Draft Initial Study and Mitigated Negative Declaration for Aqua Vista Monopole

August 2024



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Section 1

Initial Study/Negative Declaration Process

Kings County
1400 W. Lacey Boulevard, Building #6
Hanford, CA 93230

SECTION 1
CEQA Review Process
Project Title: Aqua Vista Monopole

1.1 California Environmental Quality Act Guidelines

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

(1) Provide the lead agency with information to use as the basis for deciding whether to prepare an EIR or negative declaration;
(2) Enable an applicant or lead agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a negative declaration;
(3) Assist the preparation of an EIR, if one is required, by:
- *(a) Focusing the EIR on the effects determined to be significant,*
- *(b) Identifying the effects determined not to be significant,*
- *(c) Explaining the reasons for determining that potentially significant effects would not be significant, and*
- *(d) Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.*

(4) Facilitate environmental assessment early in the design of a project;
(5) Provide documentation of the factual basis for the finding in a negative declaration that a project will not have a significant effect on the environment
(6) Eliminate unnecessary EIRs;
(7) Determine whether a previously prepared EIR could be used with the project.

1.2 Initial Study

This document is the Initial Study/Mitigated Negative Declaration for the proposed construction and operation of a cellular tower and the related ground facilities (Project). Kings County will act as the Lead Agency for this Project under CEQA and the CEQA Guidelines.

1.3 Environmental Checklist

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

1.4 Notice of Intent to Adopt a Negative Declaration

The Lead Agency shall provide a Notice of Intent to Adopt a Negative Declaration (CEQA Guidelines, Section 15072) to the public, responsible agencies, trustee agencies and the county clerk within which the project is located, sufficiently prior to adoption by the Lead Agency of the Negative Declaration to allow the public and agencies the review period. The public review period (CEQA Guidelines, Section 15105) shall not be less than 20 days, unless the Initial Study/Negative Declaration is submitted to the State Clearinghouse, in which case the review period shall not be less than 30 days unless a shorter period is approved by the State Clearinghouse (CEQA Guidelines, Section 15073(a)).

Prior to approving a project, the decision-making body of the Lead Agency shall consider the proposed Negative Declaration or Mitigated Negative Declaration together with any comments received during the public review process, and shall adopt the proposed Negative Declaration or Mitigated Negative Declaration only if it finds on the basis of the whole record before it (including the Initial Study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the Lead Agency's independent judgment and analysis (CEQA Guidelines, Section 15074(b)).

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

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

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

The initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or the initial study identifies potentially significant effects, but:

1) Revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and

2) There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

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

1.5 Negative Declaration or Mitigated Negative Declaration

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

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

1.6 Intended Uses of Initial Study/Negative Declaration documents

The Initial Study/Negative Declaration document is an informational document that is intended to inform decision-makers, other responsible or interested agencies, and the general public of potential environmental effects of the proposed Project. The environmental review process has been established to enable the public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency must balance any potential environmental effects against other public objectives, including economic and social goals. Kings County, as the Lead Agency, will make a

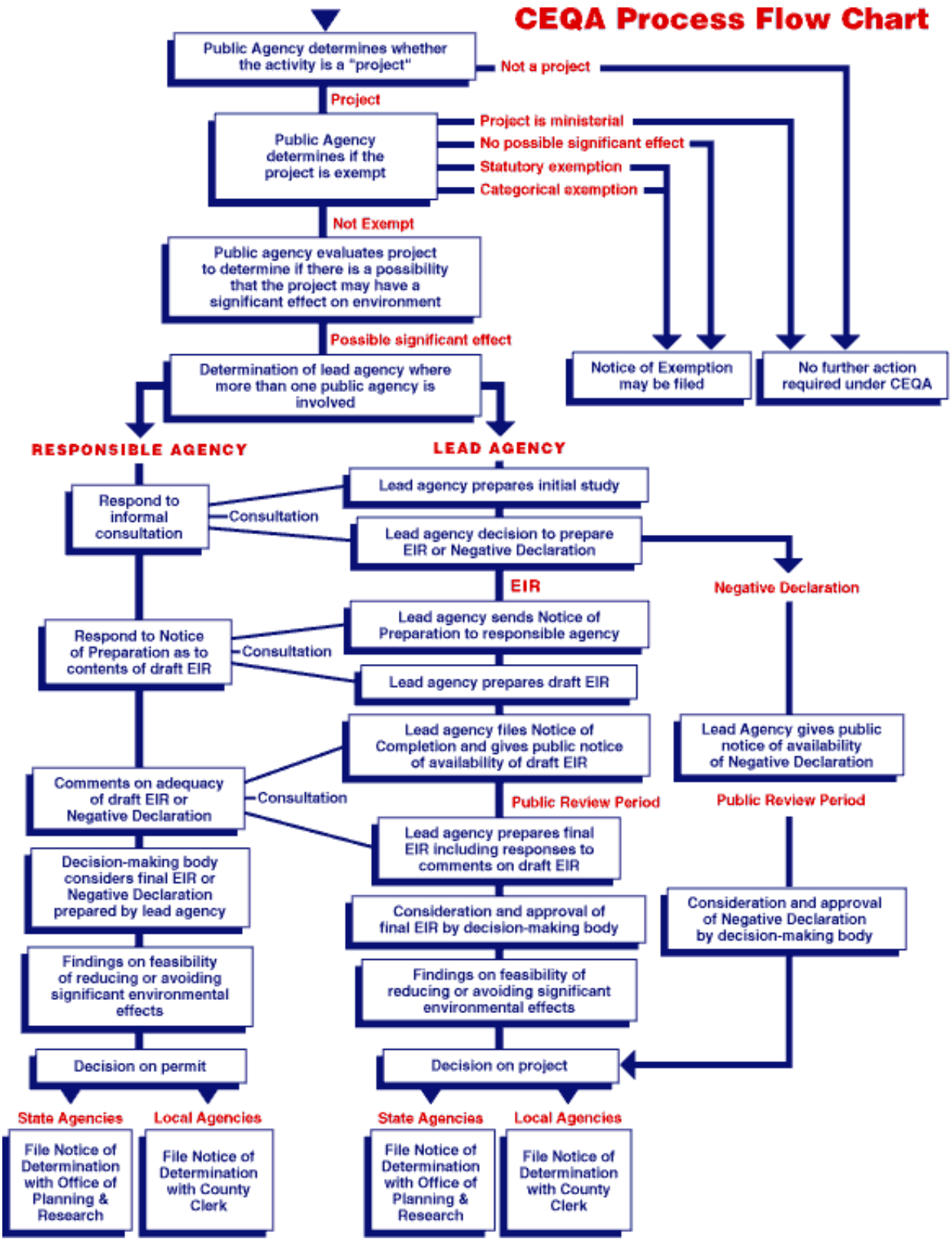
determination, based on the environmental review for the Environmental Study, Initial Study and comments from the general public, if there are less than significant impacts from the proposed project and the requirements of CEQA can be met by adoption of a Mitigated Negative Declaration.

1.7 Notice of Determination (NOD)

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

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

1.8 CEQA Process Flow Chart



Section 2

Project Description

Kings County
1400 W Lacey Blvd., Bldg. #6
Hanford, CA 93230

SECTION 2

Project Description

Project Title: Aqua Vista Monopole

2.1 Project Description and Purpose

The proposed Project consists of installing a 100-foot-high monopole to be used as a cellular tower. The tower will include a 10' lighting rod, bringing the total height to 110'. The tower would be in an approximately 40-foot by 40-foot Compound enclosed by an 8-foot-high chain link fence. The Compound area would be in the southwest corner of the parcel, 3'7" from the western property line and 12'11" from the southern property line. Figures 3-2, 3-3, and 3-4 show the Project site plan and elevations. The cellular tower facility will be unmanned, as the only time workers would be present would be for routine maintenance, repairs, and meter reading.

An electrical line will run from the existing overhead power on Front Street to the Compound. This will run underneath the proposed access road. No water or sewer service will be required.

The cellular tower would be in the center of the Compound. The Compound will also have the following:

- Twelve 8' Antennas
- 6 Remote Radio Units (RRU)
- One 2' Microwave
- One GPS Antenna
- Required Antenna Cabling
- Hierarchical Cell Structure (HCS) Jumpers
- Two Ground Mounted Radio Cabinets
- A Raised Concrete Pad
- Cable Ice Bridge
- Utility Backboard
- Multi-Meter Utility Service Mounted On H-Frame

An Access and Utility Easement Agreement was signed between Wonderful Renewable Energy LLC (referred to as the Grantor) and Richard F. Moon, Tillie E. Moon, and VB BTS II, LLC (the Grantees). The agreement grants the Grantees the right to access and use a specified portion of the Grantor's property, identified by the Assessor's Parcel Number (APN) 026-131-047, to

install, operate, and maintain utility lines and telecommunications equipment. This easement includes a strip of land 20 feet wide within the property, designated for the installation and maintenance of utilities. The easement will last for 52 years unless specific conditions lead to its termination earlier.

Importantly, this easement is not intended for public use; it is strictly for the parties involved. This includes Front Street, a private road that connects the Project Site to Main Street. The agreement outlines the responsibilities of the Grantees, including maintaining the easement area, adhering to environmental laws, and restoring the property to its original condition upon the end of the easement. It also includes legal descriptions of the properties involved and provides guidelines for resolving disputes and indemnification between the parties.

2.2 Project Location

The proposed Project is in the community of Stratford in Kings County. The Site is near the intersection of Main Street and Railroad Street. The Project is on APN 026-131-040. This parcel is 0.79 acres, with a single-family residence on the northern portion. The Project will be located on the southern portion of the Project. The Site of the Project is topographically flat and vacant. Four trees exist that will not be removed. No other structures exist on the Site.

2.3 Other Permits and Approvals

- Conditional Use Permit. Cellular telephone projects are listed as a conditional use in the Rural Commercial (CR) Zone District, subject to approval by the Planning Commission.
- Building Permits. The County authorizes construction activities under the master Construction Permit, which includes building construction. Building Permits would be required for the erection, demolition, or conversion of any building or structure. Such permits are ministerial and would be secured prior to the commencement of construction. All construction must be performed in accordance with the following:
    - 2022 California Building Code
    - 2022 California Title 24
    - 2022 California Fire Code
    - 2022 California Electric Code
    - 2022 California Energy Code
    - 2022 California Mechanical Code
    - Tia/Eia-222-H Or Latest Edition
    - Any Local Building Code Amendments to The Above
    - City/County Ordinances
- Encroachment Permits. The Project may require encroachment permits for any work in County road rights-of-way. As part of the application for the Encroachment Permit, the applicant must submit construction drawings and a traffic control plan for any work that would take place in public right-of-way.

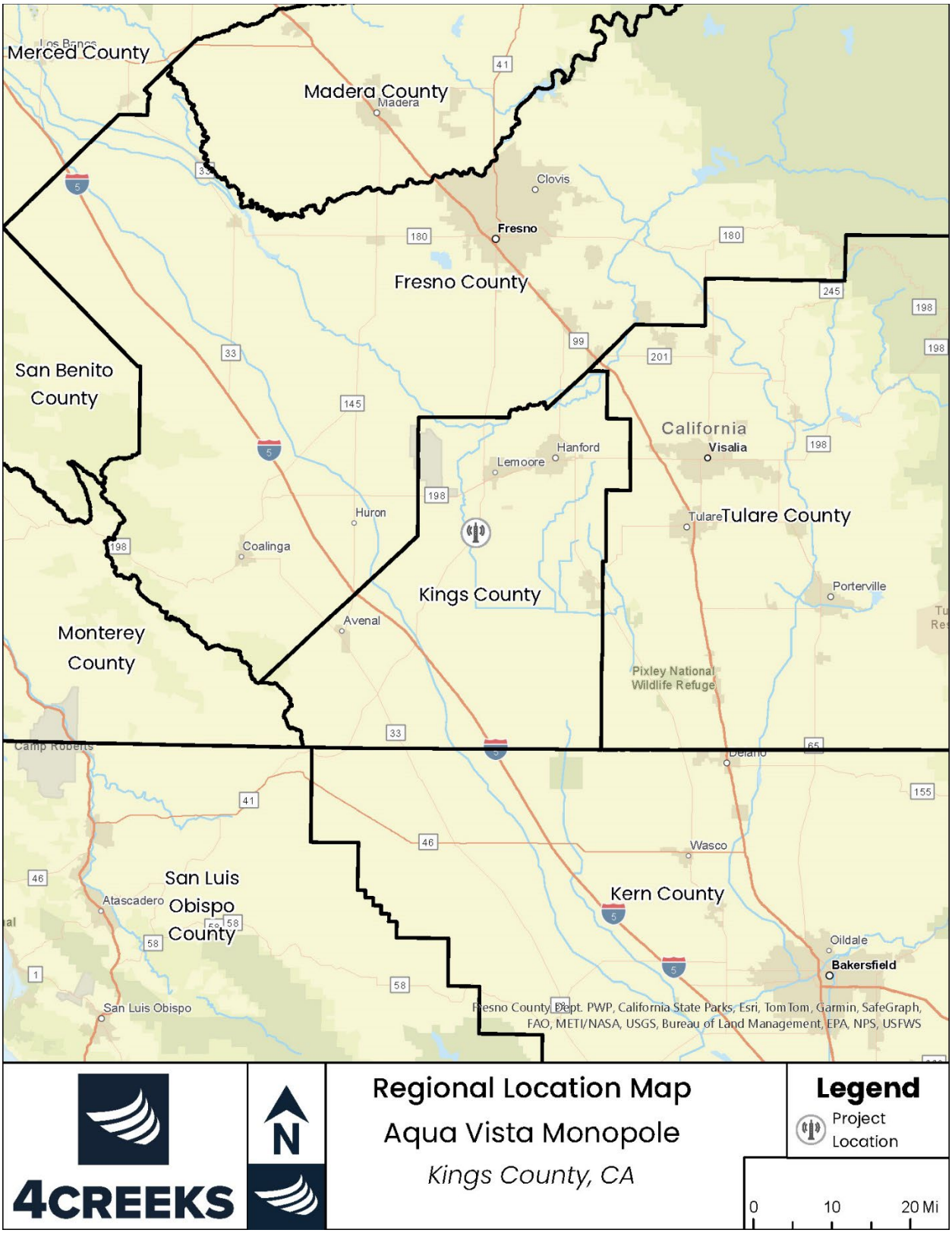


Figure 2-1. Regional Location Map



Figure 2-2. Vicinity Map

Section 3

Evaluation of Environmental Impacts

Kings County
1400 W Lacey Blvd., Bldg. #6
Hanford, CA 93230

SECTION 3
Evaluation of Environmental Impacts
Project Title: Aqua Vista Monopole

This document is the Initial Study/Mitigated Negative Declaration for the proposed construction and operation of a cellular tower and the related ground facilities. Kings County will act as the Lead Agency for this Project under the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

3.1 PURPOSE

This environmental document aims to implement the California Environmental Quality Act (CEQA). Section 15002(a) of the CEQA Guidelines describes the basic purposes of CEQA:

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

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

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

b) There is no substantial evidence, in light of the whole record before the agency, that the Project as revised may have a significant effect on the environment.

3.2 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

1. Project Title:	Aqua Vista Monopole
2. Lead Agency:	Kings County Community Development Agency Contact Person: Noelle Tomlinson, Planner II 1400 W Lacey Blvd., Bldg. #6 Hanford, CA 93230. Phone Number: (559) 852-2697
3. Applicant:	Vertical Bridge 750 Park of Commerce Drive Boca Raton, FL, 33487 (561) 948-6367
4. Contact Person:	Assurance Development 1499 Huntington Dr. #305 South Pasadena, CA 91030 Contact: Bill Lewis Phone: 626.765.5079

5. Project Location: The proposed Project is in the community of Stratford in Kings County. The Site is near the intersection of Main Street and Railroad Street. The Project is on APN 026-131-040. This parcel is 0.79 acres, with a single-family residence on the northern portion. The Project will be located on the southern portion of the Project. The Site of the Project is topographically flat and vacant. Four trees exist that will not be removed. No other structures exist on the Site.

6. General Plan Designation: The 2035 Kings County General Plan has designated the proposed Project Site as Rural Commercial.

7. Zoning Designation: Kings County zoned the Site as Rural Commercial (CR) and is an unincorporated county area.

8. Project Description: The proposed Project consists of installing a 100-foot-high monopole to be used as a cellular tower. The tower will include a 10' lighting rod, bringing the total height to 110'. The tower would be in an approximately 40-foot by 40-foot Compound enclosed by an 8-foot-high chain link fence. The Compound area would be in the southwest corner of the parcel, 3'7" from the western property line and 12'11" from the southern property line. Figures 3-2, 3-3, and 3-4 show the Project site plan and elevations. The cellular tower facility will be unmanned, as the only time workers would be present would be for routine maintenance, repairs, and meter reading.

An electrical line will run from the existing overhead power on Front Street to the Compound. This will run underneath the proposed access road. No water or sewer service will be required.

The cellular tower would be in the center of the Compound. The Compound will also have the following:

- Twelve 8' Antennas
- 6 Remote Radio Units (RRU)
- One 2' Microwave
- One GPS Antenna
- Required Antenna Cabling
- Hierarchical Cell Structure (HCS) Jumpers
- Two Ground Mounted Radio Cabinets
- A Raised Concrete Pad
- Cable Ice Bridge
- Utility Backboard
- Multi-Meter Utility Service Mounted On H-Frame

An Access and Utility Easement Agreement was signed between Wonderful Renewable Energy LLC (referred to as the Grantor) and Richard F. Moon, Tillie E. Moon, and VB BTS II, LLC (the Grantees). The agreement grants the Grantees the right to access and use a specified portion of the Grantor's property, identified by the Assessor's Parcel Number (APN) 026-131-047, to install, operate, and maintain utility lines and telecommunications equipment. This easement includes a strip of land 20 feet wide within the property, designated for the installation and maintenance of utilities. The easement will last for 52 years unless specific conditions lead to its termination earlier. The agreement outlines the responsibilities of the Grantees, including maintaining the easement area, adhering to environmental laws, and restoring the property to its original condition upon the end of the easement. It also includes legal descriptions of the properties involved and provides guidelines for resolving disputes and indemnification between the parties.

Importantly, this easement is not intended for public use; it is strictly for the parties involved. This includes Front Street, a private road that connects the Project Site to Main Street.

9. Surrounding Land Uses and Settings:

North: *Existing*: Single Family Homes and agricultural byproduct processing facility, *Planned Use*: Rural Commercial (2035 Kings County General Plan)
South: *Existing*: Multi-Family Residential structures, *Planned Use*: Medium High Density Residential (2035 Kings County General Plan)
East: *Existing*: Vacant, *Planned Use*: Rural Commercial (2035 Kings County General Plan)
West: *Existing*: Residential & Commercial Uses, *Planned Use*: Rural Commercial and Service Commercial (2035 Kings County General Plan)

9. Required Approvals: The following discretionary approvals are required from Kings County for the proposed Project. It should be noted that this list is not exhaustive and additional permits and approvals may also be required:

- Conditional Use Permit. Cellular telephone projects are listed as a conditional use in the Rural Commercial (CR) Zone District, subject to approval by the Planning Commission.
- Building Permits. The County authorizes construction activities under the master Construction Permit, which includes building construction. Building Permits would be required for the erection, demolition, or conversion of any building or structure. Such permits are ministerial and would be secured prior to the commencement of construction. All construction must be performed in accordance with the following:
    - 2022 California Building Code
    - 2022 California Title 24
    - 2022 California Fire Code
    - 2022 California Electric Code
    - 2022 California Energy Code
    - 2022 California Mechanical Code
    - Tia/Eia-222-H Or Latest Edition
    - Any Local Building Code Amendments to The Above
    - City/County Ordinances
- Encroachment Permits. The Project may require encroachment permits for any work in County road rights-of-way. As part of the application for the Encroachment Permit, the applicant must submit construction drawings and a traffic control plan for any work that would take place in public right-of-way.

10. Native American Consultation: The State requires lead agencies to consider the potential effects of proposed Projects and consult with California Native American tribes during the local planning process to protect 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 or local historic register, or the lead agency, at its discretion, and support by substantial evidence, choose to treat the resources as a Tribal Cultural Resources (PRC Section 21074(a) (1-2)). According to the most recent census data, California is home to 109 currently recognized Native American Tribes. Tribes in California currently have nearly 100 separate reservations or Rancherias.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and Project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See PRC Section 21083.3.2.) Information

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

11. Parking and access: The Site would be accessed by a proposed gravel access road connecting the Compound with the private Front Street. This access road would be approximately 165' from the Compound to Front Street. It would be 12' wide of gravel with 6" of ¾" aggregate base. To comply with Fire Department standards, the total easement of the road will be 20' wide. A 20' wide gate will be installed at both ends of the road, one at the entrance from Front Street and one at the Fenced Compound. A Knox Box will be included for Fire Department access.

12. Landscaping and Design: No landscaping is proposed for this Project. The Compound will be enclosed by an 8-foot-high chain link fence. A 6' chain link fence currently exists along the border of the parcel and Front Street. A 20' wide gate will be installed at both ends of the road, one at the entrance from Front Street and one at the Fenced Compound.

13. Utilities and Electrical Services: An electrical line will run from the existing overhead power on Front Street to the Compound. This will run underneath the proposed access road. The plan proposes installing a 178-foot, 4-inch diameter Schedule 80 PVC conduit from the point of connection into a PG&E step-down transformer. The Project would connect to existing telecommunication facilities with a fiber optic cable along the same utility easements as the electric supply.

Stormwater will flow into the gravel access road with 6" of ¾" aggregate base. The area surrounding the Project will be sloped a minimum of 2% towards the aggregate base.

No water, sewer, or natural gas services will be required.

Acronyms

AAQS	Ambient Air Quality Standards
AB	Assembly Bill
APCD	Air Pollution Control District
AQMD	Air Quality Management District
ARB	Air Resources Board
BMP	Best Management Practices
CARB	California Air Resources Board
CCR	California Code of Regulations
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
CRHR	California Register of Historical Resources
CNDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CO	Carbon Monoxide
DOC	California Department of Conservation
DTSC	Department of Toxic Substances Control
DWR	Department of Water Resources
EIA	Energy Information Administration
EPA	Environmental Protection Agency
FEMA	Federal Emergency Management Agency
FMMP	Farmland Mapping and Monitoring Program
HCS	Hierarchical Cell Structure
HSC	Health and Safety Code
ISMND	Initial Study Mitigated Negative Declaration
LOS	Level of Service
MCL	Maximum Contaminant Level
MEIR	Master Environmental Impact Report
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NOI	Notice of Intent
NRHP	National Register of Historic Places
NPDES	National Pollutant Discharge Elimination System
OS	Open Space
O3	Ozone
PM10	Particulate Matter less than 10 microns
PM2.5	Particulate Matter less than 2.5 microns
PRC	Public Resources Code
ROW	Right-of-Way
RWQCB	Regional Water Quality Control Board
SB	Senate Bill

SJVAPCD	San Joaquin Valley Air Pollution Control District
SWPPP	Storm Water Pollution Prevention Plan
TAC	Toxic Air Contaminant
TCR	Tribal Cultural Resource
USEPA	United States Environmental Protection Agency
USGS	United States Geological Survey
USDOT	United States Department of Transportation



Figure 3-1. Vicinity Map

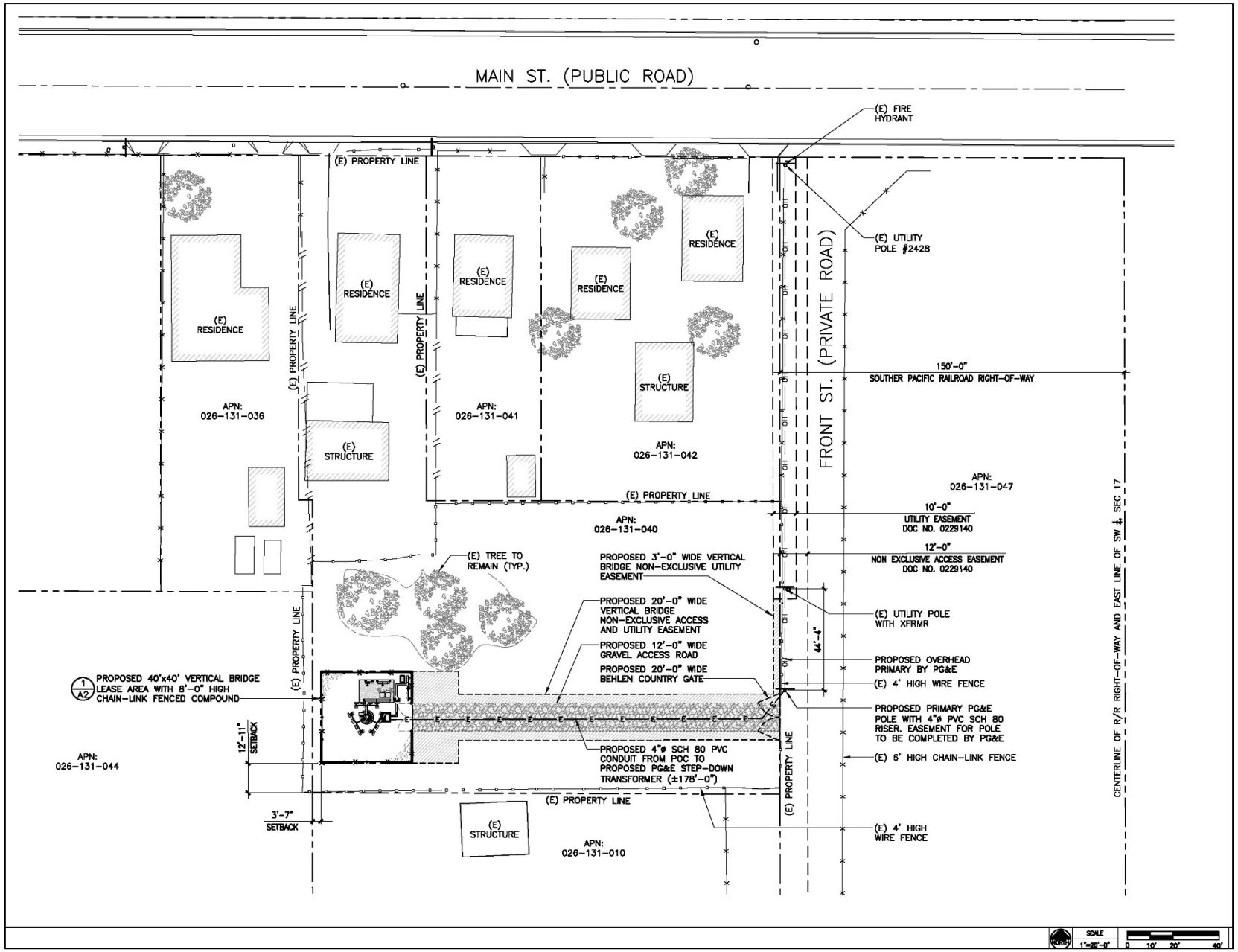
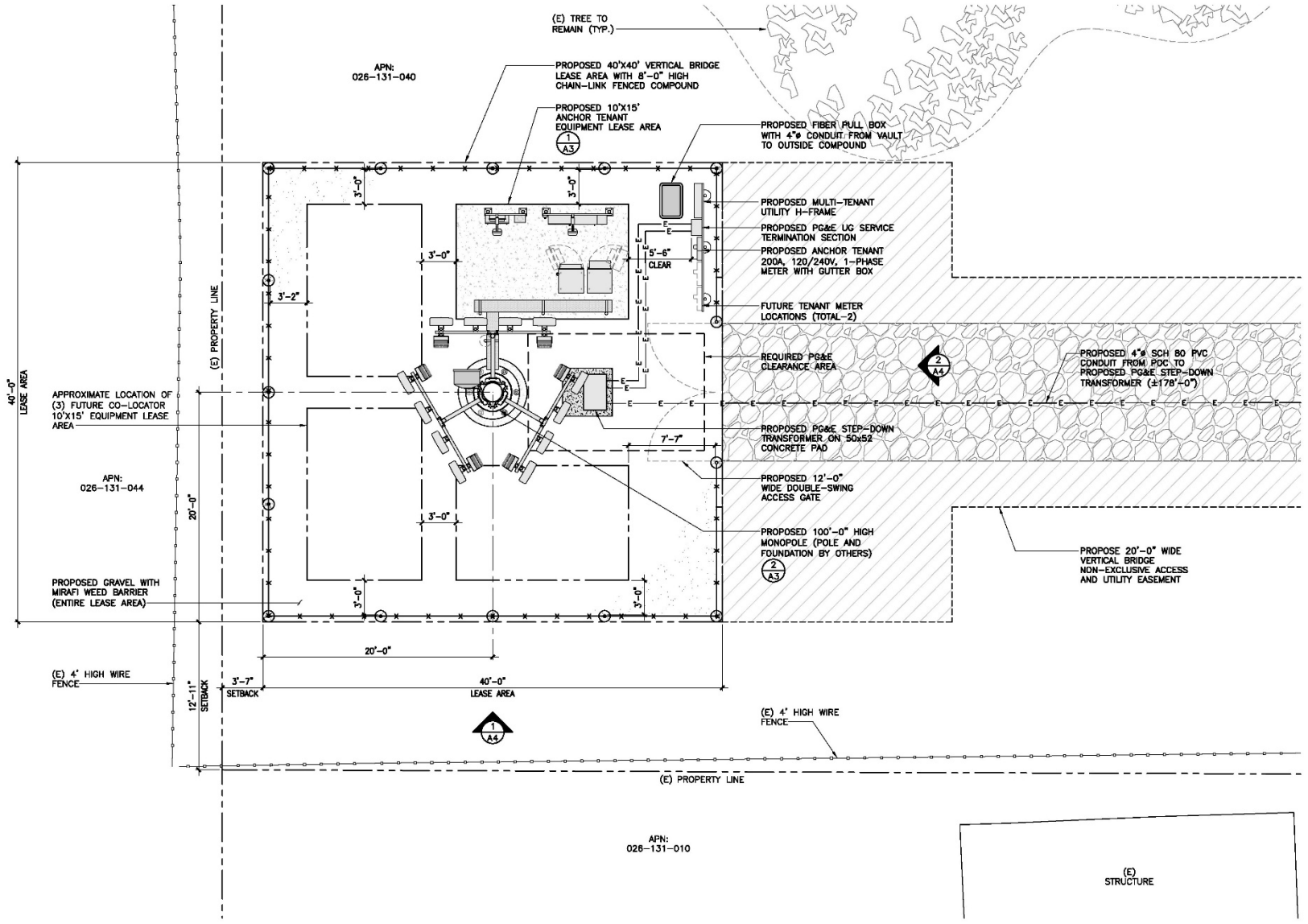


Figure 3-2: Site Plan



ENLARGED COMPOUND PLAN

SCALE 1/4"=1'-0" 0 2' 4' 8'

1

Figure 3-3: Enlarged Compound Plan

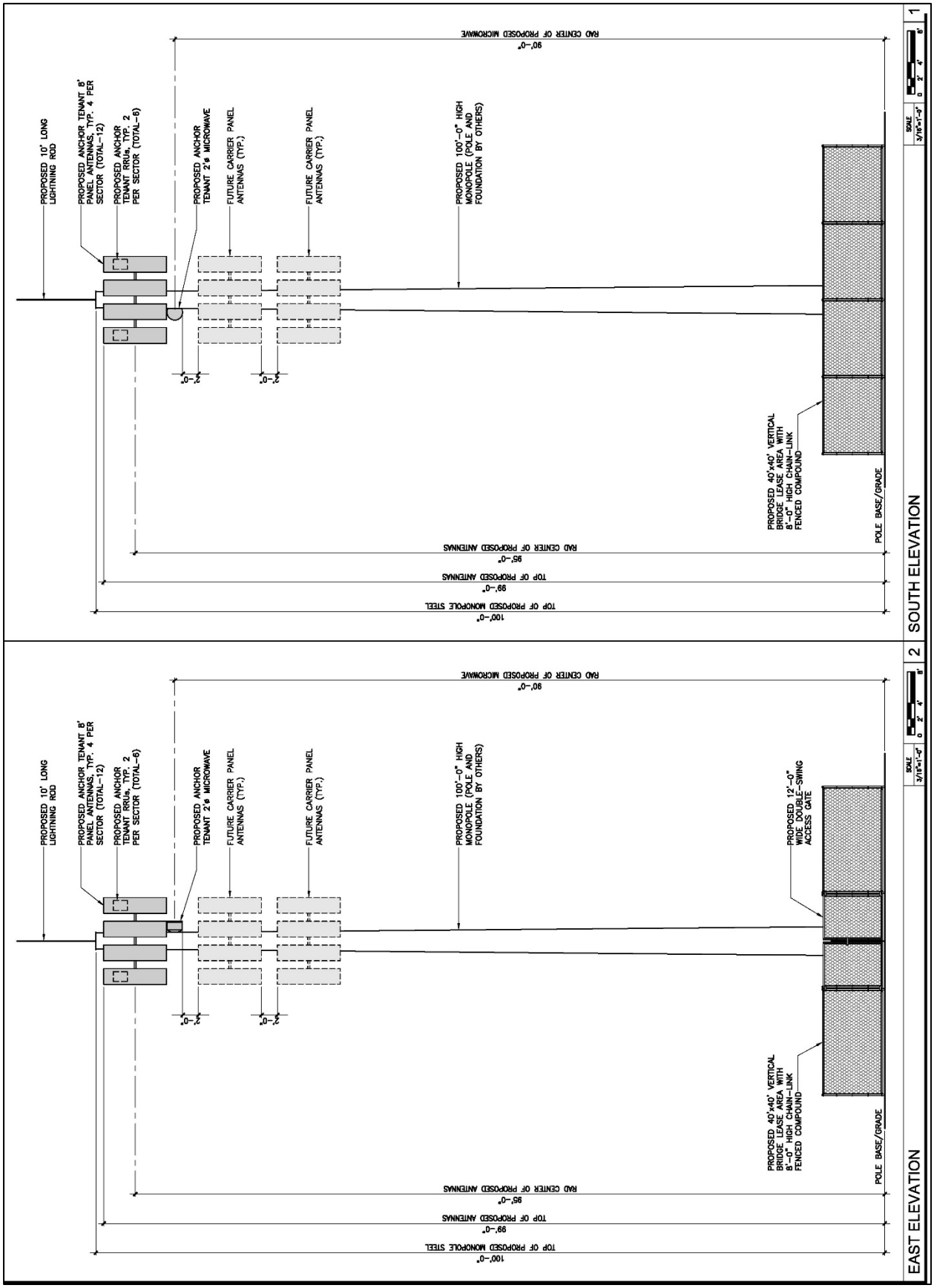


Figure 3-4: Elevation Site Plans

3.3 EVALUATION OF ENVIRONMENTAL IMPACTS

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

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

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

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

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

    - Earlier Analysis Used. Identify and state where they are available for review.
    - Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
    - Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated." Describe and mitigation measures which were incorporated or refined from the earlier document and the extent to which they address Site-specific conditions for the Project.

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

3.4 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

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

On the basis of this initial evaluation:

☐ I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION WILL BE PREPARED.

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

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

☐ I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. A Negative Declaration is required, but it must analyze only the effects that remain to be addressed.

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

	8/20/2024
SIGNATURE	DATE
Noelle Tomlinson, Planner II	Kings County Community Development Agency
PRINTED NAME	AGENCY

3.5 ENVIRONMENTAL ANALYSIS

The following section evaluates the impact categories and questions in the checklist and identifies mitigation measures, if applicable.

I. AESTHETICS

Would the Project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☑	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within 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 a publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☑	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☑	☐

Environmental Setting

Scenic Resources: Scenic resources include landscapes and features that are visually or aesthetically pleasing. They contribute positively to a distinct community or region, and these resources produce a visual benefit to communities. The Kings River is located 0.55 miles southwest of the Project Site and is a known aesthetic resource, but there are no other available scenic resources within the Project vicinity. The surrounding areas are single- and multi-family homes and commercial buildings, and further outside of Stratford are agricultural fields, which Kings County may consider scenic resources. Another scenic resource is small clusters of Valley Oak Woodlands along the Kings River channel, which are a component of the visual character of northern Kings County.

Scenic Vistas: A scenic vista is a viewpoint that provides a distant view of highly valued natural or artificial landscape features for the benefit of the public. Located in the central portion of the San Joaquin Valley floor, the Site may have distant views of the Sierra Nevada Foothills, but these views are often impeded due to distance and poor air quality in the region. The Kings River is considered a scenic vista, and the proposed Site is within one mile of this resource.

Regulatory Setting

Scenic Roadways: The California Scenic Highway Program was established in 1963 by the State Legislature to protect and enhance the natural beauty of California highways and adjacent corridors through conservation strategies. The State Scenic Highway System includes a list of highways that have either been officially designated or are eligible for designation. State laws governing the scenic highway program are in Sections 260-263 in the Street and Highways Code.

State Scenic Highways: According to the California Department of Transportation mapping of State Scenic Highways, Kings County has no officially designated State Scenic Highways. However, the County has one segment of eligible State Scenic Highways, the closest being SR 41 west of Kettleman City at the interchange of Interstate 5 and towards the northeast boundary of San Luis Obispo County. This portion of the highway is approximately 16 miles from the proposed Site.

Historic Sites: Kings County has many designated key historical Site locations that shall be preserved; however, none are located near the proposed Project Site. According to the Kings County General Plan, the National Register of Historic Places lists four sites within Kings County, and three additional sites that have been designated as California Historical Landmarks. Thirteen other historic sites of local importance also exist within the County.

Of these sites, the nearest Historic Site to the Project is the Yokut Indian Cemetery, located near the Santa Rosa Rancheria approximately four miles to the north.

2035 Kings County General Plan: The 2035 General Plan *Open Space Element* includes the following goals, objectives, and policies, which would address potential impacts associated with aesthetic resources that relate to the proposed Project:

- **OS GOAL B1: Maintain and protect the scenic beauty of Kings County.**
  - OS OBJECTIVE B1.1: Protect and enhance views from roadways which cross scenic areas or serve as scenic entranceways to cities and communities.
    - *OS Policy B1.1.1*: Coordinate with the Kings County Association of Governments to explore designation of State Route 41, between State Route 33 and the Kern County line, as an Official State Scenic Highway through the Caltrans Transportation Enhancement program.

- OS OBJECTIVE B1.2: Preserve roadside landscapes which have high visual quality and contribute to the local environment.
  - *OS Policy B1.2.1*: Review new development and utility Projects for compatibility and potential for impacting scenic view sheds along highly traveled scenic routes.
- OS OBJECTIVE B1.3: Protect the scenic qualities of human-made and natural landscapes and prominent view sheds.
  - *OS Policy B1.3.1*: Require new development to be designed so that it does not significantly impact or block views of Kings County's natural landscape or other important scenic features. Discretionary permit applications will be evaluated against this requirement as part of the development review process. New developments may be required, as appropriate to:
    - Minimize obstruction of views from public lands and rights-of-way.
    - Reduce visual prominence by keeping development and structures below ridgelines.
    - Limit the impact of new roadways and grading on natural settings. Such limits shall be within design safety guidelines.
  - *OS Policy B1.3.2*: Protect the visual access to Kings River and other prominent watercourses by locating and designing new development to minimize visual impacts and obstruction of views of scenic watercourses from public lands and rights-of-way.

Discussion

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

Less than Significant Impact: No designated scenic vistas are in the Project vicinity. The scenic vistas identified by the General Plan, the Kings River, and the Coast Ranges are not within the viewshed of the Project Site. Furthermore, neither the Project Site nor views to or from the Site have been designated as important scenic resources by the County. Therefore, the proposed Project would not interfere with or degrade a scenic vista, and no adverse impact would occur. There is a *less than significant impact.*

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

No Impact: No state or locally designated scenic highways are located within Kings County. The Project Site is approximately 16 miles northeast of the portion of SR 41 identified as eligible for listing as a scenic highway (Caltrans 2019). Implementing the Project would not adversely affect scenic resources within a designated scenic highway. *No impact* would occur.

c) In non-urbanized areas, would the Project substantially degrade the existing visual character or quality of the Site and its surroundings? (Public views are those that are experienced from

a publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?

Less than Significant Impact: The proposed Project Site is in an urbanized area. The Project is within a CR zoning district. The CR zone district permits the accommodation of most commercial uses otherwise provided for in other commercial districts. Cellular towers are conditionally permitted in the CR zone district. Pending approval of the conditional use permit, the Project would have *a less than significant impact.*

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

Less than Significant Impact: The proposed Project would involve the new installation of lighting and structures, creating a new source of light and glare on the Project Site. However, lighting on the Project Site would be shielded and directed downward to minimize potential glare or light spillover onto adjacent property. Additionally, lighting associated with the Project would be minimized at night, reducing the impact of light pollution at night. Furthermore, all lighting would conform to applicable Kings County rules and regulations for outdoor lighting. The cellular tower and associated structures would not be constructed of highly reflective material and would not introduce a significant new glare source. Because the Project would use shielded and downward-directed lighting, and because nighttime lighting would be minimized at the Site, the Project would result in a l*ess than significant impact* from the introduction of new sources of light or glare.

II. AGRICULTURE AND FOREST RESOURCES:

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☑
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 forestland 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 forestland to non-forest use?	☐	☐	☑	☐

Environmental Setting

Central California is one of the world's premier growing regions. Agriculture is a vital economic resource for Kings County, as it is the land use for 84.1 percent of the land in the county. According to the Kings County 2022 Crop Report, there are 749,100 acres of farmland within the County. The primary commodities produced in Kings County, by total dollar value, are milk, pistachios, cotton, tomatoes, and cattle.

The Project is the unincorporated community of Stratford within Kings County. The proposed Project Site is not under a Williamson Act Contract or a Farmland Security Zone. The proposed Site contains land designated as Urban and Built-Up Land under the Important Farmland Mapping and Monitoring Program (FMMP). The land surrounding the Site is also designated as Urban and Built-Up Land.

Regulatory Setting

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

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

- ***Prime Farmland*** has the ideal physical and chemical composition for crop production. It has been used for irrigated production four years before classification and can produce sustained yields. 12% of Kings County is classified as Prime Farmland.

- ***Farmland of Statewide Importance*** has been used for irrigated production four years before classification and is only slightly poorer quality than Prime Farmland. 35% of Kings County is classified as Farmland of Statewide Importance.

- ***Unique Farmland*** has been cropped four years before classification and does not meet the Prime Farmland or Farmland of Statewide Importance criteria, but it has produced specific crops with high economic value. 2% of the Kings County is classified as Unique Farmland.

- ***Farmland of Local Importance*** encompasses farmland that does not meet the criteria for the previous three categories. These may lack irrigation, produce major crops, be zoned as agricultural, and/or support dairy. 1% of Kings County is classified as Farmland of Local Importance.

- ***Grazing Land*** has vegetation that is suitable for grazing livestock. 40% of Kings County is Grazing Land.

- ***Urban and Built-up Land*** is occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

Stratford Community Plan: The Stratford Community Plan contains the following objective and policy to limit impacts on agricultural resources:

- SCP Objective 8A.1: Preserve surrounding prime farmland not needed to accommodate planned urban area growth, and allow agricultural practices to continue in the Community Expansion Area until such time as development is ready to proceed.
  - *SCP Policy 8A.1.1*: Direct new community growth to the Sphere Growth Areas and Community Expansion Area as defined in the Community Plan to prevent the loss of agricultural land in other prime agricultural areas.

2035 Kings County General Plan: The 2035 General Plan *Land Use Element* includes the following goals, objectives, and policies, which reduce impacts associated with agricultural land conversion and protect existing agricultural resources that relate to the proposed Project:

- **LU Goal B1: Protect agricultural lands throughout the County, and in particular along the edges of Community Districts and Urban Fringe by maintaining large parcel sizes and preventing the premature development of incompatible urban uses.**
  - LU Objective B1.1: Preserve the integrity of the County's agricultural land resources through agricultural land use designations and other long term preservation policies.
    - *LU Policy B1.1.1*: Designate all agricultural and grazing land outside of planned urban areas as Limited Agriculture, General Agriculture, Exclusive Agriculture, or Natural Resource Conservation.
  - LU Objective B1.2: Maintain large parcel sizes of agricultural designated land within Urban Fringe areas and around Community Districts to retain viable agricultural production until such time as land is planned and ready for conversion to other uses.

The **2035 Kings County General Plan** *Open Space Element* contains the following objective to limit impacts to agricultural resources:

- OS Objective A1.1: Protect agricultural land as an important, sustainable component of the Kings County economy.

The **2035 Kings County General Plan** *Resource Conservation Element* contains the following objectives and policies to limit impacts to agricultural resources:

- RC Objective B1.1: Identify the County's highest priority agricultural lands that are critical to the County's agricultural economy, prime soils, and water availability, and emphasize higher preservation efforts for these areas.
  - *RC Policy B1.1.1*: Maintain the County's Priority Agricultural Land Model to serve as an information resource in evaluating urban growth and impacts related to the County's agricultural economy and redirect that growth where possible to the lowest priority agricultural land. This model is referenced in Kings County's 2008 Agricultural Land Conversion Study.
  - *RC Policy B1.1.2*: Use the Priority Agricultural Model as a reference for determining potential economic and resource impacts related to the loss of agricultural land resulting from conversion to urban uses.
- RC Objective B1.2: Establish feasible mitigation for the loss of agricultural land conversion that is not over burdensome to landowner and development interests yet enhances long term preservation efforts of the County's highest priority agricultural lands.
  - *RC Policy B1.2.1*: Require new development that results in the loss of agricultural lands to provide mitigation to offset the loss. The County's Farmland Preservation Mitigation Strategy shall require comparable acreage enrollment in the County's Farmland Security Zone.
- RC Objective C1.1: Conserve prime agricultural soils and avoid their conversion to non-agricultural uses.

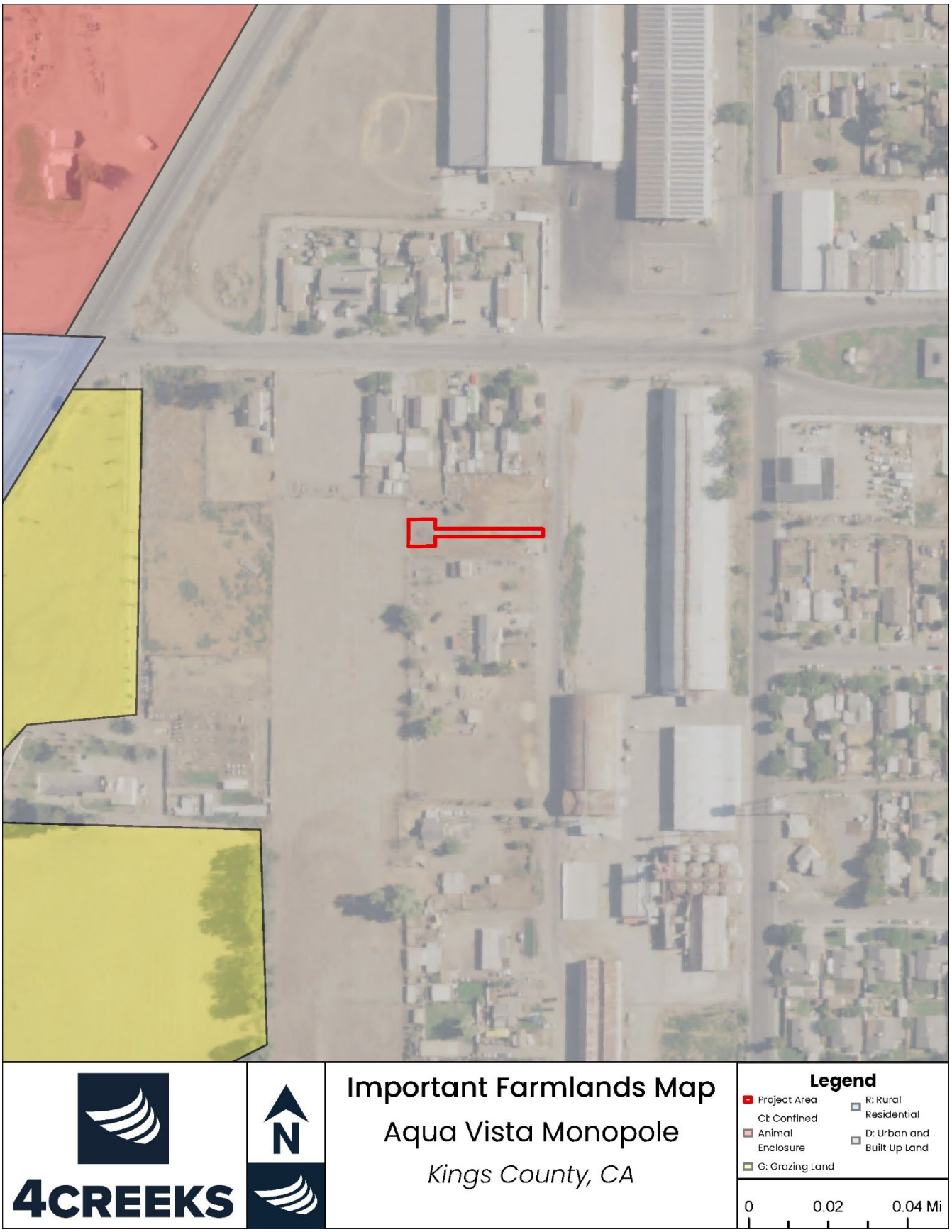


Figure 3-5: Important Farmlands Map

Discussion

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

No Impact: The Project Site is currently vacant and is not used for agricultural uses. Implementation of the proposed Project would not result in the conversion of Farmland of Statewide Importance and Prime Farmland because the proposed construction will occur on the land designated as Urban and Built Up land. There is *no impact.*

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

No Impact: The parcel the Project is on is zoned for Rural Commercial (CR). Cellular telephone projects are listed as a conditional use in the CR Zone District, subject to approval by the Planning Commission. It is not under a Williamson Act Contract and will not conflict with this land use. There is *no significant impact.*

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

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

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

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

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

Less than Significant Impact: As discussed above, the proposed Project does not convert Prime Farmland, Unique Farmland, or Farmland of Statewide importance to non-agricultural use. The Project does not include any features that could result in forestland conversion to non-forest use. There is a *less than significant impact.*

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☑
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?	☐	☐	☑	☐

Environmental Setting

Air quality is primarily a function of local climate, local sources of air pollution, and regional pollution transport. The amount of a given pollutant in the atmosphere is determined by the amount of the pollutant released and the atmosphere's ability to transport and dilute the pollutant. The significant determinants of transport and dilution are wind, atmospheric stability, terrain, and, for photochemical pollutants, sunshine.

A region's topographic features directly correlate with air pollution flow and therefore are used to determine the boundary of air basins. The proposed Project is in Kings County, within the jurisdiction of the SJVAPCD, which regulates air quality in the San Joaquin Valley Air Basin (SJVAB). The SJVAB comprises approximately 25,000 square miles and covers seven counties: Fresno, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare. It also covers the western portion of an eighth county, Kern. The SJVAB is defined by the Sierra Nevada mountains in the east (8,000 to 14,000 feet in elevation), the Coast Ranges in the west (averaging 3,000 feet in elevation), and the Tehachapi mountains in the south (6,000 to 8,000 feet in elevation). The SJVAB is topographically flat with a slight downward gradient to the northwest. The SJVAB opens to the sea at the Carquinez Straits, where the San Joaquin-Sacramento Delta empties into San Francisco Bay. An aerial view of the SJVAB would simulate a "bowl" opening only to the north. These topographic features restrict air movement through and out of the SJVAB.

The State of California (State) and the Federal government have established health-based ambient air quality standards (AAQS) for seven air pollutants. As detailed in Table 3-1, these pollutants include ozone (O3), carbon monoxide (CO), nitrogen dioxide (NO2), sulfur dioxide (SO2), particulate matter less than 10 microns in size (PM10), particulate matter less than 2.5 microns in size (PM2.5), and lead. In addition, the State has set standards for sulfates, hydrogen sulfide (H2S), vinyl chloride, and visibility-reducing particles. These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety.

Pollutant	Averaging Time	California Standards[1]		National Standards[2]		
		Concentration[3]	Method[4]	Primary[3,5]	Secondary[3,6]	Method[7]
Ozone (03)[8]	1 Hour	0.09 ppm (180 µg/m³)	Ultraviolet Photometry	--	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m³)		0.075 ppm (147 µg/m³)		
Respirable Particulate Matter (PM10)[9]	24 Hour	50 µg/m³	Gravimetric or Beta Attenuation	150 µg/m³	Same as Primary Standard	Inertial Separation and Gravimetric Annual Analysis
	Annual Arithmetic Mean	20 µg/m³		--		
Fine Particulate Matter ($PM_{2.5}$)[9]	24 Hour	--	Gravimetric or Beta Attenuation	35 µg/m³	Same as Primary Standard	Inertial Separation and Gravimetric Annual Analysis
	Annual Arithmetic Mean	12 µg/m³		15 µg/m³		
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m³)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m³)	--	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m³)		9 ppm (10 mg/m³)	--	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m³)		--	--	
Nitrogen Dioxide (NO2)[10]	1 Hour	0.18 ppm (339 µg/m³)	Gas Phase Chemiluminescence	100 ppb (188 µg/m³)	--	Gas Phase Annual Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m³)		53 ppb (100 µg/m³)	Same as Primary Standard	
Sulfur Dioxide (SO_2)[11]	1 Hour	0.25 ppm (655 µg/m³)	Ultraviolet Fluorescence	75 ppb (196 µg/m³)	--	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	--		--	0.5 ppm (1300 µg/m³)	
	24 Hour	0.04 ppm (105 µg/m³)		0.14 ppm (for certain areas)[11]	--	
	Annual Arithmetic Mean	--		0.030 ppm (for certain areas)[11]	--	
Lead[12,13]	30 Day Average	1.5 µg/m³	Atomic Absorption	--	--	High-Volume Sampler and Atomic Absorption
	Calendar Quarter	--		1.5 µg/m3 (for certain areas)[13]	Same as Primary Standard	
	Rolling 3-Month Average	--		0.15 µg/m³		
Visibility Reducing Particles[14]	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No National Standard		
Sulfates	24 Hour	25 µg/m³	Ion Chromatography			

Hydrogen Sulfide	1 Hour	0.03 ppm (42 μg/m³)	Ultraviolet Fluorescence
Vinyl Chloride[12]	24 Hour	0.01 ppm (26 μg/m³)	Gas Chromatography

1. California standards for O3, CO (except 8-hour Lake Tahoe), SO2 (1- and 24-hour), NO2, and PM (PM10, PM2.5, and visibility-reducing particles) are values that are not to be exceeded. All others are not to be equaled or exceeded. California AAQS are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
2. National standards (other than for O3 and PM and those based on the annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth-highest 8-hour concentration measured at each Site in a year, averaged over 3 years, is equal to or less than the standard. For PM10, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 μg/m3 is equal to or less than 1. For PM2.5, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over 3 years, are equal to or less than the standard. Contact the USEPA for further clarification and current national policies.
3. Concentration is expressed first in the units in which it was promulgated. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torrs; ppm in this table refers to ppm by volume or micromoles of pollutant per mole of gas. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torrs.
4. Any equivalent measurement method that can be shown to the satisfaction of the CARB to give equivalent results at or near the level of the air quality standard may be used.
5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
7. The reference method as described by the USEPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the USEPA.
8. On October 1, 2015, the national 8-hour O3 primary and secondary standards were lowered from 0.075 to 0.070 ppm.
9. On December 14, 2012, the national annual PM2.5 primary standard was lowered from 15 μg/m3 to 12.0 μg/m3. The existing national 24-hour PM2.5 standards (primary and secondary) were retained at 35 μg/m3, as was the annual secondary standard of 15 μg/m3. The existing 24-hour PM10 standards (primary and secondary) of 150 μg/m3 also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.
10. To attain the 1-hour standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each Site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards, the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.
11. On June 2, 2010, a new 1-hour SO2 standard was established, and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each Site must not exceed 75 ppb. The 1971 SO2 national standards (24-hour and annual) remain in effect until 1 year after an area is designated for the 2010 standard, except that in areas designated as Nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved. Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard, the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.
12. CARB has identified lead and vinyl chloride as "toxic air contaminants" with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
13. The national standard for lead was revised on October 15, 2008, to a rolling 3-month average. The 1978 lead standard (1.5 μg/m3 as a quarterly average) remains in effect until 1 year after an area is designated for the 2008 standard, except that in areas designated as Nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standards are approved.
14. In 1989, CARB converted both the general statewide 10 mi visibility standard and the Lake Tahoe 30 mi visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

°C = degrees Celsius
mg/m3 = micrograms per cubic meter
AAQS = ambient air quality standards
CARB = California Air Resources Board
CO = carbon monoxide
mg/m3 = milligrams per cubic meter
mi = mile/miles
NO2 = nitrogen dioxide
O3 = ozone
PM = particulate matter
PM2.5 = particulate matter less than 2.5 microns in size
PM10 = particulate matter less than 10 microns in size
ppb = parts per billion
ppm = parts per million
SO2 = sulfur dioxide
USEPA = United States Environmental Protection Agency

Table 3-1. Ambient Air Quality Standards; Source: California Air Resources Board (CARB). 2016.

Because the United States Environmental Protection Agency (USEPA) sets the concentration standards at a level that protects public health with an adequate margin of safety, these health effects would not occur unless the standards are exceeded by a large margin or prolonged period. Table 3-2 summarizes the most common health and environmental effects for each of the air pollutants for which there is a National AAQS (NAAQS) or California AAQS (CAAQS), as well as for toxic air contaminants (TACs). CAAQS are typically more stringent than NAAQS. Among the pollutants, O_3 and particulate matter ($PM_{2.5}$ and PM_{10}) are considered pollutants with regional effects, while the others have more localized effects (CARB 2022a).

Pollutant	Effects on Health and the Environment
Ozone (O3)	• Respiratory symptoms • Worsening of lung disease leading to premature death • Damage to lung tissue • Crop, forest, and ecosystem damage • Damage to a variety of materials, including rubber, plastics, fabrics, paint, and metals.
Particulate matter less than 2.5 microns in size ($PM_{2.5}$)	• Premature death • Hospitalization for worsening of cardiovascular disease • Hospitalization for respiratory disease • Asthma-related emergency room visits • Increased symptoms, increased inhaler usage
Particulate matter less than 10 microns size (PM_{10})	• Premature death and hospitalization, primarily for worsening of respiratory disease • Reduced visibility and material soiling
Nitrogen oxides (NO_x)	• Lung irritation • Enhanced allergic responses
Carbon monoxide (CO)	• Chest pain in patients with heart disease • Headache • Light-headedness • Reduced mental alertness
Sulfur oxides (SO_x)	• Worsening of asthma: increased symptoms, increased medication usage, and emergency room visits
Lead	• Impaired mental functioning in children • Learning disabilities in children • Brain and kidney damage
Hydrogen sulfide (H_2S)	• Nuisance odor (rotten egg smell) • At high concentrations: headache & breathing difficulties
Sulfate	• Same as $PM_{2.5}$, particularly worsening of asthma and other lung diseases. • Reduces visibility
Vinyl chloride	• Central nervous system effects (e.g., dizziness, drowsiness, and headaches) • Long-term exposure (i.e., liver damage and liver cancer)
Visibility reducing particles	• Reduced airport safety, scenic enjoyment, road safety, and discourages tourism
Toxic air contaminants (TACs). About 200 chemicals have been listed as TACs.	• Cancer • Reproductive and developmental effects • Neurological effects

Table 3-2. Summary of Health and Environmental Effects of the Criteria Air Pollutants; Source: California Air Resources Board (CARB). n.d.-a. Common Air Pollutants

The California Clean Air Act (CCAA) allows SJVAPCD and other air districts to manage transportation activities at indirect sources. Indirect sources of pollution include any facility, building, structure, installation, or combination thereof that attracts or generates mobile-source emissions of any pollutant. In addition, area-source emissions that are generated when minor sources collectively emit a substantial amount of pollution are also managed by the local air districts. Examples would be the motor vehicles at an intersection, at a mall, and on highways. SJVAPCD also regulates stationary sources of pollution throughout its jurisdictional area. The California Air Resources Board (CARB) regulates direct emissions from motor vehicles.

Air Pollution Constituents and Attainment Status

The CARB coordinates and oversees both State and Federal air pollution control programs in the State. The CARB oversees the activities of local air quality management agencies and maintains air quality monitoring stations throughout the State in conjunction with the USEPA and local air districts. The CARB has divided the State into 15 air basins based on meteorological and topographical air pollution factors. The CARB and USEPA use data collected at these stations to classify air basins as Attainment, Nonattainment, Nonattainment-Transitional, or Unclassified, based on air quality data for the most recent three calendar years compared with the AAQS.

Attainment areas may be the following:

- **Attainment/Unclassified ("Unclassifiable" in Some Lists):** These basins have never violated the air quality standard of interest or do not have enough monitoring data to establish Attainment or Nonattainment status.

- **Attainment-Maintenance (National Ambient Air Quality Standards [NAAQS] Only):** These basins violated a NAAQS that is currently in use (were Nonattainment) in or after 1990 but now attain the standard and are officially redesignated as Attainment by the USEPA with a Maintenance State Implementation Plan (SIP).

- **Attainment (Usually Only for CAAQS, But Sometimes for NAAQS):** These basins have adequate monitoring data to show attainment, have never been Nonattainment, or, for NAAQS, have completed the official Maintenance period.

- **Nonattainment** areas are imposed with additional restrictions as required by the USEPA. The air quality data are also used to monitor progress in attaining air quality standards. Table 3-3 lists the attainment status for the criteria pollutants in the SJVAB.

Toxic Air Contaminants

The public's exposure to TACs is a significant environmental health issue in the State of California. In 1983, the California Legislature enacted a program to identify the health effects of TACs and to reduce exposure to these contaminants to protect the public health. The Health

and Safety Code defines a TAC as "an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health." In addition, substances which have been listed as federal hazardous air pollutants (HAPs) pursuant to Title 42 United States Code (USC) Section 7412 are TACs under the State's air toxics program pursuant to Section 39657(b) of the California Health and Safety Code. The CARB formally made this identification on April 8, 1993 (Title 17, California Code of Regulations [CCR], Section 93001). Under State law, the California Environmental Protection Agency (CalEPA), acting through CARB, is authorized to identify a substance as a TAC if it determines the substance is an air pollutant that may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health.

California regulates TACs primarily through AB 1807 (Tanner Air Toxics Act), AB 2588 (Air Toxics "Hot Spot" Information and Assessment Act of 1987), and Senate Bill (SB) 25 (Children's Environmental Health Protection Act). The Tanner Air Toxics Act sets forth a formal procedure for the CARB to designate substances as TACs. Once a TAC is identified, CARB adopts an "airborne toxics control measure" for sources that emit designated TACs. If there is a safe threshold for a substance for which there is no toxic effect, the control measure must reduce exposure to below that threshold. If there is no safe threshold, the measure must incorporate toxics best available control technology to minimize emissions.

Air toxins from stationary sources are also regulated in California under AB 2588. Under AB 2588, TAC emissions from individual facilities are quantified and prioritized by the designated Air Quality Management District (AQMD) or Air Pollution Control District (APCD). High-priority facilities are required to perform an HRA and, if specific thresholds are exceeded, are also required to communicate the results to the public in the form of notices and public meetings. To date, the CARB has designated over 200 compounds as TACs. Additionally, the CARB has implemented control measures for a number of compounds that pose high risks and show potential for effective control. The majority of the estimated health risks from TACs can be attributed to relatively few compounds, the most important being particulate matter from diesel fueled engines (diesel particulate matter [DPM]).

Local Air Quality

The SJVAPCD and the CARB maintain ambient air quality monitoring stations. The air quality monitoring station that monitors air pollutant data closest to the Site is the Hanford-S Irwin Street Monitoring Station. The air quality trends from this station are used to represent the ambient air quality in the Project area. The ambient air quality data in Table 3-4 show that NO_2 levels are below the applicable State and Federal standards. However, annual average concentrations of PM_{10}, $PM_{2.5}$, and O_3 concentrations frequently exceed their respective standards. As CO ambient concentrations have become so low throughout the region, no station near the Project Site monitors CO.

Pollutant	Designation/Classification	
	Federal Standards	State Standards
Ozone – One hour	Standard Revoked	Nonattainment/Severe
Ozone – Eight hour	Extreme Nonattainment	Nonattainment
PM 10	Attainment (Maintenance)	Nonattainment
PM 2.5	Nonattainment	Nonattainment
Carbon Monoxide	Attainment/Unclassified	Attainment
Nitrogen Dioxide	Attainment/Unclassified	Attainment
Lead	No Designation/Unclassified	Attainment
Sulfur Dioxide	Attainment/Unclassified	Attainment
Sulfates	No Federal Regulation	Attainment
Hydrogen Sulfide	No Federal Regulation	Unclassified
Ozone (1-Hour)	Standard Revoked	Severe/Nonattainment

$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size

Table 3-3. Air Quality Attainment Status for SJVAB; Source: SJVAPCD Ambient Air Quality Standards & Valley Attainment Status.

Pollutant	Standard	2019	2020	2021
O_3				
Maximum 1-Hour Concentration (ppm)	State: 0.09 ppm	0.093	0.103	0.102
	No. of days exceeded	*0*	*6*	*2*
Max 8-hour concentration (ppm)	State: 0.07 ppm	0.076	0.088	0.095
	Federal: 0.07 ppm			
No. of days exceeded	State:	*13*	*26*	*16*
	Federal:	*13*	*26*	*16*
PM_{10}				
Maximum 24-hour concentration ($\mu g/m^3$)	State: 50 $\mu g/m^3$	211.7	180.4	175.0
	Federal: 150 $\mu g/m^3$			
No. of days exceeded	State:	*17*	*22*	*146*
	Federal:	*1*	*3*	*2*
	Annual avg. concentration ($\mu g/m^3$)	45.2	ND	52.8
Exceeds Standard?	State: 20 $\mu g/m^3$	*Yes*	*ND*	*Yes*
$PM_{2.5}$				
Maximum 24-Hour concentration ($\mu g/m^3$)	Federal: 35 $\mu g/m^3$	48.2	147.2	81.0
	No. of days exceeded	*20*	*52*	*31*
Annual avg. concentration ($\mu g/m^3$)	State: 12 $\mu g/m^3$	12.1	19.8	15.6
	Federal: 12 $\mu g/m^3$			
NO_2				
Maximum 1-hour concentration (ppb):	State: 180 ppb	62.9	51.9	51.5
	Federal: 100 ppb			
No. of days exceeded	State:	*0*	*0*	*0*
	Federal:	*0*	*0*	*0*
Annual avg. concentration (ppb):	State: 30 ppb	8	8	8
	Federal: 53 ppb			
Exceeds Standard?	State:	*No*	*No*	*No*
	Federal:	*No*	*No*	*No*

Note: Pollutant concentration data from the Hanford-S Irwin Street Monitoring Station in Hanford, California.
$\mu g/m_3$ = micrograms per cubic meter
ppm = parts per million
ND = No data available
NO_2 = nitrogen dioxide
O_3 = ozone
$PM_{2.5}$ = particulate matter smaller than 2.5 microns in size
PM_{10} = particulate matter smaller than 10 microns in size
ppb = parts per billion

Table 3-4. Air Quality Concentrations in the Project Vicinity; Source: California Air Resource Board (CARB).

Sensitive Receptors and Land Uses in the Project Vicinity: Sensitive receptors include residences such as private homes, condominiums, apartments, living quarters, schools, preschools, daycare centers, in-home daycares, health facilities (e.g., hospitals, long-term care facilities, retirement, and nursing homes), community centers, places of worship, parks (excluding trails), prisons, and dormitories. The nearest sensitive receptors to the Project Site are the single-family residences located to the north and south of the Project.

Regulatory Setting

Federal Regulations

The 1970 Federal Clean Air Act (CAA) authorized the establishment of national health-based air quality standards and set deadlines for their attainment. The CAA Amendments of 1990 changed deadlines for attaining national standards and the remedial actions required for areas of the nation that exceed the standards. Under the CAA, State and local agencies in areas that exceed the national standards must develop SIPs to demonstrate how they will achieve the national standards by specified dates.

State Regulations

In 1988, the California Clean Air Act (CCAA) required that all air districts in the State endeavor to achieve and maintain CAAQS for CO, O_3, SO_2, and NO_2 by the earliest practical date. The CCAA allows districts to regulate indirect sources and mandates that air quality districts focus on reducing emissions from transportation and area-wide emission sources. Each nonattainment district must adopt a plan to achieve a 5 percent annual reduction, averaged over consecutive 3-year periods, in district-wide emissions of each nonattainment pollutant or its precursors. A Clean Air Plan shows how a district would reduce emissions to achieve air quality standards. Generally, the State standards for these pollutants are more stringent than the national standards.

The CARB is the State's "clean air agency." The CARB's goals are to attain and maintain healthy air quality, protect the public from exposure to toxic air contaminants, and oversee compliance with air pollution rules and regulations.

Regional Regulations

San Joaquin Valley Air Pollution Control District. The SJVAPCD has specific air quality-related planning documents, rules, and regulations. This section summarizes the local planning documents and regulations that may apply to the proposed Project as administered by the SJVAPCD with California Air Resources Board (CARB) oversight.

- ***Rule 2280—Portable Equipment Registration.*** Portable equipment used at Project Sites for less than six consecutive months must be registered with the SJVAPCD. The SJVAPCD will issue the registrations 30 days after receipt of the application.
- ***Rule 4201 and Rule 4204—Particulate Matter Concentration and Emission Rates.*** Rule 4201 and Rule 4202 apply to operations that emit or may emit dust, fumes, or total suspended particulate matter.
- ***Rule 4622—Gasoline Transfer Into Motor Vehicle Fuel Tanks.*** Rule 4622 applies to any gasoline storage and dispensing operation or mobile fueler from which gasoline is transferred into motor vehicle fuel tanks. The purpose of this rule is to limit emissions of gasoline vapors from the transfer of gasoline escaping into the atmosphere; vapor recovery systems would be implemented to reduce the release of volatile organic compounds.
- ***Rule 8011—General Requirements: Fugitive Dust Emission Sources.*** Fugitive dust regulations are applicable to outdoor fugitive dust sources. Operations, including construction operations, must control fugitive dust emissions in accordance with SJVAPCD Regulation VIII. According to Rule 8011, the SJVAPCD requires the implementation of control measures for fugitive dust emission sources. For Projects in which construction-related activities would disturb equal to or greater than 1 acre of surface area, the SJVAPCD recommends that demonstration of receipt of an SJVAPCD-approved Dust Control Plan or Construction Notification Form before issuance of the first grading permit be made a condition of approval.

Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI). The SJVAPCD prepared GAMAQI to assist lead agencies and Project applicants in evaluating the potential air quality impacts of Projects in the SJVAB. The GAMAQI provides SJVAPCD-recommended procedures for evaluating potential air quality impacts during the CEQA environmental review process. The GAMAQI guides evaluating short-term (construction) and long-term (operational) air emissions. The most recent version of the GAMAQI, adopted on March 19, 2015, was used in this evaluation. It contains guidance on the following:

- Criteria and thresholds for determining whether a Project may have a significant adverse air quality impact;
- Specific procedures and modeling protocols for quantifying and analyzing air quality impacts;
- Methods to mitigate air quality impacts; and
- Information for air quality assessments and environmental documents, including air quality, regulatory setting, climate, and topography data.

2035 Kings County General Plan: The 2035 General Plan *Air Quality Element* includes the following goals, objectives, and policies, which reduce impacts associated with air quality that relate to the proposed Project:

- **AQ Goal C1: Use Air Quality Assessment and Mitigation programs and resources of the SJVAPCD and other agencies to minimize air pollution, related public health effects, and potential climate change impacts within the County.**
  - AQ Objective C1.1: Accurately assess and mitigate potentially significant local and regional air quality and climate change impacts from proposed Projects within the County.
    - *AQ Policy C1.1.1*: Assess and mitigate Project air quality impacts using analysis methods and significance thresholds recommended by the SJVAPCD.
    - *AQ Policy C1.1.3*: Ensure that air quality and climate change impacts identified during CEQA review are minimized, consistently, and reasonably mitigated at a minimum, to levels as required by CEQA.
    - *AQ Policy C1.1.6*: Encourage and support the development of innovative and effective mitigation measures and programs to reduce air quality and climate change impacts through proactive coordination with the SJVAPCD, Project applicants, and other knowledgeable and interested parties.

- **AQ Goal F1: Minimize exposure of the public to hazardous air pollutant emissions, particulates and noxious odors from freeways, major arterial roadways, industrial, manufacturing, and processing facilities.**
  - AQ Objective F1.1: Locate adequate Sites for industrial development and roadway Projects away from existing and planned sensitive land uses which minimize or avoid potential health risks to people that might result from hazardous air pollutant emissions.
    - *AQ Policy F2.1.1*: Coordinate with the SJVAPCD to ensure that construction, grading, excavation, and demolition activities within County's jurisdiction are regulated and controlled to reduce particulate emissions to the maximum extent feasible.
    - *AQ Policy F2.1.2*: Require all access roads, driveways, and parking areas serving new commercial and industrial development are constructed with materials that minimize particulate emissions and are appropriate to the scale and intensity of use.

Discussion

Thresholds of Significance

Certain air districts (e.g., SJVAPCD) have created guidelines and requirements for air quality analyses. SJVAPCD's current guidelines, the *Guidance for Assessing and Mitigating Air Quality Impacts* (GAMAQI) (SJVAPCD 2015) was, followed in this assessment of air quality and climate impacts for the proposed Project.

Based on the *State CEQA Guidelines*, Appendix G (Public Resources Code Sections 15000–15387), a Project would normally be considered to have a significant effect on air quality if the Project would violate any CAAQS, contribute substantially to an existing air quality violation, expose sensitive receptors to substantial pollutants concentrations, or conflict with adopted environmental plans and goals of the community in which it is located.

The SJVAPCD defines a threshold of significance in its *GAMAQI as* an identifiable quantitative, qualitative, or performance level of a particular environmental effect. Compliance with a threshold of significance means the effect normally will be determined to be less than significant. Non-compliance with a threshold of significance means the effect will normally be determined to be significant. The SJVAPCD has established thresholds of significance for criteria pollutant emissions generated during the construction and operation of the Project, as shown in Table 3-5 below.

Emissions Source	Pollutant Emissions Thresholds (tons/year)					
	VOCs	NOx	CO	SOx	PM_{10}	$PM_{2.5}$
Construction	10	10	100	27	15	15
Operations	10	10	100	27	15	15

CO = carbon monoxide
NO_x = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
SJVAPCD = San Joaquin Valley Air Pollution Control District
SO_x = sulfur oxides
VOCs = volatile organic compound

Table 3-5. Regional Thresholds for Construction and Operational Emissions; Source: SJVAPCD 2015. Guidance for Assessing and Mitigating Air Quality Impacts.

The emissions thresholds in the SJVAPCD GAMAQI were established based on the attainment status of the air basin regarding air quality standards for specific criteria pollutants. Because the concentration standards were set at a level that protects public health with an adequate margin of safety, these emission thresholds are considered conservative. They would overstate an individual Project's contribution to health risks.

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

No Impact: The SJVAPCD has adopted several attainment plans that outline the long-term strategies designed to achieve compliance with the NAAQS and CAAQS. According to SJVAPCD, Projects with emissions below the thresholds of significance for criteria pollutants would be determined not to conflict with or obstruct implementation of the District's air quality plan (SJVAPCD 2015).

The proposed Project consists of constructing a new wireless telecommunications facility. The only element of the proposed facility that has the potential to impact air quality during operations is the proposed diesel generator, which would be used only in emergency situations when electrical services are unavailable to run the facility. The generator would be tested periodically to ensure its ability to provide power should it be needed. The emissions produced by this periodic testing of the generator would be well below the SJVAPCD screening criteria for

this type of development. Other potential impacts to air quality would be related to the construction portion of this Project (e.g., use of equipment with internal combustion engines, dust related to construction activities) and would be temporary in nature, lasting only two to four weeks. Thus, due to the relatively small scope of this Project, the proposed Project would not conflict with or obstruct the implementation of SJVAPCD air quality plans, and there is *no Impact.*

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

Less Than Significant Impact: As discussed above in the response to question (a), the only element of the proposed facility that has the potential to impact air quality during Site operations is the proposed diesel generator. The generator will primarily be used in emergency situations and will be tested periodically to ensure that it continues to work properly. The emissions from generator operations and testing would be periodic and well below the criteria thresholds. The SJVAPCD categorizes the area including the Project Site to be in federal and/or State nonattainment for O2, PM2.5, and PM10. Construction and operation of the proposed facility would not contribute significantly to these emission levels. Other potential air quality impacts resulting from construction of the facility would be temporary, lasting only two to four weeks, and lessened by the implementation of typical construction best management practices. Therefore, the Project would not cause a violation of any air quality standard and would not contribute substantially to any existing or projected air quality violation.

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

Less than Significant Impact: The nearest sensitive receptor to the Project Site are the single- and multi-family residences to the north and south of the Project Site.

Operation of the proposed Project would not be expected to cause any localized emissions that could expose nearby sensitive receptors to unhealthy long-term air pollutants. Construction emissions would result in localized emissions of dust and diesel exhaust that could temporarily impact nearby residents.

Construction and grading activities would produce combustion emissions from various sources, including heavy equipment engines and motor vehicles used by construction workers. Dust would be generated during Site clearing, grading, and construction activities, with the most dust occurring during grading activities. The amount of dust generated would be highly variable and dependent on the size of the disturbed area, the amount of activity, soil conditions, and meteorological conditions.

Construction activities would primarily take place within the 40-foot by 40-foot compound area. Additionally, a 165-foot long driveway will be constructed connecting the Project Site to

the private Front Street. Front Street connects the Project Site to the nearest public road, Main Street. Construction activities would be temporary and likely only last several weeks. Given the small footprint of the Project (0.08 acres), only limited construction equipment would be necessary for the construction tasks. Therefore, construction of the proposed Project would not expose sensitive receptors to substantial pollutant concentrations.

Construction of the proposed Project would include ground-disturbing activities that may result in increased emissions of airborne particulate matter. The Project would be required to comply with SJVAPCD Regulation VIII (Fugitive PM10 prohibitions). Mandatory compliance with SJVACPD Regulation VIII would reduce emissions of fugitive dust from the Project Site. As a result, localized emissions of airborne particulate matter emitted during construction would be *less than significant.*

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

Less Than Significant Impact: The proposed Project consists of the construction and operation of a new wireless telecommunications facility. The only aspect of the Project that has the potential to result in other emissions, such as odors, is the proposed diesel generator. This generator is intended for use only during emergency situations and periodic tests to ensure its functionality. The resulting emissions from the periodic testing or infrequent emergency use, such as those resulting in odors, will be negligible and therefore will not adversely affect a substantial number of people and will have a *less than significant impact.*

IV. BIOLOGICAL RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish & Game or U.S. fish and Wildlife Service?	☐	☐	☑	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☑
c) Have a substantial adverse effect on state or Federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through director removal, filling, hydrological interruption, or other means?	☐	☐	☐	☑
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?				

Environmental Setting

The approximately 1,600 square foot Site is level and vacant with a dirt surface and is within the Stratford urbanized area. Single- and multi-family homes and vacant land surround the property. There are no riparian areas or known critical habitat areas onsite or in the vicinity. The only vegetation on the Site is a group of shrubs and ruderal plant species. No vegetation will need to be removed.

The Project Site is in the San Joaquin Valley in Kings County, within the unincorporated community of Stratford. The Site is near the intersection of Main Street and Railroad Street. The Project Site is approximately 600 feet east of State Route (SR) 41. The Site is in the Stratford U.S. Geological Survey (USGS) 7.5-minute quadrangle in Section 17, Township 20 South, Range 20 East, at an elevation of approximately 189.22 feet above mean sea level.

Regulatory Setting

Federal Endangered Species Act (FESA): The Federal ESA protects plants and animals listed as endangered or threatened by USFWS and the National Marine Fisheries Service (NMFS). Section 9 of the ESA prohibits the taking of listed wildlife, where take is defined as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct" (50 Code of Federal Regulations [CFR] 17.3). For plants, this statute governs "removing, possessing, maliciously damaging, or destroying any listed plant on Federal land and removing, cutting, digging up, damaging, or destroying any listed plant on non-Federal land in knowing violation of state law" (16 U.S. Code [USC] 1538). Under Section 7 of ESA, Federal agencies are required to consult with USFWS if their actions, including permit approvals or funding, could adversely affect a listed (or proposed) species (including plants) or its Critical Habitat (see definition of Critical Habitat below). Through consultation and the issuance of a biological opinion (BO), the USFWS may issue an incidental take statement allowing take of the species that is incidental to an otherwise authorized activity, provided the activity will not jeopardize the continued existence of the species. Section 10 of ESA provides for issuance of incidental take permits where no other Federal actions are necessary provided a habitat conservation plan (HCP) is developed.

The Federal Migratory Bird Treaty Act (FMBTA: 16 USC 703-712): The Migratory Bird Treaty Act (MBTA) implements international treaties between the United States and other nations devised to protect migratory birds, any of their parts, eggs, and nests from activities such as hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized in the regulations or by permit. As authorized by the MBTA, the USFWS issues permits to qualified applicants for the following types of activities: falconry, raptor propagation, scientific collecting, special

purposes (rehabilitation, education, migratory game bird propagation, and salvage), take of depredating birds, taxidermy, and waterfowl sale and disposal. The regulations governing migratory bird permits can be found in 50 CFR part 13 General Permit Procedures and 50 CFR part 21 Migratory Bird Permits. The State of California has incorporated the protection of birds of prey in §§ 3800, 3513, and 3503.5 of the California Fish and Game Code.

Birds of Prey (CA Fish and Game Code Section 3503.5): Sections 3800, 3513, and 3503 of the California Fish and Game Code specifically protect birds of prey. Section 3800 states that it is unlawful to take nongame birds, such as those occurring naturally in California, that are not resident game birds, migratory game birds, or fully protected birds, except when in accordance with regulations of the commission or a mitigation plan approved by CDFW for mining operations. Section 3513 explicitly prohibits taking or possessing any migratory nongame bird as designated in the MBTA. Section 3503 of the California Fish and Game Code prohibits the take, possession, or needless destruction of the nest or eggs of any bird. Additionally, Subsection 3503.5 prohibits taking, possessing, or destroying any birds and their nests in the orders Strigiformes (owls) or Falconiformes (hawks and eagles). These provisions, along with the Federal MBTA, serve to protect nesting raptors.

Clean Water Act: Section 404 of the Clean Water Act of (1972) is to maintain, restore, and enhance the physical, chemical, and biological integrity of the nation's waters. Under Section 404 of the Clean Water Act, the US Army Corps of Engineers (USACE) regulates discharges of dredged and filled materials into "waters of the United States" (jurisdictional waters). Waters of the US, including navigable waters of the United States, interstate waters, tidally influenced waters, and all other waters where the use, degradation, or destruction of the waters could affect interstate or foreign commerce, tributaries to any of these waters, and wetlands that meet any of these criteria or that are adjacent to any of these waters or their tributaries.

California Endangered Species Act (CESA): The California ESA (California Fish and Game Code §§ 2050- 2116) generally parallels the main provisions of ESA, but unlike its Federal counterpart, the California ESA applies the take prohibitions to species proposed for listing (called "candidates" by the state). Section 2080 of the California Fish and Game Code prohibits the taking, possession, purchase, sale, and import or export of endangered, threatened, or candidate species, unless otherwise authorized by permit or in the regulations. Take is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." the California ESA allows for take incidental to otherwise lawful development Projects. State lead agencies are required to consult with CDFW to ensure that any action they undertake is not likely to jeopardize the continued existence of any endangered, threatened, or candidate species or result in the destruction or adverse modification of essential habitat.

2035 Stratford Community Plan: The Stratford Community Plan contains the following relevant objective to limit impacts on biological resources:

- SCP Objective *8E.1: Prevent the disturbance and or destruction of natural resources within the community from encroachment of new development or loss through disinterest and abandonment.*

2035 Kings County General Plan: The 2035 General Plan *Resource Conservation Element* contains the following goals, objectives, and action plans relating to biological resources.

- **RC Goal D1: *Preserve land that contains important natural plant and animal habitats.***
  - RC OBJECTIVE D1.1: Require that development in or adjacent to important natural plant and animal habitats minimize the disruption of such habitats.
    - *RC Policy D1.1.1*:

    Evaluate all discretionary land use applications in accordance with the screening procedures contained in the Biological Resources Survey located in Appendix C. If the results of the Project screening indicate the potential for important biological resources to exist on the Site a biological evaluation (consistent with Appendix C) shall be performed by a qualified biologist. If the evaluation indicates that the Project could have a significant adverse impact, mitigation shall be required or the Project will be redesigned to avoid such impacts. Mitigation shall be provided consistent with the California Environmental Quality Act (CEQA), and applicable state and Federal guidelines as appropriate. Mitigation may include habitat improvement or protection, acquisition of other habitat, or payment to an appropriate agency to purchase, improve, or protect such habitat.

    RC Policy D1.1.2: Require project applicants to consult with the California Department of Fish and Game and the United States Fish & Wildlife Service and to obtain appropriate authority for any such take pursuant to Endangered Species Act requirements if new development or other actions are likely to result in incidental take of any threatened or endangered species.

- **RC GOAL E1: *Balance the protection of the County's diverse plant and animal communities with the County's economic needs.***
  - RC OBJECTIVE E1.1: Require mitigation measures to protect important plant and wildlife habitats.
    - *RC Policy E1.1.1*: Complete the inquiry process outlined in Appendix C in the initial Project review for development permits to determine whether the Project is likely to have a significant adverse impact on any threatened or endangered species habitat locations, and to assure appropriate consideration of habitat preservation by development. Maintain current copies of California Department of Fish and Game and United States Fish and Wildlife Service maps showing locations of known threatened and endangered species habitat. If shown to be necessary, require the developer to consult with the California Department of Fish and Game, the United States Fish and Wildlife Service, and the United States Army Corps of Engineers as to potential impacts, appropriate mitigation measures, and required permits.

- *RC Policy E1.1.2*: Require as a primary objective in the review of development Projects the preservation of healthy native oaks and other healthy native trees.
- *RC Policy E1.1.3*: Maintain to the maximum extent practical the natural plant communities utilized as habitat by threatened and endangered species (see Appendix C for a listing and map of these plant communities).

Discussion

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

Less Than Significant Impact A review of the Site identified no trees on the property and no wetland areas, creek corridors, or areas that appear to be sensitive habitat areas. The Site is 0.55 miles from the Kings River. According to the National Wetlands Inventory, no wetlands exist on the Site. The nearest wetland is a Riverine approximately .25 miles southeast of the Project Site. Per the EIR prepared for the Kings County General Plan, no known special status species were identified in the vicinity. Therefore, the impact would be *less than significant.*

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

No Impact: The Project Area is located in a vacant area surrounded by development. No riparian habitat or other sensitive vegetation communities have been identified near the Project Site; therefore, the proposed Project would not affect any such habitats. No impact would occur. There is *no impact.*

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

No Impact: No jurisdictional wetlands or non-wetland waters occur within the Project Area. Therefore, no direct or indirect impacts on jurisdictional waters or wetlands would exist. No impact would occur. There is *no impact.*

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

Less than Significant Impact: The proposed Project will not disturb any waterways since the nearest one, the Kings River, is located .55 miles to the west. Consequently, migratory fish will

not be affected. Additionally, there are no plans to remove any trees that could serve as potential nesting habitats for raptors and migratory birds in the Project's vicinity.

Other wildlife potentially found in California's Central Valley will not be impacted. The Site is situated outside of key movement pathways for mammals such as black-tailed deer, mountain lions, and coyotes. Additionally, the Project site does not encompass riparian or vegetated areas crucial for species like the Western pond turtle or California red-legged frog. Insects such as monarch butterflies and various bee species are also unlikely to be affected, as the Project does not involve the removal of habitat features important for their migration or foraging. Consequently, the Project is not expected to interfere with the movement of migratory wildlife within the Central Valley. There will be no impacts on any wildlife habitat, and any effects on wildlife will be *less than significant.*

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

No Impact: The Resource Conservation Element of the 2035 Kings County General Plan includes several goals and policies related to biological resources. These goals are summarized as follows:

1. Protect the Kings River and its associated riparian habitat.
2. Preserve land that contains important natural plant and animal habitats.
3. Maintain the quality of natural wetland areas.
4. Protect and manage riparian environments as valuable resources.

Since the Project is .55 miles from the Kings River, .25 miles from a wetland area, and will not remove any natural plant or animal habitats, the Project will remain consistent with the General Plan.

The Project site does not contain trees, and no tree removal is proposed; therefore, tree preservation policies or ordinances do not apply. Therefore, no impact would occur. There is *no impact.*

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

No Impact: Species or habitats covered within any Habitat Conservation Plan, Critical Habitat Designations, or other approved conservation plans have not been identified within the Project Area. As such, the proposed Project would not be located within an area affected by or subject to a local, regional, or state habitat conservation plan. Therefore, no impact would occur. There is *no impact.*

V. CULTURAL RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☑	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☑	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☑	☐	☐

Southern San Joaquin Valley Information Center Record Search Results

On July 1, 2024, an archival records search was conducted at the SSJVIC to support the proposed project. The search covered the entire APE and a 0.5-mile radius around it, referred to as the Cultural Study Area. The information sources included previous surveys and cultural resource files, the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the Office of Historic Preservation (OHP) Archaeological Determination of Eligibility, the OHP Directory of Properties in the Historic Property Data File, historical topographic maps, and historical aerial photographs.

The search found no previous studies or recorded cultural resources within the Cultural Study Area. However, eight cultural resource studies have been completed within the 0.5-mile radius. Additionally, two recorded cultural resources, P-16-000122 and P-16-000245, exist within this radius. These resources include a historic road and a canal.

Regulatory Setting

This report defines "cultural resources" as prehistoric or historical archaeological Sites and historical objects, buildings, or structures. Following 36 Code of Federal Regulations (CFR) §60.4, "historical" in this report applies to cultural resources at least 50 years old. The significance or importance of a cultural resource is dependent upon whether the resource qualifies for inclusion at the local level in a local register of historical resources, at the state level in the California Register of Historical Resources (CRHR), or the Federal level in the National Register of Historic Places (NRHP). Cultural resources that are determined to be eligible for inclusion in the CRHR are called "historical resources" (California Code of Regulations [CCR] 15064.5[a]).

Under this statute, the determination of eligibility is partially based on the consideration of the criteria of significance as defined in 14 CCR 15064.5(a)(3). Cultural resources eligible for the NRHP are deemed "historic properties."

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

California Environmental Quality Act: Under CEQA, a historical resource is a resource listed in, or determined to be eligible for listing in, the CRHR. Historical resources may include, but are not limited to, "any object, building, structure, Site, area, place, record, or manuscript which a lead agency determines to be historically or archaeologically significant" (PRC §5020.1[j]). In addition, a resource included in a local register of historical resources or identified as significant in a local survey conducted per the state guidelines is also considered a historic resource under California Public Resources Code (PRC) Section 5020.1.

CEQA details appropriate measures for the evaluation and protection of cultural resources in §15064.5 of the CEQA Guidelines. According to CEQA guidelines §15064.5 (a)(3), the criteria for listing on the CRHR includes the following:

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

According to CEQA guidelines §21074 (a)(1), criteria for tribal cultural resources includes the following:

Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

1. *Included or determined to be eligible for inclusion in the California Register of Historical Resources.*
2. *Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.*

Protection of cultural resources within California is additionally regulated by PRC §5097.5, which prohibits the destruction, defacing, or removal of any historic or prehistoric cultural features on land under the jurisdiction of State or local authorities.

Health and Safety Code, Section 7050.5: Section 7050.5 of the California Health and Safety Code requires that construction or excavation be stopped in the vicinity of discovered human remains until the county coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California Native American Heritage Commission (NAHC). CEQA Guidelines (Public Resources Code Section 5097) specify the procedures to be followed when discovering human remains on non-Federal land. The disposition of Native American burials falls within the jurisdiction of the NAHC.

2035 Kings County General Plan:
The 2035 General Plan Resource Conservation Element includes the following goals, objectives, and policies that are potentially applicable to the proposed Project:

- **RC GOAL I1:** ***Preserve significant historical and archaeological Sites and structures that represent the ethnic, cultural, and economic groups that have lived and worked in Kings County.***
  - RC OBJECTIVE I1.1: Promote the rehabilitation or adaptation to new uses of historic Sites and structures.
    - *RC Policy I1.1.2*: Direct proposed developments that may affect proposed or designated historic Sites or County landmarks to the Kings County Museum Advisory Committee or other similarly purposed advisory body under the Kings County Parks and Recreation Advisory Commission for review and comment.
    - *RC Policy I1.1.3*: Encourage the protection of cultural and archaeological Sites with potential for placement on the National Register of Historic Places and/or inclusion in the California Inventory of Historic Resources.
    - *RC Policy I1.1.4*: Refer applications that involve the removal, destruction, or alteration of proposed or designated historic Sites or County landmarks to the Kings County Museum Advisory Committee or its successor for recommended mitigation measures.

  - RC OBJECTIVE I1.2: Identify potential archaeological and historical resources and, where appropriate, protect such resources.
    - *RC Policy I1.2.1*: Participate in and support efforts to identify significant cultural and archaeological resources and protect those resources in accordance to Public Resources Code 5097.9 and 5097.993.
    - *RC Policy I1.2.2*: Continue to solicit input from local Native American communities in cases where development may result in disturbance to Sites containing evidence of Native American Activity and/or to Sites of cultural importance.
    - *RC Policy I1.2.3*: Address archaeological and cultural resources in accordance with the California Environmental Quality Act (CEQA) for discretionary land use applications.

- *RC Policy I1.2.4*: The County will respectfully comply with Government Code §65352.3 (SB18) by conducting formal consultations with tribes as identified by the Native American Heritage Commission on all general plan and specific plan amendments.
- *RC Policy I1.2.5*: The County will respectfully comply with Government Code §6254.(r) and 6254.10 by protecting confidential information concerning Native American cultural resources. For example, adopting internal procedures such as keeping confidential archaeological reports away from public view or discussion in public meetings.
- *RC Policy I1.2.1.6*: The County shall work in good faith with the Santa Rosa Rancheria Tachi Yokut Tribe ("Tribe"), the developer and other parties if the Tribe requests return of certain Native American artifacts from private development Projects (e.g., for interpretive or educational value). The developer is expected to act in good faith when considering the Tribe's request for artifacts. Artifacts not desired by the Tribe shall be placed in a qualified repository as established by the California State Historical Resources Commission (see Guidelines for the Curation of Archaeological Collections, May 1993). If no facility is available, then all artifacts shall be donated to the Tribe.

Discussion

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

Less Than Significant Impact with Mitigation: The Project's construction will include a limited amount of ground disturbance to construct the base for the monopole. Although no cultural resources have been identified, the presence of remains or unanticipated cultural resources under the ground surface is possible. Implementing Mitigation Measures CUL-1 and CUL-2 will ensure that impacts on this checklist item will be *less than significant with mitigation* incorporation.

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

Less Than Significant Impact with Mitigation: No known archaeological resources have been identified within the Project area. Implementing Mitigation Measures CUL-1 and CUL-2 will ensure that the potential impact on unknown archeological resources will be *less than significant with mitigation incorporation.*

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

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

Mitigation Measures for Impacts on Cultural Resources

Mitigation Measure CUL-1: Procedures for Handling Encountered Historical Resources. Construction shall stop within a 50-foot buffer surrounding the find if previously unknown resources are encountered before or during grading activities. A qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the County on the measures that shall be implemented to protect the discovered resources, including but not limited to excavating the finds and evaluating the discoveries following Section 15064.5 of the CEQA Guidelines and the County's General Plan.

If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoiding or capping, incorporating the Site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the discovery area until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a County-approved institution or person capable of providing long-term preservation to allow future scientific study. Further grading or site work within the area of discovery shall not be allowed until the preceding steps have been taken.

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

Mitigation Measure CUL-3: Pre-Construction Cultural Survey Requirement. Prior to any construction activities, a qualified professional consultant must conduct a field survey of the project site to determine if any cultural resources are present. The results of this survey must be submitted to the Kings County Community Development Agency for review. If any cultural resources are identified, further consultation with the appropriate authorities, including the Native American Heritage Commission, may be necessary to ensure proper management and preservation of these resources. No ground-disturbing activities shall commence until the survey has been completed and the results have been reviewed by the County.

VI. ENERGY

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?	☐	☐	☑	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☑

Environmental Setting

Pacific Gas and Electric (PG&E) provides electricity services to the region. PG&E serves approximately 16 million people throughout a 70,000-square-mile service area in northern and central California. PG&E supplies electricity to its customers through various renewable and nonrenewable sources. Table 3-6 below shows the proportion of each energy resource sold to California consumers by PG&E in 2022 compared to the statewide average.

Fuel Type		PG&E Power Mix	California Power Mix
Coal		0%	2.1%
Large Hydroelectric		7.6%	9.2%
Natural Gas		4.8%	36.4%
Nuclear		49.3%	9.3%
Other (Oil/Petroleum Coke/Waste Heat)		0.0%	0.1%
Unspecified Sources of Power[1]		0.0%	7.1%
Eligible Renewables	*Biomass*	4.6%	2.1%
	Geothermal	0.5%	4.7%
	Small Hydro	1.8%	1.1%
	Solar	22%	17%
	Wind	9.4%	10.8%
	Total Eligible Renewable	**38.3%**	**35.8%**

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

Table 3-6. 2022 PG&E and State average power resources; Source: PG&E and California Energy Commission

PG&E also offers Solar Choice and Green Saver programs, which allow consumers to indirectly purchase up to 100% of their energy from renewable sources without installing private rooftop solar panels. To accomplish this, PG&E buys the renewable energy necessary to meet the needs of participants.

The Project will not require natural gas during operation.

No federal, State, or local regulations, plans, programs, or guidelines associated with energy are applicable to the proposed project.

Discussion

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

Less Than Significant Impact: The construction phase of the proposed project will involve the temporary use of energy resources, such as vehicle and equipment fuels (gasoline and diesel), as well as electricity and natural gas. This consumption will be brief and incidental, without leading to wasteful, inefficient, or unnecessary use of energy resources. The wireless telecommunications facility will receive electricity from existing PG&E lines for long-term operations. An on-site diesel generator will provide power during a power outage. Fuel use for maintenance visits to the facility will be minimal.

Overall, while the project will require energy, it will not result in wasteful, inefficient, or unnecessary consumption of energy resources, and the impacts will be less than significant. The impact is *less than significant.*

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

No Impact: The proposed project would not result in a substantial new demand for energy resources and will not conflict with or obstruct any state or local renewable energy or energy efficiency plans. The proposed Project will comply with all state and local policies related to energy efficiency, and there will be *no impact*.

VII. GEOLOGY AND SOILS

Would the Project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
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 and indirect risks to life or property?	☐	☐	☐	☑
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☑
f) Directly or indirectly destroy a unique paleontological resource or Site or unique geologic feature?	☐	☑	☐	☐

Environmental Setting

Geologic Stability and Seismic Activity

- **Seismicity:** The Kings County Area has no known major fault systems within its boundaries. The most significant potential for seismic activity is posed by the San Andreas Fault, four miles west of the Kings County boundary line with Monterey County. The San Andreas fault divides the Pacific and North American tectonic plates, and its closest location relative to the Project area is approximately 40 miles southwest in the Coast Range mountains. Another large fault that may be a potential hazard is the White Wolf fault, south of Kings County near Arvin and Bakersfield, approximately 95 miles south of the Project area. Additionally, there are faults to the east, mainly on the east side of the Sierra Nevada Mountain Range. According to the *1974 Five County Seismic Safety Element (FCSSE) (Tulare County Association of Governments, 1974),* Kings County is divided into two seismic zone groups based on ground shaking characteristics: Valley Zones (V1-V4) and Coast Ranges Zones (C1 and C2). The Project area is in the "V-1" (Valley-1) zone. The FCSSE identifies the V-1 Zone as having a low risk of seismic activity, as the distance from either fault line is large enough that the effect of seismic activities is minimal. The distance from these faults to the Project area is sufficient to protect the area from the most severe damage from ground shaking. The probability of exceeding peak ground acceleration (% g) in the next 50 years has a 20-30% chance in the Project area and its immediate surroundings.
- **Liquefaction**: Liquefaction is a phenomenon whereby unconsolidated or near-saturated soils lose cohesion and are converted to a fluid state due to severe vibratory motion. The relatively rapid loss of soil shear strength during strong earthquake shaking results in temporary, fluid-like soil behavior, resulting in landslides, lateral spreading, and structural collapse. The Kings County General Plan *Health and Safety Element* states that the San Joaquin Valley soils have liquefaction potential. Still, the risk and danger associated with liquefaction are considered to be minimal. The Project Site is an area where liquefaction has the potential to occur, as does most of Kings County east of Interstate 5 and west of Hanford. Risks and dangers associated with liquefaction are proportional to ground shaking intensity, and seismic activity is low in the Project area, so the potential damages from liquefaction would be minimal.
- **Landslides**: Landslides refer to a wide variety of processes that result in the downward and outward movement of soil, rock, and vegetation under gravitational influence. Natural and human-induced slope stability changes cause landslides and often accompany other natural hazard events, such as floods, wildfires, or earthquakes. Landslide risk is also influenced by precipitation, topography, and geology. The southwestern corner of the County along the Coast Ranges has a high landslide incident probability due to steep slopes but is designated for Agricultural, and Natural Resource Conservation land uses and is mainly uninhabited and remote. Most of the County, including the proposed Project Site, is considered to have low or no potential

for landslide incidence, and any moderate areas are located in remote, uninhabited sections in the southwestern part of the County.

- **Subsidence**: Land Subsidence refers to the vertical sinking of land due to either manmade or natural underground voids. Subsidence has occurred throughout the San Joaquin Valley due to groundwater, oil, and gas withdrawal. According to the Kings County Seismic Zone Description with data derived from the FCSSE, the proposed Project Site does not have the potential for subsidence, and any areas within the County with the potential for subsidence have minimal risks and dangers associated with this occurrence.

Soils Involved in the Project: The proposed Project Site contains two soil types, according to the US Department of Agriculture (USDA) Web Soil Survey. The properties of the soil are described briefly below, as defined by the USDA:

- **Grangeville Sandy Loam:** The Excelsior series consists of very deep, somewhat poorly drained soils that formed in moderate coarse textured alluvium dominantly from granitic rock sources. Grangeville soils are on alluvial fans and floodplains, with slopes ranging from 0 to 2 percent.

- **Urban Land:** The term urban soil refers to soils in areas of high population density in a largely built environment. These soils can be significantly changed by human-transported materials, human-altered materials, or minimally altered or intact “native” soils. Soils in urban areas exhibit a wide variety of conditions and properties and may have impervious surfaces, such as buildings and pavement.



Figure 3-6: Soils Map

Regulatory Setting

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

2035 Kings County General Plan:
The *2035 General Plan Health and Safety Element* includes the following policies regarding soils and geology:

- *HS Policy A1.3.1*: Implement natural hazards review criteria for new development that is based upon information provided in the Natural Hazards Section of the Health and Safety Element to improve long term loss prevention.
- *HS Policy A1.4.1*: Implement the current California Building Codes and any subsequent amendments as contained within California Code of Regulations Title 24 to improve disaster resistance of future buildings.
- *HS Policy A2.1.1*: Maintain and enforce current building codes and standards to reduce the potential for structural failure caused by ground shaking and other geologic hazards.
- *HS Policy A2.1.2*: Use the 1997 Uniform Code for the Abatement of Dangerous Buildings of a non-residential nature, and the 1997 Uniform Housing Code to assess unsafe residential structures and ensure their safe construction and rehabilitation.
- *HS Policy A2.1.3*: Prohibit new construction along known fault zones, and limit uses to nonstructural land uses.
- *HS Policy A2.1.4*: Review all development proposals to determine whether geotechnical soils report is required for new construction.
- *HS Policy A2.1.5*: Consider the environmental review process for land use Projects seismic hazards, including subsidence, liquefaction, flooding, local soils, and geologic conditions.

The *2035 General Plan Resource Conservation Element* includes the following objective and policy regarding soils and geology:

- *RC Objective C2.2*: Ensure that land use decisions are compatible with the control of soil erosion and the maintenance of soil quality.
- *RC Policy C.2.2*: Continue to require the application of construction related erosion control measures, including SWPPPs, for all new construction.

Discussion

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

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

No Impact: As discussed above in the Geologic Stability and Seismic Activity analysis, the Project is in an area with relatively low seismic activity, meaning the Site has an insignificant chance of being affected by ground shaking from distant faults. The potential for solid seismic ground shaking on the Project Site is not a significant environmental concern due to the infrequent seismic activity of the area and the distance to the faults. The Project does not propose any components which could cause substantial adverse effects in the event of an earthquake. Additionally, the Project has no potential to cause the rupture of an earthquake fault indirectly or directly. Therefore, there is *no impact* related to the risk of loss, injury, or death involving a rupture of a known earthquake fault.

ii. Strong seismic ground shaking?

No Impact: According to the Five County Seismic Safety Element, the Project Site is in an area of low seismic activity. The proposed Project does not include any activities or components that could feasibly cause strong seismic ground shaking, either directly or indirectly. The low chance of seismic hazards would be minimized by implementing seismic requirements specified by the CBC. There is *no impact.*

iii. Seismic-related ground failure, including liquefaction?

Less than significant impact: The 2035 Kings County General Plan *Health and Safety Element* identifies most of the county as having a potential for liquefaction due to unconsolidated sediments and a high water table. The Project area has been designated as "V1", with some liquefaction potential. Still, the distance of the Project area from fault systems greatly reduces the risks and dangers associated with ground shaking. Additionally, the area's low potential for seismic activity would further decrease the likelihood of liquefaction occurrence. In addition, liquefaction hazards would be minimized by implementing seismic requirements specified by the CBC, so the impact is *less than significant.*

iv. Landslides?

No Impact: Kings County is generally considered to have a low risk of landslides; with the areas at risk confined to small, remote, and uninhabited sections of the southwest part of the County.

The Project Site, however, is situated on flat terrain with no hill slopes or geologic landforms that could contribute to a landslide event. Consequently, there is no landslide risk at the Project Site, and the potential for landslides occurring there is extremely low. There would be *no impact.*

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

Less Than Significant Impact: The Project would disturb approximately 0.08 acres and include minor ground disturbance that would not result in substantial erosion or the loss of topsoil. Due to the small size of the proposed Project and associated earthmoving activities, soil erosion impacts would be less than significant, and no mitigation would be required.

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

Less than Significant Impact: As addressed in response to questions a) and b) above, the Project Site is not situated in an area susceptible to landslides, liquefaction, or other geological hazards. Lateral spreading, induced by liquefaction, occurs when seismic ground shaking causes slopes with saturated soils to liquefy and flow toward the open slope face. However, the Project Site is predominantly flat and lacks significant slopes, negating this concern. Ground subsidence generally occurs when overdrafts from a groundwater basin diminish the upward hydraulic pressure that supports the land surface above, leading to the consolidation or settlement of the underlying soils. Extensive areas of the San Joaquin Valley, including the Project Site, have undergone subsidence due to groundwater usage. As previously noted, the Health and Safety Element of the 2035 Kings County General Plan indicates minimal risk of liquefaction and subsidence within the county (Kings County 2010).

Furthermore, the proposed Project will require minimal water during construction and no water during operations, thus not significantly affecting groundwater demand in the area or causing subsidence. Additionally, geological hazards will be mitigated by implementing seismic standards outlined by the CBC. Consequently, the impacts would be *less than significant,* and no mitigation would be required.

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

No Impact: The proposed Project Site is not in an area with expansive soils, as expansive soils occur only in the county's western and southern portions. Because the soils associated with the Project do not exhibit shrink-swell behavior, implementation of the Project will pose no risk to life or property caused by expansive soils, and there is *no impact.*

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

No Impact: The proposed Project would not require wastewater services, and no on-site wastewater disposal would occur. There would be no significant impacts on or from geophysical features or hazards with the implementation of the proposed Project, and no mitigation would be necessary.

f) Would the Project directly or indirectly destroy a unique paleontological resource or Site or unique geologic feature?

Less Than Significant Impact With Mitigation: No unique geologic features or known paleontological resources are located within the Project area. However, there is always the possibility that paleontological resources may exist below the ground surface. Implementing Mitigation Measures CUL-1 and CUL-2 will ensure that any impacts resulting from Project implementation remain less *significant with mitigation*.

VIII. GREENHOUSE GAS EMISSIONS

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	☐	☐	☑	☐
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☑

Environmental Setting

Greenhouse gases (GHGs) are present in the atmosphere naturally and are released by natural sources or formed from secondary reactions taking place in the atmosphere. The gases that are seen as the principal contributors to human-induced climate change are the following:

- Carbon dioxide (CO_2)
- Methane (CH_4)
- Nitrous oxide (N_2O)
- Hydrofluorocarbons (HFCs)
- Perfluorocarbons (PFCs)
- Sulfur hexafluoride (SF_6)

A description of several different GHGs is shown below in Table 3-7.

Greenhouse Gas	Description and Physical Properties	Lifetime	GWP	Sources
Methane (CH4)	Is a flammable gas and is the main component of natural gas.	12 years	21	Emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from livestock and other agricultural practices and from the decay of organic waste in municipal solid waste landfills.

Greenhouse Gas	Description and Physical Properties	Lifetime	GWP	Sources
Carbon dioxide (CO_2)	An odorless, colorless, natural greenhouse gas.	30-95 years	1	Enters the atmosphere through burning fossil fuels (coal, natural gas, and oil), solid waste, trees, and wood products, and also as a result of certain chemical reactions (e.g., manufacture of cement). Carbon dioxide is removed from the atmosphere (or "sequestered") when it is absorbed by plants as part of the biological carbon cycle.
Chloro-fluorocarbons	Gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are non-toxic nonflammable, insoluble and chemically unreactive in the troposphere (the level of air at the earth's surface).	55-140 years	3,800 to 8,100	Were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. They destroy stratospheric ozone.
Hydrofluorocarbons	A man-made greenhouse gasses. It was developed to replace ozone-depleting gases found in a variety of appliances. Composed of a group of greenhouse gases containing carbon, chlorine an at least one hydrogen atom.	14 years	140 to 11,700	Powerful greenhouse gases that are emitted from a variety of industrial processes. Fluorinated gases are sometimes used as substitutes for stratospheric ozone-depleting substances. These gases are typically emitted in smaller quantities, but because they are potent greenhouse gases.
Nitrous oxide (N_2O)	Commonly known as laughing gas, is a chemical compound with the formula N_2O. It is an oxide of nitrogen. At room temperature, it is a colorless, non-flammable gas, with a slightly sweet odor and taste. It is used in surgery and dentistry for its anesthetic and analgesic effects.	120 years	310	Emitted during agricultural and industrial activities, as well as during combustion of fossil fuels and solid waste.
Pre-fluorocarbons	Has a stable molecular structure and only breaks down by ultraviolet rays about 60 kilometers above Earth's surface.	50,000 years	6,500 to 9,200	Two main sources of pre-fluorocarbons are primary aluminum production and semiconductor manufacturing.
Sulfur hexafluoride	An inorganic, odorless, colorless, and nontoxic nonflammable gas.	3,200 years	23,900	This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing and as a tracer gas.

Table 3-7. Greenhouse Gasses; Source: Overview of Greenhouse Gases, EPA, Intergovernmental Panel on Climate Change

Over the last 200 years, human activities have released substantial GHGs into the atmosphere. These extra emissions increase GHG concentrations in the atmosphere and enhance the natural greenhouse effect, which can cause global warming. Although GHGs produced by

human activities include naturally occurring GHGs (e.g., CO_2, CH_4, and N_2O), some gases (e.g., HFCs, PFCs, and SF_6) are entirely new to the atmosphere. Water vapor is a GHG, but it is generally excluded from the list of GHGs because it is short-lived in the atmosphere. Natural processes largely determine their atmospheric concentrations (e.g., oceanic evaporation). For this air quality study, the term "GHGs" will refer collectively to the six gases identified in the bulleted list provided above.

Regulatory Setting

Federal Regulations

The United States has historically had a voluntary approach to reducing GHG emissions; however, on April 2, 2007, the United States Supreme Court ruled that the USEPA has the authority to regulate CO_2 emissions under the Clean Air Act (CAA). The Clean Air Act is a federal law in the United States designed to control air pollution on a national level. The Supreme Court ruled that GHGs fit within the CAA's definition of a pollutant and that the USEPA did not have a valid rationale for not regulating GHGs. In December 2009, the USEPA issued an endangerment finding for GHGs under the CAA.

On December 7, 2009, the USEPA Administrator signed a final action under the CAA, finding that six GHGs (i.e., CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6) constitute a threat to public health and welfare and that the combined emissions from motor vehicles cause and contribute to global climate change.

On September 15, 2011, the USEPA and the United States Department of Transportation (USDOT) issued the final rule for the first national standards to improve the fuel efficiency of medium- and heavy-duty trucks and buses from 2014 to 2018. For combination tractors, the agencies proposed engine and vehicle standards that would achieve up to a 20 percent reduction in fuel consumption from the model year 2014 by the 2018 model year. For heavy-duty pickup trucks and vans, the agencies proposed separate gasoline and diesel truck standards, which would achieve up to a 10 percent reduction from the model year 2014 for gasoline vehicles and a 15 percent reduction for diesel vehicles (12 and 17 percent, respectively, if accounting for air conditioning leakage). Lastly, the engine and vehicle standards would achieve up to a 10 percent reduction in fuel consumption in the 2014 model year for vocational vehicles. On October 25, 2016, the USEPA and USDOT issued Phase 2 of the national standards to improve fuel efficiency standards for medium- and heavy-duty trucks and buses for model years 2021 to 2027 to achieve vehicle fuel savings as high as 25 percent, depending on the vehicle category.

The current administration finalized updated Corporate Average Fuel Economy (CAFE) standards for model years 2024 through 2026. The final rule establishes standards requiring an industrywide fleet average of approximately 49 miles per gallon (mpg) for passenger cars and light trucks in 2026 by increasing fuel efficiency by 8 percent annually for model years 2024

and 2025 and 10 percent annually for model years 2026. The agency projects that the final standards will save consumers nearly $1,400 in total fuel expenses over the lifetimes of vehicles produced in these model years and avoid the consumption of about 234 billion gallons of gas between 2030 and 2050. The National Highway Traffic Safety Administration (NHTSA) also Projects that the standards will cut GHGs from the atmosphere, reduce air pollution, and reduce the country's dependence on oil.

State Agencies

California Air Resources Board (CARB): In 1967, the State Legislature passed the Mulford-Carrell Act, which combined two Department of Health bureaus (i.e., the Bureau of Air Sanitation and the Motor Vehicle Pollution Control Board) to establish CARB. Since its formation, CARB has worked with the public, the business sector, and local governments to find solutions to the State's air pollution problems. California adopted the California Clean Air Act (CCAA) in 1988. CARB administers the CAAQS for the ten air pollutants designated in the CCAA. These 10 state air pollutants are the six criteria designated by the Federal CAA, along with four others: visibility-reducing particulates, H_2S, sulfates, and vinyl chloride.

The California Global Warming Solutions Act of 2006, widely known as Assembly Bill (AB) 32, requires CARB to develop and enforce regulations for reporting and verifying statewide GHG emissions. CARB was directed to set a statewide GHG emissions limit and a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner.

In 2016, the legislature passed, and Governor Jerry Brown signed Senate Bill (SB) 32 and AB 197. SB 32 affirms the importance of addressing climate change by codifying into statute the GHG emissions reductions target of at least 40 percent below 1990 levels by 2030 contained in Governor Brown's April 2015 Executive Order (EO) B-30-15. SB 32 builds on AB 32 and keeps California on the path toward achieving the State's 2050 objective of reducing emissions to 80 percent below 1990 levels, consistent with an IPCC analysis of the emissions trajectory that would stabilize atmospheric GHG concentrations at 450 parts per million (ppm) CO_2e and reduce the likelihood of catastrophic impacts from climate change. The companion bill to SB 32 (i.e., AB 197) provides additional direction to CARB related to adopting strategies to reduce GHG emissions.

CARB adopted the 2022 Scoping Plan Update on December 15, 2022. The 2022 Scoping Plan Update assesses progress toward the statutory 2030 target while laying out a path to achieving carbon neutrality no later than 2045. The 2022 Scoping Plan Update focuses on outcomes needed to achieve carbon neutrality by assessing paths for clean technology, energy deployment, and natural and working lands. It is designed to meet the State's long-

term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities.

SB 97 and *State CEQA Guidelines*: In August 2007, the Legislature adopted SB 97, requiring the Governor's Office of Planning and Research (OPR) to prepare and transmit new CEQA guidelines for mitigating GHG emissions or the effects of GHG emissions to the California Natural Resources Agency. The OPR submitted its proposed guidelines to the Secretary for Natural Resources on April 13, 2009, and the *State CEQA Guidelines* amendments became effective on March 18, 2010.

The *State CEQA Guidelines* amendments do not specify a threshold of significance for GHG emissions or prescribe assessment methodologies or specific mitigation measures. Instead, the amendments encourage lead agencies to consider many factors in performing a CEQA analysis but rely on the lead agencies to make their significant determinations based upon substantial evidence. The State CEQA Guidelines amendments also encourage public agencies to use programmatic mitigation plans and programs from which to tier when they perform individual Project analyses.

San Joaquin Valley Air Pollution Control District (SJVAPCD) Climate Change Action Plan

In August 2008, the SJVAPCD adopted the Climate Change Action Plan (CCAP) and finalized the report in December 2009 (SJVAPCD, 2009a). The CCAP directed the SJVAPCD to develop guidance to assist lead agencies, Project proponents, permit applicants, and interested parties in assessing and reducing the impacts of Project-specific GHG emissions on global climate change.

In December 2009, the SJVAPCD adopted the guidance: *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* (SJVAPCD, Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA, 2009b) and the policy: *District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency* (SJVAPCD 2009c). The guidance and policy rely on performance-based standards, otherwise known as Best Performance Standards (BPS) (SJVAPCD 2009b), to assess the significance of Project-specific GHG emissions on global climate change during the environmental review process, as required by CEQA. Projects implementing BPS in accordance with SJVAPCD's guidance would be determined to have a less than the significant individual and cumulative impact on GHG emissions and would not require project-specific quantification of GHG emissions.

2035 Kings County General Plan: The Kings County General Plan *Air Quality Element and Land Use Element* includes the following Goals, Objectives, and Action Plans regarding greenhouse gas emissions:

- *LU Policy B1.2.2*: Maintain the Limited Agriculture designation around Community Districts until substantial build out of a Community District has occurred according to

an adopted Community Plan, and consideration of new locations for urban uses is necessary to accommodate additional population growth.

- *LU Policy C1.1.1*: Urban type land uses such as Residential, Commercial, and Industrial that are located within Rural Interface areas shall remain limited to the previously defined extent of those land use designation areas. Minor adjustments between land uses may be considered so long as land use changes do not result in the expansion of Rural Residential zoning.
- *LU Policy D1.*2.2: Prioritize infill development of vacant and underutilized parcels within the existing special district boundaries where water and sewer service are available to reduce outward growth pressure and costly expansion of district facilities.

❖ ***AQ GOAL C1: Use Air Quality Assessment and Mitigation programs and resources of the SJVAPCD and other agencies to minimize air pollution, related public health effects, and potential climate change impacts within the County.***

➢ RC OBJECTIVE C1.1: Accurately assess and mitigate potentially significant local and regional air quality and climate change impacts from proposed Projects within the County.

- *AQ Policy C1.1.1*: Assess and mitigate Project air quality impacts using analysis methods and significance thresholds recommended by the SJVAPCD.
- *AQ Policy C1.1.2*: Assess and mitigate Project greenhouse gas/climate change impacts using analysis methods and significance thresholds as defined or recommended by the SJVAPCD, KCAG or California Air Resources Board (ARB) depending on the type of Project involved.
- *AQ Policy C1.1.3*: Ensure that air quality and climate change impacts identified during CEQA review are minimized and consistently and fairly mitigated at a minimum, to levels as required by CEQA.

Discussion

Thresholds of Significance

State CEQA Guidelines Section 15064(b) provides that the "determination of whether a Project may have a significant effect on the environment calls for a careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data," and further states that an "ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting."

Appendix G of the *State CEQA Guidelines* includes significance thresholds for GHG emissions. A Project would normally have a significant effect on the environment if it did either of the following:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy, or regulation adopted to reduce the emissions of GHGs.

Currently, no Statewide GHG emissions threshold has been used to determine a Project's potential GHG emissions impacts. Threshold methodology and thresholds are still being developed and revised by air districts in California.

Neither Kings County nor SJVAPCD has developed or adopted numeric GHG significance thresholds. Therefore, this analysis evaluates the GHG emissions based on the Project's consistency with the SJVAPCD CCAP and other applicable State GHG reduction goals.

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

Less Than Significant Impact: The Project entails installing a 100-foot monopole and an accompanying equipment shelter on an existing vacant site. The operational equipment will not produce significant GHG emissions. During construction, and from occasional maintenance vehicle trips and using a standby generator during power outages, the Project will generate only a minimal amount of GHG emissions. Consequently, the Project's GHG emissions will not be significant, resulting in a *less than significant impact.*

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

No Impact: As discussed above, the SJVAPCD has adopted a CCAP, which includes suggested BPS for proposed development Projects. Appendix J of the SJVAPCD Final Staff Report for the CCAP contains GHG reduction measures; however, these measures are intended for commercial, residential, and mixed-use projects and would not apply to this Project. The only applicable measure is the following:

- To minimize greenhouse gas emissions and optimize equipment efficiency, all equipment shall be operated following manufacturers' specifications and approved design specifications.

Consistency with the Scoping Plan: The following discussion evaluates the proposed Project according to the goals of the 2022 Scoping Plan, EO B-30-15, SB 32, and AB 197.

EO B-30-15 added the immediate target of reducing GHG emissions to 40 percent below 1990 levels by 2030. CARB released a second update to the Scoping Plan (the 2017 Scoping Plan [CARB 2017]), to reflect the 2030 target set by EO B-30-15 and codified by SB 32. SB 32 affirms the importance of addressing climate change by codifying into statute the GHG emissions reductions target of at least 40 percent below 1990 levels by 2030 contained in EO B-30-15. SB

32 builds on AB 32 and keeps us on the path toward achieving the State's 2050 objective of reducing emissions to 80 percent below 1990 levels. The companion bill to SB 32 (i.e., AB 197) provides additional direction to the CARB regarding adopting strategies to reduce GHG emissions. The additional direction in AB 197 intended to provide easier public access to air emissions data that the CARB collects was posted in December 2016.

In addition, the 2022 Scoping Plan assesses progress toward the statutory 2030 target while laying out a path to achieving carbon neutrality no later than 2045. The 2022 Scoping Plan focuses on outcomes needed to achieve carbon neutrality by assessing paths for clean technology, energy deployment, natural and working lands, and others. It is designed to meet the State's long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities.

The 2022 Scoping Plan focuses 68tility68g clean energy production and distribution infrastructure for a carbon-neutral future, including transitioning existing energy production and transmission infrastructure to produce zero-carbon electricity and hydrogen and utilizing biogas resulting from wildfire management or landfill and dairy operations, among other substitutes. The 2022 Scoping Plan states that electrification will be essential in almost all sectors. The 2022 Scoping Plan evaluates clean energy and technology options and the transition from fossil fuels, including adding four times the solar and wind capacity by 2045 and about 1,700 times the current hydrogen supply. As discussed in the 2022 Scoping Plan, EO N-79-20 requires all new passenger vehicles sold in California will be zero-emissions by 2035. All other fleets will have transitioned to zero-emissions as possible by 2045, reducing the percentage of fossil fuel combustion vehicles.

Water conservation and efficiency measures are intended to continue efficiency programs and use cleaner energy sources to move and treat water. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions. This Project will not require any water during operation. Therefore, the proposed Project would not conflict with any water conservation and efficiency measures.

Transportation and motor vehicle measures aim to develop regional GHG emissions reduction targets for passenger vehicles. Specific regional emission targets for transportation emissions would not directly apply to the proposed Project. The second phase of the Pavley standards will reduce GHG emissions from new cars by 34 percent from 2016 levels by 2025, resulting in a 3 percent decrease in average vehicle emissions for all vehicles by 2020. Vehicles traveling to the Project Site for maintenance would comply with the Pavley II (LEV III) Advanced Clean Cars Program (CARB 2012). Therefore, the proposed Project would not conflict with the identified transportation and motor vehicle measures. There will be *no impact.*

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☑	☐
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 handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☑
d) Be located on a Site which is included on a list of hazardous materials Sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard or excessive noise 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 significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☑

Environmental Setting

The proposed Project Site is approximately .27 miles southwest of the nearest school, Stratford Elementary School. It is approximately 14.1 miles southwest of the nearest public airport, Hanford Municipal Airport. Three small, private airports surround Stratford and the Project Site: Jones Farms Airport (1.18 miles northwest), Machado Dusters Airport (1.7 miles southeast), and Newton Field Airport (2.45 miles southwest).

The Department of Toxic Substances Control's (DTSC's) EnviroStor was used to identify any sites associated with the release of hazardous materials or wastes within the Project area. This research confirmed that the Project Site and the surrounding area are not hazardous.

Fire protection services are provided by the Kings County Fire Department, which is staffed with paid members and equipped to handle structure and wildland fires, hazardous materials incidents, and other emergencies (Kings County Fire Department 2021). The closest Kings County fire station, Station 10, is located 0.2 miles east of the site at 350 W 20200 Main St, Stratford, CA 93266.

Regulatory Setting

Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S. Code [U.S.C.] §9601 et seq.). The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, or the Superfund Act) authorizes the President to respond to releases or threatened releases of hazardous substances into the environment.

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

Toxic Substances Control Act of 1976 (15 U.S.C. §2601 et seq.). The Toxic Substance Control Act was enacted by Congress in 1976 and authorized the EPA to regulate any chemical substances determined to cause an unreasonable risk to public health or the environment.

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

California Code of Regulations, Title 22, Chapter 11. Title 22 of the California Code of Regulations contains regulations for identifying and classifying hazardous wastes. The CCR defines waste as hazardous if it has the following characteristics: ignitability, corrosivity, reactivity, and/or toxicity.

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

Kings County Department of Public Health: The Kings County Department of Public Health implements the Hazardous Waste Program and the Hazardous Waste Treatment/Tiered Permit Program throughout Kings County. These programs aim to ensure that all hazardous waste generated in Kings County businesses is appropriately handled, recycled, treated, stored, and disposed of. Environmental Health staff inspects facilities that generate hazardous waste, investigates reports of illegal hazardous waste disposal, and responds to emergency spills of hazardous chemicals. Environmental Health staff also participates in public education programs to inform industries and residents about the laws and regulations relating to the safe disposal of hazardous waste.

2035 Kings County General Plan:

The Kings County 2035 General Plan *Safety Element* includes the following goals, objectives, and policies on hazards and hazardous materials and have been relevant to this analysis:

- HS OBJECTIVE A1.3: Limit growth and development in hazard areas to minimize new areas susceptible to higher risk of natural hazards.
  - *HS Policy A1.3.1*: Implement natural hazards review criteria for new development that is based upon information provided in the Natural Hazards Section of the Health and Safety Element to improve long term loss prevention.

❖ ***HS GOAL B1: Promote the health and well-being of County residents, and support healthy living environments, physical activity opportunities, medical services, and readily available nutritious food sources.***

- HS OBJECTIVE B1.5: Ensure adequate protection of County residents from new generations of toxic or hazardous waste substances.
  - *HS Policy B1.5.1*: Evaluate development applications to determine the potential for hazardous waste generation and be required to provide sufficient financial assurance that is available to the County to cover waste cleanup and/or Site restoration in instances where the Site has been abandoned or the business operator is unable to remove hazardous materials from the Site.

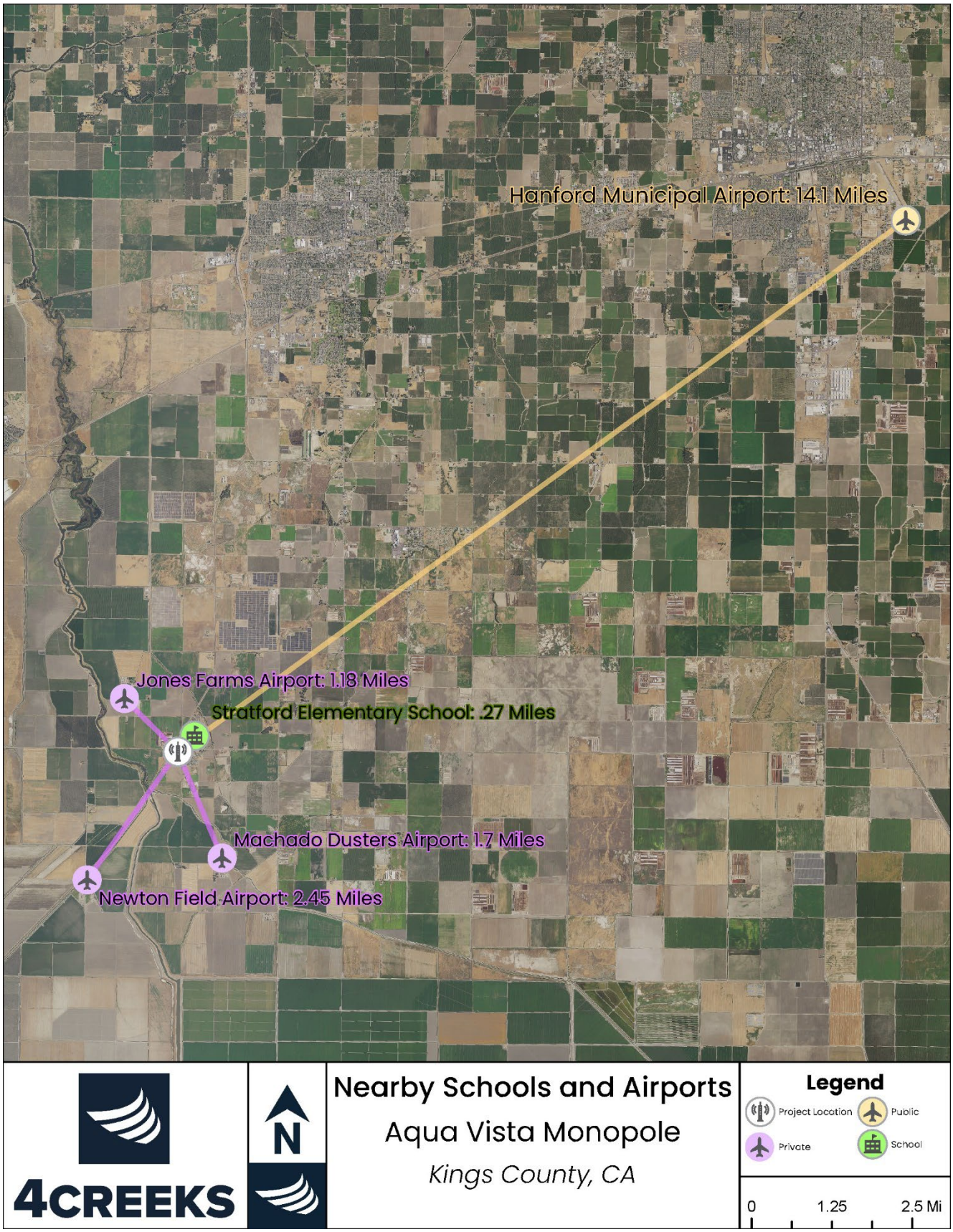


Figure 3-7: Distance to Schools and Airports

Discussion

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

Less than Significant Impact: The California Health and Safety Code defines a hazardous material as "any material that because of its quantity, concentration, or physical or chemical characteristics poses a significant present or potential hazard to human health and safety or the environment if released into the workplace or environment." Hazardous materials include oil, fuels, paints, thinners, cleaning solvents, compressed gases, radioactive materials, and pesticides. Substances that are toxic, flammable, reactive, corrosive, radioactive, carcinogenic, bioaccumulative, persistent in the environment, or water-reactive are considered hazardous. The Kings County Department of Public Health is the Certified Unified Program Agency (CUPA) for Kings County, responsible for regulating hazardous materials handlers, hazardous waste generators, stationary sources of hazardous materials, and storing hazardous materials.

Project construction activities may involve using, storing, and transporting hazardous materials. During construction, the contractor will use fuel trucks to refuel onsite equipment and may use paints and solvents to a limited degree. These materials' storage, transport, and use will comply with Local, State, and Federal regulatory requirements, including the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, and the California Code of Regulations, Title 8, and Title 22. There is the potential for small leaks due to refueling of construction equipment; however, standard construction Best Management Practices (BMPs) will reduce the potential for the release of construction-related fuels and other hazardous materials by controlling runoff from the Site and requiring proper disposal or recycling of hazardous materials.

After construction, the Project would not regularly involve transporting, using, or disposing of hazardous materials, as it is designed to be largely self-sufficient, requiring only occasional inspections and maintenance. The standby generator would be fueled on an as-needed basis during power outages. The Project would not significantly increase the routine transport, use, or disposal of hazardous materials, resulting in *less than significant impacts*.

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

Less than Significant Impact: Once completed, the Project will be static, comprising a monopole with cellular antennas, a standby backup generator, and a small amount of additional infrastructure. The entire Site will be securely fenced to prevent vandalism and tampering. There will be no permanently occupied structures, with human presence limited to occasional inspections and maintenance. The Site will not store large quantities of hazardous materials, ensuring that any potential incidents are minor and can be managed by nearby law

enforcement, fire departments, and utility personnel. As a result, the Project's impact will be *less than significant*.

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

No impact: Project operations will not emit hazardous emissions or handle hazardous materials, substances, or wastes, and the Project is not within one-quarter mile of an existing or proposed school. Since the Project would not emit hazardous emissions or involve handling acutely hazardous materials or waste and is not within one-quarter mile of an existing or proposed school, there would be *no impact.*

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

No Impact: The Project Site is not listed as a hazardous materials site under Government Code Section 65962.5 and is not included on a list compiled by the Department of Toxic Substances Control. According to the cleanup sites database provided on the EnviroStor database through the DTSC, no sites need remediation within the vicinity of the Project. Therefore, it can be concluded that there would be *no impact.*

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

Less than Significant Impact: The proposed Project is located approximately 12.4 miles northwest of the nearest public airport (Hanford Municipal Airport) and not in an airport land use plan. Three small, private airports are near the Project Site: Jones Farms Airport (1.18 miles northwest), Machado Dusters Airport (1.7 miles southeast), and Newton Field Airport (2.45 miles southwest). These airports are used as agricultural crop duster airstrips. Due to their limited and seasonal use, there are no airport land use plans for these airports. The monopole's 100-foot height is permitted in the CR zone, subject to a conditional use permit. The monopole will follow all construction regulations, including TIA-222-I, which regulates standards for antenna-supporting structures. The Project will not be a safety hazard for people residing or working in the area. There is a *less than significant impact.*

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

No Impact: The Project will not include any structures designed for human occupancy, nor will it induce population growth or impede travel on public roads. It will consist of a cellular tower

and minimal ancillary infrastructure. Additionally, it will not significantly increase the risk of fire or other hazards or interfere with any evacuation routes. The County's design and environmental review procedures shall ensure emergency response and evacuation plan compliance. In addition, the Site plan will be reviewed by the Fire Department per standard procedure to ensure consistency with emergency response and evacuation needs. Therefore, the proposed Project would have *no impact* on emergency evacuation.

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

No Impact: The land surrounding the Site has been developed for some residences and commercial uses that are not considered wildlands. Additionally, the 2035 Kings County General Plan finds that fire hazards within the community, including the proposed Project Site, have low frequency, limited extent, magnitude, and significance. The proposed Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, and there would be *no impact.*

X.HYDROLOGY AND WATER QUALITY

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise sustainably degrade surface or ground water quality?	☐	☐	☑	☐
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 which would result in flooding on- or offsite?	☐	☐	☑	☐
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☑	☐
(iv) impede or redirect flood flows?	☐	☐	☑	☐
d) In flood hazard, tsunami, or seiche zones risk the release of pollutants due to Project inundation?	☐	☐	☐	☑
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater movement plan?	☐	☐	☐	☑

Environmental Setting

Surface Water: The proposed Project Site is within the Tulare-Buena Vista Lakes Watershed, covering portions of Kern and Kings County. The most prominent rivers and streams within the Watershed are the Kings River and the Kaweah River. The Project is approximately 0.55 miles from the Kings River. According to the National Wetlands Inventory, no wetlands exist on the Site. The nearest wetland is a Riverine approximately 0.25 miles southeast of the Project Site.

Groundwater: The proposed Project Site is in the Tulare Lake Hydrologic Region, which covers 10.9 million acres south of the San Joaquin River. The Tulare Lake Hydrologic Region is composed of 12 groundwater basins. The proposed Project Site lies within the San Joaquin Valley Groundwater Basin. The San Joaquin Valley Groundwater Basin is divided into seven sub-basins. The proposed Project would be located within the Tulare Lake Subbasin. Within the Tulare Lake Subbasin, the Site is under the jurisdiction of the South Fork Kings Groundwater Sustainability Agency.

Stormwater Drainage: The Project includes a stormwater drainage plan. Stormwater will flow into the gravel access road with a 6" of ¾" aggregate base. The area surrounding the Project will be sloped a minimum of 2% towards the aggregate base to collect all stormwater.

Regulatory Setting

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

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

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

2035 Kings County General Plan

The Kings County General Plan *Resource Conservation Element and Health and Safety Element* contains the following Goals, Objectives, and Action Plans on flood control and water use that are potentially applicable to the proposed Project:

- ***HS GOAL A4: Prevent unnecessary exposure of people and property to flood damage.***
  - HS OBJECTIVE A4.1: Direct new growth away from designated flood hazard risk areas and regulate new development to reduce the risk of flood damage to an acceptable level.

- *HS Policy A4.1.1*: Review new development proposals against current Federal Emergency Management Agency (FEMA) digital flood insurance rate maps and California Department of Water Resource special flood hazard maps to determine Project Site susceptibility to flood hazard.
- *HS Policy A4.1.2*: Reserve FEMA designated flood hazard areas for agricultural and natural resource conservation uses along the floodway channels and Tulare Lake Basin.
- *HS Policy A4.1.3*: Determine base flood elevations for new development proposals within or adjacent to 100-year flood zone areas as identified in latest FEMA Digital Flood Insurance Rate Map, to definitively assess the extent of property potentially subject to onsite flood hazards and risks.
- *HS Policy A4.1.5*: Regulate development, water diversion, vegetation removal, and grading to minimize any increase in flood damage to people and property.
- *HS Policy A4.1.6*: New development shall provide onsite drainage or contribute towards their fair share cost of off-site drainage facilities to handle surface runoff.
- *HS Policy A4.1.7*: Consider and identify all areas subject to flooding in the review of all land divisions and development Projects.
- *HS Policy A4.1.8*: Enforce the "Kings County Flood Damage Prevention Ordinance," Chapter 5A of the Kings County Code of Ordinances.

❖ ***RC GOAL A1: Beneficially use, efficiently manage, and protect water resources while developing strategies to capture additional water sources that may become available to ensure long term sustainable water supplies for the region.***

➢ RC OBJECTIVE A1.4: Protect the quality of surface water and groundwater resources in accordance with applicable Federal, state, and regional requirements and regulations.

- *RC Policy A1.4.1*: Evaluate proposed land uses and development Projects for their potential to create surface and groundwater contamination from point and non-point sources. Confer with other appropriate agencies, as necessary, to assure adequate water quality review to prevent soil erosion; direct discharge of potentially harmful substances; ground leaching from storage of raw materials, petroleum products or waste; floating debris; and runoff from the Site.
- *RC Policy A1.4.2*: Monitor and enforce provisions to control water pollution contained in the U.S. EPA National Pollutant Discharge Elimination System (NPDES) program as implemented by the California Water Quality Control Board, Central Valley Region.
- *RC Policy A1.4.3*: Require the use of feasible and cost-effective Best Management Practices (BMPs) and other measures designed to protect surface water and groundwater from the adverse effects of construction activities and urban and agricultural runoff in coordination with the California Water Quality Control Board, Central Valley Region.
- *RC Policy A1.4.4*: Encourage and support the identification of degraded surface water and groundwater resources and promote restoration where appropriate.

➢ RC OBJECTIVE A1.5: Avoid the placement of potential pollution sources in areas that have the potential to foster groundwater recharge.

- *RC Policy A1.5.1*: Cooperate with local agencies in the preservation and purchase of natural sloughs for use as water recharge and drainage basins.

- RC OBJECTIVE A1.6: Protect groundwater quality by applying development standards which seek to prevent pollution of surface or groundwater and net loss of natural water features.
  - *RC Policy A1.6.2*: Support measures to ensure that water users do not unreasonably use groundwater resources.
- RC OBJ C2.2: Ensure that land use decisions are compatible with the control of soil erosion and the maintenance of soil quality.
  - *RC Policy C2.2.1*: Require erosion control measures for any development involving construction or grading near waterways, or on land with slopes over ten percent. Require that improvements such as roads and driveways be designed to retain natural vegetation and topography to the extent feasible.
  - *RC Policy C2.2.2*: Continue to require the application of construction related erosion control measures, including Stormwater Pollution Protection Plans (SWPPP) for all new construction.

2035 Stratford Community Plan: The Stratford Community Plan contains the following relevant objective and policy to limit impacts on water resources:

- SCP OBJ 7D.1: Prevent the construction of facilities or land improvements, within the 100-year flood zone, that could result in a loss of life or property.
  - *SCP Policy 7D.1.1*: The County shall apply a minimum level of acceptable risk to new construction and proposals for substantial improvements to all development within the 100-year floodplain and disapprove projects that cannot mitigate the hazard to the satisfaction of the Building Official or other responsible agency.

Discussion

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

Less than Significant: The Project Site is vacant, mostly covered by dirt and ruderal plant species. Implementing the proposed Project may alter the existing drainage patterns on the Project site by introducing impervious surfaces such as the monopole, supporting equipment on concrete slabs, and the driveway providing access to the site from the easement along Front Street (private road). An increase in impervious surfaces may result in an increase in the total volume and peak discharges of stormwater runoff; however, due to the minor nature of the site (approximately 0.08 acres) and the small area on which impervious surfaces would be developed, this would have a negligible effect on the overall drainage in the area. To retain stormwater within the site, the area surrounding the Project will be sloped a minimum of 2% towards the aggregate base. Therefore, water quality, drainage, and runoff impacts would be *less than significant.*

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

Less than Significant Impact: Implementing the proposed Project would not require routine use of any water sources, including groundwater. Although the Project would create additional impervious surfaces, its small size and the limited area being developed would minimally affect groundwater infiltration in the vicinity.

The Project's water use during construction will be minimal and will not require water during operations. Consequently, it will not significantly contribute to the area's groundwater demand. Thus, the Project is unlikely to interfere with groundwater recharge substantially, and there is a *less than significant impact.*

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

i. Result in substantial erosion or siltation on- or off-site?
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less than Significant: The proposed Project would not impact existing drainage patterns or alter the course of a stream or river. The cement area installed will create a small impervious surface; however, all runoffs will be contained on-site. The rate and amount of surface runoff from local storms may increase slightly due to the addition of the monopole and supporting equipment, however, the additional impervious area would be minimal and would not result in flooding on- or off-site. The Project would not contribute additional runoff water that would exceed the capacity of existing or planned stormwater drainage facilities. The impact is *less than significant.*

iv. Impede or redirect flood flows?

Less than Significant: The Project will not substantially alter the existing drainage pattern of the Site nor change the course of a stream or river. The Project Site contains a small area of impervious concrete. According to National Flood Hazard mapping by the Federal Emergency Management Agency, the proposed Project Site is not within a 100-year flood hazard area. It is in zone "X," an area of minimal flood hazard. Any impacts from stormwater will be contained

on-site and will not impede or redirect any existing flood flows. Therefore, impacts are *less than significant.*

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

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

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

No Impact: The South Fork Kings Groundwater Sustainability Agency adopted a Groundwater Sustainability Plan on January 16, 2020. The proposed project is located within the South Fork Kings Groundwater Sustainability Area and will not conflict with this plan or any other applicable water quality control or groundwater management plans. The tower will not require any water, further ensuring there is no conflict with groundwater sustainability objectives. Therefore, the project would not obstruct the implementation of such plans. There would be *no impact.*

XI. LAND USE AND PLANNING

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☑
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?	☐	☐	☑	☐

Environmental Setting

The Project is the unincorporated community of Stratford within Kings County. The proposed Project Site is vacant and zoned as CR, Rural Commercial. The surrounding properties are zoned as residential or commercial use. A conditional use permit is required for this Project.

Regulatory Setting

Kings County Development Code: Land use in the project area is regulated by Kings County through the various plans and ordinances adopted by the County. These include the 2035 Kings County General Plan and Development Code. As shown in Figure 3-8, Kings County has zoned the Project Site as CR, Rural Commercial. This district is intended primarily to serve the needs of rural residents. The Rural Commercial District is established to permit the accommodation of most commercial uses otherwise provided for in other commercial districts. Cellular towers are conditionally permitted in the CR zone.

2035 Kings County General Plan: The General Plan identifies the Project site as Rural Commercial.

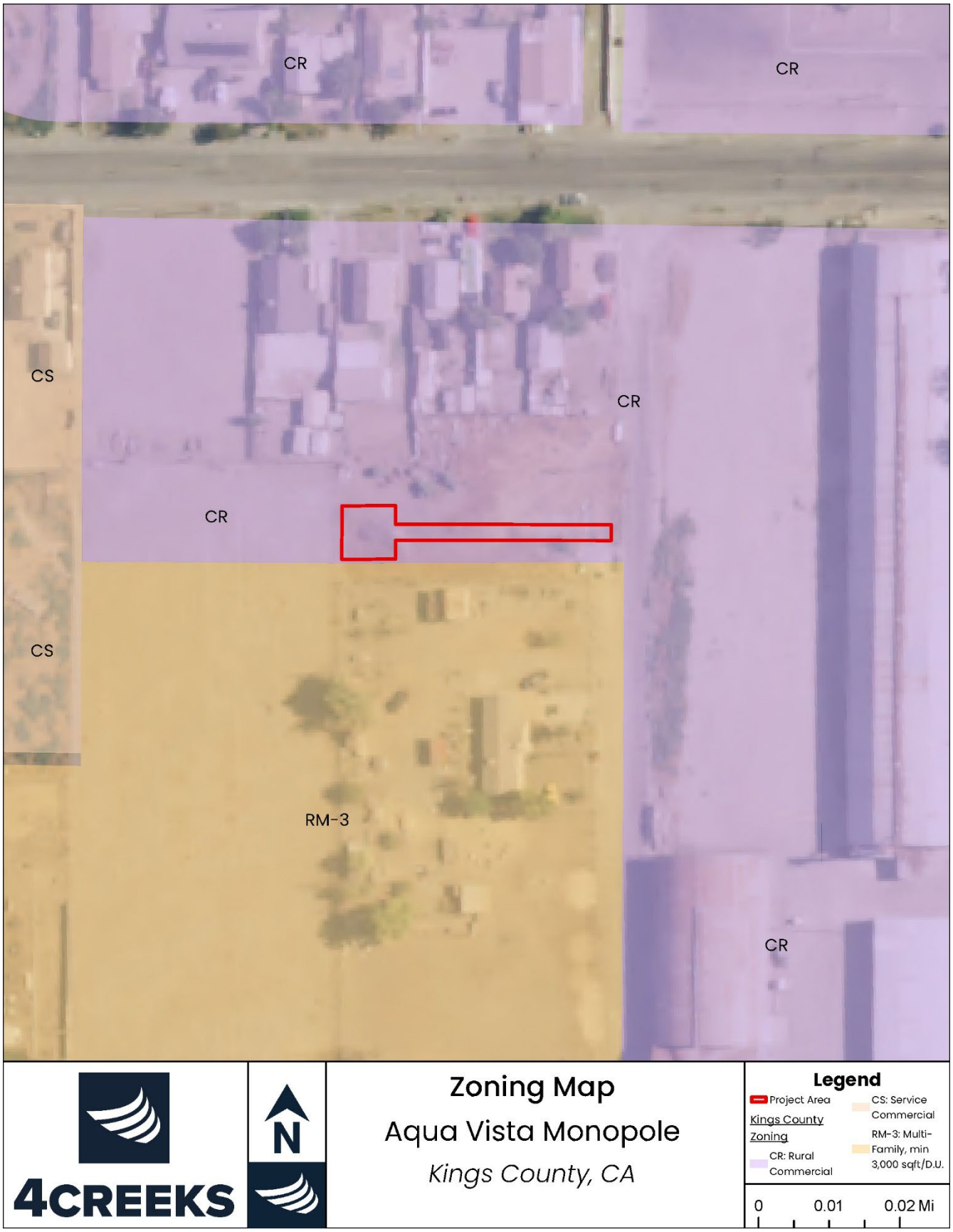


Figure 3-8: Zoning Map

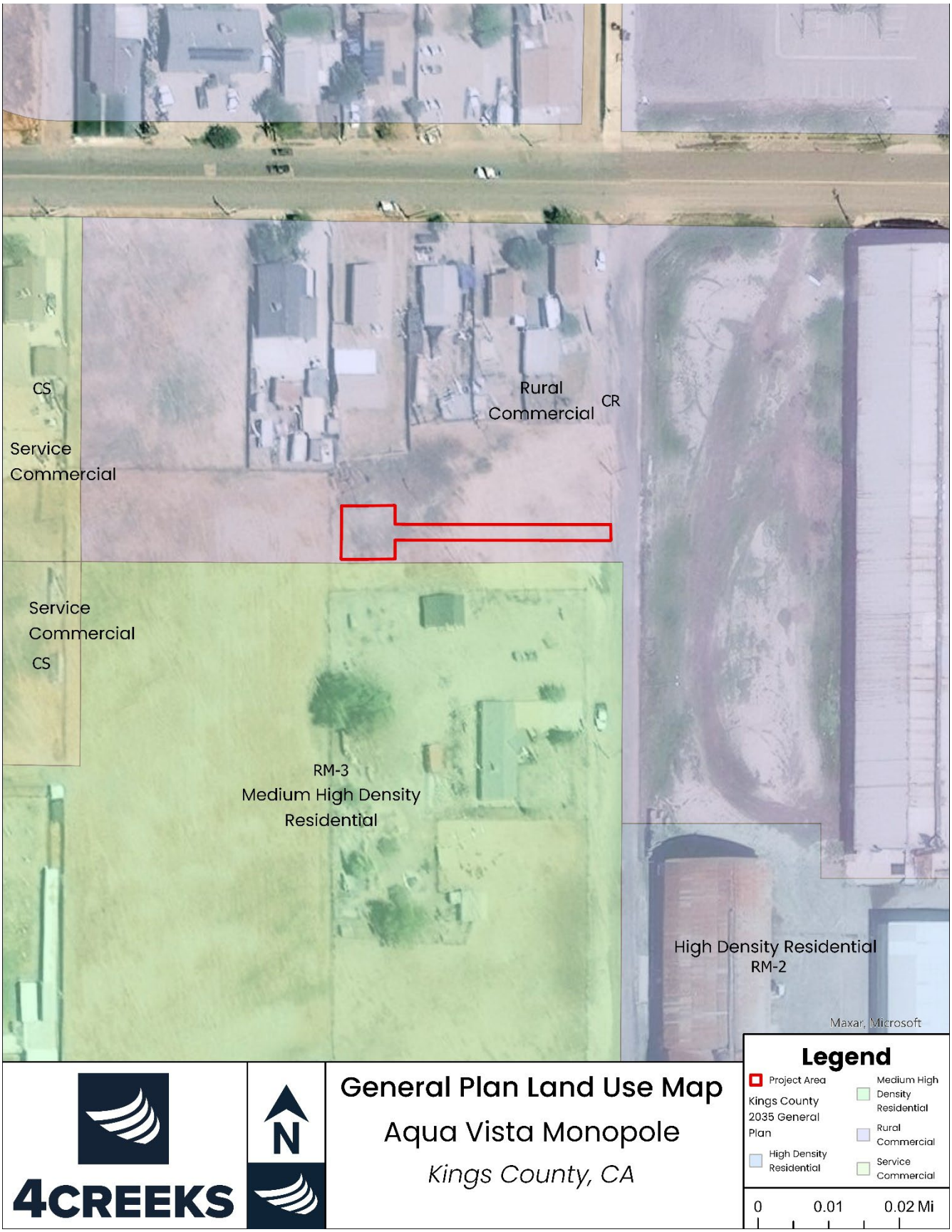


Figure 3-9: General Plan Land Use Map

Discussion

a) Would the Project physically divide an established community?

No Impact: The proposed Project will not physically divide an established community. The Project Site is currently vacant. There is *no impact.*

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

Less than Significant Impact: The Kings County Development Code identifies CR as a Rural Commercial zone intended to serve the commercial needs of rural residents. Using the Site for a cellular facility would require the County to issue a Conditional Use Permit to be deemed consistent with the Rural Commercial zoning. The Project would affect a small portion (approximately 0.08 acres) of the 0.79-acre parcel on which it sits. As a result, potential impacts would be *less than significant* with a conditional use permit.

XII. MINERAL RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☑
b) Result in the loss of availability of a locally – important mineral resource recovery Site delineated on a local general plan, specific plan or other lands use plan?	☐	☐	☐	☑

Environmental Setting

Kings County has no mineral resource zones, and no mineral extraction occurs on or adjacent to the proposed Project Site. Historical mines within the County include an open-pit gypsum mine and a mercury mine; however, these mines are now closed.

Regulatory Setting

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

Discussion

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

No Impact: The Project Site has no known mineral resources that would be of value to the region and the state's residents. The Project Site is not designated as an important mineral resource recovery Site under the County's General Plan. Therefore, the proposed Project would not result in the loss or impede the mining of regionally or locally important mineral resources. There is *no impact.*

b) Would the Project result in the loss of availability of a locally – important mineral resource recovery Site delineated on a local general plan, specific plan or other lands use plan?

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

XIII. NOISE

Would the Project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☑	☐
b) Generation of excessive ground-borne 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 public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?	☐	☐	☐	☑

Environmental Setting

The predominant existing noise sources in the vicinity of the Project Site are vehicles on adjacent streets and equipment noise associated with agricultural operations. No commercial airports are located within two miles of the Project Site, though crop duster planes and associated noise may exist from small, private airports surrounding Stratford.

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

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

Vibration is sound radiated through the ground. Vibration can result from a source (e.g., train operations, motor vehicles, machinery equipment, etc.), causing the adjacent ground to move, creating vibration waves that propagate through the soil to the foundations of nearby buildings. This effect is a ground-borne vibration.

Sensitive Receptors: Noise level allowances for different land types reflect the varying noise sensitivities associated with those uses. Residences, hotels/motels, hospitals, schools, and libraries are some of the most sensitive types of noise intrusion. Therefore, these have more stringent noise level allowances than most commercial or agricultural uses that are not subject to impacts such as sleep disturbance.

Regulatory Setting

2035 Kings County General Plan

The General Plan Noise Element establishes a standard of 55 dB Average and 75 dB Maximum for exterior noise levels in outdoor activity areas of residential uses. The exterior noise level requirement intends to provide an acceptable environment for outdoor activities and recreation. Outdoor activity areas generally include backyards of single-family residences, individual patios or decks, and common-use outdoor activity areas of multi-family developments. The noise element also requires that interior noise levels attributable to exterior noise sources not exceed 35 dB Average and 55 dB Maximum. The interior noise level standard intends to provide an acceptable noise environment for indoor communication and sleep. Table 3-8 provides the applicable exterior noise level standards for non-transportation (stationary) noise sources.

Non-Transportation Noise Standards Average (Leq) / Maximum (Lmax)[1]				
New Land Use	**Outdoor Area**		**Interior Day and Night**	**Notes**
	Daytime	**Nighttime**		
All Residential	55/75	50/70	35/55	
Transient Lodging	55/75	--	35/55	4
Hospitals and Nursing Homes	55/75	--	35/55	5,6
Theaters & Auditoriums	--	--	35/50	6
Churches, Meeting Halls Schools, Libraries, Etc.	55/75	--	35/60	6
Office Buildings	60/75	--	45/65	6
Commercial Buildings	55/75	--	45/65	6
Playgrounds, Parks, etc.	65/75	--	--	6
Industry	60/80	--	50/70	6

Notes:
1. The Table standards shall be reduced by 5 dB for sounds consisting primarily of speech or music, and for recurring impulsive sounds. If the existing ambient noise level exceeds the standards of Table II, then the noise level standards shall be increased at 5 dB increments to encompass the ambient.
2. Sensitive outdoor areas generally include backyards of single-family residences, individual patios, or decks of multi-family developments and common outdoor recreation areas of multi-family developments.
3. Interior noise level standards area applied within noise-sensitive areas of the various land uses, with windows and doors in closed positions.
4. Outdoor activity areas of transient lodging facilities are not commonly used during nighttime hours.
5. Hospitals are often noise-generating uses. The exterior noise level standards for hospitals are applicable only at clearly identified areas designated for outdoor relaxation by either hospital staff or patients.
6. The outdoor activity areas of these uses (if any), are not typically utilized during nighttime hours.

Table 3-8. Noise Standards for New Uses Affected by Non-Transportation Noise Sources; Source: 2035 Kings County 2035 General Plan

Discussion

a) 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?

Less than Significant Impact: Implementing the proposed Project may lead to short-term construction noise impacts on surrounding areas due to construction activities. While construction noise is generally a temporary elevation in ambient noise levels, it typically does not produce consistently high levels. However, occasional disturbances from specific construction events are possible. During the construction phase, noise from these activities will contribute to the existing ambient noise in the immediate vicinity. All construction will occur during standard daytime hours, per the Noise Element of the 2035 Kings County General Plan, specifically adhering to N Policy B1.1.3. Construction activities associated with the Project will be subject to N Policy B1.1.3 of 2035 Kings County General Plan Noise Element.

The operation of the monopole cellular tower is not anticipated to increase ambient noise levels in the area. An onsite generator will be used to maintain tower operations during a power outage. According to Policy C1.2.2 of the Noise Element from the 2035 Kings County General Plan, equipment like generators used during emergencies are exempt from noise regulations. Consequently, the Project is not expected to cause a significant temporary or permanent increase in ambient noise levels that would exceed the standards set by the local general plan. Therefore, the impact is considered *less than significant.*

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

Less than Significant Impact: Project operations would not include uses or activities that typically generate excessive ground-borne vibration or noise levels, but Project construction could introduce temporary ground-borne vibration to the Project Site and the surrounding area. Sources that may produce perceptible vibrations are provided in Table 3-9.

Equipment	Peak Particle Velocity (PPV) (inches/second) at 25 feet	Approximate Vibration Level (VdB) at 25 feet
Large Bulldozer	0.089	87
Loaded Trucks	0.076	86
Jackhammer	0.035	79
Small bulldozer	0.003	58

Table 3-9. Vibration Levels Generated by Construction Equipment. Source: Transit Noise and Vibration Impact Assessment, Federal Transit Administration, September 2018.

During Project construction, the primary source of vibration would likely be from a bulldozer to grade the area, generating 0.089 inches per second PPV at 25 feet with an approximate vibration level of 87 VdB. Vibration from the bulldozer would be intermittent and not a source of continual vibration. There are no adopted County standards or thresholds of significance for vibration. The evaluation of potential impacts related to construction vibration levels is based on the published data in the 2018 Federal Transit Administration (FTA) Guidelines. At 25 feet, the buildings most susceptible to vibration could be impacted at .12 inches/second. Because vibrations generated by Project construction would not exceed 0.12 inches/second, and there are no buildings within 25 feet of the Project Site, the impact is *less than significant.*

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

No Impact: The proposed Project is located approximately 12.4 miles northwest of the nearest public airport (Hanford Municipal Airport) and not in an airport land use plan. Three small, private airports are near the Project Site: Jones Farms Airport (1.18 miles northwest), Machado Dusters Airport (1.7 miles southeast), and Newton Field Airport (2.45 miles southwest). These airports are used as agricultural crop duster airstrips. Due to their limited and seasonal use, these airports have no airport land use plans. These airports are not public or for public use and will not impact people residing or working in the area. There is *no impact*.

XIV. POPULATION AND HOUSING

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☑
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑

Environmental Setting

The United States Census Bureau estimated the population in Kings County to be 152,981 in 2022. This population is slightly increased from the 2010 census, which counted the population in the county to be 152,342. The population in Kings County is projected to grow by 15% by 2030. Factors influencing population growth include job availability, housing availability, and proposed and existing infrastructure capacity.

Regulatory Setting

The Kings County Development Code and Land Use Element of the General Plan control the population size of Kings County. These documents regulate the number of dwelling units per acre allowed on residential land uses and establish minimum and maximum lot sizes. These factors have a direct impact on the County's population size.

The Housing Element of the 2035 Kings County General Plan includes policies that address housing, employment, growth management, and adequate provision of resources, facilities, and services. The Housing Element contains several goals and policies intended to encourage continuous analysis and evaluation of population trends and housing needs to allow for the development of Sites and facilities that sustain population growth in the county, encourage development in existing communities, and acknowledge the governmental, environmental, infrastructure, and land use constraints.

Discussion

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

No Impact: The construction and operation of the Project will not result in any substantial unplanned growth or population displacement in Kings County. The Project will not construct or remove any homes or businesses, and it will not extend existing roads or other infrastructure to promote additional growth. Any maintenance employees are likely to live in Kings County currently and would not directly or indirectly impact population growth. There is *no impact.*

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

No Impact: The construction and operation of the Project would not result in existing residences being removed, and no individuals would be displaced because of the Project. There is *no impact*.

XV. PUBLIC SERVICES

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable serve ratios, response times of other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☑	☐
ii. Police protection?	☐	☐	☑	☐
iii. Schools?	☐	☐	☐	☑
iv. Parks?	☐	☐	☐	☑
v. Other public facilities?	☐	☐	☐	☑

Environmental Setting

Fire: The Kings County Fire Department (KCFD), headquartered in Hanford, provides Fire protection for the Project Site. The KCFD operates ten fire stations within the county's unincorporated areas, the nearest located approximately 0.2 miles east of the Site at 350 W 20200 Main St, Stratford, CA 93266. The KCFD responds to various calls, including structure, vehicle, wildland, and grass fires, medical aids, traffic accidents, hazardous materials incidents, and various public assistance calls.

Police: The Kings County Sheriff's Department (KCSD), headquartered in Hanford, provides law enforcement for the Project Site. The California Highway Patrol provides traffic enforcement on State Highways and County roads. Kings County is within the California Highway Patrol's Central Division.

Schools: The nearest school, Stratford Elementary School, is approximately .27 miles northeast of the Project Site.

Parks: Stratford has no parkland within the community.

Regulatory Setting

2035 Kings County General Plan: Objectives and Policies related to Public Services are included in the *Health and Safety Element* of the 2035 Kings County General Plan. These Objectives and Policies are as follows:

- ***HS GOAL C2: Support Countywide safety through adequate law enforcement, quality fire protection, emergency preparedness, and accessibility in times of emergency.***
  - HS OBJECTIVE C2.1: Provide sufficient law enforcement presence within each community district and other unincorporated areas of the County to protect residents, businesses, and visitors from personal and property crimes.
  - HS OBJECTIVE C2.2: Provide quality fire protection services throughout the County by the Kings County Fire Department, and Fire safety preventative measures to prevent unnecessary exposure of people and property to fire hazards in both County Local Responsibility Areas and State Responsibility Area.
    - *HS Policy C2.2.1: Community planning efforts should evaluate the Projected need for Fire Department personnel and equipment and necessary funding support to maintain current levels of service as community growth occurs.*
    - *HS Policy C2.2.2: Development proposals and code revisions shall be referred to the County Fire Department for review and comment.*
    - *HS Policy C2.2.3: Use the 1997 Uniform Code for the abatement of Dangerous Buildings. All new structures to be occupied shall be built to current Fire Code Standards.*
    - *HS Policy C2.2.5: Forward for review and comment all proposed structures within the State Responsibility Area to the California Department of Forestry and Fire Protection within all State Responsibility Areas.*

Discussion

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

i. Fire protection?

Less than Significant Impact: Fire protection is provided by the Kings County Fire Department. The nearest station is approximately 0.2 miles away. The proposed Project is in a developed area of the County, surrounded by homes and commercial uses. The risks of wildfire being ignited by or threatened by the proposed Project would be low. The Project would not be a

consistently occupied structure and calls for fire protection services would be limited to unlikely damage or failure. Existing fire services exist in the vicinity to respond to potential incidents at the Project Site. The Project would not require the construction of new or the expansion of existing fire protection services, and any impacts would be *less than significant.*

ii. Police protection?

Less than Significant Impact: Police protection in the area is provided by the Kings County Sheriff's Office. Calls to the project site would be limited to occasional property checks and occasional responses for damage, equipment failure, or vandalism. The Project would not be a consistently occupied structure and would not significantly increase the use of, or visits to, the area. Adequate police protection exists, and any impacts would be *less than significant.*

iii. Schools?

No Impact: The Project will not result in additional residents to Kings County and will not increase the number of students in the school district. There is *no impact*.

iv. Parks?

No Impact: Because the Project will not result in additional residents, the Project will not create a need for additional parkland. There is *no impact.*

v. Other public facilities?

No Impact: The Project would not include population growth directly or indirectly and would not increase demand for other public services. There would be *no impact.*

XVI.RECREATION

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☑
b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☑

Environmental Setting

Stratford has no parkland within the community.

Discussion

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

No Impact: The Project will not result in additional residents, so the Project will not increase the use of existing parkland or create a need for additional parkland. There is *no impact.*

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

No Impact: No parkland or recreational facilities are associated with the Project. The Project will not result in additional residents and will not create a need for additional parkland. There is *no impact.*

XVII. TRANSPORTATION

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☑	☐
b) Conflict or be inconsistent with the 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?	☐	☐	☐	☑

Environmental Setting

Vehicular Access: The Site would be accessed by a proposed gravel access road, approximately 165 feet long, connecting the Compound to the private Front Street. A 20-foot-wide gate will be installed at both ends of the road, at the entrance from Front Street and at the Fenced Compound. An Access and Utility Easement Agreement allows the Grantees to access and use a specified portion of the Grantor's property for installing and maintaining utilities, including access via Front Street, a private road connecting the Project Site to Main Street.

Transportation Facilities: Transportation facilities near the proposed Project area include Highway 41. The Kings County Association of Governments (KCAG) is the County's Regional Transportation Planning Agency and Metropolitan Planning Organization.

Regulatory Setting

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

(1) Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, Projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed

to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the Project area compared to existing conditions should be considered to have a less than significant transportation impact.

(2) Transportation Projects. Transportation Projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity Projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, a lead agency may tier from that analysis as provided in Section 15152.

(3) Qualitative Analysis. If existing models or methods are not available to estimate the vehicle miles traveled for the particular Project being considered, a lead agency may analyze the Project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many Projects, a qualitative analysis of construction traffic may be appropriate.

(4) Methodology. A lead agency has discretion to choose the most appropriate methodology to evaluate a Project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a Project's vehicle miles traveled and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the Project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

2035 Kings County General Plan: The 2035 Kings County General Plan *Circulation Element* establishes policies relating to transportation:

- C OBJECTIVE A1.3: Maintain an adequate Level of Service operation for County roadways and ensure proper maintenance occurs along critical routes for emergency response vehicles.
  - *C Policy A1.3.1: Maintain and manage County roadway systems to maintain a minimum Level of Service Standard "D" or better on all major roadways and arterial intersections.*
  - *C Policy A1.3.2: Require proposed developments that have the potential to generate 100 peak hour trips or more to conduct a traffic impact study that follows the most recent methodology outlined in Caltrans Guide to the Preparation of Traffic Impact Studies.*

Discussion

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

Less than Significant Impact: The Project would not conflict with any adopted programs, plans,

ordinances, or policies addressing transit, bicycle, or pedestrian facilities. The Project is consistent with the level of service thresholds established in the County 2035 General Plan Circulation Element. Operation of the monopole would require periodic maintenance that would result in only occasional vehicle trips. Construction of the Project would require additional truck trips during the construction period, but construction-related traffic would be temporary. As such, average daily trip additions to surrounding roadways would be negligible and would not exceed the level of service thresholds established in the General Plan. Therefore, the impact would be considered *less than significant.*

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

Less than Significant Impact: Section 15064.3(b) establishes criteria for analyzing transportation impacts of proposed Projects, as required under AB 734. This section states, "Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact." The responsibility for setting specific significance thresholds is delegated to each lead agency. Kings County has not established VMT significance thresholds.

If a transportation Project is likely to lead to a measurable and substantial increase in vehicle travel (i.e., increase total VMT), it is presumed to have a significant impact, and an analysis must be conducted to assess the amount of vehicle travel the Project would induce. However, the State of California Governor's Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA (OPR 2018) notes that Projects generating or attracting fewer than 110 trips per day generally may be assumed to have a less than significant transportation impact. The proposed Project would generate fewer trips than the OPR threshold because associated trips would be limited to infrequent maintenance trips during the operation of the Project. Therefore, the impact would be considered *less than significant.*

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

No Impact: The Project does not propose incompatible uses or include design features that could increase traffic hazards. The Project does include a new access road but will not impact the public roadway. The proposed Project would not substantially increase hazards in or around the Project area; there is *no impact.*

d) Would the Project result in inadequate emergency access?

No Impact: This Project would not result in inadequate emergency access. The Project is required to comply with all Public Work Standards and California Fire Code Standards regarding access drive widths and access spacing standards. The Project would have *no impact* on emergency access.

XVIII. TRIBAL CULTURAL RESOURCES

Would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a Site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☑	☐	☐
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 I of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivisil(c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☑	☐	☐

Regulatory Setting

Southern San Joaquin Valley Information Center Record Search Results

On July 1, 2024, an archival records search was conducted at the SSJVIC to support the proposed project. The result of this search is attached as Appendix A. The search covered the entire APE and a 0.5-mile radius around it, referred to as the Cultural Study Area. The information sources included previous surveys and cultural resource files, the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the Office of

Historic Preservation (OHP) Archaeological Determination of Eligibility, the OHP Directory of Properties in the Historic Property Data File, historical topographic maps, and historical aerial photographs.

The search found no previous studies or recorded cultural resources within the Cultural Study Area. However, eight cultural resource studies have been completed within the 0.5-mile radius. Additionally, two recorded cultural resources, P-16-000122 and P-16-000245, exist within this radius. These resources include a historic road and a canal.

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

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

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

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

Native American Reserve (NAR): This designation recognizes tribal trust and reservation lands managed by a Native American Tribe under the United States Department of the Interior's Bureau of Indian Affairs over which the County has no land use jurisdiction. The County

encourages the adoption of tribal management plans for these areas that consider compatibility and impacts upon adjacent area facilities and plans.

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

Health and Safety Code, Section 7050.5: Section 7050.5 of the California Health and Safety Code requires that construction or excavation be stopped near discovered human remains until the county coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California Native American Heritage Commission (NAHC). CEQA Guidelines (Public Resources Code Section 5097) specify the procedures to be followed in case of the discovery of human remains on non-Federal land. The disposition of Native American burials falls within the jurisdiction of the NAHC.

2035 Kings County General Plan:

- **RC GOAL I1: *Preserve significant historical and archaeological Sites and structures that represent the ethnic, cultural, and economic groups that have lived and worked in Kings County.***
  - RC OBJECTIVE I1.1: Promote the rehabilitation or adaptation to new uses of historic Sites and structures.
    - *RC Policy I1.1.2*: Direct proposed developments that may affect proposed or designated historic Sites or County landmarks to the Kings County Museum Advisory Committee or other similarly purposed advisory body under the Kings County Parks and Recreation Advisory Commission for review and comment.
    - *RC Policy I1.1.3*: Encourage the protection of cultural and archaeological Sites with potential for placement on the National Register of Historic Places and/or inclusion in the California Inventory of Historic Resources.
    - *RC Policy I1.1.4*: Refer applications that involve the removal, destruction, or alteration of proposed or designated historic Sites or County landmarks to the Kings County Museum Advisory Committee or its successor for recommended mitigation measures.

  - RC OBJECTIVE I1.2: Identify potential archaeological and historical resources and, where appropriate, protect such resources.
    - *RC Policy I1.2.1*: Participate in and support efforts to identify significant cultural and archaeological resources and protect those resources in accordance to Public Resources Code 5097.9 and 5097.993.

- *RC Policy I1.2.2*: Continue to solicit input from local Native American communities in cases where development may result in disturbance to Sites containing evidence of Native American Activity and/or to Sites of cultural importance.
- *RC Policy I1.2.3*: Address archaeological and cultural resources in accordance with the California Environmental Quality Act (CEQA) for discretionary land use applications.
- *RC Policy I1.2.4*: The County will respectfully comply with Government Code §65352.3 (SB18) by conducting formal consultations with tribes as identified by the Native American Heritage Commission on all general plan and specific plan amendments.
- *RC Policy I1.2.5*: The County will respectfully comply with Government Code §6254.(r) and 6254.10 by protecting confidential information concerning Native American cultural resources. For example, adopting internal procedures such as keeping confidential archaeological reports away from public view or discussion in public meetings.
- *RC Policy I1.2.1.6*: The County shall work in good faith with the Santa Rosa Rancheria Tachi Yokut Tribe ("Tribe"), the developer and other parties if the Tribe requests return of certain Native American artifacts from private development Projects (e.g., for interpretive or educational value). The developer is expected to act in good faith when considering the Tribe's request for artifacts. Artifacts not desired by the Tribe shall be placed in a qualified repository as established by the California State Historical Resources Commission (see Guidelines for the Curation of Archaeological Collections, May 1993). If no facility is available, then all artifacts shall be donated to the Tribe.

Discussion

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

i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

Less Than Significant Impact with Mitigation: No buildings or structures are currently on the site. The Project's construction will include a limited amount of ground disturbance to construct the base for the monopole. Although no cultural resources have been identified, the presence of remains or unanticipated cultural resources under the ground surface is possible. Implementing Mitigation Measures CUL-1, CUL-2, and CUL-3 will ensure that impacts on this checklist item will be *less than significant with mitigation incorporation.*

ii. **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivIon (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in sublision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

Less Than Significant Impact with Mitigation: Although no Tribal cultural resources are expected on the project site, the presence of remains or unanticipated cultural resources under the ground surface is possible. Implementing Mitigation Measures CUL-1, CUL-2, and CUL-3 will ensure that impacts will be *less than significant with mitigation incorporation.*

XIX. UTILITIES AND SERVICE SYSTEMS

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

Environmental Setting

Wastewater: Stratford Public Utilities District (SPUD) provides water services and infrastructure. As a cellular facility, the Project would not require wastewater treatment and, therefore, would not need to connect to SPUD facilities or install a septic system as part of the proposed Project.

Solid Waste: Solid waste collection and disposal services in the County are provided by the Kings Waste and Recycling Authority (KWRA). Formed in 1989 through an agreement between the County and the cities of Lemoore, Hanford, and Corcoran, KWRA transports solid waste from

member jurisdictions to its Materials Recovery Facility in Hanford. Here, waste is separated for recycling, composting, or landfill disposal (Kings County, 2010).

Non-recyclable materials are transferred to the B-17 Landfill Unit at the Chemical Waste Management, Inc. Kettleman Hills Facility on SR-41 in Kettleman Hills, approximately 19 miles southwest of the Project site. The B-17 Landfill Unit has a maximum disposal rate of 2,000 tons per day and currently accepts an average of 1,350 tons per day (Waste Management 2018).

As of November 2010, the total permitted capacity of the B-17 Landfill Unit is 18.4 million cubic yards, with a remaining capacity of 17.5 million cubic yards. The facility is estimated to close between 2026 and 2030, with the actual closure date depending on the fill rate (Waste Management 2018).

Water: SPUD provides water services to residents and businesses within Stratford. As a cellular facility, the Project would not require water supplies and, therefore, would not need to connect to SPUD facilities or install a groundwater well as part of the proposed Project.

Stormwater: The Kings County Public Works Department maintains storm drainage facilities throughou' the County's unincorporated areas. However, infrastructure and services such as curbs, gutters, and storm drainage are limited in Stratford. The Project includes a stormwater drainage plan. Stormwater will flow into the gravel access road with a 6" of ¾" aggregate base. The area surrounding the Project will be sloped a minimum of 2% towards the aggregate base to collect all stormwater.

Electric Power: PG&E will provide electricity to the Project. An electrical line will run from the existing overhead power on Front Street to the Compound. The power line will run underneath the proposed access road. The plan proposes installing a 178-foot, 4-inch diameter Schedule 80 PVC conduit from the connection point into a PG&E step-down transformer.

Natural Gas: The proposed Project will not require natural gas services.

Regulatory Setting

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

Discussion

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

Less than Significant Impact: The Project would not require any water, wastewater, or natural gas facilities and, therefore, would not require the construction or expansion of such facilities. Electricity for the Project would be provided through a connection to the existing electrical grid, which would be linked to the cellular tower via an electrical line from the existing overhead power on Front Street. No new electric power facilities would be required to support the Project. The Project would connect to existing telecommunication facilities with a fiber optic cable alo107tility same utility easements as the electric supply. The Project would not displace any existing utility infrastructure and, therefore, would not require the construction of such infrastructure elsewhere. There would be *a less than significant impact.*

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

No Impact: The proposed Project would not require any water service. Therefore, the Project would not need any additional water supplies. *No impact* related to these utilities and service systems would occur.

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

No Impact: The proposed Project would not require any wastewater service. Therefore, the Project would not affect wastewater treatment capacity. *No impact* related to these utilities and service systems would occur.

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

Less than Significant Impact: The KWRA provides solid waste, recycling, and hazardous materials collection services in the area of the Project Site. The installation of a cellular facility would generate a minimal amount of construction waste and no ongoing operational waste. After processing, waste is taken to the B-17 Landfill Unit, the primary municipal solid waste disposal facility in Kings County. The B-17 Landfill Unit has sufficient capacity to accommodate the solid waste disposal needs of Kings County. Because the landfill serving the Project area

has sufficient capacity to accommodate solid waste needs, there would be *a less than significant impact.*

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

No Impact: The KWRA provides solid waste, recycling, and hazardous materials collection services in the area of the Project Site. The installation of a cellular facility would generate a minimal amount of construction waste and no ongoing operational waste. After processing, waste is taken to the B-17 Landfill Unit, the primary municipal solid waste disposal facility in Kings County. The B-17 Landfill Unit has sufficient capacity to accommodate the solid waste disposal needs of Kings County. Disposal of solid wastes associated with the construction of the Project would comply with applicable solid waste regulations. Because the landfill serving the Project area has sufficient capacity to accommodate solid waste needs, there would be *no impact.*

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☑
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?	☐	☐	☐	☑

Environmental Setting

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

Regulatory Setting

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

Kings County Emergency Operations Plan (2015): The Kings County Emergency Operations Plan establishes goals, priorities, and strategies in the event of an emergency. The goals and priorities are outlined below.

- 2.1 Goals, Priorities, and Strategies: During the response phase, emergency managers set goals, prioritize actions, and outline operational strategies. This plan provides a broad overview of those goals, priorities, and strategies and describes what should occur during each step, when, and at whose direction.
- 2.1.1 Operational Goals: During the response phase, the agencies that are charged with responsibilities in this plan should focus on the following five goals:
    - Mitigate hazards.
    - Meet basic human needs.
    - Address needs of people with disabilities and others with access and functional needs.
    - Restore essential services.
    - Support community and economic recovery.
- 2.1.2 Operational Priorities: Operational priorities govern resource allocation and the response strategies for the Kings County and its political subdivisions during an emergency. Below are operational priorities addressed in this plan.
    - Save Lives – The preservation of life is the top priority of emergency managers and first responders, and takes precedence over all other considerations.
    - Protect Health and Safety – Measures should be taken to mitigate the impact of the emergency on public health and safety.
    - Protect Property – All feasible efforts must be made to protect public and private property and resources, including critical infrastructure, from damage during and after an emergency.
    - Preserve the Environment – All possible efforts must be made to preserve California's environment and protect it from damage during an emergency.

2035 Kings County General Plan: The 2035 General Plan Health and Safety *Element* includes the following policy which would reduce potential impacts from wildfires:

- *HS Policy C2.2.2*: Development proposals and code revisions shall be referred to the County Fire Department for review and comment.

Discussion

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact: The Project would not substantially impair an adopted emergency response or evacuation plan. The Project will be reviewed by the Kings County Fire Department to ensure that Project does not impair emergency response or emergency evacuation. The proposed Project Site is also not located within an SRA or a Very High FHSZ. There is *no impact.*

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

No Impact: The Project is located on a flat area at little risk of fire. The proposed Project Site is also not located within an SRA or a Very High FHSZ. There is *no impact.*

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?

Less than Significant Impact: The Project's construction involves the construction of a monopole and the required equipment. Utilities for electricity would be included as part of the proposed development, however, all improvements would be subject to County standards and Fire Chief approval. The proposed Project would not exacerbate fire risk and the impact would be *less than significant.*

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

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

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion

a) Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self- sustaining levels, threaten to eliminate a plant or animal community, 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?

Less than Significant Impact with Mitigation: This initial study/mitigated negative declaration found the Project could significantly impact Historical/Cultural Resources and Tribal Cultural Resources. However, implementing the identified mitigation measures, CUL-1, CUL-2, and CUL-

3 for each respective section would ensure that impacts are *less than significant with mitigation incorporation.*

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

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

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

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

XXII. MITIGATION MONITORING AND REPORTING PROGRAM

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

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

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
Mitigation Measure CUL-1: Procedures for Handling Encountered Historical Resources. Construction shall stop near the find if previously unknown resources are encountered before or during grading activities. A qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavating the finds and evaluating the discoveries following Section 15064.5 of the CEQA Guidelines and the County's General Plan. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoiding or capping, incorporating the Site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the discovery area until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a County-approved institution or person capable of providing long-term preservation to allow future scientific study.	Project Applicant	Ongoing During Construction	Kings County	

Mitigation Measure CUL-2: Procedures for Handling Human Remains Discovery. In the event that human remains are unearthed during the excavation and grading activities of any future development Project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings regarding origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and consult with the descendants all reasonable options regarding the descendants' preferences for treatment.	Project Applicant	Ongoing During Construction	Kings County	
Mitigation Measure CUL-3: Pre-Construction Cultural Survey Requirement. Prior to any construction activities, a qualified professional consultant must conduct a field survey of the project site to determine if any cultural resources are present. The results of this survey must be submitted to the Kings County Community Development Agency for review. If any cultural resources are identified, further consultation with the appropriate authorities, including the Native American Heritage Commission, may be necessary to ensure proper management and preservation of these resources. No ground-disturbing activities shall commence until the survey has been completed and the results have been reviewed by the County.	Project Applicant	Prior to any construction activities	Kings County	

Supporting Information and Sources

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2. **2035 Kings County General Plan**. Available at: https://www.countyofkings.com/departments/community-development-agency/information/2035-general-plan
3. **Kings County Development Code**. Available at: https://www.countyofkingsca.gov/departments/community-development-agency/information/zoning-ordinance
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Aesthetics

5. **Caltrans State Scenic Highways**. Available at: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa

Agriculture and Forest Resources

6. **California Department of Conservation Farmland Mapping and Monitoring Program**. Available at: https://www.conservation.ca.gov/dlrp/fmmp
7. **Kings County 2022 Crop Report**. Available at: https://www.countyofkingsca.gov/home/showpublisheddocument/32164/638307941453970000

Air Quality

8. **SJVAPCD Rules and Regulations**. Available at: https://www.valleyair.org/rules/1ruleslist.htm
9. **SJVAPCD Ambient Air Quality Standards & Valley Attainment Status**. Available at: https://ww2.valleyair.org/air-quality-information/ambient-air-quality-standards-valley-attainmnet-status/
10. **SJVAPCD, 2015. Guidance for Assessing and Mitigating Air Quality Impacts**. Available at: https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF
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13. **CARB 2022a. Scoping Plan for Achieving Carbon Neutrality**. Available at: https://ww2.arb.ca.gov/our-work/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents
14. **CARB 2022b. State and Federal Area Designations**. Available at: https://ww2.arb.ca.gov/our-work/programs/state-and-federal-area-designations
15. **CARB. Common Air Pollutants**. Available at: https://ww2.arb.ca.gov/resources/common-air-pollutants?corr
16. **CARB. Air Quality Data Statistics**. Available at: https://www.arb.ca.gov/adam/topfour/topfour1.php

Biological Resources

17. **California Natural Diversity Database. BIOS 6.0 and Rarefind 5.0**. Available at: https://wildlife.ca.gov/Data/CNDDB/Maps-and-Data

18. **California Endangered Species Act**. Available at: https://wildlife.ca.gov/Conservation/CESA
19. **USFWS Environmental Conservation Online System**. Available at: https://ecos.fws.gov/ecp/report/table/critical-habitat.html
20. **USFWS Endangered Species Act**. Available at: https://www.fws.gov/media/endangered-species-act
21. **USFWS National Wetlands Inventory, Wetlands Mapper**. Available at: https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/

Cultural Resources

22. **California Health and Safety Code Section 7050.5**. Available at: https://california.public.law/codes/ca_health_and_safety_code_section_7050.5#:~=California%20Health%20and%20Safety%20Code%20Sec.%207050.5%20%28a%29,in%20Section%205097.99%20of%20the%20Public%20Resources%20Code
23. **California Register of Historical Resources**. Available at: https://ohp.parks.ca.gov/?page_id=21238
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25. **Office of Historic Preservation**. Available at: https://ohp.parks.ca.gov/

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26. **PG&E Power Resources**. Available at: https://www.pge.com/content/dam/pge/docs/account/billing-and-assistance/bill inserts/1023-Power-Content-Label.pdf

Geology and Soils

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28. **Grangeville Series, USDA Natural Resources Conservation Service**. Available at: https://soilseries.sc.egov.usda.gov/OSD_Docs/G/GRANGEVILLE.html
29. **Tulare County Association of Governments, 1974. Five County Seismic Safety Element**. Available at: https://tularecounty.ca.gov/rma/planning-building/environmental-planning/environmental-planning-resources/five-county-seismic-safety-element-1974/
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Greenhouse Gas Emissions

31. **Overview of Greenhouse Gases, EPA**. Available at: https://www.epa.gov/ghgemissions/overview-greenhouse-gases
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https://ww2.valleyair.org/media/disb2jna/2-ccap-final-district-policy-ceqa-ghg-dec-17-2009.pdf

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35. **California Building Code**. Available at: https://www.dgs.ca.gov/BSC/Codes
36. **Department of Toxic Substances Control's EnviroStor**. Available at: https://dtsc.ca.gov/your-envirostor/
37. **TIA-222-I**. Available at: https://tiaonline.org/standardannouncement/tia-issues-new-structural-standard-for-antenna-supporting-structures-antennas-and-small-wind-turbine-support-structures-standard/

Hydrology and Water Quality

38. **FEMA National Flood Hazard Mapping**. Available at: https://msc.fema.gov/portal/home

Noise

39. **FTA Transit Noise and Vibration Impact Assessment**. Available at: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf

Population and Housing

40. **Kings County Census Data**. Available at: https://www.census.gov/quickfacts/kingscountycalifornia

Transportation

41. **Technical Advisory on Evaluating Transportation Impacts under CEQA**. Available at: https://dot.ca.gov/-/media/dot-media/programs/transportation-planning/documents/sb-743/2020-09-10-1st-edition-tac-fnl-a11y.pdf

Section 4

List of Preparers

Kings County
1400 W Lacey Blvd, Bldg #6
Hanford, CA 93230

SECTION 4
List of Preparers

Project Title: Aqua Vista Monopole

List of Preparers

4-Creeks Inc.

- David Duda, AICP, GISP
- Nate Antepenko, Associate Planner

Persons and Agencies Consulted

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

Kings County

Appendix A

Cultural Resources Records Search

California Historical Resources Information System



Fresno
Kern
Kings
Madera
Tulare

Southern San Joaquin Valley Information Center
California State University, Bakersfield
Mail Stop: 72 DOB
9001 Stockdale Highway
Bakersfield, California 93311-1022
(661) 654-2289
E-mail: ssjvic@csub.edu
Website: www.csub.edu/ssjvic

To: Nate Antepenko
4Creeks, Inc.
324 S. Santa Fe Street, Suite A
Visalia, CA 93292

Record Search 24-283

Date: July 1, 2024

Re: Aqua Vista Monopole

County: Kings

Map(s): Stratford 7.5'

CULTURAL RESOURCES RECORDS SEARCH

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

The following are the results of a search of the cultural resource files at the Southern San Joaquin Valley Information Center. These files include known and recorded cultural resources sites, inventory and excavation reports filed with this office, and resources listed on the National Register of Historic Places, the OHP Built Environment Resources Directory, California State Historical Landmarks, California Register of Historical Resources, California Inventory of Historic Resources, and California Points of Historical Interest. Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the OHP are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area.

PRIOR CULTURAL RESOURCE STUDIES CONDUCTED WITHIN THE PROJECT AREA AND THE ONE-HALF MILE RADIUS

According to the information in our files, there have been no previous cultural resource studies completed within the project area. There have been 8 cultural resource studies completed within the one-half mile radius: KI-00009, 00053, 00056, 00063, 00092, 00181, 00196, & 00234.

KNOWN/RECORDED CULTURAL RESOURCES WITHIN THE PROJECT AREA AND THE ONE-HALF MILE RADIUS

According to the information in our files, there are no recorded resources within the project area. There are 2 recorded cultural resources within the one-half mile radius: P-16-000122, & 000245. These resources consist of a historic road, and canal.

There are no recorded cultural resources within the project area or radius that are listed in the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest, California Inventory of Historic Resources, for the California State Historic Landmarks.

COMMENTS AND RECOMMENDATIONS

We understand this project proposes installing a 100-foot-high monopole to be used as a cellular tower and access road connecting the compound to Front Street. Further, we understand the project site is vacant and will not require the demolition of any structures. Because a cultural resources study has never been done on this property, it is unknown if any cultural resources are present. As such, prior to ground disturbance activities, we recommend a qualified, professional consultant conduct a field survey to determine if cultural resources are present. A list of qualified consultants can be found at www.chrisinfo.org.

We also recommend that you contact the Native American Heritage Commission in Sacramento. They will provide you with a current list of Native American individuals/organizations that can assist you with information regarding cultural resources that may not be included in the CHRIS Inventory and that may be of concern to the Native groups in the area. The Commission can consult their "Sacred Lands Inventory" file to determine what sacred resources, if any, exist within this project area and the way in which these resources might be managed. Finally, please consult with the lead agency on this project to determine if any other cultural resource investigation is required. If you need any additional information or have any questions or concerns, please contact our office at (661) 654-2289.

By:



Jeremy E David, Assistant Coordinator **Date**: July 1, 2024

Please note that invoices for Information Center services will be sent under separate cover from the California State University, Bakersfield Accounting Office.