts were determined to be less than significant and did not require mitigation: Agricultural Resources, Air Quality, Geology and Soils, Greenhouse Gases, Hazards and Hazardous Materials, Hydrology and Water Quality, Public Services, Transportation, and Utilities and Service Systems. As discussed earlier, the Project will result in less than significant impacts to Biological Resources, Cultural Resources (including Tribal Cultural Resources), Paleontological, and Transportation resources with incorporation/implementation, as applicable, of mitigation measures identified earlier.

c) Less Than Significant Impact With Mitigation: The proposed Project will not result in substantial adverse effect on human beings, either directly or indirectly. Mitigation measures are provided to reduce the proposed Project's potential effects on, Biological Resources, Cultural Resources, Paleontological, and Tribal Cultural Resources to less than significant (see, **4-1** through **4-16**, **5-1** through **5-3**, **17-1** (as a Condition of Approval), and **18-1** through **18-2**; respectively). No additional mitigation measures will be required. Therefore, implementation of the proposed Project would result in a less than significant impact.

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ATTACHMENT "A"

AIR QUALITY AND GREENHOUSE GASES

Model Assumptions

Land Use Type	Building Square Feet	Building Acres	Paved Acres
Mini-Warehouse (Unrefrigerated Warehouse-No Rail)	137,000	3.1451	---
Industrial Park	58,000	1.3315	---
Convenience Market with Gas Pumps	5,000	0.1148	---
Parking Lot	---	---	6.4100
Total	200,000	4.5914	6.4086

Buildable area is 11 acres of 14-acre site and assumes all buildable area is covered in building or parking.

Worst-case buildout scenario: Full site built in one year beginning January 2023 and ending December 2023 (all construction emissions summed), with operation beginning in 2024.

The existing home will remain on the project site to allow 2 on-site residents for the mini-storage facility.

Emissions Summary

Construction Emissions - Default (shown "Unmitigated" in CalEEMod report)

	Tons / Year										Metric Tons / Year					
Year	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	Total PM10	Fugitive PM2.5	Exhaust PM2.5	Total PM2.5	Bio- CO2	N Bio- CO2	Total CO2	CH4	N2O	CO2e
2023	0.3241	2.7154	3.0015	7.2300E-03	0.4534	0.1108	0.5641	0.1620	0.1036	0.2678	0.0000	648.5458	648.5458	0.1017	0.0027	659.2351
2024	1.5807	0.9804	1.2897	3.1000E-03	0.1106	0.0375	0.1481	0.0300	0.0352	0.0652	0.0000	278.8668	278.8668	278.8668	364.0000	283.7563
Total Annual Emissions	**1.9048**	**3.6958**	**4.2912**	**0.0103**	**0.5640**	**0.1483**	**0.7122**	**0.1920**	**0.1388**	**0.3330**	**0.0000**	**927.4126**	**927.4126**	**278.9685**	**364.0027**	**942.9914**

Construction Emissions - Compliance with Regulation (shown as "Mitigated" in CalEEMod report)

	Tons / Year										Metric Tons / Year					
Year	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	Total PM10	Fugitive PM2.5	Exhaust PM2.5	Total PM2.5	Bio- CO2	N Bio- CO2	Total CO2	CH4	N2O	CO2e
2023	0.3241	2.7154	3.0015	7.2300E-03	0.3232	0.1108	0.4340	0.1062	0.1036	0.2098	0.0000	648.5453	648.5453	0.1017	0.0027	659.2346
2024	1.5807	0.9804	1.2897	3.1000E-03	0.1106	0.0375	0.1481	0.0300	0.0352	0.0652	0.0000	278.8666	278.8666	278.8668	364.0000	283.7561
Total Annual Emissions	**1.9048**	**3.6958**	**4.2912**	**0.0103**	**0.4338**	**0.1483**	**0.5821**	**0.1362**	**0.1388**	**0.2750**	**0.0000**	**927.4119**	**927.4119**	**278.9685**	**364.0027**	**942.9907**
Daily Emissions (lbs/day)	**14.6523**	**28.4292**	**33.0092**	**0.0795**	**3.3369**	**1.1408**	**4.4777**	**1.0477**	**1.0677**	**2.1154**						

*Construction daily emissions are based on one year of construction (260 working days)

Construction Reductions Achieved Through Compliance with Regulations

	Tons / Year										Metric Tons / Year					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	Total PM10	Fugitive PM2.5	Exhaust PM2.5	Total PM2.5	Bio- CO2	N Bio- CO2	Total CO2	CH4	N2O	CO2e
Reductions	0.0000	0.0000	0.0000	0.0000	0.1302	0.0000	0.1301	0.0558	0.0000	0.0580	0.0000	0.0007	0.0007	0.0000	0.0000	0.0007
Reduction %	0.00	0.00	0.00	0.00	23.09	0.00	18.27	29.06	0.00	17.42	0.00	0.00	0.00	0.00	0.00	0.00

Operational Emissions - Default (shown "Unmitigated" in CalEEMod report)

	Tons / Year										Metric Tons / Year					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	Total PM10	Fugitive PM2.5	Exhaust PM2.5	Total PM2.5	Bio- CO2	N Bio- CO2	Total CO2	CH4	N2O	CO2e
Area	0.9442	2.0000E-05	1.8900E-03	0.0000		1.0000E-05	1.0000E-05		1.0000E-05	1.0000E-05	0.0000	3.6900E-03	3.6900E-03	1.0000E-05	0.0000	3.9300E-03
Energy	6.5800E-03	0.0598	0.0502	3.60E-04		4.55E-03	4.55E-03		4.55E-03	4.55E-03	0.0000	269.0074	269.0074	0.0185	3.2800E-03	270.4462
Mobile	1.2703	1.2497	7.3268	0.0115	1.0522	0.0122	1.0634	0.2816	0.0105	0.2921	0.0000	1,059.6695	1,059.6695	0.1105	0.0811	1,086.6070
Waste						0.0000	0.0000		0.0000	0.0000	43.7912	0.0000	43.7912	2.5880	0.0000	108.4909
Water						0.0000	0.0000		0.0000	0.0000	14.4237	43.7690	58.1927	1.4851	0.0354	105.8788
Total Annual Emissions	**2.2211**	**1.3095**	**7.3789**	**0.0119**	**1.0522**	**0.0168**	**1.0680**	**0.2816**	**0.0151**	**0.2967**	**58.2149**	**1,372.4496**	**1,430.6645**	**4.2021**	**0.1198**	**1,571.4268**

Operational Emissions - Compliance with Regulation (shown as "Mitigated" in CalEEMod report)

	Tons / Year										Metric Tons / Year					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	Total PM10	Fugitive PM2.5	Exhaust PM2.5	Total PM2.5	Bio- CO2	N Bio- CO2	Total CO2	CH4	N2O	CO2e
Area	0.9442	2.0000E-05	1.8900E-03	0.0000		1.0000E-05	1.0000E-05		1.0000E-05	1.0000E-05	0.0000	3.6400E-03	3.6400E-03	1.0000E-05	0.0000	3.8700E-03
Energy	6.5800E-03	0.0598	0.0502	3.60E-04		4.55E-03	4.55E-03		4.55E-03	4.55E-03	0.0000	269.0074	269.0074	0.0185	3.2800E-03	270.4462
Mobile	1.2703	1.2497	7.3268	0.0115	1.0522	0.0122	1.0634	0.2816	0.0105	0.2921	0.0000	1,059.6695	1,059.6695	0.1105	0.0811	1,086.6070
Waste						0.0000	0.0000		0.0000	0.0000	43.7912	0.0000	43.7912	2.5880	0.0000	108.4909
Water						0.0000	0.0000		0.0000	0.0000	11.5389	35.0348	46.5737	1.1881	0.0283	84.7227
Total Annual Emissions	**2.2211**	**1.3095**	**7.3789**	**0.0119**	**1.0522**	**0.0168**	**1.0680**	**0.2816**	**0.0151**	**0.2967**	**55.3301**	**1,363.7153**	**1,419.0454**	**3.9051**	**0.1127**	**1,550.2707**
Daily Emissions (lbs/day)	**12.1703**	**7.1755**	**40.4323**	**0.0650**	**5.7655**	**0.0918**	**5.8518**	**1.5430**	**0.0825**	**1.6255**						

*Operational daily emissions based on 365 days/year

Operational Reductions Achieved Through Compliance with Regulations

	Tons / Year										Metric Tons / Year					
	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	Total PM10	Fugitive PM2.5	Exhaust PM2.5	Total PM2.5	Bio- CO2	N Bio- CO2	Total CO2	CH4	N2O	CO2e
Reductions	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	2.8848	8.7342	11.6191	0.2970	0.0071	21.1562
Reduction %	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.96	0.64	0.81	7.07	5.93	1.35

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Morgan Business Park, GPA 21-001, PZC 22-007

Tulare County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Industrial Park	58.00	1000sqft	1.33	58,000.00	0
Unrefrigerated Warehouse-No Rail	137.00	1000sqft	3.15	137,000.00	2
Parking Lot	6.41	Acre	6.41	279,219.60	0
Convenience Market with Gas Pumps	5.00	1000sqft	0.11	5,000.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	51
Climate Zone	7			**Operational Year**	2024
Utility Company	Southern California Edison				
CO2 Intensity (lb/MWhr)	390.98	**CH4 Intensity (lb/MWhr)**	0.033	**N2O Intensity (lb/MWhr)**	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - buildable area is 11 acre of 14 acre site; assumes all buildable area is covered in building or parking; 2 on-site residences for mini-storage facility

Demolition - one small tin-wall shed to be removed

Construction Off-road Equipment Mitigation - compliance with Reg. VIII

Area Mitigation - SJVAPCD default for electric landscape equipment

Water Mitigation - Green Building requirements and Couny MWELO

Stationary Sources - Emergency Generators and Fire Pumps - assuming the mini-mart/gas station has these emergecy equipment and tests 1-2 hours once a week

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Table Name	Column Name	Default Value	New Value
tblConstDustMitigation	WaterUnpavedRoadVehicleSpeed	0	15
tblLandUse	Population	0.00	2.00

2.0 Emissions Summary

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2023	0.3241	2.7154	3.0015	7.2300e-003	0.4534	0.1108	0.5641	0.1642	0.1036	0.2678	0.0000	648.5458	648.5458	0.1017	0.0273	659.2351
2024	1.5807	0.9804	1.2897	3.1000e-003	0.1106	0.0375	0.1481	0.0300	0.0352	0.0652	0.0000	278.8668	278.8668	0.0364	0.0134	283.7563
Maximum	**1.5807**	**2.7154**	**3.0015**	**7.2300e-003**	**0.4534**	**0.1108**	**0.5641**	**0.1642**	**0.1036**	**0.2678**	**0.0000**	**648.5458**	**648.5458**	**0.1017**	**0.0273**	**659.2351**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2023	0.3241	2.7154	3.0015	7.2300e-003	0.3232	0.1108	0.4340	0.1062	0.1036	0.2098	0.0000	648.5453	648.5453	0.1017	0.0273	659.2346
2024	1.5807	0.9804	1.2897	3.1000e-003	0.1106	0.0375	0.1481	0.0300	0.0352	0.0652	0.0000	278.8666	278.8666	0.0364	0.0134	283.7561
Maximum	**1.5807**	**2.7154**	**3.0015**	**7.2300e-003**	**0.3232**	**0.1108**	**0.4340**	**0.1062**	**0.1036**	**0.2098**	**0.0000**	**648.5453**	**648.5453**	**0.1017**	**0.0273**	**659.2346**

Morgan Business Park, GPA 21-001, PZC 22-007 - Tulare County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**23.09**	**0.00**	**18.28**	**29.85**	**0.00**	**17.41**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	**1-2-2023**	**4-1-2023**	1.0023	1.0023
2	**4-2-2023**	**7-1-2023**	0.6737	0.6737
3	**7-2-2023**	**10-1-2023**	0.6812	0.6812
4	**10-2-2023**	**1-1-2024**	0.6878	0.6878
5	**1-2-2024**	**4-1-2024**	0.6427	0.6427
6	**4-2-2024**	**7-1-2024**	1.3252	1.3252
7	**7-2-2024**	**9-30-2024**	0.5755	0.5755
		Highest	1.3252	1.3252

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.9442	2.0000e-005	1.8900e-003	0.0000		1.0000e-005	1.0000e-005		1.0000e-005	1.0000e-005	0.0000	3.6900e-003	3.6900e-003	1.0000e-005	0.0000	3.9300e-003
Energy	6.5800e-003	0.0598	0.0502	3.6000e-004		4.5500e-003	4.5500e-003		4.5500e-003	4.5500e-003	0.0000	269.0074	269.0074	0.0185	3.2800e-003	270.4462
Mobile	1.2703	1.2497	7.3268	0.0115	1.0522	0.0112	1.0634	0.2816	0.0105	0.2921	0.0000	1,059.6695	1,059.6695	0.1105	0.0811	1,086.6070
Waste						0.0000	0.0000		0.0000	0.0000	43.7912	0.0000	43.7912	2.5880	0.0000	108.4909
Water						0.0000	0.0000		0.0000	0.0000	14.4237	43.7690	58.1927	1.4851	0.0354	105.8788
Total	**2.2211**	**1.3095**	**7.3790**	**0.0118**	**1.0522**	**0.0157**	**1.0680**	**0.2816**	**0.0150**	**0.2966**	**58.2149**	**1,372.4497**	**1,430.6646**	**4.2021**	**0.1198**	**1,571.4269**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.9442	2.0000e-005	1.8700e-003	0.0000		1.0000e-005	1.0000e-005		1.0000e-005	1.0000e-005	0.0000	3.6400e-003	3.6400e-003	1.0000e-005	0.0000	3.8700e-003
Energy	6.5800e-003	0.0598	0.0502	3.6000e-004		4.5500e-003	4.5500e-003		4.5500e-003	4.5500e-003	0.0000	269.0074	269.0074	0.0185	3.2800e-003	270.4462
Mobile	1.2703	1.2497	7.3268	0.0115	1.0522	0.0112	1.0634	0.2816	0.0105	0.2921	0.0000	1,059.6695	1,059.6695	0.1105	0.0811	1,086.6070
Waste						0.0000	0.0000		0.0000	0.0000	43.7912	0.0000	43.7912	2.5880	0.0000	108.4909
Water						0.0000	0.0000		0.0000	0.0000	11.5389	35.0348	46.5737	1.1881	0.0283	84.7227
Total	**2.2211**	**1.3095**	**7.3789**	**0.0118**	**1.0522**	**0.0157**	**1.0680**	**0.2816**	**0.0150**	**0.2966**	**55.3302**	**1,363.7154**	**1,419.0456**	**3.9051**	**0.1127**	**1,550.2708**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**4.96**	**0.64**	**0.81**	**7.07**	**5.92**	**1.35**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	1/2/2023	1/27/2023	5	20	
2	Site Preparation	Site Preparation	1/28/2023	2/10/2023	5	10	
3	Grading	Grading	2/11/2023	3/24/2023	5	30	

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

4	Building Construction	Building Construction	3/25/2023	5/17/2024	5	300	
5	Paving	Paving	5/18/2024	6/14/2024	5	20	
6	Architectural Coating	Architectural Coating	6/15/2024	7/12/2024	5	20	

Acres of Grading (Site Preparation Phase): 15

Acres of Grading (Grading Phase): 90

Acres of Paving: 6.41

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 300,000; Non-Residential Outdoor: 100,000; Striped Parking Area: 16,753 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Demolition	Excavators	3	8.00	158	0.38
Demolition	Rubber Tired Dozers	2	8.00	247	0.40
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Grading	Excavators	2	8.00	158	0.38
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45
Paving	Pavers	2	8.00	130	0.42
Paving	Paving Equipment	2	8.00	132	0.36

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Paving	Rollers	2	8.00	80	0.38
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	6	15.00	0.00	3.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	201.00	79.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	40.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Water Exposed Area

Reduce Vehicle Speed on Unpaved Roads

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.2 Demolition - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					3.7000e-004	0.0000	3.7000e-004	6.0000e-005	0.0000	6.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0227	0.2148	0.1964	3.9000e-004		9.9800e-003	9.9800e-003		9.2800e-003	9.2800e-003	0.0000	33.9921	33.9921	9.5200e-003	0.0000	34.2301
Total	**0.0227**	**0.2148**	**0.1964**	**3.9000e-004**	**3.7000e-004**	**9.9800e-003**	**0.0104**	**6.0000e-005**	**9.2800e-003**	**9.3400e-003**	**0.0000**	**33.9921**	**33.9921**	**9.5200e-003**	**0.0000**	**34.2301**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	1.9000e-004	4.0000e-005	0.0000	3.0000e-005	0.0000	3.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0854	0.0854	0.0000	1.0000e-005	0.0894
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.2000e-004	3.7000e-004	4.0800e-003	1.0000e-005	1.1900e-003	1.0000e-005	1.2000e-003	3.2000e-004	1.0000e-005	3.2000e-004	0.0000	0.9489	0.9489	3.0000e-005	3.0000e-005	0.9589
Total	**5.2000e-004**	**5.6000e-004**	**4.1200e-003**	**1.0000e-005**	**1.2200e-003**	**1.0000e-005**	**1.2300e-003**	**3.3000e-004**	**1.0000e-005**	**3.3000e-004**	**0.0000**	**1.0343**	**1.0343**	**3.0000e-005**	**4.0000e-005**	**1.0483**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.2 Demolition - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					1.7000e-004	0.0000	1.7000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0227	0.2148	0.1964	3.9000e-004		9.9800e-003	9.9800e-003		9.2800e-003	9.2800e-003	0.0000	33.9920	33.9920	9.5200e-003	0.0000	34.2300
Total	**0.0227**	**0.2148**	**0.1964**	**3.9000e-004**	**1.7000e-004**	**9.9800e-003**	**0.0102**	**3.0000e-005**	**9.2800e-003**	**9.3100e-003**	**0.0000**	**33.9920**	**33.9920**	**9.5200e-003**	**0.0000**	**34.2300**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	1.9000e-004	4.0000e-005	0.0000	3.0000e-005	0.0000	3.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0854	0.0854	0.0000	1.0000e-005	0.0894
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	5.2000e-004	3.7000e-004	4.0800e-003	1.0000e-005	1.1900e-003	1.0000e-005	1.2000e-003	3.2000e-004	1.0000e-005	3.2000e-004	0.0000	0.9489	0.9489	3.0000e-005	3.0000e-005	0.9589
Total	**5.2000e-004**	**5.6000e-004**	**4.1200e-003**	**1.0000e-005**	**1.2200e-003**	**1.0000e-005**	**1.2300e-003**	**3.3000e-004**	**1.0000e-005**	**3.3000e-004**	**0.0000**	**1.0343**	**1.0343**	**3.0000e-005**	**4.0000e-005**	**1.0483**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.3 Site Preparation - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0983	0.0000	0.0983	0.0505	0.0000	0.0505	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0133	0.1376	0.0912	1.9000e-004		6.3300e-003	6.3300e-003		5.8200e-003	5.8200e-003	0.0000	16.7254	16.7254	5.4100e-003	0.0000	16.8606
Total	**0.0133**	**0.1376**	**0.0912**	**1.9000e-004**	**0.0983**	**6.3300e-003**	**0.1046**	**0.0505**	**5.8200e-003**	**0.0563**	**0.0000**	**16.7254**	**16.7254**	**5.4100e-003**	**0.0000**	**16.8606**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.1000e-004	2.2000e-004	2.4500e-003	1.0000e-005	7.2000e-004	0.0000	7.2000e-004	1.9000e-004	0.0000	1.9000e-004	0.0000	0.5694	0.5694	2.0000e-005	2.0000e-005	0.5753
Total	**3.1000e-004**	**2.2000e-004**	**2.4500e-003**	**1.0000e-005**	**7.2000e-004**	**0.0000**	**7.2000e-004**	**1.9000e-004**	**0.0000**	**1.9000e-004**	**0.0000**	**0.5694**	**0.5694**	**2.0000e-005**	**2.0000e-005**	**0.5753**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.3 Site Preparation - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0442	0.0000	0.0442	0.0227	0.0000	0.0227	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0133	0.1376	0.0912	1.9000e-004		6.3300e-003	6.3300e-003		5.8200e-003	5.8200e-003	0.0000	16.7253	16.7253	5.4100e-003	0.0000	16.8606
Total	**0.0133**	**0.1376**	**0.0912**	**1.9000e-004**	**0.0442**	**6.3300e-003**	**0.0506**	**0.0227**	**5.8200e-003**	**0.0286**	**0.0000**	**16.7253**	**16.7253**	**5.4100e-003**	**0.0000**	**16.8606**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	3.1000e-004	2.2000e-004	2.4500e-003	1.0000e-005	7.2000e-004	0.0000	7.2000e-004	1.9000e-004	0.0000	1.9000e-004	0.0000	0.5694	0.5694	2.0000e-005	2.0000e-005	0.5753
Total	**3.1000e-004**	**2.2000e-004**	**2.4500e-003**	**1.0000e-005**	**7.2000e-004**	**0.0000**	**7.2000e-004**	**1.9000e-004**	**0.0000**	**1.9000e-004**	**0.0000**	**0.5694**	**0.5694**	**2.0000e-005**	**2.0000e-005**	**0.5753**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.4 Grading - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.1381	0.0000	0.1381	0.0548	0.0000	0.0548	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0498	0.5177	0.4208	9.3000e-004		0.0214	0.0214		0.0197	0.0197	0.0000	81.8028	81.8028	0.0265	0.0000	82.4642
Total	**0.0498**	**0.5177**	**0.4208**	**9.3000e-004**	**0.1381**	**0.0214**	**0.1594**	**0.0548**	**0.0197**	**0.0745**	**0.0000**	**81.8028**	**81.8028**	**0.0265**	**0.0000**	**82.4642**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0500e-003	7.4000e-004	8.1600e-003	2.0000e-005	2.3900e-003	1.0000e-005	2.4000e-003	6.4000e-004	1.0000e-005	6.5000e-004	0.0000	1.8979	1.8979	7.0000e-005	6.0000e-005	1.9178
Total	**1.0500e-003**	**7.4000e-004**	**8.1600e-003**	**2.0000e-005**	**2.3900e-003**	**1.0000e-005**	**2.4000e-003**	**6.4000e-004**	**1.0000e-005**	**6.5000e-004**	**0.0000**	**1.8979**	**1.8979**	**7.0000e-005**	**6.0000e-005**	**1.9178**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.4 Grading - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0621	0.0000	0.0621	0.0247	0.0000	0.0247	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0498	0.5177	0.4208	9.3000e-004		0.0214	0.0214		0.0197	0.0197	0.0000	81.8027	81.8027	0.0265	0.0000	82.4641
Total	**0.0498**	**0.5177**	**0.4208**	**9.3000e-004**	**0.0621**	**0.0214**	**0.0835**	**0.0247**	**0.0197**	**0.0443**	**0.0000**	**81.8027**	**81.8027**	**0.0265**	**0.0000**	**82.4641**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0500e-003	7.4000e-004	8.1600e-003	2.0000e-005	2.3900e-003	1.0000e-005	2.4000e-003	6.4000e-004	1.0000e-005	6.5000e-004	0.0000	1.8979	1.8979	7.0000e-005	6.0000e-005	1.9178
Total	**1.0500e-003**	**7.4000e-004**	**8.1600e-003**	**2.0000e-005**	**2.3900e-003**	**1.0000e-005**	**2.4000e-003**	**6.4000e-004**	**1.0000e-005**	**6.5000e-004**	**0.0000**	**1.8979**	**1.8979**	**7.0000e-005**	**6.0000e-005**	**1.9178**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.5 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1573	1.4385	1.6244	2.6900e-003		0.0700	0.0700		0.0658	0.0658	0.0000	231.8048	231.8048	0.0551	0.0000	233.1833
Total	**0.1573**	**1.4385**	**1.6244**	**2.6900e-003**		**0.0700**	**0.0700**		**0.0658**	**0.0658**	**0.0000**	**231.8048**	**231.8048**	**0.0551**	**0.0000**	**233.1833**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	8.9200e-003	0.3559	0.1074	1.6000e-003	0.0522	2.2700e-003	0.0545	0.0151	2.1700e-003	0.0173	0.0000	153.5624	153.5624	7.1000e-004	0.0231	160.4627
Worker	0.0702	0.0493	0.5466	1.3900e-003	0.1601	8.3000e-004	0.1609	0.0426	7.7000e-004	0.0433	0.0000	127.1569	127.1569	4.3700e-003	4.1200e-003	128.4928
Total	**0.0791**	**0.4052**	**0.6540**	**2.9900e-003**	**0.2123**	**3.1000e-003**	**0.2154**	**0.0577**	**2.9400e-003**	**0.0606**	**0.0000**	**280.7193**	**280.7193**	**5.0800e-003**	**0.0272**	**288.9555**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.5 Building Construction - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1573	1.4385	1.6244	2.6900e-003		0.0700	0.0700		0.0658	0.0658	0.0000	231.8045	231.8045	0.0551	0.0000	233.1830
Total	**0.1573**	**1.4385**	**1.6244**	**2.6900e-003**		**0.0700**	**0.0700**		**0.0658**	**0.0658**	**0.0000**	**231.8045**	**231.8045**	**0.0551**	**0.0000**	**233.1830**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	8.9200e-003	0.3559	0.1074	1.6000e-003	0.0522	2.2700e-003	0.0545	0.0151	2.1700e-003	0.0173	0.0000	153.5624	153.5624	7.1000e-004	0.0231	160.4627
Worker	0.0702	0.0493	0.5466	1.3900e-003	0.1601	8.3000e-004	0.1609	0.0426	7.7000e-004	0.0433	0.0000	127.1569	127.1569	4.3700e-003	4.1200e-003	128.4928
Total	**0.0791**	**0.4052**	**0.6540**	**2.9900e-003**	**0.2123**	**3.1000e-003**	**0.2154**	**0.0577**	**2.9400e-003**	**0.0606**	**0.0000**	**280.7193**	**280.7193**	**5.0800e-003**	**0.0272**	**288.9555**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.5 Building Construction - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0736	0.6722	0.8083	1.3500e-003		0.0307	0.0307		0.0288	0.0288	0.0000	115.9246	115.9246	0.0274	0.0000	116.6099
Total	**0.0736**	**0.6722**	**0.8083**	**1.3500e-003**		**0.0307**	**0.0307**		**0.0288**	**0.0288**	**0.0000**	**115.9246**	**115.9246**	**0.0274**	**0.0000**	**116.6099**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	4.3300e-003	0.1779	0.0524	7.9000e-004	0.0261	1.1400e-003	0.0273	7.5500e-003	1.0900e-003	8.6400e-003	0.0000	75.5971	75.5971	3.4000e-004	0.0114	78.9899
Worker	0.0322	0.0216	0.2509	6.7000e-004	0.0801	3.9000e-004	0.0804	0.0213	3.6000e-004	0.0216	0.0000	61.4049	61.4049	1.9600e-003	1.8900e-003	62.0172
Total	**0.0365**	**0.1995**	**0.3033**	**1.4600e-003**	**0.1062**	**1.5300e-003**	**0.1077**	**0.0288**	**1.4500e-003**	**0.0303**	**0.0000**	**137.0020**	**137.0020**	**2.3000e-003**	**0.0133**	**141.0071**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.5 Building Construction - 2024

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0736	0.6722	0.8083	1.3500e-003		0.0307	0.0307		0.0288	0.0288	0.0000	115.9244	115.9244	0.0274	0.0000	116.6097
Total	**0.0736**	**0.6722**	**0.8083**	**1.3500e-003**		**0.0307**	**0.0307**		**0.0288**	**0.0288**	**0.0000**	**115.9244**	**115.9244**	**0.0274**	**0.0000**	**116.6097**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	4.3300e-003	0.1779	0.0524	7.9000e-004	0.0261	1.1400e-003	0.0273	7.5500e-003	1.0900e-003	8.6400e-003	0.0000	75.5971	75.5971	3.4000e-004	0.0114	78.9899
Worker	0.0322	0.0216	0.2509	6.7000e-004	0.0801	3.9000e-004	0.0804	0.0213	3.6000e-004	0.0216	0.0000	61.4049	61.4049	1.9600e-003	1.8900e-003	62.0172
Total	**0.0365**	**0.1995**	**0.3033**	**1.4600e-003**	**0.1062**	**1.5300e-003**	**0.1077**	**0.0288**	**1.4500e-003**	**0.0303**	**0.0000**	**137.0020**	**137.0020**	**2.3000e-003**	**0.0133**	**141.0071**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.6 Paving - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	9.8800e-003	0.0953	0.1463	2.3000e-004		4.6900e-003	4.6900e-003		4.3100e-003	4.3100e-003	0.0000	20.0265	20.0265	6.4800e-003	0.0000	20.1885
Paving	8.4000e-003					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**0.0183**	**0.0953**	**0.1463**	**2.3000e-004**		**4.6900e-003**	**4.6900e-003**		**4.3100e-003**	**4.3100e-003**	**0.0000**	**20.0265**	**20.0265**	**6.4800e-003**	**0.0000**	**20.1885**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.8000e-004	3.2000e-004	3.7400e-003	1.0000e-005	1.1900e-003	1.0000e-005	1.2000e-003	3.2000e-004	1.0000e-005	3.2000e-004	0.0000	0.9165	0.9165	3.0000e-005	3.0000e-005	0.9256
Total	**4.8000e-004**	**3.2000e-004**	**3.7400e-003**	**1.0000e-005**	**1.1900e-003**	**1.0000e-005**	**1.2000e-003**	**3.2000e-004**	**1.0000e-005**	**3.2000e-004**	**0.0000**	**0.9165**	**0.9165**	**3.0000e-005**	**3.0000e-005**	**0.9256**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.6 Paving - 2024

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	9.8800e-003	0.0953	0.1463	2.3000e-004		4.6900e-003	4.6900e-003		4.3100e-003	4.3100e-003	0.0000	20.0265	20.0265	6.4800e-003	0.0000	20.1884
Paving	8.4000e-003					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**0.0183**	**0.0953**	**0.1463**	**2.3000e-004**		**4.6900e-003**	**4.6900e-003**		**4.3100e-003**	**4.3100e-003**	**0.0000**	**20.0265**	**20.0265**	**6.4800e-003**	**0.0000**	**20.1884**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	4.8000e-004	3.2000e-004	3.7400e-003	1.0000e-005	1.1900e-003	1.0000e-005	1.2000e-003	3.2000e-004	1.0000e-005	3.2000e-004	0.0000	0.9165	0.9165	3.0000e-005	3.0000e-005	0.9256
Total	**4.8000e-004**	**3.2000e-004**	**3.7400e-003**	**1.0000e-005**	**1.1900e-003**	**1.0000e-005**	**1.2000e-003**	**3.2000e-004**	**1.0000e-005**	**3.2000e-004**	**0.0000**	**0.9165**	**0.9165**	**3.0000e-005**	**3.0000e-005**	**0.9256**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.7 Architectural Coating - 2024

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	1.4487					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.8100e-003	0.0122	0.0181	3.0000e-005		6.1000e-004	6.1000e-004		6.1000e-004	6.1000e-004	0.0000	2.5533	2.5533	1.4000e-004	0.0000	2.5569
Total	**1.4506**	**0.0122**	**0.0181**	**3.0000e-005**		**6.1000e-004**	**6.1000e-004**		**6.1000e-004**	**6.1000e-004**	**0.0000**	**2.5533**	**2.5533**	**1.4000e-004**	**0.0000**	**2.5569**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.2800e-003	8.6000e-004	9.9800e-003	3.0000e-005	3.1900e-003	2.0000e-005	3.2000e-003	8.5000e-004	1.0000e-005	8.6000e-004	0.0000	2.4440	2.4440	8.0000e-005	8.0000e-005	2.4684
Total	**1.2800e-003**	**8.6000e-004**	**9.9800e-003**	**3.0000e-005**	**3.1900e-003**	**2.0000e-005**	**3.2000e-003**	**8.5000e-004**	**1.0000e-005**	**8.6000e-004**	**0.0000**	**2.4440**	**2.4440**	**8.0000e-005**	**8.0000e-005**	**2.4684**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

3.7 Architectural Coating - 2024

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	1.4487					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.8100e-003	0.0122	0.0181	3.0000e-005		6.1000e-004	6.1000e-004		6.1000e-004	6.1000e-004	0.0000	2.5533	2.5533	1.4000e-004	0.0000	2.5568
Total	**1.4506**	**0.0122**	**0.0181**	**3.0000e-005**		**6.1000e-004**	**6.1000e-004**		**6.1000e-004**	**6.1000e-004**	**0.0000**	**2.5533**	**2.5533**	**1.4000e-004**	**0.0000**	**2.5568**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.2800e-003	8.6000e-004	9.9800e-003	3.0000e-005	3.1900e-003	2.0000e-005	3.2000e-003	8.5000e-004	1.0000e-005	8.6000e-004	0.0000	2.4440	2.4440	8.0000e-005	8.0000e-005	2.4684
Total	**1.2800e-003**	**8.6000e-004**	**9.9800e-003**	**3.0000e-005**	**3.1900e-003**	**2.0000e-005**	**3.2000e-003**	**8.5000e-004**	**1.0000e-005**	**8.6000e-004**	**0.0000**	**2.4440**	**2.4440**	**8.0000e-005**	**8.0000e-005**	**2.4684**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	1.2703	1.2497	7.3268	0.0115	1.0522	0.0112	1.0634	0.2816	0.0105	0.2921	0.0000	1,059.6695	1,059.6695	0.1105	0.0811	1,086.6070
Unmitigated	1.2703	1.2497	7.3268	0.0115	1.0522	0.0112	1.0634	0.2816	0.0105	0.2921	0.0000	1,059.6695	1,059.6695	0.1105	0.0811	1,086.6070

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Convenience Market with Gas Pumps	3,121.00	3,121.00	3121.00	1,674,118	1,674,118
Industrial Park	195.46	147.32	71.92	448,160	448,160
Parking Lot	0.00	0.00	0.00		
Unrefrigerated Warehouse-No Rail	238.38	238.38	238.38	695,953	695,953
Total	3,554.84	3,506.70	3,431.30	2,818,231	2,818,231

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Convenience Market with Gas	9.50	7.30	7.30	0.80	80.20	19.00	14	21	65
Industrial Park	9.50	7.30	7.30	59.00	28.00	13.00	79	19	2
Parking Lot	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Unrefrigerated Warehouse-No Rail	9.50	7.30	7.30	59.00	0.00	41.00	92	5	3

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Convenience Market with Gas Pumps	0.509869	0.051139	0.167106	0.174849	0.031609	0.007996	0.012006	0.015707	0.000636	0.000471	0.023554	0.001465	0.003592
Industrial Park	0.509869	0.051139	0.167106	0.174849	0.031609	0.007996	0.012006	0.015707	0.000636	0.000471	0.023554	0.001465	0.003592
Parking Lot	0.509869	0.051139	0.167106	0.174849	0.031609	0.007996	0.012006	0.015707	0.000636	0.000471	0.023554	0.001465	0.003592
Unrefrigerated Warehouse-No Rail	0.509869	0.051139	0.167106	0.174849	0.031609	0.007996	0.012006	0.015707	0.000636	0.000471	0.023554	0.001465	0.003592

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

Morgan Business Park, GPA 21-001, PZC 22-007 - Tulare County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	203.8972	203.8972	0.0172	2.0900e-003	204.9490
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	203.8972	203.8972	0.0172	2.0900e-003	204.9490
NaturalGas Mitigated	6.5800e-003	0.0598	0.0502	3.6000e-004		4.5500e-003	4.5500e-003		4.5500e-003	4.5500e-003	0.0000	65.1103	65.1103	1.2500e-003	1.1900e-003	65.4972
NaturalGas Unmitigated	6.5800e-003	0.0598	0.0502	3.6000e-004		4.5500e-003	4.5500e-003		4.5500e-003	4.5500e-003	0.0000	65.1103	65.1103	1.2500e-003	1.1900e-003	65.4972

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Convenience Market with Gas Pumps	28250	1.5000e-004	1.3800e-003	1.1600e-003	1.0000e-005		1.1000e-004	1.1000e-004		1.1000e-004	1.1000e-004	0.0000	1.5075	1.5075	3.0000e-005	3.0000e-005	1.5165
Industrial Park	987740	5.3300e-003	0.0484	0.0407	2.9000e-004		3.6800e-003	3.6800e-003		3.6800e-003	3.6800e-003	0.0000	52.7096	52.7096	1.0100e-003	9.7000e-004	53.0228
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Unrefrigerated Warehouse-No Rail	204130	1.1000e-003	0.0100	8.4100e-003	6.0000e-005		7.6000e-004	7.6000e-004		7.6000e-004	7.6000e-004	0.0000	10.8932	10.8932	2.1000e-004	2.0000e-004	10.9579
Total		**6.5800e-003**	**0.0598**	**0.0502**	**3.6000e-004**		**4.5500e-003**	**4.5500e-003**		**4.5500e-003**	**4.5500e-003**	**0.0000**	**65.1103**	**65.1103**	**1.2500e-003**	**1.2000e-003**	**65.4972**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Convenience Market with Gas Pumps	28250	1.5000e-004	1.3800e-003	1.1600e-003	1.0000e-005		1.1000e-004	1.1000e-004		1.1000e-004	1.1000e-004	0.0000	1.5075	1.5075	3.0000e-005	3.0000e-005	1.5165
Industrial Park	987740	5.3300e-003	0.0484	0.0407	2.9000e-004		3.6800e-003	3.6800e-003		3.6800e-003	3.6800e-003	0.0000	52.7096	52.7096	1.0100e-003	9.7000e-004	53.0228
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Unrefrigerated Warehouse-No Rail	204130	1.1000e-003	0.0100	8.4100e-003	6.0000e-005		7.6000e-004	7.6000e-004		7.6000e-004	7.6000e-004	0.0000	10.8932	10.8932	2.1000e-004	2.0000e-004	10.9579
Total		**6.5800e-003**	**0.0598**	**0.0502**	**3.6000e-004**		**4.5500e-003**	**4.5500e-003**		**4.5500e-003**	**4.5500e-003**	**0.0000**	**65.1103**	**65.1103**	**1.2500e-003**	**1.2000e-003**	**65.4972**

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Convenience Market with Gas Pumps	49200	8.7254	7.4000e-004	9.0000e-005	8.7704
Industrial Park	560280	99.3632	8.3900e-003	1.0200e-003	99.8758
Parking Lot	97726.9	17.3314	1.4600e-003	1.8000e-004	17.4208
Unrefrigerated Warehouse-No Rail	442510	78.4772	6.6200e-003	8.0000e-004	78.8820
Total		**203.8972**	**0.0172**	**2.0900e-003**	**204.9490**

5.3 Energy by Land Use - Electricity

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Convenience Market with Gas Pumps	49200	8.7254	7.4000e-004	9.0000e-005	8.7704
Industrial Park	560280	99.3632	8.3900e-003	1.0200e-003	99.8758
Parking Lot	97726.9	17.3314	1.4600e-003	1.8000e-004	17.4208
Unrefrigerated Warehouse-No Rail	442510	78.4772	6.6200e-003	8.0000e-004	78.8820
Total		**203.8972**	**0.0172**	**2.0900e-003**	**204.9490**

6.0 Area Detail

6.1 Mitigation Measures Area

Use Electric Lawnmower

Use Electric Leafblower

Use Electric Chainsaw

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.9442	2.0000e-005	1.8700e-003	0.0000		1.0000e-005	1.0000e-005		1.0000e-005	1.0000e-005	0.0000	3.6400e-003	3.6400e-003	1.0000e-005	0.0000	3.8700e-003
Unmitigated	0.9442	2.0000e-005	1.8900e-003	0.0000		1.0000e-005	1.0000e-005		1.0000e-005	1.0000e-005	0.0000	3.6900e-003	3.6900e-003	1.0000e-005	0.0000	3.9300e-003

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.1449					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.7992					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	1.7000e-004	2.0000e-005	1.8900e-003	0.0000		1.0000e-005	1.0000e-005		1.0000e-005	1.0000e-005	0.0000	3.6900e-003	3.6900e-003	1.0000e-005	0.0000	3.9300e-003
Total	**0.9442**	**2.0000e-005**	**1.8900e-003**	**0.0000**		**1.0000e-005**	**1.0000e-005**		**1.0000e-005**	**1.0000e-005**	**0.0000**	**3.6900e-003**	**3.6900e-003**	**1.0000e-005**	**0.0000**	**3.9300e-003**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.1449					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.7992					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	1.7000e-004	2.0000e-005	1.8700e-003	0.0000		1.0000e-005	1.0000e-005		1.0000e-005	1.0000e-005	0.0000	3.6400e-003	3.6400e-003	1.0000e-005	0.0000	3.8700e-003
Total	**0.9442**	**2.0000e-005**	**1.8700e-003**	**0.0000**		**1.0000e-005**	**1.0000e-005**		**1.0000e-005**	**1.0000e-005**	**0.0000**	**3.6400e-003**	**3.6400e-003**	**1.0000e-005**	**0.0000**	**3.8700e-003**

7.0 Water Detail

7.1 Mitigation Measures Water

Install Low Flow Bathroom Faucet

Install Low Flow Kitchen Faucet

Install Low Flow Toilet

Install Low Flow Shower

Use Water Efficient Irrigation System

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	46.5737	1.1881	0.0283	84.7227
Unmitigated	58.1927	1.4851	0.0354	105.8788

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Convenience Market with Gas Pumps	0.370363 / 0.226996	0.6138	0.0121	2.9000e-004	1.0030
Industrial Park	13.4125 / 0	17.1260	0.4381	0.0105	31.1938
Parking Lot	0 / 0	0.0000	0.0000	0.0000	0.0000
Unrefrigerated Warehouse-No Rail	31.6812 / 0	40.4529	1.0349	0.0247	73.6820
Total		**58.1927**	**1.4851**	**0.0354**	**105.8788**

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Convenience Market with Gas Pumps	0.29629 / 0.21315	0.5106	9.6900e-003	2.3000e-004	0.8221
Industrial Park	10.73 / 0	13.7008	0.3505	8.3600e-003	24.9551
Parking Lot	0 / 0	0.0000	0.0000	0.0000	0.0000
Unrefrigerated Warehouse-No Rail	25.345 / 0	32.3623	0.8279	0.0198	58.9456
Total		**46.5737**	**1.1881**	**0.0283**	**84.7227**

8.0 Waste Detail

8.1 Mitigation Measures Waste

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	43.7912	2.5880	0.0000	108.4909
Unmitigated	43.7912	2.5880	0.0000	108.4909

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Convenience Market with Gas Pumps	15.03	3.0510	0.1803	0.0000	7.5586
Industrial Park	71.92	14.5991	0.8628	0.0000	36.1687
Parking Lot	0	0.0000	0.0000	0.0000	0.0000
Unrefrigerated Warehouse-No Rail	128.78	26.1412	1.5449	0.0000	64.7637
Total		**43.7912**	**2.5880**	**0.0000**	**108.4910**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

8.2 Waste by Land Use

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Convenience Market with Gas Pumps	15.03	3.0510	0.1803	0.0000	7.5586
Industrial Park	71.92	14.5991	0.8628	0.0000	36.1687
Parking Lot	0	0.0000	0.0000	0.0000	0.0000
Unrefrigerated Warehouse-No Rail	128.78	26.1412	1.5449	0.0000	64.7637
Total		**43.7912**	**2.5880**	**0.0000**	**108.4910**

9.0 Operational Offroad

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

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

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

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied

Equipment Type	Number

11.0 Vegetation

ATTACHMENT "B"

BIOLOGICAL RESOURCES

RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
PHONE (559) 624-7000
FAX (559) 615-3002

Aaron R. Bock	Economic Development and Planning
Reed Schenke	Public Works
Sherman Dix	Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

TECHNICAL MEMORANDUM
BIOLOGICAL SPECIES EVALUATION

DATE: August 29, 2022

TO: Hector Guerra, Chief Environmental Planner

FROM: Jessica Willis, Planner IV

SUBJECT: Biological Resources Evaluation for Morgan Business Park (GPA 21-001, PZC 22-007)

PROJECT DESCRIPTION

The applicant is requesting to change the County's land use designation within the Urban Area Boundary (UAB) and Urban Development Boundary (UDB) of Visalia, on approximately 8.46-acres, from "Heavy Industrial" to "Service Commercial" and change the Land Use Designation on approximately 5.4-acres from "Low-Medium Density" to "Service Commercial" and change the zone districts from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). The purpose of the application is to facilitate the establishment of a convenience store, self-storage (mini-warehouses), and future service commercial uses. The proposed Project site is located directly southeast of the City of Visalia.

PROJECT LOCATION

Project site is located on two contiguous parcels at the southeast corner of Caldwell Avenue (Avenue 280) and Lovers Lane (Road 140), directly southeast of Visalia city limits, within Tulare County, California (see Attachment A).

Assessor Parcel Number(s):	127-010-035 and 127-010-056 (see Attachment B)
USGS 7.5-minute Quadrangle:	Visalia (see Attachment C)
Surrounding Quadrangles:	Traver, Monson, Ivanhoe, Goshen, Exeter, Paige, Tulare, and Cairns Corner (see Attachment C)
Public Land Survey System:	Section 10, Township 19 South, Range 25 East, Mount Diablo Base and Meridian
Latitude/Longitude:	36° 17' 53.38" N / 119° 15' 38.45" W (at the intersection of Caldwell Avenue (Ave 280) and Lovers Lane (Rd 140)
	36° 17' 47.78" N / 119° 15' 27.59" W (at the southeast corner of the project site)

BIOLOGICAL RESOURCES DATABASE SEARCH

The California Department of Fish and Wildlife's California Natural Diversity Database (CNDDB), RareFind 5 and Biogeographic Information and Observation System (BIOS) mapping applications were accessed on August 15 and 29, 2022.[1, 2]

Based on the information in the CNDDB and BIOS, there are forty-one (41) special status species and four (4) natural communities recorded (mapped) within the 9-quadrangle Project area (see Attachment D). These species include: three (3) amphibian species; one (1) arachnid species; five (5) bird species; three (3) crustacean species; four (4) insect species; five (5) mammal species; two (2) reptile species; and eighteen (18) plant species.

The CNDDB and BIOS indicated that there are nine (9) special status species and no natural communities recorded (mapped) within the Visalia quadrangle (see Attachment E). These species include: one (1) bird species; two (2) insect species; three (3) mammal species; one (1) reptile species; and two (2) plant species.

The results from the CNDDB and BIOS also indicated that there is one (1) special status species, *Vulpes Macrotis Mutica* (San Joaquin kit fox), recorded (mapped) within or in close proximity (within a two (2) mile radius) to the Project site. This single occurrence was recorded within the Project site and adjacent parcels (see Attachment C) between the years 1972 and 1975.

To ensure the Project will have a less than significant impact on special status species, the following mitigations measure requiring pre-construction surveys will be implemented.

Pre-construction Surveys

BIO-1: ***(Pre-construction Survey – Plant Species)*** A qualified biologist/botanist shall conduct pre-construction surveys for special status plant species in accordance with the California Department of Fish and Wildlife (CDFW) *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (2009). This protocol includes identification of reference populations to facilitate the likelihood of field investigation occurring during the appropriate floristic period. Surveys should be timed to coincide with flowering periods for species that could occur (March-May). In the absence of protocol-level surveys being performed, additional surveys may be necessary.

- If special status plant species are not identified during pre-construction surveys, no further action is required.
- If special status plant species are detected during pre-construction surveys, the biologist/botanist will supervise establishment of a minimum 50-foot no disturbance buffer from the outer edge of the plant population. If buffers cannot be maintained, the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW shall be contacted immediately to identify the appropriate

[1] California Department of Fish and Wildlife. California Natural Diversity Database (CNDDB). CNDDB Maps and Data. https://wildlife.ca.gov/Data/CNDDB/Maps-and-Data

[2] California Department of Fish and Wildlife. Biogeographic Information and Observation System (BIOS). BIOS 5 Viewers. https://wildlife.ca.gov/Data/BIOS

minimization actions to be taken as appropriate for the species identified and to determine incidental take permitting needs.

BIO-2: ***(Pre-construction Survey – Animal Species)*** A qualified biologist will conduct pre-construction surveys during the appropriate periods for special status animal species in accordance with the CDFW guidance and recommendations identified below (see measures BIO-4, and BIO-8). In the absence of protocol-level surveys being performed, additional surveys may be necessary. If special status animal species are not identified during pre-construction surveys, no further action is required. If special status animal species are detected during pre-construction surveys, the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW shall be contacted immediately to identify the appropriate avoidance and minimization actions to be taken as applicable for the species identified and to determine incidental take permitting needs.

Measures to be Implemented if Special Status Species are Identified

To ensure the Project will have a less than significant impact on special status species within the Project area, the following mitigations measures will be implemented if special status species are identified during pre-construction surveys.

All Identified Special Status Species

BIO-3: ***(Employee Education Program***) Prior to the start of construction or decommissioning, the applicant shall retain a qualified biologist/botanist to conduct a tailgate meeting to train all construction staff that will be involved with the project on the special status species that occur, or may occur, on the project site. This training will include a description of the species and its habitat needs; a report of the occurrence of the species in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of the measures being taken to reduce impacts to the species during project construction and implementation.

San Joaquin Kit Fox

BIO-4 ***(Pre-construction Survey)*** Pre-construction surveys shall be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance, construction activities, and/or any project activity likely to impact the San Joaquin kit fox. These surveys will be conducted in accordance with the USFWS *Standard Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* (2011). The survey will include the project site and where accessible, a minimum of a 200-foot area outside of project impact areas. The primary objective is to identify kit fox habitat features (e.g. potential dens and refugia) on the project site and evaluate their use by kit fox through the use of remote monitoring techniques such as motion-triggered cameras and tracking medium. If potential dens are not identified, no further action is required.

BIO-5: ***(Avoidance)*** Should an active or potential kit fox den be detected within or immediately adjacent to the area of work during pre-construction surveys, the den shall not be disturbed or destroyed. In accordance with the USFWS, *Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* (2011), a minimum 50-foot no-disturbance buffer area shall be established around potential and man-made (atypical) dens and a minimum 100-foot no-disturbance buffer area shall be established around known den sites. The Sacramento Field Office of the USFWS and Fresno Field Office of the CDFW shall be contacted immediately by phone and in writing to determine the best course of action and if required, to initiate the take authorization/permit process.

BIO-6: ***(Minimization)*** Construction activities shall be carried out in a manner that minimizes disturbance to kit fox. Minimization measures include but are not limited to: restriction of project-related vehicle traffic to established roads, construction areas, and other designated areas; inspection and covering of structures (e.g., pipes), as well as installation of escape structures, to prevent the inadvertent entrapment of kit foxes; restriction of rodenticide and herbicide use; and proper disposal of food items and trash.

BIO-7: ***(Mortality Reporting)*** The Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW will be contacted immediately by phone and in writing within three days in the event of accidental death or injury of a San Joaquin kit fox during project-related activities. Notification must include the date, time, location of the incident or of the finding of a dead or injured animal, and any other pertinent information.

JURISDICTIONAL WATERS

The Project is located within the boundaries of the Greater Kaweah Groundwater Sustainability Agency and the Kaweah Delta Water Conservation District. Cameron Creek, which flows in a northeast to southwest direction, is the nearest body of water to the Project site. Cameron Creek is located north of Avenue 280/Caldwell Avenue and west of Road 140/Lovers Lane (see Attachments A, B, and C). The BIOS map identifies the creek as a jurisdictional water of the State (see Attachment C); however, the creek is located approximately 150 feet north and west of the Project site and is separated from the Project site by the existing roadways. No other jurisdictional waters of the State are present on or adjacent to the Project site.

The most recent United States Geological Survey (USGS) National Water Information System (NWIS) and United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) mapping applications were accessed on August 29, 2022.[3, 4] Based on the information provided by the NWIS and NWI, the nearest jurisdictional body of water, Cameron Creek, lies approximately 150 feet northwest of the Project site and is classified as Riverine (see Attachments F and G). As jurisdictional waters of the U.S. are absent from the Project site itself, and riparian habitats and protected wetlands are also not located within or adjacent to the Project site, the

[3] United States Geological Survey. National Water Information System: Mapper https://maps.waterdata.usgs.gov/mapper/index.html

[4] United States Fish and Wildlife Service. Wetlands Mapper. https://www.fws.gov/wetlands/data/mapper.HTML

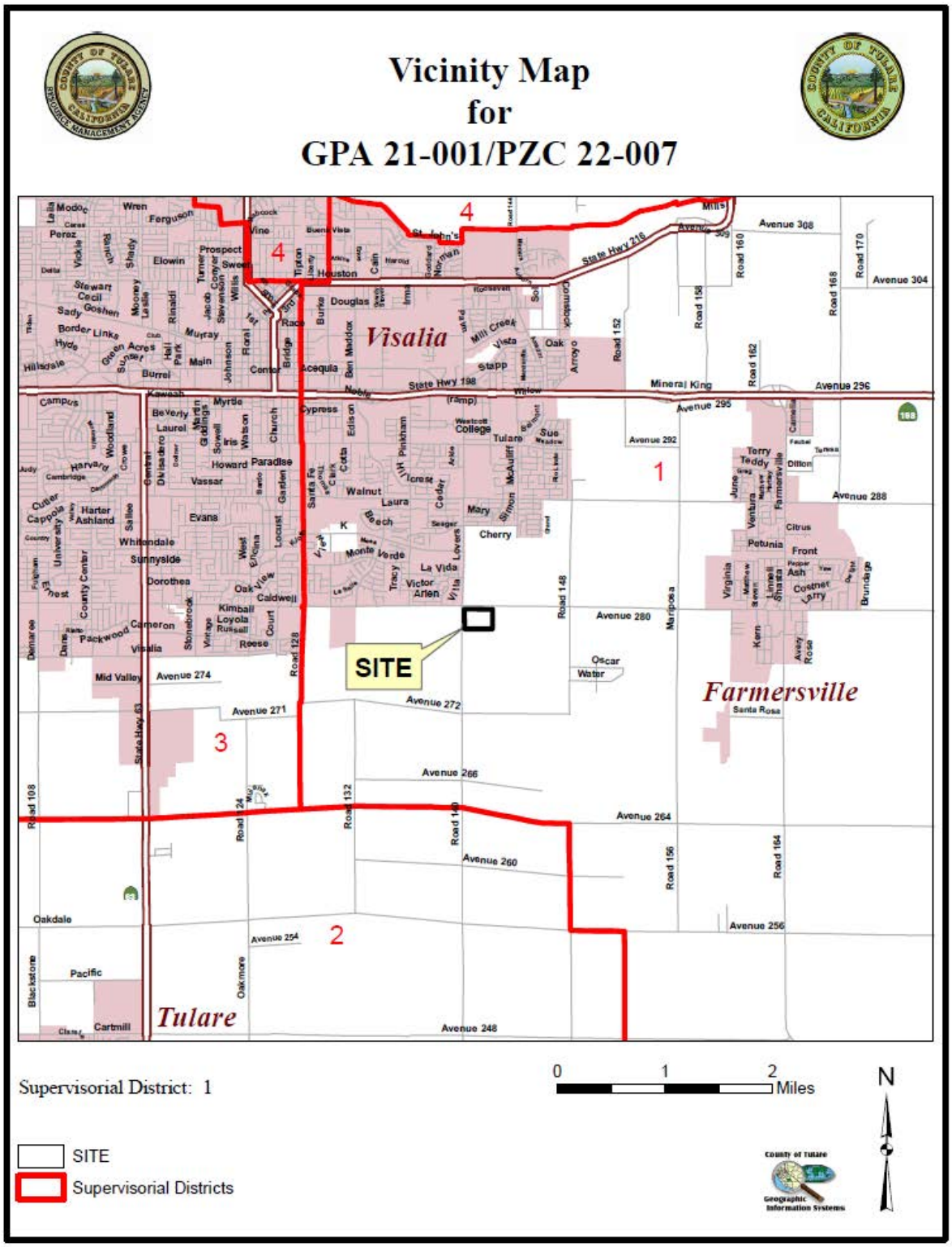
Project will not result in significant impact to any riparian habitats or other protected wetlands. Mitigation measures that would reduce impacts have not been proposed, nor would any measures be warranted.

SUMMARY AND CONCLUSION

One (1) special status species, the San Joaquin kit fox, has been recorded within the Project site and the two (2) mile vicinity. As such, Mitigation Measures BIO-1 and BIO-2, which require pre-construction surveys for special status plant and animal species, respectively, will be implemented prior to the onset of project-related activities. If no special status species are identified within the Project site during pre-construction surveys, no further action would be required; however, in the event that special status species are identified, Mitigation Measures BIO-3 through BIO-7 would be implemented as appropriate and in consultation with the CDFW and/or USFWS. Specifically, Mitigation Measure BIO-3 would apply to all identified special status species and Mitigation Measures BIO-4 through BIO-7 would apply to San Joaquin kit fox. With implementation of Mitigation Measures BIO-1 through BIO-7, impacts to special status plant and animal species will be Less Than Significant with Mitigation.

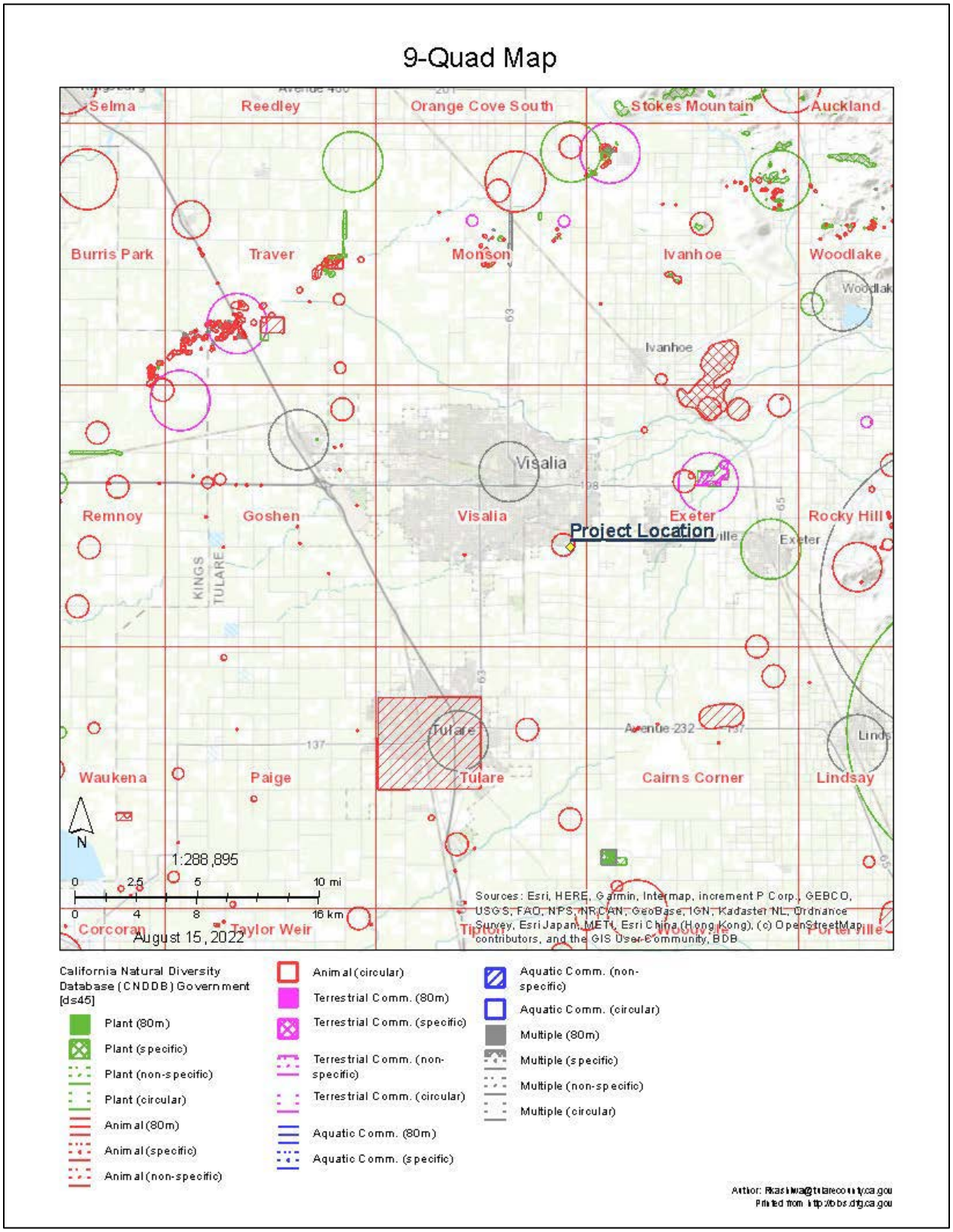
No riparian habitats or other protected wetlands are located within or adjacent to the Project site. With implementation of conditions of approval requiring compliance with applicable Regional Water Quality Control Board (RWQCB) requirements, including Best Management Practices (BMP) and submittal of a Storm Water Pollution Prevention Plan (SWPPP), and submittal of a grading and drainage plan to the Tulare County Resource Management Agency Engineering Branch, impacts to nearby jurisdictional waters will be Less Than Significant.

Attachment A. Project Vicinity



Attachment B. Project Location

Attachment C. BIOS 9-Quad Project Area and Species Map



Attachment D. CNDDB 9-Quad Species List

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Visalia (3611933) OR Traver (3611944) OR Monson (3611943) OR Ivanhoe (3611942) OR Goshen (3611934) OR Exeter (3611932) OR Paige (3611924) OR Tulare (3611923) OR Cairns Corner (3611922))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Agelaius tricolor tricolored blackbird	ABPBXB0020	None	Threatened	G1G2	S1S2	SSC
Ambystoma californiense pop. 1 California tiger salamander - central California DPS	AAAAA01181	Threatened	Threatened	G2G3T3	S3	WL
Andrena macswaini An andrenid bee	IIHYM35130	None	None	G2	S2	
Anniella pulchra Northern California legless lizard	ARACC01020	None	None	G3	S3	SSC
Antrozous pallidus pallid bat	AMACC10010	None	None	G4	S3	SSC
Athene cunicularia burrowing owl	ABNSB10010	None	None	G4	S3	SSC
Atriplex cordulata var. cordulata heartscale	PDCHE040B0	None	None	G3T2	S2	1B.2
Atriplex cordulata var. erecticaulis Earlimart orache	PDCHE042V0	None	None	G3T1	S1	1B.2
Atriplex depressa brittlescale	PDCHE042L0	None	None	G2	S2	1B.2
Atriplex minuscula lesser saltscale	PDCHE042M0	None	None	G2	S2	1B.1
Atriplex persistens vernal pool smallscale	PDCHE042P0	None	None	G2	S2	1B.2
Atriplex subtilis subtle orache	PDCHE042T0	None	None	G1	S1	1B.2
Bombus crotchii Crotch bumble bee	IIHYM24480	None	None	G2	S1S2	
Branchinecta lynchi vernal pool fairy shrimp	ICBRA03030	Threatened	None	G3	S3	
Buteo swainsoni Swainson's hawk	ABNKC19070	None	Threatened	G5	S3	
Caulanthus californicus California jewelflower	PDBRA31010	Endangered	Endangered	G1	S1	1B.1
Coccyzus americanus occidentalis western yellow-billed cuckoo	ABNRB02022	Threatened	Endangered	G5T2T3	S1	
Delphinium recurvatum recurved larkspur	PDRAN0B1J0	None	None	G2?	S2?	1B.2
Desmocerus californicus dimorphus valley elderberry longhorn beetle	IICOL48011	Threatened	None	G3T2T3	S3	

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Information Expires 1/31/2023

Attachment D. CNDDB 9-Quad Species List (continued)

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Dipodomys nitratoides nitratoides Tipton kangaroo rat	AMAFD03152	Endangered	Endangered	G3T1T2	S1S2	
Emys marmorata western pond turtle	ARAAD02030	None	None	G3G4	S3	SSC
Eryngium spinosepalum spiny-sepaled button-celery	PDAPI0Z0Y0	None	None	G2	S2	1B.2
Eumops perotis californicus western mastiff bat	AMACD02011	None	None	G4G5T4	S3S4	SSC
Euphorbia hooveri Hoover's spurge	PDEUP0D150	Threatened	None	G1	S1	1B.2
Great Valley Valley Oak Riparian Forest Great Valley Valley Oak Riparian Forest	CTT61430CA	None	None	G1	S1.1	
Helianthus winteri Winter's sunflower	PDAST4N260	None	None	G2?	S2?	1B.2
Imperata brevifolia California satintail	PMPOA3D020	None	None	G3	S3	2B.1
Lanius ludovicianus loggerhead shrike	ABPBR01030	None	None	G4	S4	SSC
Lasthenia chrysantha alkali-sink goldfields	PDAST5L030	None	None	G2	S2	1B.1
Lasthenia glabrata ssp. coulteri Coulter's goldfields	PDAST5L0A1	None	None	G4T2	S2	1B.1
Lepidurus packardi vernal pool tadpole shrimp	ICBRA10010	Endangered	None	G4	S3S4	
Linderiella occidentalis California linderiella	ICBRA06010	None	None	G2G3	S2S3	
Lithobates pipiens northern leopard frog	AAABH01170	None	None	G5	S2	SSC
Lytta hoppingi Hopping's blister beetle	IICOL4C010	None	None	G1G2	S1S2	
Northern Claypan Vernal Pool Northern Claypan Vernal Pool	CTT44120CA	None	None	G1	S1.1	
Northern Hardpan Vernal Pool Northern Hardpan Vernal Pool	CTT44110CA	None	None	G3	S3.1	
Orcuttia inaequalis San Joaquin Valley Orcutt grass	PMPOA4G060	Threatened	Endangered	G1	S1	1B.1
Pseudobahia peirsonii San Joaquin adobe sunburst	PDAST7P030	Threatened	Endangered	G1	S1	1B.1
Puccinellia simplex California alkali grass	PMPOA53110	None	None	G2	S2	1B.2
Sagittaria sanfordii Sanford's arrowhead	PMALI040Q0	None	None	G3	S3	1B.2

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Attachment D. BIOS 9-Quad Species List (continued)

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Spea hammondii	AAABF02020	None	None	G2G3	S3	SSC
western spadefoot						
Talanites moodyae	ILARA98020	None	None	G1G2	S1S2	
Moody's gnaphosid spider						
Taxidea taxus	AMAJF04010	None	None	G5	S3	SSC
American badger						
Valley Sacaton Grassland	CTT42120CA	None	None	G1	S1.1	
Valley Sacaton Grassland						
Vulpes macrotis mutica	AMAJA03041	Endangered	Threatened	G4T2	S2	
San Joaquin kit fox						

Record Count: 45

Government Version -- Dated July, 31 2022 -- Biogeographic Data Branch

Page 3 of 3

Report Printed on Monday, August 29, 2022

Information Expires 1/31/2023

Attachment E. CNDDB Visalia Quadrangle Species List

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Visalia (3611933))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Anniella pulchra Northern California legless lizard	ARACC01020	None	None	G3	S3	SSC
Atriplex depressa brittlescale	PDCHE042L0	None	None	G2	S2	1B.2
Bombus crotchii Crotch bumble bee	IIHYM24480	None	None	G2	S1S2	
Coccyzus americanus occidentalis western yellow-billed cuckoo	ABNRB02022	Threatened	Endangered	G5T2T3	S1	
Emys marmorata western pond turtle	ARAAD02030	None	None	G3G4	S3	SSC
Eumops perotis californicus western mastiff bat	AMACD02011	None	None	G4G5T4	S3S4	SSC
Imperata brevifolia California satintail	PMPOA3D020	None	None	G3	S3	2B.1
Lytta hoppingi Hopping's blister beetle	IICOL4C010	None	None	G1G2	S1S2	
Vulpes macrotis mutica San Joaquin kit fox	AMAJA03041	Endangered	Threatened	G4T2	S2	

Record Count: 9

Government Version -- Dated July, 31 2022 -- Biogeographic Data Branch

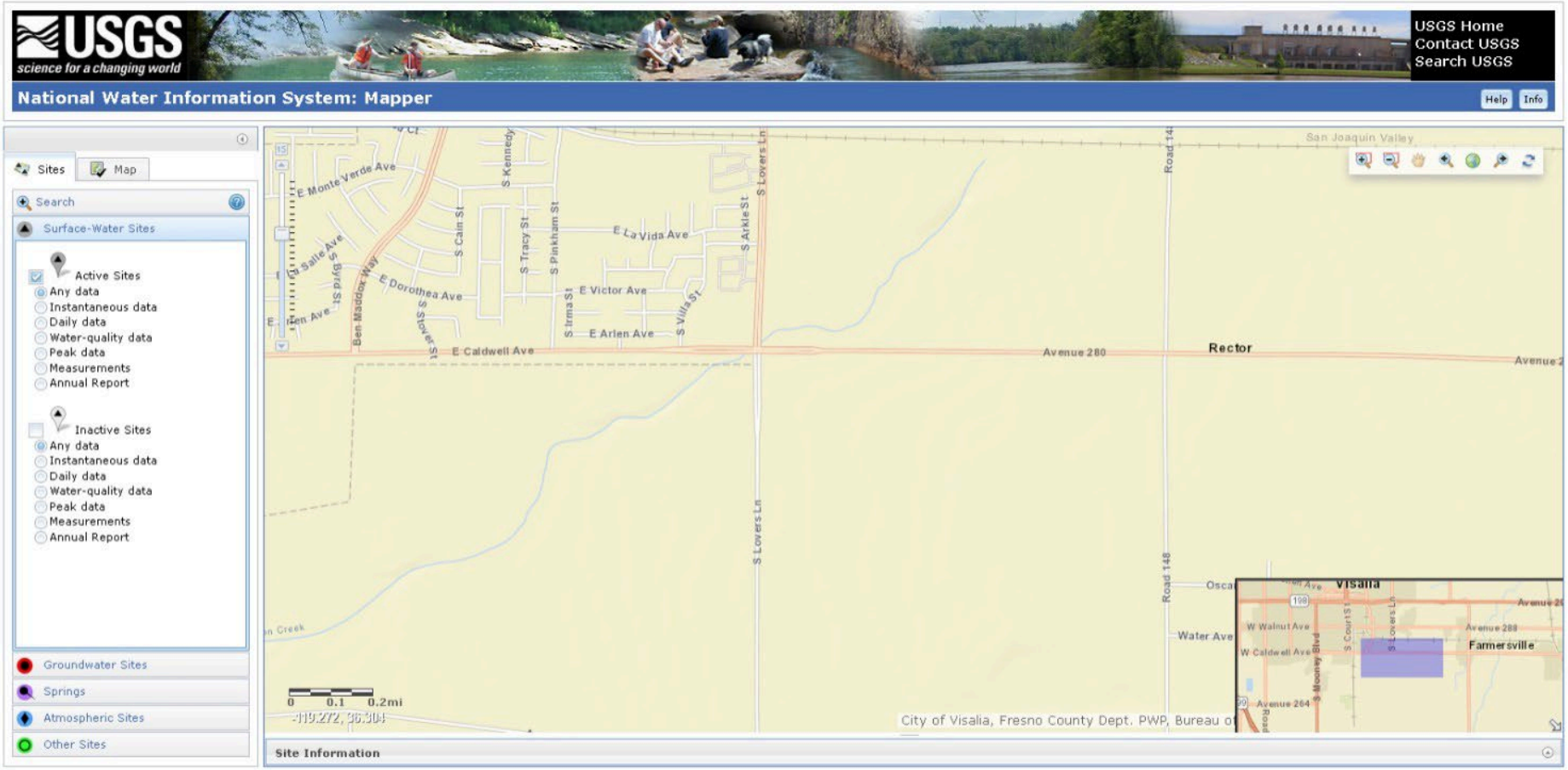
Page 1 of 1

Report Printed on Monday, August 29, 2022

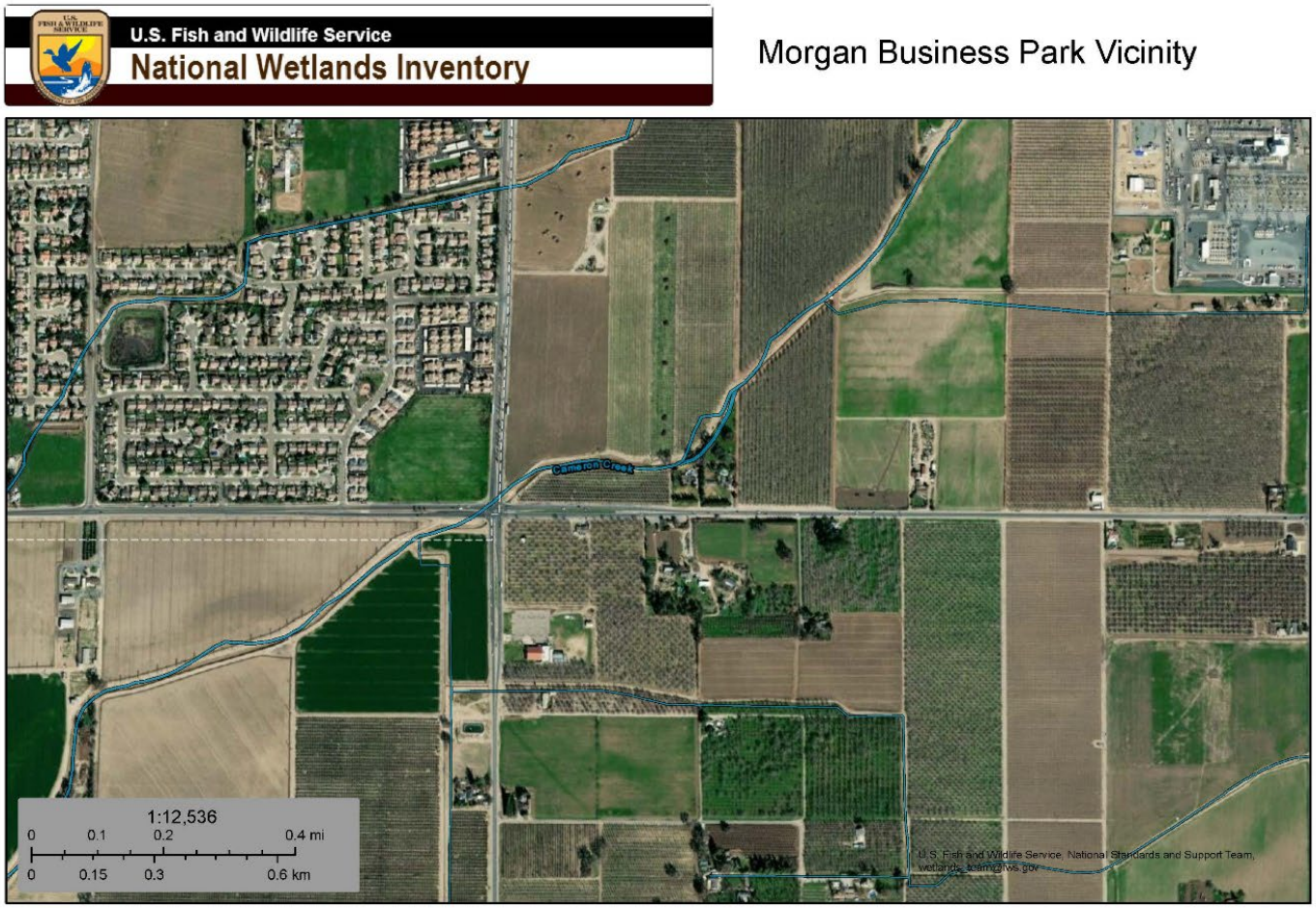
Information Expires 1/31/2023

.

Attachment F. USGS National Water Information System Map



Attachment G. USFW National Wetland Inventory Map



August 29, 2022

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

National Wetlands Inventory (NWI)
This page was produced by the NWI mapper

ATTACHMENT "C"

CULTURAL AND TRIBAL CULTURAL RESOURCES

California Historical Resources Information System

Fresno
Kern
Kings
Madera
Tulare

Southern San Joaquin Valley Information Center
California State University, Bakersfield
Mail Stop: 72 DOB
9001 Stockdale Highway
Bakersfield, California 93311-1022
(661) 654-2289
E-mail: ssjvic@csub.edu
Website: www.csub.edu/ssjvic

To: Hector Guerra
Tulare County Resource Management Agency
5961 S. Mooney Blvd.
Visalia, CA 93277

Record Search 22-323

Date: August 29, 2022

Re: Morgan Business Park, GPA 21-001

County: Tulare

Map(s): Visalia 7.5'

CULTURAL RESOURCES RECORDS SEARCH

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

The following are the results of a search of the cultural resource files at the Southern San Joaquin Valley Information Center. These files include known and recorded cultural resources sites, inventory and excavation reports filed with this office, and resources listed on the National Register of Historic Places, the OHP Built Environment Resources Directory, California State Historical Landmarks, California Register of Historical Resources, California Inventory of Historic Resources, and California Points of Historical Interest. Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the OHP are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area.

PRIOR CULTURAL RESOURCE STUDIES CONDUCTED WITHIN THE PROJECT AREA AND THE ONE-HALF MILE RADIUS

According to the information in our files, there has been one previous cultural resource study conducted within the project area: TU-01659. There has been one additional cultural resource study conducted within the one-half mile radius: TU-01167. It should be noted that TU-01659 only intersects a small sliver of the north side of the project area, leaving approximately %98 of the project area un-studied.

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

According to the information in our files, there are no recorded resources within the project area, and it is unknown if any exist there. There are three known resources within the one-half mile radius: P-54-000107, 005066, 005289. These resources consist of a historic era single family property, and ditch, as well as a prehistoric lithic scatter.

There are no recorded cultural resources within the project area or radius that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, for the California State Historic Landmarks.

COMMENTS AND RECOMMENDATIONS

We understand the applicant is requesting to change the Land Use Designation and to facilitate the establishment of a convenience store with gas station, self-storage facility with onsite manager residence, and future service commercial uses. We also understand the project site is currently vacant agricultural land. Please note that agriculture does not constitute previous development, as it does not destroy cultural resources, but merely moves them around within the plow zone. Because only a small portion of this project area has been previously studied for cultural resources, it is unknown if any are present. As such, prior to ground disturbance activities, we recommend a qualified, professional consultant conduct a field survey to determine if cultural resources are present. A list of qualified consultants can be found at www.chrisinfo.org.

We also recommend that you contact the Native American Heritage Commission in Sacramento. They will provide you with a current list of Native American individuals/organizations that can assist you with information regarding cultural resources that may not be included in the CHRIS Inventory and that may be of concern to the Native groups in the area. The Commission can consult their "Sacred Lands Inventory" file to determine what sacred resources, if any, exist within this project area and the way in which these resources might be managed. Finally, please consult with the lead agency on this project to determine if any other cultural resource investigation is required. If you need any additional information or have any questions or concerns, please contact our office at (661) 654-2289.

By:

Jeremy E David, Assistant Coordinator **Date**: August 29, 2022

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

NATIVE AMERICAN HERITAGE COMMISSION

CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

PARLIAMENTARIAN
Russell Attebery
Karuk

SECRETARY
Sara Dutschke
Miwok

COMMISSIONER
William Mungary
Paiute/White Mountain Apache

COMMISSIONER
Isaac Bojorquez
Ohlone-Costanoan

COMMISSIONER
Buffy McQuillen
Yokayo Pomo, Yuki, Nomlaki

COMMISSIONER
Wayne Nelson
Luiseño

COMMISSIONER
Stanley Rodriguez
Kumeyaay

EXECUTIVE SECRETARY
Raymond C. Hitchcock
Miwok/Nisenan

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

August 25, 2022

Jessica Willis
Tulare County Resource Management Agency

Via Email to: JWillis@tularecounty.ca.gov

Re: Native American Consultation, Pursuant to Senate Bill 18 (SB18), Government Codes §65352.3 and §65352.4, as well as Assembly Bill 52 (AB52), Public Resources Codes §21080.1, §21080.3.1 and §21080.3.2, Chase Morgan Project (GPA 21-001), Tulare County

Dear Ms. Willis:

Attached is a consultation list of tribes with traditional lands or cultural places located within the boundaries of the above referenced counties or projects.

Government Codes §65352.3 and §65352.4 require local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to cultural places when creating or amending General Plans, Specific Plans and Community Plans.

Public Resources Codes §21080.3.1 and §21080.3.2 requires public agencies to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to tribal cultural resources as defined, for California Environmental Quality Act (CEQA) projects.

The law does not preclude local governments and agencies from initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction. The NAHC believes that this is the best practice to ensure that tribes are consulted commensurate with the intent of the law.

Best practice for the AB52 process and in accordance with Public Resources Code §21080.3.1(d), is to do the following:

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

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

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

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

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

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

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

3. The result of the Sacred Lands File (SFL) check conducted through the Native American Heritage Commission was negative.

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

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

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

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

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

If you have any questions, please contact me at my email address: Cameron.vela@nahc.ca.gov.

Sincerely,

Cameron Vela

Cameron Vela
Cultural Resources Analyst

Attachment

Native American Heritage Commission
Tribal Consultation List
Tulare County
8/27/2022

Big Sandy Rancheria of Western Mono Indians
Elizabeth Kipp, Chairperson
P.O. Box 337
Auberry, CA, 93602
Phone: (559) 374 - 0066
Fax: (559) 374-0055
lkipp@bsrnation.com

Western Mono

Santa Rosa Rancheria Tachi Yokut Tribe
Leo Sisco, Chairperson
P.O. Box 8
Lemoore, CA, 93245
Phone: (559) 924 - 1278
Fax: (559) 924-3583

Southern Valley Yokut

Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589
Porterville, CA, 93258
Phone: (559) 781 - 4271
Fax: (559) 781-4610
neil.peyron@tulerivertribe-nsn.gov

Yokut

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct.
Salinas, CA, 93906
Phone: (831) 443 - 9702
kwood8934@aol.com

Foothill Yokut Mono

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

This list is applicable only for consultation with Native American tribes under Government Code Sections 65352.3, 65352.4 et seq. and Public Resources Code Sections 21080.3.1 for the proposed Chase Morgan Project (GPA 21-001), Tulare County.

TRIBAL CONSULTATION NOTICE AND TRACKING TABLE CHASE MORGAN PROJECT (GPA 21-001, PZC 22-007)														
TRIBE CONTACTED	REQUEST TYPE			ITEMS & DOCUMENTS SUBMITTED					DELIVERY METHOD			CONSULTATION PERIOD		CONSULTATION / ACTIONS
	AB 52	SB 18	Sec 106	Project Notification Form	Maps	SLF Search Results	CHRIS Results	Other	E-mail	FedEx	Certified US Mail	Return Receipt	Period Ends	Summary
SACRED LAND FILE (SLF) REQUEST														
Native American Heritage Commission NAHC@nahc.ca.gov	X	X		X	X			SLF search form	7/18/22					7/18/22, email received from C. Vela stating that NAHC received our request but won't get a response until 6-8 weeks.
CONSULTATION REQUEST LETTERS														
Big Sandy Rancheria of Western Mono Indians Elizabeth D. Kipp, Chairperson PO. Box 337 Auberry, CA 93602 lkipp@bsrnnation.com	X	X		X	X				7/19/22		7/19/22 7012346000 0039104680	7/21/22	8/20/22 10/19/22	
Dunlap Band of Mono Indians Benjamin Charley Jr., Tribal Chair P.O. Box 14 Dunlap, CA 93621 ben.charley@yahoo.com	X	X		X	X				7/19/22		7/19/22 7012346000 0039104697	---	---	Per USPS website – arrived at Dunlap post office 7/21/22 and mark available on 7/21/22 and 8/2/22; returned to sender "unclaimed" on 8/16/22.
Dunlap Band of Mono Indians Dirk Charley, Tribal Secretary 5509 E. McKenzie Avenue Fresno, CA 93727 dcharley2016@gmail.com	X	X		X	X				7/19/22		---	---	---	
Kern Valley Indian Tribe Robert Robinson, Co-Chairperson P.O. Box 1010 Lake Isabella, CA 93240 bbutterbredt@gmail.com	X	X		X	X				7/19/22		7/19/22 7012346000 0039104499	7/21/22	8/20/22 10/19/22	
Kern Valley Indian Community Julie Turner, Secretary P. Box 1010 Lake Isabella, CA 93240 meindiangirl@sbcglobal.net	X	X		X	X				7/19/22		7/19/22 7012346000 0039104505	7/21/22	8/20/22 10/19/22	
Kern Valley Indian Community Brandi Kendricks 30741 Foxridge Court Tehachapi, CA 93561 krazykendricks@hotmail.com	X	X		X	X				7/19/22		---	---	---	

TRIBAL CONSULTATION NOTICE AND TRACKING TABLE CHASE MORGAN PROJECT (GPA 21-001, PZC 22-007)														
TRIBE CONTACTED	REQUEST TYPE			ITEMS & DOCUMENTS SUBMITTED					DELIVERY METHOD			CONSULTATION PERIOD		CONSULTATION / ACTIONS
	AB 52	SB 18	Sec 106	Project Notification Form	Maps	SLF Search Results	CHRIS Results	Other	E-mail	FedEx	Certified US Mail	Return Receipt	Period Ends	Summary
North Fork Mono Tribe Ron Goode, Chairperson 13396 Tollhouse Road Clovis, CA 93619 rwgoode911@hotmail.com	X	X		X	X				7/19/22		7/19/22 7012346000 0039104468	7/30/22	8/29/22 10/28/22	7/19/22, email from R. Goode stating that the project is a little unconventional and since we are being vague about it, NFM will hold off on comments.
Santa Rosa Rancheria Tachi Yokut Tribe Leo Sisco, Chairperson 16835 Alkali Drive Lemoore, CA 93245 LSisco@tachi-yokut-nsn.gov	X	X		X	X				7/19/22		7/19/22 7012346000 0039104512	7/21/22	8/20/22 10/19/22	
Santa Rosa Rancheria Cultural Department Shana Powers, Director 16835 Alkali Drive Lemoore, CA 93245 SPowers@tachi-yokut-nsn.gov	X	X		X	X				7/19/22		7/19/22 7012346000 0039104529	7/21/22	8/20/22 10/19/22	
Santa Rosa Rancheria Cultural Department Staff Samantha McCarty SMcCarty@tachi-yokut-nsn.gov Paige Berggren PBerggren@tachi-yokut-nsn.gov Damion Cuara DCuara@tachi-yokut-nsn.gov Maria Gonzales MGonzales@tachi-yokut-nsn.gov William Barrios WBarrios@tachi-yokut-nsn.gov	X	X		X	X				7/19/22		---	---	---	7/27/22, email from P. Berggren stating the Tribe has concerns and requesting on-site Tribal monitoring during ground disturbing activities. 7/29/22, the email from P. Berggren was forwarded to the project applicant.
Tubatulabals of Kern Valley Robert L. Gomez, Jr., Chairperson P.O. Box 833 Weldon, CA 93283-0833 rgomez@tubatulabal.org	X	X		X	X				7/19/22		7/19/22 7012346000 0039104681	7/22/22	8/21/22 10/20/22	
Tule River Indian Tribe Neil Peyron, Chairperson P. O. Box 589 Porterville, CA 93258 neil.peyron@tulerivertribe-nsn.gov	X	X		X	X				7/19/22		7/19/22 7012346000 0039104659	7/23/22	8/22/22 10/21/22	

TRIBAL CONSULTATION NOTICE AND TRACKING TABLE CHASE MORGAN PROJECT (GPA 21-001, PZC 22-007)														
TRIBE CONTACTED	REQUEST TYPE			ITEMS & DOCUMENTS SUBMITTED					DELIVERY METHOD			CONSULTATION PERIOD		CONSULTATION / ACTIONS
	AB 52	SB 18	Sec 106	Project Notification Form	Maps	SLF Search Results	CHRIS Results	Other	E-mail	FedEx	Certified US Mail	Return Receipt	Period Ends	Summary
Tule River Indian Tribe Dept. of Environmental Protection Kerri Vera, Director P. O. Box 589 Porterville, CA 93258 tuleriverenv@yahoo.com	X	X		X	X				7/19/22		7/19/22 7012346000 0039104666	7/23/22	8/22/22 10/21/22	
Tule River Indian Tribe Felix Christman, Council Member P. O. Box 589 Porterville, CA 93258 tuleriverarchmon1@gmail.com felix.christman@tulerivertribe-nsn.gov	X	X		X	X				7/19/22		---	---	---	
Wuksache Indian Tribe/ Eshom Valley Band Kenneth Woodrow, Chairperson 1179 Rock Haven Ct. Salinas, CA 93906 kwood8934@aol.com	X	X		X	X				7/19/22		7/19/22 7012346000 0039104673	7/22/22	8/21/22 10/22/22	

From:	Danielle Folk
To:	lkipp@bsrnation.com
Cc:	Jessica R Willis; Hector Guerra
Subject:	AB 52/ SB-18 Project Notification - Chase Morgan Project (GPA 21-001)
Date:	Tuesday, July 19, 2022 2:43:04 PM
Attachments:	Chase Morgan_Tribal_AB52_Consultation_Letter_Kipp_BSRWMI.pdf Chase Morgan_Project Notification and Consult Request_AB52 + SB18.pdf GPI 21-001 & GPA 21-001 Vicinity Map.pdf GPI 21-001 & GPA 21-001 Aerial Photograph.pdf

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Good afternoon.

Please find attached the cover letter, Project Notification and Tribal Consultation Request form, project vicinity map, and project site plan maps for the Chase Morgan Project (GPA 21-001). The hard copies of these documents have be sent to you via Certified Mail today, July 19, 2022.

Please feel free to contact Jessica Willis by phone, 559-624-7122 or email at jwillis@tularecounty.ca.gov if you would like to begin the consultation process. Also, if your tribe would like to decline the opportunity to consult or defer to another tribe, an email stating so would be greatly appreciated.

If you have any questions or any other comments, please feel free to contact me at dfolk@tularecounty.ca.gov or by phone 559-624-7029.

Best Regards,

Danielle Folk

Planner II
Tulare County Resource Management Agency
(559) 624-7029
Dfolk@tularecounty.ca.gov

RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
PHONE (559) 624-7000
FAX (559) 615-3002

Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR
MICHAEL WASHAM, ASSOCIATE DIRECTOR

July 19, 2022

Big Sandy Rancheria of Western Mono Indians
Elizabeth D. Kipp, Chairperson
PO. Box 337
Auberry , CA 93602

RE: Project Notification and Consultation Request Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Chase Morgan Project (GPA 21-001)

Dear Chairperson Kipp,

Pursuant to the provisions of AB 52 and SB 18, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the California Environmental Quality Act (CEQA) review of the Chase Morgan Project (GPA 21-001) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

- Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine; and
- Native American historic, cultural, or sacred site that is listed or may be eligible for listing in the California Register of Historical Resources including historic or prehistoric ruins and any burial ground, archaeological, or historic site.

In accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), the County of Tulare Resource Management Agency (RMA) will be preparing a Mitigated Negative Declaration (MND) to evaluate the environmental effects associated with the Project.

Sacred Lands File Search

The County requested a Sacred Lands File (SLF) search through the Native American Heritage Commission (NAHC) on July 18, 2022, for the proposed Project. The SLF search results will be made available upon the release of the MND for public review. However, the results may be made available to your Tribal Representatives if a written request for consultation is submitted to the County within thirty (30) days of receipt of this letter.

California Historical Resources Information System

Results from the Southern San Joaquin Valley Information Center's (SSJVIC), California Historical Resources Information System (CHRIS) search for the project area have not yet been received by the

County. The CHRIS search results will be made available upon the release of the MND for public review. However, the results may be made available to your Tribal Representatives if a written request for consultation is submitted to the County within thirty (30) days of receipt of this letter.

If your Tribe desires to consult with the County on the review of this project, please respond in writing within ninety (90) days regarding SB 18 requirements, and thirty (30) days regarding AB 52 requirements, of receipt of this letter. Written correspondence can be mailed to the address provided above or e-mailed to the addresses provided below.

If the County does not receive a response to this notification, it will be presumed that your Tribe has declined the opportunity to consult on this project pursuant to AB 52 and SB 18.

Thank you for your consideration on this matter and please do not hesitate to contact me by phone or e-mail should you have any questions or need additional information. If you need immediate assistance and I am unavailable, please contact, Jessica Willis, Planner IV, by phone at (559) 624-7122, or by email at jwillis@tularecounty.ca.gov.

Sincerely,

Hector Guerra
Chief Environmental Planning
(559) 624-7121
hguerra@tularecounty.ca.gov

Attachment(s): AB 52 Project Notification and Tribal Consultation Request
Project Site Map and Vicinity Map
Visalia Topography Map

From:	Danielle Folk
To:	Ben Charley; Dirk Charley
Cc:	Jessica R Willis
Subject:	AB 52/ SB-18 Project Notification - Chase Morgan Project (GPA 21-001)
Date:	Tuesday, July 19, 2022 2:45:30 PM
Attachments:	Chase Morgan_Tribal_AB52_Consultation_Letter_BCharley_DBMI.pdf Chase Morgan_Project Notification and Consult Request_AB52 + SB18.pdf GPI 21-001 & GPA 21-001 Vicinity Map.pdf GPI 21-001 & GPA 21-001 Aerial Photograph.pdf

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Good afternoon.

Please find attached the cover letter, Project Notification and Tribal Consultation Request form, project vicinity map, and project site plan maps for the Chase Morgan Project (GPA 21-001). The hard copies of these documents have be sent to you via Certified Mail today, July 19, 2022.

Please feel free to contact Jessica Willis by phone, 559-624-7122 or email at jwillis@tularecounty.ca.gov if you would like to begin the consultation process. Also, if your tribe would like to decline the opportunity to consult or defer to another tribe, an email stating so would be greatly appreciated.

If you have any questions or any other comments, please feel free to contact me at dfolk@tularecounty.ca.gov or by phone 559-624-7029.

Best Regards,

Danielle Folk

Planner II
Tulare County Resource Management Agency
(559) 624-7029
Dfolk@tularecounty.ca.gov

RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
PHONE (559) 624-7000
FAX (559) 615-3002

Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR
MICHAEL WASHAM, ASSOCIATE DIRECTOR

July 19, 2022

Dunlap Band of Mono Indians
Benjamin Charley Jr., Chairperson
PO. Box 14
Dunlap, CA 93621

RE: Project Notification and Consultation Request Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Chase Morgan Project (GPA 21-001)

Dear Chairperson Charley,

Pursuant to the provisions of AB 52 and SB 18, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the California Environmental Quality Act (CEQA) review of the Chase Morgan Project (GPA 21-001) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

- Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine; and
- Native American historic, cultural, or sacred site that is listed or may be eligible for listing in the California Register of Historical Resources including historic or prehistoric ruins and any burial ground, archaeological, or historic site.

In accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), the County of Tulare Resource Management Agency (RMA) will be preparing a Mitigated Negative Declaration (MND) to evaluate the environmental effects associated with the Project.

Sacred Lands File Search

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If your Tribe desires to consult with the County on the review of this project, please respond in writing within ninety (90) days regarding SB 18 requirements, and thirty (30) days regarding AB 52 requirements, of receipt of this letter. Written correspondence can be mailed to the address provided above or e-mailed to the addresses provided below.

If the County does not receive a response to this notification, it will be presumed that your Tribe has declined the opportunity to consult on this project pursuant to AB 52 and SB 18.

Thank you for your consideration on this matter and please do not hesitate to contact me by phone or e-mail should you have any questions or need additional information. If you need immediate assistance and I am unavailable, please contact, Jessica Willis, Planner IV, by phone at (559) 624-7122, or by email at jwillis@tularecounty.ca.gov.

Sincerely,

Hector Guerra
Chief Environmental Planning
(559) 624-7121
hguerra@tularecounty.ca.gov

Attachment(s): AB 52 Project Notification and Tribal Consultation Request
Project Site Map and Vicinity Map
Visalia Topography Map

From:	Danielle Folk
To:	Robert Robinson (bbutterbredt@gmail.com); Julie Turner (meindiangirl@sbcglobal.net); Brandy Kendricks (krazykendricks@hotmail.com)
Cc:	Jessica R Willis
Subject:	AB 52/ SB-18 Project Notification - Chase Morgan Project (GPA 21-001)
Date:	Tuesday, July 19, 2022 2:47:31 PM
Attachments:	Chase Morgan_Project Notification and Consult Request_AB52 + SB18.pdf GPI 21-001 & GPA 21-001 Vicinity Map.pdf GPI 21-001 & GPA 21-001 Aerial Photograph.pdf Chase Morgan_Tribal_AB52_Consultation_Letter_Robinson_KVIC.pdf

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Best Regards,

Danielle Folk

Planner II
Tulare County Resource Management Agency
(559) 624-7029
Dfolk@tularecounty.ca.gov

RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
PHONE (559) 624-7000
FAX (559) 615-3002

Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR
MICHAEL WASHAM, ASSOCIATE DIRECTOR

July 19, 2022

Kern Valley Indian Community
Robert Robinson, Chairperson
P.O. Box 1010
Lake Isabella, CA 93240

RE: Project Notification and Consultation Request Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Chase Morgan Project (GPA 21-001)

Dear Chairperson Robinson,

Pursuant to the provisions of AB 52 and SB 18, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the California Environmental Quality Act (CEQA) review of the Chase Morgan Project (GPA 21-001) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

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Sincerely,

Hector Guerra
Chief Environmental Planning
(559) 624-7121
hguerra@tularecounty.ca.gov

Attachment(s): AB 52 Project Notification and Tribal Consultation Request
Project Site Map and Vicinity Map
Visalia Topography Map

RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
PHONE (559) 624-7000
FAX (559) 615-3002

Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR
MICHAEL WASHAM, ASSOCIATE DIRECTOR

July 19, 2022

Kern Valley Indian Community
Julie Turner, Secretary
P.O. Box 1010
Lake Isabella, CA 93240

RE: Project Notification and Consultation Request Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Chase Morgan Project (GPA 21-001)

Dear Ms. Turner,

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Sincerely,

Hector Guerra
Chief Environmental Planning
(559) 624-7121
hguerra@tularecounty.ca.gov

Attachment(s): AB 52 Project Notification and Tribal Consultation Request
Project Site Map and Vicinity Map
Visalia Topography Map

From:	Danielle Folk
To:	Ron W. Goode
Cc:	Jessica R Willis
Subject:	AB 52/ SB-18 Project Notification - Chase Morgan Project (GPA 21-001)
Date:	Tuesday, July 19, 2022 2:49:43 PM
Attachments:	Chase Morgan_Tribal_AB52_Consultation_Letter_Goode_NFMT.pdf Chase Morgan_Project Notification and Consult Request_AB52 + SB18.pdf GPI 21-001 & GPA 21-001 Vicinity Map.pdf GPI 21-001 & GPA 21-001 Aerial Photograph.pdf

---

Good afternoon.

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Please feel free to contact Jessica Willis by phone, 559-624-7122 or email at jwillis@tularecounty.ca.gov if you would like to begin the consultation process. Also, if your tribe would like to decline the opportunity to consult or defer to another tribe, an email stating so would be greatly appreciated.

If you have any questions or any other comments, please feel free to contact me at dfolk@tularecounty.ca.gov or by phone 559-624-7029.

Best Regards,

Danielle Folk

Planner II
Tulare County Resource Management Agency
(559) 624-7029
Dfolk@tularecounty.ca.gov

RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
PHONE (559) 624-7000
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Aaron R. Bock	Economic Development and Planning
Reed Schenke	Public Works
Sherman Dix	Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

July 19, 2022

North Fork Mono Tribe
Ron Goode, Chairperson
13396 Tollhouse Road
Clovis, CA 93619

RE: Project Notification and Consultation Request Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Chase Morgan Project (GPA 21-001)

Dear Chairperson Goode,

Pursuant to the provisions of AB 52 and SB 18, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the California Environmental Quality Act (CEQA) review of the Chase Morgan Project (GPA 21-001) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

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Sincerely,

Hector Guerra
Chief Environmental Planning
(559) 624-7121
hguerra@tularecounty.ca.gov

Attachment(s): AB 52 Project Notification and Tribal Consultation Request
Project Site Map and Vicinity Map
Visalia Topography Map

From:	Danielle Folk
To:	Robert L. Gomez (rgomez@tubatulabal.org)
Cc:	Jessica R Willis
Subject:	AB 52/ SB-18 Project Notification - Chase Morgan Project (GPA 21-001)
Date:	Tuesday, July 19, 2022 2:54:29 PM
Attachments:	Chase Morgan_Tribal_AB52_Consultation_Letter_Gomez_TKV.pdf Chase Morgan_Project Notification and Consult Request_AB52 + SB18.pdf GPI 21-001 & GPA 21-001 Vicinity Map.pdf GPI 21-001 & GPA 21-001 Aerial Photograph.pdf

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Best Regards,

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FAX (559) 615-3002

Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR
MICHAEL WASHAM, ASSOCIATE DIRECTOR

July 19, 2022

Tubatulabals of Kern Valley
Robert L. Gomez, Jr., Chairperson
P.O. Box 833
Weldon, CA 93283-0833

RE: Project Notification and Consultation Request Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Chase Morgan Project (GPA 21-001)

Dear Chairperson Gomez,

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Sincerely,

Hector Guerra
Chief Environmental Planning
(559) 624-7121
hguerra@tularecounty.ca.gov

Attachment(s): AB 52 Project Notification and Tribal Consultation Request
Project Site Map and Vicinity Map
Visalia Topography Map

From:	Danielle Folk
To:	Leo Sisco (LSisco@tachi-yokut-nsn.gov); Shana Powers (SPowers@tachi-yokut-nsn.gov)
Cc:	McCarty@tachi-yokut-nsn.gov; Paige Berggren; DCuara@tachi-yokut-nsn.gov; Maria Gonzales; William K. Barrios; Jessica R Willis
Subject:	AB 52/ SB-18 Project Notification - Chase Morgan Project (GPA 21-001)
Date:	Tuesday, July 19, 2022 2:53:03 PM
Attachments:	Chase Morgan_Project Notification and Consult Request_AB52 + SB18.pdf GPI 21-001 & GPA 21-001 Vicinity Map.pdf GPI 21-001 & GPA 21-001 Aerial Photograph.pdf Chase Morgan_Tribal_AB52_Consultation_Letter_Powers_SRRTY.pdf

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Danielle Folk

Planner II
Tulare County Resource Management Agency
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RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
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Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR
MICHAEL WASHAM, ASSOCIATE DIRECTOR

July 19, 2022

Santa Rosa Rancheria Tachi Yokut Tribe
Leo Sisco, Chairperson
16835 Alkali Drive
Lemoore, CA 93245

RE: Project Notification and Consultation Request Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Chase Morgan Project (GPA 21-001)

Dear Chairperson Sisco,

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Hector Guerra
Chief Environmental Planning
(559) 624-7121
hguerra@tularecounty.ca.gov

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RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
PHONE (559) 624-7000
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Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR
MICHAEL WASHAM, ASSOCIATE DIRECTOR

July 19, 2022

Santa Rosa Rancheria Tachi Yokut Tribe
Shana Powers, Director
16835 Alkali Drive
Lemoore, CA 93245

RE: Project Notification and Consultation Request Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Chase Morgan Project (GPA 21-001)

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Sincerely,

Hector Guerra
Chief Environmental Planning
(559) 624-7121
hguerra@tularecounty.ca.gov

Attachment(s): AB 52 Project Notification and Tribal Consultation Request
Project Site Map and Vicinity Map
Visalia Topography Map

From:	Danielle Folk
To:	Neil Peyron (neil.peyron@tulerivertribe-nsn.gov); Kerri Vera (tuleriverenv@yahoo.com); Felix Christman (tuleriverarchmon1@gmail.com)
Cc:	Jessica R Willis
Subject:	AB 52/ SB-18 Project Notification - Chase Morgan Project (GPA 21-001)
Date:	Tuesday, July 19, 2022 2:56:18 PM
Attachments:	Chase Morgan_Project Notification and Consult Request_AB52 + SB18.pdf GPI 21-001 & GPA 21-001 Aerial Photograph.pdf GPI 21-001 & GPA 21-001 Vicinity Map.pdf Chase Morgan_Tribal_AB52_Consultation_Letter_Vera_TRIT.pdf

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Best Regards,

Danielle Folk

Planner II
Tulare County Resource Management Agency
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RESOURCE MANAGEMENT AGENCY

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Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR
MICHAEL WASHAM, ASSOCIATE DIRECTOR

July 19, 2022

Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589
Porterville, CA 93258

RE: Project Notification and Consultation Request Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Chase Morgan Project (GPA 21-001)

Dear Chairperson Peyron,

Pursuant to the provisions of AB 52 and SB 18, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the California Environmental Quality Act (CEQA) review of the Chase Morgan Project (GPA 21-001) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

- Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine; and
- Native American historic, cultural, or sacred site that is listed or may be eligible for listing in the California Register of Historical Resources including historic or prehistoric ruins and any burial ground, archaeological, or historic site.

In accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), the County of Tulare Resource Management Agency (RMA) will be preparing a Mitigated Negative Declaration (MND) to evaluate the environmental effects associated with the Project.

Sacred Lands File Search

The County requested a Sacred Lands File (SLF) search through the Native American Heritage Commission (NAHC) on July 18, 2022, for the proposed Project. The SLF search results will be made available upon the release of the MND for public review. However, the results may be made available to your Tribal Representatives if a written request for consultation is submitted to the County within thirty (30) days of receipt of this letter.

California Historical Resources Information System

Results from the Southern San Joaquin Valley Information Center's (SSJVIC), California Historical Resources Information System (CHRIS) search for the project area have not yet been received by the

County. The CHRIS search results will be made available upon the release of the MND for public review. However, the results may be made available to your Tribal Representatives if a written request for consultation is submitted to the County within thirty (30) days of receipt of this letter.

If your Tribe desires to consult with the County on the review of this project, please respond in writing within ninety (90) days regarding SB 18 requirements, and thirty (30) days regarding AB 52 requirements, of receipt of this letter. Written correspondence can be mailed to the address provided above or e-mailed to the addresses provided below.

If the County does not receive a response to this notification, it will be presumed that your Tribe has declined the opportunity to consult on this project pursuant to AB 52 and SB 18.

Thank you for your consideration on this matter and please do not hesitate to contact me by phone or e-mail should you have any questions or need additional information. If you need immediate assistance and I am unavailable, please contact, Jessica Willis, Planner IV, by phone at (559) 624-7122, or by email at jwillis@tularecounty.ca.gov.

Sincerely,

Hector Guerra
Chief Environmental Planning
(559) 624-7121
hguerra@tularecounty.ca.gov

Attachment(s): AB 52 Project Notification and Tribal Consultation Request
Project Site Map and Vicinity Map
Visalia Topography Map

RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
VISALIA, CA 93277
PHONE (559) 624-7000
FAX (559) 615-3002

Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR
MICHAEL WASHAM, ASSOCIATE DIRECTOR

July 19, 2022

Tule River Indian Tribe
Environmental Protection Department
Kerri Vera, Director
P.O. Box 589
Porterville, CA 93258

RE: Project Notification and Consultation Request Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Chase Morgan Project (GPA 21-001)

Dear Ms. Vera,

Pursuant to the provisions of AB 52 and SB 18, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the California Environmental Quality Act (CEQA) review of the Chase Morgan Project (GPA 21-001) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

- Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine; and
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If your Tribe desires to consult with the County on the review of this project, please respond in writing within ninety (90) days regarding SB 18 requirements, and thirty (30) days regarding AB 52 requirements, of receipt of this letter. Written correspondence can be mailed to the address provided above or e-mailed to the addresses provided below.

If the County does not receive a response to this notification, it will be presumed that your Tribe has declined the opportunity to consult on this project pursuant to AB 52 and SB 18.

Thank you for your consideration on this matter and please do not hesitate to contact me by phone or e-mail should you have any questions or need additional information. If you need immediate assistance and I am unavailable, please contact, Jessica Willis, Planner IV, by phone at (559) 624-7122, or by email at jwillis@tularecounty.ca.gov.

Sincerely,

Hector Guerra
Chief Environmental Planning
(559) 624-7121
hguerra@tularecounty.ca.gov

Attachment(s): AB 52 Project Notification and Tribal Consultation Request
Project Site Map and Vicinity Map
Visalia Topography Map

From:	Danielle Folk
To:	Ken Woodrow (Kwood8934@aol.com)
Cc:	Jessica R Willis
Subject:	AB 52/ SB-18 Project Notification - Chase Morgan Project (GPA 21-001)
Date:	Tuesday, July 19, 2022 2:57:21 PM
Attachments:	Chase Morgan_Project Notification and Consult Request_AB52 + SB18.pdf GPI 21-001 & GPA 21-001 Vicinity Map.pdf GPI 21-001 & GPA 21-001 Aerial Photograph.pdf Chase Morgan_Tribal_AB52_Consultation_Letter_Woodrow_WIT.pdf

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Good afternoon.

Please find attached the cover letter, Project Notification and Tribal Consultation Request form, project vicinity map, and project site plan maps for the Chase Morgan Project (GPA 21-001). The hard copies of these documents have be sent to you via Certified Mail today, July 19, 2022.

Please feel free to contact Jessica Willis by phone, 559-624-7122 or email at jwillis@tularecounty.ca.gov if you would like to begin the consultation process. Also, if your tribe would like to decline the opportunity to consult or defer to another tribe, an email stating so would be greatly appreciated.

If you have any questions or any other comments, please feel free to contact me at dfolk@tularecounty.ca.gov or by phone 559-624-7029.

Best Regards,

Danielle Folk

Planner II
Tulare County Resource Management Agency
(559) 624-7029
Dfolk@tularecounty.ca.gov

RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD
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Aaron R. Bock — Economic Development and Planning
Reed Schenke — Public Works
Sherman Dix — Fiscal Services

REED SCHENKE, DIRECTOR
MICHAEL WASHAM, ASSOCIATE DIRECTOR

July 19, 2022

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct.
Salinas, CA 93906

RE: Project Notification and Consultation Request Pursuant to Assembly Bill (AB) 52 and Senate Bill (SB) 18 for the Chase Morgan Project (GPA 21-001)

Dear Chairperson Woodrow,

Pursuant to the provisions of AB 52 and SB 18, as the lead agency under the California Environmental Quality Act (CEQA), the County of Tulare hereby extends an invitation to consult on the California Environmental Quality Act (CEQA) review of the Chase Morgan Project (GPA 21-001) in order to assist with identifying and/or preserving and/or mitigating project impacts to Native American cultural places including:

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Thank you for your consideration on this matter and please do not hesitate to contact me by phone or e-mail should you have any questions or need additional information. If you need immediate assistance and I am unavailable, please contact, Jessica Willis, Planner IV, by phone at (559) 624-7122, or by email at jwillis@tularecounty.ca.gov.

Sincerely,

Hector Guerra
Chief Environmental Planning
(559) 624-7121
hguerra@tularecounty.ca.gov

Attachment(s): AB 52 Project Notification and Tribal Consultation Request
Project Site Map and Vicinity Map
Visalia Topography Map

ATTACHMENT "D"

TRANSPORTATION

Traffic Impact Study

Proposed Mini Storage Facility

Northwest of the Intersection of Avenue 280 and the Roeben Road Alignment
Tulare County, California

Prepared For:
Derrel's Mini Storage
3265 West Ashlan Avenue
Fresno, California 93722

Date:
March 3, 2015

Job No.:
14-036.01

PETERS ENGINEERING GROUP
A CALIFORNIA CORPORATION

EXECUTIVE SUMMARY

This traffic impact study has been prepared to study the potential traffic impacts related to a proposed mini storage facility (Project) in Tulare County, California. This analysis focuses on the anticipated effect of vehicle traffic resulting from the Project.

The Project consists of a mini storage facility with 346,500 square feet of rentable building area and a 2,522-square-foot office/residence building to be located on approximately 19.18 net acres on the north side of Avenue 280 (Caldwell Avenue) between Road 92 and Akers Street in Tulare County, California. The Project site is specifically located northwest of the intersection of Avenue 280 and the Roeben Road alignment. The site is within the Sphere of Influence of the City of Visalia as illustrated in the Visalia General Plan Update dated March 2014.

The study locations were determined in coordination with County of Tulare staff based on the anticipated Project traffic distribution, the size of the Project, and the existing conditions in the vicinity of the Project site.

This report includes analysis of the following intersections:

1. Caldwell Avenue and Akers Street
2. Avenue 280 (Caldwell Avenue) and Site Driveway

The study time periods include the weekday a.m. and p.m. peak hours determined between 7:00 and 9:00 a.m. and between 4:00 and 6:00 p.m. The peak hours are analyzed for the following conditions:

- Existing Conditions;
- Existing-Plus-Project Conditions;
- Near-Term With-Project Conditions (Includes Approved and Pending Projects);
- Cumulative (Year 2040) Conditions Without Project (assumes the site is vacant); and
- Cumulative (Year 2040) Conditions With Project.

Generally-accepted traffic engineering principles and methods were employed to estimate the amount of traffic expected to be generated by the Project, to analyze the existing traffic conditions, and to analyze the traffic conditions projected to occur in the future.

The intersection of Caldwell Avenue and Akers Street is currently operating at acceptable levels of service. Calculated 95th-percentile queues exceed the storage capacity in the left-turn lane on the southbound approach to the intersection.

The study intersections are expected to operate at acceptable levels of service after construction of the Project. Queuing conditions after construction of the Project will be nearly identical to the existing conditions. The Project does not cause a significant traffic impact.

The study intersections are expected to continue to operate at acceptable levels of service after construction of the pending and approved projects and the proposed Project. The pending and approved projects are expected to contribute to slightly longer queues in left-turn lane on the southbound approach to the intersection of Caldwell Avenue and Akers Street. However, the results of the existing-plus-Project analysis indicate that the Project does not contribute to queuing impacts.

The intersection of Caldwell Avenue and Akers Street is expected to operate at LOS E in the year 2040 with the current lane configurations. Queues are generally expected to be contained within the existing storage capacity, with the exception of the left-turn lane on the southbound approach. A second left-turn lane on the southbound approach could be considered as a potential capacity-increasing project in the future.

The Project does not exacerbate the delays and level of service at the intersection by a significant amount based on the year 2040 analyses and does not cause a significant traffic impact. Calculated 95th-percentile queuing conditions with the Project are nearly identical to the calculated queues without the Project.

PETERS ENGINEERING GROUP
A CALIFORNIA CORPORATION

Mr. Paul Ridenour
Derrel's Mini Storage
3265 West Ashlan Avenue
Fresno, California 93722

March 3, 2015

Subject: Traffic Impact Study
Proposed Mini Storage Facility
Northwest of the Intersection of Avenue 280 and the Roeben Road Alignment
Tulare County, California

Dear Mr. Ridenour:

1.0 INTRODUCTION

This report presents the results of a traffic impact study for a proposed mini storage facility (Project) in Tulare County, California and supersedes a previous report dated February 27, 2015. This analysis focuses on the anticipated effect of vehicle traffic resulting from the Project.

2.0 PROJECT DESCRIPTION

The Project consists of a mini storage facility with 346,500 square feet of rentable building area and a 2,522-square-foot office/residence building to be located on approximately 19.18 net acres on the north side of Avenue 280 (Caldwell Avenue) between Road 92 and Akers Street in Tulare County, California. The Project site is specifically located northwest of the intersection of Avenue 280 and the Roeben Road alignment. The site is within the Sphere of Influence of the City of Visalia as illustrated in the Visalia General Plan Update dated March 2014.

The location of the site is presented in the attached Figure 1, Site Vicinity Map, following the text of this report. The site plan is presented in Figure 2, Site Plan.

3.0 STUDY AREA AND TIME PERIOD

The study locations were determined in coordination with County of Tulare staff based on the anticipated Project traffic distribution, the size of the Project, and the existing conditions in the vicinity of the Project site.

This report includes analysis of the following intersections:

3. Caldwell Avenue and Akers Street
4. Avenue 280 (Caldwell Avenue) and Site Driveway

The study time periods include the weekday a.m. and p.m. peak hours determined between 7:00 and 9:00 a.m. and between 4:00 and 6:00 p.m. The peak hours are analyzed for the following conditions:

- Existing Conditions;
- Existing-Plus-Project Conditions;
- Near-Term With-Project Conditions (Includes Approved and Pending Projects);
- Cumulative (Year 2040) Conditions Without Project (assumes the site is vacant); and
- Cumulative (Year 2040) Conditions With Project.

4.0 LEVEL OF SERVICE

The Transportation Research Board *Highway Capacity Manual*, 2010, (HCM2010) defines level of service (LOS) as, "A quantitative stratification of a performance measure or measures that represent quality of service, measured on an A-F scale, with LOS A representing the best operating conditions from the traveler's perspective and LOS F the worst."

Automobile mode LOS characteristics for both unsignalized and signalized intersections are presented in Tables 1 and 2.

Table 1
Level of Service Characteristics for Unsignalized Intersections

Level of Service	Average Vehicle Delay (seconds)
A	0-10
B	>10-15
C	>15-25
D	>25-35
E	>35-50
F	>50

Reference: *Highway Capacity Manual*, Transportation Research Board, 2010

Table 2
Level of Service Characteristics for Signalized Intersections

Level of Service	Description	Average Vehicle Delay (seconds)
A	Volume-to-capacity ratio is low. Progression is exceptionally favorable or the cycle length is very short.	<10
B	Volume-to-capacity ratio is low. Progression is highly favorable or the cycle length is very short.	>10-20
C	Volume-to-capacity ratio is no greater than 1.0. Progression is favorable or cycle length is moderate.	>20-35
D	Volume-to-capacity ratio is high but no greater than 1.0. Progression is ineffective or cycle length is long. Many vehicles stop and individual cycle failures are noticeable.	>35-55
E	Volume-to-capacity ratio is high but no greater than 1.0. Progression is unfavorable and cycle length is long. Individual cycle failures are frequent.	>55-80
F	Volume-to-capacity ratio is greater than 1.0. Progression is very poor and cycle length is long. Most cycles fail to clear the queue.	>80

Reference: *Highway Capacity Manual,* Transportation Research Board, 2010

5.0 SIGNIFICANCE CRITERIA

Policy TC-1.15, Traffic Impact Study, presented in Chapter 13 of the 2030 Update of the Tulare County General Plan dated August 2012 (County General Plan) states: "*The County shall require an analysis of traffic impacts for land development projects that may generate increased traffic on County roads. Typically, applicants of projects generating over 100 peak hour trips per day or where LOS "D" or worse occurs, will be required to prepare and submit this study. The traffic impact study will include impacts from all vehicles, including truck traffic.*"

Policy TC-1.16, County Level Of Service (LOS) Standards, presented in the County General Plan states: "*The County shall strive to develop and manage its roadway system (both segments and intersections) to meet a LOS of "D" or better in accordance with the LOS definitions established by the Highway Capacity Manual.*"

The City of Visalia General Plan establishes LOS "D" as the minimum acceptable LOS standard on city roadways.

For purposes of this study, a significant traffic impact will be recognized if the Project will:

- decrease the LOS below D at an intersection;
- exacerbate the delay at an intersection already operating at a substandard LOS (i.e., LOS E or LOS F) by increasing the average delay by 5.0 seconds or more; or
- cause the LOS to drop from LOS E to LOS F.

6.0 EXISTING TRAFFIC VOLUMES

Existing peak-hour traffic volumes at the intersection of Caldwell Avenue and Akers Street were determined by performing turning-movement counts between 7:00 and 9:00 a.m. and

between 4:00 and 6:00 p.m. on Tuesday, February 10, 2015. The counts included pedestrians, bicycles, and heavy vehicles. A twenty-four-hour traffic count was performed on Avenue 280 (Caldwell Avenue) near the Project site on Tuesday, February 10, 2015 and indicated a 24-hour volume of 9,271 vehicles (combined both eastbound and westbound directions). The data sheets are presented in the attached Appendix A. The existing peak-hour turning movement volumes are presented in Figure 3, Existing Peak-Hour Traffic Volumes. Table 3 presents the results of the 24-hour traffic counts.

7.0 PROJECT TRIP GENERATION

Data provided in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 9th Edition*, are typically used to estimate the number of trips anticipated to be generated by proposed projects. ITE presents data for Mini-Warehouse uses (ITE Code 151) which includes local data prepared by Peters Engineering Group based on existing Derrel's Mini Storage facilities in the Fresno area. Table 3 presents the ITE trip generation rates for mini warehouse uses.

Table 3
ITE Code 151 Trip Generation Rates

Independent Variable	A.M. Peak Hour of Adjacent Street	P.M. Peak Hour of Adjacent Street	Weekday
Net Rentable Area	0.14 trips per 1,000 square feet	0.26 trips per 1,000 square feet	2.50 trips per 1,000 square feet

It has been found that the typical Derrel's Mini Storage facility generates fewer trips than the averages presented in ITE. Peters Engineering Group performed a local trip generation study specifically for several existing Derrel's Mini Storage facilities and presented the results in a report dated September 22, 2005. The existing facilities included residences for employees which are included in the trip generation rates. The rates presented in Table 4, which have been applied to new Derrel's Mini Storage facilities in the San Joaquin Valley, are based on information presented in the September 22, 2005 report and additional feedback received from the City of Fresno in a letter dated October 25, 2005.

Table 4
Local Trip Generation Rates - Mini Storage Facilities

Independent Variable	A.M. Peak Hour of Adjacent Street	P.M. Peak Hour of Adjacent Street	Weekday
Net Rentable Area	0.12 trips per 1,000 square feet	0.14 trips per 1,000 square feet	1.43 trips per 1,000 square feet

The proportion of entering vehicles and exiting is approximately 50 percent each.

Table 5 presents trip generation calculations for the proposed Project based on the rates presented in Table 4.

Table 5
Weekday Project Trip Generation

Land Use	Units	A.M. Peak Hour Traffic Volumes			P.M. Peak Hour Traffic Volumes			Weekday Traffic Volumes	
		Rate Split	Enter	Exit	Rate Split	Enter	Exit	Rate	Total
Mini Storage	346,500 sq. ft	0.12 50/50	21	21	0.14 50/50	25	25	1.43	469

Reference: Peters Engineering Group report dated September 22, 2005 and City of Fresno letter dated October 25, 2005.
Rates are reported in trips per 1,000 square feet. Splits are reported as Entering/Exiting as a percentage of the total

8.0 PROJECT TRIP DISTRIBUTION AND ASSIGNMENT

The distribution of Project trips was estimated based on the locations of complementary land uses, available routes, and engineering judgment. The percentage distribution of Project trips is presented in the attached Figure 4, Project Trip Distribution Percentages. The peak-hour Project traffic volumes presented in Table 5 were assigned to the adjacent road network in accordance with the trip distribution percentages in Figure 4. The peak-hour Project traffic volumes are presented in Figure 5, A.M. and P.M. Peak Hour Project Traffic Volumes.

9.0 LANE CONFIGURATIONS AND INTERSECTION CONTROL

The existing lane configurations and intersection control at the study locations are presented in Figure 6, Existing Lane Configurations and Intersection Control.

10.0 EXISTING-PLUS-PROJECT TRAFFIC VOLUMES

The existing-plus-Project peak-hour turning movement volumes are presented in Figure 7, Existing-Plus-Project Peak-Hour Traffic Volumes.

11.0 PENDING PROJECTS

The analyses for the near-term and long-term conditions consider trips expected to be generated by pending and approved projects in the study area. The following projects were considered in the analyses:

- Expansion of First Assembly of God Church, southwest of the intersection of Caldwell Avenue and Akers Street
- Montessori School, northeast of the intersection of Caldwell Avenue and Linwood Street
- Completion of Sequoia Crossing single-family residences southeast of the intersection of Caldwell Avenue and Akers Street

Analysis of the Sequoia Gateway Commercial and Business Park and consideration of that project as a pending project is beyond the scope of this study. A separate environmental impact report will be performed for the Sequoia Gateway Commercial and Business Park to consider its cumulative impacts.

12.0 NEAR-TERM TRAFFIC VOLUMES

The near-term with-Project peak-hour turning movement volumes are presented in Figure 8 Near-Term With-Project Peak-Hour Traffic Volumes. The near-term volumes include trips expected to be generated by the pending projects.

13.0 CUMULATIVE YEAR 2040 TRAFFIC VOLUMES

The Tulare County Association of Governments (TCAG) maintains a travel model that is typically used to forecast future traffic volumes. An increment method was utilized to forecast traffic volumes for future conditions by determining the growth projected by the model between the base year and the analysis year. This growth is added to the existing traffic volumes and the result is the predicted future traffic volume on the road segment. The TCAG travel model data output is included in the attached Appendix B.

Future turning movements forecasts were based on the methods presented in Chapter 8 of the Transportation Research Board National Cooperative Highway Research Program Report 255 entitled *"Highway Traffic Data for Urbanized Area Project Planning and Design."*

The cumulative year 2040 traffic volumes without the Project are presented in Figure 9, Year 2040 Cumulative No-Project Peak-Hour Traffic Volumes. This scenario assumes the Project site is vacant. The cumulative year 2040 traffic volumes with the Project are presented in Figure 10, Year 2040 Cumulative With-Project Peak-Hour Traffic Volumes.

14.0 INTERSECTION ANALYSES

The levels of service at the study intersections were determined using the computer program Synchro 8, which is based on the *Highway Capacity Manual* procedures for calculating levels of service. The intersection analysis sheets are included in the attached Appendix C.

Peak-hour factors (PHF) for the existing and near-term conditions were determined from the traffic counts. The HCM suggests that a PHF of 0.92 in urban areas may be used in the absence of field data and 0.88 may be used in rural areas. For purposes of the cumulative year 2040 analyses performed for this study, in which a substantial volume of traffic growth is added and field data is not available, a PHF of 0.92 is assumed for the new growth trips. A weighted average of the existing PHF for existing trips and 0.92 for new growth trips is used in the analyses.

Tables 6 through 10 present the results of the intersection analyses. Substandard delays and levels of service are indicated in bold type.

Table 6
Intersection Level of Service Summary – Existing Conditions

Intersection	Control	A.M. Peak Hour		P.M. Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS
Caldwell / Akers	Signals	49.7	D	39.5	D
Caldwell / Site Access	Does not exist	-	-	-	-

Table 7
Intersection Level of Service Summary – Existing-Plus-Project Conditions

Intersection	Control	A.M. Peak Hour		P.M. Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS
Caldwell / Akers	Signals	50.2	D	40.1	D
Caldwell / Site Access	One-way stop	15.8	C	18.7	C

Table 8
Intersection Level of Service Summary – Near-Term With-Project Conditions

Intersection	Control	A.M. Peak Hour		P.M. Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS
Caldwell / Akers	Signals	54.0	D	41.6	D
Caldwell / Site Access	One-way stop	16.0	C	19.0	C

Table 9
Intersection Level of Service Summary – Cumulative 2040 No-Project Conditions

Intersection	Control	A.M. Peak Hour		P.M. Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS
Caldwell / Akers	Signals	**68.6**	**E**	**60.6**	**E**
Caldwell / Site Access	Does not exist	-	-	-	-

Table 10
Intersection Level of Service Summary – Cumulative 2040 With-Project Conditions

Intersection	Control	A.M. Peak Hour		P.M. Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS
Caldwell / Akers	Signals	**69.3**	**E**	**61.0**	**E**
Caldwell / Site Access	One-way stop	22.0	C	31.3	D

The results of the intersection operational analyses include estimates of the 95th-percentile queue lengths at the study intersections. The existing storage capacity and the calculated 95th-percentile queue lengths are presented in Tables 11 through 15. Calculated 95th-percentile queue lengths that exceed the storage capacity by at least 25 feet (the average storage length for one automobile) are indicated in bold type.

Table 11
Intersection Queuing Summary – Existing Conditions

Intersection		Storage and Queue Length (feet)											
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Caldwell / Akers	Storage	220	*	100**	315+	*	100**	305	*	150**	305	*	80
	A.M.	85	102	0	81	138	58	73	104	11	323	101	29
	P.M.	112	168	0	71	135	54	50	112	22	**351**	100	11

All lengths are reported in feet.
* Nearest major intersection is greater than 1,000 feet away.
** Painted length. Space exists for additional storage beyond the painted length.
\+ Left-turn lane connects with a two-way left-turn lane that provides additional storage capacity.

Table 12
Intersection Queuing Summary – Existing-Plus-Project Conditions

Intersection		Storage and Queue Length (feet)											
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Caldwell / Akers	Storage	220	*	100**	315+	*	100**	305	*	150**	305	*	80
	A.M.	91	105	0	81	141	61	78	104	11	324	102	30
	P.M.	128	172	1	71	138	54	56	113	22	**353**	100	17
Caldwell / Site Access	Storage	S	NS	DNE	DNE	NS	S	DNE	DNE	DNE	OS	DNE	S
	A.M.	0				-					5		-
	P.M.	0				-					8		-

All lengths are reported in feet.
* Nearest major intersection is greater than 1,000 feet away.
** Painted length. Space exists for additional storage beyond the painted length.
\+ Left-turn lane connects with a two-way left-turn lane that provides additional storage capacity.
S - Shared lane
NS - Not required to stop
DNE - Does not exist
OS - On-site storage

Table 13
Intersection Queuing Summary – Near-Term With-Project Conditions

Intersection		Storage and Queue Length (feet)											
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Caldwell / Akers	Storage	220	*	100**	315+	*	100**	305	*	150**	305	*	80
	A.M.	94	105	0	93	141	70	85	111	15	**350**	108	31
	P.M.	128	172	5	85	138	55	60	115	26	**361**	104	17
Caldwell / Site Access	Storage	S	NS	DNE	DNE	NS	S	DNE	DNE	DNE	OS	DNE	S
	A.M.	0				-					5		-
	P.M.	0				-					8		-

All lengths are reported in feet.
* Nearest major intersection is greater than 1,000 feet away.
** Painted length. Space exists for additional storage beyond the painted length.
\+ Left-turn lane connects with a two-way left-turn lane that provides additional storage capacity.
S - Shared lane
NS - Not required to stop
DNE - Does not exist
OS - On-site storage

Table 14
Intersection Queuing Summary – Cumulative 2040 No-Project Conditions

Intersection		Storage and Queue Length (feet)											
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Caldwell / Akers	Storage	220	*	100**	315+	*	100**	305	*	150**	305	*	80
	A.M.	126	130	28	300	176	195	164	224	28	**383**	277	44
	P.M.	173	231	38	139	168	58	134	186	38	**500**	204	23

All lengths are reported in feet.
* Nearest major intersection is greater than 1,000 feet away.
** Painted length. Space exists for additional storage beyond the painted length.
\+ Left-turn lane connects with a two-way left-turn lane that provides additional storage capacity.

Table 15
Intersection Queuing Summary – Cumulative 2040 With-Project Conditions

Intersection		Storage and Queue Length (feet)											
		EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Caldwell / Akers	Storage	220	*	100**	315+	*	100**	305	*	150**	305	*	80
	A.M.	139	132	32	300	178	198	174	224	28	**383**	277	49
	P.M.	191	234	38	142	171	57	150	190	39	**508**	207	29
Caldwell / Site Access	Storage	S	NS	DNE	DNE	NS	S	DNE	DNE	DNE	OS	DNE	S
	A.M.	0				-					8		-
	P.M.	0				-					15		-

All lengths are reported in feet.
* Nearest major intersection is greater than 1,000 feet away.
** Painted length. Space exists for additional storage beyond the painted length.
\+ Left-turn lane connects with a two-way left-turn lane that provides additional storage capacity.
S - Shared lane
NS - Not required to stop
DNE - Does not exist
OS - On-site storage

15.0 DISCUSSION

15.1 Existing Conditions

The intersection analyses indicate that the intersection of Caldwell Avenue and Akers Street is currently operating at an acceptable LOS D during the weekday a.m. and p.m. peak hours. The calculated 95th-percentile queues exceed the existing storage capacity in the left-turn lane on the southbound approach to the intersection.

15.2 Existing-Plus-Project Conditions

The existing-plus-Project conditions analyses represent conditions that would occur after construction of the Project in the absence of other pending projects and regional growth. This scenario isolates the specific impacts of the Project.

The results of the analyses indicate the study intersections will operate at acceptable levels of service. The Project will not exacerbate the existing queuing deficiency in left-turn lane on the southbound approach to the intersection. Therefore, the Project does not cause a significant traffic impact.

15.3 Near-Term With-Project Conditions

The near-term with-Project conditions analyses represent conditions that are expected to occur immediately after construction of the Project and the pending projects. This scenario estimates the near-term cumulative impacts.

The results of the analyses indicate the study intersections will operate at acceptable levels of service. Therefore, the Project does not contribute to a significant near-term cumulative traffic impact. The near-term cumulative projects will exacerbate the existing queuing deficiency in left-turn lane on the southbound approach to the intersection; however, the results of the existing-plus-Project analysis indicate that the Project does not contribute to queuing impacts.

15.4 Cumulative Year 2040 No-Project Conditions

The year 2040 no-Project conditions analyses are based on the assumption that the Project site is vacant in the year 2040. This scenario estimates the long-term cumulative impacts without the Project.

The intersection of Caldwell Avenue and Akers Street is expected to operate at LOS E in the year 2040 with the current lane configurations. Queues are generally expected to be contained within the existing storage capacity, with the exception of the left-turn lane on the southbound approach. A second left-turn lane on the southbound approach could be considered as a potential capacity-increasing project in the future.

15.5 Cumulative Year 2040 With-Project Conditions

The year 2040 with-Project conditions analyses are based on the assumption that the Project site is developed with the proposed Project. This scenario estimates the long-term cumulative impacts.

The intersection of Avenue 280 (Caldwell Avenue) and the site access driveway is expected to operate at acceptable levels of service through the year 2040.

The intersection of Caldwell Avenue and Akers Street is expected to operate at LOS E in the year 2040 with the current lane configurations. However, the average delays with the Project are within 0.7 seconds of the average delays without the Project. Therefore, the Project does not exacerbate the delays and level of service at the intersection by a significant amount and does not cause a significant traffic impact. Calculated 95th-percentile queuing conditions with the Project are nearly identical to the calculated queues without the Project.

16.0 CONCLUSIONS

Generally-accepted traffic engineering principles and methods were employed to estimate the amount of traffic expected to be generated by the Project, to analyze the existing traffic conditions, and to analyze the traffic conditions projected to occur in the future.

The intersection of Caldwell Avenue and Akers Street is currently operating at acceptable levels of service. Calculated 95th-percentile queues exceed the storage capacity in the left-turn lane on the southbound approach to the intersection.

The study intersections are expected to operate at acceptable levels of service after construction of the Project. Queuing conditions after construction of the Project will be nearly identical to the existing conditions. The Project does not cause a significant traffic impact.

The study intersections are expected to continue to operate at acceptable levels of service after construction of the pending and approved projects and the proposed Project. The pending and approved projects are expected to contribute to slightly longer queues in left-turn lane on the southbound approach to the intersection of Caldwell Avenue and Akers Street. However, the results of the existing-plus-Project analysis indicate that the Project does not contribute to queuing impacts.

The intersection of Caldwell Avenue and Akers Street is expected to operate at LOS E in the year 2040 with the current lane configurations. Queues are generally expected to be contained within the existing storage capacity, with the exception of the left-turn lane on the southbound approach. A second left-turn lane on the southbound approach could be considered as a potential capacity-increasing project in the future.

The Project does not exacerbate the delays and level of service at the intersection by a significant amount based on the year 2040 analyses and does not cause a significant traffic impact. Calculated 95th-percentile queuing conditions with the Project are nearly identical to the calculated queues without the Project.

Thank you for the opportunity to perform this traffic impact study. Please feel free to contact our office if you have any questions.

PETERS ENGINEERING GROUP

John Rowland, PE, TE

Attachments: Figures 1 through 10
Appendix A - Traffic Count Data Sheets
Appendix B - Tulare County Travel Model
Appendix C - Intersection Analysis Sheets

FIGURES

LEGEND

PROJECT SITE

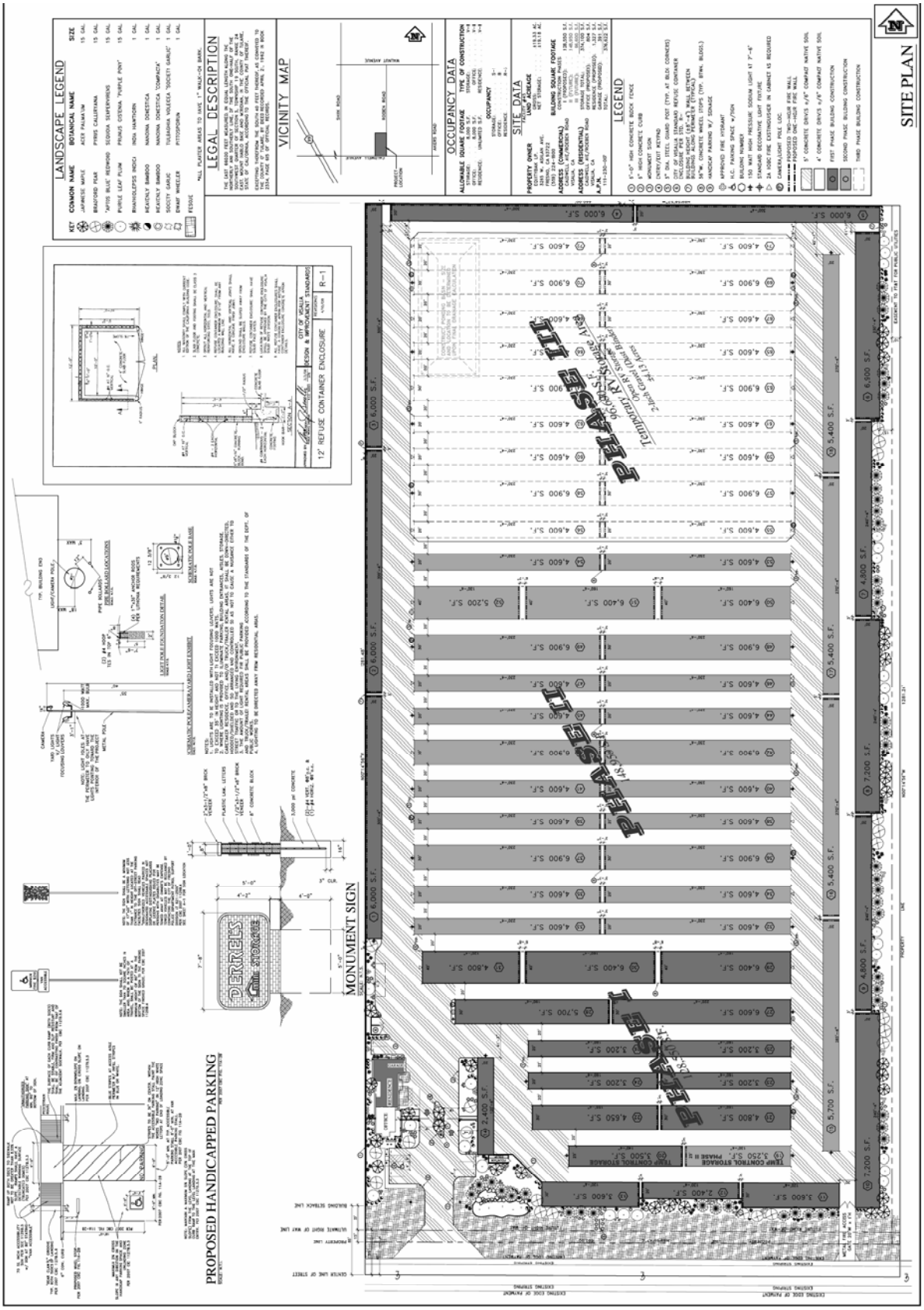
Proposed Mini Storage Facility
Tulare County, California

SITE VICINITY MAP

Not to Scale

PETERS ENGINEERING GROUP

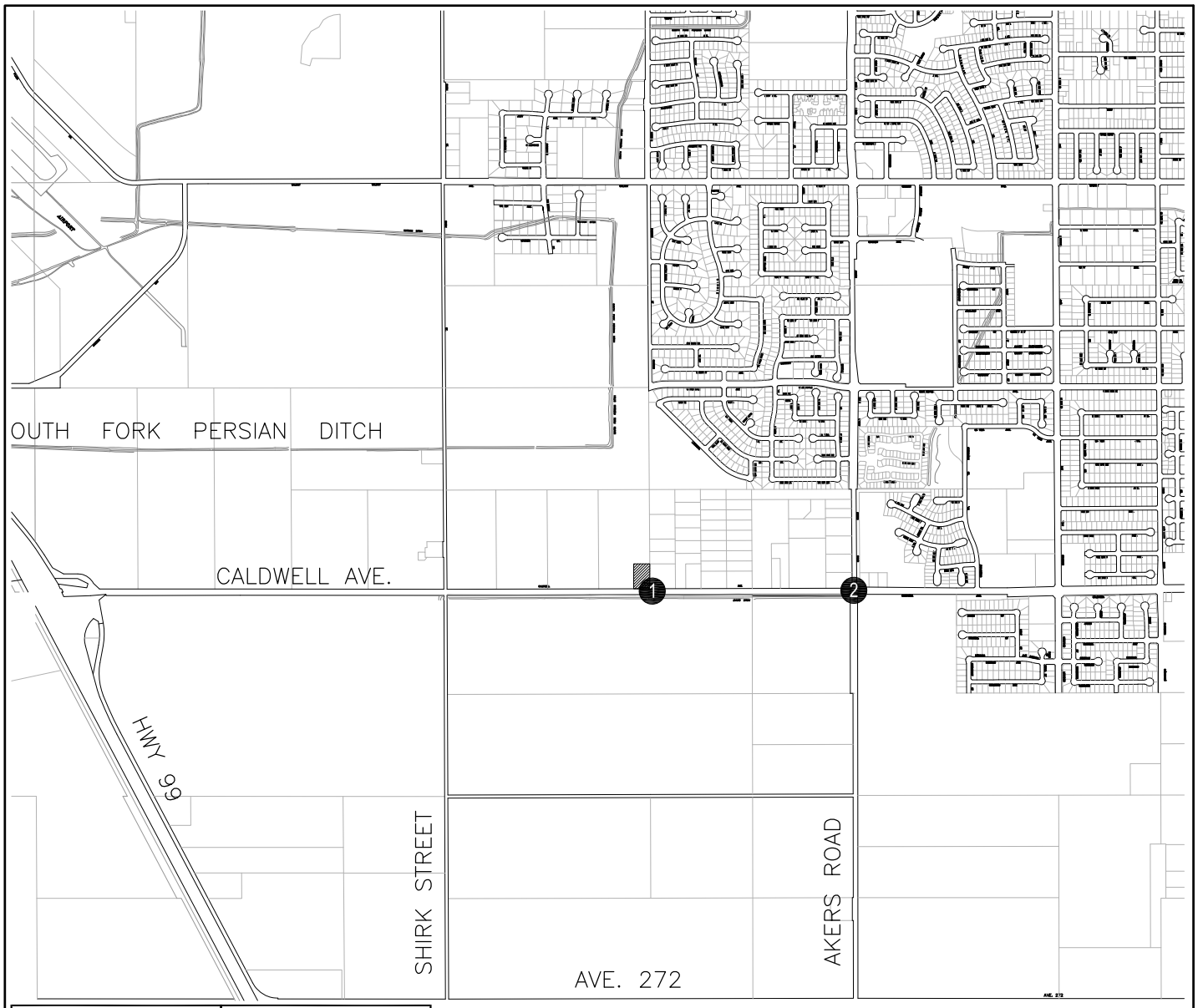
Figure 1

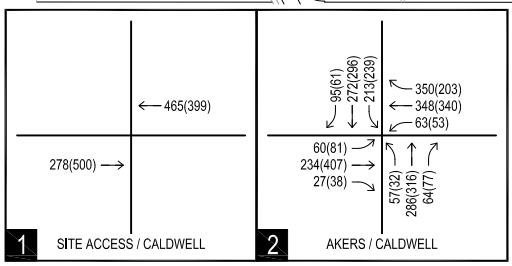


Proposed Mini Storage Facility
Tulare County, California

SITE PLAN

Not to Scale





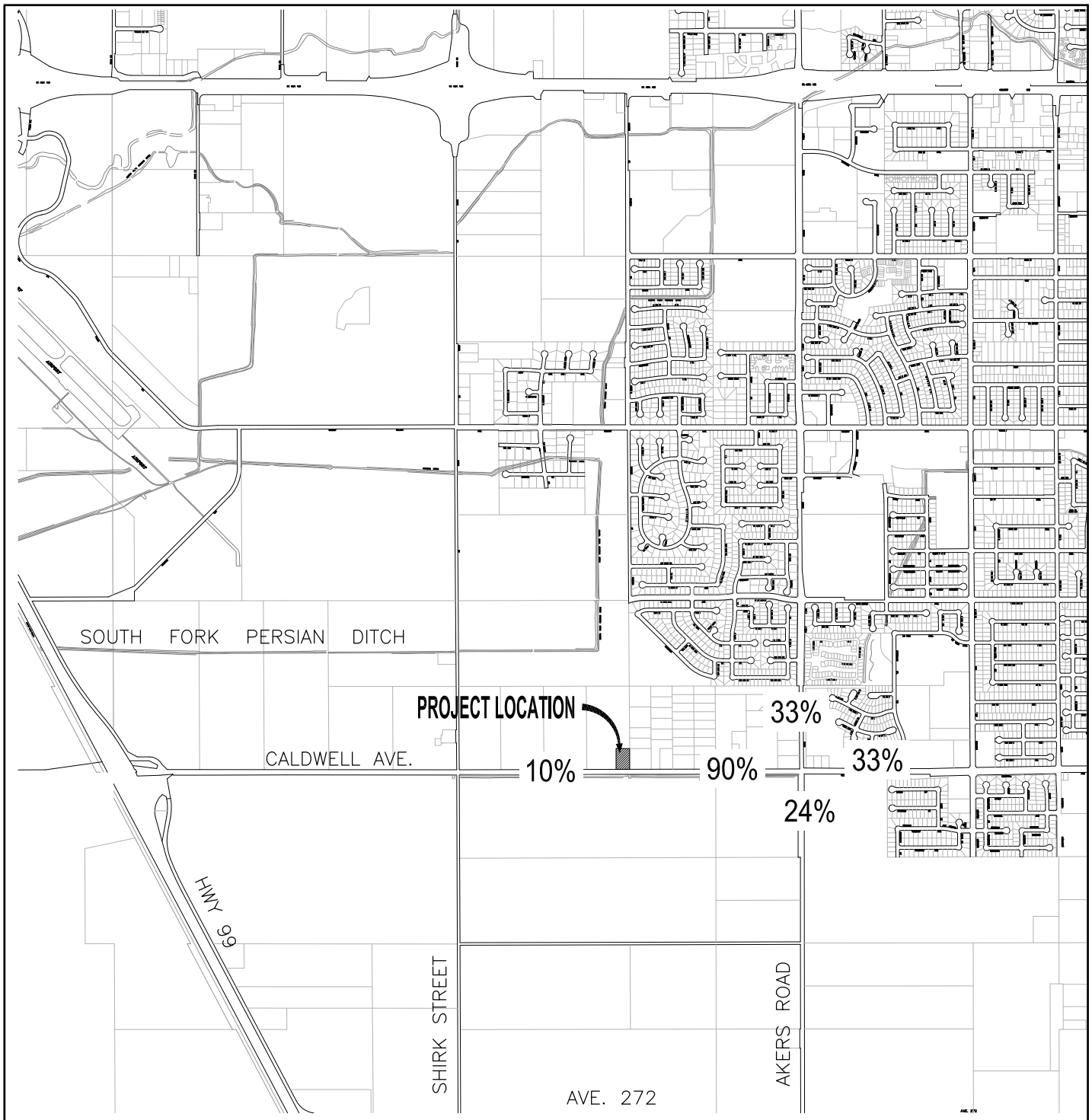
LEGEND

- XX STUDY AREA INTERSECTIONS
- PROJECT SITE
- XX - AM Peak Hour Volumes
- (YY) - PM Peak Hour Volumes

Proposed Mini Storage Facility
Tulare County, California

EXISTING PEAK-HOUR TRAFFIC VOLUMES

Not to Scale



LEGEND

PROJECT SITE

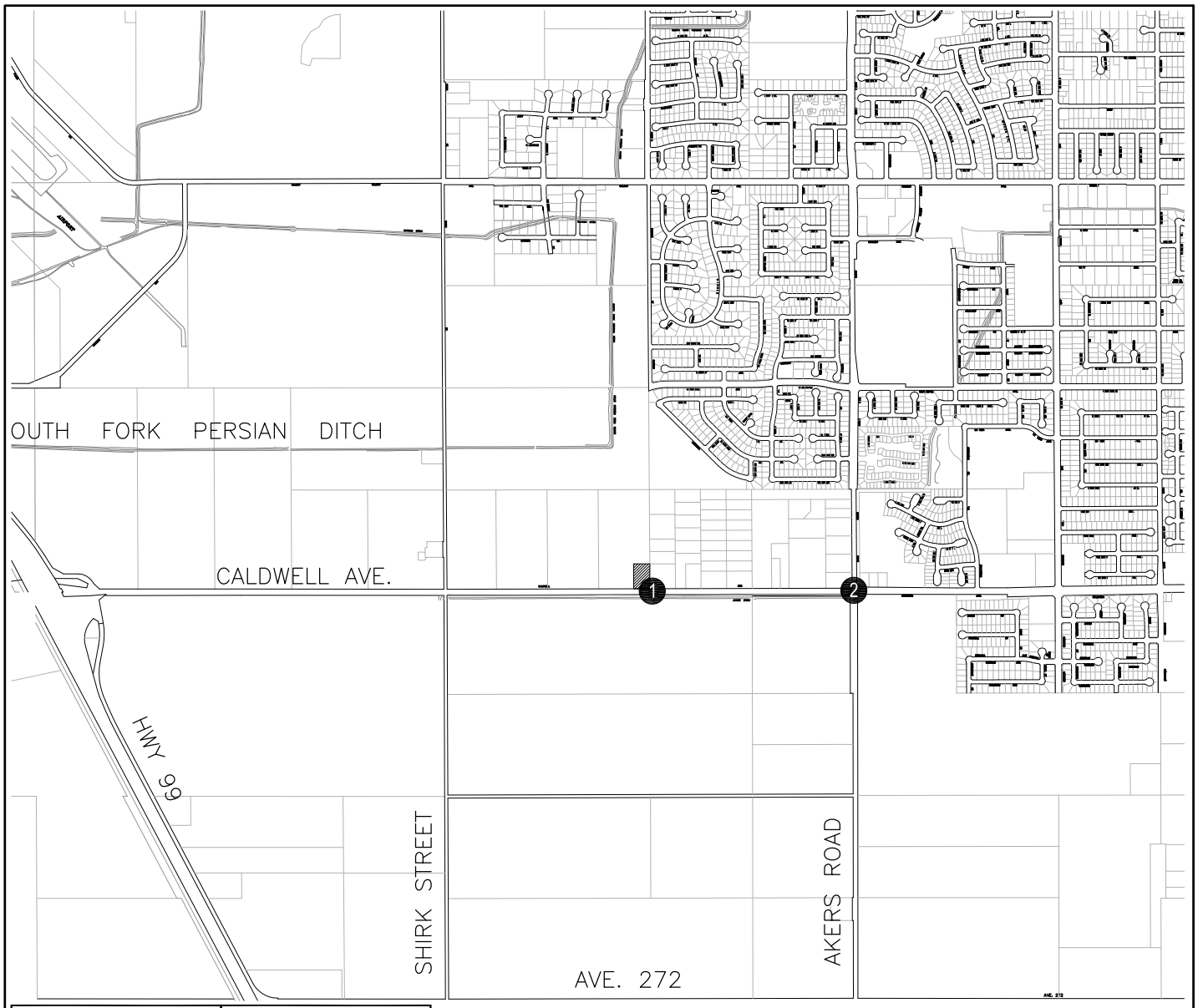
Proposed Mini Storage Facility
Tulare County, California

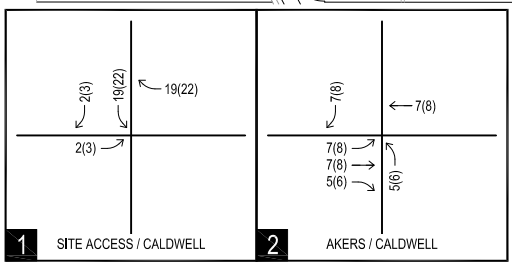
PROJECT TRIP DISTRIBUTION PERCENTAGES

Not to Scale

PETERS ENGINEERING GROUP

Figure 4





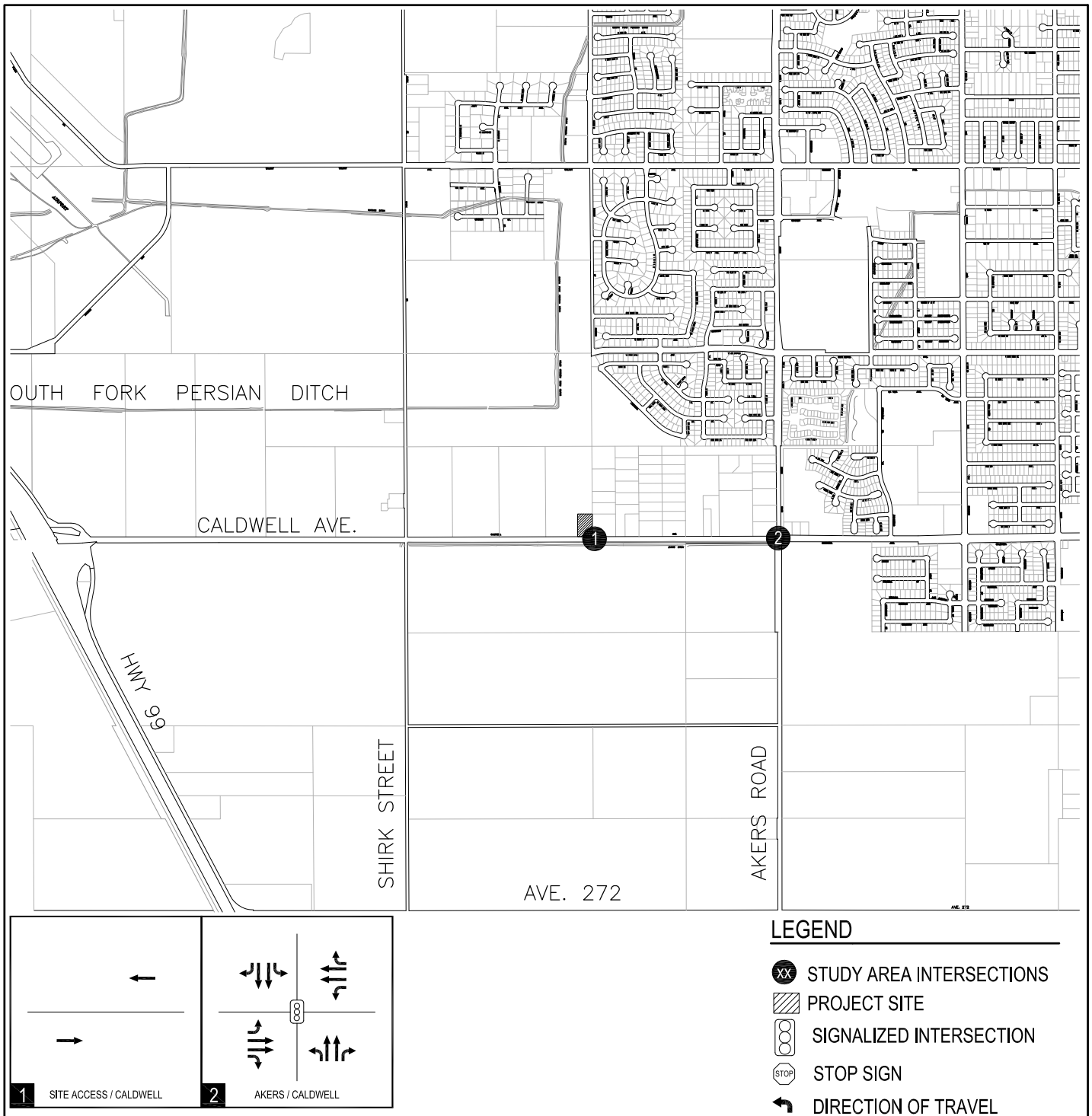
LEGEND

- XX STUDY AREA INTERSECTIONS
- PROJECT SITE
- XX - AM Peak Hour Volumes
- (YY) - PM Peak Hour Volumes

Proposed Mini Storage Facility
Tulare County, California

PEAK-HOUR PROJECT TRAFFIC VOLUMES

Not to Scale



Proposed Mini Storage Facility
Tulare County, California

EXISTING LANE CONFIGURATIONS AND INTERSECTION CONTROL

Not to Scale

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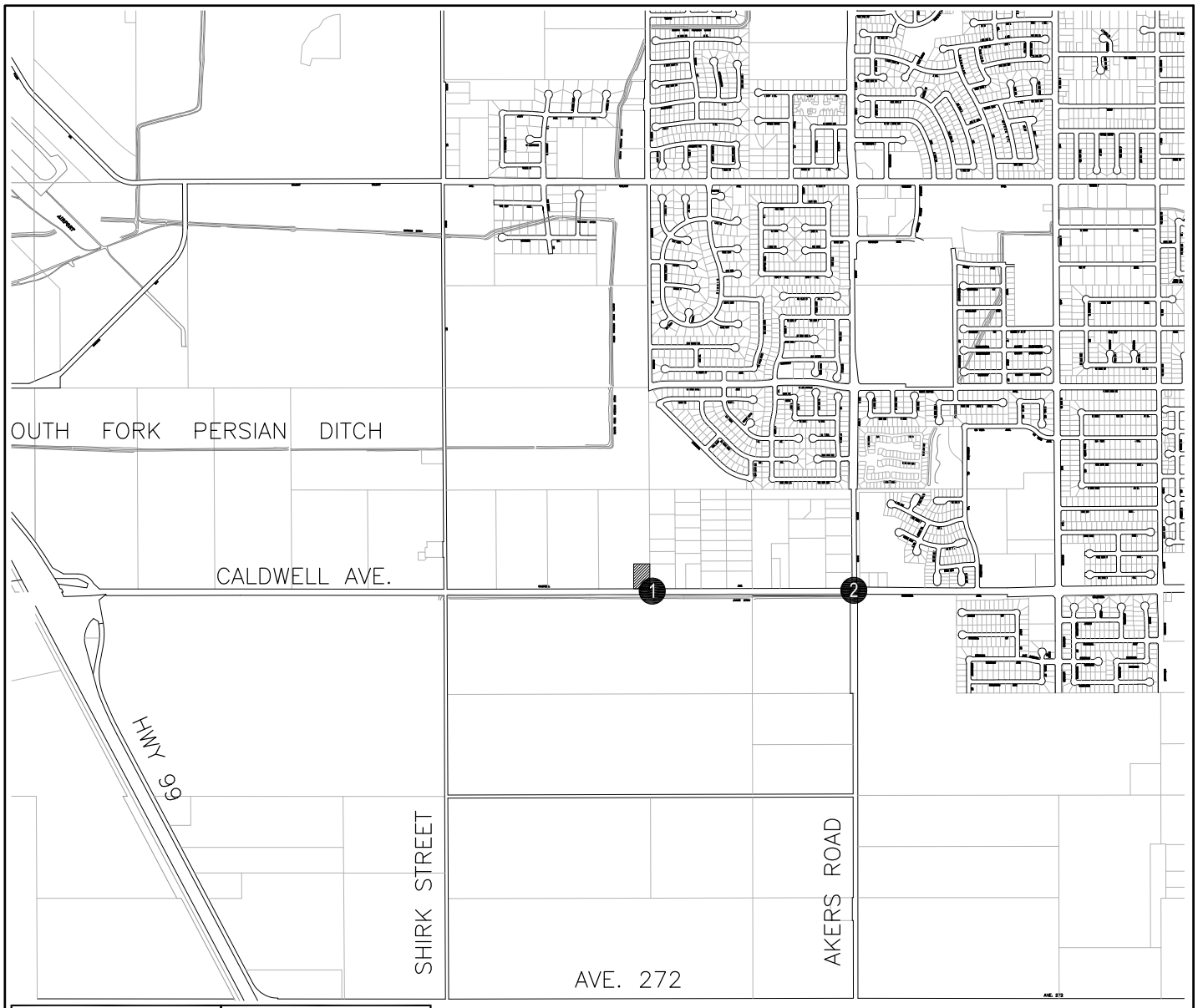
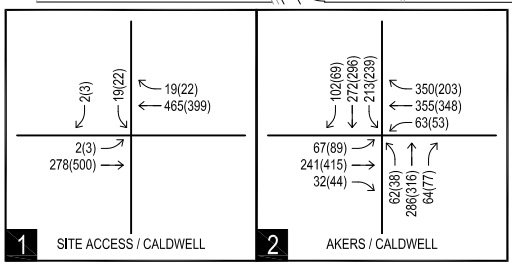
Figure 6





LEGEND

- XX STUDY AREA INTERSECTIONS
- PROJECT SITE
- XX - AM Peak Hour Volumes
- (YY) - PM Peak Hour Volumes

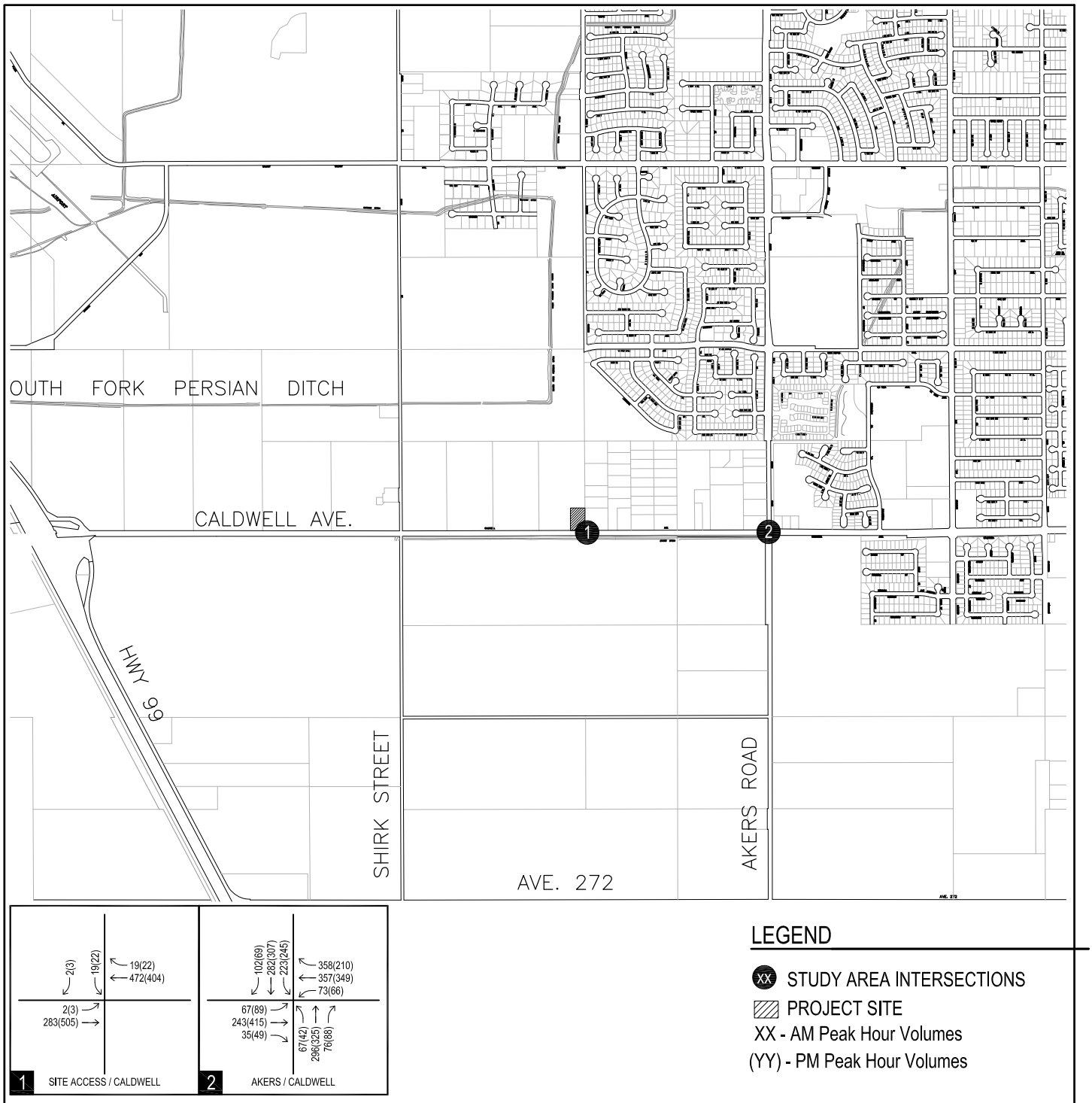
Proposed Mini Storage Facility
Tulare County, California

EXISTING PLUS PROJECT PEAK-HOUR TRAFFIC VOLUMES

Not to Scale

PETERS ENGINEERING GROUP

Figure 7



LEGEND

- XX STUDY AREA INTERSECTIONS
- PROJECT SITE
- XX - AM Peak Hour Volumes
- (YY) - PM Peak Hour Volumes

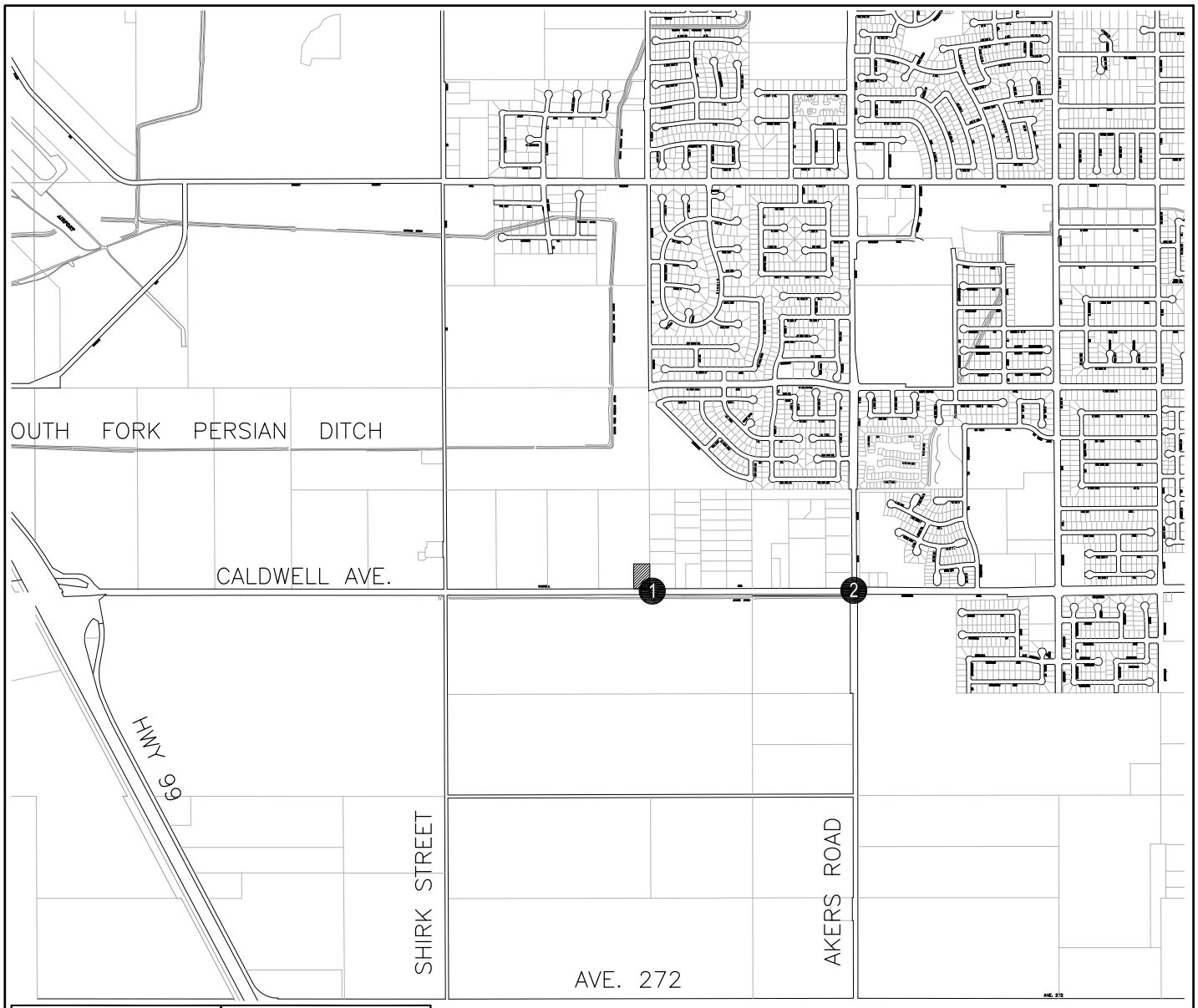
Proposed Mini Storage Facility
Tulare County, California

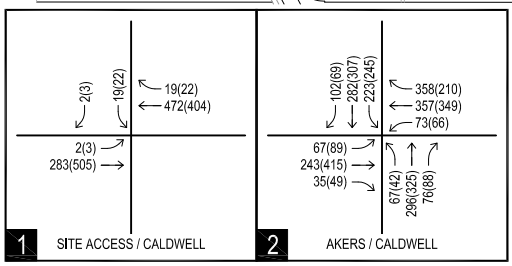
NEAR-TERM WITH PROJECT PEAK-HOUR TRAFFIC VOLUMES

Not to Scale

PETERS ENGINEERING GROUP

Figure 8





LEGEND

- XX STUDY AREA INTERSECTIONS
- PROJECT SITE
- XX - AM Peak Hour Volumes
- (YY) - PM Peak Hour Volumes

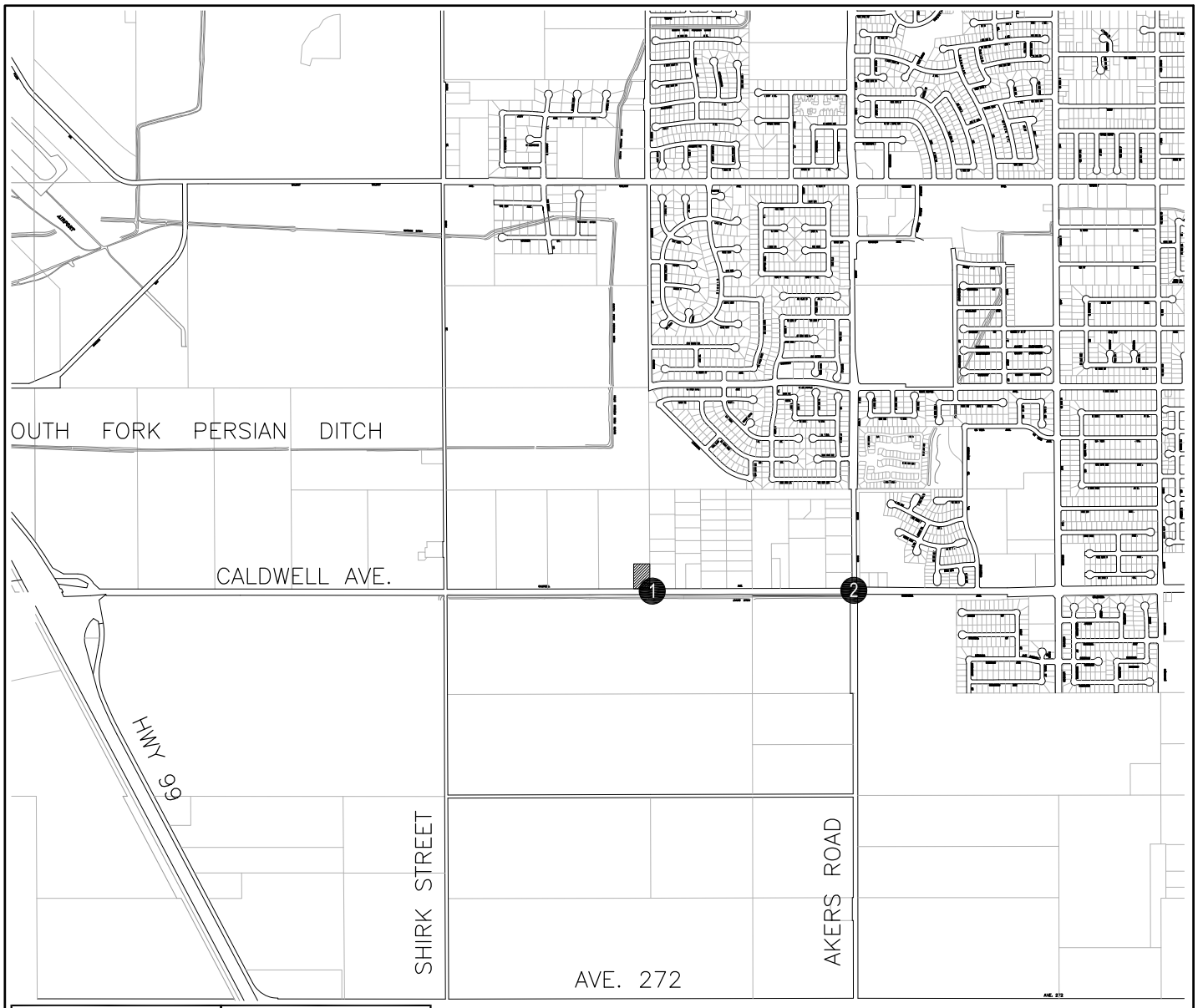
Proposed Mini Storage Facility
Tulare County, California

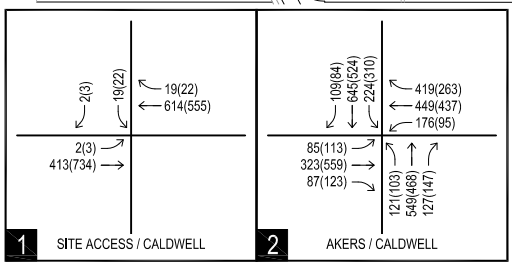
CUMULATIVE 2040 NO PROJECT PEAK-HOUR TRAFFIC VOLUMES

Not to Scale

PETERS ENGINEERING GROUP

Figure 9





LEGEND

- XX STUDY AREA INTERSECTIONS
- PROJECT SITE
- XX - AM Peak Hour Volumes
- (YY) - PM Peak Hour Volumes

Proposed Mini Storage Facility
Tulare County, California

CUMULATIVE 2040 WITH PROJECT PEAK-HOUR TRAFFIC VOLUMES

Not to Scale

PETERS ENGINEERING GROUP

Figure 10

APPENDIX A
TRAFFIC COUNT DATA SHEETS

Intersection Turning Movement

Prepared by:

National Data & Surveying Services

Project ID: 15-7102-001 **Day:** Tuesday

City: Visalia **Date:** 2/10/2015

AM

NS/EW Streets:	Akers Street			Akers Street			Caldwell Avenue			Caldwell Avenue				UTURNS			
	NORTHBOUND			SOUTHBOUND			EASTBOUND			WESTBOUND							
	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR	TOTAL	NB	SB	EB	WB
LANES:	0	0	0	0	0	0	0	0	0	0	0	0					
7:00 AM	14	39	10	13	49	21	8	37	7	7	69	27	301	0	0	0	0
7:15 AM	10	46	11	19	56	10	5	29	5	16	70	24	301	0	1	0	0
7:30 AM	18	70	15	28	58	25	14	55	6	9	93	49	440	0	6	0	0
7:45 AM	21	106	23	41	86	25	19	60	10	18	85	110	604	0	4	0	0
8:00 AM	11	62	19	87	64	24	15	63	7	22	97	135	606	0	8	0	0
8:15 AM	7	48	7	57	64	21	12	56	4	14	73	56	419	0	11	0	0
8:30 AM	6	34	14	31	42	19	6	48	6	12	53	31	302	0	9	0	0
8:45 AM	2	41	5	22	46	15	5	60	12	16	54	22	300	0	3	0	0
	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR	TOTAL	NB	SB	EB	WB
TOTAL VOLUMES :	89	446	104	298	465	160	84	408	57	114	594	454	3273	0	42	0	0
APPROACH %'s :	13.93%	69.80%	16.28%	32.29%	50.38%	17.33%	15.30%	74.32%	10.38%	9.81%	51.12%	39.07%					

PEAK HR START TIME :	730 AM												TOTAL
PEAK HR VOL :	57	286	64	213	272	95	60	234	27	63	348	350	2069
PEAK HR FACTOR :		0.678			0.829			0.902			0.749		0.854

CONTROL : 0

Intersection Turning Movement

Prepared by:

National Data & Surveying Services

Project ID: 15-7102-001 **Day:** Tuesday

City: Visalia **Date:** 2/10/2015

PM

NS/EW Streets:	Akers Street			Akers Street			Caldwell Avenue			Caldwell Avenue				UTURNS			
	NORTHBOUND			SOUTHBOUND			EASTBOUND			WESTBOUND							
	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR	TOTAL	NB	SB	EB	WB
LANES:	0	0	0	0	0	0	0	0	0	0	0	0					
4:00 PM	7	53	16	53	49	13	12	86	6	12	91	52	450	0	3	0	0
4:15 PM	5	67	23	68	70	6	13	94	4	7	80	47	484	0	3	0	0
4:30 PM	9	69	21	65	74	11	22	98	14	12	87	45	527	0	7	0	0
4:45 PM	6	72	20	54	69	16	20	130	9	7	83	54	540	0	9	0	0
5:00 PM	6	75	16	69	78	15	18	89	10	16	83	50	525	0	16	0	0
5:15 PM	11	100	20	51	75	19	21	90	5	18	87	54	551	0	13	0	0
5:30 PM	13	56	8	63	76	15	12	92	8	10	69	69	491	0	6	0	0
5:45 PM	5	76	17	43	62	15	19	84	3	7	90	59	480	0	0	0	0
	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR	TOTAL	NB	SB	EB	WB
TOTAL VOLUMES :	62	568	141	466	553	110	137	763	59	89	670	430	4048	0	57	0	0
APPROACH %'s :	8.04%	73.67%	18.29%	41.28%	48.98%	9.74%	14.29%	79.56%	6.15%	7.49%	56.35%	36.16%					
PEAK HR START TIME :	430 PM												TOTAL				
PEAK HR VOL :	32	316	77	239	296	61	81	407	38	53	340	203	2143				
PEAK HR FACTOR :		0.811			0.920			0.827			0.937		0.972				

CONTROL : 0

Intersection Turning Movement

Prepared by:

National Data & Surveying Services

Project ID: 15-7102-001

Day: Tuesday

City: Visalia

Date: 2/10/2015

AM

NS/EW Streets:	Akers Street			Akers Street			Caldwell Avenue			Caldwell Avenue				UTURNS			
	NORTHBOUND			SOUTHBOUND			EASTBOUND			WESTBOUND							
	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR	TOTAL	NB	SB	EB	WB
LANES:	0	0	0	0	0	0	0	0	0	0	0	0					
7:00 AM	0	0	0	0	1	1	0	1	0	0	1	0	4	0	0	0	0
7:15 AM	1	0	0	4	1	0	0	2	0	0	1	1	10	0	0	0	0
7:30 AM	0	1	0	1	1	1	0	1	1	0	0	0	6	0	0	0	0
7:45 AM	0	0	0	0	0	0	0	1	0	0	1	2	4	0	0	0	0
8:00 AM	1	0	0	0	0	0	0	0	2	0	2	0	5	0	0	0	0
8:15 AM	1	0	0	0	0	0	0	3	0	0	2	0	6	0	0	0	0
8:30 AM	1	0	0	0	1	0	0	3	0	0	2	0	7	0	0	0	0
8:45 AM	1	0	0	0	0	0	0	1	2	0	1	1	6	0	0	0	0
	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR	TOTAL	NB	SB	EB	WB
TOTAL VOLUMES :	5	1	0	5	4	2	0	12	5	0	10	4	48	0	0	0	0
APPROACH %'s :	83.33%	16.67%	0.00%	45.45%	36.36%	18.18%	0.00%	70.59%	29.41%	0.00%	71.43%	28.57%					
PEAK HR START TIME :	715 AM												TOTAL				
PEAK HR VOL :	2	1	0	5	2	1	0	4	3	0	4	3	25				
PEAK HR FACTOR :	0.750			0.400			0.875			0.583			0.625				

CONTROL : 0

Intersection Turning Movement

Prepared by:

National Data & Surveying Services

Project ID: 15-7102-001 **Day:** Tuesday

City: Visalia **Date:** 2/10/2015

PM

NS/EW Streets:	Akers Street			Akers Street			Caldwell Avenue			Caldwell Avenue				UTURNS			
	NORTHBOUND			SOUTHBOUND			EASTBOUND			WESTBOUND							
	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR	TOTAL	NB	SB	EB	WB
LANES:	0	0	0	0	0	0	0	0	0	0	0	0					
4:00 PM	0	0	0	1	0	0	0	0	0	0	2	0	3	0	0	0	0
4:15 PM	0	0	0	0	0	0	0	1	0	2	1	0	4	0	0	0	0
4:30 PM	1	0	0	0	0	0	1	0	1	0	1	0	4	0	0	0	0
4:45 PM	0	1	0	1	0	0	0	0	0	0	0	0	2	0	0	0	0
5:00 PM	0	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0
5:15 PM	0	1	0	1	0	0	0	0	0	0	0	0	2	0	0	0	0
5:30 PM	0	0	0	0	0	0	0	1	0	0	2	0	3	0	0	0	0
5:45 PM	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	0
	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR	TOTAL	NB	SB	EB	WB
TOTAL VOLUMES :	1	2	0	3	1	0	1	2	1	2	7	0	20	0	0	0	0
APPROACH %'s :	33.33%	66.67%	0.00%	75.00%	25.00%	0.00%	25.00%	50.00%	25.00%	22.22%	77.78%	0.00%					
PEAK HR START TIME :	400 PM												TOTAL				
PEAK HR VOL :	1	1	0	2	0	0	1	1	1	2	4	0	13				
PEAK HR FACTOR :	0.500			0.500			0.375			0.500			0.813				

CONTROL : 0

PREPARED BY NATIONAL DATA & SURVEYING SERVICES

PROJECT#: 15-7102-001
N/S Street: Akers Street
E/W Street: Caldwell Avenue
DATE: 2/10/2015
CITY: Visalia

DAY: Tuesday

A M

PEDESTRIANS

TIME	NORTH LEG		SOUTH LEG		EAST LEG		WEST LEG	
	EB	WB	EB	WB	NB	SB	NB	SB
7:00 AM	0	0	0	0	0	0	0	0
7:15 AM	0	0	0	0	0	0	0	0
7:30 AM	0	0	0	0	3	0	0	0
7:45 AM	0	0	0	0	1	0	0	0
8:00 AM	0	0	0	0	0	0	0	0
8:15 AM	0	0	0	0	0	0	0	0
8:30 AM	0	0	0	0	0	1	0	0
8:45 AM	0	0	0	0	0	0	0	0
TOTALS	**0**	**0**	**0**	**0**	**4**	**1**	**0**	**0**

BIKES

TIME	NB			SB			EB			WB		
	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR
7:00 AM	0	0	0	0	0	0	0	0	0	0	0	0
7:15 AM	0	0	0	0	0	0	0	0	0	0	0	0
7:30 AM	0	2	0	0	1	0	0	0	0	0	1	0
7:45 AM	0	0	0	0	0	0	0	0	0	0	0	0
8:00 AM	0	0	0	0	0	0	1	0	0	0	0	0
8:15 AM	0	0	0	0	0	0	0	0	0	0	0	0
8:30 AM	0	0	0	0	0	0	0	0	0	0	0	0
8:45 AM	0	0	0	0	0	0	0	0	0	0	0	0
TOTALS	**0**	**2**	**0**	**0**	**1**	**0**	**1**	**0**	**0**	**0**	**1**	**0**

P M

PEDESTRIANS

TIME	NORTH LEG		SOUTH LEG		EAST LEG		WEST LEG	
	EB	WB	EB	WB	NB	SB	NB	SB
4:00 PM	0	0	0	0	0	0	0	0
4:15 PM	0	0	0	0	0	0	0	0
4:30 PM	0	0	0	0	0	0	0	0
4:45 PM	0	0	0	0	0	0	0	0
5:00 PM	0	0	0	0	0	3	0	0
5:15 PM	0	0	0	0	0	0	0	0
5:30 PM	0	0	0	0	0	1	0	0
5:45 PM	0	0	0	0	0	0	0	0
TOTALS	**0**	**0**	**0**	**0**	**0**	**4**	**0**	**0**

BIKES

TIME	NB			SB			EB			WB		
	NL	NT	NR	SL	ST	SR	EL	ET	ER	WL	WT	WR
4:00 PM	0	1	0	0	2	0	0	0	0	0	0	0
4:15 PM	0	1	0	0	0	0	0	0	0	0	0	0
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0
4:45 PM	0	0	0	0	0	0	0	0	0	0	0	0
5:00 PM	0	0	0	0	0	0	0	0	0	0	0	0
5:15 PM	0	0	0	0	0	0	0	0	0	0	0	0
5:30 PM	0	0	0	0	0	0	0	0	0	0	0	0
5:45 PM	0	1	0	0	0	0	0	0	0	0	0	1
TOTALS	**0**	**3**	**0**	**0**	**2**	**0**	**0**	**0**	**0**	**0**	**0**	**1**

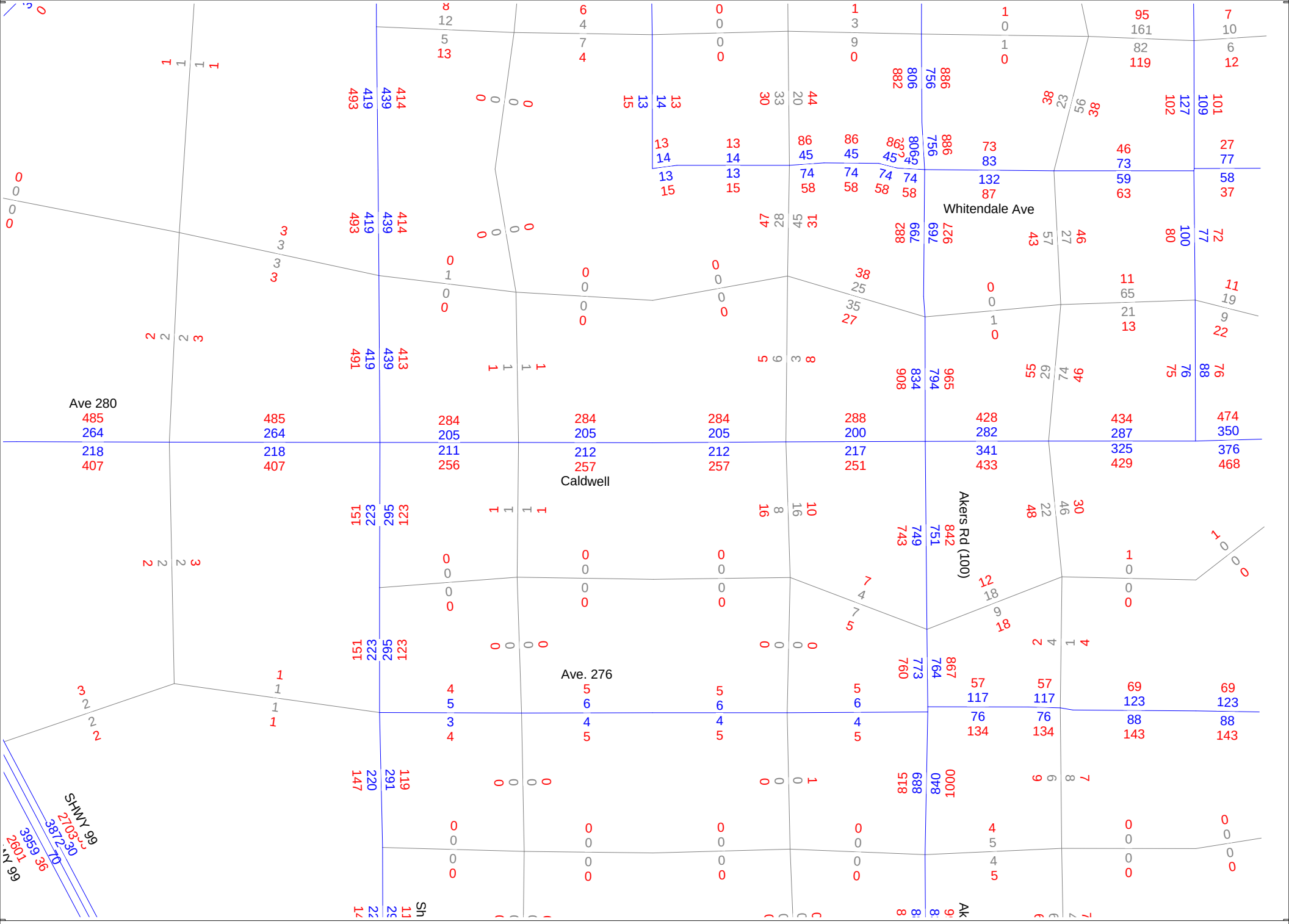
Prepared by NDS/ATD

Volumes for: Tuesday, February 10, 2015 City: Visalia Project #: 15-7110-001

Location: Caldwell Avenue west of Akers Road

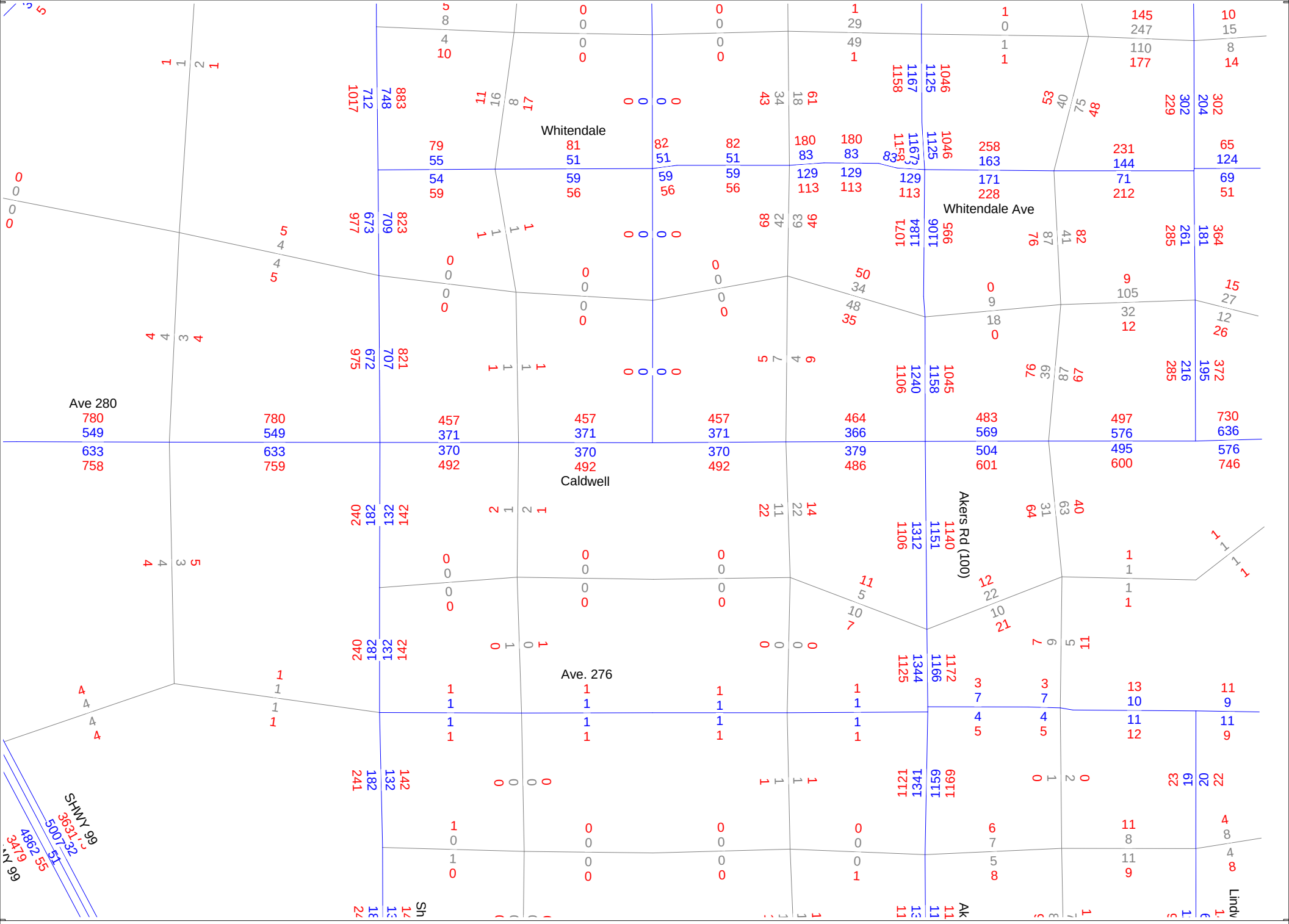
Start	Eastbound		Hour Totals		Westbound		Hour Totals		Combined Totals	
Time	Morning	Afternoon	Morning	Afternoon	Morning	Afternoon	Morning	Afternoon	Morning	Afternoon
12:00	8	64			8	61				
12:15	7	62			4	73				
12:30	3	55			4	66				
12:45	8	49	26	230	6	77	22	277	48	507
1:00	10	51			3	71				
1:15	6	69			2	77				
1:30	5	72			3	79				
1:45	5	61	26	253	1	83	9	310	35	563
2:00	3	51			3	89				
2:15	6	67			3	82				
2:30	2	64			4	75				
2:45	3	71	14	253	5	104	15	350	29	603
3:00	3	81			1	78				
3:15	3	83			10	84				
3:30	6	100			16	90				
3:45	8	99	20	363	11	94	38	346	58	709
4:00	7	92			15	98				
4:15	8	108			9	99				
4:30	5	119			19	97				
4:45	7	141	27	460	23	91	66	385	93	845
5:00	7	122			31	103				
5:15	7	118			46	108				
5:30	12	112			60	97				
5:45	21	96	47	448	66	93	203	401	250	849
6:00	20	69			70	84				
6:15	20	72			70	92				
6:30	35	65			80	61				
6:45	34	54	109	260	94	65	314	302	423	562
7:00	45	47			100	52				
7:15	37	36			89	54				
7:30	62	40			127	44				
7:45	72	39	216	162	125	46	441	196	657	358
8:00	70	40			116	41				
8:15	74	27			97	44				
8:30	59	31			75	52				
8:45	72	22	275	120	78	47	366	184	641	304
9:00	67	22			41	38				
9:15	54	24			45	25				
9:30	61	15			46	27				
9:45	59	22	241	83	51	29	183	119	424	202
10:00	44	14			51	24				
10:15	56	12			48	24				
10:30	55	20			49	14				
10:45	53	17	208	63	56	12	204	74	412	137
11:00	67	16			43	5				
11:15	51	10			62	12				
11:30	71	13			66	4				
11:45	64	9	253	48	61	8	232	29	485	77
Total	1462	2743	1462	2743	2093	2973	2093	2973	3555	5716
Combined Total	4205		4205		5066		5066		9271	
AM Peak	7:30 AM				7:30 AM					
Vol.	278				465					
P.H.F.	0.939				0.915					
PM Peak		4:30 PM				5:00 PM				
Vol.		500				401				
P.H.F.		0.887				0.928				
Percentage	34.8%	65.2%			41.3%	58.7%				

APPENDIX B
TULARE COUNTY TRAVEL MODEL



2013 Tulare County Travel Demand Model
AM and PM Peak Hour Traffic Volumes

cube
Licensed to Peters Engineering



2040 Tulare County Travel Demand Model
AM and PM Peak Hour Traffic Volumes

cube
Licensed to Peters Engineering

APPENDIX C
INTERSECTION ANALYSIS SHEETS

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	60	234	27	63	348	350	57	286	64	213	272	95
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	188.1	186.3	171.2	188.1	188.1	188.1	182.7	188.1	188.1	186.3	188.1	188.1
Adj Flow Rate, veh/h	67	260	30	84	464	467	84	421	94	257	328	114
Adj No. of Lanes	1	2	1	1	2	1	1	2	1	1	2	1
Peak Hour Factor	0.90	0.90	0.90	0.75	0.75	0.75	0.68	0.68	0.68	0.83	0.83	0.83
Percent Heavy Veh, %	1	2	11	1	1	1	4	1	1	2	1	1
Cap, veh/h	87	1115	458	108	1168	523	107	1196	535	197	1372	614
Arrive On Green	0.05	0.31	0.31	0.06	0.33	0.33	0.06	0.33	0.33	0.11	0.38	0.38
Sat Flow, veh/h	1792	3539	1455	1792	3574	1599	1740	3574	1599	1774	3574	1599
Grp Volume(v), veh/h	67	260	30	84	464	467	84	421	94	257	328	114
Grp Sat Flow(s),veh/h/ln	1792	1770	1455	1792	1787	1599	1740	1787	1599	1774	1787	1599
Q Serve(g_s), s	3.7	5.4	1.4	4.6	10.0	27.6	4.7	8.8	4.1	11.0	6.2	4.7
Cycle Q Clear(g_c), s	3.7	5.4	1.4	4.6	10.0	27.6	4.7	8.8	4.1	11.0	6.2	4.7
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	87	1115	458	108	1168	523	107	1196	535	197	1372	614
V/C Ratio(X)	0.77	0.23	0.07	0.78	0.40	0.89	0.79	0.35	0.18	1.31	0.24	0.19
Avail Cap(c_a), veh/h	144	1177	484	181	1261	564	175	1196	535	197	1372	614
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	46.7	25.1	23.8	46.0	25.8	31.8	45.9	24.9	23.3	44.1	20.7	20.3
Incr Delay (d2), s/veh	13.6	0.1	0.1	11.4	0.2	15.9	11.9	0.8	0.7	169.8	0.4	0.7
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.2	2.7	0.6	2.6	4.9	14.5	2.6	4.5	1.9	14.6	3.1	2.2
LnGrp Delay(d),s/veh	60.3	25.2	23.8	57.3	26.1	47.6	57.8	25.7	24.1	213.9	21.1	20.9
LnGrp LOS	E	C	C	E	C	D	E	C	C	F	C	C
Approach Vol, veh/h		357			1015			599			699	
Approach Delay, s/veh		31.7			38.6			30.0			92.0	
Approach LOS		C			D			C			F	

Timer	1	2	3	4	5	6	7	8
Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	15.0	38.1	10.0	36.2	10.1	43.0	8.8	37.3
Change Period (Y+Rc), s	4.0	4.9	4.0	4.9	4.0	4.9	4.0	4.9
Max Green Setting (Gmax), s	11.0	33.2	10.0	33.0	10.0	34.2	8.0	35.0
Max Q Clear Time (g_c+I1), s	13.0	10.8	6.6	7.4	6.7	8.2	5.7	29.6
Green Ext Time (p_c), s	0.0	5.3	0.0	6.7	0.0	5.5	0.0	2.9

Intersection Summary	
HCM 2010 Ctrl Delay	49.7
HCM 2010 LOS	D

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	67	260	30	84	464	467	84	421	94	257	328	114
v/c Ratio	0.44	0.36	0.08	0.47	0.59	0.71	0.49	0.30	0.14	1.13	0.21	0.15
Control Delay	50.2	31.3	0.4	48.7	33.8	12.7	49.4	21.0	4.6	139.3	18.8	4.9
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	50.2	31.3	0.4	48.7	33.8	12.7	49.4	21.0	4.6	139.3	18.8	4.9
Queue Length 50th (ft)	36	67	0	45	124	35	45	87	0	~175	64	0
Queue Length 95th (ft)	85	102	0	81	138	58	73	104	11	#323	101	29
Internal Link Dist (ft)		2555			1198			1241			885	
Turn Bay Length (ft)	218		478	300		150	315		250	300		115
Base Capacity (vph)	166	1361	623	208	1458	884	202	1383	682	227	1586	773
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.40	0.19	0.05	0.40	0.32	0.53	0.42	0.30	0.14	1.13	0.21	0.15

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	81	407	38	53	340	203	32	316	77	239	296	61
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	188.1	188.1	184.5	182.7	188.1	188.1	184.5	188.1	188.1	188.1	188.1	188.1
Adj Flow Rate, veh/h	98	490	46	56	362	216	40	390	95	260	322	66
Adj No. of Lanes	1	2	1	1	2	1	1	2	1	1	2	1
Peak Hour Factor	0.83	0.83	0.83	0.94	0.94	0.94	0.81	0.81	0.81	0.92	0.92	0.92
Percent Heavy Veh, %	1	1	3	4	1	1	3	1	1	1	1	1
Cap, veh/h	125	880	386	71	776	347	50	1365	610	227	1715	767
Arrive On Green	0.07	0.25	0.25	0.04	0.22	0.22	0.03	0.38	0.38	0.13	0.48	0.48
Sat Flow, veh/h	1792	3574	1568	1740	3574	1599	1757	3574	1599	1792	3574	1599
Grp Volume(v), veh/h	98	490	46	56	362	216	40	390	95	260	322	66
Grp Sat Flow(s),veh/h/ln	1792	1787	1568	1740	1787	1599	1757	1787	1599	1792	1787	1599
Q Serve(g_s), s	4.7	10.4	2.0	2.8	7.7	10.6	2.0	6.6	3.4	11.0	4.5	1.9
Cycle Q Clear(g_c), s	4.7	10.4	2.0	2.8	7.7	10.6	2.0	6.6	3.4	11.0	4.5	1.9
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	125	880	386	71	776	347	50	1365	610	227	1715	767
V/C Ratio(X)	0.78	0.56	0.12	0.79	0.47	0.62	0.80	0.29	0.16	1.15	0.19	0.09
Avail Cap(c_a), veh/h	165	1397	613	180	1439	644	162	1365	610	227	1715	767
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	39.8	28.6	25.5	41.3	29.6	30.8	42.0	18.7	17.7	38.0	12.9	12.3
Incr Delay (d2), s/veh	16.2	0.6	0.1	17.1	0.4	1.8	24.3	0.5	0.5	105.2	0.2	0.2
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.9	5.2	0.9	1.7	3.8	4.9	1.3	3.3	1.6	12.0	2.2	0.9
LnGrp Delay(d),s/veh	56.0	29.2	25.6	58.4	30.1	32.6	66.3	19.2	18.2	143.2	13.2	12.5
LnGrp LOS	E	C	C	E	C	C	E	B	B	F	B	B
Approach Vol, veh/h		634			634			525			648	
Approach Delay, s/veh		33.1			33.5			22.6			65.3	
Approach LOS		C			C			C			E	

Timer	1	2	3	4	5	6	7	8
Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	15.0	38.1	7.6	26.3	6.5	46.6	10.1	23.8
Change Period (Y+Rc), s	4.0	4.9	4.0	4.9	4.0	4.9	4.0	4.9
Max Green Setting (Gmax), s	11.0	33.2	9.0	34.0	8.0	36.2	8.0	35.0
Max Q Clear Time (g_c+I1), s	13.0	8.6	4.8	12.4	4.0	6.5	6.7	12.6
Green Ext Time (p_c), s	0.0	5.0	0.0	6.2	0.0	5.2	0.0	6.3

Intersection Summary	
HCM 2010 Ctrl Delay	39.5
HCM 2010 LOS	D

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	98	490	46	56	362	216	40	390	95	260	322	66
v/c Ratio	0.62	0.62	0.11	0.37	0.51	0.44	0.28	0.29	0.14	1.15	0.19	0.08
Control Delay	57.7	35.0	0.5	46.0	33.5	7.2	44.8	20.4	4.5	144.8	16.0	1.7
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	57.7	35.0	0.5	46.0	33.5	7.2	44.8	20.4	4.5	144.8	16.0	1.7
Queue Length 50th (ft)	53	133	0	29	94	0	21	76	0	~171	57	0
Queue Length 95th (ft)	#112	168	0	71	135	54	50	112	22	#351	100	11
Internal Link Dist (ft)		2555			1198			1241			885	
Turn Bay Length (ft)	218		478	300		150	315		250	300		115
Base Capacity (vph)	164	1397	675	179	1438	772	161	1364	673	226	1703	816
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.60	0.35	0.07	0.31	0.25	0.28	0.25	0.29	0.14	1.15	0.19	0.08

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Intersection	
Int Delay, s/veh	0.5

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Vol, veh/h	2	278	465	19	19	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	2	302	505	21	21	2

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	526	0	-	0	823	516
Stage 1	-	-	-	-	516	-
Stage 2	-	-	-	-	307	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	1041	-	-	-	343	559
Stage 1	-	-	-	-	599	-
Stage 2	-	-	-	-	746	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1041	-	-	-	342	559
Mov Cap-2 Maneuver	-	-	-	-	342	-
Stage 1	-	-	-	-	599	-
Stage 2	-	-	-	-	745	-

Approach	EB	WB	SB
HCM Control Delay, s	0.1	0	15.8
HCM LOS			C

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1041	-	-	-	355
HCM Lane V/C Ratio	0.002	-	-	-	0.064
HCM Control Delay (s)	8.5	0	-	-	15.8
HCM Lane LOS	A	A	-	-	C
HCM 95th %tile Q(veh)	0	-	-	-	0.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	67	241	32	63	355	350	62	286	64	213	272	102
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	188.1	186.3	171.2	188.1	188.1	188.1	182.7	188.1	188.1	186.3	188.1	188.1
Adj Flow Rate, veh/h	74	268	36	84	473	467	91	421	94	257	328	123
Adj No. of Lanes	1	2	1	1	2	1	1	2	1	1	2	1
Peak Hour Factor	0.90	0.90	0.90	0.75	0.75	0.75	0.68	0.68	0.68	0.83	0.83	0.83
Percent Heavy Veh, %	1	2	11	1	1	1	4	1	1	2	1	1
Cap, veh/h	95	1130	465	108	1166	522	115	1188	531	195	1344	601
Arrive On Green	0.05	0.32	0.32	0.06	0.33	0.33	0.07	0.33	0.33	0.11	0.38	0.38
Sat Flow, veh/h	1792	3539	1455	1792	3574	1599	1740	3574	1599	1774	3574	1599
Grp Volume(v), veh/h	74	268	36	84	473	467	91	421	94	257	328	123
Grp Sat Flow(s),veh/h/ln	1792	1770	1455	1792	1787	1599	1740	1787	1599	1774	1787	1599
Q Serve(g_s), s	4.1	5.6	1.7	4.6	10.3	27.8	5.1	8.9	4.2	11.0	6.3	5.2
Cycle Q Clear(g_c), s	4.1	5.6	1.7	4.6	10.3	27.8	5.1	8.9	4.2	11.0	6.3	5.2
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	95	1130	465	108	1166	522	115	1188	531	195	1344	601
V/C Ratio(X)	0.78	0.24	0.08	0.78	0.41	0.89	0.79	0.35	0.18	1.32	0.24	0.20
Avail Cap(c_a), veh/h	143	1169	481	179	1252	560	174	1188	531	195	1344	601
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	46.7	25.0	23.7	46.3	26.1	32.0	46.0	25.3	23.7	44.5	21.4	21.1
Incr Delay (d2), s/veh	13.9	0.1	0.1	11.4	0.2	16.2	13.0	0.8	0.7	173.6	0.4	0.8
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.4	2.7	0.7	2.6	5.1	14.6	2.9	4.5	2.0	14.8	3.2	2.4
LnGrp Delay(d),s/veh	60.6	25.2	23.8	57.7	26.4	48.2	59.0	26.1	24.4	218.1	21.8	21.8
LnGrp LOS	E	C	C	E	C	D	E	C	C	F	C	C
Approach Vol, veh/h		378			1024			606			708	
Approach Delay, s/veh		32.0			38.9			30.8			93.1	
Approach LOS		C			D			C			F	

Timer	1	2	3	4	5	6	7	8
Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	15.0	38.1	10.0	36.8	10.6	42.5	9.3	37.5
Change Period (Y+Rc), s	4.0	4.9	4.0	4.9	4.0	4.9	4.0	4.9
Max Green Setting (Gmax), s	11.0	33.2	10.0	33.0	10.0	34.2	8.0	35.0
Max Q Clear Time (g_c+I1), s	13.0	10.9	6.6	7.6	7.1	8.3	6.1	29.8
Green Ext Time (p_c), s	0.0	5.3	0.0	6.8	0.0	5.5	0.0	2.8

Intersection Summary	
HCM 2010 Ctrl Delay	50.2
HCM 2010 LOS	D

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	74	268	36	84	473	467	91	421	94	257	328	123
v/c Ratio	0.48	0.36	0.09	0.48	0.59	0.71	0.52	0.31	0.14	1.14	0.21	0.16
Control Delay	52.2	31.2	0.5	49.1	33.7	13.0	50.8	21.3	4.7	141.9	19.1	4.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	52.2	31.2	0.5	49.1	33.7	13.0	50.8	21.3	4.7	141.9	19.1	4.8
Queue Length 50th (ft)	40	69	0	45	127	38	49	87	0	~176	65	0
Queue Length 95th (ft)	91	105	0	81	141	61	78	104	11	#324	102	30
Internal Link Dist (ft)		1570			1198			1241			885	
Turn Bay Length (ft)	218		478	300		150	315		250	300		115
Base Capacity (vph)	165	1353	620	207	1449	877	200	1375	678	225	1572	772
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.45	0.20	0.06	0.41	0.33	0.53	0.46	0.31	0.14	1.14	0.21	0.16

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Intersection	
Int Delay, s/veh	0.5

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Vol, veh/h	3	500	399	22	22	3
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	3	543	434	24	24	3

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	458	0	-	0	996	446
Stage 1	-	-	-	-	446	-
Stage 2	-	-	-	-	550	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	1103	-	-	-	271	612
Stage 1	-	-	-	-	645	-
Stage 2	-	-	-	-	578	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1103	-	-	-	270	612
Mov Cap-2 Maneuver	-	-	-	-	270	-
Stage 1	-	-	-	-	645	-
Stage 2	-	-	-	-	576	-

Approach	EB	WB	SB
HCM Control Delay, s	0	0	18.7
HCM LOS			C

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1103	-	-	-	289
HCM Lane V/C Ratio	0.003	-	-	-	0.094
HCM Control Delay (s)	8.3	0	-	-	18.7
HCM Lane LOS	A	A	-	-	C
HCM 95th %tile Q(veh)	0	-	-	-	0.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	89	415	44	53	348	203	38	316	77	239	296	69
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	188.1	188.1	184.5	182.7	188.1	188.1	184.5	188.1	188.1	188.1	188.1	188.1
Adj Flow Rate, veh/h	107	500	53	56	370	216	47	390	95	260	322	75
Adj No. of Lanes	1	2	1	1	2	1	1	2	1	1	2	1
Peak Hour Factor	0.83	0.83	0.83	0.94	0.94	0.94	0.81	0.81	0.81	0.92	0.92	0.92
Percent Heavy Veh, %	1	1	3	4	1	1	3	1	1	1	1	1
Cap, veh/h	136	903	396	71	779	348	59	1352	605	225	1679	751
Arrive On Green	0.08	0.25	0.25	0.04	0.22	0.22	0.03	0.38	0.38	0.13	0.47	0.47
Sat Flow, veh/h	1792	3574	1568	1740	3574	1599	1757	3574	1599	1792	3574	1599
Grp Volume(v), veh/h	107	500	53	56	370	216	47	390	95	260	322	75
Grp Sat Flow(s),veh/h/ln	1792	1787	1568	1740	1787	1599	1757	1787	1599	1792	1787	1599
Q Serve(g_s), s	5.2	10.7	2.3	2.8	7.9	10.7	2.3	6.7	3.4	11.0	4.6	2.3
Cycle Q Clear(g_c), s	5.2	10.7	2.3	2.8	7.9	10.7	2.3	6.7	3.4	11.0	4.6	2.3
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	136	903	396	71	779	348	59	1352	605	225	1679	751
V/C Ratio(X)	0.79	0.55	0.13	0.79	0.47	0.62	0.79	0.29	0.16	1.16	0.19	0.10
Avail Cap(c_a), veh/h	163	1385	607	178	1425	638	160	1352	605	225	1679	751
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	39.9	28.5	25.4	41.7	29.9	31.0	42.1	19.0	18.0	38.4	13.6	12.9
Incr Delay (d2), s/veh	19.0	0.5	0.2	17.0	0.5	1.8	20.4	0.5	0.6	109.3	0.3	0.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	3.3	5.3	1.0	1.7	4.0	4.9	1.5	3.4	1.6	12.2	2.3	1.1
LnGrp Delay(d),s/veh	58.9	29.0	25.5	58.7	30.4	32.8	62.5	19.6	18.6	147.7	13.8	13.2
LnGrp LOS	E	C	C	E	C	C	E	B	B	F	B	B
Approach Vol, veh/h		660			642			532			657	
Approach Delay, s/veh		33.6			33.7			23.2			66.7	
Approach LOS		C			C			C			E	

Timer	1	2	3	4	5	6	7	8
Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	15.0	38.1	7.6	27.1	7.0	46.1	10.6	24.0
Change Period (Y+Rc), s	4.0	4.9	4.0	4.9	4.0	4.9	4.0	4.9
Max Green Setting (Gmax), s	11.0	33.2	9.0	34.0	8.0	36.2	8.0	35.0
Max Q Clear Time (g_c+I1), s	13.0	8.7	4.8	12.7	4.3	6.6	7.2	12.7
Green Ext Time (p_c), s	0.0	5.0	0.0	6.3	0.0	5.2	0.0	6.4

Intersection Summary	
HCM 2010 Ctrl Delay	40.1
HCM 2010 LOS	D

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	107	500	53	56	370	216	47	390	95	260	322	75
v/c Ratio	0.66	0.61	0.12	0.37	0.51	0.44	0.33	0.29	0.14	1.16	0.19	0.09
Control Delay	61.3	34.7	1.3	46.4	33.4	7.1	46.2	20.7	4.5	148.0	16.3	2.3
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	61.3	34.7	1.3	46.4	33.4	7.1	46.2	20.7	4.5	148.0	16.3	2.3
Queue Length 50th (ft)	59	136	0	30	96	0	25	78	0	~175	60	0
Queue Length 95th (ft)	#128	172	1	71	138	54	56	113	22	#353	100	17
Internal Link Dist (ft)		1570			1198			1241			885	
Turn Bay Length (ft)	218		478	300		150	315		250	300		115
Base Capacity (vph)	163	1387	671	178	1427	768	160	1354	670	224	1687	809
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.66	0.36	0.08	0.31	0.26	0.28	0.29	0.29	0.14	1.16	0.19	0.09

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Intersection	
Int Delay, s/veh	0.5

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Vol, veh/h	2	283	472	19	19	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	2	308	513	21	21	2

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	534	0	-	0	835	523
Stage 1	-	-	-	-	523	-
Stage 2	-	-	-	-	312	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	1034	-	-	-	338	554
Stage 1	-	-	-	-	595	-
Stage 2	-	-	-	-	742	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1034	-	-	-	337	554
Mov Cap-2 Maneuver	-	-	-	-	337	-
Stage 1	-	-	-	-	595	-
Stage 2	-	-	-	-	741	-

Approach	EB	WB	SB
HCM Control Delay, s	0.1	0	16
HCM LOS			C

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1034	-	-	-	350
HCM Lane V/C Ratio	0.002	-	-	-	0.065
HCM Control Delay (s)	8.5	0	-	-	16
HCM Lane LOS	A	A	-	-	C
HCM 95th %tile Q(veh)	0	-	-	-	0.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	67	243	35	73	357	358	67	296	76	223	282	102
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	188.1	186.3	171.2	188.1	188.1	188.1	182.7	188.1	188.1	186.3	188.1	188.1
Adj Flow Rate, veh/h	74	270	39	97	476	477	99	435	112	269	340	123
Adj No. of Lanes	1	2	1	1	2	1	1	2	1	1	2	1
Peak Hour Factor	0.90	0.90	0.90	0.75	0.75	0.75	0.68	0.68	0.68	0.83	0.83	0.83
Percent Heavy Veh, %	1	2	11	1	1	1	4	1	1	2	1	1
Cap, veh/h	95	1112	457	123	1178	527	124	1181	528	194	1317	589
Arrive On Green	0.05	0.31	0.31	0.07	0.33	0.33	0.07	0.33	0.33	0.11	0.37	0.37
Sat Flow, veh/h	1792	3539	1455	1792	3574	1599	1740	3574	1599	1774	3574	1599
Grp Volume(v), veh/h	74	270	39	97	476	477	99	435	112	269	340	123
Grp Sat Flow(s),veh/h/ln	1792	1770	1455	1792	1787	1599	1740	1787	1599	1774	1787	1599
Q Serve(g_s), s	4.1	5.7	1.9	5.4	10.3	28.6	5.6	9.3	5.1	11.0	6.7	5.3
Cycle Q Clear(g_c), s	4.1	5.7	1.9	5.4	10.3	28.6	5.6	9.3	5.1	11.0	6.7	5.3
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	95	1112	457	123	1178	527	124	1181	528	194	1317	589
V/C Ratio(X)	0.78	0.24	0.09	0.79	0.40	0.91	0.80	0.37	0.21	1.38	0.26	0.21
Avail Cap(c_a), veh/h	143	1163	478	178	1245	557	173	1181	528	194	1317	589
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	47.0	25.6	24.3	46.1	26.0	32.2	45.9	25.6	24.2	44.7	22.1	21.7
Incr Delay (d2), s/veh	14.1	0.1	0.1	13.5	0.2	17.8	15.8	0.9	0.9	201.7	0.5	0.8
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.4	2.8	0.8	3.1	5.1	15.2	3.2	4.7	2.4	16.2	3.4	2.5
LnGrp Delay(d),s/veh	61.1	25.7	24.4	59.6	26.3	50.0	61.7	26.5	25.1	246.5	22.6	22.5
LnGrp LOS	E	C	C	E	C	D	E	C	C	F	C	C
Approach Vol, veh/h		383			1050			646			732	
Approach Delay, s/veh		32.4			40.1			31.7			104.9	
Approach LOS		C			D			C			F	

Timer	1	2	3	4	5	6	7	8
Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	15.0	38.1	10.9	36.5	11.2	41.9	9.3	38.0
Change Period (Y+Rc), s	4.0	4.9	4.0	4.9	4.0	4.9	4.0	4.9
Max Green Setting (Gmax), s	11.0	33.2	10.0	33.0	10.0	34.2	8.0	35.0
Max Q Clear Time (g_c+I1), s	13.0	11.3	7.4	7.7	7.6	8.7	6.1	30.6
Green Ext Time (p_c), s	0.0	5.5	0.0	6.9	0.0	5.8	0.0	2.5

Intersection Summary	
HCM 2010 Ctrl Delay	54.0
HCM 2010 LOS	D

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	74	270	39	97	476	477	99	435	112	269	340	123
v/c Ratio	0.49	0.36	0.10	0.54	0.59	0.73	0.56	0.32	0.16	1.20	0.22	0.16
Control Delay	52.7	31.2	0.5	51.4	33.5	14.3	52.7	21.7	5.3	161.5	19.5	4.9
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	52.7	31.2	0.5	51.4	33.5	14.3	52.7	21.7	5.3	161.5	19.5	4.9
Queue Length 50th (ft)	41	70	0	52	128	47	54	91	0	~191	67	0
Queue Length 95th (ft)	#94	105	0	93	141	70	85	111	15	#350	108	31
Internal Link Dist (ft)		1570			1198			1241			885	
Turn Bay Length (ft)	218		478	300		150	315		250	300		115
Base Capacity (vph)	165	1348	618	206	1444	871	200	1370	682	224	1564	769
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.45	0.20	0.06	0.47	0.33	0.55	0.49	0.32	0.16	1.20	0.22	0.16

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Intersection	
Int Delay, s/veh	0.5

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Vol, veh/h	3	505	404	22	22	3
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	3	549	439	24	24	3

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	463	0	-	0	1006	451
Stage 1	-	-	-	-	451	-
Stage 2	-	-	-	-	555	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	1098	-	-	-	267	608
Stage 1	-	-	-	-	642	-
Stage 2	-	-	-	-	575	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	1098	-	-	-	266	608
Mov Cap-2 Maneuver	-	-	-	-	266	-
Stage 1	-	-	-	-	642	-
Stage 2	-	-	-	-	573	-

Approach	EB	WB	SB
HCM Control Delay, s	0	0	19
HCM LOS			C

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	1098	-	-	-	285
HCM Lane V/C Ratio	0.003	-	-	-	0.095
HCM Control Delay (s)	8.3	0	-	-	19
HCM Lane LOS	A	A	-	-	C
HCM 95th %tile Q(veh)	0	-	-	-	0.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	89	415	49	66	349	210	42	325	88	245	307	69
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	188.1	188.1	184.5	182.7	188.1	188.1	184.5	188.1	188.1	188.1	188.1	188.1
Adj Flow Rate, veh/h	107	500	59	70	371	223	52	401	109	266	334	75
Adj No. of Lanes	1	2	1	1	2	1	1	2	1	1	2	1
Peak Hour Factor	0.83	0.83	0.83	0.94	0.94	0.94	0.81	0.81	0.81	0.92	0.92	0.92
Percent Heavy Veh, %	1	1	3	4	1	1	3	1	1	1	1	1
Cap, veh/h	136	879	385	90	792	354	66	1345	602	223	1656	741
Arrive On Green	0.08	0.25	0.25	0.05	0.22	0.22	0.04	0.38	0.38	0.12	0.46	0.46
Sat Flow, veh/h	1792	3574	1568	1740	3574	1599	1757	3574	1599	1792	3574	1599
Grp Volume(v), veh/h	107	500	59	70	371	223	52	401	109	266	334	75
Grp Sat Flow(s),veh/h/ln	1792	1787	1568	1740	1787	1599	1757	1787	1599	1792	1787	1599
Q Serve(g_s), s	5.2	10.8	2.6	3.5	8.0	11.1	2.6	7.0	4.0	11.0	4.9	2.3
Cycle Q Clear(g_c), s	5.2	10.8	2.6	3.5	8.0	11.1	2.6	7.0	4.0	11.0	4.9	2.3
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	136	879	385	90	792	354	66	1345	602	223	1656	741
V/C Ratio(X)	0.79	0.57	0.15	0.78	0.47	0.63	0.79	0.30	0.18	1.19	0.20	0.10
Avail Cap(c_a), veh/h	162	1377	604	177	1418	634	159	1345	602	223	1656	741
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	40.1	29.2	26.1	41.4	29.8	31.1	42.1	19.3	18.4	38.6	14.0	13.3
Incr Delay (d2), s/veh	19.2	0.6	0.2	13.6	0.4	1.8	18.2	0.6	0.7	121.5	0.3	0.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	3.3	5.4	1.1	2.0	4.0	5.1	1.6	3.5	1.9	12.9	2.5	1.1
LnGrp Delay(d),s/veh	59.3	29.8	26.3	55.0	30.3	32.9	60.3	19.9	19.1	160.1	14.3	13.6
LnGrp LOS	E	C	C	D	C	C	E	B	B	F	B	B
Approach Vol, veh/h		666			664			562			675	
Approach Delay, s/veh		34.2			33.7			23.5			71.7	
Approach LOS		C			C			C			E	

Timer	1	2	3	4	5	6	7	8
Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	15.0	38.1	8.5	26.6	7.3	45.8	10.7	24.5
Change Period (Y+Rc), s	4.0	4.9	4.0	4.9	4.0	4.9	4.0	4.9
Max Green Setting (Gmax), s	11.0	33.2	9.0	34.0	8.0	36.2	8.0	35.0
Max Q Clear Time (g_c+I1), s	13.0	9.0	5.5	12.8	4.6	6.9	7.2	13.1
Green Ext Time (p_c), s	0.0	5.2	0.0	6.4	0.0	5.4	0.0	6.4

Intersection Summary	
HCM 2010 Ctrl Delay	41.6
HCM 2010 LOS	D

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	107	500	59	70	371	223	52	401	109	266	334	75
v/c Ratio	0.66	0.61	0.14	0.45	0.51	0.44	0.36	0.30	0.16	1.19	0.20	0.09
Control Delay	61.6	34.9	2.2	48.8	33.3	7.1	47.2	20.9	5.0	158.4	16.5	2.3
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	61.6	34.9	2.2	48.8	33.3	7.1	47.2	20.9	5.0	158.4	16.5	2.3
Queue Length 50th (ft)	60	137	0	38	96	0	28	82	0	~185	63	0
Queue Length 95th (ft)	#128	172	5	85	138	55	60	115	26	#361	104	17
Internal Link Dist (ft)		1570			1198			1241			885	
Turn Bay Length (ft)	218		478	300		150	315		250	300		115
Base Capacity (vph)	162	1383	669	177	1423	771	159	1350	672	223	1680	806
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.66	0.36	0.09	0.40	0.26	0.29	0.33	0.30	0.16	1.19	0.20	0.09

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	78	316	82	176	442	419	116	549	127	224	645	102
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	188.1	186.3	171.2	188.1	188.1	188.1	182.7	188.1	188.1	186.3	188.1	188.1
Adj Flow Rate, veh/h	86	347	90	223	559	530	149	704	163	260	750	119
Adj No. of Lanes	1	2	1	1	2	1	1	2	1	1	2	1
Peak Hour Factor	0.91	0.91	0.91	0.79	0.79	0.79	0.78	0.78	0.78	0.86	0.86	0.86
Percent Heavy Veh, %	1	2	11	1	1	1	4	1	1	2	1	1
Cap, veh/h	110	1107	455	156	1211	542	178	1183	529	172	1164	521
Arrive On Green	0.06	0.31	0.31	0.09	0.34	0.34	0.10	0.33	0.33	0.10	0.33	0.33
Sat Flow, veh/h	1792	3539	1455	1792	3574	1599	1740	3574	1599	1774	3574	1599
Grp Volume(v), veh/h	86	347	90	223	559	530	149	704	163	260	750	119
Grp Sat Flow(s),veh/h/ln	1792	1770	1455	1792	1787	1599	1740	1787	1599	1774	1787	1599
Q Serve(g_s), s	4.9	7.7	4.7	9.0	12.7	33.9	8.7	17.0	7.8	10.0	18.5	5.6
Cycle Q Clear(g_c), s	4.9	7.7	4.7	9.0	12.7	33.9	8.7	17.0	7.8	10.0	18.5	5.6
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	110	1107	455	156	1211	542	178	1183	529	172	1164	521
V/C Ratio(X)	0.78	0.31	0.20	1.43	0.46	0.98	0.84	0.60	0.31	1.51	0.64	0.23
Avail Cap(c_a), veh/h	139	1165	479	156	1211	542	185	1183	529	172	1164	521
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	47.8	27.0	26.0	47.2	26.8	33.8	45.5	28.8	25.7	46.7	29.7	25.4
Incr Delay (d2), s/veh	20.0	0.2	0.2	225.9	0.3	33.1	26.7	2.2	1.5	259.0	2.8	1.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	3.0	3.8	1.9	14.2	6.3	19.9	5.5	8.7	3.7	17.2	9.5	2.6
LnGrp Delay(d),s/veh	67.9	27.2	26.2	273.0	27.1	66.9	72.2	31.0	27.3	305.7	32.5	26.4
LnGrp LOS	E	C	C	F	C	E	E	C	C	F	C	C
Approach Vol, veh/h		523			1312			1016			1129	
Approach Delay, s/veh		33.7			84.9			36.4			94.8	
Approach LOS		C			F			D			F	

Timer	1	2	3	4	5	6	7	8
Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	14.0	39.1	13.0	37.2	14.6	38.5	10.3	39.9
Change Period (Y+Rc), s	4.0	4.9	4.0	4.9	4.0	4.9	4.0	4.9
Max Green Setting (Gmax), s	10.0	34.2	9.0	34.0	11.0	33.2	8.0	35.0
Max Q Clear Time (g_c+I1), s	12.0	19.0	11.0	9.7	10.7	20.5	6.9	35.9
Green Ext Time (p_c), s	0.0	8.8	0.0	8.7	0.0	7.8	0.0	0.0

Intersection Summary	
HCM 2010 Ctrl Delay	68.6
HCM 2010 LOS	E

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	86	347	90	223	559	530	149	704	163	260	750	119
v/c Ratio	0.59	0.40	0.21	1.30	0.55	0.80	0.76	0.54	0.24	1.39	0.59	0.19
Control Delay	62.5	30.4	5.3	211.0	31.1	23.8	68.4	27.3	5.1	238.7	28.8	7.7
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	62.5	30.4	5.3	211.0	31.1	23.8	68.4	27.3	5.1	238.7	28.8	7.7
Queue Length 50th (ft)	51	91	0	~177	154	141	89	177	0	~214	195	6
Queue Length 95th (ft)	#126	130	28	#300	176	195	#164	224	28	#383	277	44
Internal Link Dist (ft)		1570			1198			1241			885	
Turn Bay Length (ft)	218		478	300		150	315		250	300		115
Base Capacity (vph)	152	1279	591	171	1329	777	202	1299	685	187	1276	637
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.57	0.27	0.15	1.30	0.42	0.68	0.74	0.54	0.24	1.39	0.59	0.19

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	105	551	117	95	429	263	97	468	147	310	524	76
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	188.1	188.1	184.5	182.7	188.1	188.1	184.5	188.1	188.1	188.1	188.1	188.1
Adj Flow Rate, veh/h	122	641	136	101	456	280	114	551	173	337	570	83
Adj No. of Lanes	1	2	1	1	2	1	1	2	1	1	2	1
Peak Hour Factor	0.86	0.86	0.86	0.94	0.94	0.94	0.85	0.85	0.85	0.92	0.92	0.92
Percent Heavy Veh, %	1	1	3	4	1	1	3	1	1	1	1	1
Cap, veh/h	151	977	428	127	936	419	142	1251	560	208	1376	616
Arrive On Green	0.08	0.27	0.27	0.07	0.26	0.26	0.08	0.35	0.35	0.12	0.38	0.38
Sat Flow, veh/h	1792	3574	1568	1740	3574	1599	1757	3574	1599	1792	3574	1599
Grp Volume(v), veh/h	122	641	136	101	456	280	114	551	173	337	570	83
Grp Sat Flow(s),veh/h/ln	1792	1787	1568	1740	1787	1599	1757	1787	1599	1792	1787	1599
Q Serve(g_s), s	6.3	15.1	6.5	5.4	10.2	14.9	6.0	11.2	7.5	11.0	11.1	3.2
Cycle Q Clear(g_c), s	6.3	15.1	6.5	5.4	10.2	14.9	6.0	11.2	7.5	11.0	11.1	3.2
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	151	977	428	127	936	419	142	1251	560	208	1376	616
V/C Ratio(X)	0.81	0.66	0.32	0.79	0.49	0.67	0.80	0.44	0.31	1.62	0.41	0.13
Avail Cap(c_a), veh/h	151	1281	562	165	1319	590	185	1251	560	208	1376	616
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	42.7	30.5	27.4	43.3	29.6	31.3	42.8	23.7	22.5	41.9	21.3	18.9
Incr Delay (d2), s/veh	26.6	0.8	0.4	18.0	0.4	1.8	16.9	1.1	1.4	300.9	0.9	0.5
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	4.3	7.5	2.9	3.2	5.1	6.7	3.6	5.7	3.5	22.7	5.6	1.5
LnGrp Delay(d),s/veh	69.3	31.3	27.8	61.2	30.0	33.2	59.8	24.8	23.9	342.8	22.3	19.4
LnGrp LOS	E	C	C	E	C	C	E	C	C	F	C	B
Approach Vol, veh/h		899			837			838			990	
Approach Delay, s/veh		35.9			34.8			29.4			131.1	
Approach LOS		D			C			C			F	

Timer	1	2	3	4	5	6	7	8
Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	15.0	38.1	10.9	30.8	11.7	41.4	12.0	29.7
Change Period (Y+Rc), s	4.0	4.9	4.0	4.9	4.0	4.9	4.0	4.9
Max Green Setting (Gmax), s	11.0	33.2	9.0	34.0	10.0	34.2	8.0	35.0
Max Q Clear Time (g_c+I1), s	13.0	13.2	7.4	17.1	8.0	13.1	8.3	16.9
Green Ext Time (p_c), s	0.0	7.9	0.0	7.7	0.0	8.1	0.0	8.0

Intersection Summary	
HCM 2010 Ctrl Delay	60.6
HCM 2010 LOS	E

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	122	641	136	101	456	280	114	551	173	337	570	83
v/c Ratio	0.80	0.73	0.28	0.64	0.51	0.46	0.65	0.43	0.25	1.60	0.43	0.13
Control Delay	79.8	37.8	6.4	61.5	31.8	6.0	59.8	25.3	4.9	324.3	24.4	3.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	79.8	37.8	6.4	61.5	31.8	6.0	59.8	25.3	4.9	324.3	24.4	3.6
Queue Length 50th (ft)	73	185	0	59	122	0	66	131	0	~293	134	0
Queue Length 95th (ft)	#173	231	38	#139	168	58	#134	186	38	#500	204	23
Internal Link Dist (ft)		1570			1198			1241			885	
Turn Bay Length (ft)	218		478	300		150	315		250	300		115
Base Capacity (vph)	152	1299	656	167	1337	773	187	1268	679	210	1328	659
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.80	0.49	0.21	0.60	0.34	0.36	0.61	0.43	0.25	1.60	0.43	0.13

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Intersection	
Int Delay, s/veh	0.4

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Vol, veh/h	2	413	614	19	19	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	2	449	667	21	21	2

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	688	0	-	0	1131	678
Stage 1	-	-	-	-	678	-
Stage 2	-	-	-	-	453	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	906	-	-	-	225	452
Stage 1	-	-	-	-	504	-
Stage 2	-	-	-	-	640	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	906	-	-	-	224	452
Mov Cap-2 Maneuver	-	-	-	-	224	-
Stage 1	-	-	-	-	504	-
Stage 2	-	-	-	-	638	-

Approach	EB	WB	SB
HCM Control Delay, s	0	0	22
HCM LOS			C

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	906	-	-	-	235
HCM Lane V/C Ratio	0.002	-	-	-	0.097
HCM Control Delay (s)	9	0	-	-	22
HCM Lane LOS	A	A	-	-	C
HCM 95th %tile Q(veh)	0	-	-	-	0.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	85	323	87	176	449	419	121	549	127	224	645	109
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	188.1	186.3	171.2	188.1	188.1	188.1	182.7	188.1	188.1	186.3	188.1	188.1
Adj Flow Rate, veh/h	93	355	96	223	568	530	155	704	163	260	750	127
Adj No. of Lanes	1	2	1	1	2	1	1	2	1	1	2	1
Peak Hour Factor	0.91	0.91	0.91	0.79	0.79	0.79	0.78	0.78	0.78	0.86	0.86	0.86
Percent Heavy Veh, %	1	2	11	1	1	1	4	1	1	2	1	1
Cap, veh/h	118	1119	460	155	1205	539	184	1177	527	171	1145	512
Arrive On Green	0.07	0.32	0.32	0.09	0.34	0.34	0.11	0.33	0.33	0.10	0.32	0.32
Sat Flow, veh/h	1792	3539	1455	1792	3574	1599	1740	3574	1599	1774	3574	1599
Grp Volume(v), veh/h	93	355	96	223	568	530	155	704	163	260	750	127
Grp Sat Flow(s),veh/h/ln	1792	1770	1455	1792	1787	1599	1740	1787	1599	1774	1787	1599
Q Serve(g_s), s	5.3	7.9	5.0	9.0	13.0	34.1	9.1	17.1	7.9	10.0	18.7	6.1
Cycle Q Clear(g_c), s	5.3	7.9	5.0	9.0	13.0	34.1	9.1	17.1	7.9	10.0	18.7	6.1
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	118	1119	460	155	1205	539	184	1177	527	171	1145	512
V/C Ratio(X)	0.79	0.32	0.21	1.44	0.47	0.98	0.84	0.60	0.31	1.52	0.66	0.25
Avail Cap(c_a), veh/h	138	1159	476	155	1205	539	184	1177	527	171	1145	512
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	47.8	27.0	26.0	47.4	27.1	34.1	45.6	29.1	26.0	46.9	30.4	26.1
Incr Delay (d2), s/veh	22.7	0.2	0.2	228.8	0.3	34.3	28.4	2.2	1.5	262.2	2.9	1.2
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	3.4	3.9	2.0	14.3	6.4	20.1	5.8	8.8	3.7	17.3	9.7	2.9
LnGrp Delay(d),s/veh	70.5	27.1	26.2	276.3	27.4	68.5	74.0	31.3	27.5	309.1	33.3	27.2
LnGrp LOS	E	C	C	F	C	E	E	C	C	F	C	C
Approach Vol, veh/h		544			1321			1022			1137	
Approach Delay, s/veh		34.4			85.9			37.2			95.7	
Approach LOS		C			F			D			F	

Timer	1	2	3	4	5	6	7	8
Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	14.0	39.1	13.0	37.7	15.0	38.1	10.8	39.9
Change Period (Y+Rc), s	4.0	4.9	4.0	4.9	4.0	4.9	4.0	4.9
Max Green Setting (Gmax), s	10.0	34.2	9.0	34.0	11.0	33.2	8.0	35.0
Max Q Clear Time (g_c+I1), s	12.0	19.1	11.0	9.9	11.1	20.7	7.3	36.1
Green Ext Time (p_c), s	0.0	8.8	0.0	8.8	0.0	7.7	0.0	0.0

Intersection Summary	
HCM 2010 Ctrl Delay	69.3
HCM 2010 LOS	E

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	93	355	96	223	568	530	155	704	163	260	750	127
v/c Ratio	0.64	0.41	0.22	1.31	0.55	0.80	0.79	0.54	0.24	1.39	0.59	0.20
Control Delay	65.3	30.5	6.0	212.3	31.2	24.2	70.8	27.4	5.1	239.3	29.0	8.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	65.3	30.5	6.0	212.3	31.2	24.2	70.8	27.4	5.1	239.3	29.0	8.5
Queue Length 50th (ft)	56	93	0	~178	157	144	93	178	0	~214	196	10
Queue Length 95th (ft)	#139	132	32	#300	178	198	#174	224	28	#383	277	49
Internal Link Dist (ft)		1570			1198			1241			885	
Turn Bay Length (ft)	218		478	300		150	315		250	300		115
Base Capacity (vph)	151	1276	590	170	1327	774	202	1296	684	187	1268	633
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.62	0.28	0.16	1.31	0.43	0.68	0.77	0.54	0.24	1.39	0.59	0.20

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Intersection	
Int Delay, s/veh	0.6

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Vol, veh/h	3	734	555	22	22	3
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	3	798	603	24	24	3

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	627	0	-	0	1419	615
Stage 1	-	-	-	-	615	-
Stage 2	-	-	-	-	804	-
Critical Hdwy	4.12	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	2.218	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	955	-	-	-	151	491
Stage 1	-	-	-	-	539	-
Stage 2	-	-	-	-	440	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	955	-	-	-	150	491
Mov Cap-2 Maneuver	-	-	-	-	150	-
Stage 1	-	-	-	-	539	-
Stage 2	-	-	-	-	437	-

Approach	EB	WB	SB
HCM Control Delay, s	0	0	31.3
HCM LOS			D

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	955	-	-	-	164
HCM Lane V/C Ratio	0.003	-	-	-	0.166
HCM Control Delay (s)	8.8	0	-	-	31.3
HCM Lane LOS	A	A	-	-	D
HCM 95th %tile Q(veh)	0	-	-	-	0.6

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	113	559	123	95	437	263	103	468	147	310	524	84
Number	7	4	14	3	8	18	5	2	12	1	6	16
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	188.1	188.1	184.5	182.7	188.1	188.1	184.5	188.1	188.1	188.1	188.1	188.1
Adj Flow Rate, veh/h	131	650	143	101	465	280	121	551	173	337	570	91
Adj No. of Lanes	1	2	1	1	2	1	1	2	1	1	2	1
Peak Hour Factor	0.86	0.86	0.86	0.94	0.94	0.94	0.85	0.85	0.85	0.92	0.92	0.92
Percent Heavy Veh, %	1	1	3	4	1	1	3	1	1	1	1	1
Cap, veh/h	151	980	430	127	940	421	150	1249	559	207	1358	607
Arrive On Green	0.08	0.27	0.27	0.07	0.26	0.26	0.09	0.35	0.35	0.12	0.38	0.38
Sat Flow, veh/h	1792	3574	1568	1740	3574	1599	1757	3574	1599	1792	3574	1599
Grp Volume(v), veh/h	131	650	143	101	465	280	121	551	173	337	570	91
Grp Sat Flow(s),veh/h/ln	1792	1787	1568	1740	1787	1599	1757	1787	1599	1792	1787	1599
Q Serve(g_s), s	6.9	15.3	6.9	5.4	10.5	14.9	6.4	11.3	7.5	11.0	11.2	3.6
Cycle Q Clear(g_c), s	6.9	15.3	6.9	5.4	10.5	14.9	6.4	11.3	7.5	11.0	11.2	3.6
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	151	980	430	127	940	421	150	1249	559	207	1358	607
V/C Ratio(X)	0.87	0.66	0.33	0.79	0.49	0.67	0.81	0.44	0.31	1.62	0.42	0.15
Avail Cap(c_a), veh/h	151	1279	561	165	1317	589	185	1249	559	207	1358	607
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	43.0	30.6	27.5	43.3	29.6	31.3	42.7	23.8	22.5	42.0	21.7	19.4
Incr Delay (d2), s/veh	38.0	0.8	0.4	18.0	0.4	1.8	18.8	1.1	1.4	301.9	1.0	0.5
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.0	7.7	3.0	3.2	5.2	6.7	3.9	5.7	3.5	22.8	5.7	1.7
LnGrp Delay(d),s/veh	81.0	31.4	28.0	61.4	30.1	33.1	61.4	24.9	24.0	343.9	22.7	19.9
LnGrp LOS	F	C	C	E	C	C	E	C	C	F	C	B
Approach Vol, veh/h		924			846			845			998	
Approach Delay, s/veh		37.9			34.8			29.9			130.9	
Approach LOS		D			C			C			F	

Timer	1	2	3	4	5	6	7	8
Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	15.0	38.1	10.9	31.0	12.1	41.0	12.0	29.9
Change Period (Y+Rc), s	4.0	4.9	4.0	4.9	4.0	4.9	4.0	4.9
Max Green Setting (Gmax), s	11.0	33.2	9.0	34.0	10.0	34.2	8.0	35.0
Max Q Clear Time (g_c+I1), s	13.0	13.3	7.4	17.3	8.4	13.2	8.9	16.9
Green Ext Time (p_c), s	0.0	7.9	0.0	7.8	0.0	8.1	0.0	8.1

Intersection Summary	
HCM 2010 Ctrl Delay	61.0
HCM 2010 LOS	E

Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Group Flow (vph)	131	650	143	101	465	280	121	551	173	337	570	91
v/c Ratio	0.87	0.73	0.29	0.64	0.51	0.45	0.68	0.44	0.26	1.61	0.43	0.14
Control Delay	90.3	37.6	6.3	62.3	31.7	5.8	62.9	25.6	5.0	328.3	24.8	4.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	90.3	37.6	6.3	62.3	31.7	5.8	62.9	25.6	5.0	328.3	24.8	4.5
Queue Length 50th (ft)	79	188	0	59	125	0	71	132	0	~294	135	0
Queue Length 95th (ft)	#191	234	38	#142	171	57	#150	190	39	#508	207	29
Internal Link Dist (ft)		1570			1198			1241			885	
Turn Bay Length (ft)	218		478	300		150	315		250	300		115
Base Capacity (vph)	151	1292	658	166	1331	771	186	1262	676	209	1319	655
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.87	0.50	0.22	0.61	0.35	0.36	0.65	0.44	0.26	1.61	0.43	0.14

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

ATTACHMENT "E"

PROJECT APPLICATION AND GPI INFORMATION

Resource Management Agency
COUNTY OF TULARE
AGENDA ITEM

BOARD OF SUPERVISORS

LARRY MICARI
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

EDDIE VALERO
District Four

DENNIS TOWNSEND
District Five

AGENDA DATE: February 1, 2022

Public Hearing Required	Yes	☐	N/A	☒
Scheduled Public Hearing w/Clerk	Yes	☐	N/A	☒
Published Notice Required	Yes	☐	N/A	☒
Advertised Published Notice	Yes	☐	N/A	☒
County Counsel Sign-Off	Yes	☐	N/A	☒
Meet & Confer Required	Yes	☐	N/A	☒
Electronic file(s) has been sent	Yes	☐	N/A	☒
Budget Transfer (Aud 308) attached	Yes	☐	N/A	☒
Personnel Resolution attached	Yes	☐	N/A	☒
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	☐	N/A	☒

CONTACT PERSON: Celeste Perez PHONE: (559) 627-7010

SUBJECT: General Plan Initiation No. GPI 21-001 (Chase Morgan)

REQUEST(S):

That the Board of Supervisors:

Approve General Plan Initiation No. GPI 21-001 to authorize the applicant, Chase Morgan, to file an application for a General Plan Amendment to change the Land Use Designation on approximately 8.46-acres from “Heavy Industrial” to “Service Commercial” and change the Land Use Designation on approximately 5.4-acres from “Low-Medium Density” to “Service Commercial.” The project site is located on the southeast corner of Caldwell and Lovers Lane (APN: 127-010-035 and a portion of APN: 127-010-037), southeast of the City of Visalia. The project is located within the Visalia Urban Development Boundary (“UDB”).

SUMMARY:

The Tulare County Resource Management Agency (“RMA”) has received a request from Chase Morgan (3600 W Mineral King Suite B, Visalia, CA 93291) for a General Plan Initiation (“GPI”). The project site is located on the southeast corner of Caldwell and Lovers Lane (APN: 127-010-035 and a portion of APN: 127-010-037), southeast of the City of Visalia. The General Plan Amendment (“GPA”) request proposes to change the Land Use Designation on approximately 8.46-acres from “Heavy Industrial” to “Service Commercial” and change the Land Use Designation on approximately 5.4-acres from “Low-Medium Density” to “Service Commercial.” Land Use Diagram of the City of Visalia General Plan shows the project site within the “Office” and “Medium Density Residential” Land Use Designations. The Zoning Map for the City of Visalia show the project site as “County Areas.”

The proposed project also includes a requested re-zoning of the entire project site to change the zone district from AE-20 (Exclusive Agricultural Zone – 20 Acre Minimum) and C-1 (Neighborhood Commercial Zone) to C-3 (Service Commercial Zone). The purpose of the application is to facilitate the establishment of a convenience store, self-storage (mini-warehouses), and future service commercial uses. It is expected that the development would receive wastewater services from the City of Visalia and water service from California Water Service. If the City and/or California Water Service are unable to provide wastewater and water services, the applicant may use alternative methods to serve the property.

This stage of the proposal is a request to authorize the applicant to submit an application for a General Plan Amendment. Approval of a GPI application in no way guarantees that the ultimate project will be approved. Instead, approval of a GPI gives the applicants a fair and reasonable opportunity to "make their case" regarding the merits of the resulting planning and development project.

Tulare County General Plan Consistency

The County's General Plan Amendment Policy provides that *the Board shall give consideration as to the public need or necessity of the amendment and whether the proposed amendment would further the goals, objectives, and policies of the general plan and not obstruct their attainment* (Policies and Procedures 391).

The General Plan Land Use designation for the site is currently "Heavy Industrial" for the 8.46-acre portion of the project site and "Low-Medium Density" for the 5.4-acre portion of the project site, both of which are located within the Visalia UDB. As such, the County General Plan provides the land use mechanism for development projects within this area.

The County does have a memorandum of understanding with the City of Visalia. And per the MOU, the County suggested at the Project Review Committee (PRC) meeting that the applicant make application with the City of Visalia and go through the City's PRC process and request Annexation. The City has shown no additional consideration of this proposal per the attached letter response and email response.

Under GP PF-4.13 Coordination with Cities on Development Proposals: The County shall ensure that urban development only take place in County Adopted City UDBs if one of the following has occurred:

1. The adjacent city does not consent to annex the property for development purposes (as evidenced through pre-zoning, development agreements, etc.); it shall be conclusively presumed that a city has not consented if it has not submitted an annexation proposal to LAFCo within six months from the date a request to annex is submitted to the city. The City has stated it will not support annexation.

The City says under GP LU P-19(Consistent Policies), PF 4.18(Future Entitlements), and '19/'20 (Use of RVLP) that there are no exceptions. It is noted that it is the policy

to cooperate with the City, through the MOU and under LU P-19, and the County may work with the City to limit such an amendment. However, the City has stated it will not seek annexation under PF 4-13. The County is not working with the City under PF 4.18 to limit the amendment; therefore, none of the exceptions that would require the County to make an application for an amendment would apply. Moreover, under PF-4.19/20, the County did supply an RVLP score of 12, which would make the project subject to development within the Board's discretion.

Conclusion

Based on factors listed above, it can be concluded that the proposed GPA (1) will be consistent with Tulare County's General Plan; (2) will promote the public interest as a greatly needed economic opportunity project in the Planning Area; and (3) the proposed project will further the goals, objectives, and policies of the Tulare County General Plan; and will not obstruct their attainment.

Accordingly, it is respectfully submitted that the proposed GPI should be approved.

FISCAL IMPACT/FINANCING:

No Net County Cost to the General Fund.

The applicant cost for a General Plan Initiation and Zone Change is an initial deposit of $5,321 to the Tulare County RMA. Additional fees of $100 per hour may be charged, if actual cost of processing the application exceeds the deposits. CEQA documentation and compliance for the project is also charged at a full cost recovery basis.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the "Economic Well Being Initiative - to promote economic development opportunities, effective growth management and a quality standard of living". The authorization to initiate the requested general plan amendment application helps fulfill this initiative by the following:

- Providing economic development creation in the commercial areas for sales tax revenue.
- Providing effective growth management by allowing urban uses that are consistent and harmonious.
- Providing a higher quality of life by providing jobs and services to the establishments of the County.

SUBJECT: General Plan Initiation No. GPI 21-001 (Chase Morgan)
DATE: February 1, 2022

ADMINISTRATIVE SIGN-OFF:

Aaron R. Bock, MCRP, JD, LEED AP
Assistant RMA Director
Economic Development & Planning

Michael Washam
Associate RMA Director

Reed Schenke, P.E.
Director

Attachment 1 - Maps and Graphics
Attachment 2 - RVLP Checklist
Attachment 3 - Correspondence

BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA

GENERAL PLAN INITIATION NO. GPI 21-001 (CHASE MORGAN)	**)** **)**	**Resolution No. _____**

UPON MOTION OF SUPERVISOR _____, SECONDED BY SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____ _____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * * * * * * * * * * * * * * *

1. Approved General Plan Initiation No. GPI 21-001 to authorize the applicant, Chase Morgan, to file an application for a General Plan Amendment to change the Land Use Designation on approximately 8.46-acres from “Heavy Industrial” to “Service Commercial” and change the Land Use Designation on approximately 5.4-acres from “Low-Medium Density” to “Service Commercial.” The project site is located on the southeast corner of Caldwell and Lovers Lane (APN: 127-010-035 and a portion of APN: 127-010-037), southeast of the City of Visalia. The project is located within the Visalia Urban Development Boundary (“UDB”).

Attachment 1 - Maps and Graphics

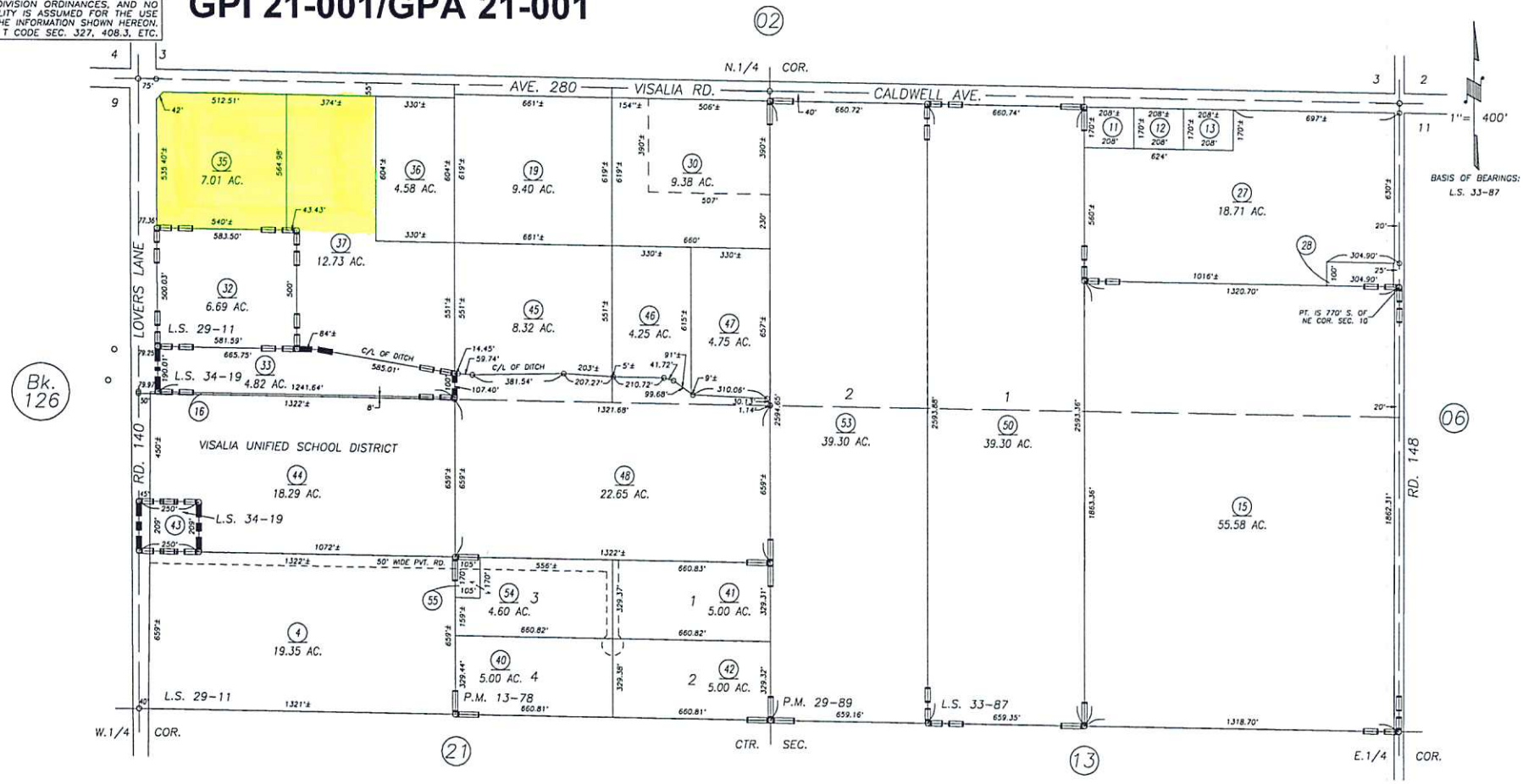
N.1/2 SEC. 10, T.19S., R.25E., M.D.B.&M.

Tax Area Codes 127-01
153-105

DISCLAIMER

THIS MAP WAS PREPARED FOR LOCAL PROPERTY ASSESSMENT PURPOSES ONLY AND THE PARCELS SHOWN HEREON MAY NOT COMPLY WITH STATE AND LOCAL SUBDIVISION ORDINANCES, AND NO LIABILITY IS ASSUMED FOR THE USE OF THE INFORMATION SHOWN HEREON. R & T CODE SEC. 327, 408.3, ETC.

GPI 21-001/GPA 21-001

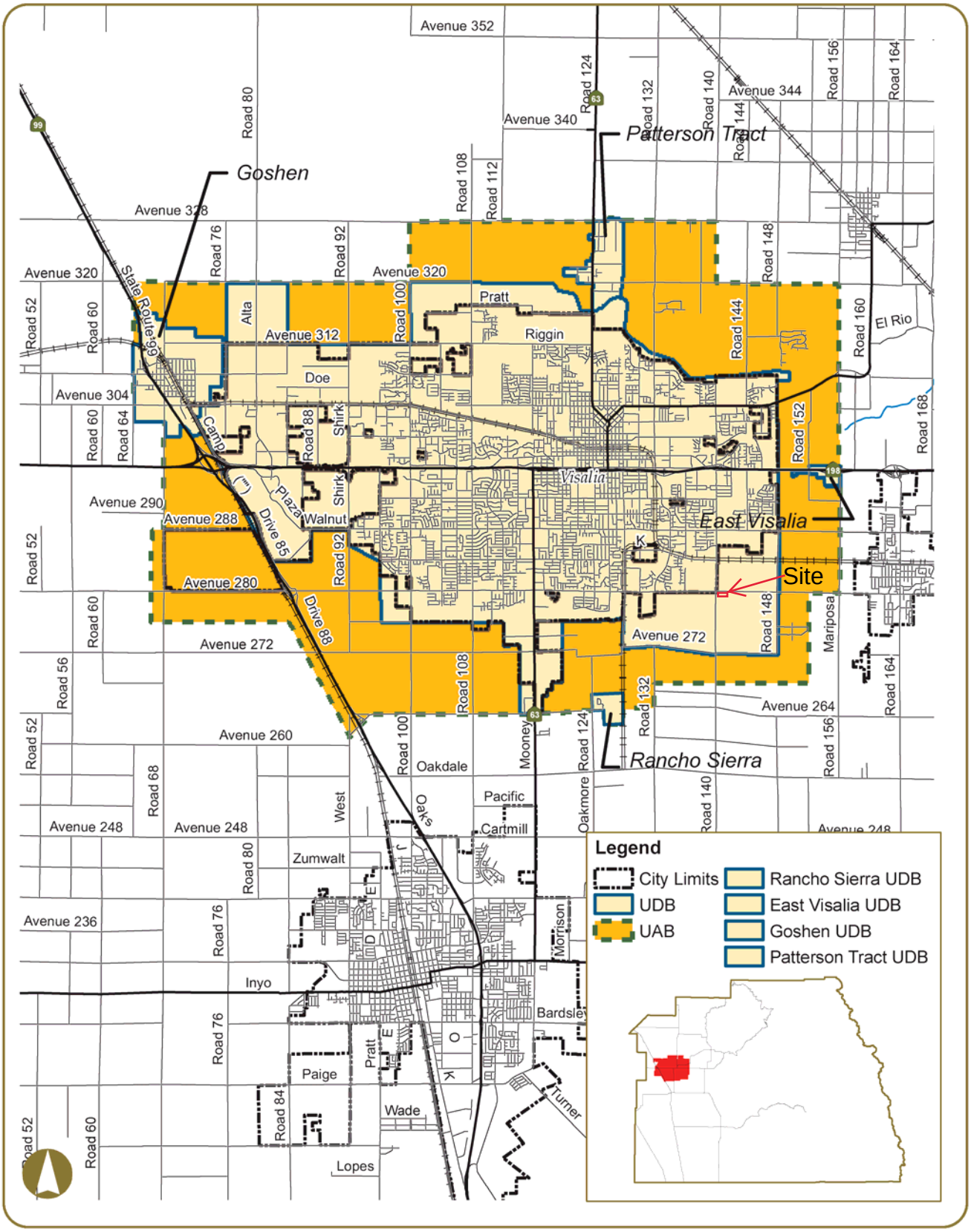


PARCEL MAP NO. 1277, P.M. 13-78
PARCEL MAP NO. 2888, P.M. 29-89
RECORD OF SURVEY, L.S. 29-11
RECORD OF SURVEY, L.S. 33-87
RECORD OF SURVEY, L.S. 34-19

VICINITY OF VISALIA
ASSESSOR'S MAPS BK. 127 , PG. 01
COUNTY OF TULARE, CALIFORNIA, U.S.A.

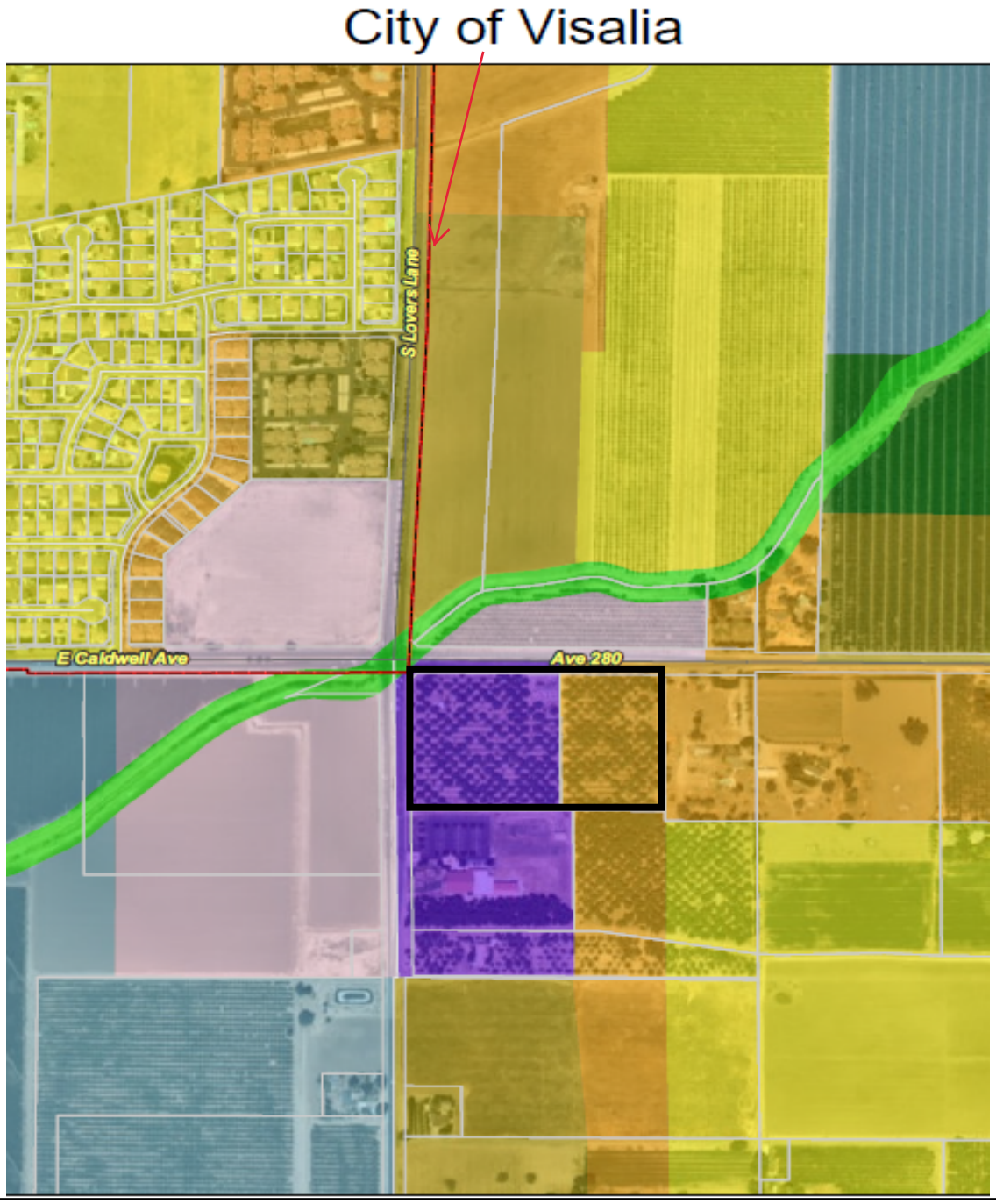
NOTE: Assessor's Parcel Numbers Shown in Circles (1)
Assessor's Block Numbers Shown in Ellipses (123)

REVISION	DATE	TECH
2017-0010489	04/26/2017	ARL



City of Visalia | Figure 2.4-8

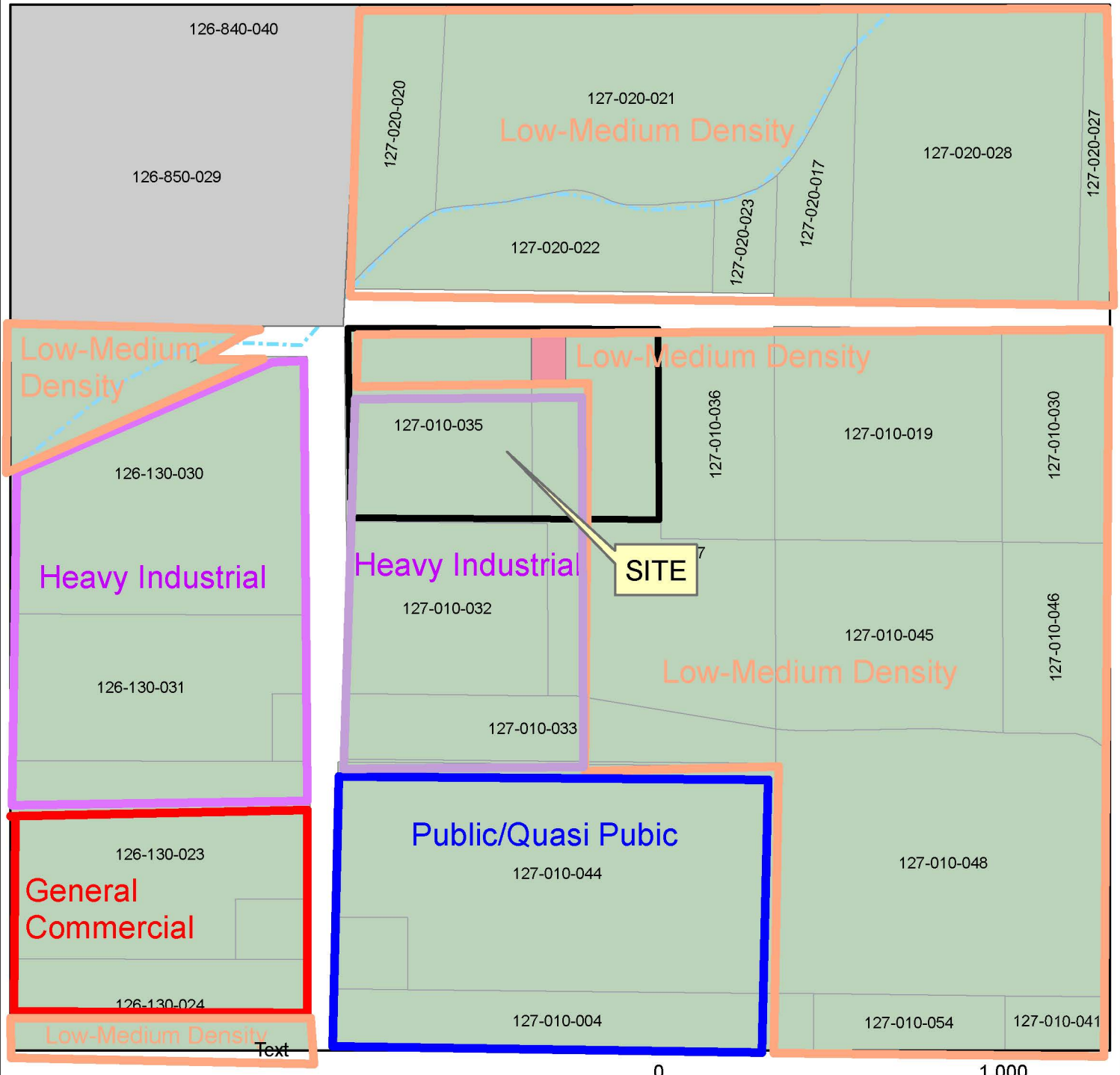
City General Plan
GPI 21-001



Legend

- Site
- Parcels
- Commercia Mixed Use
- Commercial Neighborhood
- Office
- Public Institutional
- Parks/Recreation
- Residential High Density
- Residential Low Density
- Residential Medium Density

General Plan Existing Map
for
GPI 21-001 & GPA 21-001



Legend

- Site
- Urban Area Boundaries
- Urban Development Boundaries
- City Limits
- Parcels

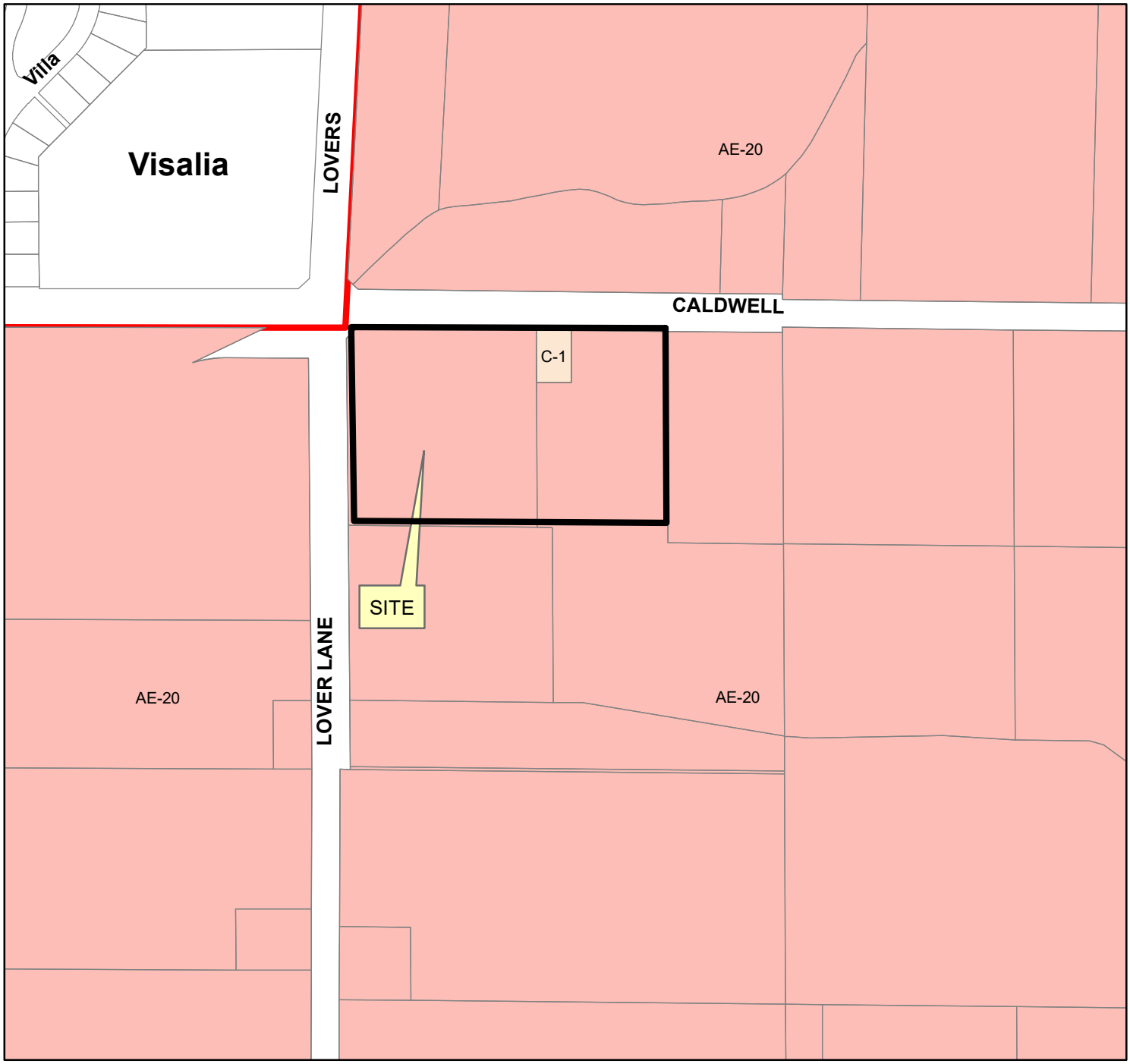
Legend

- Parcels

Gen_Zoning

- Agriculture
- Commercial
- Manufacturing
- Residential

Existing Zoning Map
for
GPI 21-001 & GPA 21-001



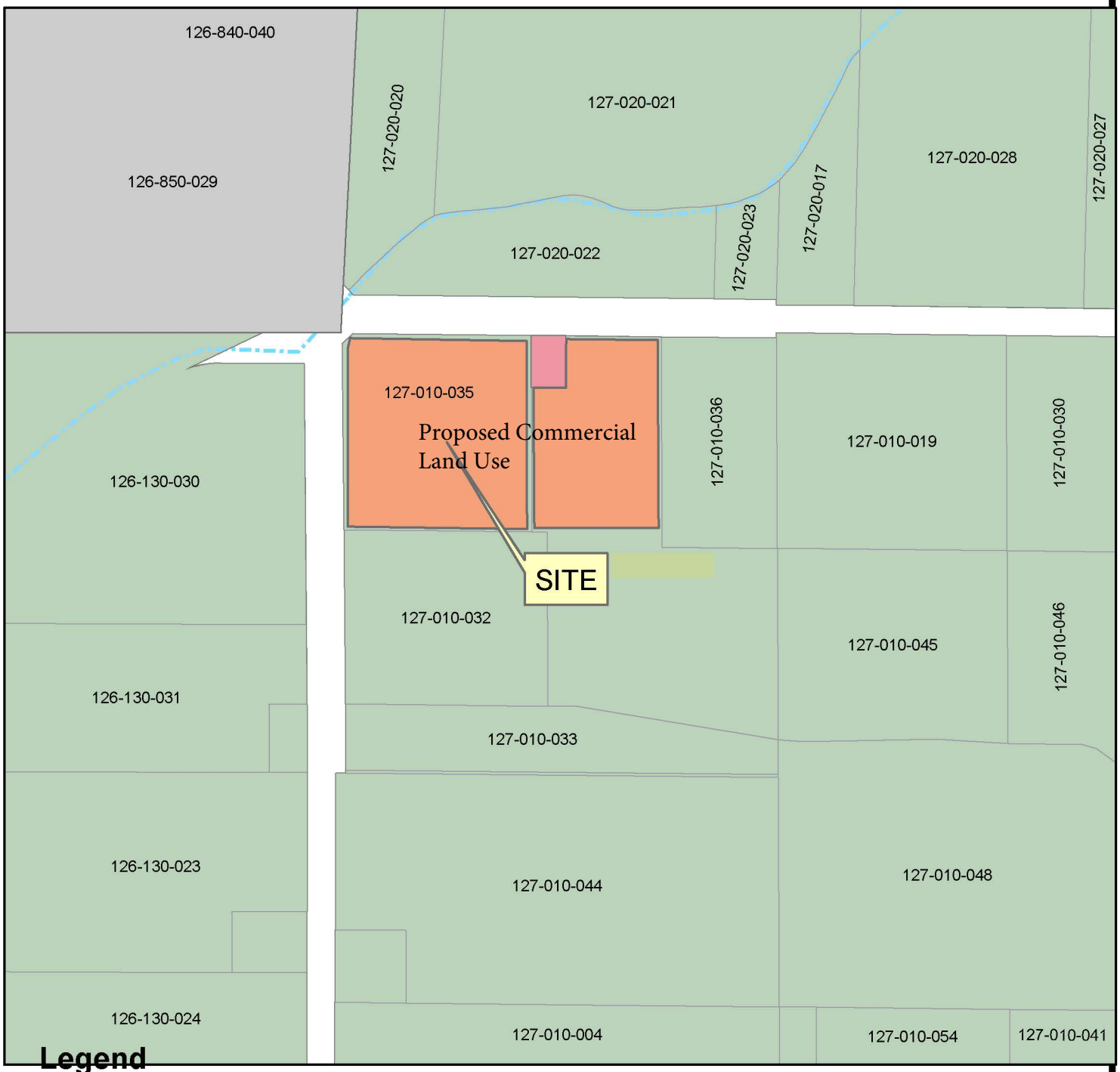
Owner:	Chase Morgan
Address:	3600 W. Mineral King, Suite B
City, State, ZIP:	Visalia, CA 93291
Applicant:	same
Agent:	N/A
Supervisorial District:	1
Assessors Parcel:	127-010-035

0 500 1,000 Feet

SITE
AE-20
Parcels
C-1
ZONE

N

General Plan Proposed Map
for
GPI 21-001 & GPA 21-001



Legend

- Site
- Urban Area Boundaries
- Urban Development Boundaries
- City Limits
- Parcels

0 — 1,000 Feet

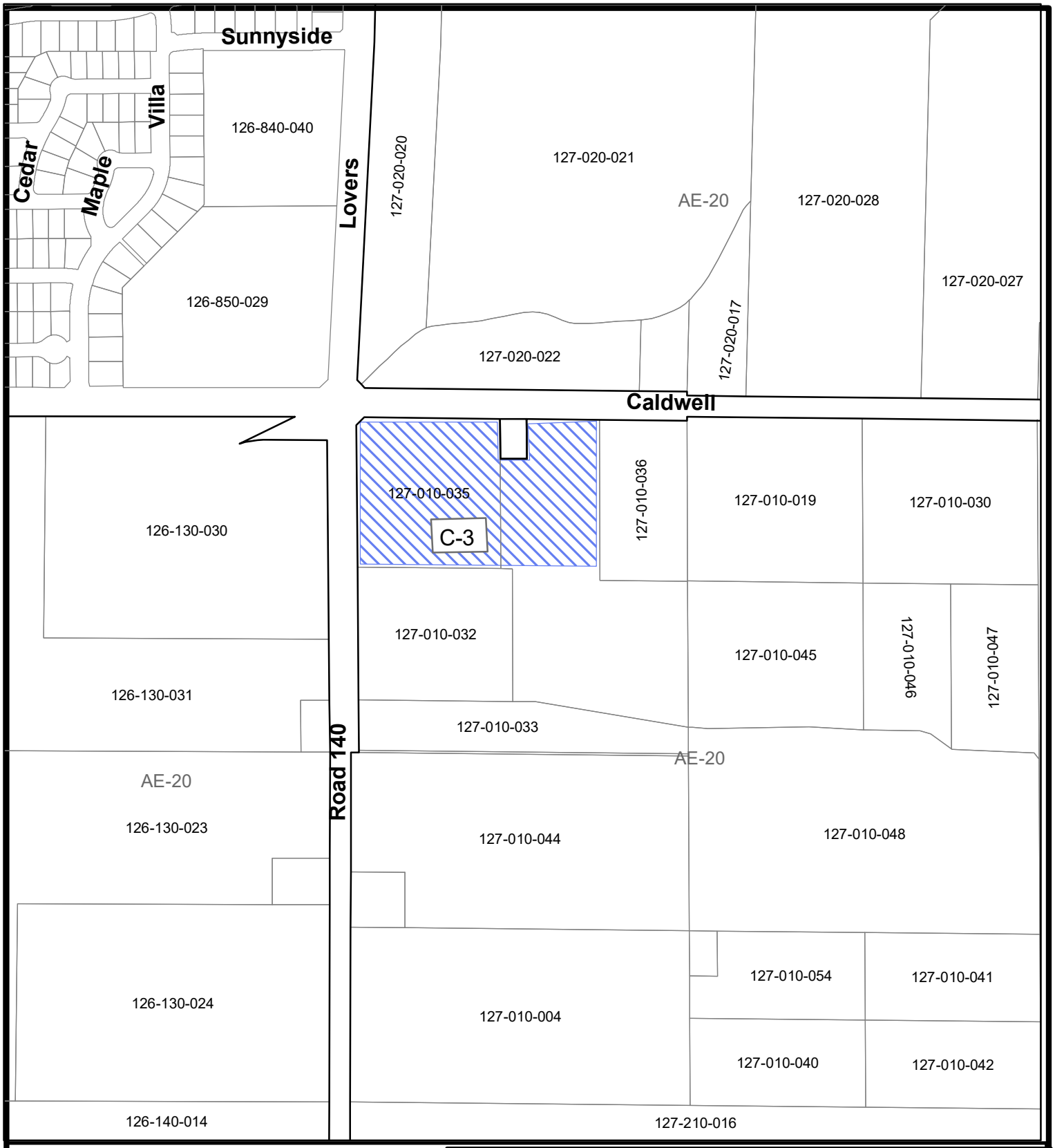
N

Legend

- Parcels

Gen_Zoning

- Agriculture
- Commercial
- Manufacturing
- Residential



APN: 127-010-035,
APROX. ___.__ AC.,
Zone Change from AE-20 to C-3
(GPI 21-001 & GPA 21-001)

0 200 400 600 800 Feet

N

[redacted]

ORDINANCE NO._____
AMENDING A PORTION OF MAP PART ____,
PART OF SEC. __, T __ S, R __ E, M.D.B.& M.
OF

OFFICIAL ZONING MAP COUNTY OF TULARE, CA.

TULARE COUNTY BOARD OF SUPERVISORS
ADOPTED:_____/_____/_____

Attachment 2 - RVLP Checklist

APPLICATION NO. GPI 21-001 **APPLICANT'S NAME** Chase Morgan

RURAL VALLEY LANDS PLAN -- PARCEL EVALUATION CHECKLIST (APNs 184-030-024)

A. RESTRICTED TO AGRICULTURE VALUES

If a following factor meets the "Restricted to Agriculture" criteria, place an "R" in the value column and stop the evaluation; if the factor meets the "Nonagricultural" criteria, place a "0" in the value column and continue the evaluation.

		VALUE
1.	Agricultural Preserve Status	[0]
2.	Limitations for Individual Waste Disposal Facilities	[0]

B. VARIABLE POINT VALUE

Each of the following land capability ratings (as per USDA Soil Conservation Service data) have been awarded a number value, as follows:

LAND CAPABILITY	POINT VALUE
Class I, II, or III	4 points
Class IV	2 points
Class V, VI, or VII	0 points

For the following factor, determine the land capability rating(s) of the parcel under review and award its corresponding point value.

Class I, II, or III	(4 points)	[4]
Class IV	(2 points) Non-Irrigated	[0]
Class V, VI or VII	(0 points)	[0]

C. POINT VALUES

If a following factor meets the highest relative suitability criteria, award the factor the number of points listed for the category; if the factor meets the lowest relative suitability criteria, award it a "0".

FOUR POINT VALUE CATEGORY

1.	Existing Parcel Size (use gross acreage figure)	[4]
2.	Existing Land Use/Suitability for Cultivation	[4]

THREE POINT VALUE CATEGORY

1.	Surrounding Parcel Size (do not evaluate this factor if the site received "0" points for 'Existing Land Use/Suitability for Cultivation'; enter a "0" in such cases)	[0]
2.	Surrounding Land Use	[0]
3.	Proximity to Inharmonious Uses (NOTE: Flexible Point Value applicable in some cases)	[0]
4.	Proximity to Lands in Agricultural Preserves	[0]

TWO POINT VALUE CATEGORY

1.	Level of Ground Water and Soil Permeability	[0]

ONE POINT VALUE CATEGORY

1.	Proximity to Fire Protection Facilities (NOTE: Three Point Value applicable in some cases)	[0]
2.	Access to Paved Roads	[0]
3.	Historical Sites, Archaeological Sites, Wildlife Habitats, and/or Unique Natural Features	[0]
4.	Flood Prone Areas	[0]
5.	Availability of Community Domestic Water/Fire Flow Requirements	[0]
6.	Surface Irrigation Water	[0]
7.	Groundwater Recharge Potential (do not evaluate this factor if the site received "0" points for 'Surface Irrigation Water'; enter "0" in such cases)	[0]

TOTAL POINTS [12]

BACK-UP STATEMENT FOR RVLP EVALUATION CHECKLIST
FOR
GPI 20-003 – Chase Morgan

ASSESSOR PARCEL EVALUATED: APN 184-030-024. The 13.8-acre site was evaluated under the RVLP point evaluation checklist system.

A. RESTRICTED TO AGRICULTURAL VALUES

1. Agricultural Preserve Status:

The subject site is not under Williamson Act Contract.

2. Limitation for Individual Waste Disposal Facilities:

No limitations.

B. VARIABLE POINT VALUE

1. Land Capability:
The Soil Conservation Service has rated the agricultural capability of the soil, Grangeville sandy loam, as Class I (irrigated) and Class IVc (non-irrigated). It is determined to be in the Prime category. 4 Points allocated.

C. POINT VALUES

4 POINT VALUE

1. Existing parcel size (greater or less than 5 acres):
The whole project area is 13.8 acres. This factor meets the criteria for highest relative suitability: 4 points allocated.

2. Existing Land Use/Suitability for Cultivation:
The subject site is in agricultural production. The properties to the south and west contain rural residences have been actively farmed. This land is in agricultural use and is suitable for cultivation because of the cultivation on 3 sides. This factor meets the criteria for highest relative suitability: 4 points allocated.

3 POINT VALUE

1. Surrounding Parcel Size:

   Surrounding parcels (within 1,350 feet) are a City subdivision, a church, a produce stand, and residence, this factor is not to be evaluated. This factor meets the criteria for lowest relative suitability: 0 points allocated.

2. Surrounding Land Uses:

   The site is abutted on three sides with non-agricultural uses and within one-quarter mile of the perimeter of the site, at least 20% of the area is devoted to non-agricultural uses; therefore, the site meets the criteria for the lowest relative suitability factor: 0 points allocated.

3. Proximity to Inharmonious Uses:

   The site is within one-half mile of the inharmonious uses listed including a church, rural and subdivision residential development, and a produce stand. Lowest relative suitability has been met: 0 points allocated.

4. Proximity to Lands Within Agricultural Preserves:

   The site is abutted on one side with Agricultural Preserve and within ¼ mile of the perimeter of the site less than 50% of the area is land that is in agricultural preserves. Highest relative suitability has not been met: 0 points allocated.

<u>2 POINT VALUE</u>

1. Level of Groundwater and Soil Permeability:

   The Groundwater Information Center Interactive Map Application established the water table depth at 200 feet in November of 2022, the most recent data available. The water table is greater than 20 feet from the ground surface. Lowest relative suitability has been met: 0 points allocated.

<u>1 POINT VALUE</u>

1. Proximity to Fire Protection Facilities:

   Visalia Fire Station No. 6 is located approximately 1 mile north of the project site. This station is within the five-mile response distance from fire protection facilities. Lowest relative suitability has been met: 0 points allocated.

2. Access to a Paved County and/or State Maintained Road:

   The site has indirect access to Avenue 280 (Ave. 280). Lowest relative suitability has been met: 0 points allocated.

3. Historical, Archaeological, Wildlife Habitat, and Unique Natural Features:

   None of the aforementioned features exist on site. Lowest relative suitability has been met: 0 points allocated.

4. Flood Prone Areas:

   The site is located within FEMA Flood Zone X. The subject site is not within an area that is subject to 100-year frequency floods. Lowest relative suitability has been met: 0 points allocated.

5. Availability of Community Domestic Water:

   The site has an existing domestic and agricultural well; the requirements of the Tulare County Fire Flow Ordinance can be met. Lowest relative suitability has been met: 0 points allocated.

6. Surface Water Irrigated Lands:

   The site does not have rights to surface irrigation water. Lowest relative suitability has been met: 0 points allocated.

7. Groundwater Recharge Potential:

   Because the site received 0 points for Surface Water Irrigated Lands, this criterion is not to be evaluated: 0 points allocated.

Attachment 3 - Correspondence

City of Visalia

315 E. Acequia Ave., Visalia, CA 93291

Planning Division

Tel: (559) 713-4359; Fax: (559) 713-4814

June 24, 2021

Mr. Sandy Roper, Project Planner
Resource Management Agency
County of Tulare
5961 S. Mooney Boulevard
Visalia, CA 93277

RE: County General Plan Initiation #21-001 and General Plan Amendment #21-001 for Chase Morgan

Mr. Roper:

Thank you for forwarding the materials regarding the proposed General Plan Initiation (GPI) and General Plan Amendment (GPA) by the applicant, Chase Morgan.

The project site (APN 127-010-035, 127-010-037 [portion]) is located within the City's Sphere of Influence and Urban Development Boundary Growth Tier III. The property with APN 127-010-035 has a General Plan Land Use Designation of Office, while the property with APN 127-010-037 has a General Plan Land Use Designation of Medium Density Residential. The City anticipates later this year to move its Urban Development Boundary from Growth Tier I to Growth Tier II for Residential, Commercial, and Office designations, allowing such designated uses within Tier II to be eligible for annexation and development.

The project site, being in Growth Tier III, is not eligible for annexation and development until respective thresholds for the land use designations are met, roughly 10 years from now. Also, the City has not yet completed comprehensive planning for sanitary sewer and storm drain in the Tier III area. Therefore, the City cannot recommend or request annexation of the project site at this time. In contrast, the three remaining corners of the intersection of Lovers Lane and Caldwell Avenue are within either Tier I or Tier II and have a Commercial land use designation and should be developed prior to the project site to prevent leapfrog development.

Given the location of the project site within the City's Sphere of Influence and Urban Development Boundary, the City is opposed to any entitlements that would facilitate the establishment of urban land uses in Tier III, especially Service Commercial land uses that are inconsistent with the site's underlying City General Plan Land Use Designations of Office and Residential. The placement of zoning to accommodate Service Commercial uses on this site would present a new type of land use in this vicinity that would bring land use compatibility issues with future Residential uses planned for this location. It should also be noted that the County's current land use designation on this site of Heavy Industrial is also completely incompatible with the land use designations planned for this area and inconsistent with the City's policies to retain industrial uses within its Industrial Park.

Whereas the County's referral process for development and annexation states that the County will proceed to process these applications based on County policies, ordinance code, and development standards since the City cannot recommend or request annexation, the City again opposes these entitlements as they will facilitate development that is inconsistent with the City's growth boundaries (described in General Plan Policy LU-P-19).

It is the City's belief that for the County to initiate or process this request would not be consistent with the terms set forth in the City of Visalia and Tulare County MOU entered into on November 19, 2012, specifically Paragraph 3 pertaining to cooperation between the County and City for managing urban development in adopted urban area boundaries. For requests that are located within a City's growth boundary, the applicant shall first be directed to the City for discussion. The City further believes that based on County PF-4.18 and PF-4.19, General Plan amendments on this site shall not be considered and that there are no applicable exceptions to this site.

In conclusion, the convenience store and self-storage facilities can be better accommodated on the northwest or southwest corners of Lovers Lane and Caldwell Avenue since these properties are in the appropriate growth tier and are already pre-zoned for Commercial land use.

Thank you again for the referral of applications that is within an area of mutual interest. Please contact me with any questions or comments regarding this correspondence.

Regards,

Paul Bernal
City Planner

cc:
Members, City Council
Randy Groom, City Manager
Leslie Caviglia, Assistant City Manager
Ken Richardson, City Attorney
James Koontz, City Attorney
Nick Mascia, Public Works Director
Curtis Cannon, Community Development Director

Attachment

- County General Plan Initiation #21-001 and General Plan Amendment #21-001

From: Chase Morgan
To: Aaron R Bock; Sandy Roper; les@morgan-enterprise.com; Bill Morgan; Lance Morgan
Subject: Fwd: Caldwell Corner
Date: Wednesday, September 29, 2021 2:47:03 PM
Attachments: image001.png

See below. Confirmed by the city they will not annex.

Can we proceed with our effort with the county?

Chase Morgan
Morgan-enterprise.com

Sent from my iPhone using voice-to-text

Begin forwarded message:

> **From:** Josh Dan <Josh.Dan@visalia.city>
> **Date:** September 29, 2021 at 1:40:12 PM PDT
> **To:** Chase Morgan <chase@morgan-enterprise.com>
> **Cc:** Les Amos <les@morgan-enterprise.com>
> **Subject: RE: Caldwell Corner**
>
> Chase,
> That's correct, Planning Staff will not support annexation of the site or development through the County and SPR comments will reflect that.
>
> Thanks,
>
> Josh Dan
> Associate Planner
> Community Development Dept. / Planning Division
> 559-713-4003
> josh.dan@visalia.city
>
> ---
>
> **From:** Chase Morgan <chase@morgan-enterprise.com>
> **Sent:** Wednesday, September 29, 2021 12:29 PM
> **To:** Josh Dan <Josh.Dan@visalia.city>

Cc: Les Amos <les@morgan-enterprise.com>
Subject: Re: Caldwell Corner

Hi Josh, following up on the below. Can you comment?

Chase Morgan
Morgan-enterprise.com

Sent from my iPhone using voice-to-text

> On Sep 22, 2021, at 11:27 AM, Chase Morgan <chase@morgan-enterprise.com> wrote:
>
> Hi Josh,
>
> For our records, can you confirm a) that the city's stance is no on annexation at this time and b) if the official no on annexation for this property will be in the SPR comments?
>
> Thanks!
>
> Chase Morgan
> morgan-enterprise.com
> 559-300-7780

BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF General Plan Initiation No. GPI 21-001 (Chase Morgan)	)))))	**Resolution No.** 2022-0111

UPON MOTION OF SUPERVISOR SHUKLIAN, SECONDED BY SUPERVISOR VANDER POEL, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD FEBRUARY 1, 2022, BY THE FOLLOWING VOTE:

AYES: SUPERVISORS MICARI, VANDER POEL, SHUKLIAN, VALERO, TOWNSEND
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * * * * * * * * * * * * * * * * *

Approved General Plan Initiation No. GPI 21-001 to authorize the applicant, Chase Morgan, to file an application for a General Plan Amendment to change the Land Use Designation on approximately 8.46-acres from "Heavy Industrial" to "Service Commercial" and change the Land Use Designation on approximately 5.4-acres from "Low-Medium Density" to "Service Commercial." The project site is located on the southeast corner of Caldwell and Lovers Lane (APN: 127-010-035 and a portion of APN: 127-010-037), southeast of the City of Visalia. The project is located within the Visalia Urban Development Boundary ("UDB").

RMA
2.1.2022
KB

ATTACHMENT "F"

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Monitoring and Reporting Program

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in compliance with State law for Project Derrel's Mini Storage (GPA 22-004, PZC 21-003) by the County of Tulare.

The CEQA Public Resources Code Section 21081.6 requires the Lead Agency decision making body that is going to approve a project and certify the MND that it also adopt a reporting or monitoring program for those measures recommended to mitigate or avoid significant/adverse effects of the environment identified in the MND. The law states that the reporting or monitoring program shall be designed to ensure compliance during project implementation. The MMRP is to contain the following elements:

- **Action and Procedure.** The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.

- **Compliance and Verification.** A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when and by whom and compliance will be monitored and reported and to whom it will be report. As necessary the reporting should indicate any follow-up actions that might be necessary if the reporting notes the impact has not been mitigated.

- **Flexibility.** The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon the recommendations by those responsible for the MMRP. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program

The following table presents the Mitigation Measures identified for the proposed Project in this MND. Each Mitigation Measure is identified by the impact number. For example, 4-1 would be the first Mitigation Measure identified in the Biological analysis of the MND.

The first column of the Table identifies the Mitigation Measure. The second column, entitled "Monitoring Timing/Occurrence," identifies the time the Mitigation Measure should be initiated. The third column, "Frequency of Monitoring," identifies the frequency of the monitoring that should take place to assure the mitigation is being or has been implemented to achieve the desired outcome or performance standard... The fourth column, "Agency Responsible for Monitoring," names the party ultimately responsible for ensuring that the Mitigation Measure is implemented. The fifth column, "Method to Verify Compliance," identifies the requirements for verification that the Mitigation Measure has been implemented. The last three columns will be used by the Lead Agency (County of Tulare) to ensure that individual Mitigation Measures have been complied with and are monitored.

Mitigation Monitoring and Reporting Program							
Mitigation Measure	**Monitoring Timing / Frequency**	**Action Indicating Compliance**	**Monitoring Agency**	**Person Conducting Monitoring / Reporting**	**Verification of Compliance**		
					Initials	**Date**	**Remarks**
AGRICULTURAL AND FOREST RESOURCES							
2-1. The applicant will be required to create an agricultural land conservation easement at a ratio of 1 acre of developed property for 1 acre of conserved agricultural land (a 1:1 ratio). This amount of 1:1 will be represented by 12 acres within the County. Any replacement acreage will be to the satisfaction of the Planning Director of Tulare County. The applicant will purchase an agricultural land conservation easement, of like agricultural land within the County, on the entire 12 acres to be maintained and kept in agriculture in perpetuity. The "ultimate" agricultural easement shall be placed on other suitable and agriculturally compatible property, of the same soil types and arability, within Tulare County; at a replacement ratio of 1:1, and to be established as an agricultural land conservation easement in perpetuity.	Prior to Issuance of Building Permit.	Approval of Agricultural Land Conservation Easement.	County of Tulare Planning Department	County of Tulare Planning Department			
BIOLOGICAL RESOURCES							
Pre-construction Surveys							
4-1. ***Pre-construction Survey – Plant Species.*** qualified biologist/botanist shall conduct pre-construction surveys for special status plant species in accordance with the California Department of Fish and Wildlife (CDFW) Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (2009). This protocol includes identification of reference populations to facilitate the	Prior to start of construction.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings, if applicable	County of Tulare Planning Department and/or CDFW	Field survey by a qualified Biologist.			

Mitigation Monitoring and Reporting Program							
Mitigation Measure	**Monitoring Timing / Frequency**	**Action Indicating Compliance**	**Monitoring Agency**	**Person Conducting Monitoring / Reporting**	**Verification of Compliance**		
					Initials	**Date**	**Remarks**
likelihood of field investigation occurring during the appropriate floristic period. Surveys should be timed to coincide with flowering periods for species that could occur (March-May). In the absence of protocol-level surveys being performed, additional surveys may be necessary. • If special status plant species are not identified during pre-construction surveys, no further action is required. • If special status plant species are detected during pre-construction surveys, the biologist/botanist will supervise establishment of a minimum 50-foot no disturbance buffer from the outer edge of the plant population. If buffers cannot be maintained, the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW shall be contacted immediately to identify the appropriate minimization actions to be taken as appropriate for the species identified and to determine incidental take permitting needs.							
4-2. *Pre-construction Survey – Animal Species.* A qualified biologist will conduct pre-construction surveys during the appropriate periods for special status animal species in accordance with the CDFW guidance and recommendations identified	Prior to construction-related activities.	Retention of professional biologist/ongoing monitoring/ submittal of Report	County of Tulare Planning Department and/or CDFW	Qualified biologist.			

Mitigation Monitoring and Reporting Program							
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below. In the absence of protocol-level surveys being performed, additional surveys may be necessary. If special status animal species are not identified during pre-construction surveys, no further action is required. If special status animal species are detected during pre-construction surveys, the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW shall be contacted immediately to identify the appropriate avoidance and minimization actions to be taken as applicable for the species identified and to determine incidental take permitting needs.		of Findings, if applicable					
Measures to be Implemented for All Identified Special Status Species Identified During Pre-Construction Surveys							
4.3 Employee Education Program. Prior to the start of construction or decommissioning, the applicant shall retain a qualified biologist/botanist to conduct a tailgate meeting to train all construction staff that will be involved with the project on the special status species that occur, or may occur, on the project site. This training will include a description of the species and its habitat needs; a report of the occurrence of the species in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of the measures being taken to reduce impacts to the species during project construction and implementation.	Prior to construction-related activities.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings, if applicable	County of Tulare Planning Department and/or CDFW	Qualified biologist.			

Mitigation Monitoring and Reporting Program							
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					Initials	**Date**	**Remarks**
Measures to be Implemented Specific to San Joaquin kit fox							
4-4. ***Pre-construction survey.*** Pre-construction surveys shall be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance, construction activities, and/or any project activity likely to impact the San Joaquin kit fox. These surveys will be conducted in accordance with the USFWS *Standard Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance* (2011). The survey will include the project site and where accessible, a minimum of a 200-foot area outside of project impact areas. The primary objective is to identify kit fox habitat features (e.g. potential dens and refugia) on the project site and evaluate their use by kit fox through the use of remote monitoring techniques such as motion-triggered cameras and tracking medium. If potential dens are not identified, no further action is required.	Prior to construction-related activities.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings, if applicable	County of Tulare Planning Department and/or CDFW	Qualified biologist.			
4-5. ***Avoidance.*** A standardized pre-construction/pre-activity survey shall be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities or any Project activity likely to impact the San Joaquin kit fox. Surveys shall identify kit fox habitat features on the Project site and evaluate use by kit fox and, if possible, assess	Prior to construction-related activities.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings, if applicable	County of Tulare Planning Department and/or CDFW	Qualified biologist.			

Mitigation Monitoring and Reporting Program							
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the potential impacts to the kit fox by the proposed activity. The status of all dens shall be determined and mapped. Written results of pre-construction/pre-activity surveys must be received by the USFWS within five days after survey completion and prior to the start of ground disturbance and/or construction activities.							
4-6. ***Minimization***. Construction activities shall be carried out in a manner that minimizes disturbance to kit fox. Minimization measures include, but are not limited to: restriction of project-related vehicle traffic to established roads, construction areas, and other designated areas; inspection and covering of structures (e.g., pipes), as well as installation of escape structures, to prevent the inadvertent entrapment of kit foxes; restriction of rodenticide and herbicide use; and proper disposal of food items and trash.	During construction-related activities.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings, if applicable	County of Tulare Planning Department and/or CDFW	Qualified biologist.			
4-7. ***Mortality Reporting.*** The Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW will be contacted immediately by phone and in writing within three days in the event of accidental death or injury of a San Joaquin kit fox during project-related activities. Notification must include the date, time, location of the incident or of	Prior to construction-related activities.	Retention of professional biologist/ongoing monitoring/ submittal of Report of Findings, if applicable	County of Tulare Planning Department	Qualified biologist.			

Mitigation Monitoring and Reporting Program							
Mitigation Measure	**Monitoring Timing / Frequency**	**Action Indicating Compliance**	**Monitoring Agency**	**Person Conducting Monitoring / Reporting**	**Verification of Compliance**		
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the finding of a dead or injured animal, and any other pertinent information.							
CULTURAL RESOURCES							
5-1. In the event that historical, archaeological or paleontological resources are discovered during site excavation, the County shall require that grading and construction work on the project site be immediately suspended until the significance of the features can be determined by a qualified archaeologist or paleontologist. In this event, the specialists shall provide recommendations for measures necessary to protect any site determined to contain or constitute an historical resource, a unique archaeological resource, or a unique paleontological resource, or to undertake data recovery, excavation analysis, and curation of archaeological or paleontological materials. County staff shall consider such recommendations and implement them where they are feasible in light of Project design as previously approved by the County.	During Construction	Daily or as needed throughout the construction period if suspicious resources are discovered	County of Tulare Planning Department via field evaluation of the resource finds by a qualified archaeologist	A qualified archaeologist shall document the results of field evaluation and shall recommend further actions that shall be taken to mitigate for unique resource or human remains found, consistent with all applicable laws including CEQA.			
5-2. If cultural resources are encountered during construction or land modification activities work shall stop and the County shall be notified at once to assess the nature, extent, and potential significance of any cultural resources. If such resources are determined to be significant, appropriate actions shall be determined. Depending upon the nature of the find, mitigation could involve avoidance,	During Construction	Daily or as needed throughout the construction period if suspicious resources are discovered	County of Tulare Planning Department via field evaluation of the resource finds by a qualified archaeologist	A qualified archaeologist shall document the results of field evaluation and shall recommend further actions that shall be			

Mitigation Monitoring and Reporting Program							
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documentation, or other appropriate actions to be determined by a qualified archaeologist. For example, activities within 50 feet of the find shall be ceased. If it is determined that the Project could damage a significant cultural resource, mitigation should be implemented with a preference for preservation in place, consistent with the priorities set forth in CEQA Guidelines Section 15126.4(b)(3). If avoidance is not feasible, a qualified archaeologist should prepare and implement a detailed treatment plan in consultation with the County of Tulare and, for prehistoric resources, the ethnographically associated Native American tribe. If the resource is determined to be a tribal cultural resource, as defined by Public Resources Code 21074, the County of Tulare, in consultation with the ethnographically associated Native American tribe, should, if feasible, minimize significant adverse impacts by avoiding the resource or treating the resource with culturally appropriate dignity, which includes protecting the cultural character and integrity of the resource, protecting the traditional use of the resource, and protecting the confidentiality of the resource.				taken to mitigate for unique resource or human remains found, consistent with all applicable laws including CEQA.			
5-3. Consistent with Section 7050.5 of the California Health and Safety Code and	During Construction	Daily or as needed throughout the	County of Tulare Planning	A qualified archaeologist			

Mitigation Monitoring and Reporting Program							
Mitigation Measure	**Monitoring Timing / Frequency**	**Action Indicating Compliance**	**Monitoring Agency**	**Person Conducting Monitoring / Reporting**	**Verification of Compliance**		
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(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). In the event of the accidental [that is, unanticipated] discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken: 1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: a. The Tulare County Coroner/Sheriff must be contacted to determine that no investigation of the cause of death is required; and b. If the coroner determines the remains to be Native American: i. The coroner shall contact the Native American Heritage Commission within 24 hours. ii. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.		construction period if suspicious resources are discovered	Department via field evaluation of the resource finds by a qualified archaeologist	shall document the results of field evaluation and shall recommend further actions that shall be taken to mitigate for unique resource or human remains found, consistent with all applicable laws including CEQA.			

Mitigation Monitoring and Reporting Program							
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iii. The most likely descendent may make recommendations 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, or 2. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance. a. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission. b. The descendant fails to make a recommendation; or c. The landowner or his authorized representative rejects the recommendation of the descendent.							
GEOLOGY AND SOILS							

Mitigation Monitoring and Reporting Program							
Mitigation Measure	**Monitoring Timing / Frequency**	**Action Indicating Compliance**	**Monitoring Agency**	**Person Conducting Monitoring / Reporting**	**Verification of Compliance**		
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See Mitigations Measures **5-1 to 5-3**							
TRANSPORTATION (to be implemented as a condition of approval)							
17-1. Applicant shall provide VMT in-lieu fee as mitigation as described below: PAYMENT OF FEES IN LIEU $20 per trip x 960 Project daily trips = $19,120 VMT mitigation fee to be paid to the County.	Prior to Issuance of Building Permit	Payment of Fees	Tulare County Planning Department	Tulare County Planning Department			
TRIBAL CULTURAL RESOURCES							
18-1. In the event that historical, archaeological or paleontological resources are discovered during site excavation, the County shall require that grading and construction work on the Project site be immediately suspended until the significance of the features can be determined by a qualified archaeologist or paleontologist. In this event, the property owner shall retain a qualified archaeologist/ paleontologist to provide recommendations for measures necessary to protect any site determined to contain or constitute an historical resource, a unique archaeological resource, or a unique paleontological resource or to undertake data recover, excavation analysis, and curation of archaeological or paleontological materials. County staff shall consider such recommendations and implement them where	During Construction	Daily or as needed throughout the construction period if suspicious resources are discovered	Tulare County Planning Department	A qualified archaeologist shall document the results of field evaluation and shall recommend further actions that shall be taken to mitigate for unique resource or human remains found, consistent with all applicable laws including CEQA.			

Mitigation Monitoring and Reporting Program							
Mitigation Measure	**Monitoring Timing / Frequency**	**Action Indicating Compliance**	**Monitoring Agency**	**Person Conducting Monitoring / Reporting**	**Verification of Compliance**		
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they are feasible in light of Project design as previously approved by the County.							
18-2. 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). In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps should be taken: 1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: a. The Tulare County Coroner/Sheriff must be contacted to determine that no investigation of the cause of death is required; and b. If the coroner determines the remains to be Native American: i. The coroner shall contact the Native American Heritage Commission within 24 hours. ii. The Native American Heritage Commission shall identify the	During Construction	Daily or as needed throughout the construction period if suspicious resources are discovered	Tulare County Planning Department	A qualified archaeologist shall document the results of field evaluation and shall recommend further actions that shall be taken to mitigate for unique resource or human remains found, consistent with all applicable laws including CEQA.			

Mitigation Monitoring and Reporting Program							
Mitigation Measure	**Monitoring Timing / Frequency**	**Action Indicating Compliance**	**Monitoring Agency**	**Person Conducting Monitoring / Reporting**	**Verification of Compliance**		
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person or persons it believes to be the most likely descended from the deceased Native American. iii. The most likely descendent may make recommendations 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, or 2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance. a. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission. b. The descendant fails to make a recommendation; or							

Mitigation Monitoring and Reporting Program							
Mitigation Measure	**Monitoring Timing / Frequency**	**Action Indicating Compliance**	**Monitoring Agency**	**Person Conducting Monitoring / Reporting**	**Verification of Compliance**		
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c. The landowner or his authorized representative rejects the recommendation of the descendent.							