DRAFT NOTICE OF PREPARATION/INITIAL STUDY FOR
A FOCUSED ENVIRONMENTAL IMPACT REPORT

CITY OF HANFORD

HANFORD DAIRY MANUFACTURING PLANT PROJECT

JUNE 2024

DRAFT NOTICE OF PREPARATION/INITIAL STUDY FOR A FOCUSED ENVIRONMENTAL IMPACT REPORT

HANFORD DAIRY MANUFACTURING PLANT PROJECT

Prepared for:

City of Hanford - Community Development Department
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Hanford, CA 93230
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June 2024

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NOTICE OF PREPARATION/INITIAL STUDY FOR A FOCUSED ENVIRONMENTAL IMPACT REPORT

Notice is hereby given that the City of Hanford will be the Lead Agency and will prepare a focused Environmental Impact Report (EIR) for the proposed Hanford Dairy Manufacturing Plant Project (Project). An Initial Study has been prepared along with this Notice of Preparation (NOP), which scopes out environmental topics for further review. The focused EIR will address the potential physical environmental effects of the proposed projects that have not been scoped out, as outlined in the California Environmental Quality Act (CEQA). The City is requesting comments on the scope and content of this focused EIR.

A scoping session will be held on Monday, July 8, 2024 at 5:00 p.m. at City Hall in the Training Room (319 N Douty Street, Hanford, CA 93230). The scoping session, which is part of the focused EIR process, is the time when the City solicits input from the public and agencies on specific topics they believe should be addressed in the environmental analysis. The scoping process is designed to enable the City to determine the scope and content of the focused EIR, identify the range of actions, and identify potentially significant environmental effects, alternatives, and mitigation measures to be analyzed in the focused EIR.

Project Location

The Project site is bounded by the San Joaquin Valley Railroad (SJVRR) tracks to the north, vacant land to the west, Lacey Boulevard to the south, and the planned High-Speed Rail (HSR) station to the east, in unincorporated Kings County, CA. The Project is located on Assessor Parcel Numbers (APN) 014-260-116 (with the recordation of a parcel map the APN was changed from 014-260-078), within Section 28, Township 18 South, Range 22 East, Mount Diablo Base and Meridian (MDB&M). The proposed annexation involves other adjacent parcels, namely APN 014-260-115 to the west and APNs 014-260-077, 016-070-037, and 016-070-042) to the west and south of the Project site.

Project Description

Marquez Brothers International (MBI) proposes to construct a new dairy processing facility on an approximately 49.4-acre site located east of the City in Kings County, California (Project). MBI produces cheese, cream, yogurt, whey protein concentrate powder, and other dairy products. MBI's Master Plan for the future includes new construction in nine phases over several years that would include relocating select product manufacturing from the current South 11th Avenue Hanford campus to the new facility on Lacey Boulevard.

The proposed facility would include buildings for office uses, raw processing, product processing, and warehousing, as well as a utility building. The proposed facility would also include internal roadways, parking areas, two on-site stormwater retention basins, landscaping, fencing, and three driveways along Lacey Boulevard.

The proposed Project would require approval of an annexation into the City, a Sphere of Influence (SOI) expansion, a General Plan Amendment, prezoning, and a Site Plan Review.

There may be additional approvals required to accommodate construction of any development proposed on the other adjacent parcels not included as part of the Project, There is no new development or change in land use proposed on these additional parcels with this Project

As mandated by the California Environmental Quality Act (CEQA), the public review period for this document was 30 days (CEQA Section 15073[b]). The public review period began on June 21, 2024 and ended on July 22, 2024. For further information, please contact Gabrielle de Silva Myers, 317 N. Douty Street, Hanford, CA 93230, (559) 585-2578 or visit: https://cityofhanfordca.com/1236/Current-Projects

Mailing Address and Phone Number of Contact Person

Gabrielle de Silva Myers, Senior Planner
City of Hanford
317 N. Douty Street
Hanford, CA 93230

(559) 585-2578

Findings

As Lead Agency, the City of Hanford finds that the Project will have a significant effect on the environment. The Environmental Checklist (CEQA Guidelines Appendix G) or Initial Study (IS) (see *Section 3 - Environmental Checklist*) has identified one or more potentially significant effects on the environment. Pursuant to CEQA Guidelines Section 115064 (a)(1), an Environmental Impact Report (EIR) must be prepared if there is substantial evidence in light of the whole record that the proposed Project under review may have a significant effect on the environment and should be further analyzed to determine mitigation measures or project alternatives that might avoid or reduce project impacts to less than significant levels. The City of Hanford has determined that preparation of a focused Environmental Impact Report for the Project is necessary.

SECTION 1 - INTRODUCTION

1.1 - Overview

Marquez Brothers International (the applicant) proposes to develop a new cheese and dairy product manufacturing facility on approximately 49.4 acres. The Project site is located outside of the Hanford city limits and is designated as an Area of Interest by the Hanford General Plan. The Kings County General Plan designates the site as Light Industrial (IL), and the site is zoned IL by Kings County.

1.2 - California Environmental Quality Act

The City of Hanford is the Lead Agency for this Project pursuant to the CEQA Guidelines (Public Resources Code Section 15000 et seq.). The Environmental Checklist (CEQA Guidelines Appendix G) or Initial Study (IS) (see *Section 3 – Initial Study*) provides an analysis that examines the potential environmental effects of the construction and operation of the Project. Section 15063 of the CEQA Guidelines requires the Lead Agency to prepare an IS to determine whether a discretionary project will have a significant effect on the environment. A Mitigated Negative Declaration (MND) is appropriate when an IS has been prepared, and a determination can be made that no significant environmental effects will occur because revisions to the project have been made or mitigation measures will be implemented that reduce all potentially significant impacts to less than significant levels. Section 15064 (a)(1) states that an Environmental Impact Report (EIR) must be prepared if there is substantial evidence in light of the whole record that the proposed project under review may have a significant effect on the environment and should be further analyzed to determine mitigation measures or project alternatives that might avoid or reduce project impacts to less than significant levels. A Negative Declaration (ND) may be prepared instead if the Lead Agency finds that there is no substantial evidence in light of the whole record that the project may have a significant effect on the environment. An ND is a written statement describing the reasons why the proposed project, not otherwise exempt from CEQA, would not have a significant effect on the environment and, therefore, why it would not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, an ND or MND shall be prepared for a project subject to CEQA when either:

- The IS shows there is no substantial evidence in light of the whole record before the agency that the proposed project may have a significant effect on the environment, or
- The IS identified potentially significant effects, but:
  - Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed MND and IS are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur is prepared.
  - There is no substantial evidence in light of the whole record before the agency that the proposed project as revised, may have a significant effect on the environment.

Based on the IS, the Lead Agency has determined that the environmental review for the proposed application can potentially result in a significant impact and requires that a focused EIR be prepared.

1.3 - Impact Terminology

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

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

1.4 - Document Organization and Contents

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

- *Section 1 – Introduction:* This section provides an overview of CEQA requirements, intended uses of the IS, document organization, and a list of regulations that have been incorporated by reference.
- *Section 2 – Project Description:* This section describes the Project and provides data on the site's location.
- *Section 3 – Environmental Checklist:* This section contains the evaluation of 21 different environmental resource factors contained in Appendix G of the CEQA Guidelines. Each environmental resource factor is analyzed to determine whether the proposed Project would have an impact. One of four findings is made: no impact, less than significant impact, less than significant with mitigation, or significant and unavoidable. If the evaluation results in a finding of significant and unavoidable for any of the 21 environmental resource factors, then an Environmental Impact Report will be required.
- *Section 4 – List of Preparers:* This section identifies the individuals who prepared the IS.
- *Section 5 – Bibliography:* This section contains a full list of references that were used in the preparation of this IS.

1.5 - Incorporated by Reference

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

- City of Hanford 2035 General Plan (2017)
- City of Hanford 2016–2024 Adopted Housing Element
- City of Hanford Urban Water Management Plan
- City of Hanford Water Information (2021)
- City of Hanford Recycling & Green Waste
- Cal Recycle (2022)
- Hanford Emergency Management Plan
- Kings County Airport Land Use Compatibility Plan
- Hanford Municipal Code
- California Building Code Title 24
- Kings County Safety Element

SECTION 2 - PROJECT DESCRIPTION

2.1 - Introduction

Marquez Brothers International (the applicant) proposes to develop a new cheese manufacturing facility. The proposed Project would require expansion of the City of Hanford's (City) Sphere of Influence (SOI), approval of an annexation into the City limits, a General Plan Amendment (GPA) to designate the cheese manufacturing facility property as Light Industrial and a site located directly west as Regional Commercial, prezoning of the cheese manufacturing to the Light Industrial (I-L) zone and the west site to Regional Commercial (C-R) zone, and a Site Plan Review (SPR).

2.2 - Project Location

The Project area is located east of the Hanford city limits, east of 8th Avenue (State Route 43), and north of Lacey Boulevard (see Figure 2-1 and Figure 2-2).

The Project is located on an approximately 49.4-acre parcel identified by APN 014-260-116(with the recordation of a parcel map the APN was changed from 014-260-078) within Section 28, Township 18 South, Range 22 East, Mount Diablo Base and Meridian (MDB&M). The proposed annexation involves other adjacent parcels, namely APN 014-260-115 to the west and APNs 014-260-077, 016-070-037, and 016-070-042) to the west and south of the Project site.

2.3 - Surrounding Land Uses

Surrounding land uses consist of agricultural land and commercial businesses to the north, the High-Speed Rail (HSR) alignment and residential development to the east; Lacey Boulevard to the south, with industrial and vacant land beyond; and 8th Avenue to the west, with agricultural and industrial land beyond.

2.4 - Proposed Project

2.4.1 - PROJECT DESCRIPTION

The applicant proposes to construct a new cheese and dairy product manufacturing facility located outside the City of Hanford limits, Kings County, California. Marquez Brothers International (MBI) produces cheese, cream, yogurt, whey protein concentrate powder, and other dairy products. MBI's Master Plan for the future includes new construction in nine phases over several years that would include relocating select product manufacturing from the current South 11th Avenue Hanford Campus to the new facility on Lacey Boulevard. Access to the proposed facility will be provided by three new driveways from Lacey Boulevard.

Construction will occur in nine phases over several years. A overview of the anticipated construction to occur in each of the nine phases is provided below. This project description

provides estimates based on what would be considered the maximum buildout of the facility. However, it is possible that depending on the market and financial considerations, the site may be developed in a less than full buildout scope. Figure 2.-3 illustrates the facility's layout.

- **Phase I** – Phase I will consist of clearing the land; installing utilities, including underground piping for water, storm drainage, and sewer connections; construction of the central utility building; foundation and cement work; and establishment of retention basins, internal roads, fencing, and security equipment. This phase is anticipated to take one to two years to complete.

  Phase Info:

  - Total Building - 32,000 sf (New)
  - Building Height- 50 feet maximum
  - Employees- 2 Maximum working shift employees
  - Parking- Temporary Construction Parking of Approximately 50 spaces
  - Fire Protection: - Automatic Sprinkler System (100% with Monitoring

- **Phase II** – Phase II will consist of construction of the wastewater pretreatment plant (WWPTP) facility, dry and cold storage, employee services area, and parking areas. This will result in 172,900 square feet of buildings. This phase is anticipated to take approximately two to three years to complete.

  - The WWPTP facility will be built and prepped but will not be commissioned and put into service until future phases when enough water flow is generated to sustain continuous operation of the WWPTP.
  - The Dry and Cold storage facilities will be constructed and prepped to support future production activities.
  - The employee services area will include offices, reception, locker rooms, restrooms, break areas, conference room, and parking.

  Phase Info:

  - Total Building - 172,900 sf. (new)
  - Building Height-- 50 ft maximum
  - Employees - 5 Maximum working shift employees
  - Truck Traffic Volume - 5 In, 5 Out
  - Parking - 229 parking spaces
  - Fire Protection- Automatic Sprinkler System (100% with Monitoring System)

- **Phase III** – Phase III will consist of developing milk-receiving equipment, such as truck scales, milk silos, receiving canopy, and applicable utilities and equipment to accommodate the milk-receiving operation. This phase is anticipated to take approximately one to two years to complete.

  Phase Info:

- Total Building- 47,056 sf
- Building Height – 50 ft maximum
- Employees - 5 Maximum working shift employees
- Truck Traffic Volume - 5 In, 5 Out
- Parking- 229 parking spaces
- WWPTP - Not Applicable – No production at this phase, not commissioned.

- **Phase IV** – Phase IV will include the construction of the non-cheese production building and associated processing and production equipment. Phase IV will result in 71,800 new building square footage. The WWPTP will be commissioned in conjunction with production commissioning and transition into full ongoing operations. Towards the end of this phase, there will be a significant increase in truck traffic for raw materials receiving, milk receiving, finished goods shipping as well as daily employee traffic. This phase is anticipated to take approximately two to three years to complete.

Phase Info:

- Total Building- 251,956 (Existing) + 71,800 (New) = 323,756 (Total)
- Building Height- 50'-0" Maximum
- Employees - 45 Maximum working shift employees
- Parking (Actual) - 229 parking spaces
- WWPTP - Commission Plant - Effluent will be within permitted IUP (Industrial User Permit) parameter limits
- Truck Traffic Volume - 63 In, 63 Out
- Fire Protection: - Automatic Sprinkler System (100% with Monitoring System

- **Phase V** – Phase V will consist of construction of a blow-molding facility adjacent to the non-cheese production building. Blow molding is a process to form plastic bottles and containers. This will include the development of 16,000 square feet of new building space.

Phase Info:

- Total Building Sq.Ft. - 323,756 (Existing) + 16,000 (New) = 339,756 (Total)
- Building Height: - 50'-0" Maximum
- Employees- 51 Maximum working shift employees
- Parking (Required) - 35 (1 space for each 1½ employees of the maximum working shift)
- Parking (Actual) - 229 parking spaces
- WWPTP - No Anticipated Change
- Truck Traffic Volume - 63 In, 63 Out

- **Phase VI** – Phase VI will consist of construction of a new whey processing and drying facility. The whey processed at the facility will be used for future cheese production at the site. 10,000 square feet of building space is associated with Phase VI.

Phase Info:

- Total Building Sq.Ft. - 339,756 (Existing) + 10,000 (New) = 349,756 (Total)
- Building Height: - 80'-0" Maximum
- Employees - 62 Maximum working shift employees
- Parking (Required) - 42 (1 space for each 1½ employees of the maximum working shift)
- Parking (Actual) - 229 parking spaces
- WWPTP - An Increase is anticipated but within IUP Parameters limits
- Truck Traffic Volume - 64 In, 64 Out

- **Phase VII** – Phase VII will consist of the construction of the main cheese production facility. Additional milk silos and cold storage would also be constructed as part of this phase. Phase VIII will include 185,000 square feet of new building space.

Phase Info:

- Total Building Sq.Ft. - 349,756 (Existing) + 185,000 (New) = 534,756 (Total)
- Building Height:- 80'-0" Maximum
- Employees - 119 Maximum working shift employees
- Parking (Required) - 80 (1 space for each 1½ employees of the maximum working shift)
- Parking (Actual) - 229 parking spaces
- WWPTP - An Increase is anticipated but within IUP Parameters limits
- Truck Traffic Volume - 103 In, 103 Out

- **Phase VIII** and **Phase IX** – Phases VIII and IX would be optional expansion of production facilities and equipment and expansion of cold and dry storage facilities. An additional 195,760 square feet of building space will be developed.

Phase Info:

- Total Building Sq.Ft. - 534,756 (Existing) + 195,760 (New) = 730,516 (Total)
- Building Height:- 80'-0" Maximum
- Employees - 151 Maximum working shift employees
- Parking (Required) - 102 (1 space for each 1½ employees of the maximum working shift)
- Parking (Actual) - 229 parking spaces
- WWPTP - An Increase is anticipated but within IUP Parameters limits
- Truck Traffic Volume - 120 In, 120 Out

It is anticipated that the following pieces of equipment will be used during construction activities:

- Roller

- Large bulldozer
- Loaded trucks
- Excavator
- Generator
- Service truck
- Air compressor

Once buildings are operational and production begins, the facility anticipates running on a 24-hour/5-7 day a week schedule.

Employees: The plant is expected to employ approximately 200 people. The plant will operate 24 hours per day, five to seven days per week, with a three-shift schedule, depending upon product demand. The number of employees scheduled to be at work per shift is dependent upon the process utilized and product being made. Therefore, the number of employees at the site fluctuates throughout the day. Typically, the first shift has the largest number of employees, with a maximum of 140 employees on the site during this peak period. However, due to the nuances of the cheese-making process, there is a fluidity of arrival times for these 140 employees; i.e., they do not necessarily arrive at the same time.

The number of employees is anticipated to slowly increase over the next 10 years, with the peak employee number growing to about 155 "peak shift" employees by the end of the Phase 4 construction. Because a large number of employees live in close proximity to the facility, there are several people who ride their bicycles to work when the weather allows. On-site bike racks are available to provide security for bicycles.

Landscaping: As shown on the Master Plan site plan, existing landscaping will be augmented with additional landscaping as required to meet City development standards.

Wastewater Pretreatment Plant: The new Wastewater Pretreatment Plant (WWPTP) will designed for 600,000 gallons of effluent per day (GPD). Currently, the existing plant averages about 450,000 GPD that are pretreated before being released into the City wastewater system. The applicant has an existing permit to release up to 750,000 GPD into the City wastewater system, and it is expected a similar permit will be sought for the proposed Project. The planned improvements as outlined in the Project Description above will increase the average GPD over time, but it will stay under the maximum permitted amount.

Water: The facility uses three main sources of water that includes well water from an existing on-site well, water provided by the City, and water removed from milk during processing (cow water). Each water source is utilized for select processes throughout the facility. Well water and cow water have lower EC ranges as compared to city water. A new well will replace the existing well and will have a greater capacity. Assuming the new well has similar water quality, including EC levels, as the existing well, the intention is to gradually utilize more well water and proportionately decrease city water to lower the overall EC range of the effluent discharged to the city wastewater collection system.

2.4.2 - PROJECT ACTIONS REQUIRED

In order for the Project to be constructed, approval of the following actions are required:

Only the Project site area illustrated in Figure 2-2 is proposed for new development. Some of these actions involve other adjacent parcels in order to maintain an internally consistent General Plan, and the logical, orderly expansion of the City limit boundaries.

- Annexation – The Project site is currently located outside of the Hanford city limits and is outside the City's Sphere of Influence (SOI). The applicant is proposing to annex the Project site (APN 014-260-116) and the 36.05-acre parcel to the west (APN 014-260-115) into the City. The City will also annex a 5.32-acre site containing an exiting gas station and minimart (APN 014-260-077) and a 11.44-acre site containing an existing outdoor auction yard (APNs 016-070-037 and 016-070-042) into the city limits. There is no new development or change in use proposed on these sites except for the 49.4-acre Project site. The annexation will require formal annexation initiated by the Hanford City Council and approval by Kings County Local Agency Formation Commission (LAFCo).
- Sphere of Influence Amendment – To accommodate the Project and related annexation, the SOI will be expanded to include all of the proposed annexation area. It is anticipated that Kings County LAFCo will require that a project-specific Municipal Services Review (MSR) be prepared for the SOI amendment as part of the LAFCo annexation process. The SOI amendment would require approval by Kings County LAFCo.
- General Plan Amendment – The proposed GPA would redesignate the proposed cheese and dairy manufacturing Project site (APN 014-260-116) as Light Industrial, the 36.05-acre property to the west (APN 014-260-115) as Regional Commercial, and the gas station/minimart site (APN 014-260-077) as Regional Commercial. The GPA would be recommended by the City Planning Commission and approved by resolution by the City Council.
- Prezoning – Because the Project site does not currently have a City zoning classification, prezoning of the site is required prior to annexation. The cheese and dairy product manufacturing site would be prezoned to the I-L zone and the 36.05-acre site and gas station/minimart site would be prezoned to C-R. Prezoning would be recommended by the City Planning Commission and adopted by ordinance by the City Council. The existing gas station/minimart use would be consistent with the C-R zoning. The C-R zone also allows a mix of mainly commercial retail and service uses that are intended to serve the city and surrounding region.
- Site Plan Review – The Project will require approval of an SPR in order to develop a cheese and dairy product manufacturing facility within the I-L zone. This is a non-discretionary, ministerial City staff level review.

There may be additional approvals required to accommodate construction of any development proposed on the other adjacent parcels not included as part of the Project, There is no new development or change in land use proposed on these additional parcels with this Project.

As mandated by the California Environmental Quality Act (CEQA), the public review period for this document was 30 days (CEQA Section 15073[b]). The public review period began on June 21, 2024 and ended on July 22, 2024. For further information, please contact Gabrielle de Silva Myers, 317 N. Douty Street, Hanford, CA 93230, (559) 585-2578 or visit: https://cityofhanfordca.com/1236/Current-Projects

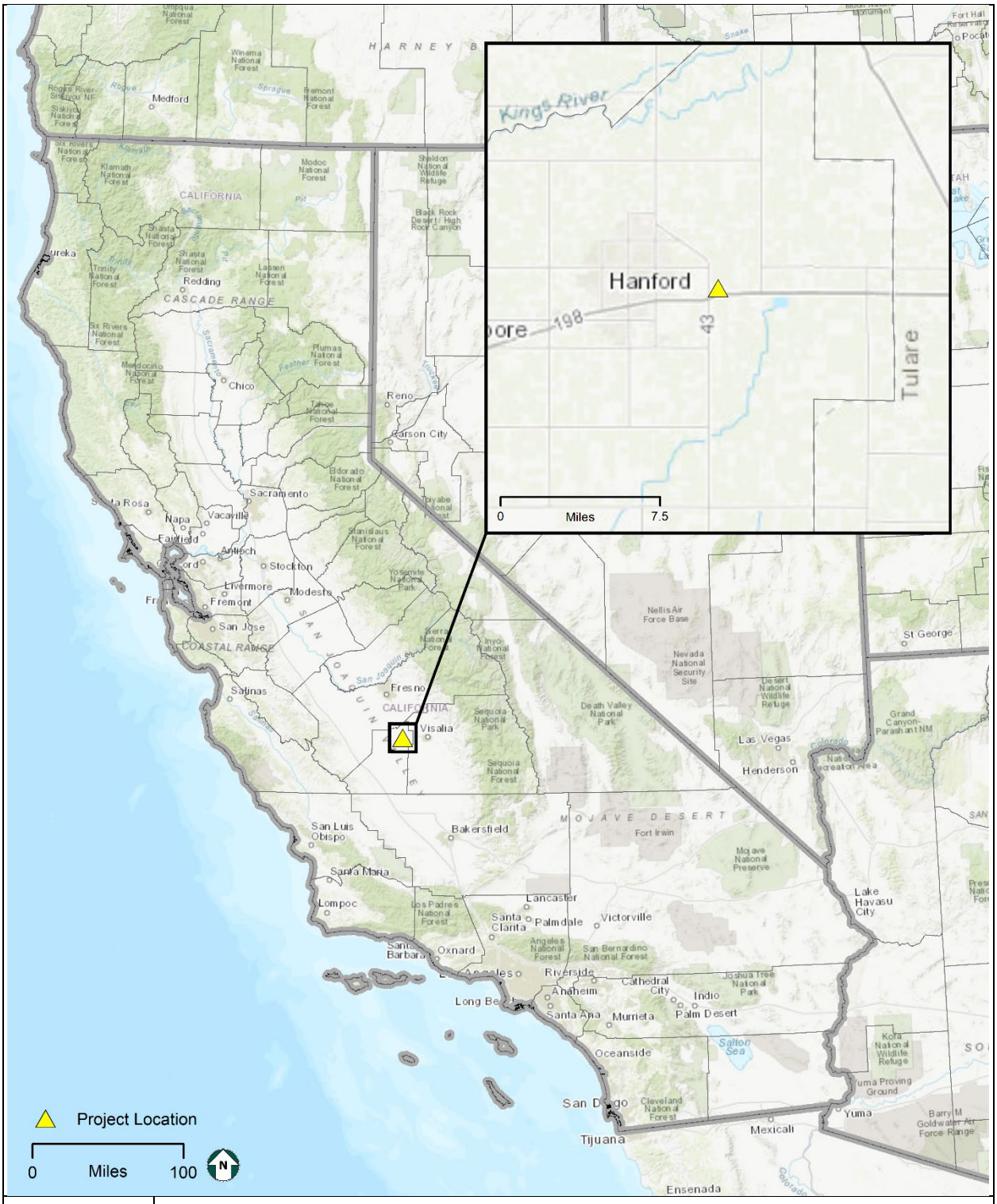

Figure 2-1
Regional Map

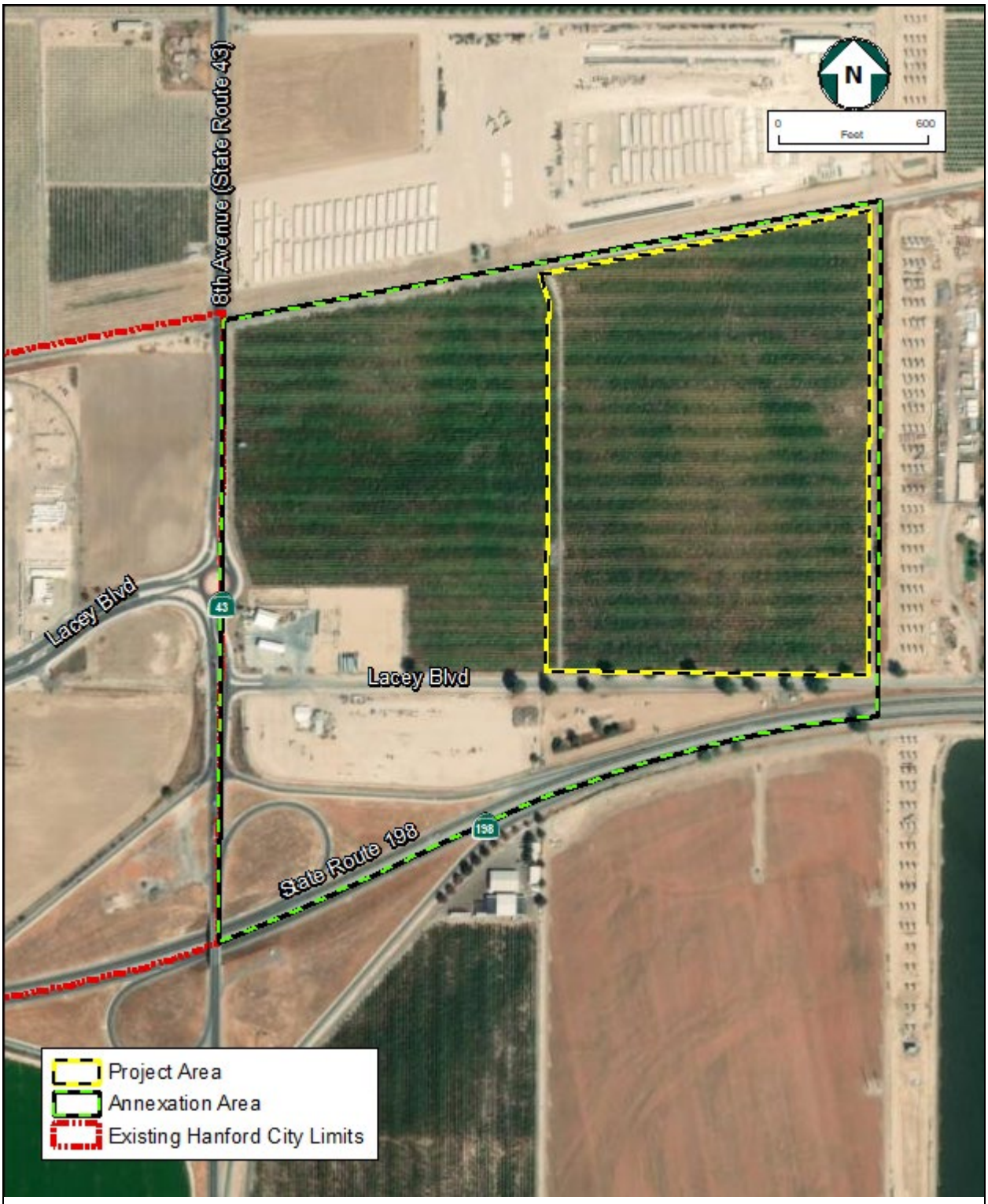

Figure 2-2
Project Site Area

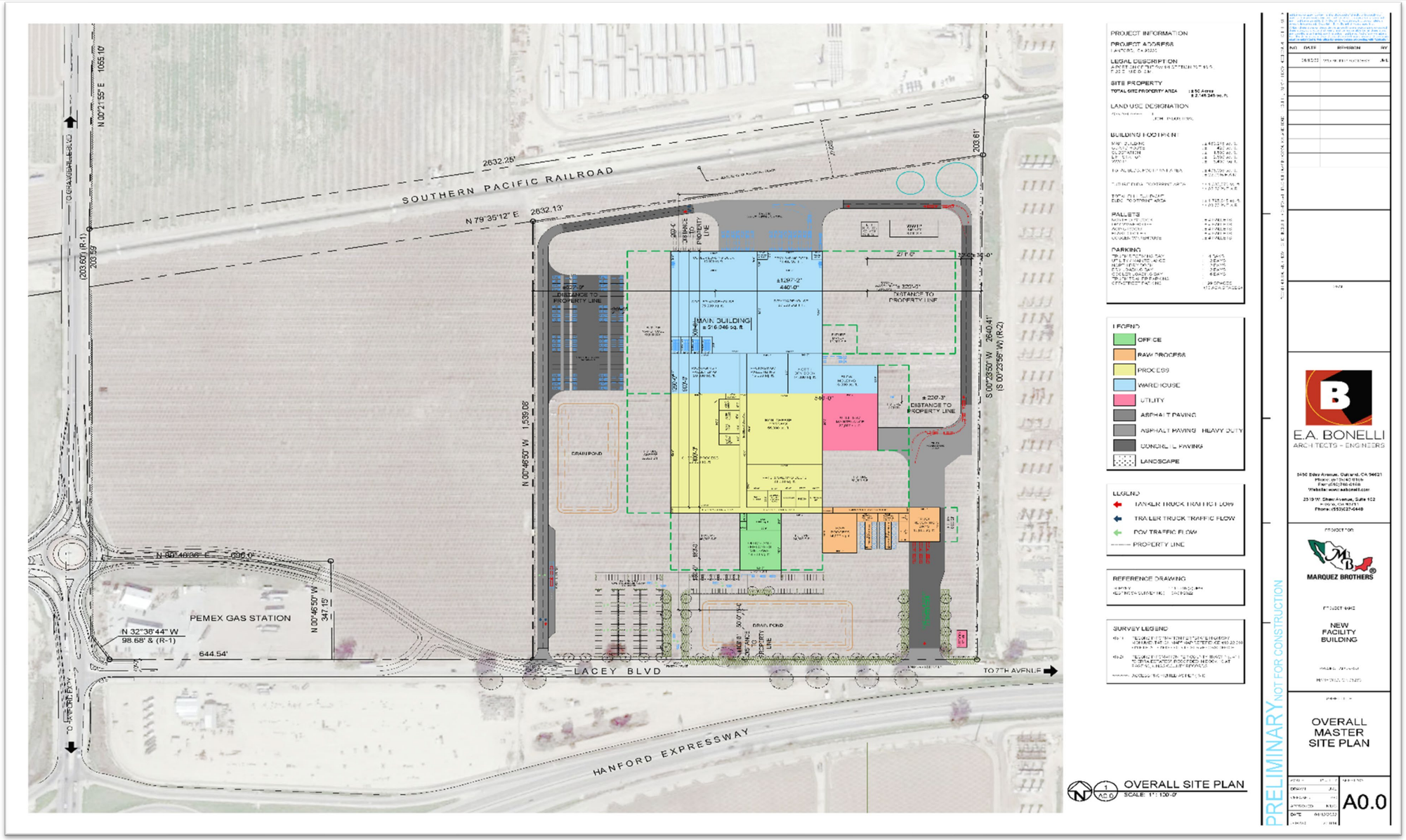

Figure 2-3
Site Plan

SECTION 3 - INITIAL STUDY

3.1 - Environmental Checklist

1. **Project Title:**

   Hanford Cheese and Dairy Product Manufacturing Plant Project

2. **Lead Agency Name and Address:**

   City of Hanford
   317 N. Douty Street
   Hanford, CA 93230

3. **Contact Person and Phone Number:**

   Gabrielle de Silva Myers – (559) 585-2578

4. **Project Location:**

   The Project area is located east of the Hanford city limits, east of 8th Avenue (State Route 43), and north of Lacey Boulevard (see Figure 2-1).

   The Project is on an approximately 49.4-acre parcel identified by APN 014-260-116(with the recordation of a parcel map the APN was changed from 014-260-078) and a 36.05-acre parcel identified by within Section 28, Township 18 South, Range 22 East, Mount Diablo Base and Meridian (MDB&M). The proposed annexation involves other adjacent parcels, namely APN 014-260-115 to the west and APNs 014-260-077, 016-070-037, and 016-070-042) to the west and south of the Project site.

5. **Project Sponsor's Name and Address:**

   JT Maldanado, Marquez Brothers International, Inc.
   179 S. 11th Avenue
   Hanford, CA 93230
   (559) 585-2500

6. **General Plan Designation:**

   Existing: City of Hanford – Area of Interest
   Existing: Kings County – Light Industrial
   Proposed: City of Hanford – Light Industrial and Regional Commercial

7. **Zoning:**

   Existing: Kings County – Light Industrial
   Proposed: City of Hanford – Light Industrial (I-L) and Regional Commercial (C-R)

8. Description of Project:

The applicant proposes the construction of a new cheese and dairy product The applicant proposes to construct a new cheese and dairy product manufacturing facility located outside the City of Hanford limits, Kings County, California. Marquez Brothers International (MBI) produces cheese, cream, yogurt, whey protein concentrate powder, and other dairy products. The applicant's Master Plan for the future includes new construction in nine phases over several years that would include relocating select product manufacturing from the current South 11th Avenue Hanford Campus to the new facility on Lacey Boulevard. Access to the proposed facility will be provided by three new driveways from Lacey Boulevard.

Construction will occur in nine phases over several years. A brief overview of the anticipated construction to occur in each of the nine phases is provided below.

- Phase I – Phase I will consist of clearing the land; installing utilities, including underground piping for water, storm drainage, and sewer connections; construction of the central utility building; foundation and cement work; and establishment of retention basins, internal roads, fencing, and security equipment. This phase would result in approximately 32.000 square feet of new building. This phase is anticipated to take one to two years to complete.

- Phase II – Phase II will consist of construction of the wastewater pretreatment plant (WWPTP) facility, dry and cold storage, employee services area, and parking areas. This will result in 172,900 square feet of buildings. This phase is anticipated to take approximately two to three years to complete.

- Phase III – Phase III will consist of developing milk-receiving equipment, such as truck scales, milk silos, receiving canopy, and applicable utilities and equipment to accommodate the milk-receiving operation. This phase proposed 47,056 square feet of new building space. This phase is anticipated to take approximately one to two years to complete.

- Phase IV – Phase IV will include the construction of the non-cheese production building and associated processing and production equipment. Phase IV will result in 71,800 new building square footage. This phase is anticipated to take approximately two to three years to complete.

- Phase V – Phase V will consist of construction of a blow-molding facility adjacent to the non-cheese production building. Blow molding is a process to form plastic bottles and containers. This will include the development of 16,000 square feet of new building space.

- Phase VI – Phase VI will consist of construction of a new whey processing and drying facility. The whey processed at the facility will be used for future cheese production at the site. 10,000 square feet of building space is associated with Phase VI.

- Phase VII – Phase VII will consist of the construction of the main cheese production facility. Additional milk silos and cold storage would also be constructed as part of this phase. Phase VIII will include 185,000 square feet of new building space.

- Phase VIII and Phase IX – Phases VIII and IX would be optional expansion of production facilities and equipment and expansion of cold and dry storage facilities. An additional 195,760 square feet of building space will be developed.

It is anticipated that the following pieces of equipment will be used during construction activities:

- Roller
- Large bulldozer
- Loaded trucks
- Excavator
- Generator
- Service truck
- Air compressor

Only the Project site area illustrated in Figure 2-2 and Figure 2-3 is proposed for new development. Some of these actions involve other adjacent parcels in order to maintain an internally consistent General Plan, and the logical, orderly expansion of the City limit boundaries. There is no new development or change in use proposed on these additional parcelsAnnexation – The Project site is currently located outside of the Hanford city limits and is outside the City's Sphere of Influence (SOI). The applicant is proposing to annex the Project site (APN 014-260-116) and the 36.05-acre parcel to the west (APN 014-260-115) into the City. The City will also annex a 5.32-acre site containing an exiting gas station and minimart (APN 014-260-077) and a 11.44-acre site containing an existing outdoor auction yard (APNs 016-070-037 and 016-070-042) into the city limits. There is no new development or change in use proposed on these sites except for the 49.4-acre Project site. The annexation will require formal annexation initiated by the Hanford City Council and approval by Kings County Local Agency Formation Commission (LAFCo).

- Sphere of Influence Amendment – To accommodate the Project and related annexation, the SOI will be expanded to include all of the proposed annexation area. It is anticipated that Kings County LAFCo will require that a project-specific Municipal Services Review (MSR) be prepared for the SOI amendment as part of the LAFCo annexation process. The SOI amendment would require approval by Kings County LAFCo.
- General Plan Amendment – The proposed GPA would redesignate the proposed cheese and dairy manufacturing Project site (APN 014-260-116) as Light Industrial, the 36.05-acre property to the west (APN 014-260-115) as Regional Commercial, and the gas station/minimart site (APN 014-260-077) as Regional Commercial. The GPA would be recommended by the City Planning Commission and approved by resolution by the City Council.

- Prezoning – Because the Project site does not currently have a City zoning classification, prezoning of the site is required prior to annexation. The cheese and dairy product manufacturing site would be prezoned to the I-L zone and the 36.05-acre site and gas station/minimart site would be prezoned to C-R. Prezoning would be recommended by the City Planning Commission and adopted by ordinance by the City Council. The existing gas station/minimart use would be consistent with the C-R zoning. The C-R zone also allows a mix of mainly commercial retail and service uses that are intended to serve the city and surrounding region.
- Site Plan Review – The Project will require approval of an SPR in order to develop a cheese and dairy product manufacturing facility within the I-L zone. This is a non-discretionary, ministerial City staff level review.

There may be additional approvals required to accommodate construction of any development proposed on the other adjacent parcels not included as part of the Project, There is no new development or change in land use proposed on these additional parcels with this Project.

9. Surrounding Land Uses and Setting:

The site is currently unimproved and utilized for agricultural purposes. Surrounding land uses consist of agricultural land and HSR development to the north; residential and HSR development to the east; Lacey Boulevard to the south, with industrial and vacant land beyond; and 8th Avenue to the west, with agricultural and industrial land beyond.

10. Other Public Agencies Whose Approval is Required:

- Kings Local Agency Formation Commission
- San Joaquin Valley Air Pollution Control District

11. Have California Native American tribes traditionally and culturally affiliated with the Project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

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

census data, California is home to 109 currently recognized Indian tribes. Tribes in California currently have nearly 100 separate reservations or rancherias. Kings County has a number of tribal groups in the area.

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

In accordance with Assembly Bill 52, formal notification of determination to undertake a project and notice of consultation opportunity, pursuant to Public Resources Code Section 21080.3.1, was sent to the Tachi Yokut Tribe. A response has not been received as of the date of preparation of this environmental assessment.

3.2 - Environmental Factors Potentially Affected

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

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

3.3 - Determination

On the basis of this initial evaluation:

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

☐ I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☒ I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENT IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Signature	Date
Printed Name	For

3.4 - Evaluation of Environmental Impacts

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

2. All answers must take account of the whole action involved, including 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(c)(3)(D). In this case, a brief discussion should identify the following:

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

    b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    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.

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

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than significant Impact	No Impact
3.4.1 - AESTHETICS					
Except as provided in Public Resources Code Section 21099, 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 that would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion

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

A scenic vista is an area identified or known for high scenic quality. Scenic vistas may be designated by a federal, State, or local agency and may also include an area that is designated, signed, and accessible to the public for the express purposes of viewing and sightseeing. The City does not designate any scenic vistas within its jurisdiction. There are very few scenic vistas within the Central Valley. The Coastal Range Mountains and the Sierra Nevada can be considered scenic vistas. The proposed Project is located approximately 45 miles from the Coastal Range and approximately 40 miles from the Sierra Nevada. Since there are no scenic vistas in the immediate proximity of the proposed Project site, there would be no impacts related to a scenic vista. Therefore, no impacts are anticipated, and no further analysis in the EIR is warranted.

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

The proposed Project is not in the vicinity of a scenic highway as identified by the City or Caltrans. The closest eligible scenic highway is a portion of State Route (SR) 198 that runs from SR 99 east through Visalia (California Department of Transportation, 2023). This portion of SR 198 is approximately 10 miles east of the Project site and will not be visible or impacted by the Project. The site is flat, with little topography and no trees or rock outcroppings. There would be no impacts related to these types of scenic resources.

Downtown Hanford is identified as the City's historic center (City of Hanford, 2017a). Three buildings are listed on the National Registry of Historic Places and the State Register of Historic Places. The Kings County Courthouse is approximately 4.3 miles northwest, the Carnegie Library is approximately 2.7 miles west, and the Taoist Temple is approximately 2.5 miles northwest. Therefore, due to the distance between the Project site and the Historic Places, the Project would not have an impact on any of these historic buildings. There will be no impact, and no further analysis in the EIR is warranted.

Impact #3.4.1c - Would the Project 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?

The area surrounding the Project site consists of urban development and undeveloped agricultural land. The Project would be contiguous to the HSR development to the east. The HSR is also north of the Project site, beyond the existing SJVRR railroad tracks. Other operations in the vicinity of the Project site include a gas station, an agricultural chemical supplier, an auction house with an outdoor lot, and a trucking company. In general, the surrounding visual character is agricultural and industrial. Therefore, the Project would be consistent with its surroundings.

Several sections of the Hanford Municipal Code regulate physical development by controlling the appearance of new development and the placement of new development with consideration for surrounding uses. The Project includes a General Plan Amendment to designate the site as Light Industrial and Regional Commercial. As such, the Project will comply with the General Plan policies regarding development in the Light Industrial and Regional Commercial zone.

There are no scenic vistas within the surrounding area and existing urban areas near the Project site; therefore, the proposed Project will not substantially degrade the existing characteristics of the area. Therefore, impacts from the Project are considered to be less than significant, and no further analysis in the EIR is warranted.

Impact #3.4.1d - Except as provided in Public Resources Code Section 21099, would the Project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Construction

The Project would create a new source of light and glare, which may affect day and nighttime views of the area. Construction of the proposed Project would generally occur during daytime hours, typically from 7:00 a.m. to 8:00 p.m., per General Plan, Section 9.10.060 A.10. Lighting needed during construction would be directed downward and shielded to focus illumination on the desired work areas and prevent light spillage onto adjacent properties. Because lighting used to illuminate work areas would be shielded, focused downward, and turned off by 8:00 p.m., the potential for lighting to affect any residents adversely is minimal. Security lighting would also be shielded and focused downward to minimize light spill onto neighboring properties. Increased truck traffic and the transport of construction materials to the Project site would temporarily increase glare conditions during construction. However, this increase in glare would be minimal and of short duration. Construction activity would focus on specific areas on the sites, and any sources of glare would not be stationary for a prolonged period. Therefore, the proposed Project's construction would not create a new source of substantial glare that would affect daytime views in the area.

Operation

Operational impacts would include exterior lighting, interior lighting spillover from windows, headlights of employee vehicles and trucks, parking lot lighting, and machinery lighting. Once operational, the facility will operate 24 hours a day.

Operation of the Project would introduce new lighting sources to the site, which did not have any existing light sources. However, the Project exterior lighting will be designed to minimize reflective glare and light scatter. The Project will comply with the applicable provisions of the Hanford Municipal Code Development Standards, such as Section 17.50.140 – Outdoor Lighting Standards (City of Hanford, 2023a). Additionally, the California Building Code (CBC) Title 24 contains standards for outdoor lighting that are intended to reduce light pollution and glare by regulating light power and brightness, shielding, and sensor controls. These requirements would substantially reduce potential nuisances from light or glare. Therefore, impacts resulting from the Project are considered to be less than significant, and no further analysis in the EIR is warranted.

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

3.4.2 - AGRICULTURE AND FORESTRY RESOURCES

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

a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☒	☐	☐	☐
b.	Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☐	☐	☒
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104[g])?	☐	☐	☐	☒
d.	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☒	☐	☐	☐

Discussion

Impact #3.4.2a – Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

CEQA uses the California Department of Conservation Division of Land Resource Protection's Farmland Mapping and Monitoring Program (FMMP) categories of "Prime Farmland,"

"Farmland of Statewide Importance," and "Unique Farmland" to define "agricultural land" for the purposes of assessing environmental impacts (PRC Section 21060.1[a]). According to the California Department of Conservation Important Farmland Finder, the Project site is designated as Farmland of Statewide Importance (California Department of Conservation, 2023).

The most recent data available indicates that there are approximately 315,272 acres of Farmland of Statewide Importance available within Kings County (County of Kings, 2023). Based on the farmland designation within the Project site, the Project would result in the conversion of approximately 86 acres, or 0.027 percent of Farmland of Statewide Importance in Kings County to an industrial and commercial use. The County has not established a threshold of significance for the conversion of farmland to non-agricultural use. The Project represents a very small loss of available farmland on a county-wide basis. However, a Land Evaluation Site Assessment (LESA) will be prepared to analyze the loss of 86 acres associated with the Project.

Therefore, in consideration of the Project's small conversion of agricultural land to a non-agricultural use and the current land use designation for industrial development, impacts resulting from this conversion would further be analyzed through preparation of the LESA and in the EIR.

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

The Project site is not subject to a Williamson Act Land Use contract. The Project area is zoned and designated for Light Industrial by the Kings County General Plan and Zoning Ordinance and thus has been anticipated to have a non-agricultural land use. Therefore, there is no impact, and no further analysis of the EIR is warranted.

Impact #3.4.2c – Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

PRC Section 12220(g) defines forest land as land that can support 10 percent native tree cover of any species under natural conditions, and that allows for the management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. PRC Section 4526 defines timberland as land other than land owned by the federal government and land designated by the board as experimental forest land, which is available for and capable of growing a crop of trees of a commercial species used to produce lumber and other forest products. Government Code Section 51104 defines timberland zoned Timberland Production as an area that has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber or for growing and harvesting timber and compatible uses.

The Project site is currently cultivated with orchards and has been disturbed through past agricultural uses. Thus, the Project site is not considered forest land or timberland, and the proposed Project will not conflict with any forest land or Timberland Production or result in any loss of forest land. Therefore, the Project will have no impact, and no further analysis in the EIR is warranted.

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

See Impacts #3.4.2a-c. There will be no impact on forest land, and no further analysis in the EIR is warranted.

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

As noted above, the City has not established a threshold of significance for the conversion of farmland to non-agricultural use. Within Kings County, the conversion of approximately 86 acres to industrial and commercial uses represents a 0.027 percent loss of Farmland of Statewide Importance in Kings County. A LESA is anticipated to be prepared and the conversion of acreage will further be assessed in the EIR.

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

3.4.3 - AIR QUALITY

Where available, the significance criteria established by the applicable air quality management 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 in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☒	☐	☐	☐

Discussion

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

The proposed Project lies within the San Joaquin Valley Air Basin (SJVAB) and is under the San Joaquin Valley Air Pollution Control District (SJVAPCD) jurisdiction. Kings County is located in a non-attainment area for the 8-hour ozone standard, $PM_{2.5}$ standard, and PM_{10}. The SJVAB is designated non-attainment of State PM_{10}. To meet Federal Clean Air Act (CAA) requirements, the SJVAPCD has multiple Air Quality Attainment Plan (AQAP) documents, including:

- 2022 Ozone Plan.
- 2007 PM_{10} Maintenance Plan and Request for Redesignation.
- 2018 $PM_{2.5}$ Plan.

The Project proposes to develop a new cheese and dairy product manufacturing facility with associated utility improvements. Construction activities would result in a temporary increase in air pollutant emissions, including ozone, $PM_{2.5,}$ and PM_{10}. Operation of the proposed Project would result in increased traffic and truck trips, which may potentially increase long-term emissions of criteria pollutants. Additionally, development and operation of the regional commercial site would have an impact on criteria pollutant generation. The Project has the potential to be inconsistent with the air quality goals and objectives in

SJVAPCD's AQP. Therefore, impacts related to consistency with applicable air quality plans will be further evaluated in the EIR.

Impact #3.4.3b – Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or State ambient air quality standard?

Construction activities associated with the proposed Project would result in the generation of criteria air pollutants, including ozone precursors (reactive organic gases and nitrogen oxides), which Kings County is in non-attainment for by State standards. Combustion emissions, such as NOx and PM_{10}, are most significant when using large diesel-fueled scrapers, loaders, bulldozers, haul trucks, compressors, generators, and other types of equipment. Short-term air pollutant emissions have the potential to exceed SJVAPCD thresholds; therefore, impacts related to construction-related emissions will be further evaluated in the EIR.

The Project proposes to develop a new cheese and dairy product manufacturing facility and allow development of the regional commercial site directly west of the cheese and dairy product manufacturing facility. Implementation of the Project has the potential to increase long-term passenger vehicle and truck trips to and from the Project site. There is potential for long-term air pollutant emissions to exceed SJVAPCD thresholds; therefore, the impacts related to long-term criteria pollutant release will be further evaluated in the EIR.

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

Sensitive receptors refer to those segments of the population most susceptible to poor air quality (i.e., children, the elderly, and those with pre-existing serious health problems affected by air quality). Land uses with the greatest potential to attract these sensitive receptors include schools, parks, playgrounds, daycare centers, nursing homes, hospitals, and residential communities.

The nearest sensitive land uses include residential homes to the east, approximately 300 feet from the Project site. The closest school is Kit Carson Elementary, approximately 0.5 miles to the east. The nearby residences have the potential to be adversely affected by construction-related emissions, but the school is unlikely to be impacted by these emissions. Based on the proximity of the nearest sensitive receptor location, impacts related to exposing sensitive receptor locations to substantial pollutant concentrations are considered potentially significant and will be further discussed in the EIR.

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

Odor impacts on residential areas and other sensitive receptors, such as hospitals, day-care centers, schools, etc., warrant the closest scrutiny, but consideration should also be given to other land uses where people may congregate, such as recreational facilities, worksites, and

commercial areas. The Project site is adjacent to commercial and industrial development to the north and south, High Speed Rail development to the east, and vacant land to the west. Therefore, there are no sensitive receptors adjacent to the Project site.

The SJVAPCD has identified some common types of facilities that have been known to produce odors in the SJVAB. According to the SJVAPCD, food processing facilities could possibly produce significant odors that reach one mile from the facility. Therefore, the proposed Project has the potential to result in potentially significant impacts associated with other emissions, and this topic will be further evaluated in the EIR.

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

3.4.4 - BIOLOGICAL RESOURCES

Would the Project:

a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
c.	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f.	Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

The impact analysis in this section is based on a Biological Resources Evaluation prepared for the Project (QK, 2023a), included in Appendix A.

Discussion

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

Project activities have the potential to affect biological resources. A reconnaissance survey of the Project and a 50-foot buffer (Biological Survey Area, or BSA), where feasible, was conducted on March 16, 2023.

A review of the literature and agency databases was conducted to obtain information on the occurrences of natural communities and special-status species known from the vicinity of the Project site (QK, 2023a). The California Natural Diversity Database (CDFW 2023), the California Native Plant Society (CNPS) Database, and the U.S. Fish and Wildlife Service (USFWS) Threatened and Endangered Species List were reviewed to assess whether occurrences of sensitive natural communities, federally-listed species, State-listed species, other species of special concern, or USFWS Critical Habitat Units that have been documented within the *Remnoy, Laton, Burris Park, Traver, Goshen, Paige, Waukena, Guernsey,* and *Hanford* U.S. Geological Survey (USGS) 7.5-minute quadrangles that encompass the Project site. To satisfy other standard search criteria, CNDDB records within a 10-mile radius of the Project site were queried separately from the broader database search.

No natural plant communities occur within the BSA. The majority of the Project site was actively used for agricultural purposes. There were 10 special-status plant species identified in the literature and database review that are known or have the potential to occur within the nine-quadrangle queries centered on the Project site. However, the 10 special-status plant species are not expected to occur within the BSA due to a lack of suitable habitat and the current agricultural use. Further, none of the special-status plant species were observed during the site reconnaissance survey.

Three special-status wildlife species, San Joaquin kit fox, burrowing owl, and Swainson's hawk, have the potential to occur within the BSA from time to time as transients.

San Joaquin Kit Fox

The San Joaquin kit fox is unlikely to be present within the BSA. The nearest CNDDB record (EONDX 67955) is located 1.35 miles west of the BSA and is from 1971 when a deceased kit fox was observed within the roadway north of Hanford Municipal Airport. The most recent CNDDB record (EONDX 69175) in the vicinity of the BSA is located 3.90 miles to the northwest and is from 2006 when an individual was observed within an undeveloped parcel of land.

There is no evidence that the San Joaquin kit fox is present within the BSA. Surrounding land use and habitat conditions make it unlikely that the San Joaquin kit fox would be present other than as a transient forager. Due to the ongoing and historical disturbance of the Project

site and the environmental requirements and conditions for habitation of these species, direct impacts to these species are not expected to occur. No small mammal burrows or dens suitable for special-status species were present within the BSA.

There was sign of past pocket gopher activity (weathered soil mounding) present within the orchard, but no burrows were observed. Rodent PVC pipe bait stations were present along the margins of the orchard, particularly along the eastern boundary, and in addition to the presence of owl boxes likely account for the lack of small mammal burrows. Due to the rodent control measures within the orchard, the site does not support an adequate prey base for larger mammal species, as evidenced by the lack of suitably sized dens within the BSA. Surrounding land use and habitat conditions make it unlikely that the San Joaquin kit fox would be present other than as a transient forager.

Burrowing Owl

Burrowing owl (*Athene cunicularia*) inhabit grassland and open bare ground and utilize existing small mammal burrows, typically created by California ground squirrel, for breeding and shelter. There were no burrows or diagnostic signs (e.g., whitewash, tracks, prey remains) of burrowing owl observed within the BSA. The BSA is continually subjected to disturbance through agricultural activities, and it is unlikely to support nesting burrowing owl, as they typically prefer isolation from people and loud noises. Burrowing owl may be present as transient foragers, though this is unlikely given the scarcity of prey items at the site. The nearest CNDDB record of the species is located 9.0 miles northeast of the BSA, where one adult burrowing owl was observed in 2016, and four active burrow sites were observed in 2017 in non-native grassland habitat. Although unlikely, burrowing owl may be present on the Project site as a transient.

Swainson's Hawk

The Swainson's hawk (*Buteo swainsoni*) has the potential to occur within the BSA. There is suitable nesting habitat within the BSA in the eucalyptus trees along the southern boundary of the BSA that could be used by a Swainson's hawk. The nearest CNDDB record for nesting Swainson's hawk is located approximately 490 feet southwest of the southwest corner of the BSA, where an active nest was observed in one of the eucalyptus trees along Lacey Boulevard in 2012, and an adult was observed sitting on the same nest in 2016. Based on historic aerial imagery, the eucalyptus tree where the nesting Swainson's hawk was observed was removed sometime between 2016 and 2017. The BSA would not be considered suitable foraging habitat for Swainson's hawk, especially given the lack of prey base, but surrounding crop fields outside of the BSA could provide foraging habitat for the species.

Impacts to nesting Swainson's hawks could occur during construction due to noise, vibration, and the presence of construction workers if the species is nesting near the Project.

Nesting Birds

The BSA contains suitable habitat for a wide variety of migratory nesting bird species. Migratory birds include geese, ducks, shorebirds, raptors, songbirds, wading birds, seabirds, and passerine birds (such as warblers, flycatchers, swallows, etc.). Bird species are protected under the Migratory Bird Treaty Act (MBTA). There is no habitat that would support waterfowl on or near the Project site. No nests were observed within the BSA, but two inactive nests were observed just outside the southern boundary of the BSA. One of these nests could support nesting raptors or common raven, and the other could support smaller passerine bird species. Additionally, four owl boxes were observed, two of which are within the BSA. The owl boxes were inactive during the site survey but could support nesting owl species at any point during the nesting bird season (February 1 to September 15). There is potential for birds to nest within the Project site in the cherry trees and outside of the Project site but within the BSA in existing structures and in trees and utility poles in the surrounding urban areas. If there are active nests present during Project activities, nests could be destroyed, and Project activities could interfere with normal breeding behaviors, which could discourage breeding or lead to nest abandonment or failure.

Although it is unlikely that any of the three special-status species would be present on the Project site, to protect biological resources including migratory birds. The City requires, at a minimum, the performance of preconstruction clearance surveys to confirm the presence or absence of special status plant and wildlife, including avian species prior to ground disturbance for new development in order to determine if direct mortality to special status species would occur with implementation of construction activities. If, after all avoidance, minimization, and/or mitigation measures have been exhausted or are determined to not be feasible, then new development would have to consult with the applicable wildlife agencies in order to determine how to compensate for direct impacts to special-status species, including, but not necessarily limited to, the possibility of acquiring incidental take permits, developing conservation plans, agree upon phasing of new development to avoid certain sensitive breeding seasons, and/or compensating for the loss of habitat at an agreed upon ratio with the applicable wildlife agency. Additionally, consultation with wildlife agencies and the City is implied by Policy O39, and through consultation with wildlife agencies, direct impacts to special-status species can be avoided, reduced, and/or compensated. With implementation of measures, direct impacts to special-status species would be reduced to the greatest extent feasible (City of Hanford, 2017b)

Compliance with the MBTA, City Policies and Goals, impacts are considered to be less than significant, and no further analysis in the EIR is warranted.

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

Sensitive natural communities are designated by various resource agencies, including the CDFW, USFWS, Bureau of Land Management, and U.S. Forest Service, or are designated by local agencies through policies, ordinances, and regulations.

There is no riparian habitat or sensitive natural communities within the Project boundaries, and no protected species were observed during the survey. Therefore, the Project impacts would be less than significant, and no further analysis in the EIR is warranted.

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

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

Wetlands, streams, reservoirs, sloughs, and ponds typically meet the criteria for federal jurisdiction under Section 404 of the CWA and State jurisdiction under the Porter-Cologne Water Quality Control Act. Streams and ponds typically meet the criteria for State jurisdiction under Section 1602 of the California Fish and Game Code.

A review of the National Hydrography Dataset (NHD) and National Wetlands Inventory (NWI) indicated there are no identified water features, federal waters, or wetlands located on or near the Project (QK, 2023a). Therefore, the Project's impact would be less than significant, and no further analysis in the EIR is warranted.

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

Wildlife movement corridors, also referred to as dispersal corridors or landscape linkages, are generally defined as linear features along which animals can travel from one habitat or resource area to another. Wildlife movement corridors can be large tracts of land connecting regionally important habitats that support wildlife in general, such as stop-over habitat that supports migrating birds or large contiguous natural habitats that support animals with large home ranges (e.g., coyotes, mule deer). They can also be small-scale movement corridors, such as riparian zones, that provide connectivity and cover to support the movement at a local scale.

There are no known wildlife movement corridors or habitat linkages that intersect the BSA. The Project is situated within an area developed for urban and agricultural use and does not provide a linkage between suitable natural habitats for most wildlife species. Due to the disturbed condition of the Project site, there is no substantial movement of wildlife onto or

off the Project site. Therefore, the Project impacts would be less than significant, and no further analysis in the EIR is warranted.

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

The City General Plan contains policies aimed at the preservation of biological resources and promotes coordination with federal and State resource agencies. The General Plan outlines a work plan with implementation measures to uphold these policies, including biological resource review for proposed projects and development of mitigation measures for these projects. The City Valley Oak Ordinance establishes policies for the care, trimming, and removal of Valley Oaks.

However, there are no Valley Oaks on the Project site. The Project is consistent with the General Plan, the Valley Oak Tree Ordinance, and any other local ordinances or policies related to biological resources. The Project would have no impact, and no further analysis in the EIR is warranted.

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

The Project is located within an area covered by the PG&E San Joaquin Valley Operation and Maintenance Habitat Conservation Plan (HCP). That HCP only applies to the maintenance and operations of PG&E facilities and does not apply to this Project. There are no other pertinent HCP or NCCP within the Project area. The Project would have no impact, and no further analysis in the EIR is warranted.

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

3.4.5 - CULTURAL RESOURCES

Would the Project:

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

The discussion below is based on a Cultural Resources Technical Memo (QK, 2023b), found in Appendix B of this document.

Discussion

Impact #3.4.5a – Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?

The City's General Plan identifies three historic buildings of importance: the Hanford Carnegie Library, the Kings County Courthouse, and the Taoist Temple. As discussed in Section 3.4.1 of this IS, the proposed Project is not located near the identified historic buildings and would not result in impacts. The General Plan also identifies a number of cultural resources, including the Temple Theater, Fox Theater, Kings Art Center, Old Post Office, Bastille, Hanford Civic Auditorium, and the Hanford Veteran's Memorial Building. Although not officially listed as historic resources, these buildings contribute to Hanford's unique cultural makeup. The nearest cultural resource identified in the General Plan is the Temple Theater, located 2.3 miles west of the Project site. Because of the substantial distance between the Project site and the historical and cultural resources identified in the General Plan, there would be no impact.

A cultural resources records search (RS #23-206) was conducted at the Southern San Joaquin Valley Information Center, CSU Bakersfield, to determine whether the proposed Project would impact cultural resources. The records search covered an area within a half mile of the Project and included a review of the National Register of Historic Places, California Points of Historical Interest, California Registry of Historic Resources, California Historical Landmarks, California State Historic Resources Inventory, and a review of cultural resource reports on file.

The records search indicated that, with the exception of an approximately 200-foot wide strip along its northern boundary, the Project site has never been surveyed for cultural resources, and it is not known if any exist within the site (QK, 2023b). Seven additional cultural resource studies have been conducted within a half mile of the Project site.

Two historic cultural resources, segments of the San Joaquin Railroad (P-16-000122) and Settlers Ditch (P-16-000250), and one prehistoric isolate, a portable stone mortar (P-16-000492), have been recorded within a half mile of the Project. No further cultural resources, either historical or prehistoric, have been identified or recorded within a half mile of the Project (QK, 2023b). The identified resources are not located on the Project site and would not be impacted by the development of the Project.

A Sacred Lands File request was also submitted to the Native American Heritage Commission. A response dated June 3, 2023, indicates negative results.

Based on the results of cultural records search findings and the lack of historical or archaeological resources previously identified within a half-mile radius of the proposed Project, the potential to encounter subsurface cultural, historical, or archaeological resources is minimal.

Although there is no obvious evidence of historical or archaeological resources on the Project site, there is the potential during construction for the discovery of cultural resources. Grading, trenching, and other ground-disturbing actions can damage or destroy these previously unidentified and potentially significant cultural resources within the Project area, including historical resources.

The General Plan EIR determined that new development as a result of the General Plan Update could affect known and previously unknown archaeological resources as well as paleontological resources. The General Plan Update also included policies that specifically address sensitive archaeological resources and their protection, which include:

- Policy O45—Consult with appropriate Native American associations about potential archaeological sites in the beginning stages of the development review process.
- Policy O46—Require archaeological studies by a certified archeologist in areas of archeological potential significance prior to approval of development projects.
- Policy O47—Consult with the California Archaeological Inventory Southern San Joaquin Valley at California State University, Bakersfield about potential cultural sites on projects that could have an impact on cultural resources.
- Policy O48—Halt construction at a development site if cultural resources are encountered.

An inventory was conducted for the General Plan Update, and this site was not listed as having a potential cultural resource.

In the unlikely event construction of the Project inadvertently uncovers previously unknown cultural resources, Measure Cultural Resources 1 and 2 will be added to all engineered plans and specs that would outline necessary steps to be taken prior to the start of construction. These measures require all work in the immediate vicinity of the discovery of cultural resources find to halt until a qualified archaeologist can evaluate the find and make recommendations. In addition, prior to any ground disturbance, if the City receives a request from a Native American tribal group, a surface inspection of the site will be conducted by a tribal monitor, and the tribe will have the opportunity to provide a Native American Monitor during ground-disturbing activities, dependent upon the availability and interest of the tribe.

In addition, the following measures have been required by the City to ensure impacts to cultural resources are less than significant.

Measure Cultural Resources 1: That if cultural resources are discovered during construction or related activities, all work shall be halted, and a qualified archeologist and the City of Hanford shall be notified. The find shall be properly investigated, and appropriate measures are to be taken before construction may continue.

Measure Cultural Resources 2: That a Burial Treatment Plan be entered into by the applicant/property owner prior to any earth-disturbing activities.

These required measures will be included in project-engineered plans and specs. With the implementation of the above measures, impacts are considered to be less than significant, and no further analysis in the EIR is warranted.

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

See Impact #3.4.5a above.

Based on the results of cultural records search findings and the lack of historical or archaeological resources previously identified within a half-mile radius of the proposed Project, the potential to encounter subsurface cultural resources is minimal. However, there is still a possibility that historical or archaeological materials may be exposed during construction. Grading, trenching, and other ground-disturbing actions can damage or destroy these previously unidentified and potentially significant cultural resources within the Project area, including historical or archaeological resources. As noted above, these measures will be imposed to reduce potential impacts to cultural resources to a less than significant level. No further analysis in the EIR is warranted.

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

There are no known cemeteries or burials on or near the Project. Although unlikely, subsurface construction activities, such as trenching and grading, associated with the proposed Project could potentially disturb previously undiscovered human burial sites. Accordingly, this is a potentially significant impact. However, considered unlikely,

subsurface construction activities could cause a potentially significant impact to previously undiscovered human burial sites. The cultural resources and Sacred Lands File records searches did not indicate the presence of human remains, burials, or cemeteries within or in the vicinity of the Project site. No human remains have been discovered at the Project site, and no burials or cemeteries are known to occur within the area of the site. However, construction would involve earth-disturbing activities, and it is still possible that human remains may be discovered, possibly in association with archaeological sites. With the implementation of required City policies, the impact would be reduced to a less than significant level.

In addition, avoidance and minimization measures will be added to all engineered plans and specs that would outline necessary steps to be taken in the unlikely event construction of the Project inadvertently uncovers previously unknown human remains. This measure will be in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), Senate Bill 447 (Chapter 44, Statutes of 1987, and Section 7050.5(c), in the event of the discovery of human remains, at the direction of the county coroner.

Based on the above, and with the implementation of require City policies, impacts would be less than significant, and no further analysis in the EIR is warranted.

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

3.4.6 - ENERGY

Would the Project:

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

Discussion

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

CEQA Guidelines require consideration of the potentially significant energy implications of a project. CEQA requires mitigation measures to reduce "wasteful, inefficient, and unnecessary" energy usage (Public Resources Code Section 21100, subdivision [b][3]). The means to conserve energy include decreasing overall energy consumption, decreasing reliance on natural gas and oil, and increasing reliance on renewable energy sources.

Proposed construction activities would require the use of energy in the form of diesel fuel, gasoline, electricity for workers, and construction vehicles and equipment. Construction activities would be subject to State and local diesel idling restrictions and other equipment standards.

Implementation of the Project would result in the construction and operation of a new cheese and dairy product manufacturing facility and potential development and operation of the regional commercial zoned area directly west of the proposed facility. While future development on-site would be subject to applicable green building standards, operation of the Project would potentially result in a substantial increase in the use of electricity and other energy sources on-site, which could have the potential to result in wasteful, inefficient, or unnecessary energy consumption. Impacts related to energy will be further evaluated in the EIR.

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

New development would be required to comply with the Kings County 2014 Regional Climate Action Plan (CAP), the SJVAB AQP, and implement energy-efficient building and other design features in order to achieve more efficient and sustainable use of energy resources. However, based on the scope and scale of the proposed Project, there is potential for operations to result in inefficient or wasteful use of energy, resulting in a conflict with the 2014 CAP or the SJVAQB AQP. Therefore, the impacts related to inefficient energy consumption and consistency with applicable energy-reduction measures will be further evaluated in the EIR.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
3.4.7 - GEOLOGY AND 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 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 wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Discussion

Impact #3.4.7a(i) – Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

The Alquist-Priolo Earthquake Fault Zoning Act (formerly the Alquist-Priolo Special Studies Zone Act) requires the delineation of zones along active faults in California. Within these zones, cities and counties must regulate certain development, including withholding permits until geologic investigations demonstrate that development sites are not threatened by future surface displacement. The purpose of the Alquist-Priolo Act is to regulate development on or near active fault traces to reduce the hazard of fault rupture; however, surface fault rupture is not necessarily restricted to the area within the Alquist-Priolo Zone. The Alquist-Priolo Act prohibits the location of most structures for human occupancy across active fault traces.

There are no designated Alquist-Priolo zones in the City according to the General Plan (City of Hanford, 2017a). No portion of the proposed Project is located within an earthquake fault zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act. Therefore, the proposed Project's development would not expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving rupture of a known earthquake fault.

All new structures are required to conform to current seismic protection standards in the current CBC and City development standards; the Project will have a less than significant impact of endangering people and structures associated with earthquakes. No further analysis in the EIR is warranted.

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

See discussion of Impact #3.4.7a(i) above.

The greatest potential for seismic activity in the City is posed by the San Andreas Fault, which is located approximately 55 miles southwest of the proposed Project. The White Wolf Fault, located near Arvin and Bakersfield to the southwest of Kern County, has the potential to cause seismic hazards for the County to a much lesser degree than the San Andreas Fault. Kings County does not have any major fault system within its boundaries.

The Uniform Building Code has four seismic zones in the US, ranging from I to IV; the higher the number, the higher the earthquake danger. All of California lies within Zone III or IV, and Kings County is within Zone III, which equates to the potential to experience 0.3

meters/second squared ground acceleration, which would result in very strong to severe perceived shaking and a moderate to heavy potential.

Secondary hazards from earthquakes include ground shaking/rupture. Since there are no known faults within the immediate area, ground shaking/rupture from surface faulting, seiches, and landslides would not be hazards in the area. While such seismic shaking would be less severe from an earthquake that originates at a greater distance from the Project site, the side effects could potentially be damaging to industrial buildings and supporting infrastructure. The Project is required to design industrial buildings and associated infrastructure to withstand substantial ground shaking in accordance with all applicable State laws and applicable codes included in the CBC Title 24 for earthquake construction standards and building standards code, including those relating to soil characteristics (California Building Standards Commission, 2022). The Project will adhere to all applicable local and State regulations to reduce any potentially significant impacts to structures resulting from strong seismic ground shaking at the Project site. Therefore, Project impacts would be less than significant, and no further analysis in the EIR is warranted.

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

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

Liquefaction occurs when saturated, loose materials are weakened and transformed from a solid to a near-liquid state as a result of increased pore water pressure. For liquefaction to occur, surface and near-surface soil must be saturated and relatively loose. The soil underlying the Project site is Kimberlina fine sandy loam, saline-alkali, and groundwater elevations range between 90 and 150 feet below grade (BSK Associates, 2022).

According to the Kings County Safety Element, the risk of liquefaction within the County is considered minimal. The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. The proposed Project would comply with all applicable mitigation measures to avoid any potential impacts to structures resulting from liquefaction at the proposed Project site. Because the Project site is within an area of low seismic activity, the water table is greater than 50 feet, and the soils associated with the Project are not suitable for liquefaction, impacts will be less than significant, and no further analysis in the EIR is warranted.

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

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

Landslides include rockfalls, deep slope failure, and shallow slope failure. Factors such as geological conditions, drainage, slope, vegetation, and others directly affect the potential for landslides.

The entire City is located within an area of low landslide incidence, but there is still a possibility that landslides could occur within the City as a result of erosion, slope weakening through saturation, or stresses by earthquakes that make slopes fail. Geotechnical and soil studies that identify potential hazards, including landslides, would be required prior to grading activities as part of the plan check and development review process for the physical development of the area. Such technical studies would provide structural design, as needed, pursuant to the CBC requirements to reduce hazards to people and structures as a result of landslides.

Additionally, Kings County is listed to have "Low" to "Moderate" risk landslide areas located in the remote, uninhabited sections of southwest Kings County. The Project site is within the Landslide Incidence Low (less than 1.5 percent of the area involved), and the development will have a less than significant impact (Kings County, 2010). As impacts are anticipated to be less than significant, no further analysis in the EIR is warranted.

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

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

As noted previously, the Project site is underlain by Kimberlina fine sandy loam, saline-alkali (BSK Associates, 2022). Construction activities associated with the proposed Project will disturb surface vegetation and soils during construction and expose these disturbed areas to erosion by wind and water. To reduce the potential for soil erosion and loss of topsoil during construction, the Project would comply with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit from the State of California Central Valley Regional Water Quality Control Board (RWQCB) during construction. Under the NPDES, the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) are required for construction activities that would disturb an area of one acre or more. An SWPPP must identify potential sources of erosion or sedimentation and identify and implement best management practices (BMPs) that ensure reduced erosion. If an SWPPP was not required, the Project would implement the standard BMPs. Typical BMPs intended to control erosion include sandbags, silt fencing, street sweeping, etc. Compliance with local grading and erosion control ordinances would also help minimize adverse effects associated with erosion and sedimentation. Any stockpiled soils would be watered and/or covered to prevent loss due to wind erosion as part of the SWPPP during construction.

The Project will comply with all the City's grading requirements outlined in Title 24 and Appendix J of the CBC. The Project is not expected to result in substantial soil erosion or the loss of topsoil.

Once constructed, the Project will have both impermeable surfaces as well as permeable surfaces. Impermeable surfaces would include existing roadways, driveways, and structures.

Permeable surfaces would include open areas of the site, any landscaped areas, and the two retention basins. Overall, the development of the Project would not result in conditions where substantial surface soil would be exposed to wind and water erosion. Therefore, the Project is expected to result in a less than significant impact, and no further analysis in the EIR is warranted.

Impact #3.4.7c – Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

See discussion in Impact #3.4.7a(iii) and 3.4.7a(iv) above.

There are no slopes on or near the property, and the Project would not expose the people or structures to significant risks from landslides.

The proposed Project will comply with all City and State regulations pertaining to construction, including the Hanford Municipal Code. In addition, the California Geologic Society, in implementing the CA Seismic Hazards Mapping Program, has not identified any seismically induced landslide hazard zones in Hanford (City of Hanford, 2017a). Therefore, complying with the existing regulatory framework would be adequate to reduce any potential impacts to less than significant levels. No further analysis in the EIR is warranted.

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

See Impact #3.4.7a(iii), 3.4.7a(iv) and Impact #3.4.7c above.

Expansive soils are fine-grained soils that can undergo a significant increase in volume with an increase in water content, as well as a significant decrease in volume with a decrease in water content. The City and surrounding area's soils contain percentages of clay that generally range between 7-27 percent. When a soil has 35 percent or more clay content, it is considered clayey soil. Since the soil types in the City generally do not contain 35 percent clay content, the potential for expansive soils within the City and its surroundings is low (City of Hanford, 2017a). The soils found within the Project site are sandy and loamy and not considered to have a high clay content. It was also noted that the water table is greater than 50 feet in depth.

Additionally, the Project would comply with all applicable California Code of Regulations and the most recent CBC Standards Code, which provides criteria for the appropriate design of buildings. The proposed Project would not be located on any identified expansive soils, as defined in the CBC and the guidelines of Title 24. No further analysis in the EIR is warranted.

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

The proposed Project would not include septic tanks or alternative wastewater disposal systems. The facility will be required to connect to the existing City sewer system. Therefore, there would be no impact related to the use of septic systems, and no further analysis in the EIR is warranted.

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

The Project site does not have any known paleontological resources or unique geologic features. There is no evidence that cultural resources of any type (including historical, archaeological, paleontological, or unique geologic features) exist on the Project site. Nevertheless, there is some possibility that a buried site may exist in the area and be obscured by vegetation, fill, or other historical activities, leaving no surface evidence.

However, the City's 2035 General Plan Goal 06 requires the protection of paleontological resources. In the unlikely event construction of the Project inadvertently uncovers previously unknown paleontological resources the City has Policy measures that require all work in the immediate vicinity of the discovery of paleontological resources find would halt until a qualified professional can evaluate the find and make recommendations. With the implementation of these measures, impacts are considered to be less than significant, and no further analysis in the EIR is warranted.

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

3.4.8 - GREENHOUSE GAS EMISSIONS

Would the Project:

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

Discussion

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

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

The Project proposes to develop a new cheese and dairy product manufacturing facility in addition to annexing the western site and designating it for regional commercial development. Construction activity would result in construction vehicle and equipment use, earthwork, and worker and equipment trips that would result in the generation of GHG emissions.

Operational features of the Project would have the potential to generate considerable long-term GHG emissions due to increased truck and passenger vehicle trips to and from the site. The potential construction and operational impacts related to GHG emissions will be further evaluated in the EIR.

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

The Project would include a General Plan Amendment and prezoning to change the land use and zoning designations of the approximately 49.4-acre site to the Light Industrial and approximately 36-acre site to the Regional Commercial designation under the Hanford General Plan and the L-I and C-R zone. Because the 2014 CAP GHG baseline and projected future GHG inventory were based on land use designations defined in the City's and County's General Plans, future uses allowed by this GPA and prezoning would warrant further study to determine consistency with the 2014 CAP and its policies.

Project construction activities would have the potential to contribute GHG emissions through heavy equipment and construction employee vehicle use. Operational features of the Project would have the potential to result in increased truck and passenger vehicle trips to and from the site, which would have the potential to increase long-term GHG emissions and be inconsistent with applicable GHG reduction plans. Therefore, the impacts related to consistency with the 2014 CAP will be further evaluated in the EIR.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
3.4.9 - 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?	☐	☐	☒	☐
c. Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e. For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the Project area?	☐	☐	☒	☐
f. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☐	☒

Discussion

The discussion below is based on the Phase I Environmental Site Assessment completed for the Project, attached as Appendix C (BSK Associates, 2022).

Impact #3.4.9a – Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

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

Project Construction

Project construction-related activities may involve the use and transport of hazardous materials. These materials may include fuels, oils, mechanical fluids, and other chemicals used during construction-related activities. These materials could expose human health or the environment to undue risks associated with their use, and no significant impacts will occur during construction activities.

Transportation, storage, use, and disposal of hazardous materials during construction activities will be required to comply with applicable federal, State, and local statutes and regulations. U.S. Department of Transportation and Caltrans regulate the transportation of hazardous materials. Additionally, the City's routes that have been designated for hazardous materials transport would be used. Any hazardous waste or debris that is generated during the construction of the proposed Project would be collected and transported away from the site and disposed of at an approved off-site landfill or other such facilities. In addition, sanitary waste generated during construction would be managed through portable toilets located at reasonably accessible on-site locations.

Hazardous materials such as paint, bleach, water treatment chemicals, gasoline, oil, etc., may be used during construction. These materials are stored in appropriate storage locations and containers in the manner specified by the manufacturer and disposed of in accordance with local, federal, and State regulations. No significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous waste during construction or operation of the new cheese and dairy product manufacturing facility would occur.

Project Operation

Once constructed, the Project would include use of materials such as paint, bleach, etc., for the maintenance of the buildings. The Project may also include the use and storage of hazardous materials associated with the processing and storage of dairy products. However, the California Environmental Protection Agency (CalEPA) oversees the Statewide

implementation of the Hazardous Materials Business Plan (HMBP), which aims to prevent or minimize harm to public health and safety and the environment from the release or threatened release of a hazardous material. Minimum reporting quantities for hazardous materials are 55 gallons for liquids, 500 pounds for solids, or 200 cubic feet for compressed gas. If a business handles hazardous materials at or in excess of the minimum thresholds, an HMBP is required to be prepared and approved by the State and local jurisdictions. The Project developer/operator will be required to submit information to the California Environmental Reporting System (CERS), Kings County Department of Public Health, and the City regarding the use and storage of hazardous materials. The Project will not generate or use hazardous materials outside health department requirements. Operation activities will comply with the California Health and Safety Code and Building Code, local building codes, and applicable safety measures.

Based on the analysis above, Project construction and operation are not anticipated to result in significant impacts due to the transportation, use, or disposal of hazardous materials. Therefore, impacts would be less than significant, and no further analysis in the EIR is warranted.

Impact #3.4.9b – Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

See Impact #3.4.9a.

A recognized environmental condition (REC) is the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws.

The preparation of the Phase I ESA included a review of the property's history, a review of regulatory information, subject property reconnaissance, and interviews with representatives of the current lessee of the property (BSK Associates, 2022). Several federal, State, and local regulatory agency databases were reviewed, including the Department of Toxic Substance Control's (DTSC's) Envirostor database and the SWRCB's Geotracker database.

The Phase I ESA found three RECs in connection to the Project site and three RECs in the vicinity of the Project site. The identified RECs in connection with the Project site are as follows:

- Past agricultural operations, including a potential agricultural chemical mixing area.
- Former drainage area.
- Stained soil adjacent to the well area to the west of the Project site.

The identified RECs within the vicinity of the Project site are as follows:

- Former detention pond adjacent west.
- Railroad adjacent north.
- Gill's Truck Stop/Reef City 2/Lacey Travel Center – This property is 333 feet west of the Project site. The property is documented as having an underground storage tank (UST), a hazardous water generator, and a chemical storage facility.

One controlled REC (CREC) was identified in the vicinity of the Project site:

- Souza's Enterprises, Inc./Helena Chemical Company – This property is 1,135 feet west of the subject property. This property is documented as having fertilizers as a potential contaminant of concern, a historic 8,000-gallon UST containing gasoline, a historic 10,000-gallon UST containing diesel, and a historic waste oil UST with an unknown volume. The property is documented as having pesticides, pesticide waste, and hydrocarbon solvents removed from the property. The SWRCB GeoTracker case is completed and closed.

The Phase I ESA determined that the proposed Project would not impact the identified RECs, and further investigation is not warranted at this time.

In addition, construction of the Project would require preparing and implementing an SWPPP, as noted in Impact #3.4.7b. An SWPPP is a State requirement under the NPDES general permit for construction sites over one acre. The SWPPP identifies potential sources of pollution from the Project that may affect the stormwater discharge quality and requires that BMPs be implemented to prevent contamination at the source. Implementing BMPs during construction would contain accidental spills of hazardous materials, and soil and groundwater contamination would be minimized or prevented. Due to the size of the Project, each construction phase would be required to prepare and implement an SWPPP.

Valley fever or coccidioidomycosis is prevalent in the Central San Joaquin Valley of California. This disease, which affects both humans and animals, is caused by the inhalation of arthroconidia (spores) of the fungus *Coccidioides immitis* (CI). CI spores are found in the top few inches of soil, and the fungus's existence in most soil areas is temporary. The proposed Project can generate fugitive dust and suspend valley fever spores with the dust that could then reach nearby sensitive receptors. It is possible that on-site workers could be exposed to valley fever as fugitive dust is generated during construction. Implementation of dust control measures related to compliance with applicable rules and regulations established by the SJVAPCD throughout the construction period would reduce fugitive dust emissions. These BMPs can include watering of the construction area and reduction of vehicle speeds throughout the construction site. Therefore, the exposure to valley fever would be minimized by implementing these dust control measures as required by the Air District. Dust from the construction of the proposed Project would not add significantly to the existing exposure level of people to this fungus, including construction workers, and impacts would be reduced to less than significant levels.

All Project plans would comply with State and local codes and regulations. Construction and operational activities will also be required to comply with the California fire code to reduce the risk of potential fire hazards. The City's Fire Department will be responsible for enforcing provisions of the fire code.

Review of State of California Department of Conservation, Geological Energy Management Division (CalGEM) Online Mapping System indicated that no plugged and abandoned or producing oil wells are located on or adjacent to the subject site (CalGEM, 2023).

As noted in Impact #3.4.9a above, if there is a use of hazardous materials during the Project's construction phase, the safe handling and storage of hazardous materials consistent with applicable local and State regulations will be required.

The proposed Project is not anticipated to create a significant hazard to the public or the environment; as mentioned previously in Impact #3.4.9a above, the Project would comply with all local, State, and federal regulations regarding the transportation, use, disposal, or discharge hazardous materials into the environment, and impacts would be less than significant. No further analysis in the EIR is warranted.

Impact #3.4.9c – Would the Project emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The nearest school to the site is the Kit Carson Elementary School, approximately 0.5 miles east of the Project site. Construction activities for industrial development could temporarily use hazardous materials and or substances, such as lubricant and diesel fuel, during construction. All future construction-related activities resulting from the proposed Project would be subject to local, State, and federal laws related to hazardous materials and substances emissions. However, construction of the Project would require the use of minimal hazardous materials and require implementation of BMPs when handling any hazardous materials, substances, or waste. Once constructed, the facility is not expected to result in hazardous emissions; therefore, the Project would have a less than significant impact, and no further analysis in the EIR is warranted.

Impact #3.4.9d – Would the Project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and, as a result, would it create a significant hazard to the public or the environment?

As noted in Impact #3.4.9b, there are existing hazardous material conditions on the Project property and within the vicinity; however, these conditions do not warrant further investigation, as they would not result in significant impacts. The Project site itself is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and the DTSC. The Project may generate or use hazardous materials; however, these hazardous materials will be stored, used, and disposed of in compliance with Public Health Department requirements.

Therefore, because the Project is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, it can be seen there is a less than significant impact of hazards to the public or environment. Therefore, a less than significant impact is seen, and no further analysis in the EIR is warranted.

Impact #3.4.9e – For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the Project area?

The Project site is located approximately 1.5 miles northeast of the Hanford Municipal Airport, which is included in the adopted Kings County Airport Land Use Compatibility Plan (ALUCP). The Project site is not located within the Airport Land Use Compatibility Overlay District (City of Hanford, 2018). The Project is well outside of the Airport's 65 community noise equivalent level (CNEL) and 60 CNEL noise contour zones (City of Hanford, 2010). Therefore, there would not be excessive noise or create a safety hazard for the people working in the Project area.

The construction and operation of the Project would not result in the generation of noise levels beyond those that exist in the surrounding area. The construction and operation of the Project would not result in the generation of noise levels beyond those that exist in the surrounding area. Therefore, impacts would be less than significant, and no further analysis in the EIR is warranted.

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

The 2015 Kings County Emergency Operations Plan (EOP) establishes emergency procedures and policies and identifies responsible parties for emergency response in the County, including the incorporated City (Kings County, 2015). The EOP includes policies that would prevent new development from interfering with the emergency response of evacuation plans.

Development of the proposed Project has the potential to strain the emergency response and recovery capabilities of federal, State, and local government. Compliance with the General Plan policies to ensure adequate emergency response and maintain current plans reduces the impact of the development. The proposed Project is consistent with the policy of the General Plan. Additionally, the proposed Project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. The proposed Project would not interfere with the City's adopted emergency response plan, and therefore, impacts would be less than significant, and no further analysis in the EIR is warranted.

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

The majority of the City is located within a zone considered by Cal Fire to have low to no potential for wildland fires. Additionally, the proposed Project site is not located within the proximity of a wildland area (City of Hanford, 2017a).

Fire protection services would be provided to the Project site by the Kings County Fire Station #4, located approximately two miles south, and the Hanford Fire Station #1, approximately three miles northwest. Given that the Project is not surrounded by wildland areas and is in proximity to existing fire services, the Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. There would be no impact related to wildfires, and further analysis in the EIR is not warranted.

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

Discussion

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

See Impact #3.4.7b.

Potential impacts on water quality arise from erosion and sedimentation are to be localized and temporary during construction of the modified Project. All new development that disturbed more than one acre are required to comply with the National Pollutant Discharge Elimination System (NPDES) General Permit Order No. 21012-00006-DWQ during construction During construction, potential impacts on water quality arising from erosion and sedimentation are expected to be temporary conditions during the construction of new development. The proposed development must draft and comply with an approved SWPPP that specifies BMPs to prevent construction pollutants from contacting stormwater to keep all erosion products from moving off-site and into receiving waters during construction. In addition, prior to the commencement of construction activities, the Project proponent would be required to adhere to the requirements of the City Grading Code. The intention is to eliminate or reduce non-stormwater discharge to storm sewer systems and other waters of the United States.

Furthermore, the proposed development includes two on-site retention basins that have been designed to control stormwater runoff and erosion, both during and after construction. Project-specific drainage improvements would reduce the potential of the proposed Project to violate water quality standards during construction to a less than significant impact.

The existing dairy manufacturing facility currently operates under a Significant Industrial Use Permit (effective March 2, 2020) for industrial wastewater discharge into the City of Hanford's sewer system. The Project's development will require the proposed facility to comply with the Significant Industrial User Permit for wastewater discharge. Additionally, as noted in Section 2 Project Description, Phase II will include the construction of the wastewater pretreatment plant (WWPTP) facility. Further analysis in the EIR is warranted to fully analyze the potential impacts to water quality and waste discharge requirements.

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

The Project site is currently outside of the Hanford city limits and is designated by the Hanford General Plan as an Area of Interest. The Project site would be annexed into the City and would also require a GPA to designate the site as Light Industrial and Regional Commercial from the Kings County designation of Light Industrial, and prezoning of the site as I-L and C-R under the City zoning ordinance

The Project site is located within the Mid-Kings River Groundwater Sustainability Agency (GSA). In compliance with the Sustainable Groundwater Management Act (SGMA), a

Groundwater Sustainability Plan (GSP) was submitted by the GSA to the Department of Water Resources (DWR). The adopted Tulare Lake Subbasin Groundwater Sustainability Plan includes implementation and management actions and projects for the goal of attaining stable groundwater levels by the year 2040.

The City currently utilizes local groundwater as its sole source of municipal water supply. The City's municipal water system extracts its water supply from underground aquifers via fourteen active groundwater wells within the city limits. In cooperation with the Peoples Ditch Company and the Kings County Water District, excess Kings River water and stormwater flows are conveyed to 125 acres of drainage and slough basins located throughout the City to help replenish groundwater. The basins account for approximately 586 acre-feet of available water retention and the City is planning to add approximately 317 acre-feet of additional basins located along major drainage channels within the City for groundwater recharge as well as flood protection. A Water Supply Assessment will be prepared for the proposed Project to determine if the City water supplies will be sufficient during normal years, single dry years, and multiple dry years.

The Project's construction and operations water demand may have significant impacts to the groundwater supplies or interfere significantly with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Further analysis in the EIR is warranted.

Impact #3.4.10c(i) – Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would result in substantial erosion or siltation on- or off-site?

The Project site is relatively flat, and grading would be minimal. The topography of the site would not appreciably change because of grading activities. The site does not contain any blue-line water features, including streams or rivers. The Project includes two proposed stormwater retention basins that will collect and maintain stormwater runoff on the site, allowing for percolation of the captured water back into the underlying aquifer.

However, the Project would develop areas of impervious surfaces that would reduce the rate of percolation at the site, but areas of open space would allow for the percolation of stormwater to recharge the aquifer. Water would also be directed into the City's existing stormwater sewer system. The Project would comply with applicable City development standards and codes. Therefore, the Project would have a less than significant impact on drainage patterns or cause substantial erosion or siltation on or off the site.

As discussed in Impact #3.4.10a above, potential impacts on water quality from erosion and sedimentation are expected to be localized and temporary during construction. Construction-related erosion and sedimentation impacts due to soil disturbance would be less than significant after implementing the SWPPP and BMPs required by the NPDES. No drainages or other water bodies are present on the Project site, and therefore, the proposed Project would not change the course of any such drainages.

The existing drainage pattern of the site and area would be affected by Project development because of the increase in impervious surfaces at the site. The Project design includes natural features such as landscaping and vegetation that would allow for the percolation of stormwater. However, there will be an addition in impervious surfaces that could increase the potential for stormwater runoff and soil erosion. The Project would connect to existing City stormwater sewer infrastructure. The Project will comply with all applicable local building codes and regulations to minimize impacts during construction and post-construction, and impacts related to erosion or siltation on- or off-site are less than significant. No further analysis in the EIR is warranted.

Impact #3.4.10c(ii) – Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

See also Impact #3.4.10c(i) above.

The Project site is flat, and no drainages or other water bodies are present. Therefore, the development of the site would not change the course of any such drainages that may potentially result in on- or off-site flooding. Water would be used during the temporary construction phase of the Project (e.g., for dust suppression). However, any water used for dust control would be mechanically and precisely applied and generally infiltrate or evaporate before running off.

With the construction of the Project, runoff patterns and concentrations could be altered by grading activities associated with the Project. Improper design of the access road or building pads could alter drainage patterns that would cause flooding on- or off-site. The potential for the construction of the proposed Project to alter existing drainage patterns would be minimized through compliance with the preparation of an SWPPP and compliance with City development standards and codes. With the implementation of state and local requirements, the Project would not substantially increase the amount of runoff to result in flooding on- or off-site. Impacts are less than significant.

Additionally, with the approval of grading plans and site development requirements by the City Building Division that incorporates SWPPP BMPs and design standards, the new development operations would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site. Impacts would be less than significant, and no further analysis in the EIR is warranted.

Impact #3.4.10c(iii) – Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Please see Impact #3.4.10c(i)-(ii) above.

Water would be used during the temporary construction phase of the proposed Project (e.g., for dust suppression). However, any water used for dust control would be mechanically and precisely applied and would generally infiltrate or evaporate prior to running off.

The Project would comply with all applicable State and City codes and regulations. The Project will construct two on-site stormwater retention basins to capture stormwater, and engineering calculations will support the storm drainage plan to ensure that the Project does not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, the Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant, and no further analysis in the EIR is warranted.

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

Please see response #3.4.10a through c(iii) above.

The Project would comply with all applicable State and City codes and regulations. The Project will construct two on-site stormwater retention basins to capture stormwater. Engineering calculations will support the storm drainage plan to ensure that the Project does not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, the Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

Pursuant to FEMA FIRM Panel 06031C0205C the Project site is within an area of minimal flood hazard. There are no development restrictions associated since these are areas determined to be outside a special flood hazard area (City of Hanford, 2023a). Impacts would be less than significant, and no further analysis in the EIR is warranted.

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

The Project site is not located near the ocean or a steep topographic feature (i.e., mountain, hill, bluff, etc.), nor is it located by the ocean or lake large enough to be inundated by tsunami or seiches. The Project area is flat and does not contain slopes steep enough to cause a mudflow, avalanche, or significant ground-related risks.

The Project site is not located within the 100-year floodplain, and there do not appear to be any significant levees in the area that could potentially affect people or structures if they were to fail. The closest dam is the Terminus Dam of Lake Kaweah, which is located

approximately 33 miles to the northeast. If the Dam fails, water could inundate the Project site, but there would be sufficient time in advance of the floodwaters.

There is no potential for the inundation of the Project site by seiche. Therefore, the Project would not contribute to inundation by seiche, tsunami, or mudflow. There would be no impact from the Project, and no further analysis in the EIR is warranted.

Impact #3.4.10e – Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

See response #3.4.10b above.

The water demand from this Project may result in a significant impact due to depleted groundwater resources or interference with groundwater recharge. A Water Supply Assessment will be prepared for the Project to determine if the City will have adequate water supplies to serve the Project in normal, dry, and multiple dry years. Therefore, further analysis in the EIR is warranted.

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

3.4.11 - LAND USE AND PLANNING

Would the Project:

a.	Physically divide an established community?	☐	☐	☒	☐
b.	Cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☒	☐	☐	☐

Discussion

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

The Project site is adjacent to commercial and industrial development to the north and south, High Speed Rail development to the east, and vacant land to the west. The Project would include the annexation of the site into the City of Hanford. A cluster of rural residences is located east of the Project site, beyond the High Speed Rail development. Because the Project site is not immediately adjacent to an established community, development of the Project site would not physically divide an established community. There would be a less than significant impact and no further analysis in the EIR is warranted.

Impact #3.4.11b – Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The Project site is currently outside of the Hanford city limits and is designated by the Hanford General Plan as an Area of Interest. The Project site would be annexed into the City and would also require a GPA to designate the site as Light Industrial, and prezoning of the site as I-L under the City zoning ordinance. The proposed development would be subject to all applicable General Plan and Municipal Code requirements, which would ensure that the development is consistent with local standards.

Ultimate approval of annexations depends upon the approval of the jurisdiction's Local Agency Formation Commission (LAFCo). The Project site is located in the Kings County LAFCo jurisdiction. The proposed Project is consistent with the following standards for annexation to cities contained within the Kings County LAFCo Policies and Procedures Manual:

- The proposed area is close to urban development and municipal-type services and would enhance its potential of full development.
- The boundaries are definite and certain.
- The proposed area is consistent with the sphere of influence.
- Request for annexation comes with the consent of all landowners, as shown on the last assessment roll.

Some of these actions involve other adjacent parcels in order to maintain an internally consistent General Plan, and the logical, orderly expansion of the City limit boundaries.. There is no new development or change in use proposed on these additional parcels. The Land Use and Planning section of the focused EIR will evaluate the consistency of the proposed project with City General Plan policies, zoning regulations, and LAFCo policies adopted for the purpose of avoiding or mitigating an environmental impact, pursuant to Appendix G of CEQA Guidelines in the EIR.

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		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
3.4.12 - MINERAL RESOURCES					
Would the Project:					
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b.	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

Discussion

Impact #3.4.12a – Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

The California Department of Conservation Geological Survey classifies lands into Mineral Resource Zones (MRZs) based on guidelines adopted by the California State Mining and Geology Board, as mandated by the Surface Mining and Reclamation Act of 1974. These MRZs identify whether known or inferred significant mineral resources are present in areas. Lead agencies are required to incorporate identified MRZs resource areas delineated by the State into their General Plans. Neither the Project site nor the surrounding area is designated as a Mineral Resources Zone in the City General Plan or Zoning Ordinance, nor is it currently being utilized for mineral extraction. The Project site is also not within a CalGEM-identified oilfield or gas field.

The Project design does not include mineral extraction. The 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 and would therefore have no impact. No further analysis in the EIR is warranted.

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

See Impact #3.4.12a above. No portion of the City or nearby vicinity is designated for mineral resources or zoned for mineral resources (City of Hanford, 2017a). Therefore, the Project would not result in the loss of availability of a locally important mineral resources recovery

site delineated on a local general plan, specific plan, or any other land use, and there would be no impact. No further analysis in the EIR is warranted.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
3.4.13 - NOISE				
Would the Project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Discussion

Impact #3.4.13a – Would the Project result in 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?

Land uses deemed sensitive receptors include schools, hospitals, rest homes, and long-term care and mental care facilities, which are considered to be more sensitive to ambient noise levels than others. The nearest sensitive land uses include residential homes to the east, beyond the planned HSR station, approximately 300 feet from the Project site. However, these properties were purchased by High Speed Rail Authority and are empty; they are slated for demolition with the construction of the rail station. The closest school is Kit Carson Elementary, approximately 0.5 miles east.

Stationary noise sources can also influence the population, and unlike mobile, transportation-related noise sources, these sources generally have a more permanent and consistent impact on people. These stationary noise sources involve various industrial uses, commercial operations, agricultural production, school playgrounds, high school football games, HVAC units, generators, lawn maintenance equipment, and swimming pool pumps.

There are no specific construction noise thresholds established by the City other than the noise-generating construction activities that are only allowed to occur between the hours of 7:00 a.m. and 8:00 p.m. (City of Hanford, 2023b). However, the proposed Project's construction would occur in temporary phases between 7:00 a.m. to 8:00 p.m., five days a week over the course of several years. No demolition or pile-driving will occur during the construction phase of the Project. During the Project's construction phase, noise-generating activities will be present; however, it will be temporary, and any machinery used as a part of the construction of the Project will be muffled. Construction activities would be temporary in nature and are anticipated to occur during normal daytime working hours. Construction is anticipated to occur in phases over several years. The Project may result in a temporary increase in noise as a result of construction activities; however, construction equipment be muffled and construction activities be limited to the hours between 7:00 a.m. and 7:00 p.m. unless the construction is within the enclosed structure or approved by the Community Development Department, that noise from fixed mechanical equipment, when measured at the property line, meets the standard of the General Plan Noise Element, and all on-site construction/mechanical equipment will meet noise emission performance standards, impacts are anticipated to be less than significant.

Facility operation would generate noise levels higher than the existing levels in the Project area. Activities that could be expected to generate noise include trucks and cars entering and exiting the development and mechanical systems related to heating, ventilation, and air conditioning systems, and mechanical systems related to cheese and dairy product manufacturing.

The Project proponent currently operates a similar cheese and dairy manufacturing facility in downtown Hanford. A Negative Declaration was prepared by the City to analyze the impacts of the facility (City of Hanford, 2015) and an addendum to the Negative Declaration was prepared that reanalyzed the facility to allow for improvements in construction of new buildings or remodeling of existing buildings as well as installation of new equipment and infrastructure (City of Hanford, December 2022). Noise generated by the existing facility was determined to be below City noise thresholds and impacts were considered to be less than significant. Similarly, the noise generated by the proposed Project is not anticipated to exceed thresholds and would be consistent with the General Plan Noise Element and Municipal Code. There are no identified sensitive receptors in close proximity to the Project and based on previous determination of a similar operational facility, it is expected that noise generated from the operation of the Project would not result in a substantial increase in noise in the area.

Short-term noise-related impacts would be temporary and require compliance with applicable regulations and policies of the General Plan to ensure further that construction-related impacts would be handled to the greatest extent feasible.

Therefore, these increases in ambient noise are considered less than significant and consistent with applicable standards. No further analysis in the EIR is warranted.

Impact #3.4.13b – Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?

The proposed Project is expected to create temporary groundborne vibration as a result of the construction activities (during site preparation and grading). According to the U.S. Department of Transportation, Federal Railroad Administration, vibration is sound radiated through the ground. The rumbling sound caused by the vibration is called groundborne noise. The ground motion caused by vibration is measured as particle velocity in inches per second and is referenced as vibration decibels (VdB). The background vibration velocity level in residential areas is usually around 50 VdB. A list of typical vibration-generating equipment is shown in Table 3.4.13-1. However, the Project does not propose to use this specific equipment. The table is meant to illustrate typical vibration levels for various pieces of equipment.

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

Table 3.4.13-1
Different Levels of Groundborne Vibration

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

Source: (Federal Transit Administration, 2006) Note: 25 feet from the corresponding equipment.

The Federal Transit Administration (FTA) has published standard vibration velocities for construction equipment operations (Federal Highway Administration (FHWA), U.S. Department of Transportation, 2017). In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.2 inch/second) appears to be conservative even for sustained pile driving. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. The typical vibration produced by construction equipment is illustrated in Table 3.4.13-2.

Table 3.4.13-2
Typical Vibration Levels for Construction Equipment

Equipment	Reference peak particle velocity at 25 feet (inches/second)[1]	Approximate peak particle velocity at 100 feet (inches/second)[2]
Large Bulldozer	0.089	0.011
Loaded Trucks	0.076	0.010
Small Bulldozer	0.003	0.000
Jackhammer	0.035	0.004
Vibratory Hammer	0.070	0.009
Vibratory Compactor/roller	0.210	0.026

Notes:
1 – Federal Transit Administration, Transit Noise and Vibration Impact Assessment Guidelines, May 2006. Table 12-2.
2 – Calculated using the following formula: PPV equip = PPVref x (25/D)1.5
where: PPV (equip) = the peak particle velocity in/sec of the equipment adjusted for the distance PPV (ref) = the reference vibration level in/sec from Table 12-2 of the FTA Transit Noise and Vibration Impact Assessment Guidelines
D = the distance from the equipment to the receiver

With regard to the proposed Project, groundborne vibration would be generated during site clearing and grading activities on-site facilitated by the implementation of the proposed Project. As indicated in Table 3.4.13-2, based on the FTA data, vibration velocities from typical heavy construction equipment that would be used during Project construction range from 0.003 to 0.210 inch-per-second peak particle velocity (PPV) at 25 feet from the source of activity. As demonstrated in Table 3.4.13-2, vibration levels at 100 feet would range from 0.004 to 0.026 PPV. Therefore, the anticipated vibration levels would not exceed the 0.2 inch-per-second PPV significance threshold during construction operations.

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

Typically, groundborne vibration generated by construction activity attenuates rapidly with distance from the source of the vibration. Therefore, vibration issues are generally confined to distances of less than 500 feet (U.S. Department of Transportation, 2005). Potential sources of temporary vibration during construction of the proposed Project would be minimal and would include the transportation of equipment to the site.

Construction activity would include various site preparation, grading, fabrication, and site cleanup work. Construction would not involve the use of equipment that would cause high groundborne vibration levels, such as pile-driving or blasting. Once constructed, the proposed Project would not have any components that would generate high vibration levels. As noted in Impact 3.4.13a, a Negative Declaration and an Addendum to the Negative Declaration was prepared for a similar cheese and dairy manufacturing facility in operation in downtown Hanford (City of Hanford, 2015) (City of Hanford, December 2022). Both environmental analyses determined that the approved project may result in a temporary

increase in groundborne vibration or noise levels as a result of construction and operational activities. However, the Project would be consistent with the General Plan Noise Element, comply with applicable codes, and therefore, impacts would be less than significant. Thus, the construction and operation of the proposed Project would not result in any vibration, and impacts would be less than significant, and no further analysis in the EIR is warranted.

Impact #3.4.13c – Would the Project result in 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 Project site is approximately 1.5 miles northeast of the Hanford Municipal Airport. The site is not located within any Compatibility Zone boundary identified by the Kings County ALUCP (Kings County, 1994). The noise levels associated with the airport operations do not contribute significantly to the overall noise environment at the Project site as the Project is not within the noise contour impact map (City of Hanford, 2010). Therefore, the Project would not expose people residing or working in the Project area to excessive noise levels, and there would be no impact. No further analysis in the EIR is warranted.

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

3.4.14 - POPULATION AND HOUSING

Would the Project:

a.	Induce substantial population unplanned 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?	☐	☐	☐	☒

Discussion

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

The Project would not include development of new housing units to directly induce substantial population growth. The new cheese and dairy product manufacturing facility is anticipated to reassigning some key staff people from the existing MBI facility in Hanford, and that an estimated 150-170 new employees will be hired over the span of 10 years or more, as the various phases of the Project are constructed. Operations at the existing South 11th Avenue campus would continue to operate, although some of the product manufacturing at the existing facility will be moved to the proposed facility. The existing operations on those adjacent parcels that will be annexed into the City are anticipated to remain the same. However, any discussion of potential new land uses or changes in land uses on these parcels not in site control by the applicant is purely speculative and will not be further analyzed.

However, typically, the facility hires new employees from the local area, and a majority are expected to be either residents of Hanford or from nearby communities. As noted, the new facility anticipates a total employee population of 200 with a peak shift of onsite employees at 155. Nonetheless, as noted, the Project may result in a slight increase in population. Per the U.S. Census Bureau, the City of Hanford has an available working population of 42,927 and an 8.2% unemployment rate or approximately 3,520 unemployed population at this demographic (U.S. Census Bureau, 2024). Nonetheless, the Project may indirectly induce population growth through the hiring of additional employees with final buildout anticipating a total of 200 employees, with a maximum of 155 peak-shift employees onsite at one time. Should an indirect increase to population occur due to the development of the

new facility the increase in population to accommodate employee needs is not substantial enough so as to impact the City's housing supply or infrastructure. Therefore, accounting for employee shifts from the existing South 11th Avenue facility to the proposed facility and available workforce from the City of Hanford, impacts will be less than significant, and no further analysis in the EIR is warranted.

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

See Impact#3.4.14a above.

The Project site is undeveloped and does not necessitate the demolition of any existing housing. Construction of the Project is anticipated to occur in phases over several years and would likely be completed by construction workers currently residing in the City or the surrounding area; they would not require new housing. Therefore, the Project will not displace existing people or housing, necessitating housing replacement elsewhere. The Project would have no impact, and no further analysis in the EIR is warranted.

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

3.4.15 - PUBLIC SERVICES

Would the Project:

a.	Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services:				
	i. Fire protection?	☐	☐	☒	☐
	ii. Police protection?	☐	☐	☒	☐
	iii. Schools?	☐	☐	☒	☐
	iv. Parks?	☐	☐	☒	☐
	v. Other public facilities?	☐	☐	☒	☐

Discussion

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

The Project site would be served by the Hanford Fire Station #1, approximately three miles northwest of the Project site, and, if necessary, Kings County Fire Station #4, located approximately two miles south. The developer of the Project will be required to pay development impact fees. Pursuant to Chapter 15.45 of the Hanford Municipal Code, a portion of those funds will be specifically earmarked for the use of the Fire Department to maintain an adequate level of service within its service boundary. The entire Project will be subject to review by the City Engineering, Public Works, and Fire Department in order to determine whether the Project's infrastructure design is in compliance with City policies for development. The Project's water system will be reviewed to verify that the system can

supply the required fire flow for fire protection purposes. The establishment of gallons-per-minute requirements for fire flow shall be based on the review of the City Fire Department.

Development of the Project will increase the need for fire protection services and expand the service area and response times of the local City Fire Department. As previously mentioned, the Project will be required to adhere to any conditions/policies pertaining to the construction of infrastructure needed for the Hanford Fire Department to provide an adequate level of fire protection service.

According to the General Plan and the standard review procedures for development projects within the City, the Project's plans and permits will be reviewed for input from the Fire Department. The Project's proposed construction would be located adjacent to existing residential areas, which the City Fire Department already serves. The developer will be required to pay development impact fees to offset increased fire protection demand in the area that would impact fire protection. Impacts would be less than significant, and no further analysis in the EIR is warranted.

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

The Hanford Police Department provides police protection in the City and collaborates with other law enforcement agencies and the District Attorney's office on crime prevention. According to the General Plan Background Report, in 2014 the Hanford Police Department employed 55 sworn officers. The Project site is located approximately 2.6 miles east of the City Police Station. The Project proposes industrial development in an undeveloped location, which will increase the need for police services. However, pursuant to Chapter 15.46 of the Hanford Municipal Code, the Project will pay appropriate development fees based on the adopted fee calculations and is responsible for constructing any infrastructure needed to serve the Project. Impacts would be less than significant, and no further analysis in the EIR is warranted.

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

There are six elementary school districts and one high school district within the City. The Kit Carson Elementary School is approximately 0.5 miles east of the Project site; Kennedy Jr High School is approximately 1.7 miles northwest, and Lee Richmond Elementary School is approximately 1.8 miles northwest.

The proposed Project does not include uses that would substantially increase the use of school facilities in the area. The Project would not result in an influx of population, as the some key employees anticipated to work at the new facility will be transferred from the existing facility in Hanford. It is estimated that approximately 150-170 new employees will be hired over the span of 10 years or more, as the various phases of the Project are constructed. Typically the facility hires workers from the local area and it is expected that the new workers will come from the surrounding communities, including Hanford itself.

As noted, the new facility anticipates a total employee population of 200 with a peak shift of onsite employees at 155. Nonetheless, as noted, the Project may result in a slight increase in population. The proposed Project would require the payment of developer fees for industrial development to offset the District's student classroom capacity. The developer will pay appropriate impact fees at the time of building permits. According to Government Code Section 65996, the development fees authorized by SB 50 are deemed "full and complete school facilities mitigation." School districts would utilize the General Plan and codes to establish new school sites and make decisions on school amenities and facility size. The development will be subject to school impact fees to mitigate any increased impacts on school facilities. The Project will result in a less than significant impact, and no further analysis in the EIR is warranted.

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

The Project is within the boundaries of the Hanford Parks and Recreation District. The proposed Project does not include uses that would substantially increase the use of park and recreation facilities in the area. The Project does not include the construction of new homes, and would not result in a substantial influx of population, as a majority of the employees anticipated to work at the new facility will be transferred from the existing facility in Hanford. Therefore, the Project will result in a less than significant impact, and no further analysis in the EIR is warranted.

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

The City provides a wide range of public services to the public besides those services previously mentioned above. The City also provides animal control services, refuse pick-up, library facilities, and health services. These services are generally funded through the general fund, usage fees, fines, penalties, or impact fee collection.

The City collects planning and building fees and impact fees for new development, as necessary. Since the demand for other public facilities is driven by population, the proposed Project would be required to pay fees to offset the demand for that service. Therefore, the Project would have a less than significant impact, and no further analysis in the EIR is warranted.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
3.4.16 - RECREATION				
Would the Project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☒	☐

Discussion

Impact #3.4.16a – Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

See Impact #3.4.15a(ii) above.

The proposed Project does not include construction of new homes nor does it include uses that would increase the use of park and recreation facilities in the area. The proposed Project will not result in the physical deterioration of existing parks or recreational facilities. With the payment of the development impact fees, a less than significant impact would occur to reactional resources, and no further analysis in the EIR is warranted.

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

See Impact #3.4.15, above. A less than significant impact would occur, and no further analysis in the EIR is warranted.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
3.4.17 - TRANSPORTATION AND TRAFFIC					
Would the Project:					
a.	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☒	☐	☐	☐
b.	Conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b)?	☒	☐	☐	☐
c.	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d.	Result in inadequate emergency access?	☐	☐	☒	☐

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

The subject Project site is located along Lacey Boulevard between Highway 43 and Ponderosa Road. The Project could potentially significantly impact the local circulation system and level of service at nearby intersections. A Traffic Impact Analysis will be prepared and impacts to the circulation system will be analyzed within the EIR.

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

CEQA Guidelines Section 15064.3 subdivision (b) was adopted in December 2018 by the California Natural Resources Agency. These revisions to the CEQA Guidelines criteria for determining the significance of transportation impacts shift the focus from driver delay to a reduction of vehicular greenhouse gas emissions through the creation of multimodal vehicle trips. Vehicle miles traveled (VMT) is a measure of the total number of miles driven for various purposes and is sometimes expressed as an average per trip or per person.

In the case of this Project, the anticipated VMT impacts could potentially exceed established significance thresholds. As such, an in-depth VMT analysis is required and will be further analyzed in the EIR.

Impact #3.4.17c – Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The Project anticipates ingress and egress to occur at Lacey Boulevard. Two access points will be dedicated to truck and trailer entrances and exits and one entry/exit point dedicated to employee vehicles. The access points will be designed to meet current City standards and safety regulations. All internal roadways and driveways will be constructed to comply with the City design and safety standards of Chapter 33 of the CBC and the guidelines of Title 24 to create safe and accessible roadways.

Vehicles exiting the site will be provided with a clear view of the roadway without obstructions. Landscaping associated with the entry driveways and street frontage along Lacey Boulevard could impede such views if improperly installed. The Project will incorporate all applicable safety measures per City standards, which include minimum roadway widths for emergency vehicle access and internal roadway design standards to ensure that hazardous design features or inadequate emergency access to the site or other areas surrounding the Project area would not occur. Internal road signage will direct traffic flow to move within the site safely (see Site Plan, Figure 2-3).

Therefore, the Project will have a less than significant impact with the incorporated design features and all applicable rules and regulations. No further analysis in the EIR is warranted.

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

See the discussion in Impact #3.4.9f

State and City fire codes establish standards by which emergency access may be determined. The proposed Project would have to provide adequate unobstructed space for fire trucks to turn around. The proposed Project site would have adequate internal circulation capacity, including entrance and exit routes to provide adequate unobstructed space for fire trucks and other emergency vehicles to gain access and to turn around. The proposed Project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. Therefore, the Project would result in a less than significant impact associated with emergency access. No further analysis in the EIR is warranted.

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

Discussion

Impact #3.4.18a(i) – Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

See also *Section 3.4.5 - Cultural Resources*.

Native American Tribal Consultation was completed for the Project in compliance with Assembly Bill 52 (AB 52) and Senate Bill 18 (SB 18), CEQA, and the Public Resources Code.

A Sacred Land Files search was requested from the Native American Heritage Commission (NAHC) to identify previously recorded sacred sites or cultural resources of special importance to tribes and provide contact information for local Native American representatives who may have information about the Project area. A response was received on June 3, 2023, indicating negative results that did not indicate the presence of any cultural places within the Project site and within a half-mile buffer around the Project site. The City, as Lead Agency, would send consultation request letters pursuant AB 52 and SB 18 to the tribal groups on the NAHC list.

The Lead Agency has not received information from a local tribal group indicating that the Project would impact tribal cultural resources.

Although there is no obvious evidence of historical or archaeological resources on the Project site, there is the potential during construction for the discovery of cultural resources. Grading, trenching, and other ground-disturbing actions can damage or destroy these previously unidentified and potentially significant cultural resources within the Project area, including historical resources.

The General Plan EIR determined that new development could affect known and previously unknown archaeological resources. The EIR also included policies that specifically address sensitive archaeological resources and their protection, which includes:

- Policy O45—Consult with appropriate Native American associations about potential archaeological sites in the beginning stages of the development review process.
- Policy O46—Require archaeological studies by a certified archeologist in areas of archeological potential significance prior to approval of development projects.
- Policy O47—Consult with the California Archaeological Inventory Southern San Joaquin Valley at California State University, Bakersfield about potential cultural sites on projects that could have an impact on cultural resources.
- Policy O48—Halt construction at a development site if cultural resources are encountered.

An inventory was conducted for the General Plan Update and this site was not listed as having a potential cultural resource. Consultation was conducted with the Santa Rosa Tachi Yokut Tribe for this Project, a response was not received. Compliance with General Plan Policy O48, set forth above, is required and would be included as a note on all plans and specs resulting from the Project. The notes would outline the necessary steps to be taken. The required notes will require the project proponent to adhere to the policies set forth in the Hanford General Plan pertaining to preservation of Cultural Resources, including Policy O48.

Due to the prior meeting with the Tachi Yokut Tribe on January 10, 2017, the Lead Agency is requiring as a Condition of Approval that a Burial Treatment Plan be entered into by the

applicant/developer prior to any earth-disturbing activities. This condition was requested by the Tachi Yokut Tribe for all projects requiring an initial study.

These policies will be added to all engineered plans and specs that outline the necessary steps to be taken prior to the start of construction in the unlikely event construction of the Project inadvertently uncovers previously unknown tribal cultural resources. These policies require all work in the immediate vicinity of the discovery of cultural resources find to halt until a qualified archaeologist can evaluate the find and make recommendations. In addition, prior to any ground disturbance, if the City receives a request from a Native American tribal group, a surface inspection of the site will be conducted by a tribal monitor, and the tribe will have the opportunity to provide a Native American Monitor during ground-disturbing activities, dependent upon the availability and interest of the tribe.

With the implementation of the aforementioned policies, impacts are considered to be less than significant, and no further analysis in the EIR is warranted.

Impact #3.4.18a(ii) – Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe?

See discussion in *Section 3.4.5 - Cultural Resources* and Impact #3.14.18(i) above.

With the implementation of these measures as noted above, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource that is a resource determined by the Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. The Project would result in a less than significant impact, and no further analysis in the EIR is warranted.

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

3.4.19 - UTILITIES AND SERVICE SYSTEMS

Would the Project:

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

Discussion

Impact #3.4.19a – Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects?

The proposed Project will require construction infrastructure to connect to the existing utility infrastructure. This will include water, wastewater, and stormwater drainage connections, all of which would be constructed to meet City development standards. Additionally, the Project will include connections for electric power, natural gas, and telecommunications facilities. Electrical, natural gas, and telecommunications facilities

would be placed by the individual serving utilities; these entities already have in place safety and siting protocols to ensure that placement of new utilities to serve new construction would not have a significant effect on the environment.

The required connections to existing City water and sewer infrastructure may require offsite construction activities or upsizing of existing City facilities. At this time, the exact alignment of the water and sewer pipelines is not known. As such, the potential exists for significant impact to occur, and further analysis in the EIR is warranted.

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

As noted in Impact #3.4.10b, a Water Supply Assessment will be prepared for the proposed Project to determine if the City water supplies will be sufficient during normal years, single dry years, and multiple dry years.

The Project's construction and operations water demand may have significant impacts to the groundwater supplies or interfere significantly with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Further analysis in the EIR is warranted.

Impact #3.4.19c – Would the Project result in a determination by the wastewater treatment provider that serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?

Under the General Plan Update, it was determined that planned improvements and expansion development through various goals and policies would assist in providing wastewater services to the study area as development continues (City of Hanford, 2017a). The current capacity of the WWTF is designed to accommodate 8.0 mgd, which is expected to provide adequate services to population growth for the foreseeable future, as planned in the General Plan.

Hanford's existing wastewater system includes a treatment facility south of Houston Avenue and east of South 11th Avenue and 21 sanitary sewer lift stations at various locations throughout the City. The City has plans for pump replacements or upgrades at each of its locations within the next several years. The City's wastewater treatment facility provides for treatment, disposal, and reuse of effluent, which meets all of the State's discharge requirements for Hanford. The City's plant treats nearly 1.75 billion gallons of sewage each year. The facility is a major part of the City's effort to keep the environment clean and to provide a water resource for agricultural irrigation and reuse.

The proposed Project may require additional pipelines to connect to existing City facilities related to wastewater treatment. As such, the potential exists for significant impact to occur, and further analysis in the EIR is warranted.

Impact #3.4.19d – Would the Project Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

The 1989 California Integrated Waste Management Act (AB 939) requires California counties to attain specific waste diversion goals. In addition, the California Solid Waste Reuse and Recycling Access Act of 1991, as amended, requires expanded or new development projects to incorporate storage areas for recycling bins into the proposed project design. Reusing and recycling construction debris would reduce operating expenses and save valuable landfill space. The current operational facility complies with City and State recycling regulations, and conform to California's waste diversion regulations, including SB1383, which aims to divert organic waste material from landfills for recycling in order to reduce methane production. The proposed Project would similarly comply with applicable requirements related to solid waste.

When developed, the City would provide solid waste collection and disposal for the proposed Project site. The City has achieved a 50 percent diversion rate from the landfill and has incorporated a green waste program and recycling at the Materials Recycling Facility. Project development is subject to payment of Refuse and Recycling Impact Fees and compliance with all statutes and regulations related to solid waste. Therefore, impacts would be less than significant.

Kings Waste Recycling Authority (KWRA) will remove solid waste produced from construction and operation. The KWRA is a key element that helps the City meet the State's recycling goals. Refuse from both municipal and commercial haulers is sorted at the KWRA facility to recover recyclable materials, including wood/green waste processed for compost, ferrous/metallic items, plastic and glass, newspaper, scrap paper, junk mail, magazines, paperboard, and cardboard. The KWRA does not operate an active landfill. Waste is hauled by transfer trucks from the Material Recover Facility (MRF) to the State permitted 320-acre Chemical Waste Management Landfill site in Kettleman Hills, approximately 45 miles west of the MRF. A combined MRF and Transfer Station (TS) was constructed near the old landfill southeast of Hanford. The MRF and TS facility includes a small but complete Household Hazardous Waste collection station. KWRA operates the MFR and TS as an enterprise function, with all revenue coming from solid waste disposal fees and the sale of recovered recyclable materials and compost. Responsibilities of the KWRA include the siting, permitting, financing, construction, and operation of landfills, and an MRF and TS. Additional responsibilities include all activities and waste diversion goals required by the State and the closure, post-closure monitoring, and liabilities of all identified former landfills in Kings County.

As noted above, the Project, in compliance with federal, State, and local statutes and regulations related to solid waste, would dispose of all waste generated on-site at an approved solid waste facility and pay the appropriate impact fees.

The Project does not, and would not conflict with federal, State, or local regulations related to solid waste. The proposed Project would be served by a landfill with sufficient permitted

capacity to accommodate the Project's solid waste disposal needs in compliance with federal, State, and local statutes and regulations related to solid waste. Therefore, the Project would have a less than significant impact, and no further analysis in the EIR is warranted.

Impact #3.4.19e – Would the Project comply with federal, state, and local statutes and regulations related to solid waste?

See Impact #3.4.19d.

The Project would result in a less than significant impact, and no further analysis in the EIR is warranted.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
3.4.20 - WILDFIRE				
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?	☐	☐	☒	☐

Discussion

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

See Impact #3.4.9f regarding emergency response.

Access to the site for emergency vehicles to the site would be maintained throughout the construction period. The Project would not interfere with any local or regional emergency response or evacuation plans and would not result in a substantial alteration to the adjacent and area circulation system. Impacts related to fire hazards and emergency response plans would be less than significant. No further analysis in the EIR is warranted.

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

The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels, and fuel moisture contents), and topography (degree of slope). Fuels such as grass are highly flammable because they have a high surface area to mass ratio and require less heat to reach the ignition point. Steep slopes contribute to fire hazards by intensifying the effects of wind and making fire suppression difficult.

The Project site and surrounding area are relatively flat and without steep slopes. The site is located in a predominately urban area with some ongoing agricultural activities, which is not considered at significant risk of wildlife. Therefore, impacts would be less than significant, and no further analysis in the EIR is warranted.

Impact #3.4.20c – Would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

See discussion in Impact #3.4.20a-b.

The Project proposes to construct a new cheese and dairy product manufacturing facility and includes the development of infrastructure (water, sewer, electrical power lines, and storm drainage) required to support the proposed facility. The Project would require installing or maintaining additional electrical distribution lines and natural gas lines to connect the facility to the existing utility grid. However, the Project would be constructed in accordance with all local, State, and federal regulations regarding power lines and other related infrastructure, as well as fire suppression requirements. The design of all proposed utilities will be subject to the review and approval of the City. As the specific types and placements of utilities are not known, further analysis will be necessary and will be conducted in the EIR. The Project will also be subject to payment of development fees to offset impacts on City services. It will ensure the viability of the utility infrastructure's ability for fire protection and suppression activities. Therefore, impacts related to utility type and placements for the Project would be identified and analyzed in the EIR.

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

The Project site is not located in or near an SRA or an LRA Fire Hazard Severity Zone (California Department of Forestry and Fire Protection, 2007). Thus, the proposed Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. The Project site is within the Federal Emergency Management Agency (FEMA) Area of Minimal Flood Hazard. Therefore, the proposed Project would have no impact, and no further analysis in the EIR is warranted.

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

Discussion

Impact #3.4.21a – Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

As evaluated in this IS, the Project would not substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory including paleontological resources. Policies adopted by the City of

Hanford General Plan related to Biological, Cultural and Tribal resources would be complied by for this Project. By implementing these policies related to cultural, and biological resources, the incremental effects of the proposed Project would not contribute to a cumulative adverse impact on these resources. Therefore, the Project would have a less than significant impact. No further analysis in the EIR is warranted.

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

The Project has the potential to contribute a cumulatively significant impact on the City's circulation system and VMT, air quality, GHG emissions, available water supplies or interfere significantly with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level, wastewater, sewer capacity, utilities and energy, as identified in this Initial Study. Such impacts could occur as a result of full buildout of the Project. Therefore, the preparation of a focused EIR is warranted to evaluate the Project's contribution to cumulative impacts in these areas.

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

The Project could result in construction activities and long-term land uses that would contribute to increase pollutant emissions and GHG emissions, available water supplies or interfere significantly with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Impacts to utilities, wastewater and sewer capacity at levels that may cause substantial adverse effects on human beings. Therefore, these impacts will be further analyzed in the EIR.

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BIOLOGICAL RESOURCE EVALUATION

MARQUEZ BROTHERS INTERNATIONAL, INC.

LACEY BOULEVARD DAIRY PROCESSING FACILITY PROJECT

MARCH 2023

BIOLOGICAL RESOURCE EVALUATION

LACEY BOULEVARD DAIRY PROCESSING FACILITY PROJECT

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March 2023

Project #220190

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EXECUTIVE SUMMARY

This Biological Resource Evaluation (BRE) report provides the results of a biological survey conducted by QK for the Lacey Boulevard Dairy Processing Facility (Project). In order to comply with the California Environmental Quality Act (CEQA) a biological evaluation was conducted to identify the potential for sensitive biological resources to occur on or near the Project site.

The Project site is located north of Lacey Boulevard and east of State Route 43 near the city of Hanford (City), Kings County, California (Project site). It is anticipated for annexation into the City. The Project proposes to develop a new dairy processing facility at a 50.5-acre site located on Assessor Parcel Number (APN) 014-260-116 (with the recordation of a parcel map the APN was changed from 014-260-078). The Project site has been used for agricultural purposes for many years, and at the time of the survey was an active cherry orchard. The Project site is currently surrounded by agricultural and urban development.

A review of available literature and agency databases was conducted to obtain information of the occurrences of natural communities and special-status plant and wildlife species known to occur in the vicinity of the Project site. QK conducted a biological reconnaissance survey on March 16, 2023, to determine the locations and extent of land use, natural vegetation communities, determine the potential for occurrences of special-status plant and wildlife species, and verify the presence of wetlands and State and or federal jurisdictional waters. No special-status plant species or special-status wildlife species, or diagnostic sign thereof, were observed, and no wetlands or other sensitive biological resources were observed on or near the Project site.

Based on the literature and database search and the results of the survey, there is a potential for three special-status wildlife species to occur on the Project site: San Joaquin kit fox (*Vulpes macrotis mutica*), burrowing owl (*Athene cunicularia*), and Swainson's hawk (*Buteo swainsoni*). Due to the ongoing and historical disturbance of the Project site, and the environmental requirements and conditions for habitation of these species, direct impacts to these species are not expected to occur. San Joaquin kit fox and burrowing owl may pass through as transients, and Swainson's hawk could nest and forage in the vicinity of the Project site. There is potential for nesting migratory birds and other raptors species, protected by the Migratory Bird Treaty Species Act, to occur on or near the Project site and surrounding areas. With the implementation of Best Management Practices and recommended avoidance measures, the Project will likely have limited impacts to special-status wildlife species and migratory birds and raptors. There is expected to be no impact to special-status plant species, sensitive natural communities, wetlands or water features, or any other sensitive biological resources.

SECTION 1 - INTRODUCTION

Marquez Brothers International, Inc. (MBI), plans to construct a new dairy processing facility on a green field site located north of Lacey Boulevard and east of State Route (SR) 43 near the city of Hanford, Kings County, California. MBI produces cheese, cream, yogurt, whey protein concentrate powder, and other dairy products. The Lacey Boulevard Dairy Processing Facility Project (Project) will relocate select product manufacturing from the current 11th Avenue Hanford Campus facility to the new facility on Lacey Boulevard. To comply with the California Environmental Quality Act (CEQA), a biological evaluation was conducted to identify the potential for sensitive biological resources to occur on or near the Project site. This Biological Resource Evaluation (BRE) provides the basic biological information needed for the permitting process.

1.1 - Project Location

The Project is located to the east of the City of Hanford and is anticipated for annexation into the City (Figure 1-1). It covers approximately 50.5 acres and is situated on Assessor Parcel Number (APN) 014-260-078. The city of Hanford is located in the Central Valley and is between the Coastal Range and the Sierra Nevada Range, south of the City of Fresno and west of the City of Visalia. The Project site is north of Lacey Boulevard and east of SR 43 (Figure 1-2). It is in the northeast ¼ and southeast ¼ of the northwest ¼ of Section 28, Township 18 South, Range 22 East, Mount Diablo Base and Meridian, and is within the *Remnoy*, California U.S. Geological Survey (USGS) 7.5-minute quadrangle.

1.2 - Project Description

MBI proposes construction of a new dairy processing facility on a 50.5-acre parcel located on Lacey Boulevard, relocating select product manufacturing from the current facility located at 179 South 11th Avenue. The Project will involve annexation of the land into the City of Hanford City Limits and re-designating the parcel, which is currently used for agriculture, from Area of Interest/Agricultural to Light Industrial/Regional Commercial. Once annexed, City water and sewer lines, currently over one-half mile away, can be extended to the new facility. The Project plan includes new construction in nine phases over several years and envisions several features to make the campus aesthetically pleasing including landscaping, architectural design, and building layout. A list of Project phases is presented below:

1. Phase I Utility/Well/Infrastructure Construction/Road
2. Phase II Wastewater Pretreatment Plant, Cold Storage, Dry Storage, Employee Services, Parking
3. Phase III Milk Receiving, Truck Scale
4. Phase IV Yogurt and Cream Manufacturing
5. Phase V Blow molding manufacturing
6. Phase VI Whey Drying Facility
7. Phase VII Cheese manufacturing
8. Phase VIII Future Expansion of Cold and Dry Storage & Manufacturing

9. Phase IX Future Expansion of Cold and Dry Storage & Manufacturing

1.3 - Purpose, Goals, and Objectives for this Report

The Biological Resource Evaluation (BRE) report includes the results of a biological reconnaissance survey and available biological and natural resource database search conducted by QK biologists at the Project site. This report is consistent with the requirements for an analysis of impacts to biological resources needed of an Initial Study/ Mitigated Negative Declaration following guidelines established by the California Environmental Quality Act (CEQA).

The primary focus of this report is to provide information about the presence of sensitive biological resources on the Project and develop measures to avoid and minimize impacts of the Project on those resources. To accomplish that goal, this BRE provides information on the condition and sensitivity of the sensitive biological resources present and potentially present on and adjacent to the Project site and evaluates Project impacts to those resources. This BRE focuses on providing information and sensitive natural communities, special-status species, wildlife movement corridors, and wetlands and waters by conducting a desktop analysis of site conditions and verifying those findings with an on-site biological survey.

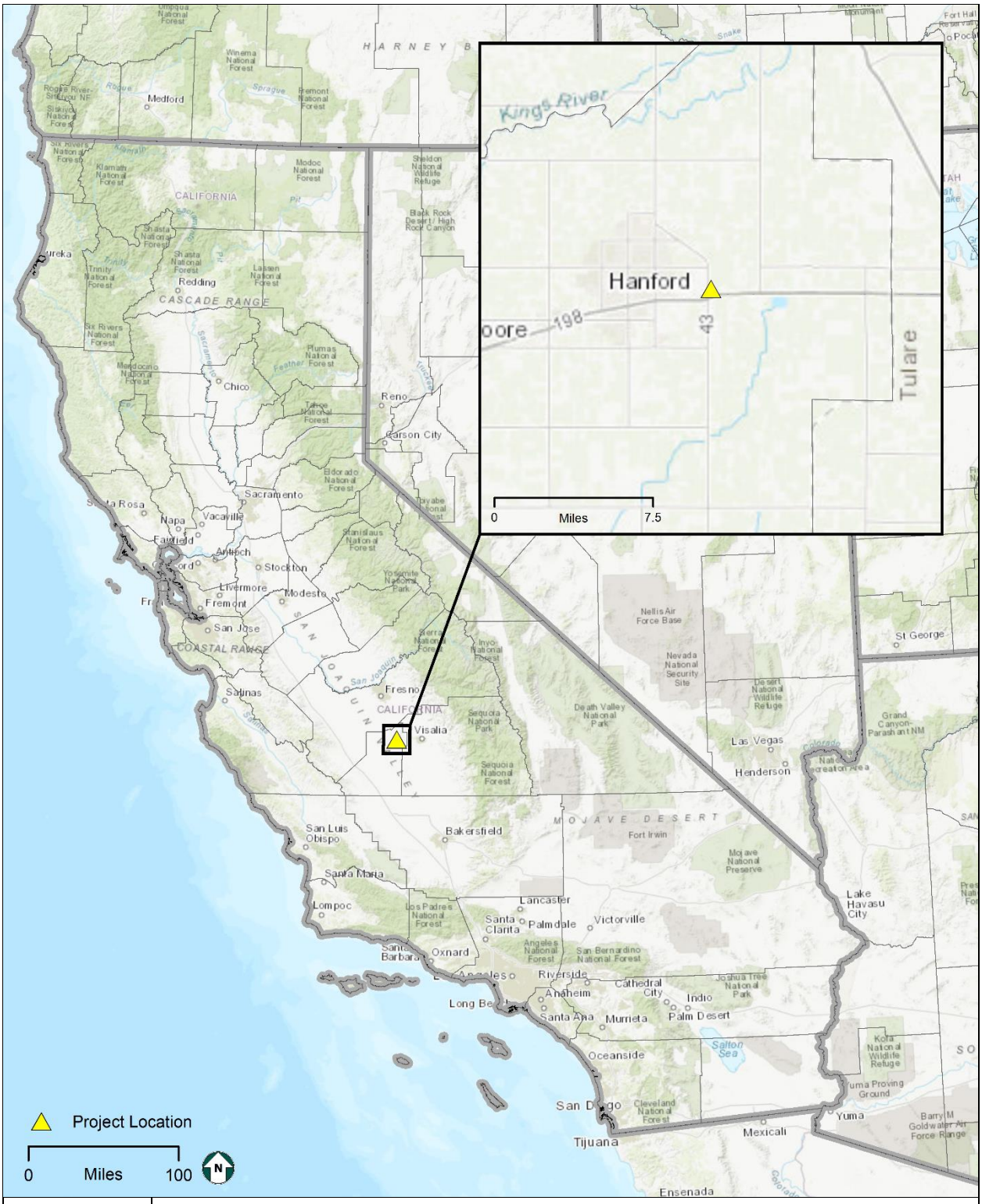

Figure 1-1
Regional Map
Lacey Boulevard Dairy Processing Facility Project,
Kings County, California

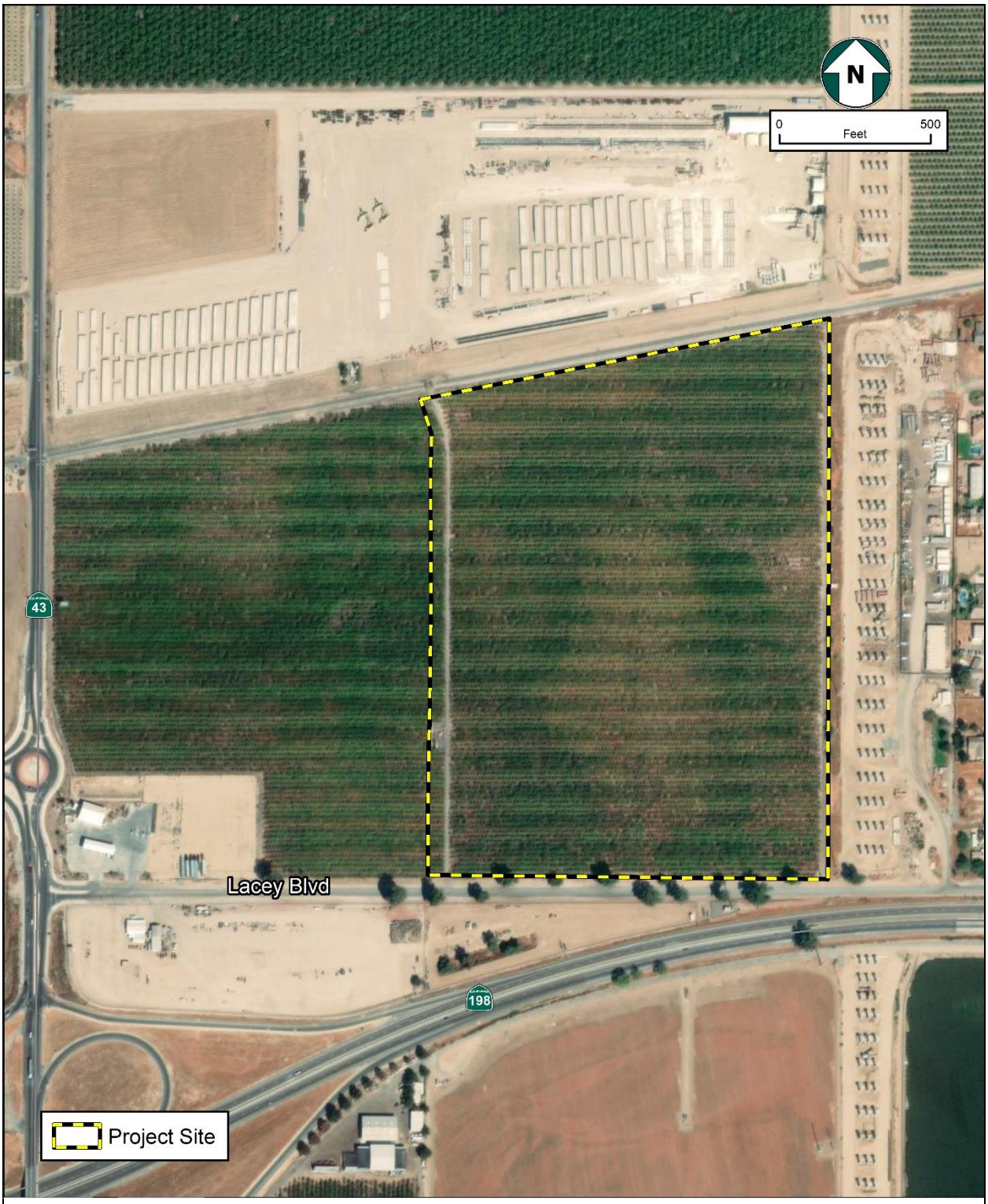

Figure 1-2
Project Location Map
Lacey Boulevard Dairy Processing Facility Project,
Kings County, California

SECTION 2 - METHODS

2.1 - Definition of Biological Study Area

The Biological Study Area (BSA) includes the Project site and a 50-foot survey buffer surrounding the Project disturbance footprint (Figure 2-1).

2.2 - Literature Review and Database Analysis

The following sources were reviewed for information on special-status biological resources in the Project vicinity:

- California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB; CDFW 2023a).
- CDFW's Biogeographic Information and Observation System (BIOS; CDFW 2023b).
- CDFW's Special Animals List (CDFW 2023c).
- CDFW's California Wildlife Habitat Relationships (CWHR) System (Mayer and Laudenslayer 1988).
- California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California (CNPS 2023).
- United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation System (IPaC; USFWS 2023a).
- USFWS Critical Habitat Mapper (USFWS 2023b).
- USFWS National Wetlands Inventory (NWI; USFWS 2023c).
- USGS National Hydrography Dataset (NHD; USGS 2023).
- Federal Emergency Management Agency (FEMA) flood zone maps (FEMA 2023).
- United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) Web Soil Survey (NRCS 2023a)
- Current and historical aerial imagery (Google LLC 2023; Netronline 2023).

The CNDDB and CNPS queries focused on the *Remnoy* USGS 7.5-minute quadrangle in which the Project is located, plus the surrounding eight quadrangles: *Laton*, *Burris Park*, *Traver*, *Goshen*, *Paige*, *Waukena*, *Guernsey*, and *Hanford*. To satisfy other standard search criteria, CNDDB records within a 10-mile radius of the project site were queried separately from the broader database search.

Figure 2-1
Biological Study Area
Lacey Boulevard Dairy Processing Facility Project, Kings County, California

The CNDDB provides element-specific spatial information on individual documented occurrences of special-status species and sensitive natural vegetation communities. The CNPS database provides similar information, but at a much lower spatial resolution, for additional sensitive plant species tracked by the CNPS. The CDFW Special Animals List and USFWS IPaC provide no spatial data on wildlife occurrences and provide only lists of species potentially present. Wildlife species designated as "Fully Protected" by California Fish and Game Code Sections 5050 (Fully Protected reptiles and amphibians), 3511 (Fully Protected birds), and 4700 (Fully Protected mammals) are also included on the final list of evaluated species. The database search results can be found in Appendix A.

A review of the NWI was completed to identify whether wetlands have previously been documented on or adjacent to the Project site. The NWI, which is operated by the USFWS, is a collection of wetland and riparian maps that depicts graphic representations of the type, size, and location of wetland, deep water, and riparian habitats in the United States. In addition to the NWI, regional hydrologic information from the NHD was obtained from the USGS to evaluate the potential occurrence of blueline streams within or near the Project site.

Soils data were obtained from the USDA NRCS Web Soil Survey, climate information was obtained from the Western Regional Climate Center, and land use information was obtained from available aerial imagery (NRCS 2023a; WRCC 2023; Google LLC 2023). Information about flood zones were obtained from the Federal Emergency Management Agency, Department of Homeland Security (FEMA 2023).

The results of the database inquiries were reviewed to extract pertinent information on site conditions and evaluate the potential for sensitive biological resources to occur within or near the proposed Project site. Only those resources with the potential to be present and affected by the Project were included and considered in this document. The potential presence of natural communities and special-status species was based on distributional ranges overlapping the Project site and the presence of habitat and/or primary constituent habitat elements.

2.3 - Reconnaissance-Level Field Surveys

A biological reconnaissance survey of the BSA was conducted by QK Environmental Scientists William Ryan, Eric Madueno, and Lauren Fah on March 16, 2023. The survey consisted of meandering pedestrian transects spaced 50 to 100 feet apart throughout the BSA, where accessible. Areas with suitable habitat that could not be accessed were surveyed by use of high-power binoculars.

Tasks completed during the survey included determining and documenting current land use, developing an inventory of plant species, wildlife species, and wildlife sign (e.g., scat, burrows, nests, feathers, tracks, etc.), characterizing vegetation associations and habitat conditions within the BSA, assessing the potential for federally, State-listed and other special-status plant and wildlife species that may occur on and near the Project site based on existing conditions, and assessing the potential for migratory birds and raptors to nest on and near the Project site. In addition, all historical wetland and water features documented

by NWI and NHD were field verified. All spatial data were recorded using Environmental Systems Research Institute (ESRI) Collector for ArcGIS software installed on an iPad. Site conditions were documented with representative photographs (Appendix B).

SECTION 3 - ENVIRONMENTAL SETTING

This section identifies the regional and local environmental setting of the Project and describes existing baseline conditions. The environmental setting of the BSA was obtained from various sources of literature, databases, and aerial photographs. Site conditions were verified and updated during the site reconnaissance survey conducted by QK Environmental Scientists (Table 3-1).

Table 3-1
Field Survey Personnel and Timing

Date	Personnel	Time	Weather Conditions	Temperature
03/16/2023	William Ryan, Eric Madueno, Lauren Fah	0920 - 1030	Sunny	49 - 52F

3.1 - Topography

The BSA is on the southeastern floor of the Central Valley in the northeastern portion of Kings County. The BSA is relatively flat with little variation in topography and an elevation of about 245 feet above mean sea level.

3.2 - Climate

The BSA is within an area that has a Mediterranean climate of hot summers and mild, wet winters. Average high temperatures range from 54.7°F in January to 97.8°F in July, with daily temperatures often exceeding 100°F several days in the summer (WRCC 2023). Average low temperatures range from 34.6°F in December to 62.5°F in July. Precipitation occurs primarily as rain, most of which falls from November to April, with an average of 8.38 inches of rainfall per year. Precipitation may also occur as a dense fog during the winter known as Tule fog. Rain rarely falls during the summer months.

3.3 - Land Use

Currently, the entirety of the Project site is used for agriculture, specifically a cherry orchard, and historical imagery shows it has been used for agricultural practices since at least 1984 (Netronline 2023). The Project site is situated among agricultural and urban development. The San Joaquin Valley Railroad tracks run along the northern boundary of the Project site, with a temporary materials storage yard for the High-Speed Rail project to the north of the tracks. The High-Speed Rail alignment runs the entire length of the eastern boundary, with a small residential community to the east of the rail corridor. Lacey Boulevard bounds the

southern edge with two, mostly vacant, materials storage yards to the south. The western edge is bounded by an unpaved agricultural road separating the Project site from an adjacent cherry orchard to the west. There is an agricultural water well located approximately 500 feet north of Lacey Boulevard along the unpaved agricultural road.

3.4 - Soils

The Project site is underlain by a single soil type, Kimberlina fine sandy loam, saline-alkali (NRCS 2023a). This soil series is described by the NRCS and is listed below.

The Kimberlina series consists of very deep, well-drained soils on flood plains and recent alluvial fans (NRCS 2023b). These soils are formed in mixed alluvium derived primarily from igneous and/or sedimentary rock sources. Slopes range from 0 to 9 percent at elevations from 125 to 2,250 feet. The climate is arid with hot, dry summers and cool winters. Mean precipitation is 4 to 8 inches annually and the mean annual air temperature ranges from 59 to 62 °F. Kimberlina soils are used for irrigated field, forage, and row crops, and for livestock grazing. When undisturbed these soils support annual grasses, forbs, and saltbush (Atriplex sp.)(NRCS 2023b).

3.5 - Hydrology

There are no jurisdictional waters or wetlands within the BSA, as defined by the NHD and NWI (USGS 2023; USFWS 2023c) (Figure 3-1). The nearest potentially jurisdictional water resource is classified as 'R5UBFx' by the NWI, which describes a man-made channel that is semi permanently flooded, meaning surface water persists throughout the growing period in most years. The NWI shows this water feature running east-west approximately 0.25 mile south of the BSA (Figure 3-1). However, based on current aerial imagery, this channel terminates at 7th Avenue just south of Lacey Boulevard, approximately 0.50 mile east of the BSA, and does not extend further west into the agricultural fields located to the west of 7th Avenue (Google Earth 2023). Another NWI identified potential jurisdictional water resource mapped as "PFOA," which describes a man-made seasonally flooded freshwater pond, is located approximately 0.50 mile west of the BSA.

According to FEMA, the BSA is within an Area of Minimal Flood Hazard (Figure 3-2).

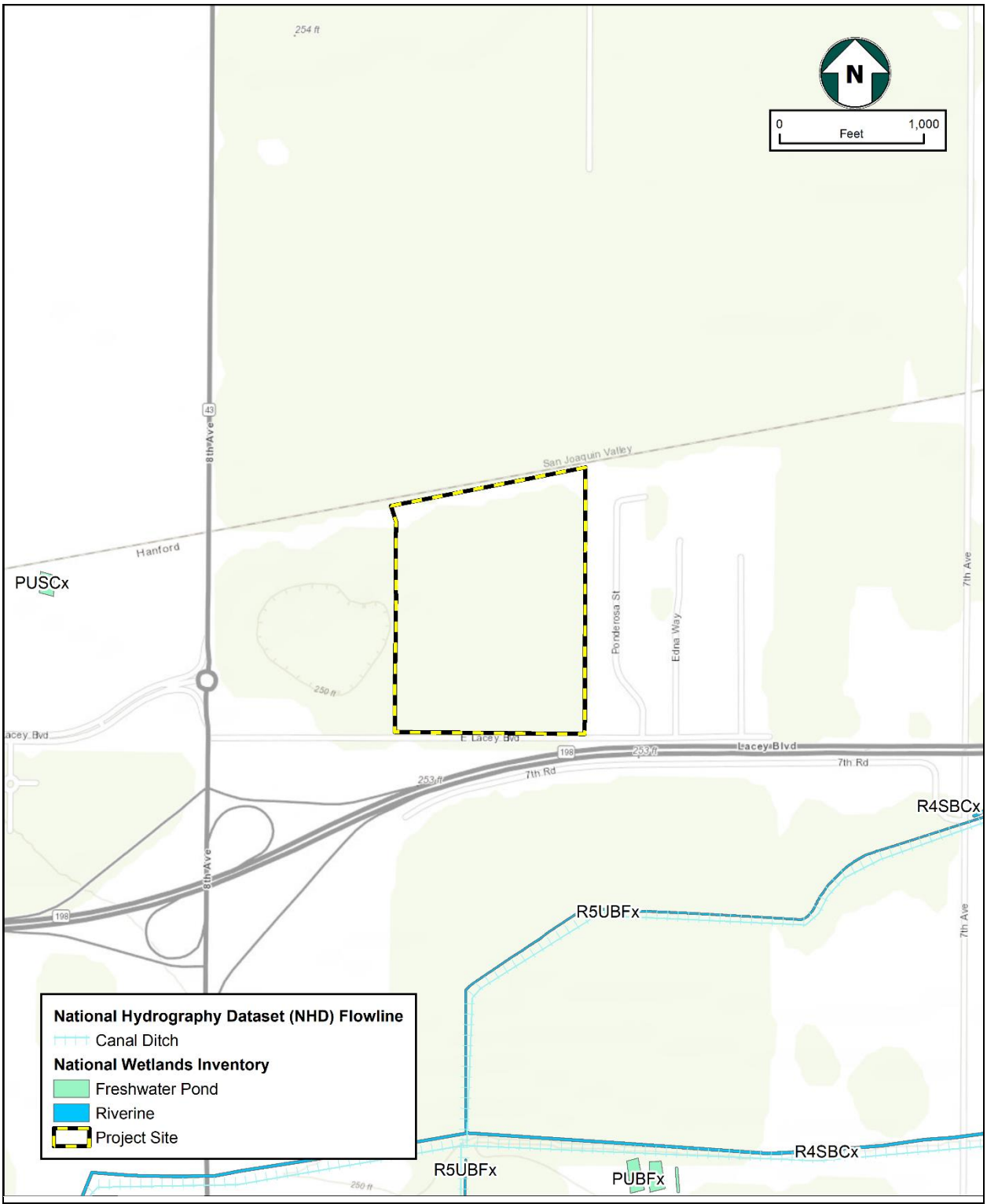

Figure 3-1
NWI and NHD Records of Aquatic Resources
Lacey Boulevard Dairy Processing Facility Project, Kings County, California

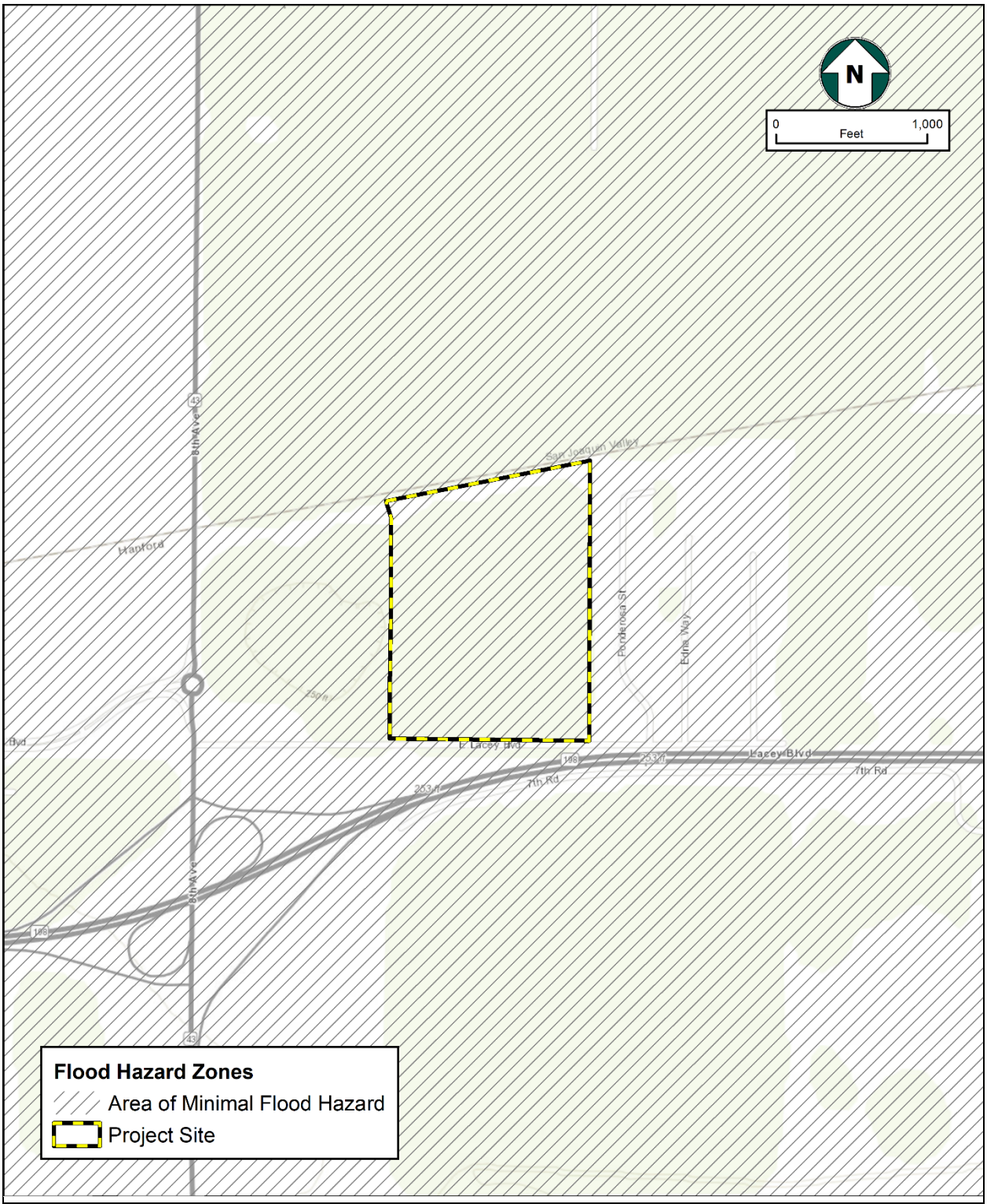

Figure 3-2
FEMA Flood Zone Map
Lacey Boulevard Dairy Processing Facility Project, Kings County, California

3.6 - General Biological Conditions

The Project site is located within Kings County, California just outside the limits of the city of Hanford. The entirety of the Project site consists of an active cherry orchard (*Prunus* sp.). The Project site is bordered by an unpaved agricultural road and active cherry orchard to the west, an active railway (San Joaquin Valley Railroad) and a fenced temporary materials storage yard for the High-Speed Rail project to the north, an unpaved agricultural road and the High-Speed Rail alignment to the east, and paved Lacey Boulevard and fenced materials storage yards to the south.

No natural plant communities occur within the BSA. The Project site is actively used for agricultural purposes and the surrounding BSA consists of agriculture or urban development. Patches of ruderal vegetation occur along the margins of the BSA, particularly along the road shoulder of Lacey Avenue at the southern boundary and between the BSA and the High-Speed Rail alignment to the east. Ruderal vegetation observed included non-native grasses such as wild oat (*Avena fatua*), foxtail barely (*Hordeum murinum*), and annual blue grass (*Poa annua*) intermixed with forbs such as cheeseweed (*Marva parviflora*), fiddleneck (*Amsinckia* sp.), and groundsel (*Senecio vulgaris*). There was also some regrowth of ruderal vegetation among tree rows within the cherry orchard, consisting predominantly of foxtail barley, cheeseweed, and fiddleneck.

Two inactive nests were present during the survey, both are located outside of the BSA (Figure 3-3). One inactive passerine nest was present within a eucalyptus tree located south of Lacey Boulevard, approximately ten feet south of the southern boundary of the BSA. The second nest was an inactive raptor stick nest observed in a eucalyptus tree, also south of Lacey Boulevard, approximately 35 feet south of the southwestern corner of the BSA.

Four owl boxes mounted on utility poles were present during the survey, two of which were within the BSA (Figure 3-3). There was an owl box located within the Project site along the southern boundary and one located outside of the Project site but within the BSA along the western boundary. The two owl boxes outside of the BSA were both located approximately 25 feet from the northern boundary. No owls were observed during the survey and none of the owl boxes showed any sign of activity, such as feathers, white-wash, or pellets beneath the boxes.

No additional nests were observed within the BSA, but several large eucalyptus trees located outside of the Project site but within the BSA along Lacey Boulevard could support nesting birds and/or raptors. The cherry trees within the Project site could also support nesting passerine bird species. Common migratory bird species observed during the survey included northern mockingbird (*Mimus polyglottos*), mourning dove (*Zenaida macroura*), and rock pigeon (*Columba livia*).

No small mammal burrows or dens suitable for special-status species were present within the BSA. There was sign of past pocket gopher activity (weathered soil mounding) present within the orchard, but no burrows were observed. Rodent PVC pipe bait stations were present along the margins of the orchard, particularly along the eastern boundary, and in

addition to the presence of owl boxes likely account for the lack of small mammal burrows. Due to the rodent control measures within the orchard, the site does not support an adequate prey base for larger mammal species, as evidenced by the lack of suitably sized dens within the BSA.

Due to recent rain events, standing pooled water was present in roadside depressions along Lacey Boulevard. All areas of pooled water within the BSA were examined for the presence of special-status branchiopod species. Fairy shrimp were present within two of these pools. The pools are located outside of the Project Site but within the BSA along the northern road shoulder of Lacey Boulevard at the southern end of the BSA (Figure 3-3). The pooled water extended along the southern boundary of the BSA from the southwestern corner approximately 225 east and was approximately 15 to 20 feet in width. These two pools were within an area that would potentially be within an approach to an existing access road, which could potentially be improved as part of the project. The water was shallow and varied in depth but was no more than a foot deep at its' deepest point. This area of water was not visible on any available historic aerial imagery of the Project site during the period from 2011 to 2021, and so is assumed to be the result of the repeated atmospheric river rain and resulting flood events experienced in the region in winter and spring 2023. Subsequent to the site survey, QK biologists Curtis Uptain and Sarah Yates sampled the standing pooled water on March 20, 2023, for the presence of special-status brachiopods. The only species present within the pooled water was the versatile fairy shrimp (*Branchinecta lindahli*), which is not a federally or State listed species.

A complete list of plant and wildlife species observed within the BSA during the biological reconnaissance survey is included in Appendix C.

Figure 3-3
Biological Resources
Lacey Boulevard Dairy Processing Facility Project, Kings County, California

SECTION 4 - FINDINGS

4.1 - Sensitive Natural Communities

4.1.1 - RESULTS OF LITERATURE REVIEW AND DATABASE SEARCHES

Literature results from the nine-quadrangle queries for the Project site revealed two sensitive natural vegetation communities: Valley Sacaton Grassland and Northern Claypan Vernal Pool.

4.1.2 - PRESENCE OF SENSITIVE NATURAL COMMUNITIES

Valley Sacaton Grassland and Northern Claypan Vernal Pool communities were not observed within the BSA during the survey. In addition, the BSA does not provide habitat that would support these communities.

4.2 - Special-Status Plants

4.2.1 - RESULTS OF LITERATURE REVIEW AND DATABASE SEARCHES

There were ten special-status plant species identified in the literature and database review that are known or have the potential to occur within the nine-quadrangle queries centered on the Project site (Table 4-1). There is one historic CNDDB record of a special-status plant species, California alkali grass (*Puccinellia simplex*), overlapping the BSA. This 1942 record (EONDX 100164) is mapped generally as a circular feature because the exact location is unknown. The record is centered 0.30 mile west of the BSA and has a one-mile radius thus overlapping the BSA in its entirety. According to the record the species was observed within a drying mud flat with alkaline soil and occurred alongside saltgrass (*Distichlis spicata*) and rabbitsfoot grass (*Polypogon monspeliensis*). Though the record notes the occurrence may be extirpated by development and agricultural conversion.

Table 4-1
Special-Status Plant Species Occurring in the Region of the BSA
(Source: CNDDB 2023, CNPS 2023, and USFWS 2023)

Scientific Name	Common Name	Status
Atriplex cordulata var. *cordulata*	heartscale	1B.2
Atriplex cordulata var. *erecticaulis*	Earlimart orache	1B.2
Atriplex depressa	brittlescale	1B.2
Atriplex minuscula	lesser saltscale	1B.1
Atriplex subtilis	subtle orache	1B.2
Delphinium recurvatum	recurved larkspur	1B.2
Lasthenia chrysantha	alkali-sink goldfields	1B.1
Nama stenocarpa	mud nama	2B.2
Puccinellia simplex	California alkali grass	1B.2
Sagittaria sanfordii	Sanford's arrowhead	1B.2

CRPR (California Rare Plant Rank):

1A Presumed Extinct in California.
1B Rare, Threatened, or Endangered in California and elsewhere.
2A Plants presumed extirpated in California, but more common elsewhere.
2B Plants Rare, Threatened, or Endangered in California, but more common elsewhere .
CRPR Threat Code Extension:
.1 Seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat)
.2 Fairly endangered in California (20-80% occurrences threatened)
.3 Not very endangered in California (<20% of occurrences threatened)

4.2.2 - PRESENCE OF SPECIAL-STATUS PLANTS

No special-status plant species were present within the BSA. The surveys coincided with some, but not all of the plant species' optimal blooming periods; but none of the species identified in the database queries are expected to occur on-site due to the lack of suitable habitat conditions (active agriculture on the Project site) and/or because the BSA is located outside of the species' known range. The Project site is degraded from historical land use, mainly for agricultural operations, and the adjacent lands have been equally disturbed for agricultural and residential uses and transportation corridors.

California alkali grass, which has a historic CNDDB record overlapping the BSA, was not observed during the survey nor was any suitable habitat for the species. It is presumed the historic record is extirpated due to conversion of habitat to agriculture. The survey was conducted during the optimal blooming period (March to May) for this species and so if it were present, it would have been detected.

A complete list of plant species observed during the biological reconnaissance survey is included in Appendix C.

4.3 - Special-Status Wildlife

4.3.1 - RESULTS OF LITERATURE REVIEW AND DATABASE SEARCHES

There were 20 special-status wildlife species identified in the literature and database review that are known or have the potential to occur within the nine-quad search area centered on the Project (Table 4-2). There are no historical records from the CNDDB of any special-status wildlife species within the BSA.

Table 4-2
Special-Status Wildlife Species Occurring in the Region of the BSA
(Source: CNDDB 2023, and USFWS 2023)

Scientific Name	Common Name	Status
Invertebrates		
Branchinecta conservatio	conservancy fairy shrimp	FE, -
Branchinecta lynchi	vernal pool fairy shrimp	FT, -
Cicindela tranquebarica joaquinensis	San Joaquin tiger beetle	- , -
Danaus plexippus	monarch butterfly	FC, -
Lepidurus packardi	vernal pool tadpole shrimp	FE, -

Scientific Name	Common Name	Status
Linderiella occidentalis	California linderiella	- , -
Amphibians		
Ambystoma californiense pop 1	California tiger salamander	FT, ST
Spea hammondii	western spadefoot	- , SSC
Reptiles		
Emys marmorata	western pond turtle	- , SSC
Gambelia sila	blunt-nosed leopard lizard	FE, SE/SFP
Birds		
Agelaius tricolor	tricolored blackbird	- , ST/SSC
Athene cunicularia	western burrowing owl	- , SSC
Buteo swainsoni	Swainson's hawk	- , ST
Lanius ludovicianus	Loggerhead shrike	- , SSC
Mammals		
Dipodomys nitratoides exilis	Fresno kangaroo rat	FE, SE
Dipodomys nitratoides nitratoides	Tipton kangaroo rat	FE, SE
Eumops perotis californicus	western mastiff bat	- , SSC
Lasiurus cinereus	hoary bat	- , -
Sorex ornatus relictus	Buena Vista Lake ornate shrew	FE, SSC
Vulpes macrotis mutica	San Joaquin kit fox	FE, ST

Abbreviations:
FC Federal Candidate
FE Federal Endangered Species
FT Federal Threatened Species
SFP Fully Protected Animal, CDFW
SE California Endangered Species
ST California Threatened Species
SSC California Department of Fish and Game Species of Special Concern

4.3.2 - PRESENCE OF SPECIAL-STATUS WILDLIFE

There is no roosting habitat for monarch butterfly (*Danaus plexippus*) present within the BSA, although it may travel through the BSA as a transient. Additionally, no milkweed (*Asclepias* sp.) was observed within the BSA, which is a required food source for larval monarch butterflies. The BSA lacks suitable sandy open habitat for the San Joaquin tiger beetle (*Cicindela tranquebarica joaquinensis*).

There are no creeks, streams, ponds, or wetland features within the BSA capable of supporting several species including: California tiger salamander (*Ambystoma californiense*), western spadefoot (*Spea hammondii*), and western pond turtle (*Emys marmorata*). Additionally, no wetland, marsh, or riparian habitat exists within the BSA to support nesting or foraging tricolored blackbird (*Agelaius tricolor*) or the Buena Vista Lake ornate shrew (*Sorex ornatus relictus*).

There were no vernal pools present within the BSA but there were areas of pooled water in roadside depressions due to recent rain events. All areas of pooled water within the BSA were examined for the presence of special-status brachiopods. Fairy shrimp were present within two of these roadside depressions located along the northern road shoulder of Lacey Boulevard, which is within the southern boundary of the BSA (Figure 3-3). Of the three species of special-status fairy shrimp identified in the database queries, only two are known to occur in roadside ditches, vernal pool fairy shrimp (*Branchinecta lynchi*) and California linderiella (*Lepidurus packardi*). The third species of special-status fairy shrimp, the conservancy fairy shrimp (*Branchinecta conservatio*), is not known to inhabit roadside ditches and requires large, cool-water vernal pools with moderately turbid water, which were not present within the BSA. The vernal pool tadpole shrimp (*Lepidurus packardi*), another special-status brachiopod species, can also inhabit roadside ditches, but ranges in size from 0.6 to 3.3 inches and has a distinctive shield-like carapace, so would have been easily identifiable if present. The pooled water was sampled by QK biologists to ensure absence of special-status brachiopod species. During the sampling no special-status brachiopods were observed and it was determined the fairy shrimp present were versatile fairy shrimp, which are not federally, or State protected. The sampling took place during the hatching season for fairy shrimp and so if the vernal pool fairy shrimp or California linderiella were present, they would have been detected.

There are no grasslands or native shrub habitats within the BSA that would support blunt-nosed leopard lizard (*Gambelia sila*). There were no small mammal burrows, which blunt-nosed leopard lizards require for shelter, present within the BSA. There are no rocky outcroppings, mines or caves, cliff faces, tree hollows, buildings, or bridges within the BSA that would support the hoary bat (*Lasiurus cinereus*) or the western mastiff bat (*Eumops perotis californicus*). Due to the historic and ongoing disturbance, absence of suitable small mammal burrows, and rodent control measures within the BSA including bait stations and owl boxes, the BSA does not support the Fresno kangaroo rat (*Dipodomys nitratoides exilis*) or Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*). There is no connectivity between the BSA and habitat that would be considered suitable for kangaroo rat species.

The San Joaquin kit fox (*Vulpes macrotis mutica*) is unlikely to be present within the BSA. The nearest CNDDB record (EONDX 67955) is located 1.35 miles west of the BSA and is from 1971 when a deceased kit fox was observed within the roadway north of Hanford Municipal Airport. The most recent CNDDB record (EONDX 69175) in the vicinity of the BSA is located 3.90 miles to the northwest and is from 2006 when an individual was observed within an undeveloped parcel of land. The Project site lacks suitable habitat for the species due to the past and current level of disturbance and the surrounding BSA has been similarly degraded. The BSA is situated among intensive agricultural and urban development with no connectivity to natural habitat for the species. No San Joaquin kit fox or diagnostic sign of the species (e.g., tracks, dens, scat, prey remains) were observed during the field survey, and the lack of small mammal burrows observed indicates the site does not support an adequate prey base. Surrounding land use and habitat conditions make it unlikely that the San Joaquin kit fox would be present, other than as a transient forager.

Burrowing owl (*Athene cunicularia*) inhabit grassland, open bare ground, and utilize existing small mammal burrows, typically created by California ground squirrel, for breeding and shelter. There were no burrows or diagnostic sign (e.g., whitewash, tracks, prey remains) of burrowing owl observed within the BSA. The BSA is continually subjected to disturbance through agricultural activities, and it is unlikely to support nesting burrowing owl as they typically prefer isolation from people and loud noises. Burrowing owl may be present as transient foragers, though this is unlikely given the scarcity of prey items at the site. The nearest CNDDB record (EONDX 44978) of the species is located 9.0 miles northeast of the BSA where one adult burrowing owl was observed in 2016 and four active burrow sites were observed in 2017 in non-native grassland habitat.

The large eucalyptus trees located along the road shoulder of Lacey Boulevard at the southern boundary of the BSA could potentially support nesting Swainson's hawk (*Buteo swainsoni*). These trees were examined for nests during the site survey and while no nests were observed within the BSA, there was one inactive stick nest capable of supporting nesting raptors or common raven (*Corvus corax*) observed in a eucalyptus tree located approximately 35 feet south of the southwestern corner of the BSA. The nearest CNDDB record (EONDX 91345) for nesting Swainson's hawk is located approximately 490 feet southwest of the southwest corner of the BSA where an active nest was observed in one of the eucalyptus trees along Lacey Boulevard in 2012 and an adult was observed sitting on the same nest in 2016. Based on historic aerial imagery the eucalyptus tree where the nesting Swainson's hawk was observed was removed sometime between 2016 and 2017. Though, given the inactive stick nest observed during the site survey is located only 450 feet east of the CNDDB observation, there is potential it could be utilized by Swainson's hawk. The BSA would not be considered suitable foraging habitat for Swainson's hawk, especially given the lack of prey base, but surrounding crop fields outside of the BSA could provide foraging habitat for the species.

Loggerhead shrike (*Lanius ludovicianus*) nests in densely foliaged and/or thorny shrubs and trees, which are absent from the BSA. While nesting habitat is absent from the BSA, there is a low potential the species could be present as a transient forager. The cherry orchard would be considered marginally suitable habitat as there is low visibility for the species, which is a sit and wait predator preferring open grassland and pasture habitats with scattered trees, fence posts, utility lines, shrubs, or other perches where they can wait and dive at prey upon seeing it.

4.3.3 - NESTING MIGRATORY BIRDS AND RAPTORS

There were no active nests present within the BSA during the survey, but two inactive stick nests were observed just outside of the southern boundary of the BSA. One of these stick nests could support raptor species or common raven and the other, smaller passerine bird species. There were also four owl boxes mounted on utility poles observed during the survey, two within the BSA and two approximately 25 feet north of the BSA. These boxes did not appear to be active at the time of survey but could support nesting owls, such as barn owls (*Tyto alba*), at any time during nesting bird season (February 1 through September 15). The cherry trees within the BSA could support a variety of nesting passerine bird species.

Additionally, there are a variety of man-made structures (utility poles, transmission towers, the High-Speed Rail structure, etc.) and trees within the BSA and in the vicinity of the Project which could support a variety of nesting bird species, including larger species such as raptors and common raven.

4.4 - Critical Habitat, Movement Corridors, and Linkages

4.4.1 - Presence of Critical Habitat

No designated critical habitat occurs within the BSA. The nearest USFWS designated critical habitat is for vernal pool fairy shrimp, vernal pool tadpole shrimp, California tiger salamander, Hoover's spurge, and San Joaquin Orcutt grass located approximately 5.30 miles northeast of the BSA (Figure 4-1).

4.4.2 - Presence of Movement Corridors and Linkages

There are no known wildlife movement corridors or habitat linkages that intersect the BSA. The Project is situated within an area developed for urban and agricultural use and does not provide a linkage between suitable natural habitats for most wildlife species. Due to the disturbed condition of the Project, there is no substantial movement of wildlife onto or off the BSA.

4.5 - Wetlands and Other Waters

No wetland features are known to exist at the Project site (Figure 3-1). The NHD and NWI did not identify any water features that intersect the BSA, and the site survey confirmed no such features are present within the BSA.

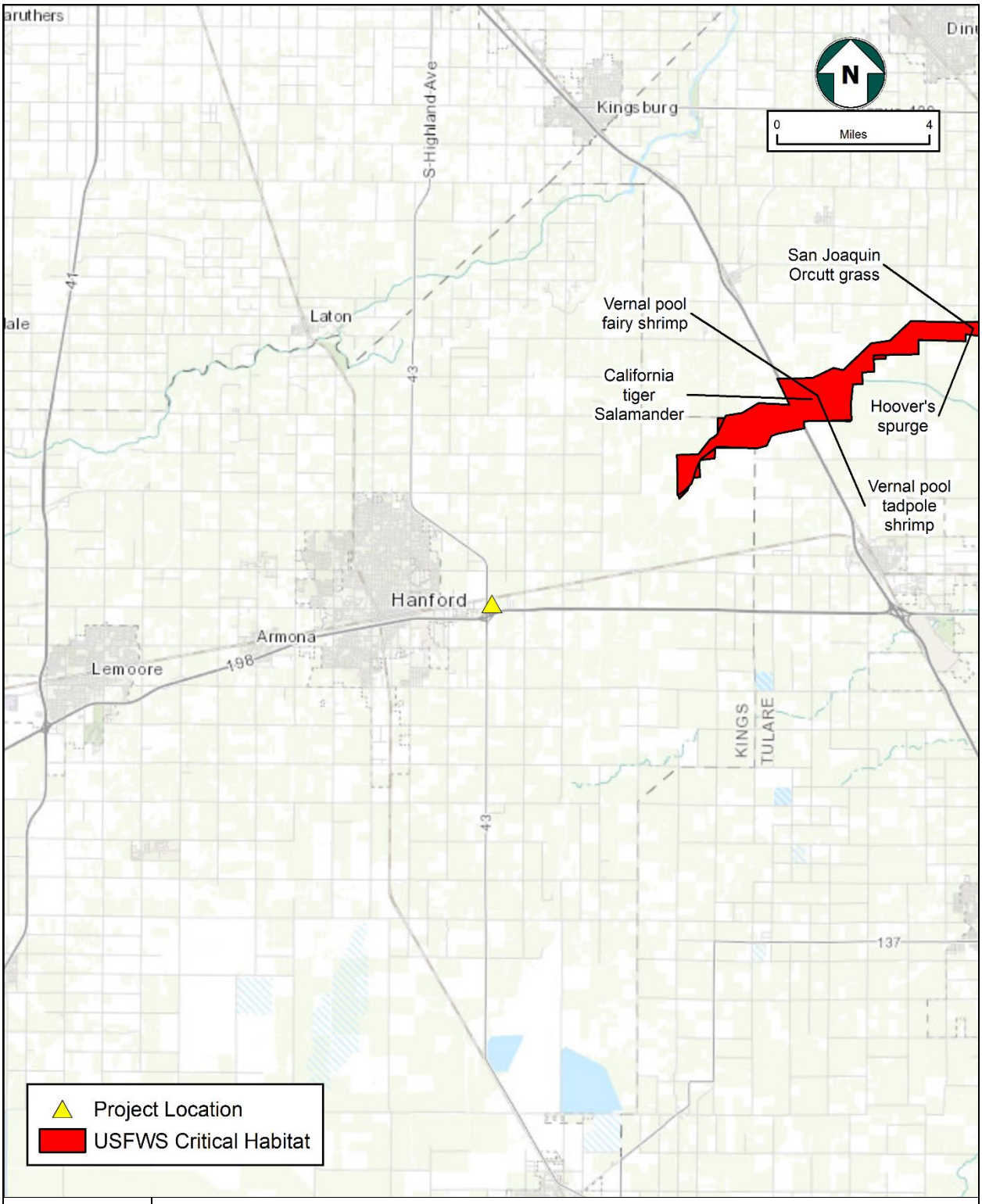

Figure 4-1
Mapped Critical Habitat in the Project Vicinity
Lacey Boulevard Dairy Processing Facility Project, Kings County, California

SECTION 5 - POTENTIAL PROJECT IMPACTS

The purpose of this section is to present an evaluation of the potential for Project-related impacts to sensitive biological resources to occur resulting from Project construction activities. Although the potential for impacts of the Project is anticipated to be minor because the Project will be constructed on active agricultural fields, there are some risks of Project impacts. These are discussed below.

5.1 - Potential Impacts to Sensitive Vegetation Communities

No sensitive vegetation communities occur within the BSA. The Project would not impact sensitive natural communities.

5.2 - Potential Impacts to Special-Status Plant Species

No special-status plant species occur within the BSA and there is no suitable habitat for any special-status plant species on or near the BSA. The Project would not impact any special-status plant species.

5.3 - Potential Impacts to Special-Status Wildlife Species

Three special-status wildlife species, San Joaquin kit fox, burrowing owl, and Swainson's hawk, were determined to have potential to occur within the BSA as transients. Available habitat within the BSA fulfilling the foraging requirements of these species is limited to none. No potential San Joaquin kit fox dens were observed within the BSA and the potential for future habitation by foxes is limited due to the historic and ongoing disturbance at the site. There was no diagnostic sign of burrowing owl within the BSA, and no burrows of any species were present. Several eucalyptus trees located along the southern boundary of the BSA with Lacey Boulevard, could support Swainson's hawk nests; however, the scarcity of prey and lack of local foraging habitat makes the presence of the species within the BSA unlikely.

Any special-status species that use the Project as a movement corridor could be indirectly impacted by Project activities, though little wildlife was observed in or near BSA during the reconnaissance survey conducted for the Project.

5.4 - Potential Impacts to Nesting Birds and Raptors

No nests were observed within the BSA, but two inactive nests were observed just outside the southern boundary of the BSA. One of these nests could support nesting raptors or common raven and the other could support smaller passerine bird species. Additionally, four owl boxes were observed, two of which are within the BSA. The owl boxes were inactive during the site survey but could support nesting owl species at any point during the nesting bird season (February 1 to September 15). There is potential for birds to nest within the Project site in the cherry trees and outside of the Project site but within the BSA in existing structures, and in trees and utility poles in the surrounding urban areas. If there are active

nests present during Project activities, nests could be destroyed, and Project activities could interfere with normal breeding behaviors, which could discourage breeding or lead to nest abandonment or failure.

5.5 - Potential Impacts to Critical Habitat, Movement Corridors and Linkages

5.5.1 - Potential Impacts to Critical Habitat

The Project would not impact any designated critical habitat.

5.5.2 - Potential Impacts to Movement Corridors and Linkages

Project activities would not impact any movement corridors or habitat linkages.

5.6 - Potential Impacts to Wetlands and Waters

No wetland features exist within the BSA, and there would be no impacts to wetland resources.

SECTION 6 - RECOMMENDATIONS

The Project is anticipated to have no impacts on sensitive natural communities, special-status plants, wetlands and water features, Critical Habitat, or migratory corridors. There is potential for Project activities to result in impacts to some of the special-status wildlife species listed in Sections 4 and 5. While the potential for impacts to San Joaquin kit fox, burrowing owl, and Swainson's hawk is low, to avoid these species and other wildlife species, we recommend that the following measures be implemented as Best Management Practices (BMPs) during Project activities:

- A pre-construction clearance survey of the Project and a 250-foot buffer surrounding the Project footprint should be conducted for San Joaquin kit fox and burrowing owl. The survey should occur no less than 14 days prior to the start of construction activities and no more than 30 days prior to the start of construction activities. If construction is delayed beyond 30 days from the time of the survey, then another survey would need to be conducted. The survey should be conducted by a biologist with adequate training and prior experience conducting surveys for special-status wildlife species.
- If dens or burrows that could support San Joaquin kit fox or burrowing owl are discovered during the pre-activity survey, appropriate avoidance buffers, as outline in Table 6-1 and 6-3 below, should be established. No work should occur within these buffers unless a qualified biologist approves and monitors the activity.

Table 6-1
Disturbance Buffers for San Joaquin Kit Fox Dens

Sensitive Resource	Buffer Zone from Disturbance (feet)
Potential San Joaquin kit fox den	50
Known San Joaquin kit fox den	100
Natal San Joaquin kit fox den	500

Table 6-2
Disturbance Buffers for Burrowing Owl Nesting Sites

Time of Year	Level of Disturbance (feet)		
	Low	Medium	High
April 1 – Aug 15	656	1640	1640
Aug 16 – Oct 15	656	656	1640
Oct 16 – Mar 31	164	328	1640

- A Worker Environmental Awareness Training Program should be prepared and presented to all workers that will be on-site during construction activities.
- Project-related vehicles should observe a 20-mph speed limit in all Project areas, except on county roads and state and federal highways; this is particularly important at night when kit foxes, and other animals are most active. To the extent possible,

nighttime construction should be minimized. Off-road traffic outside of designated project areas should be prohibited.

- To prevent inadvertent entrapment of kit foxes, and other animals during work being conducted, the contractor should cover all excavated, steep-walled holes or trenches more than 2 feet deep at the close of each working day with plywood or similar materials or provide one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, the contractor should thoroughly inspect them for trapped animals.
- Kit foxes, burrowing owls and other wildlife species are attracted to den-like structures such as pipes and may enter stored pipes, becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox or burrowing owl is discovered inside a pipe, that section of pipe should not be moved until the designated biologist has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity until the fox has escaped.
- All trash and food items should be discarded into closed containers and properly disposed of at the end of each workday.
- To prevent harassment or mortality of listed species, no pets should be permitted on the Project site.

To protect nesting migratory birds and raptors, it is recommended that:

- If Project activities are scheduled during the breeding bird season, from February 1 through September 15, then a preconstruction survey for nesting birds should be conducted within the Project site and within a 250-foot radius surrounding the Project site for active nesting sites. A 0.5-mile radius surrounding the Project site should be used to survey for nesting Swainson's hawks. Construction activities should not be conducted within 250 feet of an active bird nest, within 500 feet of an active raptor nest and within 0.5 mile of an active Swainson's hawk nest. These avoidance distances may be reduced if the qualified biologist determines that activities are not affecting the breeding success of the nesting birds.

SECTION 7 - SUMMARY AND CONCLUSIONS

Land within the Project site is highly disturbed and contains no habitat that would support special-status plant species or sensitive natural communities. There are no designated Critical Habitats, movement corridors, wetlands, or water features that would be impacted by the Project.

Based on the literature and database searches and results of the site survey, there is potential for three special-status species to occur on the site: San Joaquin kit fox, burrowing owl, and Swainson's hawk. Due to the disturbed nature of the Project, its' situation within an area developed for agriculture and urban use, and its lack of a suitable prey base, impacts to the San Joaquin kit fox and burrowing owl are not expected. Both San Joaquin kit foxes and burrowing owls would likely be only transient visitors to the Project site. If Swainson's hawks were to nest in the vicinity of the Project, impacts to the species could occur. The Project and surrounding areas provide suitable nesting habitat for other nesting migratory birds as well and impacts to these species may also occur. Implementation of the recommended BMPs and avoidance measures outlined in Section 6 would minimize any Project impacts to these species.

This Biological Resource Evaluation report has been performed in accordance with professionally accepted biological investigation practices conducted at this time and in this geographic area. The findings and opinions conveyed in this report are based on findings derived from specified historical and literary sources and a biological survey of the Project site and surrounding area. The biological investigation was limited by the scope of work performed. The biological survey may not have been performed during blooming periods or periods of seasonal or daily wildlife activity that would provide positive identification if resources were present, and therefore the findings of this report might not be definitive. The biological survey was also limited by the environmental conditions present at the time of the survey. In addition, general biological (or protocol) surveys do not guarantee that the organisms are not present and would not be discovered in the future within the site. Mobile animal species could occupy the site on a transient basis or re-establish populations in the future. No other guarantees or warranties, expressed or implied, are provided.

SECTION 8 - REFERENCES

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APPENDIX A

SPECIAL-STATUS SPECIES DATABASE SEARCH RESULTS

LACEY BOULEVARD DAIRY PROCESSING FACILITY PROJECT

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
Phone: (916) 414-6600 Fax: (916) 414-6713

In Reply Refer To:
Project Code: 2023-0056232
Project Name: Hanford Dairy Manufacturing Plant

March 15, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/birds/policies-and-regulations.php.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
(916) 414-6600

PROJECT SUMMARY

Project Code: 2023-0056232
Project Name: Hanford Dairy Manufacturing Plant
Project Type: Commercial Development
Project Description: Construction of a new dairy processing facility.
Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@36.33032155,-119.59428864703794,14z

Counties: Kings County, California

ENDANGERED SPECIES ACT SPECIES

There is a total of 10 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Buena Vista Lake Ornate Shrew *Sorex ornatus relictus* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1610	Endangered
Fresno Kangaroo Rat *Dipodomys nitratoides exilis* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5150	Endangered
San Joaquin Kit Fox *Vulpes macrotis mutica* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2873	Endangered
Tipton Kangaroo Rat *Dipodomys nitratoides nitratoides* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7247	Endangered

REPTILES

NAME	STATUS
Blunt-nosed Leopard Lizard *Gambelia silus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/625	Endangered

AMPHIBIANS

NAME	STATUS
California Tiger Salamander *Ambystoma californiense* Population: U.S.A. (Central CA DPS) There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2076	Threatened

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRUSTACEANS

NAME	STATUS
Conservancy Fairy Shrimp *Branchinecta conservatio* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8246	Endangered
Vernal Pool Fairy Shrimp *Branchinecta lynchi* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/498	Threatened
Vernal Pool Tadpole Shrimp *Lepidurus packardi* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2246	Endangered

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

IPAC USER CONTACT INFORMATION

Agency:	QK inc
Name:	Lauren Fah
Address:	5080 California Avenue
Address Line 2:	Suite 220
City:	Bakersfield,
State:	CA
Zip:	93309
Email	lauren.fah@qkinc.com
Phone:	6616162600

Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Remnoy (3611935) OR Laton (3611946) OR Burris Park (3611945) OR Traver (3611944) OR Goshen (3611934) OR Paige (3611924) OR Waukena (3611925) OR Guernsey (3611926) OR Hanford (3611936))

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
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 subtilis subtle orache	PDCHE042T0	None	None	G1	S1	1B.2
Branchinecta lynchi vernal pool fairy shrimp	ICBRA03030	Threatened	None	G3	S3	
Buteo swainsoni Swainson's hawk	ABNKC19070	None	Threatened	G5	S3	
Cicindela tranquebarica joaquinensis San Joaquin tiger beetle	IICOL0220E	None	None	G5T1	S1	
Delphinium recurvatum recurved larkspur	PDRAN0B1J0	None	None	G2?	S2?	1B.2
Dipodomys nitratoides nitratoides Tipton kangaroo rat	AMAFD03152	Endangered	Endangered	G3T1T2	S1S2	
Emys marmorata western pond turtle	ARAAD02030	None	None	G3G4	S3	SSC
Eumops perotis californicus western mastiff bat	AMACD02011	None	None	G4G5T4	S3S4	SSC
Gambelia sila blunt-nosed leopard lizard	ARACF07010	Endangered	Endangered	G1	S1	FP
Lanius ludovicianus loggerhead shrike	ABPBR01030	None	None	G4	S4	SSC
Lasiurus cinereus hoary bat	AMACC05032	None	None	G3G4	S4	
Lasthenia chrysantha alkali-sink goldfields	PDAST5L030	None	None	G2	S2	1B.1

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
Lepidurus packardi vernal pool tadpole shrimp	ICBRA10010	Endangered	None	G4	S3	
Linderiella occidentalis California linderiella	ICBRA06010	None	None	G2G3	S2S3	
Nama stenocarpa mud nama	PDHYD0A0H0	None	None	G4G5	S1S2	2B.2
Northern Claypan Vernal Pool Northern Claypan Vernal Pool	CTT44120CA	None	None	G1	S1.1	
Puccinellia simplex California alkali grass	PMPOA53110	None	None	G2	S2	1B.2
Sagittaria sanfordii Sanford's arrowhead	PMALI040Q0	None	None	G3	S3	1B.2
Spea hammondii western spadefoot	AAABF02020	None	None	G2G3	S3S4	SSC
Valley Sacaton Grassland Valley Sacaton Grassland	CTT42120CA	None	None	G1	S1.1	
Vulpes macrotis mutica San Joaquin kit fox	AMAJA03041	Endangered	Threatened	G4T2	S2	

Record Count: 28

CNPS Rare Plant Inventory

California Native Plant Society

Search Results

10 matches found. Click on scientific name for details

Search Criteria: CRPR is one of [1A:1B:2A:2B] , Quad is one of [3611935:3611946:3611945:3611944:3611934:3611924:3611925:3611926:3611936]

▲ SCIENTIFIC NAME	COMMON NAME	FAMILY	LIFEFORM	BLOOMING PERIOD	FED LIST	STATE LIST	GLOBAL RANK	STATE RANK	CA RARE PLANT RANK	CA ENDEMIC	DATE ADDED	PHOTO
Atriplex cordulata var. cordulata	heartscale	Chenopodiaceae	annual herb	Apr-Oct	None	None	G3T2	S2	1B.2	Yes	1988-01-01	 © 1994 Robert E. Preston, Ph.D.
Atriplex cordulata var. erecticaulis	Earlimart orache	Chenopodiaceae	annual herb	Aug-Sep(Nov)	None	None	G3T1	S1	1B.2	Yes	2001-01-01	 © 2009 Robert E. Preston, Ph.D.
Atriplex depressa	brittlescale	Chenopodiaceae	annual herb	Apr-Oct	None	None	G2	S2	1B.2	Yes	1994-01-01	 © 2009 Zoya Akulova
Atriplex minuscula	lesser saltscale	Chenopodiaceae	annual herb	May-Oct	None	None	G2	S2	1B.1	Yes	1994-01-01	 © 2000 Robert E. Preston, Ph.D.
Atriplex subtilis	subtle orache	Chenopodiaceae	annual herb	(Apr)Jun-Sep(Oct)	None	None	G1	S1	1B.2	Yes	1994-01-01	 © 2000 Robert E. Preston, Ph.D.
Delphinium recurvatum	recurved larkspur	Ranunculaceae	perennial herb	Mar-Jun	None	None	G2?	S2?	1B.2	Yes	1988-01-01	No Photo Available

Lasthenia chrysantha	alkali-sink goldfields	Asteraceae	annual herb	Feb-Apr	None	None	G2	S2	1B.1	Yes	2019-09-30	 © 2009 California State University, Stanislaus
Nama stenocarpa	mud nama	Namaceae	annual/perennial herb	Jan-Jul	None	None	G4G5	S1S2	2B.2		1994-01-01	No Photo Available
Puccinellia simplex	California alkali grass	Poaceae	annual herb	Mar-May	None	None	G2	S2	1B.2		2015-10-15	No Photo Available
Sagittaria sanfordii	Sanford's arrowhead	Alismataceae	perennial rhizomatous herb (emergent)	May-Oct(Nov)	None	None	G3	S3	1B.2	Yes	1984-01-01	 ©2013 Debra L. Cook

Showing 1 to 10 of 10 entries

Suggested Citation:

California Native Plant Society, Rare Plant Program. 2023. Rare Plant Inventory (online edition, v9.5). Website https://www.rareplants.cnps.org [accessed 15 March 2023].

APPENDIX B

REPRESENTATIVE PHOTOGRAPHS OF THE

LACEY BOULEVARD DAIRY PROCESSING FACILITY PROJECT

Photograph 1: Northwest corner of the Project site, facing east and showing cherry orchard (right) and adjacent railway (left). Utility pole mounted owl box located outside of the BSA circled in red.
GPS Coordinates: 36.332527, -119.596490.
Photograph taken by Lauren Fah on March 16, 2023.

Photograph 2: Northeast corner of the BSA, facing south and showing cherry orchard (right) and adjacent High-Speed Rail alignment (left).
GPS Coordinates: 36.333194, -119.592133.
Photograph taken by Lauren Fah on March 16, 2023.

Photograph 3: Southeast corner of the BSA, facing west and showing cherry orchard (right) and adjacent paved Lacey Boulevard (left).
GPS Coordinates: 36.328124, -119.592180.
Photograph taken by Eric Madueno on March 16, 2023.

Photograph 4: Western boundary of BSA, facing south. Agricultural water well located 500 feet north of Lacey Boulevard visible to the right.
GPS Coordinates: 36.329569, -119.596296.
Photograph taken by Lauren Fah on March 16, 2023.

Photograph 5: View from within the cherry orchard, facing east and showing regrowth of ruderal vegetation among tree rows.
GPS Coordinates: 36.328346, -119.594012.
Photograph taken by Lauren Fah on March 16, 2023.

Photograph 6: Southwestern corner of BSA, facing east and showing pooled water where versatile fairy shrimp were present.
GPS Coordinates: 36.328053, -119.596269.
Photograph taken by Lauren Fah on March 16, 2023.

Photograph 7: One of the four owl boxes present during the site survey.
GPS Coordinates: 36.328151, -119.593443.
Photograph taken by Lauren Fah on March 16, 2023.

Photograph 8: Inactive raptor or common raven stick nest (circled in red) present within eucalyptus tree south of the southern boundary of the BSA.
GPS Coordinates: 36.32792, -119.596445.
Photograph taken by William Ryan on March 16, 2023.

APPENDIX C

PLANT AND WILDLIFE SPECIES OBSERVED

LACEY BOULEVARD DAIRY PROCESSING FACILITY PROJECT

Table C - 1
Plant and Wildlife Species Observed within the BSA

Scientific Name	Common Name	Status
Plants		
Amsinckia menziesii	common fiddleneck	None
Avena fatua	wild oat	None
Erodium cicutarium	red stemmed filaree	None
Eucalyptus sp.	eucalyptus	None
Hordeum murinum	foxtail barley	None
Juglans nigra	Black walnut	None
Lepidium didymum	lesser swine cress	None
Malva parviflora	cheeseweed	None
Matricaria discoidea	pineapple weed	None
Medicago polymorpha	burr medic	None
Raphanus raphanistrum	wild radish	None
Poa annua	annual bluegrass	None
Prunus sp.	cherry	None
Senecio vulgaris	common groundsel	None
Stellaria media	chickweed	None
Invertebrates		
Branchinecta lindahli	versatile fairy shrimp	None
Birds		
Aphelocoma californica	California scrub jay	None
Columba livia	rock pigeon	None
Passerculus sandwichensis	Savannah sparrow	None
Sturnus vulgaris	common starling	None
Turdus migratorius	American robin	None
Zenaida macroura	mourning dove	None
Mimus polyglottos	northern mockingbird	None
Streptopelia decaocto	Eurasian collared dove	None
Mammals		
*Canis familiaris**	domestic dog	None

* Indicates that only sign (e.g., tracks, scat, burrows, dens, vocalizations) of the species was observed.

TECHNICAL MEMORANDUM

Date: June 29, 2023

Project: Cultural resources records search- Yokum Dairy Project, Hanford, Kings County, CA

To: Jaymie Brauer, Principal Planner

From: Robert Parr, MS, RPA, Senior Archaeologist

Subject: Cultural Resources Records Search Results (#23-206)

Background

A cultural resources records search (#23-206) was conducted at the Southern San Joaquin Valley Information Center at California State University, Bakersfield for the Marquez Brothers International, Inc. New Hanford Dairy Manufacturing Plant Project (Project).

Location

The Project site is bounded by the San Joaquin Valley Railroad (SJVRR) tracks to the north, vacant land to the west, Lacey Boulevard to the south, and the planned High-Speed Rail (HSR) station to the east, in unincorporated Kings County, CA. The Project is located on Assessor Parcel Numbers (APN) 014-260-116, within Section 28, Township 18 South, Range 22 East, Mount Diablo Base and Meridian (MDB&M) and the Remnoy USGS quadrangle. (Figures 1-4). The property is currently under cultivation as an orchard.

Project Description

Marquez Brothers International (MBI) proposes to construct a new dairy processing facility on an approximately 49.4-acre site located east of the City in Kings County, California (Project). MBI produces cheese, cream, yogurt, whey protein concentrate powder, and other dairy products. MBI's Master Plan for the future includes new construction in nine phases over several years that would include relocating select product manufacturing from the current South 11th Avenue Hanford campus to the new facility on Lacey Boulevard.

The proposed facility would include buildings for office uses, raw processing, product processing, and warehousing, as well as a utility building. The proposed facility would also include internal roadways, parking areas, two on-site stormwater retention basins, landscaping, fencing, and three driveways along Lacey Boulevard.

Results

The records search covered an area within one-half mile of the Project and included a review of the *National Register of Historic Places, California Points of Historical Interest, California*

Registry of Historic Resources, California Historical Landmarks, California State Historic Resources Inventory, and a review of cultural resource reports on file.

The records search indicated that the subject property had never been surveyed for cultural resources. No cultural resources have been recorded on the subject property and it is not known if any exist on it.

The records search indicated that except for an approximately 200-foot-wide strip along its northern boundary (Hatoff et al. 1995) the subject property had never been surveyed for cultural resources and it is not known if any exist on it. Seven additional cultural resource studies have been conducted within a half mile of the project (Parr et al. 1998; Abeyta 2000; Love and Tang 2002a, 2002b; Parr 2009; Anonymous 2016; Thomas and Crawford 2017).

Two historic-era cultural resources, segments of the San Joaquin Valley Railroad (primary no. P-16-000122) and Settlers Ditch (P-16-000250), and one prehistoric isolate, a portable stone mortar (P-16-000492), have been recorded within a half mile of the project. No further cultural resources, either historical or prehistoric, have been identified or recorded within one half mile of the project.

A Sacred Lands File request was also submitted to the Native American Heritage Commission. A response dated June 3, 2023, indicates negative results (see Attachment B).

Conclusions

Based on the results of cultural records search findings and the lack of historical or archaeological resources previously identified within a half mile radius of the proposed Project, the potential to encounter subsurface cultural resources is minimal. Additionally, the Project construction would be conducted within the partially developed and previously disturbed parcel. The potential to uncover subsurface historical or archaeological deposits would be considered unlikely.

However, there is still a possibility that historical or archaeological materials may be exposed during construction. Grading and trenching, as well as other ground-disturbing actions have the potential to damage or destroy these previously unidentified and potentially significant cultural resources within the project area, including historical or archaeological resources. Disturbance of any deposits that have the potential to provide significant cultural data would be considered a significant impact. To reduce the potential impacts of the Project on cultural resources, the following measures are recommended to be included on the final site plans and all construction plans and specs. With implementation of CUL-1 and CUL-2, the Project would have a less than significant impact.

CUL-1: If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from Project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation. Implementation of the mitigation measure below would ensure that the proposed Project would not cause a substantial adverse change in the significance of a historical resource.

CUL-2: If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide the potential Native American involvement, in the event of discovery of human remains, at the direction of the county coroner.

Robert E. Parr, MS, RPA
Senior Archaeologist

Attachment A- Figures
Attachment B- Sacred Lands File Response by the Native American Heritage Commission

References

(all reports on file at the Southern San Joaquin Valley Information Center, California State University, Bakersfield)

Abeyta, Daniel
2000 Section 106 Environmental Review of an Existing Cellular Tower Hamblin/004713. (KI-00116)

Anonymous (California High-Speed Rail Authority)
2016 Fresno to Bakersfield Project Section-Final Historic Architectural Survey Report Addendum No. 5 (Primary Re-Exam Area). (KI-00315)

Hatoff, Brian, Barb Voss, Sharon Waechter, Vance Benté, and Stephen Wee
1995 Cultural Resources Inventory for the Proposed Mojave Northward Expansion Project. (KI-00028)

Love, Bruce and Bai "Tom" Tang
2002a Historic Property Survey Report: Cross Valley Rail Corridor Project Between the Cities of Visalia and Huron, Tulare, Kings, and Fresno Counties, California. (KI-00109)

2002b Archaeological Survey Report: Cross Valley Rail Corridor Project Between the Cities of Visalia and Huron, Tulare, Kings, and Fresno Counties, California. (KI-00110)

Parr, Robert E.
2009 Cultural Resource Assessment for the Proposed Southern California Edison Company Mascot Substation Project near the City of Hanford, Kings County, California. (KI-00179)

Parr, Robert E., Matt DesLauriers and Andres Duque
1998 Negative Archaeological Survey Report to Convert a 10.1 Mile Segment of State Route 198 in Eastern Kings and Western Tulare Counties from a Two-Lane Conventional Highway to a Four-Lane Divided Expressway. (KI-00089)

Thomas, Katherine and Kathleen Crawford
2017 Cultural Resources Records Search and Site Visit Results for AT&T Mobility, LLC Candidate CVL03100 (Hamblin), 7701-7789 7th Road, Hanford, Kings County, California. (KI-00305)

TECHNICAL MEMORANDUM

Attachment A
Figures

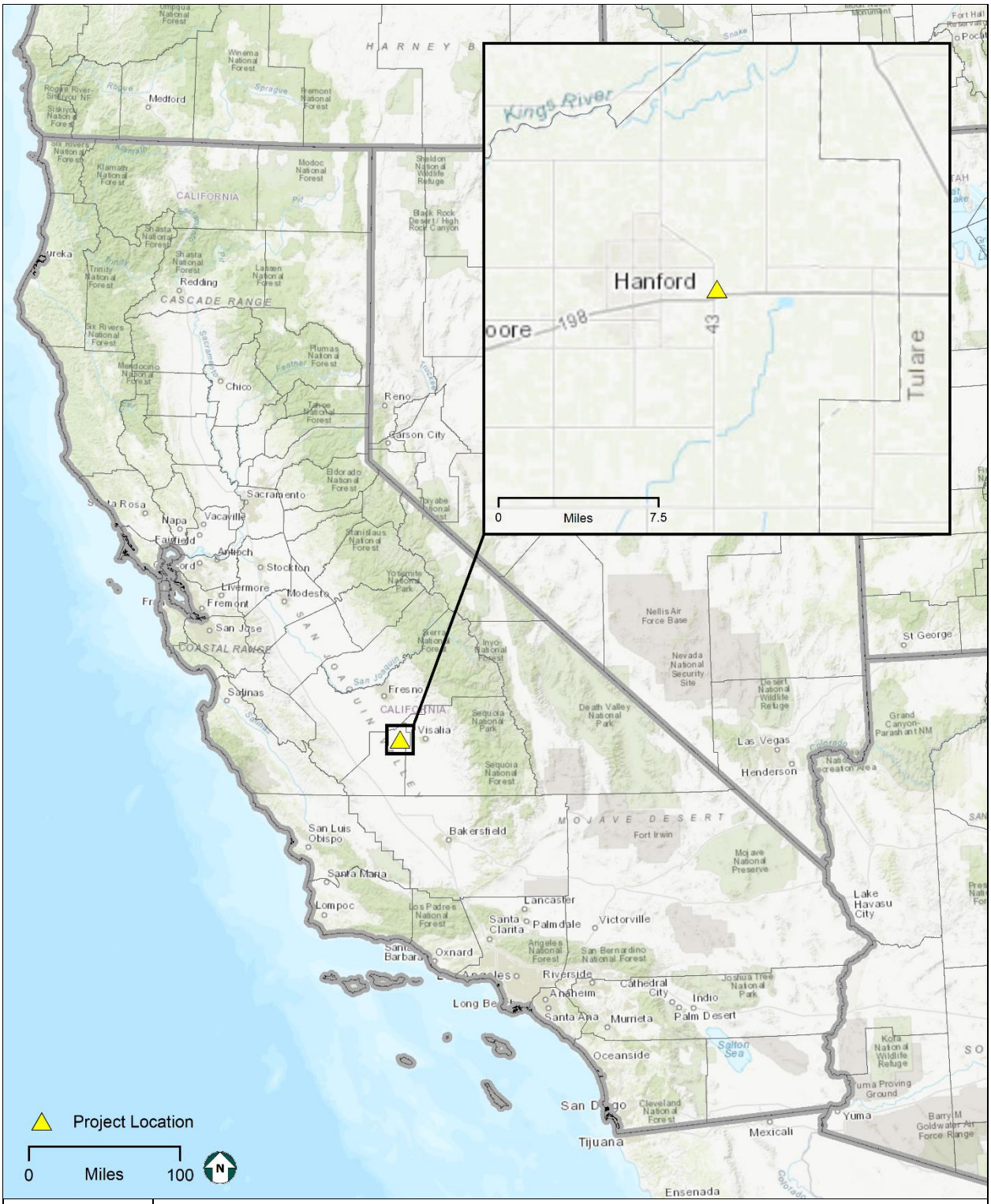

Figure 1
Regional Map

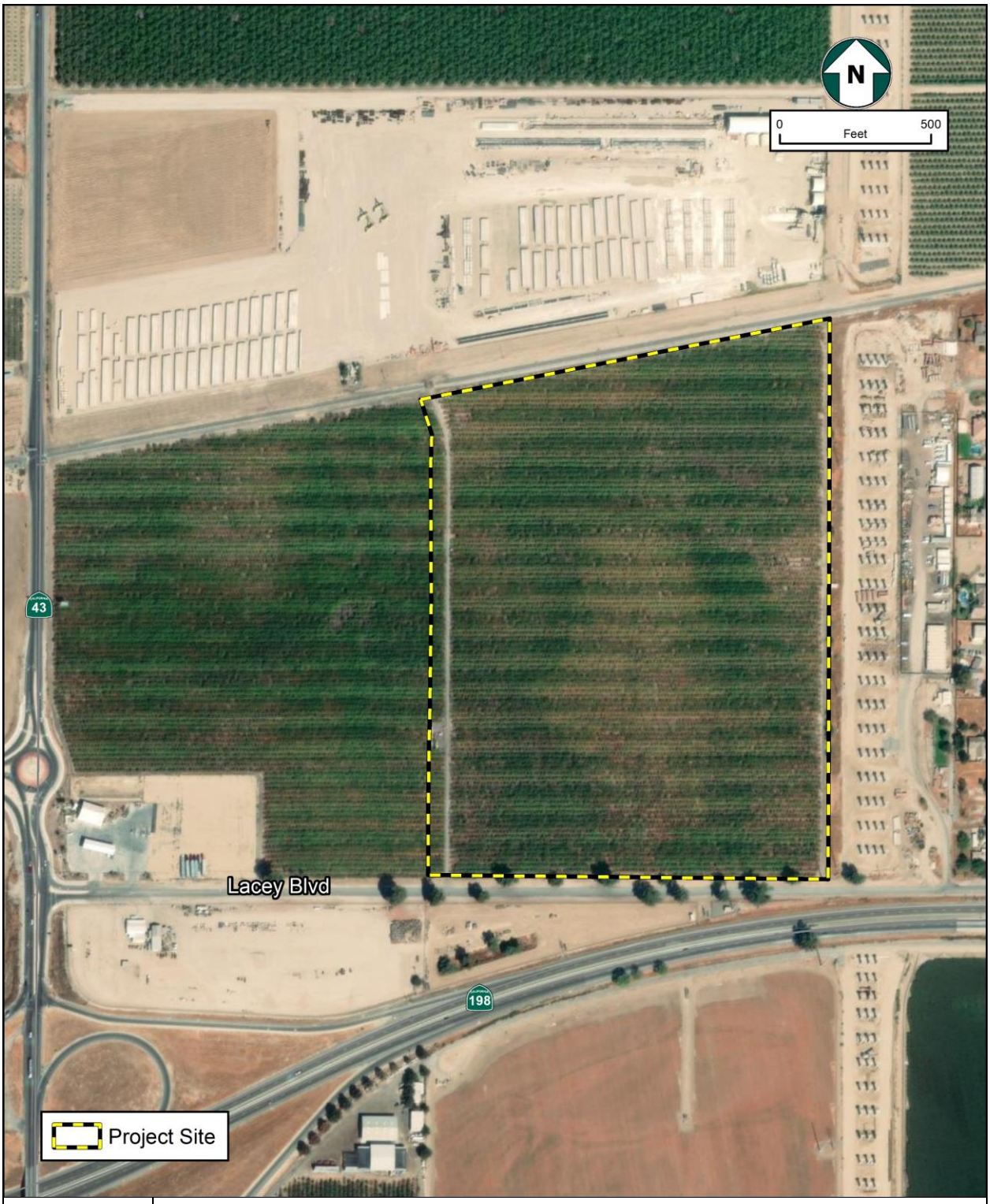

Figure 2
Project Area

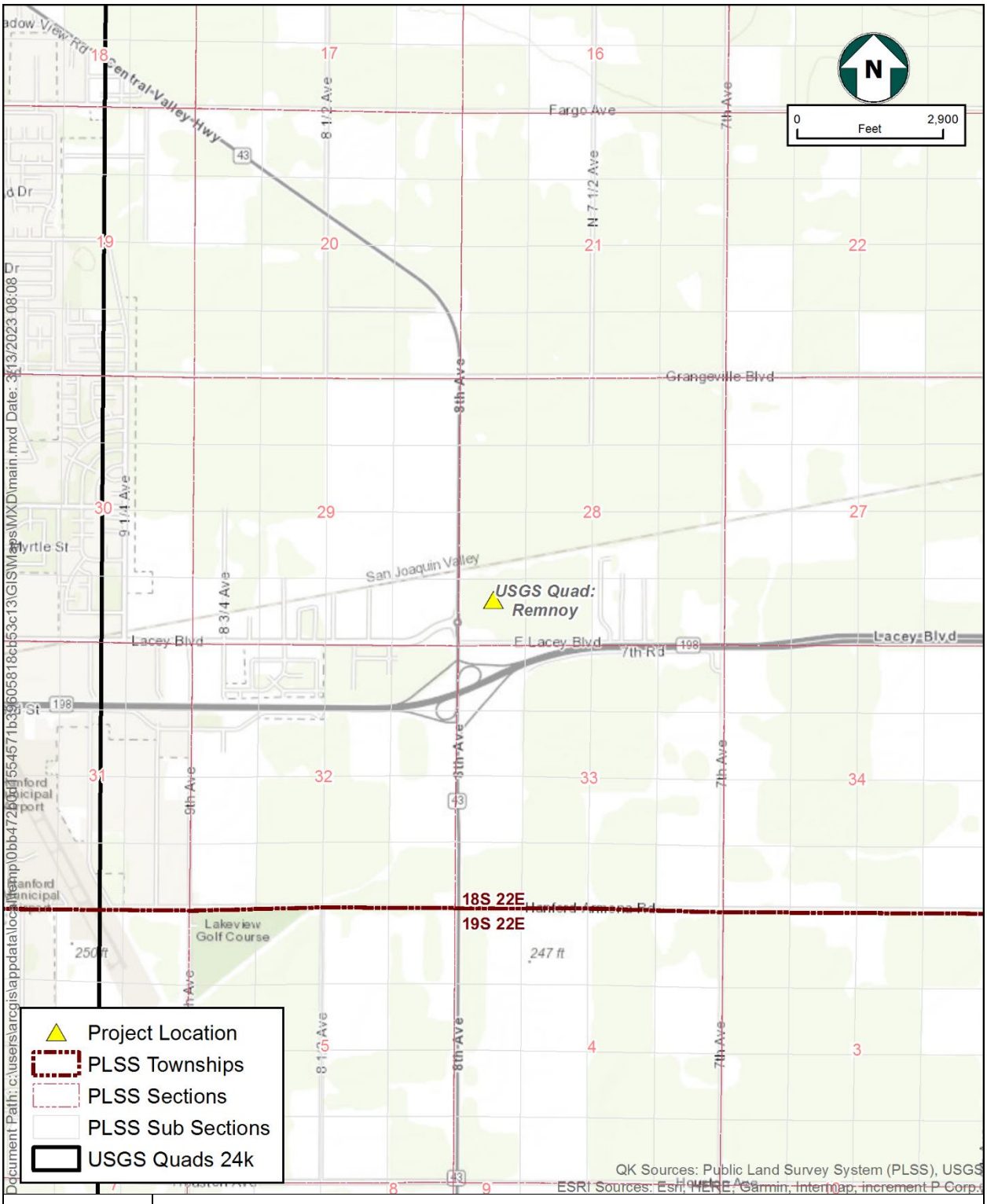

Figure 3
PLSS

Figure 4
Topo

TECHNICAL MEMORANDUM

Attachment B
Sacred Lands File Response by the Native American Heritage Commission

NATIVE AMERICAN HERITAGE COMMISSION

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

June 3, 2023

Jaymie Brauer
QK

Via Email to: jaymie.brauer@QKInc.com

Re: Native American Tribal Consultation, Pursuant to the Assembly Bill 52 (AB 52), Amendments to the California Environmental Quality Act (CEQA) (Chapter 532, Statutes of 2014), Public Resources Code Sections 5097.94 (m), 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 and 21084.3, Marquez Brothers International, Inc. New Hanford Dairy Manufacturing Plant Project, Kern County

Dear Mr. Brauer:

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

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

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

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

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

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

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

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

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

3. The result of any Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was negative.

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

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

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

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

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

If you have any questions, please contact me at my email address: Cameron.vela@nahc.ca.gov.

Sincerely,

Cameron Vela

Cameron Vela
Cultural Resources Analyst

Attachment

Native American Heritage Commission
Tribal Consultation List
Kern County
6/3/2023

Big Pine Paiute Tribe of the Owens Valley
Danelle Gutierrez, Tribal Historic Preservation Officer
P.O. Box 700
Big Pine, CA, 93513
Phone: (760) 938 - 2003
Fax: (760) 938-2942
d.gutierrez@bigpinepaiute.org
Paiute-Shoshone

Big Pine Paiute Tribe of the Owens Valley
James Rambeau, Chairperson
P. O. Box 700
Big Pine, CA, 93513
Phone: (760) 938 - 2003
Fax: (760) 938-2942
j.rambeau@bigpinepaiute.org
Paiute-Shoshone

Big Pine Paiute Tribe of Owens Valley
Sally Manning, Environmental Director
P. O. Box 700
Big Pine, CA, 93513
Phone: (760) 938 - 2003
s.manning@bigpinepaiute.org
Paiute-Shoshone

Chumash Council of Bakersfield
Julio Quair, Chairperson
729 Texas Street
Bakersfield, CA, 93307
Phone: (661) 322 - 0121
chumashtribe@sbcglobal.net
Chumash

Coastal Band of the Chumash Nation
Gabe Frausto, Chairperson
P.O. Box 40653
Santa Barbara, CA, 93140
Phone: (805) 324 - 0135
cbcn22vicechair@gmail.com
Chumash

Kern Valley Indian Community
Robert Robinson, Chairperson
P.O. Box 1010
Lake Isabella, CA, 93240
Phone: (760) 378 - 2915
bbutterbredt@gmail.com
Kawaiisu
Tubatulabal
Koso

Kitanemuk & Yowlumne Tejon Indians
Delia Dominguez, Chairperson
115 Radio Street
Bakersfield, CA, 93305
Phone: (626) 339 - 6785
2deedominguez@gmail.com
Kitanemuk
Southern Valley Yokut

Tejon Indian Tribe
Candice Garza, CRM Scheduler
4941 David Road
Bakersfield, CA, 93307
Phone: (661) 345 - 0632
cgarza@tejonindiantribe-nsn.gov
Kitanemuk

Tubatulabals of Kern Valley
Robert Gomez, Chairperson
P.O. Box 226
Lake Isabella, CA, 93240
Phone: (760) 379 - 4590
Fax: (760) 379-4592
Tubatulabal

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

This list is current only as of the date of this document. 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 only applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1 for the proposed Marquez Brothers International, Inc. New Hanford Dairy Manufacturing Plant Project, Kern County.