January 2026 | Draft Environmental Impact Report
State Clearinghouse No. 2025041045

PERFORMING ARTS THEATER, ACCEL CENTER, AND LIBRARY PROJECT

for Tulare County Office of Education

Prepared for:

Tulare County Office of Education
Contact: Jeff Ramsay
Director, General Services
6200 S. Mooney Boulevard
Visalia, California 93277
559.733.6601

Prepared by:

PlaceWorks
Contact: Malia Durand
Principal
3 MacArthur Place, Suite 1100
Santa Ana, California 92707
714.966.9220
info@placeworks.com
www.placeworks.com

PLACEWORKS

Table of Contents

Contents **Page**

1. EXECUTIVE SUMMARY 1-1
1.1 INTRODUCTION 1-1
1.2 ENVIRONMENTAL PROCEDURES 1-1
1.2.1 EIR Format 1-2
1.2.2 Type and Purpose of This DEIR 1-3
1.3 PROJECT LOCATION 1-4
1.4 PROJECT SUMMARY 1-4
1.5 SUMMARY OF PROJECT ALTERNATIVES 1-5
1.5.1 Alternative 1: No Project Alternative 1-5
1.5.2 Alternative 2: Performing Arts Theater on Liberty Campus 1-6
1.5.3 Alternative 3: Library Constructed Adjacent to Tulare County Office of Education Administration Building 1-7
1.6 ISSUES TO BE RESOLVED 1-7
1.7 AREAS OF CONTROVERSY 1-8
1.8 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES, AND LEVELS OF SIGNIFICANCE AFTER MITIGATION 1-8
2. INTRODUCTION 2-1
2.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT 2-1
2.2 SCOPING PROCESS 2-2
2.3 SCOPE OF THIS DEIR 2-5
2.3.1 Impacts Considered Less Than Significant 2-5
2.3.2 Potentially Significant Adverse Impacts 2-5
2.3.3 Unavoidable Significant Adverse Impacts 2-6
2.4 INCORPORATION BY REFERENCE 2-6
2.5 FINAL EIR CERTIFICATION 2-7
2.6 MITIGATION MONITORING 2-7
3. PROJECT DESCRIPTION 3-1
3.1 INTRODUCTION 3-1
3.2 PROJECT LOCATION 3-2
3.2.1 Regional Location and Access 3-2
3.2.2 Project Site 3-2
3.2.3 Existing Zoning and Land Uses 3-11
3.2.4 Surrounding Land Uses 3-11
3.2.5 Current Locations of AcCEL Center, Library and Performing Arts Theater 3-12
3.3 STATEMENT OF OBJECTIVES 3-15
3.4 PROJECT CHARACTERISTICS 3-15
3.4.1 Proposed Land Uses 3-15
3.5 INTENDED USES OF THE EIR 3-21
4. ENVIRONMENTAL SETTING 4-1
4.1 INTRODUCTION 4-1
4.2 REGIONAL ENVIRONMENTAL SETTING 4-1
4.2.1 Regional Location 4-1
4.2.2 Local and Regional Planning Considerations 4-1
4.3 ENVIRONMENTAL SETTING 4-7
4.3.1 Aesthetics 4-7
4.3.2 Agriculture and Forestry Resources 4-8
4.3.3 Air Quality 4-8
4.3.4 Biological Resources 4-8
4.3.5 Cultural Resources 4-8
4.3.6 Energy 4-8

Table of Contents

Contents **Page**

4.3.7 Geology and Landform....4-8
4.3.8 Greenhouse Gas Emissions....4-9
4.3.9 Hazards and Hazardous Materials....4-9
4.3.10 Hydrology and Water Quality....4-9
4.3.11 Land Use and Planning....4-9
4.3.12 Noise....4-10
4.3.13 Population and Housing....4-10
4.3.14 Public Services....4-10
4.3.15 Recreation....4-10
4.3.16 Transportation....4-11
4.3.17 Tribal Cultural Resources....4-11
4.3.18 Utilities and Service Systems....4-11
4.3.19 Wildfire....4-12
4.4 ASSUMPTIONS REGARDING CUMULATIVE IMPACTS....4-12
4.5 REFERENCES....4-13
5. ENVIRONMENTAL ANALYSIS....5-1
5.1 AESTHETICS....5.1-1
5.1.1 Environmental Setting....5.1-1
5.1.2 Thresholds of Significance....5.1-5
5.1.3 Environmental Impacts....5.1-5
5.1.4 Cumulative Impacts....5.1-11
5.1.5 Level of Significance Before Mitigation....5.1-12
5.1.6 Mitigation Measures....5.1-12
5.1.7 Level of Significance After Mitigation....5.1-12
5.1.8 References....5.1-12
5.2 AGRICULTURE AND FORESTRY RESOURCES....5.2-1
5.2.1 Environmental Setting....5.2-1
5.2.2 Thresholds of Significance....5.2-6
5.2.3 Environmental Impacts....5.2-11
5.2.4 Cumulative Impacts....5.2-14
5.2.5 Level of Significance Before Mitigation....5.2-14
5.2.6 Mitigation Measures....5.2-15
5.2.7 Level of Significance After Mitigation....5.2-16
5.2.8 References....5.2-16
5.3 AIR QUALITY....5.3-1
5.3.1 Environmental Setting....5.3-1
5.3.2 Thresholds of Significance....5.3-21
5.3.3 Environmental Impacts....5.3-24
5.3.4 Cumulative Impacts....5.3-35
5.3.5 Level of Significance Before Mitigation....5.3-36
5.3.6 Mitigation Measures....5.3-36
5.3.7 Level of Significance After Mitigation....5.3-36
5.3.8 References....5.3-36
5.4 BIOLOGICAL RESOURCES....5.4-1
5.4.1 Environmental Setting....5.4-1
5.4.2 Thresholds of Significance....5.4-14
5.4.3 Environmental Impacts....5.4-14
5.4.4 Cumulative Impacts....5.4-17
5.4.5 Level of Significance Before Mitigation....5.4-18
5.4.6 Mitigation Measures....5.4-19
5.4.7 Level of Significance After Mitigation....5.4-20

Table of Contents

Contents **Page**

5.4.8 References ... 5.4-20
5.5 CULTURAL RESOURCES ... 5.5-1
5.5.1 Environmental Setting ... 5.5-1
5.5.2 Thresholds of Significance ... 5.5-9
5.5.3 Environmental Impacts ... 5.5-10
5.5.4 Cumulative Impacts ... 5.5-11
5.5.5 Level of Significance Before Mitigation ... 5.5-12
5.5.6 Mitigation Measures ... 5.5-12
5.5.7 Level of Significance After Mitigation ... 5.5-13
5.5.8 References ... 5.5-13
5.6 ENERGY ... 5.6-1
5.6.1 Environmental Setting ... 5.6-1
5.6.2 Thresholds of Significance ... 5.6-8
5.6.3 Environmental Impacts ... 5.6-8
5.6.4 Cumulative Impacts ... 5.6-14
5.6.5 Level of Significance Before Mitigation ... 5.6-14
5.6.6 Mitigation Measures ... 5.6-14
5.6.7 Level of Significance After Mitigation ... 5.6-14
5.6.8 References ... 5.6-15
5.7 GEOLOGY AND SOILS ... 5.7-1
5.7.1 Environmental Setting ... 5.7-1
5.7.2 Thresholds of Significance ... 5.7-11
5.7.3 Environmental Impacts ... 5.7-11
5.7.4 Cumulative Impacts ... 5.7-15
5.7.5 Level of Significance Before Mitigation ... 5.7-16
5.7.6 Mitigation Measures ... 5.7-16
5.7.7 Level of Significance After Mitigation ... 5.7-17
5.7.8 References ... 5.7-17
5.8 GREENHOUSE GAS EMISSIONS ... 5.8-1
5.8.1 Environmental Setting ... 5.8-1
5.8.2 Thresholds of Significance ... 5.8-18
5.8.3 Environmental Impacts ... 5.8-20
5.8.4 Cumulative Impacts ... 5.8-27
5.8.5 Level of Significance Before Mitigation ... 5.8-27
5.8.6 Mitigation Measures ... 5.8-27
5.8.7 Level of Significance After Mitigation ... 5.8-27
5.8.8 References ... 5.8-27
5.9 HAZARDS AND HAZARDOUS MATERIALS ... 5.9-1
5.9.1 Environmental Setting ... 5.9-1
5.9.2 Thresholds of Significance ... 5.9-19
5.9.3 Environmental Impacts ... 5.9-19
5.9.4 Cumulative Impacts ... 5.9-33
5.9.5 Level of Significance Before Mitigation ... 5.9-34
5.9.6 Mitigation Measures ... 5.9-34
5.9.7 Level of Significance After Mitigation ... 5.9-34
5.9.8 References ... 5.9-34
5.10 HYDROLOGY AND WATER QUALITY ... 5.10-1
5.10.1 Environmental Setting ... 5.10-1
5.10.2 Thresholds of Significance ... 5.10-11
5.10.3 Environmental Impacts ... 5.10-11
5.10.4 Cumulative Impacts ... 5.10-18
5.10.5 Level of Significance Before Mitigation ... 5.10-19

Table of Contents

Contents **Page**

5.10.6 Mitigation Measures 5.10-20
5.10.7 Level of Significance After Mitigation 5.10-20
5.10.8 References 5.10-20
5.11 LAND USE AND PLANNING 5.11-1
5.11.1 Environmental Setting 5.11-1
5.11.2 Thresholds of Significance 5.11-20
5.11.3 Environmental Impacts 5.11-21
5.11.4 Cumulative Impacts 5.11-38
5.11.5 Level of Significance Before Mitigation 5.11-39
5.11.6 Mitigation Measures 5.11-39
5.11.7 Level of Significance After Mitigation 5.11-39
5.11.8 References 5.11-40
5.12 NOISE 5.12-1
5.12.1 Environmental Setting 5.12-5
5.12.2 Thresholds of Significance 5.12-13
5.12.3 Environmental Impacts 5.12-14
5.12.4 Cumulative Impacts 5.12-21
5.12.5 References 5.12-22
5.13 POPULATION AND HOUSING 5.13-1
5.13.1 Environmental Setting 5.13-1
5.13.2 Thresholds of Significance 5.13-5
5.13.3 Environmental Impacts 5.13-5
5.13.4 Cumulative Impacts 5.13-7
5.13.5 Level of Significance Before Mitigation 5.13-7
5.13.6 Mitigation Measures 5.13-7
5.13.7 Level of Significance After Mitigation 5.13-8
5.13.8 References 5.13-8
5.14 PUBLIC SERVICES 5.14-1
5.14.1 Fire Protection and Emergency Services 5.14-1
5.14.2 Police Protection 5.14-7
5.14.3 School Services 5.14-11
5.14.4 Parks 5.14-15
5.14.5 Library 5.14-18
5.14.6 References 5.14-20
5.15 RECREATION 5.15-1
5.15.1 Environmental Setting 5.15-1
5.15.2 Thresholds of Significance 5.15-3
5.15.3 Environmental Impacts 5.15-4
5.15.4 Cumulative Impacts 5.15-5
5.15.5 Level of Significance Before Mitigation 5.15-5
5.15.6 Mitigation Measures 5.15-5
5.15.7 Level of Significance After Mitigation 5.15-5
5.15.8 References 5.15-5
5.16 TRANSPORTATION 5.16-1
5.16.1 Environmental Setting 5.16-1
5.16.2 Thresholds of Significance 5.16-8
5.16.3 Environmental Impacts 5.16-8
5.16.4 Cumulative Impacts 5.16-15
5.16.5 Level of Significance Before Mitigation 5.16-16
5.16.6 Mitigation Measures 5.16-16
5.16.7 Level of Significance After Mitigation 5.16-17
5.16.8 References 5.16-17

Table of Contents

Contents **Page**

5.17 TRIBAL CULTURAL RESOURCES 5.17-1
5.17.1 Environmental Setting 5.17-1
5.17.2 Thresholds of Significance 5.17-6
5.17.3 Environmental Impacts 5.17-6
5.17.4 Cumulative Impacts 5.17-8
5.17.5 Level of Significance Before Mitigation 5.17-8
5.17.6 Mitigation Measures 5.17-8
5.17.7 Level of Significance After Mitigation 5.17-9
5.17.8 References 5.17-9
5.18 UTILITIES AND SERVICE SYSTEMS 5.18-1
5.18.1 Wastewater Treatment and Collection 5.18-1
5.18.2 Water Supply and Distribution Systems 5.18-5
5.18.3 Storm Drainage Systems 5.18-17
5.18.4 Solid Waste 5.18-20
5.18.5 Other Utilities 5.18-25
5.18.6 References 5.18-30
5.19 WILDFIRE 5.19-1
5.19.1 Environmental Setting 5.19-1
5.19.2 Thresholds of Significance 5.19-9
5.19.3 Environmental Impacts 5.19-10
5.19.4 Cumulative Impacts 5.19-13
5.19.5 Level of Significance Before Mitigation 5.19-14
5.19.6 References 5.19-14
6. SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS 6-1
7. ALTERNATIVES TO THE PROPOSED PROJECT 7-1
7.1 INTRODUCTION 7-1
7.2 FACTORS CONSIDERED WHEN DEVELOPING ALTERNATIVES 7-2
7.2.1 Project Objectives 7-2
7.2.2 Summary of Significant Effects of the Proposed Project 7-3
7.3 ALTERNATIVES CONSIDERED AND REJECTED 7-4
7.3.1 Alternative Site 7-4
7.3.2 AcCEL Center on Liberty Campus 7-4
7.4 ALTERNATIVES SELECTED FOR FURTHER ANALYSIS 7-4
7.5 ALTERNATIVE 1: NO PROJECT ALTERNATIVE 7-5
7.5.1 Aesthetics 7-5
7.5.2 Agriculture and Forestry Resources 7-5
7.5.3 Air Quality 7-6
7.5.4 Biological Resources 7-6
7.5.5 Cultural Resources 7-6
7.5.6 Energy 7-6
7.5.7 Geology and Soils 7-6
7.5.8 Greenhouse Gas Emissions 7-6
7.5.9 Hazards and Hazardous Materials 7-6
7.5.10 Hydrology and Water Quality 7-7
7.5.11 Land Use and Planning 7-7
7.5.12 Noise 7-7
7.5.13 Population and Housing 7-7
7.5.14 Public Services 7-7
7.5.15 Recreation 7-7
7.5.16 Transportation 7-8
7.5.17 Tribal Cultural Resources 7-8

Table of Contents

Contents **Page**

7.5.18 Utilities and Service Systems 7-8
7.5.19 Wildfire 7-8
7.5.20 Conclusion 7-8
7.6 ALTERNATIVE 2: PERFORMING ARTS THEATER ON LIBERTY CAMPUS 7-8
7.6.1 Aesthetics 7-9
7.6.2 Agriculture and Forestry Resources 7-9
7.6.3 Air Quality 7-9
7.6.4 Biological Resources 7-10
7.6.5 Cultural Resources 7-10
7.6.6 Energy 7-10
7.6.7 Geology and Soils 7-10
7.6.8 Greenhouse Gas Emissions 7-10
7.6.9 Hazards and Hazardous Materials 7-11
7.6.10 Hydrology and Water Quality 7-11
7.6.11 Land Use and Planning 7-11
7.6.12 Noise 7-12
7.6.13 Population and Housing 7-12
7.6.14 Public Services 7-12
7.6.15 Recreation 7-13
7.6.16 Transportation 7-13
7.6.17 Tribal Cultural Resources 7-13
7.6.18 Utilities and Service Systems 7-13
7.6.19 Wildfire 7-13
7.6.20 Conclusion 7-14
7.7 ALTERNATIVE 3: LIBRARY CONSTRUCTED ADJACENT TO TULARE COUNTY OFFICE OF EDUCATION ADMINISTRATION BUILDING 7-14
7.7.1 Aesthetics 7-14
7.7.2 Agriculture and Forestry Resources 7-15
7.7.3 Air Quality 7-15
7.7.4 Biological Resources 7-15
7.7.5 Cultural Resources 7-15
7.7.6 Energy 7-15
7.7.7 Geology and Soils 7-16
7.7.8 Greenhouse Gas Emissions 7-16
7.7.9 Hazards and Hazardous Materials 7-16
7.7.10 Hydrology and Water Quality 7-17
7.7.11 Land Use and Planning 7-17
7.7.12 Noise 7-18
7.7.13 Population and Housing 7-18
7.7.14 Public Services 7-18
7.7.15 Recreation 7-19
7.7.16 Transportation 7-19
7.7.17 Tribal Cultural Resources 7-19
7.7.18 Utilities and Service Systems 7-19
7.7.19 Wildfire 7-19
7.7.20 Conclusion 7-20
7.8 ENVIRONMENTALLY SUPERIOR ALTERNATIVE 7-20
8. IMPACT FOUND NOT TO BE SIGNIFICANT 8-1
8.1 MINERAL RESOURCES 8-1
8.2 REFERENCES 8-2
9. SIGNIFICANT IRREVERSIBLE CHANGES DUE TO THE PROPOSED PROJECT 9-1

Table of Contents

Contents **Page**

10. GROWTH-INDUCING IMPACTS OF THE PROPOSED PROJECT 10-1
11. ORGANIZATIONS AND PERSONS CONSULTED 11-1
12. QUALIFICATIONS OF PERSONS PREPARING EIR 12-1
13. BIBLIOGRAPHY 13-1

APPENDICES

Appendix A NOP Comments
Appendix B Land Evaluation and Site Assessment Report
Appendix C Air Quality and Greenhouse Gas Background and Modeling Data
Appendix D Biological Resource Evaluation for Preforming Arts Theater, ACCEL Center, and Library Project, Tulare County, California
Appendix E Historical/Archaeological Resources Survey Report
Appendix F Paleontological Resources Assessment Report
Appendix G Geological and Environmental Hazards Assessment (GEHA)
Appendix H Preliminary Environmental Assessment
Appendix I Pipeline Safety Hazards Assessment
Appendix J No Further Action Determination Letter
Appendix K Noise Monitoring and Modeling Data
Appendix L Tulare County Fire Department Response Letter
Appendix M Traffic/Transportation Analysis for the Proposed Performing Arts Theater, AcCEL Center, and Library Project Tulare County
Appendix N Water Budget Workbook for New and Rehabilitated Non-Residential Landscapes

Table of Contents

Figure **Page**

Figure 3-1 Regional Location....3-3
Figure 3-2 Local Vicinity....3-5
Figure 3-3 Aerial View with Photograph Locations....3-7
Figure 3-4 Project Site Photographs....3-9
Figure 3-5 Surrounding Uses Photos....3-13
Figure 3-6 Conceptual Site Plan....3-17
Figure 5.2-1 *Farmland Mapping Monitoring Program Map*....5.2-7
Figure 5.2-2 Williamson Act Contract....5.2-9
Figure 5.3-1 Project Construction Sources and Receptors....5.3-29
Figure 5.3-2 Project Construction DPM Concentrations....5.3-31
Figure 5.12-1 Noise Monitoring Locations....5.12-11

Table of Contents

Table **Page**

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation 1-9
Table 2-1 NOP Comment Summary 2-2
Table 4-1 TCAG Growth Projections for Unincorporated Tulare County 4-13
Table 4-2 Cumulative Projects 4-13
Table 5.1-1 General Light Levels Benchmark 5.1-5
Table 5.2-1 Land Use Category Summary and Change 5.2-5
Table 5.3-1 Criteria Air Pollutant Health Effects Summary 5.3-5
Table 5.3-2 Ambient Air Quality Standards for Criteria Pollutants 5.3-7
Table 5.3-3 Attainment Status of Criteria Pollutants in the San Joaquin Valley Air Basin 5.3-19
Table 5.3-4 Ambient Air Quality Monitoring Summary 5.3-20
Table 5.3-5 SJVAPCD Regional Criteria Air Pollutants Significance Thresholds 5.3-22
Table 5.3-6 SJVAPCD Toxic Air Contaminants Incremental Risk Thresholds 5.3-23
Table 5.3-7 SJVAPCD Screening Levels for Potential Odor Sources 5.3-24
Table 5.3-8 Maximum Annual Construction Emissions 5.3-26
Table 5.3-9 Average Daily Construction-Related Emissions 5.3-26
Table 5.3-10 Maximum Annual Operational-Phase Emissions 5.3-27
Table 5.3-11 Average Daily Operation-Related Emissions 5.3-27
Table 5.3-12 Construction Risk Summary 5.3-28
Table 5.4-1 Special-Status Plant Species 5.4-8
Table 5.4-2 Special-Status Wildlife Species 5.4-9
Table 5.6-1 Construction-Related Fuel Usage 5.6-10
Table 5.6-2 Project Electricity Demand 5.6-11
Table 5.6-3 Project Natural Gas Demand 5.6-12
Table 5.6-4 Project Annual Operation-Related Fuel Usage 5.6-13
Table 5.8-1 GHG Emissions and Their Relative Global Warming Potential Compared to CO_2 ..... 5.8-2
Table 5.8-2 Summary of GHG Emissions Risks to California 5.8-5
Table 5.8-3 Priority Strategies for Local Government Climate Action Plans 5.8-9
Table 5.8-4 Project Construction-Related GHG Emissions 5.8-22
Table 5.8-5 Project Operation-Related GHG Emissions 5.8-22
Table 5.8-6 Project Consistency with the County of Tulare Climate Action Plan 5.8-23
Table 5.9-1 Public Resources Code 21151.8 and CEQA Guidelines 15186 Analysis 5.9-28
Table 5.9-2 Hazardous Material Site On-Site or Within 0.25 Mile of the Project Site 5.9-31
Table 5.10-1 Construction Best Management Practices to Prevent Erosion 5.10-12
Table 5.11-1 TCAG's 2022 RTP/SCS Consistency Analysis 5.11-27

Table of Contents

Table **Page**

Table 5.12-1 Human Reaction to Typical Vibration Levels 5.12-5
Table 5.12-2 Short-Term Noise Measurements Summary in A-weighted Sound Levels 5.12-8
Table 5.12-3 LT-1 Long-Term Noise Measurements – 63.1 dBA CNEL 5.12-10
Table 5.12-4 LT-2 Long-Term Noise Measurements – 64.6 dBA CNEL 5.12-10
Table 5.12-5 Project-Related Construction Noise Levels 5.12-17
Table 5.12-6 Project-Related Traffic Noise 5.12-20
Table 5.12-7 Vibration Impact Levels for Typical Construction Equipment 5.12-21
Table 5.13-1 County of Tulare Population, 2010–2024 ..... 5.13-3
Table 5.13-2 Unincorporated County of Tulare Population, 2010–2024 ..... 5.13-3
Table 5.13-3 Employment Trends in Tulare County 5.13-4
Table 5.13-4 TCAG Growth Projections for Tulare County 5.13-4
Table 5.13-5 TCAG Growth Projections for Unincorporated Tulare County 5.13-5
Table 5.14-1 Fire Station and Equipment Serving the Proposed Project 5.14-5
Table 5.16-1 Existing Traffic Volumes 5.16-7
Table 5.16-2 Project Generated Traffic 5.16-9
Table 5.16-3 Project Impact on Daily Traffic Volumes 5.16-10
Table 5.18-1 Projected Water Demand 5.18-13
Table 5.18-2 Supply and Demand Comparison (AFY) 5.18-13
Table 5.18-3 Landfill Capacity 5.18-23
Table 7-1 Ability of Alternatives to Meet Project Objectives 7-21

ABBREVIATIONS AND ACRONYMS

AAQS	ambient air quality standards
AB	Assembly Bill
ACC II	Advanced Clean Cars II
ACEP	Tulare County Agricultural Conservation Easement Program
ACM	asbestos-containing materials
ACS	American Community Survey
ADA	Americans with Disabilities Act
ADT	average daily trip
AE-20	Exclusive Agricultural Zone–20 Acre Minimum
AF	acre-feet
AFY	acre-feet per year
AIA	air quality impact assessment
ADA	Americans with Disabilities Act
ANSI	American National Standards Institute
APN	Assessor's Parcel Number
APSA	Aboveground Petroleum Storage Act
AQMP	air quality management plan
AR6	IPCC Sixth Assessment Report
ATP	Active Transportation Program
BAAQMD	Bay Area Air Quality Management District
Basin Plan	Water Quality Control Plan for the Tulare Lake Basin
BMP	best management practices
BSA	biological study area
C-2	General Commercial
CAA	Clean Air Act
CAFE	Corporate Average Fuel Economy
CAISO	California Independent System Operator
CalARP	California Accidental Release Prevention
CALCOG	California Association of Councils of Governments
CAL FIRE	California Department of Forestry and Fire Protection
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
CalGEM	Geologic Energy Management Division
CALGreen	2022 California Green Building Standards Code
Cal OES	California Office of Emergency Services
CalPIP	California Pesticide Information Portal
Caltrans	California Department of Transportation
CAP	Tulare County Climate Action Plan 2018 Update
CAPCOA	California Air Pollution Control Officers Association
CAO	County Administrative Officer
CARB	California Air Resources Board
CASQA	California Stormwater Quality Association

Abbreviations and Acronyms

CAT	California Climate Action Team
CAUAB	County Adopted Urban Area Boundary
CBC	California Building Code
CCCC	California Climate Change Center
CCR	California Code of Regulations
CDE	California Department of Education
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
Census	United States Census Bureau
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act of 1980
CESA	California Endangered Species Act
CEQA	California Environmental Quality Act
CFC	California Fire Code
CFGC	California Fish and Game Code
CFR	Code of Federal Regulations
CGEU	California Gas and Electric Utilities
CGP	Construction General Permit
CGS	California Geological Survey
CH_4	methane
C-MU	Mixed-Use Commercial
CMAQ	congestion mitigation and air quality
CMP	congestion management process
CNEL	Community Noise Equivalent Level
CNRA	California Natural Resources Agency
CO	carbon monoxide
CO_{2e}	carbon-dioxide equivalent
COE	Tulare County Office of Education
COG	Tulare County's Council of Governments
CONC	California Office of Noise Control
COPC	chemicals of potential concern
CPUC	California Public Utilities Commission
CRT	cathode ray tubes
CSA	county service area
CWA	Clean Water Act
CWC	California Water Code
CUPA	Certified Unified Program Agency
dB	decibel
dBA	A-weighted decibel
DEIR	draft environmental impact report
DOC	Department of Conservation
DOF	California Department of Finance
DPM	diesel particulate matter
DSA	Division of State Architects

Abbreviations and Acronyms

DTSC	California Department of Toxic Substances Control
DWR	Department of Water Resources
EDD	State of California Employment Development Department
EHD	Environmental Health Division
EIR	environmental impact report
EIS	emission inventory system
EO	Executive Order
EOC	Emergency Operations Center
EOP	Tulare Emergency Operations Plan
EPCRA	Emergency Planning Community Right-to-Know Act
ETRIP	Employer Trip Reduction Implementation Plan
EV	electric vehicle
fc	foot-candle
FEIR	final environmental impact report
FEMA	Federal Emergency Management Agency
FDS	Off-site Emissions Reduction Fee Deferral Schedule
FHSZ	Fire Hazard Severity Zone
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
FSZ	Farmland Security Zone
FTA	Federal Transit Administration
GAMAQI	Guide for Assessing and Mitigating Air Quality Impacts
GEHA	Geological and Environmental Hazards Assessment
GIS	Geographic Information Systems
GLO	General Land Office
GMP	Groundwater Management Plan
GPD	gallons per day
GSA	groundwater sustainability agency
GSP	Groundwater Sustainability Plan
GWh	gigawatt hours
GWP	global warming potential
H_2S	hydrogen sulfide
HCD	Housing and Community Development Department
HCP	habitat conservation plan
HDB	hamlet development boundary
HHRA	human health risk assessment
HMIS	hazardous materials inventory statement
HMMP	hazardous materials management plan
hp	horsepower
HVAC	heating, ventilation, and air conditioning
ICS	incident command system
IEA	International Energy Agency
IPCC	Intergovernmental Panel on Climate Change

Abbreviations and Acronyms

IRWM	Kaweah River Basin Integrated Regional Water Management
IRWMP	Integrated Regional Water Management Plan
ISR	indirect source review
ITS	Intelligent Transportation Systems
kBTU	kilo British thermal units
KDWCD	Kaweah Delta Water Conservation District
LAMP	Tulare County Local Agency Management Program
LCFS	low-carbon fuel standard
LCI	Office of Land Use and Climate Innovation
L_{dn}	day-night sound level
LE	land evaluation
L_{eq}	equivalent continuous noise level
L_n	statistical sound level
LESA	land evaluation and site assessment
LID	low-impact development
LOS	level of service
LRA	local responsibility area
LT-1	Long-Term Location 1
LT-2	Long-Term Location 2
LTA	local transportation analysis
MBPM-2	Migratory Bird Permit Memorandum
MBTA	Migratory Bird Treaty Act
MEIR	Maximum Exposed Individual Resident
MEIS	Maximum Exposed Individual Student
MEIW	Maximum Exposed Individual Worker
MMRP	Mitigation Monitoring and Reporting Program
mpg	miles per gallon
MPO	metropolitan planning organization
MRZ	mineral resource zone
MS4	municipal separate storm sewer systems
msl	mean sea level
MWELO	Model Water Efficient Landscape Ordinance
NAHC	Native American Heritage Commission
NAAQS	National Ambient Air Quality Standards
NCCP	Natural Community Conservation Planning
NFA	"No Further Action" Letter
NFPA	National Fire Protection Association
NHTSA	National Highway Traffic Safety Administration
NMFS	National Marine Fisheries Service
N_2O	nitrous oxide
NO_2	nitrogen dioxide
NO_x	nitrogen oxides
NOP	notice of preparation
NPDES	National Pollutant Discharge Elimination System

Abbreviations and Acronyms

NPL	national priority list
NRCS	Natural Resources Conservation Service
NWI	Natural Wetland Inventory
O_3	ozone
OCP	organochlorine pesticide
OEHHA	Office of Environmental Health Hazards Assessment
OES	Office of Emergency Services
OSHA	Occupational Safety and Health Administration
OSFM	Office of the State Fire Marshal
OWTS	on-site wastewater treatment system
PEA	preliminary environmental assessment
Pb	lead
PCB	polychlorinated biphenyls
Plan	Tulare County General Plan 2030 Update
PM	particulate matter
ppb	parts per billion
ppd	pounds per person per day
ppm	parts per million
PPV	peak particle velocity
PRC	California Public Resources Code
PRD	Permit Registration Document
PSHA	Pipeline Safety Hazard Assessment
PV	photovoltaic
PVC	polyvinyl chloride
R-1	single-family residential
RACT	Reasonably Available Control Technology
RCNM	Roadway Construction Noise Model
RCRA	Resource Conservation and Recovery Act
RHNA	Regional Housing Needs Assessment
RMA	County of Tulare Resource Management Agency
RMP	Risk Management Plan
RMS	root mean square
ROG	reactive organic gases
RPS	renewables portfolio standard
RTP/SCS	Tulare County Association of Governments 2022 Regional Transportation Plan/Sustainable Communities Strategy
RWQCB	Central Valley Regional Water Quality Control Board
SA	Site Assessment
SAFE	Safer Affordable Fuel Efficient
SB	Senate Bill
SCE	Southern California Edison
SCS	Sustainable Communities Strategy
SDWA	Federal Safe Drinking Water Act
SEL	single event noise level

Abbreviations and Acronyms

SEMS	Standardized Emergency Management System
SF_6	sulfur hexafluoride
SGMA	Sustainable Groundwater Management Act
SHMP	State of California Multi-Hazard Mitigation Plan
SIP	State Implementation Plan
SLF	Sacred Lands File
SLM	sound-level meters
SJVAPCD	San Joaquin Valley Air Pollution Control District
SMARTS	Stormwater Multiple Application and Report Tracking System
SO_2	sulfur dioxide
SO_4	sulfates
South Coast AQMD	South Coast Air Quality Management District
SO_x	sulfur oxides
SoCal Gas	Southern California Gas Company
SPCC	Federal Spill Prevention, Control, and Countermeasure
SR-	State Route
SRA	State Responsibility Area
ST-1	Short-Term Location 1
ST-2	Short-Term Location 2
ST-3	Short-Term Location 3
SSJVIC	Southern San Joaquin Valley Information Center
SSMP	Sewer System Master Plan
SSTAC	Social Services Transportation Advisory Committee
SWIS	Solid Waste Information System
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant
TCAG	Tulare County Association of Governments
TCFD	Tulare County Fire Department
TCM	Transportation Control Measure
TCOEH	Tulare County Office of Environmental Health
TCRTA	Tulare County Regional Transit Agency
TCSD	Tulare City School District
TCSO	Tulare County Sheriff's Office
TDM	Transportation Demand Management
TRU	Transport Refrigeration Units
TSCA	Toxic Substances Control Act
TSM	Transportation Systems Management
Tulare County LHMP	2018 Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan
UAB	Urban Area Boundary
UDB	Urban Development Boundary
UPHS	University Preparatory High School
USFWS	United States Fish and Wildlife Service
USEPA	United States Environmental Protection Agency

Abbreviations and Acronyms

USACE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USGS	United States Geologic Survey
UST	underground storage tank
UWMP	Urban Water Management Plan
VMT	vehicle-miles traveled
VOC	volatile organic compound
VPD	vehicles per day
VUSD	Visalia Unified School District
WCP	City of Visalia Water Conservation Plant
WDR	waste discharge requirement
WUI	wildland-urban interface
ZE	zero-emissions
ZEV	zero-emission vehicles
ZNE	zero net energy

Abbreviations and Acronyms

This page intentionally left blank.

1. Executive Summary

1.1 INTRODUCTION

This draft environmental impact report (DEIR) addresses the environmental effects associated with the implementation of the proposed Performing Arts Theater, AcCEL Center, and Library Project. The California Environmental Quality Act (CEQA) requires that local government agencies consider the environmental consequences before taking action on projects over which they have discretionary approval authority. An environmental impact report (EIR) analyzes potential environmental consequences in order to inform the public and support informed decisions by local and state governmental agency decision makers.

This DEIR has been prepared pursuant to the requirements of CEQA and the Tulare County Office of Education's CEQA procedures. The Tulare County Office of Education (COE), as the lead agency, has reviewed and revised all submitted drafts, technical studies, and reports as necessary to reflect its own independent judgment, including reliance on District technical personnel from other departments and review of all technical subconsultant reports.

Data for this DEIR derive from on-site field observations; discussions with affected agencies; analysis of adopted plans and policies; review of available studies, reports, data, and similar literature; and specialized environmental assessments—aesthetics, agricultural resources, air quality, biological resources, cultural resources, geological resources, hazards and hazardous materials, hydrology and water quality, land use, noise, population and housing, public services, recreation, transportation and traffic, and utilities and service systems.

1.2 ENVIRONMENTAL PROCEDURES

This DEIR has been prepared pursuant to CEQA to assess the environmental effects associated with implementation of the proposed project, as well as anticipated future discretionary actions and approvals. CEQA established six main objectives for an EIR:

1. Disclose to decision makers and the public the significant environmental effects of proposed activities.
2. Identify ways to avoid or reduce environmental damage.
3. Prevent environmental damage by requiring implementation of feasible alternatives or mitigation measures.
4. Disclose to the public reasons for agency approval of projects with significant environmental effects.
5. Foster interagency coordination in the review of projects.
6. Enhance public participation in the planning process.

1. Executive Summary

An EIR is the most comprehensive form of environmental documentation in CEQA and the CEQA Guidelines; it is intended to provide an objective, factually supported analysis and full disclosure of the environmental consequences of a proposed project with the potential to result in significant, adverse environmental impacts.

An EIR is one of various decision-making tools used by a lead agency to consider the merits and disadvantages of a project that is subject to its discretionary authority. Before approving a proposed project, the lead agency must consider the information in the EIR; determine whether the EIR was prepared in accordance with CEQA and the CEQA Guidelines; determine that it reflects the independent judgment of the lead agency; adopt findings concerning the project's significant environmental impacts and alternatives; and adopt a statement of overriding considerations if significant impacts cannot be avoided.

1.2.1 EIR Format

Chapter 1. Executive Summary: Summarizes the background and description of the proposed project, the format of this EIR, project alternatives, any critical issues remaining to be resolved, and the potential environmental impacts and mitigation measures identified for the project.

Chapter 2. Introduction: Describes the purpose of this EIR, background on the project, the notice of preparation, the use of incorporation by reference, and Final EIR certification.

Chapter 3. Project Description: A detailed description of the project, including its objectives, its area and location, approvals anticipated to be required as part of the project, necessary environmental clearances, and the intended uses of this EIR.

Chapter 4. Environmental Setting: A description of the physical environmental conditions in the vicinity of the project as they existed at the time the notice of preparation was published, from local and regional perspectives. These provide the baseline physical conditions from which the lead agency determines the significance of the project's environmental impacts.

Chapter 5. Environmental Analysis: Each environmental topic is analyzed in a separate section that discusses: the thresholds used to determine if a significant impact would occur; the methodology to identify and evaluate the potential impacts of the project; the existing environmental setting; the potential adverse and beneficial effects of the project; the level of impact significance before mitigation; the mitigation measures for the proposed project; the level of significance after mitigation is incorporated; and the potential cumulative impacts of the proposed project and other existing, approved, and proposed development in the area.

Chapter 6. Significant Unavoidable Adverse Impacts: Describes the significant unavoidable adverse impacts of the proposed project.

Chapter 7. Alternatives to the Proposed Project: Describes the alternatives and compares their impacts to the impacts of the proposed project.

Chapter 8. Impacts Found Not to Be Significant: Briefly describes the potential impacts of the project that were determined not to be significant by the Initial Study and were therefore not discussed in detail in this EIR.

Chapter 9. Significant Irreversible Changes Due to the Proposed Project: Describes the significant irreversible environmental changes associated with the project.

Chapter 10. Growth-Inducing Impacts of the Project: Describes the ways in which the proposed project would cause increases in employment or population that could result in new physical or environmental impacts.

Chapter 11. Organizations and Persons Consulted: Lists the people and organizations that were contacted during the preparation of this EIR.

Chapter 12. Qualifications of Persons Preparing EIR: Lists the people who prepared this EIR for the proposed project.

Chapter 13. Bibliography: The technical reports and other sources used to prepare this EIR.

Appendices: The appendices for this document comprise these supporting documents:

- Appendix A: Notice of Preparation Comments
- Appendix B: Land Evaluation and Site Assessment Report
- Appendix C: Air Quality and Greenhouse Gas Background and Modeling Data
- Appendix D: Biological Resource Evaluation for Preforming Arts Theater, ACCEL Center, and Library Project, Tulare County, California
- Appendix E: Historical/Archaeological Resources Survey Report
- Appendix F: Paleontological Resources Assessment Report
- Appendix G: Geological and Environmental Hazards Assessment (GEHA)
- Appendix H: Preliminary Environmental Assessment
- Appendix I: Pipeline Safety Hazards Assessment
- Appendix J: No Further Action Determination Letter
- Appendix K: Noise Monitoring and Modeling Data
- Appendix L: Tulare County Fire Department Response Letter
- Appendix M: Traffic/Transportation Analysis for the Proposed Performing Arts Theater, AcCEL Center, and Library Project Tulare County
- Appendix N: Water Budget Workbook for New and Rehabilitated Non-Residential Landscapes

1.2.2 Type and Purpose of This DEIR

This DEIR has been prepared as a "Project EIR," defined by Section 15161 of the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). This type of EIR examines the environmental impacts of a specific development project and should focus primarily on the changes in the

environment that would result from the development project. The EIR shall examine all phases of the project—planning, construction, and operation.

1.3 PROJECT LOCATION

The project site is in the northwest part of Tulare County, 4.38 miles northeast of downtown Tulare and 4.45 miles southwest of downtown Visalia. The project site is bordered by unincorporated Tulare County to the north, east, south, and west and by the city of Visalia to the northeast. The project site consists of 15.63 acres near the southwest corner of Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63 in unincorporated Tulare County (see Figure 3-1, *Regional Location* and Figure 3-2, *Local Vicinity*). The project site is owned by the Tulare County Office of Education (COE) and consists of a portion of two parcels with Assessor's Parcel Numbers (APN) 149-030-005 and 149-030-008. Addresses associated with the project site include the following:

- Library: 11465 Avenue 264, Visalia, CA 93274
- AcCEL Center: 11445 Avenue 264, Visalia, CA 93274

Regional access to the project site is provided by State Route (SR) 63, SR-99, and SR-198. SR-66 runs in north-south, bordering the project site to the east; SR-99 runs north-south 2.67 miles west of the project site; and SR-198 runs east-west 4.08 miles north of the project site. Local access is provided by Avenue 264/Liberty Road and Avenue 266/Harrison Road to the north of the project site and by N Mooney Boulevard/State Route 63 to the east of the project site. Direct vehicle access to the project site is provided by Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. The project site is primarily surrounded by farmland, commercial, and residential uses. To the north of the project site, across Avenue 264/Liberty Road, uses consist of farmland, residential, and commercial uses. To the east of the project site, across N Mooney Boulevard/State Route 63, uses consist of farmland, residential, and commercial uses. The COE's Liberty campus, which includes the Bright Start Program, Hearing Center, Behavioral Health Services, Visually Impaired Program, Alternative Achievement Program, and Planetarium and Science Center is north and east of the project site.

1.4 PROJECT SUMMARY

The proposed project includes a single-story, 31,000-square-foot performing arts theater in the southeast corner of the project site, featuring a 60-foot above grade fly space above the stage. Bordered by the COE Liberty campus to the north, N Mooney Boulevard/State Route 63 to the east, and farmland to the south and west, the theater would accommodate about 500 seats and employ 15 staff. It would host approximately 60 academic and after-school events annually, all concluding by 8:00 pm. The proposed project also includes construction of the AcCEL Center and library in the northwest portion of the project site. The single-story, 24,442-square-foot AcCEL Center would accommodate 80 students and 20 staff and would feature a shade structure, landscaping, walkways, basketball courts, and a play area. The two-building, 12,000-square-foot library would accommodate 100 persons and 5 staff, with both facilities operating Monday through Friday from 7:00 am to 5:00 pm and hosting up to two Saturday events per year at the library. The library would also provide space for e-sports, robotics, and additional programming for students at the adjacent Liberty campus

and resources and services to AcCEL students. Additionally, existing COE staff members would come from other locations.

The proposed project includes a 500-space parking lot for the performing arts theater, with 12 Americans with Disabilities Act (ADA) spaces, 75 Electric Vehicle (EV) capable spaces, and 25 EV charging spaces and primary access by two driveways from N Mooney Boulevard/State Route 63. The AcCEL Center and library would share a 67-space parking lot with 4 ADA, 9 EV capable spaces, 4 EV charging spaces accessible via two driveways. Paved drive aisles would connect all new and existing parking areas, including those serving the COE campus, and the site would be enclosed with fencing and gates. The proposed project would also include approximately 243,126 square feet of landscaping with grass, shrubs, and ornamental trees, extension of sidewalks along the public right-of-way, and two photovoltaic (PV) systems—one shading the AcCEL Center play area and another as a canopy over the performing arts theater parking lot or courtyard. Outdoor lighting would be installed throughout the site for building accents, landscaping, safety, security, and wayfinding.

The proposed project would connect to the City of Visalia's sewer system. It would also connect to existing water service from California Water Service (Visalia District), electricity from Southern California Edison, and natural gas from Southern California Gas Company. Stormwater would be managed by a retention basin located west of the performing arts theater parking lot, designed to capture runoff from both the project site and the existing COE Liberty campus.

Project construction would occur in two phases. Phase one would consist of the construction of the AcCEL Center and library. Phase one is anticipated to start approximately May 2026 and end approximately June 2027. Phase two would consist of the construction of the performing arts theater. Phase two is anticipated to start approximately January 2028 and end approximately January 2030.

1.5 SUMMARY OF PROJECT ALTERNATIVES

The CEQA Guidelines (Section 15126.6[a]) state that an EIR must address "a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives." The alternatives in this DEIR were based, in part, on their potential to reduce or eliminate the impacts determined to be potentially significant for implementation of the proposed project (see Table 1-1, *Summary of Environmental Impacts, Mitigation, and Levels of Significance After Mitigation*). Project alternatives are assessed in further detail in Chapter 7, *Alternatives to the Proposed Project*.

1.5.1 Alternative 1: No Project Alternative

The CEQA Guidelines require an analysis of a No Project Alternative. The purpose of this alternative is to describe and analyze a scenario under which the proposed project is not implemented so that decision makers can compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The No Project Alternative analysis must discuss the existing site conditions as well as what would

reasonably be expected in the foreseeable future based on any current plans, and it must be consistent with available infrastructure and community services.

The existing TCOE AcCEL program and library would continue to operate at their existing locations. The TCOE would continue to rent local theater facilities to support TCOE performing arts programs. Further, no e-sports, robotics lab, nor additional programming would be provided for AcCEL students or the Liberty campus.

Under the No Project Alternative, the project site would not be developed with the proposed project and would remain fallow agricultural land. The No Project Alternative would eliminate impacts to all the environmental topics analyzed in the EIR, including significant and unavoidable impacts to Agricultural Resources and Land Use and Planning. However, the No Project Alternative would not meet any of the project objectives.

1.5.2 Alternative 2: Performing Arts Theater on Liberty Campus

Under this alternative, the performing arts theater would be constructed on the Liberty campus, and the AcCEL Center and library would be constructed on the northwest side of the project site as described by proposed project. Instead of an indoor theater, the performing arts facility on the Liberty campus would consist of an outdoor amphitheater with a dance space and theater shop. The outdoor amphitheater would be west of the existing Planetarium and Science Center and south and east of the Bright Start Program, Hearing Center, Behavioral Health Services, Visually Impaired Program, and Alternative Achievement Program. This alternative would have a smaller development footprint than the proposed project; it would have an outdoor amphitheater capacity of 500 spectators (similar to the proposed project). This alternative would also not include parking. Attendees would be required to use existing available parking onsite and/or park along public right of ways.

This alternative would provide opportunity for some performing arts theater programming. However, since this alternative would result in an outdoor amphitheater, programming would be reduced and limited compared to the proposed project due to weather and seasons. Further, the outdoor amphitheater would not have a fly space, which is used for certain productions, nor infrastructure to support certain events, such as e-sport tournaments. For these reasons, this alternative would require that COE continue to rent indoor theater space. The programming for the library component would be the same as the proposed project.

Implementation of this alternative would require removal of some existing trees but would not involve the removal or relocation of any existing structures or campus facilities. This alternative would eliminate the performing arts theater component originally proposed for the southeast portion of the project site.

Alternative 2 would result in less impacts to agriculture and forestry resources, but would still result in significant and unavoidable impacts. Additionally, similar to the proposed project, this alternative would still include the development of land designated "Valley Agriculture," which would conflict with the General Plan land use designation and some agricultural-related policies (see Section 5-11, *Land Use and Planning*). This alternative would still result in a significant and unavoidable impact related to land use and planning. The remaining impacts would be either less or similar to the proposed project, as demonstrated above, except for

operational noise which is expected to increase due to the performing arts space being outdoors. However, this alternative would fail to meet all of the proposed project's objectives.

1.5.3 Alternative 3: Library Constructed Adjacent to Tulare County Office of Education Administration Building

Under this alternative, a library would be constructed adjacent to the existing Tulare County Office of Education administration building at 6200 S Mooney Boulevard in Visalia, eliminating the library component proposed for the northwest corner of the project site, west of the Liberty campus. The library under this alternative would be smaller than the library proposed as part of the proposed project. The AcCEL Center and performing arts theater would still be constructed as described by the proposed project; however, the AcCEL Center would shift to the east to be directly adjacent to the west side of the Liberty campus. The performing arts theater would remain in its proposed location in the southeast corner of the site, south of the Liberty campus. Under this alternative, the library would continue to serve Tulare County Office of Education students and staff, but from the alternative S Mooney Boulevard location.

This alternative would not allow for any of the programming contemplated for the library. Specifically, this alternative would not allow for events twice per year and would not provide e-sports, robotics lab, nor programming space. The programming for the performing arts theater component would be similar to the proposed project.

Alternative 3 would result in slightly less impacts to agriculture and forestry resources, but would still result in significant and unavoidable impacts. Additionally, similar to the proposed project, this alternative would still include the development of land designated "Valley Agriculture" which would conflict with the General Plan land use designation and some agricultural-related policies (see Section 5-11, *Land Use and Planning*). This alternative would still result in a significant and unavoidable impact related to land use and planning. The remaining impacts would be either slightly less or similar to the proposed project, as demonstrated above. However, this alternative would fail to meet all of the proposed project's objectives.

1.6 ISSUES TO BE RESOLVED

Section 15123(b)(3) of the CEQA Guidelines requires that an EIR contain issues to be resolved, including the choice among alternatives and whether or how to mitigate significant impacts. With regard to the proposed project, the major issues to be resolved include decisions by the lead agency as to:

1. Whether this DEIR adequately describes the environmental impacts of the project.
2. Whether the benefits of the project override those environmental impacts which cannot be feasibly avoided or mitigated to a level of insignificance.
3. Whether the proposed land use changes are compatible with the character of the existing area.
4. Whether the identified goals, policies, or mitigation measures should be adopted or modified.

5. Whether there are other mitigation measures that should be applied to the project besides the Mitigation Measures identified in the DEIR.

6. Whether there are any alternatives to the project that would substantially lessen any of the significant impacts of the proposed project and achieve most of the basic project objectives.

1.7 AREAS OF CONTROVERSY

The proposed project may generate areas of controversy, but at the date of publication, none have been raised by the community, public agencies, or other organizations. Comments received during circulation of the NOP are included in Appendix A.

1.8 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES, AND LEVELS OF SIGNIFICANCE AFTER MITIGATION

Table 1-1 summarizes the conclusions of the environmental analysis contained in this EIR. Impacts are identified as significant or less than significant, and mitigation measures are identified for all significant impacts. The level of significance after imposition of the mitigation measures is also presented.

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
5.1 AESTHETICS			
Impact 5.1-1: The proposed project would not impact scenic vistas. [Thresholds AE-1]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.1-2: The proposed project would not alter scenic resources within a state scenic highway. [Threshold AE-2]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.1-3: The proposed project is in a non-urbanized area and would not substantially degrade the existing visual character or quality of public views of the site and its surroundings [Threshold AE-3]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.1-4: The proposed project would generate new sources light and glare on the project site, but new light and glare sources would not be significant. [Threshold AE-4]	Less Than Significant	No mitigation measures are required.	Less Than Significant
5.2 AGRICULTURE AND FORESTRY RESOURCES			
Impact 5.2-1: The proposed project would convert farmland to nonagricultural land use. [Threshold AG-1]	Potentially Significant	No feasible mitigation measures are available.	Significant and Unavoidable
Impact 5.2-2: The proposed project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. [Threshold AG-2]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.2-3: The proposed project would not conflict with existing zoning for, or cause rezoning of, forest land. [Threshold AG-3]	No Impact	No mitigation measures are required.	No Impact
Impact 5.2-4: The proposed project would not result in the loss of forest land or conversion of forest land to non-forest use. [Threshold AG-4]	No Impact	No mitigation measures are required.	No Impact

1. Executive Summary

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 5.2-5: The proposed project would not result in other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to nonagricultural use or conversion of forest land to non-forest use. [Threshold AG-5]	Less Than Significant	No mitigation measures are required.	Less Than Significant
5.3 AIR QUALITY			
Impact 5.3-1: Construction activities associated with the proposed project would not generate short-term emissions in exceedance of SJVAPCD's threshold criteria. [Threshold AQ-2]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.3-2: Long-term operation of the project would not generate additional vehicle trips and associated emissions in exceedance of SJVAPCD's threshold criteria. [Thresholds AQ-2]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.3-3: Project construction would not expose sensitive receptors to substantial pollutant concentrations. [Threshold AQ-3]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.3-4: Operation of the proposed project would not expose sensitive receptors to substantial pollutant concentrations. [Threshold AQ-3]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.3-5: The proposed project would be consistent with the applicable air quality management plans. [Threshold AQ-1]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.3-6: The proposed project would not result in other emissions that would adversely affect a substantial number of people. [Threshold AQ-4]	Less Than Significant	No mitigation measures are required.	Less Than Significant

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures		Level of Significance After Mitigation
5.4 BIOLOGICAL RESOURCES				
Impact 5.4-1: The proposed project could have a substantial effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service including Swainson's hawk and northern harrier. [Threshold B-1]	Potentially Significant	BIO-1	**Preconstruction Avian Survey.** If project construction-related activities (i.e., vegetation clearing or ground disturbing activities) take place during the breeding season (February 15 through August 31), preconstruction surveys for nesting birds and raptors (birds of prey) within the existing vegetation onsite, which would be removed during construction, shall be conducted by a qualified biologist at least 3 days prior to the commencement of the vegetation clearing or ground disturbing activities. If any bird listed under the Migratory Bird Treaty Act is found to be nesting within the project site or within the area of construction-related activities, an adequate protective buffer zone shall be established by a qualified biologist to protect the nesting site. This buffer shall be a minimum of 75 feet from the project activities for passerine birds and a minimum of 200 feet for raptors. The distance shall be determined by a qualified biologist based on the site conditions (topography, if the nest is in a line of sight of the construction, and the sensitivity of the birds nesting). Additional protective measures shall include establishment of clearly delineated exclusion zones (i.e., demarcated by identifiable fencing, such as orange construction fencing or equivalent) around each nest location as determined by a qualified biologist, taking into account the species of birds nesting, their tolerance for disturbance, and proximity to existing development. The nest site(s) shall be monitored by a qualified biologist periodically to see if the birds are stressed by the construction activities and if the protective buffer needs to be increased. Once the young have fledged and are flying well enough to avoid project construction zones (typically by August), the project can proceed without further regard to the nest site(s).	Less Than Significant

1. Executive Summary

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 5.4-2: The proposed project would not result in the loss of any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. [Threshold B-2]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.4-3: The proposed project would not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. [Threshold B-3]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.4-4: The proposed project could potentially interfere 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. [Threshold B-4]	Potentially Significant	Implement Mitigation Measure BIO-1	Less Than Significant
Impact 5.4-5: The proposed project could potentially conflict with local policies or ordinances protecting biological resources, but would not conflict with the provisions of an adopted habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan [Thresholds B-5 and B-6]	Potentially Significant	Implement Mitigation Measure BIO-1	Less Than Significant

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures		Level of Significance After Mitigation
5.5 CULTURAL RESOURCES				
Impact 5.5-1: The proposed project would not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5. [Threshold C-1]	Less Than Significant	No mitigation measures are required.		Less Than Significant
Impact 5.5-2: Development of the project could cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5. [Threshold C-2]	Potentially Significant	CUL-1	Prior to the start of construction, the Tulare County Office of Education shall retain a qualified archaeologist. The qualified archaeologist shall be present onsite earthwork activities and monitor earthwork activities for the presence of archaeological resources. If buried cultural materials are encountered during any earth-moving operations associated with the proposed project, all work within 50 feet of the discovery should be halted or diverted until the qualified archaeologist can evaluate the nature and significance of the find(s). If the qualified archaeologist determines that the find is significant, an archaeological treatment plan must be developed to mitigate harm to the resource and will include procedures for data recovery in the event that the resource cannot be avoided. Work may continue on other parts of the project site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If a non-Native American resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources.	Less Than Significant

1. Executive Summary

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.	
Impact 5.5-3: The proposed project could disturb human remains, including those interred outside of dedicated cemeteries. [Threshold C-3]	Less Than Significant	No mitigation measures are required.	Less Than Significant
5.6 ENERGY			
Impact 5.6-1: The project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. [Threshold E-1]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.6-2: The proposed project would not conflict with nor obstruct a state or local plan for renewable energy or energy efficiency. [Threshold E-2]	Less Than Significant	No mitigation measures are required.	Less Than Significant

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
5.7 GEOLOGY AND SOILS			
Impact 5.7-1: Project occupants could be subject to low ground shaking; however, project development would not subject people or structures to seismic-related ground failure, including surface rupture, liquefaction, and landslides. [Threshold G-1 (i), (ii), (iii), (iv)]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.7-2: The proposed project would not result in substantial soil erosion or loss of topsoil [Thresholds G-2]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.7-3: The proposed project would not result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse or be located on expansive soils that would not create a direct or indirect risk to life and property. [Thresholds G-3 and G-4]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.7-4: The proposed project would not include the installation of septic tanks. [Threshold G-5]	No Impact	No mitigation measures are required.	No Impact
Impact 5.7-5: The proposed project could directly or indirectly destroy a unique paleontological resource or site; the proposed project would not directly or indirectly description a unique geologic feature. [Threshold G-6]	Potentially Significant	GEO-1 Prior to construction, the Tulare County Office of Education shall retain a qualified paleontological monitor. Earth-moving operations during construction that reach beyond the depth of five feet below the current ground surface shall be monitored periodically by the qualified paleontological monitor to identify potentially fossil-bearing sediments when they are encountered, at which time continuous monitoring will become necessary. The frequency of the periodic monitoring, or "spot-checking," will be determined and adjusted upon inspection of exposed subsurface soils. The monitor should be prepared to quickly salvage fossils as they are unearthed to avoid construction delays and should collect samples of sediments that are likely to contain fossil remains of small	Less Than Significant

1. Executive Summary

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
		vertebrates or invertebrates. However, the monitor must have the authority to temporarily halt or divert grading equipment to allow for the removal of abundant or large specimens. Samples of sediment shall be collected and processed to recover small fossils, and all fossil remains shall be identified and curated at a repository with permanent retrievable storage, such as the Fossil Discovery Center of Madera County in Chowchilla, the Buena Vista Museum of Natural History in Bakersfield, or the Fresno Discovery Center in Fresno. The qualified paleontological monitor shall prepare a report of findings, including an itemized inventory of recovered specimens, upon completion of on-site monitoring and sample processing. The report shall include a discussion of the significance of the paleontological findings, if any. The report and the inventory, when approved by the COE, would signify completion of the program to mitigate potential impacts on paleontological resources.	
5.8 GREENHOUSE GAS EMISSIONS			
Impact 5.8-1: The proposed project would be consistent with the Tulare County Climate Action Plan and would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. [Threshold GHG-1]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.8-2: The proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. [Threshold GHG-2]	Less Than Significant	No mitigation measures are required.	Less Than Significant

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
5.9 HAZARDS AND HAZARDOUS MATERIALS			
Impact 5.9.1 Project construction and operations would not create a significant hazard to the public or the environment through the routine transport, use, and/or disposal of hazardous materials. [Threshold H-1]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.9-2: Project construction and operations could 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. [Threshold H-2]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.9.3: Project construction and operations would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. [Thresholds H-3]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.9-4: The project site is not on a list of hazardous materials sites. [Threshold H-4]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.9-5: The project site is not located in the vicinity of an airport or within the jurisdiction of an airport land use plan. [Threshold H-5]	No Impact	No mitigation measures are required.	No Impact
Impact 5.9-6: Project development would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. [Threshold H-6]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.9-7: The proposed project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. [Threshold H-7]	No Impact	No mitigation measures are required.	No Impact

1. Executive Summary

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
5.10 HYDROLOGY AND WATER QUALITY			
Impact 5.10-1: The proposed project would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. [Threshold HYD-1]	Less Than Significant	No mitigation measures are required.	Less than significant
Impact 5.10-2: The proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the proposed project may impede sustainable groundwater management of the basin. [Threshold HYD-2]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.10-3: The proposed project would not substantially alter existing drainage pattern of the site or area in a manner that would result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff which would result in potential flooding on- or offsite, create or contribute to runoff water that would exceed the capacity of storm drain systems, substantial additional sources of polluted runoff, or impede or redirect flood flows. [Thresholds HYD-3 (i), (ii), (iii), and (iv)]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.10-4: The proposed project would not risk release of pollutants due to project inundation due to flooding, tsunami or seiche. [Threshold HYD-4]	Less Than Significant	No mitigation measures are required.	Less Than Significant

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 5.10-5: The proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. [Threshold HYD-5]	Less Than Significant	No mitigation measures are required.	Less Than Significant
5.11 LAND USE AND PLANNING			
Impact 5.11-1: Project implementation would not divide an established community. [Threshold LU-1]	No Impact	No mitigation measures are required.	No Impact
Impact 5.11-2: Project Implementation would conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect. [Threshold LU-2]	Potentially Significant	No feasible mitigation measures are available.	Significant and Unavoidable
5.12 NOISE			
Impact 5.12-1: Construction activities would not result in temporary increases in ambient noise levels in the vicinity of the proposed project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. [Threshold N-1]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.12-2: Project implementation would not result in temporary or permanent increases in ambient noise levels in the vicinity of the proposed project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. [Threshold N-1]	Less Than Significant	No mitigation measures are required.	Less Than Significant

1. Executive Summary

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 5.12-3: The project would not generate excessive short-term or long-term groundborne vibration or groundborne noise levels. [Threshold N-2]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.12-4: The proximity of the project site to an airport [or airstrip] would not result in exposure of future students [and/or workers] to airport-related noise. [Threshold N-3]	No Impact	No mitigation measures are required.	No Impact
5.13 POPULATION AND HOUSING			
Impact 5.13-1: The proposed project would not either directly or indirectly induce unplanned substantial population growth in Tulare County [Threshold P-1]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.13-2: The proposed project would not displace substantial numbers of existing people or housing necessitating the construction of replacement housing elsewhere. [Threshold P-2]	No Impact	No mitigation measures are required.	No Impact
5.14 PUBLIC SERVICES			
FIRE PROTECTION AND EMERGENCY SERVICES			
Impact 5.14-1: The proposed project would introduce new structures and workers into the service boundaries, thereby increasing the requirement for fire protection facilities and personnel. [Threshold FP-1]	Less Than Significant	No mitigation measures are required.	Less Than Significant
POLICE PROTECTION			
Impact 5.14-2: The proposed project would introduce new structures and workers into the service boundaries, thereby increasing the requirement for police protection facilities and personnel. [Threshold PP-1]	Less Than Significant	No mitigation measures are required.	Less Than Significant

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
SCHOOL SERVICES			
Impact 5.14-3: The proposed project would not generate new students who would impact the school enrollment capacities of area schools. [Threshold SS-1]	Less Than Significant	No mitigation measures are required.	Less Than Significant
PARKS			
Impact 5.14-4: The proposed project would not result in a substantial adverse physical impact associated with the provisions of new or physically altered park facilities. [Threshold P-1]	Less Than Significant	No mitigation measures are required.	Less Than Significant
LIBRARY SERVICES			
Impact 5.14-4: The proposed project would not generate new residents in the county, and therefore would not increase demand for library services in the Tulare County Library system. [Threshold PL-1]	Less Than Significant	No mitigation measures are required.	Less Than Significant
5.15 RECREATION			
Impact 5.15-1: The proposed project would not generate substantial additional residents that would increase the use of existing park and recreational facilities. [Threshold R-1]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.15-2: The proposed project would not result in the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. [Threshold R 2]	Less Than Significant	No mitigation measures are required.	Less Than Significant

1. Executive Summary

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
5.16 TRANSPORTATION			
Impact 5.16-1: The proposed project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. [Threshold T-1]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.16-2: The proposed project would not conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b). [Threshold T-2]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.16-3: The proposed project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). [Threshold T-3]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.16-4: The proposed project would not result in inadequate emergency access. [Threshold T-4]	Less Than Significant	No mitigation measures are required.	Less Than Significant
5.17 TRIBAL CULTURAL RESOURCES			
Impact 5.17-1: The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). [Threshold TCR-1.i]	Less Than Significant	No mitigation measures are required.	Less Than Significant

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
Impact 5.17-2: The proposed project could cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency to be significant pursuant to criteria in Public Resources Code section 5024.1(c). [Threshold TCR-1.ii]	Potentially Significant	TCR-1 If tribal cultural resources are inadvertently discovered during ground disturbing activities for this project, the following procedures will be carried out for treatment and disposition of the discoveries: • Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 50 feet) until the find can be assessed. • All Tribal Cultural Resources unearthed by project activities shall be evaluated by the qualified archaeologist. If the resources are Native American in origin, the proper Tribe(s) will retain it/them in the form and/or manner the Tribe(s) deems appropriate, for educational, cultural and/or historic purposes. • If human remains and/or grave goods are discovered or recognized at the project site, all ground disturbance shall immediately cease, and the county coroner shall be notified per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). • Work may continue on other parts of the project site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). • Unless otherwise requested by a California Native American Tribe in consultation on this project, preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis.	Less Than Significant

1. Executive Summary

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
5.18 UTILITIES AND SERVICE SYSTEMS			
Impact 5.18-1: Existing or planned wastewater treatment and conveyance facilities would be able to accommodate project-generated wastewater demands. [Thresholds U-1 and U-3]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.18-2: Existing and proposed water supply and conveyance facilities would be able to accommodate project-generated water utility demands. [Threshold U-1]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.18-3: Available water supplies are sufficient to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. [Threshold U-2]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.18-4: Existing and proposed stormwater drainage facilities would be able to accommodate project-generated stormwater runoff. [Threshold U-1]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.18-5: The proposed project would not generate waste in excess of local standards or exceed the capacity of landfills, and the proposed project would comply with related solid waste regulations. [Thresholds U-4 and U-5]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.18-6: Existing and proposed dry electricity, natural gas, and communications services would be able to accommodate project-generated demands. [Threshold U-1]	Less Than Significant	No mitigation measures are required.	Less Than Significant

Table 1-1 Summary of Environmental Impacts, Mitigation Measures and Levels of Significance After Mitigation

Environmental Impact	Level of Significance Before Mitigation	Mitigation Measures	Level of Significance After Mitigation
5.19 WILDFIRE			
Impact 5.19-1: Buildout of the proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan. [Threshold W-1]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.19-2: The proposed project would not exacerbate wildfire risks due to slope, prevailing winds, and other factors, thereby exposing project occupants to elevated particulate concentrations from a wildfire. [Threshold W-2]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.19-3: The proposed project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. [Threshold W-3]	Less Than Significant	No mitigation measures are required.	Less Than Significant
Impact 5.19-4: The proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. [Threshold W-4]	Less Than Significant	No mitigation measures are required.	Less Than Significant

1. Executive Summary

This page intentionally left blank.

2. Introduction

2.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

The California Environmental Quality Act (CEQA) requires that all state and local governmental agencies consider the environmental consequences of projects over which they have discretionary authority before taking action on those projects. This draft environmental impact report (DEIR) has been prepared to satisfy CEQA and the CEQA Guidelines. An environmental impact report (EIR) is the public document designed to provide decision makers and the public with an analysis of the environmental effects of the proposed project, to indicate possible ways to reduce or avoid environmental damage, and to identify alternatives to the proposed project. The EIR must also disclose significant environmental impacts that cannot be avoided; growth-inducing impacts; effects not found to be significant; and significant cumulative impacts of all past, present, and reasonably foreseeable future projects.

The lead agency means "the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment" (Public Resources Code Section 21067). The Tulare County Office of Education (COE) has the principal responsibility for approval of the Preforming Arts Theater, AcCEL Center, and Library Project (proposed project). For this reason, the Tulare COE is the CEQA lead agency for the proposed project.

The intent of the DEIR is to provide sufficient information on the potential environmental impacts of the proposed project to allow the Tulare County Board of Education to make an informed decision regarding approval of the project. Specific discretionary actions to be reviewed by the COE are described in Section 3.5, *Intended Uses of the EIR*.

This DEIR has been prepared in accordance with requirements of the:

- California Environmental Quality Act (CEQA) of 1970, as amended (Public Resources Code, Section 21000 et seq.)
- State Guidelines for the Implementation of the CEQA of 1970 (CEQA Guidelines), as amended (California Code of Regulations, Section 15000 et seq.)

The overall purpose of this DEIR is to inform the lead agency, responsible agencies, decision makers, and the general public about the environmental effects of the development and operation of the proposed Preforming Arts Theater, AcCEL Center, and Library Project. This DEIR addresses effects that may be significant and adverse, identifies mitigation measures to reduce or avoid those identified adverse effects, and evaluates alternatives to the project.

2.2 SCOPING PROCESS

The COE determined that the proposed project could result in potentially significant environmental effects, and therefore an EIR would be required. Accordingly, as required by CEQA Guidelines Section 15375, the COE, as lead agency, sent a Notice of Preparation (NOP) to notify the responsible agencies, trustee agencies, and the Office of Land Use and Climate Innovation (LCI) (formerly the Governor's Office of Planning and Research), that the lead agency plans to prepare an EIR for the proposed project. The purpose of the notice is to solicit information, guidance, and recommendations regarding the scope, focus, and content of the DEIR.

The NOP was issued on April 23, 2025 (see Appendix A). The NOP identified the project site, provided a summary of the proposed project, and identified the probable environmental effects of the proposed project. The NOP was circulated to responsible and trustee agencies, state and local agencies, and Native American tribes. The NOP was also made available for public review at the COE's website (https://tcoe.org/GeneralServices/notices) and COE Office at 6200 S. Mooney Boulevard, Visalia, CA 93277 and online at the LCI website at the start of the public review period for the NOP. In addition, the NOP was published in the *Sun-Gazette Newspaper* on April 23, 2025.

The NOP public comment period began on April 23, 2025 and concluded on May 23, 2025. A public scoping meeting was also advertised in the NOP and was held on May 15, 2025, from 6:00 p.m. to 7:00 p.m. at the COE Office to solicit input from any interested parties on the scope and content of the EIR in conformance with Section 21083.9 of the California Public Resources Code.

The COE received six written letters/email comments in response to the NOP. Comments generally requested information regarding tribal cultural resources, public service, utility and service systems, air quality, energy, greenhouse gas emissions, transportation, land use, hydrology and water quality, and agricultural resources. The comments received are summarized in Table 2-1, *NOP Comment Summary,* and are reproduced in their entirety in Appendix A. Information received during the scoping process has been incorporated into this DEIR and considered accordingly within each technical analysis.

Table 2-1 NOP Comment Summary

Commenting Agency/Person	Date	Comment Topic	Comment Summary	Issue Addressed in Chapter/Section:
Agencies				
Native American Heritage Commission (NAHC)	4/22/25	Tribal Cultural Resource	• Protocol for the evaluation of cultural and historical resources. • Tribal consultation requirements under Assembly Bill 52 (AB 52) and Senate Bill 18 (SB 18).	Section 5.17, *Tribal Cultural Resources*
Tulare County Fire Department	4/24/25	Public Services, Wildfire, Utilities	• The Tulare County Fire Department noted they received the NOP. • Stated that the proposed project may have potential environmental impacts to Public Services, Fire Flow/Fire Hydrants, and service water from water provider or private	Section 5.14, *Public Services* Section 5.18, *Utilities and Service Systems*

Table 2-1 NOP Comment Summary

Commenting Agency/Person	Date	Comment Topic	Comment Summary	Issue Addressed in Chapter/Section:
			water; and notes that regulations, codes, and standards will be required at the permit phase.	
San Joaquin Valley Air Pollution Control District (Valley Air)	5/08/25	Utilities and Service Systems	• Recommends a detailed review of the project's construction and operational emissions, and emission analysis should be performed using the California Emissions Estimator Model (CalEEMod). • States that operational (ongoing) air emissions from mobile sources and stationary sources should be analyzed separately. • Request a prioritization and/or a Health Risk Assessment be performed for the project; and an Ambient Air Quality Analysis be performed for the project if emissions exceed 100 pounds per day of any pollutant. • If a significant impact is expected, Valley Air recommends the EIR include a discussion on the feasibility of implementing a Voluntary Emission Reduction Agreement for the project. • Suggests that the COE consider vegetative barriers and urban greening, incorporating solar power systems, and electric vehicle chargers. • Identifies where current Valley Air rules can be found online and provides a summary of specific rules and regulations.	Section 5.3, *Air Quality* Section 5.6, *Energy* Section 5.8, *Greenhouse Gase Emissions*
City of Visalia – Planning and Community Preservation Department	5/08/25	Land Use, Utilities, Transportation	• The project site lies outside the City of Visalia's limits, Urban Development boundaries, and LAFCo sphere of influence, with no plans for annexation; the EIR should address water, sewer, and storm drain services, including the possibility of sewer service via an agreement between the City and the COE. • Avenue 264/Liberty Road is designated as a future arterial in the City's General Plan; consultation with the City's Traffic Engineer is requested regarding new driveways.	Section 5.11, *Land Use and Planning* Section 5.18, *Utilities and Service Systems* Section 5.16, *Transportation*
California Department of Conservation	5/14/25	Agriculture	• Project must evaluate the type, amount, and location of farmland conversion due to the project, its direct and indirect impacts on nearby agricultural operations (e.g., land-use conflicts, rising land values/taxes, loss of support infrastructure), and cumulative impacts from past, present, and foreseeable projects.	Section 5.2, *Agriculture and Forestry Resources*

2. Introduction

Table 2-1 NOP Comment Summary

Commenting Agency/Person	Date	Comment Topic	Comment Summary	Issue Addressed in Chapter/Section:
			• Project must address consistency with local Agricultural Mitigation Plans or policies, proposed mitigation for impacted agricultural lands, and the project's compatibility with agricultural preserves or Williamson Act contracted lands.	
Central Valley Regional Water Quality Control Board (Central Valley Water Board)	5/21/25	Hydrology and Water Quality	• The proposed project's EIR should provide anticipated flow volume of wastewater, wastewater treatment system, or how the wastewater will be disposed and whether wastewater generated at the site will be disposed of by connecting to a public sewer system, onsite septic tanks, or an onsite wastewater treatment system (OWTS). • The applicant should provide details on the wastewater disposal method, including an analysis of existing waste water treatment facility capacity if connecting to a treatment facility, or a detailed plan if using a new OWTS, which may be permitted under the Tulare County Local Agency Management Program (LAMP) if the volume does not exceed 3,500 gpd and other requirements are met. • If not covered under the Tulare County LAMP, the facility must comply with either the State General Order or site-specific WDRs based on wastewater volume and connection details. • Projects disturbing one or more acres (or part of a larger plan exceeding one acre) must obtain coverage under the Construction General Permit Order No. 2022-0057-DWQ and develop and implement a Storm Water Pollution Prevention Plan (SWPPP). • If groundwater wells or septic systems are encountered during construction, they must be properly removed or abandoned per local and state guidelines, following construction/destruction methodologies included in the California Well Standards (California Department of Water Resources Bulletins 74-81 and 74-90).	Section 5.10, *Hydrology and Water Quality* Section 5.18, *Utilities and Service Systems*

2.3 SCOPE OF THIS DEIR

The content and scope of the DEIR was determined based on an understanding of site conditions and resources as well as comments received in response to the NOP. Pursuant to CEQA Guidelines Sections 15126.2 and 15126.4, the DEIR should identify any potentially significant adverse impacts and recommend mitigation that would reduce or eliminate these impacts to less than significant levels.

The information in Chapter 3, *Project Description*, establishes the basis for analyzing future project-related environmental impacts.

2.3.1 Impacts Considered Less Than Significant

Based on the conditions of the project site and nature of the proposed project, the COE determined that one environmental impact category would not be significantly affected by the proposed project and would not require detailed discussion in the EIR:

- Mineral Resources

This category is evaluated in Chapter 8, *Impacts Found Not to Be Significant*.

The following environmental impact categories were determined to have less-than-significant or no impacts in Chapter 5, *Environmental Analysis*.

- Aesthetics
- Air Quality
- Energy
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Utilities and Service Systems
- Wildfire

2.3.2 Potentially Significant Adverse Impacts

The COE determined that the proposed project could result in potentially significant impacts to seven environmental impact categories. Detailed analyses for these topics, including supporting technical studies where appropriate, are addressed in Chapter 5, *Environmental Analysis*.

- Agriculture and Forestry Resources
- Biological Resources
- Cultural Resources
- Geology and Soils
- Land Use and Planning
- Tribal Cultural Resources

2.3.3 Unavoidable Significant Adverse Impacts

This DEIR identifies two significant and unavoidable adverse impacts, as defined by CEQA, that would result from implementation of the proposed project. Unavoidable adverse impacts may be considered significant on a project-specific basis, cumulatively significant, and/or potentially significant. The COE must prepare a "statement of overriding considerations" before it can approve the project, attesting that the decision-making body has balanced the benefits of the proposed project against its significant and unavoidable environmental impacts and has determined that the benefits outweigh the adverse effects, and therefore the adverse effects are considered acceptable. The impacts that were found in the DEIR to be significant and unavoidable are:

- **Impact 5.2-1.** The proposed project would directly convert 14.9 acres of Prime Farmland to nonagricultural use. The proposed project would permanently replace existing Prime Farmland with a nonagricultural use. No mitigation measures are available that would reduce Impact 5.2-1 to less than significant level. Therefore, impacts would be significant and unavoidable as the proposed project would result in a permanent conversion of farmland to nonagricultural use.

- **Impact 5.11-2.** Project implementation would conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect. The proposed project would not be consistent with the Tulare County General Plan land use designation of "Valley Agriculture" because educational uses are not an allowed use under the "Valley Agriculture" General Plan land use designation. Additionally, the proposed project would be inconsistent with General Plan Goal AG-1 and Policy AG-1.1. As such, no mitigation measures would reduce Impact 5.11-2 to less than significant. Therefore, Impact 5.11-2 and cumulative impacts are significant and unavoidable.

2.4 INCORPORATION BY REFERENCE

Some documents are incorporated by reference into this DEIR, consistent with Section 15150 of the CEQA Guidelines, and they are available for review at the County of Tulare, 5961 S Mooney Boulevard, Visalia, California 93277.

- *Tulare County General Plan 2030*. November 15, 2016.
- *Tulare County Code*. February 11, 2025.

2.5 FINAL EIR CERTIFICATION

This DEIR is being circulated for public review for 45 days, from January 16, 2026 to March 2, 2026. Interested agencies and members of the public are invited to provide written comments on the DEIR to the COE address shown on the title page of this document and listed below. After completion of the 45-day review period, the COE will review all written comments received and prepare written responses for each. A final environmental impact report (FEIR) will incorporate the received comments, responses to the comments, and any changes to the DEIR that result from comments. The FEIR will be presented to the Tulare County Office of Education, Board of Education for potential certification as the environmental document for the proposed project. All persons who comment on the DEIR will be notified of the availability of the FEIR and the date of the public hearing before the Tulare County Office of Education, Board of Education.

The DEIR is available to the general public for review at the following location:

- Tulare County Office of Education, 6200 S Mooney Boulevard, Visalia, CA 93277

In addition, the DEIR is available online at the Tulare County Office of Education's website: https://tcoe.org/GeneralServices/notices.

2.6 MITIGATION MONITORING

Public Resources Code Section 21081.6 requires that agencies adopt a Mitigation Monitoring and Reporting Program (MMRP) for any project for which it has made findings pursuant to Public Resources Code Section 21081. Such a program is intended to ensure the implementation of all mitigation measures adopted through the preparation of an EIR.

The MMRP for the proposed project will be completed as part of the FEIR, prior to consideration of the project by the Tulare County Board of Education.

2. Introduction

This page intentionally left blank.

3. Project Description

3.1 INTRODUCTION

The purpose of this section is to describe the proposed Performing Arts Theater, AcCEL Center, and Library Project (proposed project) to the public, reviewing agencies, and decision makers. Pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (Section 15124), an environmental impact report (EIR) should contain a description of the proposed project that includes:

> (a) the precise location and boundaries of the proposed project;
>
> (b) a statement of the objectives sought by the proposed project, including the underlying purpose of the project;
>
> (c) a general description of the proposed project's technical, economic, and environmental characteristics; and
>
> (d) a statement briefly describing the intended uses of the EIR, including a list of the agencies that are expected to use the EIR in their decision making, a list of permits and other approvals required to implement the proposed project, and a list of related environmental review and consultation requirements required by federal, state, or local laws, regulations, or policies.

An adequate project description should not supply extensive detail beyond that needed for evaluation and review of environmental impacts. Accordingly, this chapter describes the necessary details of the proposed project that are critical in assessing the direct, indirect, long-term, and temporary impacts associated with project implementation. This project description is organized in the following manner:

- **Introduction.** An overview of the proposed project description chapter and its organization.
- **Project Location.** A written description and graphic portrayal of the project location, boundaries, and site characteristics.
- **Statement of Objectives.** A statement of the proposed project objectives and underlying purpose of the project.
- **Description of Project Components.** A comprehensive description of the proposed project, organized by the various project characteristics and features, including construction.
- **Intended Uses of the EIR.** Identification of the anticipated approvals required for project implementation and identification of the proposed project's Lead Agency as well as any known Responsible Agencies.

3.2 PROJECT LOCATION

3.2.1 Regional Location and Access

The project site is in the northwest part of Tulare County, 4.38 miles northeast of downtown Tulare and 4.45 miles southwest of downtown Visalia. The project site is bordered by unincorporated Tulare County to the north, east, south, and west and by the City of Visalia to the northeast (see Figure 3-1, *Regional Location*).

Regional access to the project site is provided by State Route (SR) 63, SR-99, and SR-198. SR-66 runs in a north to south direction bordering the project site to the east; SR-99 runs in a south to northeast direction approximately 2.67 miles west of the project site; and SR-198 runs in a west to east direction 4.08 miles north of the project site. Local access is provided by Avenue 264/Liberty Road and Avenue 266/Harrison Road to the north of the project site and by N Mooney Boulevard/State Route 63 to the east of the project site. Direct vehicle access to the project site is provided by Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63.

Public transit access to the project site is provided by the Tulare County Regional Transit Agency (TCRTA), which provides bus transit services. TCRTA route C40 is the nearest route to the project site. The nearest TCRTA transit stop is at the corner of Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. No sidewalks border the northern part of the project site along Avenue 264/Liberty Road or border the eastern part of the project site along N Mooney Boulevard/State Route 63.

3.2.2 Project Site

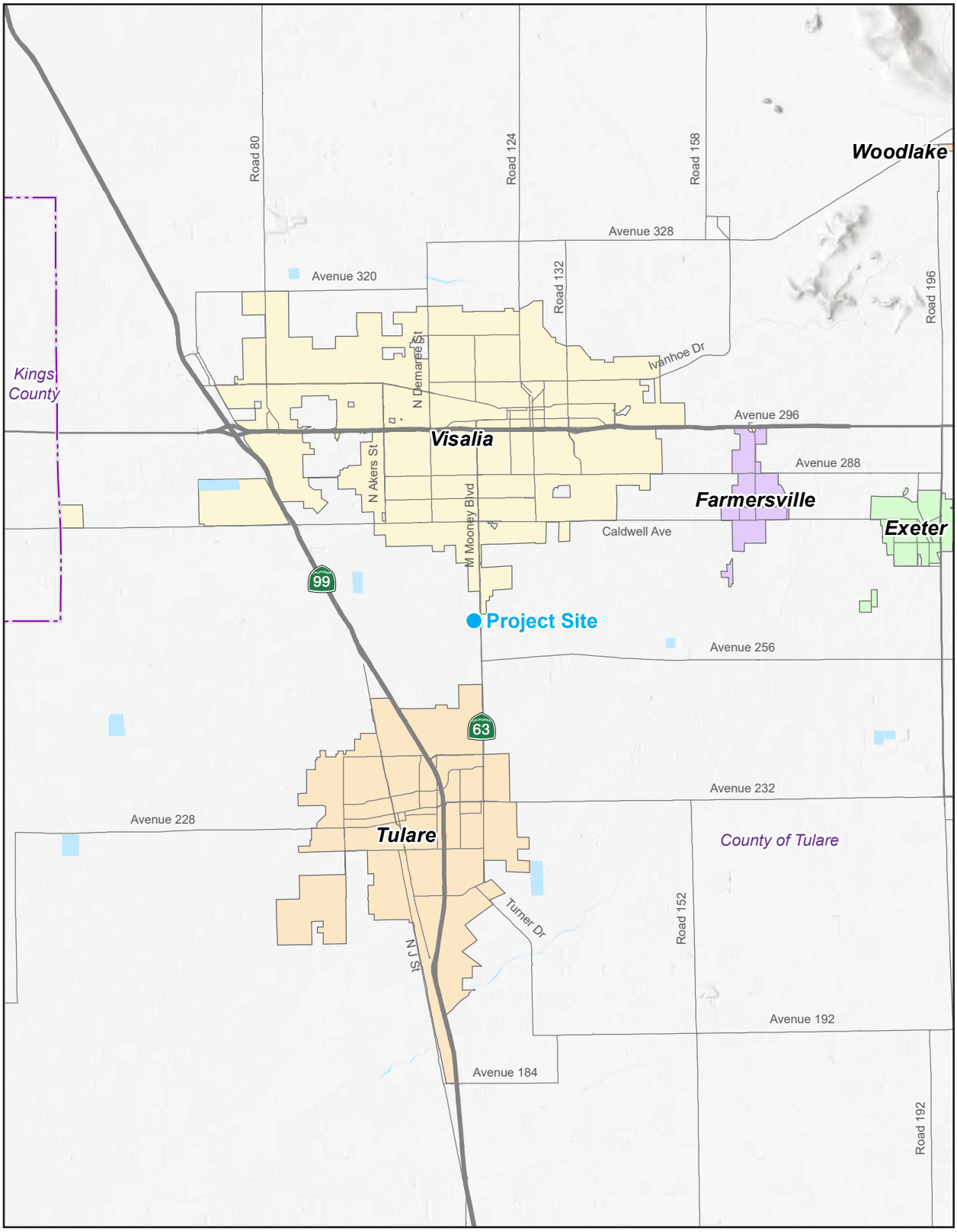
The project site consists of 15.63 acres near the southwest corner of Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63 in unincorporated Tulare County (36°16'01.9" N 119°18'57.4" W) (see Figure 3-1 and Figure 3-2, *Local Vicinity*). The project site is owned by the Tulare County Office of Education (COE) and consists of a portion of two parcels with Assessor's Parcel Numbers (APN) 149-030-005 and 149-030-008. Addresses associated with the project site include the following:

- Library: 11465 Avenue 264, Visalia, CA 93274
- AcCEL Center: 11445 Avenue 264, Visalia, CA 93274
- Performing Arts Theater: 26487 N Mooney Blvd, Tulare, CA 93274

See Figure 3-3, *Aerial View with Photograph Locations*.

The project site currently includes a fallow agricultural field with an irrigation well on parcel 149-030-005 (15.23 acres) and a paved drive aisle and parking area, disturbed land, fencing, and landscaping/grass turf on parcel 149-030-008 (0.4 acres) for a total of 15.63 acres. The project site is bordered by Avenue 264/Liberty Road to the north, an existing COE Liberty campus and N Mooney Boulevard/State Route 63 to the east, farmland to the south, and farmland and commercial uses to the west (see Figure 3-3 and Figure 3-4, *Project Site Photos*).

Figure 3-1 - Regional Location



County Boundary

Note: Unincorporated county areas are shown in white.

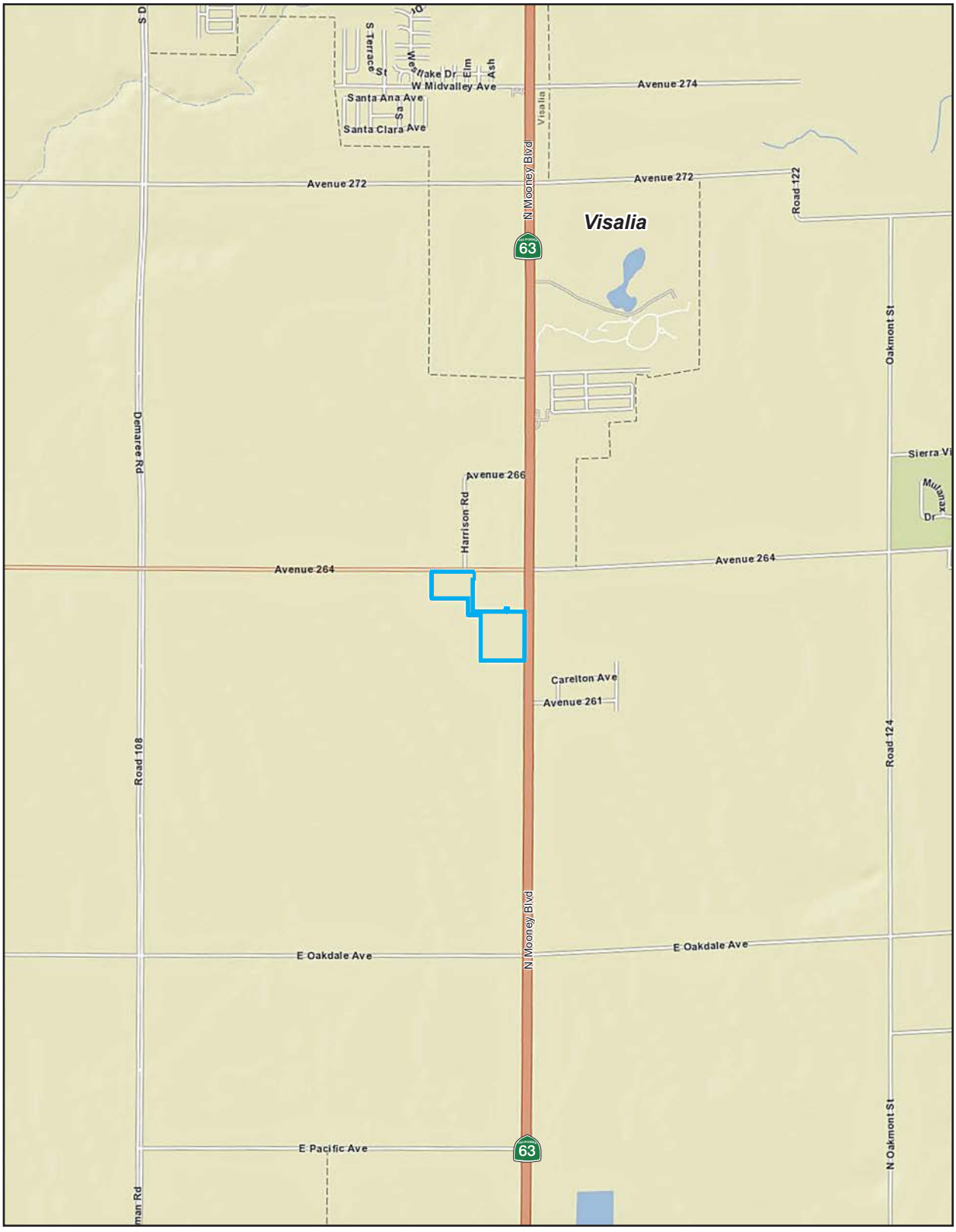
Source: Generated using ArcMap 2025.

0 3
Scale (Miles)

3. Project Description

This page intentionally left blank.

Figure 3-2 - Local Vicinity



Project Boundary

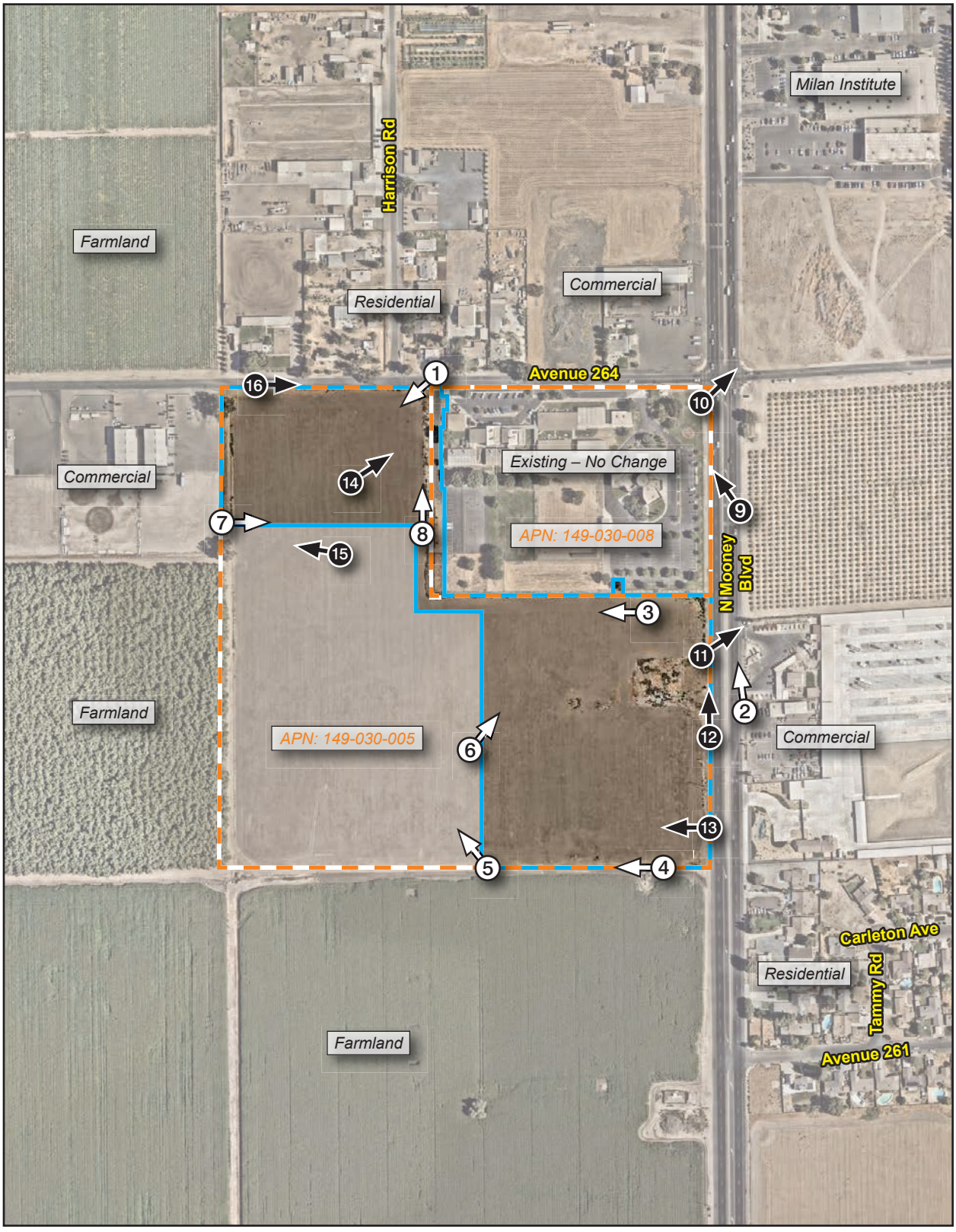
0 2,000
Scale (Feet)

Source: Generated using ArcMap 2025.

3. Project Description

This page intentionally left blank.

Figure 3-3 - Aerial View with Photograph Locations



Source: Nearmap 2025.

3. Project Description

This page intentionally left blank.

Figure 3-4 - Project Site Photographs

Photo 1: Looking southwest onto the northern part of the project site, COE campus access gate, and Avenue 264/Liberty Road in the foreground and farmland and commercial uses in the background.

Photo 2: Looking north onto the eastern part of the project site and N Mooney Boulevard with the COE campus, including the Planetarium & Science Center, in the background.

Photo 3: On the project site looking onto the eastern part of the project site in the foreground and farmland and fallow agricultural in the background.

Photo 4: Looking west onto the southern part of the project site with farmland, fallow agricultural, and commercial uses in the background.

Photo 5: Looking northwest onto APN 149-030-005 in the foreground and the northern part of the project site, farmland, and commercial and residential uses in the background.

Photo 6: Looking northeast onto the eastern part of the project site in the foreground and the COE campus, including the Planetarium & Science Center, N Mooney Boulevard, farmland, and commercial uses in the background.

Photo 7: Looking east onto the northern part of the project site in the foreground and the COE campus in the background.

Photo 8: On the project site looking north onto the northern part of the project site in the foreground and residential and commercial uses, the COE campus, and Avenue 264/ Liberty Road in the background.

Source: PlaceWorks 2025.

3. Project Description

This page intentionally left blank.

Street signs and two pole-mounted electric transformers are located along Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. A chain-link fence exists along the project site's eastern and northern borders of parcels 149-030-005 and 149-030-008 and partially along the western border of the project site on parcel 149-030-005 (see Figure 3-3). A dirt road used for internal access to the former agricultural uses also borders the western and southern parts of the project site on parcel 149-030-005 and a gravel driveway enters the property from N Mooney Boulevard/State Route 63 at the location of the former residential building. Parcel 149-030-005 of the project site also includes irrigation infrastructure used for the former agricultural fields throughout the parcel.

Parcel 149-030-008 of the project site has a chain-link gate off Avenue 264/Liberty Road that restricts access to a paved drive aisle that currently provides access to the COE Liberty campus and a parking area. Existing landscaping and trees border the eastern part of the project site on parcel 149-030-008 and include disturbed land south of the existing paved drive aisle.

3.2.3 Existing Zoning and Land Uses

The project site has a Tulare County General Plan land use designation of "Valley Agriculture" and has a zoning designation of Exclusive Agricultural Zone–20 Acre Minimum (AE-20). The project site also lies within the Urban Area Boundary (UAB) for the City of Tulare.[1] The Tulare County General Plan land use designation of "Valley Agriculture" allows for intensive agricultural activities on prime valley agricultural soils and other productive or potentially productive valley lands where commercial agricultural uses can exist without conflicting with other uses, or where conflicts can be mitigated. Uses typically allowed include irrigated crop production, orchards, and vineyards; livestock; resource extraction activities and facilities that directly support agricultural operations, such as processing; and other necessary public utility and safety facilities (Tulare County 2012). The Tulare County zoning designation of AE-20 allows for intensive agricultural uses and for uses that are a necessary and integral part of the agricultural operation. Such uses include growing and harvesting crops, raising and slaughtering livestock, selling agricultural products, and other related agricultural uses (Tulare County 1972).

The fallow agricultural land onsite is not in production. The 0.4-acre portion of the project site that is part of the COE Liberty campus is developed with a driveway, used for access to the COE Liberty campus and as a parking area.

3.2.4 Surrounding Land Uses

The project site is primarily surrounded by farmland, commercial and residential uses. To the north of the project site, across Avenue 264/Liberty Road, uses consist of farmland, residential and commercial uses. To the east of the project site, across N Mooney Boulevard/State Route 63, uses consist of farmland, residential and commercial uses. The COE Liberty campus, which includes the Bright Start Program, Hearing Center, Behavioral Health Services, Visually Impaired Program, Alternative Achievement Program, and Planetarium

[1] UABs establish areas around incorporated cities where the county and cities may coordinate plans and policies relating to street and highway construction, public utility systems, and future right-of-way preservation, affecting the orderly development of urban fringe areas.

and Science Center is located to the north and east of the project site. The University Preparatory High School (UPHS) campus is currently located on the College of the Sequoias and will be moved to the current COE Liberty campus. The UPHS students will be moved onto the current COE Liberty campus during the summer of 2027 and would consist of 250 students. Approval of the change in campuses was approved in September 2023.[2] To the south of the project site, uses consist of farmland, and to the west of the project site, uses consist of farmland and commercial uses (see Figure 3-5, *Surrounding Uses Photos*).

The project site is surrounded by parcels with a Tulare County General Plan land use designation of "Valley Agriculture." Parcels to the northeast of the project site include a City of Visalia zoning designation of Commercial Mixed Use Visalia General Plan land designation. Parcels to the north of the project site are zoned AE-20 and Single-Family Residential (R-1). Parcels to the northeast of the project site include a City of Visalia zoning designation of Mixed Use Commercial (C-MU). Parcels to the east of the project site include Tulare County zoning designations of AE-20, General Commercial (C-2), and R-1. Parcels to the south and west of the project site include a Tulare County zoning designation of AE-20. Additionally, parcels to the north of the project site are included in the Visalia UAB, and parcels to the east, south, and west are included in the Tulare UAB, as designated by the Tulare County General Plan.

3.2.5 Current Locations of AcCEL Center, Library and Performing Arts Theater

The AcCel Center and library are existing uses that operate at other TCOE locations. The AcCEL Center and library are currently located at 3102 Houston Avenue and 7000 W. Doe Avenue, Visalia, respectively. Further, TCOE currently rents theater space throughout the County to host performances and special events, as needed.

[2] The relocation of UPHS students is not part of the proposed project and is evaluated in this DEIR as a cumulative project. See Section 4, *Environmental Setting*.

Figure 3-5 - Surrounding Uses Photographs

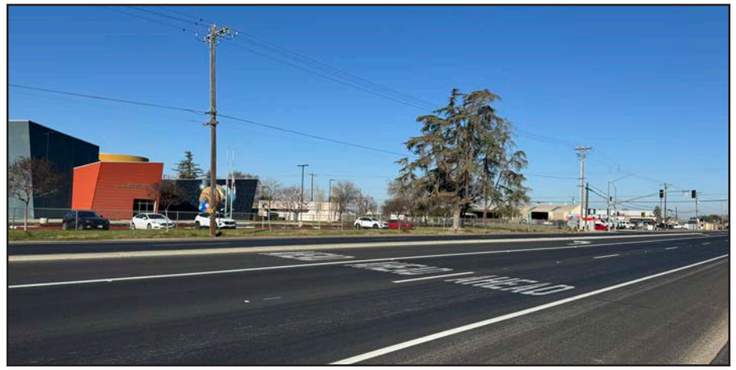


Photo 9: Looking northeast onto the COE campus, commercial uses, and N Mooney Boulevard.

Photo 10: Looking northeast from the COE campus onto N Mooney Boulevard, farmland, and commercial uses.

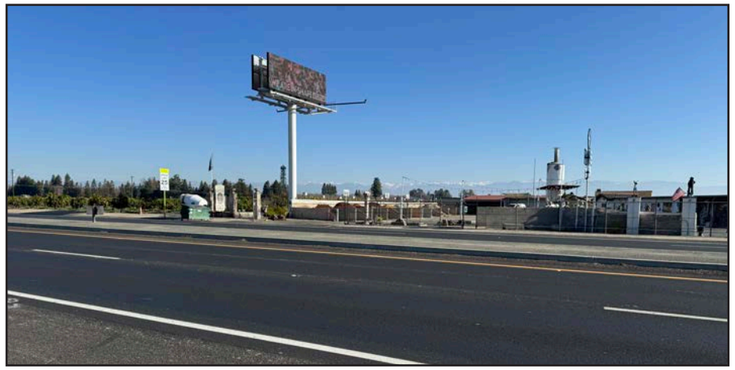


Photo 11: Looking northeast from the eastern part of the project site onto N Mooney Boulevard, farmland, and commercial uses.

Photo 12: Looking north from the eastern part of the project site onto N Mooney Boulevard and the COE campus, including the Planetarium & Science Center, farmland, and commercial uses in the background.

Photo 13: Looking west from the eastern part of the project site onto the project site in the foreground and farmland in the background.

Photo 14: Looking northeast from the northern part of the project site onto the project site in the foreground and the COE campus and residential uses in the background.

Photo 15: Looking west from APN 149-030-005 onto farmland and commercial uses.

Photo 16: Looking east from the eastern part of the project site onto Avenue 264/Liberty Road, residential uses, and the COE campus.

Source: PlaceWorks 2025.

3. Project Description

This page intentionally left blank.

3.3 STATEMENT OF OBJECTIVES

Objectives for the proposed project will aid decision makers in their review of the project and associated environmental impacts:

1. Provide a performing arts theater, library, and AcCEL Center adjacent to the existing Office of Education Liberty campus at 11535 Avenue 264, Visalia, to supplement existing educational resources on the campus and provide educational resources in a centralized location and near the TCOE office at 6200 S. Mooney Boulevard in Visalia.

2. Develop an AcCEL Center that meets the need for high-quality instruction and a structured learning environment for students who have multiple or profound disabilities and is on a property owned by the Tulare County Office of Education and near Visalia to serve students who live in Visalia.

3. Provide a library on Tulare County Office of Education property whose resources and services are available to districts within the county, with facilities for e-sports, robotics lab, and additional programming for students at the adjacent Liberty campus (i.e., the new location for University Preparatory High School), and that is adjacent to the AcCEL Center and available to AcCEL students.

4. Provide an indoor performing arts facility with sufficient parking to the students and districts in the county, the TCOE theater company, and the general public; a facility that can host elementary and middle-school events, artistic performances, speaking engagements, e-sport tournaments, and various school and community events as a more cost-effective alternative to renting local theater facilities.

5. Provide other learning opportunities and skill-building activities for students under the jurisdiction of the Tulare County Office of Education as well as offering resources not available in the surrounding area.

3.4 PROJECT CHARACTERISTICS

"Project," as defined by the CEQA Guidelines, means:

> ... the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following: (1)…enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100–65700. (14 Cal. Code of Reg. § 15378[a])

The proposed project would consist of three main components which would include a new performing arts theater, an AcCEL Center, and a library.

3.4.1 Proposed Land Uses

3.4.1.1 PERFORMING ARTS THEATER

The proposed project would include the construction of a single-story performing arts theater in the southeast corner of the project site. The performing arts theater would have a fly space, a large open area above the stage,

that would extend up to 60 feet above grade, and the performing arts theater would consist of approximately 31,000 square feet. The 16,000 square foot courtyard would be located east of the performing arts theater, to the west of N Mooney Boulevard/State Route 63 and would serve as a buffer between the performing arts theater and N Mooney Boulevard/State Route 63. The performing arts theater would be bordered by the existing COE Liberty campus to the north, N Mooney Boulevard/State Route 63 to the east, and farmland to the south and west (see Figure 3-6, *Conceptual Site Plan*). The performing arts theater would have a capacity of approximately 500 seats and would consist of events and academic and after-school uses. Events and after school uses would occur in the evenings throughout the year and academic uses would occur during the school day. Events would include performance rehearsals, performances, special events, special event camps, and workshops. The proposed project would include approximately 60 events and after school uses throughout the year and would conclude by 8:00 pm. A typical event at the performing arts theater would have 100 attendees and 15 staff members. A typical event of this size would occur up to 45 days per year. A capacity-level event at the theater would have 500 attendees and 15 staff members. A capacity-level event would occur 15 days per year. Additionally, existing COE staff members would come from other locations.

3.4.1.2 ACCEL CENTER AND LIBRARY

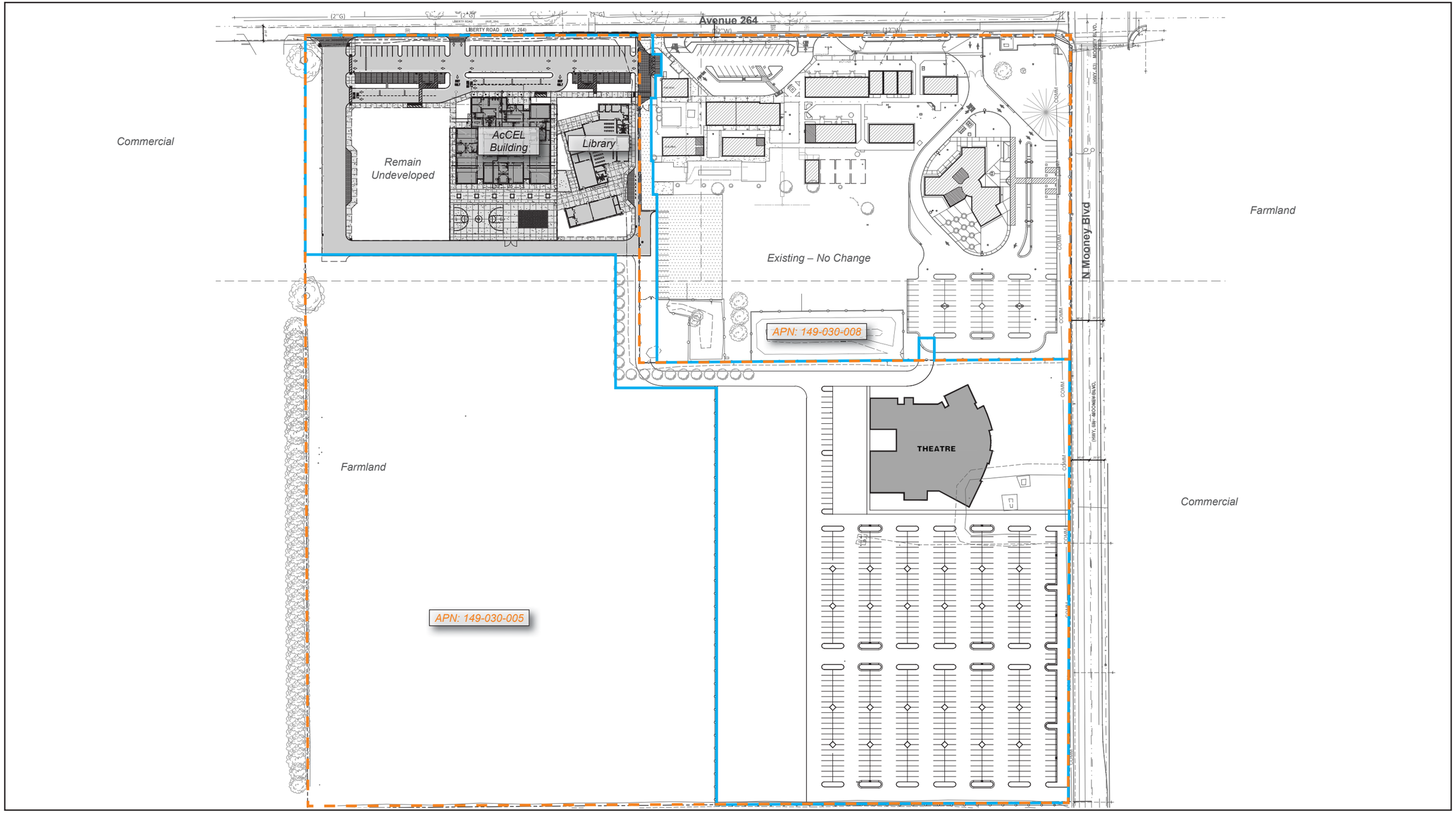
The AcCEL Center and library would be built in the northwest corner of the project site. The AcCEL Center would provide direct instruction to students who generally have multiple or profound disabilities, and/or are able to function best in a more structured environment. The AcCEL Center and library would be bordered by Liberty Road to the north, existing COE Liberty campus to the east, farmland to the south, and farmland and commercial uses to the west.

The AcCEL Center would consist of a single-story, 24,442 square feet building and include a 2,560-square-foot shade structure, landscaping, and walkways. Additionally, 10,219 square feet of basketball court space would be constructed and a play and recreational area would be installed east of the basketball court space. The library would consist of two single-story buildings that would total approximately 12,000 square feet and would be landscaped. The AcCEL Center and library would be up to 30 feet in height. Additionally, a trash storage area would be on the eastern side of the parking lot and would serve the AcCEL Center and library. Additionally, students utilizing the AcCEL Center would be either transported by bus services provided by the COE or would be dropped off.

The proposed library would have a capacity of 100 persons and would have 5 staff members. The AcCEL Center would have a capacity of 80 students and 20 staff members. Existing COE staff members would come from other locations. The hours of operation for the library and AcCEL Center would be Monday through Friday from 7:00 am to 5:00 pm with two Saturday events per year at the library. The library would also provide space for e-sports, robotics, and additional programming for students at the adjacent Liberty campus (i.e. the new location for University Preparatory High School) and resources and services to AcCEL students.

The AcCEL Center and library are existing uses within TCOE jurisdiction that would be relocated to the project site. The AcCEL Center and library are currently located at 3102 Houston Avenue and 7000 W. Doe Avenue, Visalia, respectively. No changes to the buildings at the existing locations of the AcCEL Center and library are known nor proposed at this time.

Figure 3-6 - Conceptual Site Plan



Project Boundary
Assessor Parcel Boundaries

0 160
Scale (Feet)

Source: 2024.

3. Project Description

This page intentionally left blank.

3.4.1.3 PARKING, VEHICLE AND PEDESTRIAN CIRCULATION AND ACCESS, AND FENCING

The parking lot for the performing arts theater would accommodate 500 parking spaces, including 12 Americans with Disabilities Act (ADA) parking spaces, 75 Electric Vehicle (EV) capable parking spaces, and 25 EV charging parking spaces.[3,4] Two full access driveways from N Mooney Road/State Route 63 would provide primary access to the parking lot.

The AcCEL Center and library would be served by two ingress and egress driveways that would provide access to a shared parking lot consisting of 67 parking spaces, including 4 ADA parking spaces and 4 EV parking spaces and 9 EV capable parking spaces.

Vehicle access to the performing arts theater would be served by two driveways off N Mooney Boulevard/State Route 63, which would provide access to the performing arts theater parking lot. The AcCEL Center and library would be served by two ingress and egress driveways off Avenue 264/Liberty Road that would provide access to a shared parking lot. The proposed project also includes paved drive aisles that provides internal vehicle circulation between the proposed parking lots and the existing parking lot that serves the COE campus, specifically the Planetarium and Science Center. The internal drive aisles extend along the west, south, and east sides of the northwestern portion of the project site, curve around the existing COE campus, and connect to the proposed parking lots associated with the proposed theater and existing Planetarium and Science Center. The internal drive aisles would be gated to control access.

The proposed project site would include fencing and gates. Fencing would be installed around the perimeter of the AcCEL Center and library in the northern part of the proposed project. The fencing would include gates that would limit access to the project site. Fencing would also be installed along the western and southern perimeters of the performing arts theater. The existing fencing along the western and southern borders of the project site with the COE Liberty campus would remain. However, a gate would be installed along the northern border of the project site and the southern border of the COE Liberty campus to allow for access via an internal drive aisle to and from the project site and the COE Liberty campus. Additionally, gates would be installed and would provide pedestrian access from the AcCEL Center and library parking lot.

Pedestrian access to the performing arts theater would be served by the construction of approximately 1,280 feet in length of sidewalk improvements along N Mooney Boulevard/State Route 63, east of the performing arts theater and approximately 1,290 feet in length of sidewalk improvements along Avenue 264/Liberty Road to allow pedestrian access to the AcCEL Center and library and performing arts theater. Internal walkways would also be constructed throughout the AcCEL Center, library, and performing arts theater areas, which would allow for internal pedestrian access.

[3] Per Section 5.106.5.6 of the 2022 California Green Building Standards Code (CALGreen), EV capable spaces are parking spaces that are provided with electrical panel capacity and space (i.e., via a raceway) to support the future installation of one 40-ampere, 208/240-volt (Level 2) dedicated branch circuit, and have underground conduits capable of being outfitted with the necessary wiring to install an above-ground charging module.

[4] EV charging spaces are parking spaces with an above-ground charging module for charging electric vehicles.

3.4.1.4 LANDSCAPING

The proposed project would include approximately 243,126 square feet of landscaping throughout the project site. Landscaping would include a mix of grass, shrubs, and ornamental trees. Landscaping would also line the internal drive aisles in the AcCEL Center and library parking lot and the performing arts theater parking lot.

3.4.1.5 SUSTAINABILITY FEATURES

The proposed project would be designed to meet the 2022 Building Energy Efficiency Standards. Additionally, the proposed project would include the installation of two photovoltaic (PV) systems. One PV system would be installed at the AcCEL Center and would shade the play and recreational area and a canopy style PV system would be installed either over the performing arts theater parking lot or courtyard.

3.4.1.6 LIGHTING

The proposed project would include outdoor lighting, including building and landscape accents, security and safety lighting, and wayfinding lighting throughout the project site. No sport court lighting is proposed.

3.4.1.7 UTILITIES

The proposed project would include the installation of a sewer pipe that would connect the proposed project to sewer services provided by the City of Visalia via a connection from the existing COE Liberty campus. The proposed project would also connect to existing water services provided by the California Water Service (Cal Water), specifically the Cal Water Visalia District. Additionally, the proposed project would connect to the existing electricity service provided by Southern California Edison (SCE) and to the Southern California Gas Company (SoCal Gas) for natural gas service. The proposed project would connect to water, electricity, and natural gas lines along public rights-of-way.

Stormwater facilities on the project site would consist of a storm water retention basin and would be located to the west of the performing arts theater parking lot. The storm water retention basin would be designed to receive storm water runoff from the project site and existing COE Liberty campus. The storm water retention basin would retain storm water onsite and would allow it to percolate into the groundwater.

3.4.1.8 PROJECT CONSTRUCTION

Project construction would occur in two phases. Phase one would consist of the construction of the AcCEL Center and library. Phase one is anticipated to start approximately May 2026 and end approximately June 2027. Phase two would consist of the construction of the performing arts theater. Phase two is anticipated to start approximately January 2028 and end approximately January 2030.

Construction times would be Monday through Friday for 9 hours per day, including a one-hour lunch break.

3.4.1.9 DISCRETIONARY ACTIONS

Lead Agency

The Tulare County Office of Education is the lead agency under CEQA and has the approval authority over the proposed project. Discretionary actions for the proposed project include: (1) approval of the proposed project; (2) certification of the environmental impact report; and (3) adoption of the mitigation monitoring and reporting program.

Other Agency Action Requested

The proposed project would require approval and/or coordination from the following state and local agencies to implement the proposed project.

Lead Agency	Action
Tulare County Office of Education (Tulare County Board of Education)	Consider Final EIR for certification and project approval.
Responsible Agencies	**Action**
Department of the State Architect	Approval of construction and design plans.
California Department of Education	Approval of school site and design plans
California Department of Toxic Substances Control	No Further Action Letter for Preliminary Environmental Assessment (PEA)
California Department of Transportation (Caltrans)	Encroachment Permit for Utilities and New Driveways
San Joaquin Valley Air Pollution Control District	Indirect Source Review (ISR) Permit
Central Valley Regional Water Quality Control Board	Construction General Permit
Tulare County Resource Management Agency	Approval of New Driveways
City of Visalia	Approval of New Sewer Connection
Tulare County Fire Department	Approval of construction and design plans.

3.5 INTENDED USES OF THE EIR

This Draft EIR is a project DEIR that examines the environmental impacts of the proposed project. This DEIR also addresses various actions by the COE and others to adopt and implement the proposed project. It is the intent of this DEIR to evaluate the environmental impacts of the proposed project, thereby enabling the Tulare County Office of Education, other responsible agencies, and interested parties to make informed decisions with respect to the requested entitlements.

The COE is the lead agency under CEQA and is carrying out the proposed project. To approve the proposed project, the COE must first certify the Final EIR (FEIR). The board would consider the information in the EIR when making its decision to approve or deny the proposed project, or direct modifications to the proposed project in response to the EIR's findings and mitigation measures. The EIR is intended to disclose to the public the proposed project's details, analyses of the proposed project's potential environment impacts, and identification of feasible mitigation or alternatives that would lessen or reduce significant impacts to less than significant levels.

3. Project Description

This page intentionally left blank.

4. Environmental Setting

4.1 INTRODUCTION

This section provides a "description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, ... from both a local and a regional perspective" (Guidelines § 15125[a]), pursuant to provisions of the California Environmental Quality Act (CEQA) and the CEQA Guidelines The environmental setting provides the baseline physical conditions from which the lead agency will determine the significance of environmental impacts resulting from the proposed project. Chapter 3, *Project Description*, specifically Section 3.2, *Project Location*, also provides a description of physical conditions on the project site. Additionally, each topical section provides a detailed discussion of existing conditions related to that topical area.

4.2 REGIONAL ENVIRONMENTAL SETTING

4.2.1 Regional Location

The project site is in the northwest part of Tulare County, 4.38 miles northeast of downtown Tulare and 4.45 miles southwest of downtown Visalia. The project site is bordered by unincorporated Tulare County to the north, east, south, and west and by the City of Visalia to the northeast (see Figure 3-1). Regional access to the project site is provided by State Route (SR) 63, SR-99, and SR-198. SR-66 runs in a north to south direction bordering the project site to the east; SR-99 runs in a south to northeast direction approximately 2.67 miles west of the project site; and SR-198 runs in a west to east direction 4.08 miles north of the project site.

4.2.2 Local and Regional Planning Considerations

Tulare County General Plan

The Tulare County General Plan 2030 Update (Plan) provides a comprehensive, long-term plan for the future land use and physical development of the County though the year 2030. The Plan promotes healthy sustainable growth while protecting agricultural lands by directing growth to urban areas. A General Plan is called upon to address a range of diverse, sometimes divergent, public interests. The General Plan consists of policies that set forth objectives, principles and standards that guide future land use decisions within the County. The General Plan discussed and includes various goals and polices that are applicable to nearly all topical sections of the EIR. Each applicable Chapter 5 section includes applicable goals and policies from the Tulare County General Plan.

4. Environmental Setting

Tulare County Code

The Tulare County Code or County Code collection of laws, regulations, and ordinances enacted by the Tulare County Board of Supervisors that apply in the unincorporated areas of the county. The proposed project is in unincorporated Tulare County and is subject to the Tulare County Municipal code. The Tulare County Zoning Ordinance specifies how land may be used in unincorporated parts of the county. It sets out the permitted uses, conditional uses, density, setbacks, special combining zones, exceptions, and procedures (variances, amendments, etc.). Nearly all topical sections of the EIR includes applicable municipal codes that related to the specific environmental section.

Tulare County Agricultural Conservation Easement Program

The Tulare County Agricultural Conservation Easement Program (ACEP) was established to allow the use of agricultural easements to reduce or mitigate any significant impacts resulting from the conversion of certain agricultural land to nonagricultural uses. Agricultural easements consist of a legal agreement that permanently limits the use of a piece of land to agricultural purposes to protect it from being developed for non-agricultural uses. The proposed project's consistency with the ACEP is discussed in Section 5.2, *Agriculture and Forestry Resources*.

Tulare County Association of Governments

Tulare County Association of Governments (TCAG) is a council of governments representing Tulare County. TCAG is the federally recognized metropolitan planning organization (MPO) for Tulare County and has responsibilities as Tulare County's Council of Governments (COG). It serves as a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. TCAG's purpose is to assist local jurisdictions with obtaining federal assistance by providing advice, counsel, and professional direction; review and coordinate applications for programs utilizing federal funding; and as a local clearinghouse, coordinate state grants by circulating notices, collecting comments, and reporting to the TCAG Board of Governors. The proposed project is in unincorporated Tulare County, within the TCAG region.

TCAG 2022 Regional Transportation Plan / Sustainable Communities Strategy

TCAG's 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) provides the goals and policies that guide growth in the region, including growth projections for the region's cities and counties. This long-range plan, required by the state of California and the federal government, is updated by TCAG every four years as demographic, economic, and policy circumstances change. In the 2022 RTP/SCS, TCAG provides growth forecasts for population, households, and employment for the year 2046. The proposed project's consistency with the RTP/SCS is analyzed in Section 5.8, *Greenhouse Gas Emissions*, Section 5.11, *Land Use and Planning*, Section 5.13, *Population and Housing*, and Section 5.16, *Transportation*.

Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan

The Disaster Mitigation Act of 2000, Public Law 106-390 (Sections 322(a–d)), requires that local governments, as a condition of receiving federal disaster mitigation funds, adopt a mitigation plan that

describes the process for identifying hazards, vulnerabilities, and risks; identifies and prioritizes mitigation actions; encourages the development of local mitigation; and provides technical support for those efforts. In response to this and the requirements of the California Office of Emergency Services, the County prepared the 2023 Tulare County Multi-Jurisdictional Local Mitigation Plan to reduce or eliminate long-term risk to people and property from hazards, including geological hazards, and to serve as a tool to help decision makers direct mitigation activities and resources. The proposed project's consistency with the 2023 Tulare County Multi-Jurisdictional Local Mitigation Plan is analyzed in Sections 5.9, *Hazards and Hazardous Materials*, 5.16, *Transportation*, and 5.19, *Wildfire*.

Tulare County Emergency Operations Plan

The Tulare Emergency Operations Plan (EOP) is a guide document in the event of a large-scale emergency or disaster and addresses response activities within Tulare County. Tulare County's Office of Emergency Services (OES) is the County's emergency management agency, responsible for coordinating multi-agency responses to complex, large-scale emergencies and disasters within Tulare County. The Tulare County OES manages the plan; however, the County EOP is not publicly accessible. The proposed project's consistency with the 2023 Tulare County EOP is analyzed in Section 5.9, *Hazards and Hazardous Materials*.

Tulare County Fire Department 2024 Annual Report

The Tulare County Fire Department's (TCFD) annual report serves to provide a transparent record of accomplishments, activities, and financial summaries from the past year, highlighting strategic initiatives and future goals to offer stakeholders insights into the department's impact and direction. It details the department's commitment to fire prevention, suppression, and emergency medical services, showcasing progress in achieving its mission to serve the community. The TCFD annual report is discussed in Section 5.14, *Public Services*.

Tribal Coordination Legislation

The proposed project does not amendment or adoption of a general plan or a specific plan, or the designation of open space, per Senate Bill 18; and as such would be subject to Assembly Bill 52. AB 52 took effect July 1, 2015, and requires inclusion of a new section in CEQA documents titled Tribal Cultural Resources, which include heritage sites. Under AB 52, a tribal cultural resource is defined as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either included or eligible for inclusion in the California Register of Historic Resources or included in a local register of historical resources. Or the lead agency, supported by substantial evidence, chooses at its discretion to treat the resource as a tribal cultural resource. AB 52 requires consultation with tribes at an early stage to determine whether the project would have an adverse impact on TCRs and define mitigation to protect them. Discussion regarding AB-52 and consultation of tribes are discussed in Section 5.17, *Tribal Cultural Resources*.

San Joaquin Valley Unified Air Pollution Control District

The project site is in the San Joaquin Valley Air Pollution Control District (SJVAPCD). Pollutants emitted into the ambient air by stationary and mobile sources are regulated by federal and state law, and standards are detailed in the Air Quality Attainment Plans. Air pollutants for which ambient air quality standards (AAQS) have been developed are known as criteria air pollutants, including ozone (O3), carbon monoxide (CO), volatile organic compounds (VOC), nitrogen oxides (NOx), sulfur dioxide, coarse inhalable particulate matter (PM_{10}), fine inhalable particulate matter ($PM_{2.5}$), and lead. VOC and NOx are criteria pollutant precursors and go on to form secondary criteria pollutants, such as O3, through chemical and photochemical reactions in the atmosphere. Air basins are classified as attainment/nonattainment areas for pollutants, depending on whether they meet AAQS for that pollutant. The primary role of SJVAPCD is to develop plans and implement control measures in the SJVAB to control air pollution. These controls primarily affect stationary sources such as industry and power plants. Rules and regulations have been developed by SJVAPCD to control air pollution from a wide range of air pollution sources. SJVAPCD also provides uniform procedures for assessing potential air quality impacts of projects and for preparing the air quality section of environmental documents. The proposed project's consistency with the applicable AAQS is discussed in Section 5.3, *Air Quality*.

Greenhouse Gas Emissions Reduction Legislation

Current State of California guidance and goals for reductions in GHG emissions are generally embodied in Executive Order S-03-05; Assembly Bill (AB) 32, the Global Warming Solutions Act (2006); Executive Order B-15-30 and Senate Bill (SB) 32; SB 375; and Executive Order B-5518 and SB 100. Executive Order S-03-05, signed June 1, 2005, set the following GHG reduction goals for the State of California:

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

AB 32 was passed by the state legislature on August 31, 2006, to place the state on a course to reduce its contribution of GHG emissions. AB 32 established a legislative target for the year 2020 goal outlined in Executive Order S-03-05. CARB prepared its first Scoping Plan in 2008 outlining the state's plan for achieving the 2020 targets of AB 32.

In 2008, SB 375 was adopted to connect passenger-vehicle GHG emissions reduction targets for the transportation sector to local land use decisions that affect travel behavior. Its intent is to reduce GHG emissions from light-duty trucks and automobiles by aligning regional long-range transportation plans, investments, and housing allocations to local land use planning to reduce vehicle miles traveled (VMT) and vehicle trips.

In September 2016, Governor Brown signed SB 32, making the Executive Order B-15-30 goal for year 2030 of a 40 percent reduction below 1990 levels into a statewide-mandated legislative target. CARB issued an update to its Scoping Plan in 2017, which sets forth programs for meeting the SB 32 reduction target.

Executive Order B-55-18 sets a goal for the state to achieve carbon neutrality no later than 2045 and to achieve and maintain net negative emissions thereafter. SB 100 would help the state reach the goal set by Executive Order B-55-18 by requiring that the state's electricity suppliers have a source mix that consists of at least 60 percent renewable/zero carbon sources in 2030 and 100 renewable/zero carbon sources in 2045.

Senate Bill 743

On September 27, 2013, SB 743 was signed into law. SB 743 started a process that could fundamentally change transportation impact analysis under CEQA. The legislature found that with the adoption of SB 375, the state had signaled its commitment to encourage land use and transportation planning decisions and investments that reduce VMT and thereby contribute to the reduction of GHG emissions, as required by the California Warming Solutions Act of 2006 (AB 32).

SB 743 generally eliminates auto delay, level of service, and similar measures of vehicular capacity or traffic congestion as the sole basis for determining significant impacts under CEQA. Pursuant to the CEQA Guidelines which were amended to implement SB 743, the new criteria "shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses" (Public Resources Code § 21099[b][1]).

Central Valley Regional Water Quality Control Board

The proposed project is within the jurisdiction of the Central Valley Regional Water Quality Control Board (RWQCB), Region 5. The Central Valley RWQCB addresses region-wide water quality issues through the creation and triennial update of the Water Quality Control Plan for the Central Valley Region specifically the Water Quality Control Plan for the Tulare Lake Basin (Basin Plan). The Basin Plan was adopted in 1975 and most recently amended in 2018. The Basin Plan designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters designated in the Basin Plan (Central Valley RWQCB 2018).

Tulare County and the City of Visalia is also subject to the Central Valley RWQCB's waste discharge requirements of the General Permit for Stormwater Discharges for Phase II Small MS4s Order No. 2013-0001-DWQ (as amended by Order No. WQ 2015-0133-EXEC, Order No. WQ 2016-0069-EXEC, Order No. WQ 2017-XXXX-DWQ, Order No. WQ 2018-0001-EXEC, and Order No. WQ 2018-0007-EXEC). The proposed project is within the Central Valley RWQCB as analyzed in Section 5.10, *Hydrology and Water Quality*, and Section 5.18, *Utilities and Service Systems*.

Mid-Kaweah Groundwater Sustainability Agency Groundwater Sustainability Plan

The Kaweah Subbasin (No. 5-22.11 per Department of Water Resources (DWR) Bulletin 118, 2003, 2016) covers 696 square miles within the larger San Joaquin Valley Basin and is situated primarily within Tulare County with a small portion in eastern Kings County. Groundwater supplies in the Subbasin are managed by three agencies, including the Mid-Kaweah GSA, which administers the portion of the Subbasin underlying the proposed project site. The Mid-Kaweah GSA was formed September 14, 2015, through execution of a joint powers agreement between the City of Tulare, City of Visalia, and Tulare Irrigation District to establish

the Mid-Kaweah Groundwater Subbasin Joint Powers Authority. The Mid-Kaweah Groundwater Sustainability Plan (GSP) was adopted in December 2019 and last updated in July 2022 (Mid-Kaweah GSA 2022). However, this update of the GSP has not been adopted. The Mid-Kaweah GSP is discussed in Section 5.10, *Hydrology and Water Quality,* and Section 5.18, *Utilities and Service Systems*.

Kaweah River Basin Integrated Regional Water Management Plan

The Kaweah River Basin Integrated Regional Water Management (IRWM) group, established in 2007, is a collaborative effort to manage all aspects of water resources in the Kaweah River Basin Region. The Kaweah IRWM group meets monthly to evaluate how the water in the region can best be managed as well as discuss future projects for grant applications. Projects must conform to the group's objectives, which include groundwater management, water supply, water quality, flood control, and ecosystem restoration.

The Kaweah River Basin IRWM Plan (IRWM Plan) is a blueprint to guide regional water resource management and address issues such as water supply reliability, surface and groundwater quality protection, protection of aquatic, riparian, and watershed resources, flood protection, and drainage. The IRWM Plan was last updated in 2016 and is currently in the process of being updated per current DWR guidelines (Tulare Basin Watershed Partnership 2025). The Kaweah River Basin IRWM Plan is discussed in Section 5.10, *Hydrology and Water Quality,* and Section 5.18, *Utilities and Service Systems*.

Kaweah Delta Water Conservation District

The Kaweah Delta Water Conservation District (KDWCD) is the agency that directly manages the groundwater supplies of the Kaweah Subbasin. KDWCD and other irrigation districts and companies have historically managed groundwater through the conjunctive use of surface water. KDWCD regularly provides programs that benefit local agricultural customers by making available additional surface water supplies for irrigation. These programs effectively reduce the withdrawals of groundwater resulting in in-lieu recharge of the aquifer. Groundwater is normally used by agriculture as an alternate source when surface supplies are not available and is the sole source in areas within KDWCD jurisdiction that do not have access to surface water (KDWCD 2015).

KDWCD operates about 40 dedicated water management basins with a total area of approximately 2,100 acres for the multiple purposes of flood control and groundwater replenishment. The basins have the capacity to recharge approximately 983 acre-feet per day under optimal conditions (Cal Water 2021). The proposed project is within the KDWCD and is analyzed in in Section 5.10, *Hydrology and Water Quality*, and Section 5.18, *Utilities and Service Systems*.

Tulare County Well Abandonment Guidelines

The Tulare County Office of Environmental Health (TCOEH) has published guidance documents outlining the procedures for groundwater well abandonment in the County. This includes well inactivation and well destruction applications and specific instructions for the process, pursuant to the Tulare County Well Ordinance (Tulare County 2025). The proposed project's consistency with the Tulare County Well Ordinance is analyzed in Section 5.10, *Hydrology and Water Quality*.

National Pollution Discharge Elimination System Permits for the City of Visalia Water Conservation Plant

Wastewater from the City of Visalia is treated by the City of Visalia Water Conservation Plant (WCP) which is located at 7579 Ave 288 in Visalia. The WCP is permitted under NPDES No. CA0079189 (Order No. R5-2018-0046). The permit outlines the requirements that the WCP is subject concerning wastewater treatment, recycled water discharge, groundwater protection, and regulatory compliance. The WCP is permitted to discharge up to 18 million gallons per day of treated wastewater to city-owned lands and contracted users for reuse and irrigation. The City of Visalia would serve the proposed project's wastewater needs. This is analyzed in Section 5.18, *Utilities and Service Systems*.

Tulare County Community Wildfire Protection Plan

The 2022 Tulare County Community Wildfire Protection Plan addresses hazards and risks of wildland fire throughout Tulare County and makes recommendations for fuel reduction projects, public outreach and education, structural ignitability reduction, and fire response capabilities. Tulare County comprises a diverse landscape and land ownership with the need to prepare for wildfire to reduce the risk of loss of life and property, as well as environmental damage. As such, the Tulare County Community Wildfire Protection Plan focuses on the communities and areas that are at high risk of wildfire; collectively these communities comprise the draft planning area. The project site is outside of the areas for high risk of wildfire and not in the draft planning area. The Tulare County Community Wildfire Protection Plan is discussed in Section 5.19, *Wildfire*.

4.3 ENVIRONMENTAL SETTING

The 15.63-acre project site, located at 26487 N Mooney Boulevard, Tulare, CA 93274, is owned by the Tulare County Office of Education, is located near the southwest corner of Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63 in unincorporated Tulare County. The project site is comprised of portions of two parcels: APNs 149-030-005 (15.23 acres) and 149-030-008 (0.4 acres). The majority of the project site includes a fallow agricultural field with an irrigation well and two pole mounted electrical transformers on the 15.23 acres and a paved driveway, parking area, disturbed land, fencing, and landscaping on 0.4 acres. The project site is bordered by Avenue 264/Liberty Road to the north, the existing COE Liberty campus and N Mooney Boulevard/State Route 63 to the east, farmland to the south, and farmland/agricultural uses, and commercial uses to the west. Local access to the project site is provided by Avenue 264/Liberty Road and Avenue 266/Harrison Road and N Mooney Boulevard/State Route 63 (see Figures 3-2 through 3-5).

4.3.1 Aesthetics

The project site is primarily undeveloped with fallow agricultural on the larger 15.23-acre parcel and partially developed with fencing, a paved driveway, and parking and landscaping on the smaller 0.4-acre portion of the project site on the adjacent COE) Liberty campus. The project site is primarily surrounded by farmland, educational, commercial, and residential uses. Refer to Section 5.1, *Aesthetics*, of this Draft Environmental Impact Report (DEIR) for more information on the existing visual quality of the project site.

4.3.2 Agriculture and Forestry Resources

The project site is primarily identified as "Prime Farmland" with a small portion of the project stie identified as Urban and Built-Up Land. The project site's land use designation is Exclusive Agriculture Zone (AE-20) (see Figure 5.2-1). The AE-20 Zone is an exclusive zone for intensive agricultural uses and for those uses which are a necessary and integral part of the agricultural operation. The project site and surrounding area do not contain any forest land. Refer to Section 5.2, *Agriculture and Forestry Resources*, for more information on agriculture and forestry resources.

4.3.3 Air Quality

The project site is located in Tulare County which is part of the San Joaquin Valley Air District (SJVAB). The SJVAB is designated nonattainment for O_3 and $PM_{2.5}$ under the California and National AAQS, and nonattainment for PM_{10} under the California AAQS. A discussion of regional air quality considerations is described in Section 5.3, *Air Quality*, of this DEIR.

4.3.4 Biological Resources

A biological resources evaluation was prepared for the project site. The biological resources evaluation concluded that there is a low to no potential for sensitive plant species to occur. There are no sensitive natural communities or critical habitats are present on the project site. The project site is not within a habitat conservation plan nor a natural community conservation plan. Two sensitive species are considered to have moderate occurrence potential on the project site for foraging opportunities, which were the Swainson's hawk and the northern harrier. Refer to Section 5.4, *Biological Resources*, for additional information concerning biological resources.

4.3.5 Cultural Resources

A Historical/Archaeological Resources Survey Report was conducted for the proposed project. The report concluded that the project site does not contain any historical resources. There are no known historic resources, archaeological resources, nor human remains on the project site. Refer to Section 5.5, *Cultural Resources*, for more information on cultural resources.

4.3.6 Energy

The project site contains fallow agriculture, paved driveway, parking area, disturbed land, fencing, and landscaping, and currently generates little to no energy demand. Refer to Section 5.6, *Energy*, for a discussion of energy use and requirements in California.

4.3.7 Geology and Landform

The project site is located in the southeastern portion of the Great Valley Geomorphic Province and there are no active regional faults near the project site. The project site is not located in a landslide zone, is not subject to expansive soils, and is relatively flat with a low probability for erosion. Shallow groundwater is not

present beneath the project site, and the soil at the project site is not considered cohesionless or granular, so the project site is not susceptible to liquefaction (PlaceWorks 2025). However, the project site is within an area where land subsidence has occurred and has the potential to be subject to collapsible soils. Refer to Section 5.7, *Geology and Soils*, for additional information concerning geological and soil conditions.

4.3.8 Greenhouse Gas Emissions

Global climate change is not confined to a particular project site, and even a very large project does not generate enough GHGs on its own to influence global climate change significantly. Regional GHG considerations are described in Section 4.2.2. Refer to Section 5.8, *Greenhouse Gas Emissions,* for a discussion of GHG emissions in California.

4.3.9 Hazards and Hazardous Materials

The project site is flat and is located in the southeastern portion of the Great Valley Geomorphic Province. Soils consist of the Nord Series, which consists of fine sandy loam, 0 to 2 percent slopes, and groundwater depth ranges from approximately 140 to 180 feet below ground surface. The project site is considered to have a moderate potential for radon gas hazards but has no potential for hazards from sea level rise as the project site is approximately 112 miles from the Pacific Ocean. As a result of the project site's past agricultural uses, the project site has the potential for Organochlorine pesticides (OCPs), arsenic, and lead as well as Polychlorinated biphenyls (PCBs) resulting from pole-mounted electrical transformers and naturally occurring asbestos. Refer to Section 5.9, *Hazards and Hazardous Materials*, for more information pertaining to hazardous materials.

4.3.10 Hydrology and Water Quality

The project site is primarily undeveloped with fallow agricultural and partially developed with fencing, a paved driveway, and parking area within the adjacent COE campus. Additionally, the project site is not located in a flood hazard zone and is located in the San Joaquin Valley Groundwater Basin and the Kaweah Subbasin. Refer to Section 5.10, *Hydrology and Water Quality*, of the DEIR, for more information on hydrology and water quality.

4.3.11 Land Use and Planning

The project site has a General Plan land use designation of "Valley Agriculture" and is zoned Exclusive Agricultural Zone – 20 Acre Minimum (AE-20) (Tulare County 2012; 2025). The "Valley Agriculture" General Plan land use designation allows for intensive agricultural activities on prime valley agricultural soils. The AE-20 zone is an exclusive zone for intensive agricultural uses and for those uses that are a necessary and integral part of the agricultural operation (Tulare County 1972). The project site also lies within the

Urban Area Boundary (UAB) for the City of Tulare.[1] Refer to Section 5.11, *Land Use and Planning*, of the DEIR, for a discussion of land use and planning.

4.3.12 Noise

The project site is primarily surrounded by agricultural, academic, commercial and residential uses. The existing COE Liberty campus, which includes the Bright Start Program, Hearing Center, Behavioral Health Services, Visually Impaired Program, Alternative Achievement Program, and Planetarium and Science Center is located to the north and east of the project site. The nearest sensitive receptors are the existing COE Liberty Campus located north and east at 220 feet of the project site; residential uses located north and southeast at 180 feet and 85 feet from the project site; and commercial uses located east and west at 175 and 85 feet from the project site. Refer to Section 5.12, *Noise*, of the DEIR, for a discussion of noise.

4.3.13 Population and Housing

The proposed project is located in unincorporated Tulare County. The population of unincorporated Tulare County has decreased from 135,760 in 2020 to 135,500 in 2024 (DOF 2012, 2025). However, population is expected to rise from 144,992 in 2021 to 170,801 in 2046 according to the Tulare County Association of Government's (TCAG) 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (TCAG 2022). Overall, employment has increased from 2014 to 2024 within Tulare County with increases by 5.89 percent in 2022, 1.87 percent in 2023, and 1.17 percent in 2024 from the prior year according to the State of California Employment Development Department. Additionally, TCAG projects employment to grow in unincorporated Tulare County from 25,308 in 2021 to 29,596 in 2046, a 16.9% change (TCAG 2022). TCAG's growth projections for unincorporated Tulare County describes a 26.4 percent increase in housing from 45,299 housing units in 2021 to 57,259 housing units in 2046 (TCAG 2022). Refer to Section 5.13, *Population and Housing,* for further information on population and housing associated with the project site.

4.3.14 Public Services

The Tulare County Fire Department provides fire protection services; the Tulare County Sheriff's Office provides police protection services; Tulare County Office of Education including Liberty Elementary School District and Tulare Joint Union High School District provide educational services; and Tulare County Library provide library services to the project site. Refer to Section 5.14, *Public Services*, for additional information on public services.

4.3.15 Recreation

The existing project site does not contain recreational facilities. The existing COE Liberty campus contains educational facilities available for students use and one basketball court. The closest park to the project site is

[1] UABs establish areas around incorporated cities where the county and cities may coordinate plans and policies relating to street and highway construction, public utility systems, and future right-of-way preservation, affecting the orderly development of urban fringe areas.

Mooney Grove Park, a 155-acre park approximately one mile northwest of the proposed project. Refer to Section 5.15, *Recreation*, for additional information pertaining to recreation.

4.3.16 Transportation

Regional access to the project site is provided by N Mooney Boulevard/State Route 63, which bounds the project site to the east, and local access is provided by Avenue 264/Liberty Road, which bounds the project site to the north. Refer to Section 5.16, *Transportation*, for additional information concerning existing transportation and traffic conditions.

4.3.17 Tribal Cultural Resources

The project site contains fallow agriculture, paved driveway, parking area, disturbed land, fencing, and landscaping, and currently generates little to no energy demand. No resources under the California Register of Historical Resources or a local register were identified on the project site (HANA Resources 2025). On December 17, 2024, HANA Resources submitted a written request to the State of California Native American Heritage Commission for a records search in the commission's Sacred Lands File (SLF). The NAHC's SLF record search received a negative result on December 27, 2024. Refer to Section 5.17, *Tribal Cultural Resources*, for additional information on tribal cultural resources.

4.3.18 Utilities and Service Systems

Since the project site is not in current use, it does not generate wastewater demand. The project site is within unincorporated Tulare County, specifically County Service Area (CSA) #1. Sewer collection services are not provided for this portion of CSA #1. The project site is not currently served by sewer but would connect to City of Visalia sewer services via the existing COE Liberty campus, which is part of a previously approved project.

Since the project site is not in current use, it does not generate water demand. The Cal Water Visalia District is an urban water supplier that provides the main source of water supply serves the City of Visalia and segments of unincorporated Tulare County including the project site. The project site is not currently served by Cal Water Visalia District.

Rainwater on the project site either percolates into the ground or leaves the project site as runoff to the surrounding public rights-of-way. A portion of rainwater that lands on the 0.4-acre developed portion of the project site is directed to the stormwater basins on the COE Liberty campus.

Since the project site is not in current use, it generates no solid waste. Trash collection service would be provided by Waste Management. Two landfills serve the county – Visalia Disposal Site and Woodville Disposal Site.

Since the project site is not in current use, it does not generate a current demand for dry utilities. Southern California Edison (SCE) provides electricity service to the proposed project area, and SoCal Gas Company provides natural gas service to the project site area. Comcast Cable Company and AT&T provide

telecommunication services. Various internet service providers, including but not limited to AT&T, Xfinity Comcast, EarthLink, and T-Mobile, also operate broadband internet service within the vicinity of the project site in the County of Tulare. Refer to Section 5.18, *Utilities and Service Systems*, of this DEIR, for more information

4.3.19 Wildfire

The project site is not located in a designated Calfire Fire Hazard Severity Zone (Calfire 2024). Refer to section 5.19, *Wildfire*, for more information.

4.4 ASSUMPTIONS REGARDING CUMULATIVE IMPACTS

CEQA Guidelines Section 15130 states that cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable. It further states that this discussion shall reflect the level and severity of the impact and the likelihood of occurrence, but not in as great a level of detail as that necessary for the project alone. CEQA Guidelines Section 15355 defines cumulative impacts as "…two or more individual effects which, when considered together, as considerable or which compound or increase other environmental impacts." Cumulative impacts represent the changes caused by the incremental impact of a project when added to the other proposed or committed projects in the vicinity.

CEQA Guidelines Section 15130(b)(1) states that the information used in an analysis of cumulative impacts should come from one of two sources:

A. A list of past, present, and probable future projects producing related cumulative impacts, including, if necessary, projects outside the control of the agency; or

B. A summary of projections in an adopted general plan or related planning document designed to evaluate regional or area-wide conditions.

The cumulative impacts analyses in this DEIR use Method B and is supplemented with known cumulative projects in the immediate area of the project site. Tulare County completed the Tulare County General Plan 2030 in August 2012. The Tulare County Association of Governments (TCAG) completed the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) in 2022, which provides the latest growth projections for the county and forecast to 2046. As such, the cumulative impact analysis in this DEIR utilizes the growth projections in the TCAG's RTP/SCS. Table 4-1, TCAG Growth Projections for Tulare County, identifies population, housing units, and employment projects for the county overall and unincorporated areas. Table 4-2, *Cumulative Projects,* provides a list of cumulative projects in the plan area.

Table 4-1 TCAG Growth Projections for Unincorporated Tulare County

	2021	2046	Change, 2021–2046	Percentage Change, 2021–2046
Tulare County (Total)				
Population	481,649	567,383	85,734	17.8%
Housing units	154,436	195,210	40,774	26.4%
Employment	187,137	218,846	31,709	16.9%
Unincorporated Areas				
Population	144,992	170,801	25,809	17.8%
Housing units	45,299	57,259	11,960	26.4%
Employment	25,308	29,596	4,288	16.9%

Source: TCAG 2022.

Table 4-2 Cumulative Projects

Project Name	Project Description	Project Location
University Preparatory High School Relocation	The University Preparatory High School campus will be relocated from its current location (College of the Sequoias) to the existing TCOE Liberty Campus, adjacent to the project site in the Summer of 2027. This will include relocating 250 students attending University Preparatory High School to the TCOE Liberty Campus.	TCOE Liberty Campus: On-site (289 feet east; 473 feet north of project site) 11535 Avenue 264, Visalia, CA 93277
Liberty Sewer Connection	A new sewer line will connect the TCOE Liberty Campus to existing City of Visalia sewer connection located near the intersection of Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63 via a sewer main at the intersection of Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63.	TCOE Liberty Campus: On-site (289 feet east; 473 feet north of project site) 11535 Avenue 264, Visalia, CA 93277; Near and at the Intersection of Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63 (811 feet east;615 feet north of project site)

Since the proposed project would not increase student enrollment within the COE and would not generate new housing units, Method B approach supplemented with known adjacent cumulative projects is highly conservative and appropriate for evaluating cumulative impacts related to the proposed project. Additionally, the cumulative impacts of the proposed project have been addressed for each environmental category discussed in Chapter 5.0, *Environmental Analysis*, of this DEIR.

4.5 REFERENCES

California Department of Forestry and Fire Protection (Calfire). 2024, April 1. Fire Hazard Severity Zone Viewer. https://experience.arcgis.com/experience/03beab8511814e79a0e4eabf0d3e7247/.

Central Valley RWQCB. 2018 (Amended in February 2019). Water Quality Control Plan (Basin Plan) for the Central Valley Region. https://www.waterboards.ca.gov/rwqcb5/water_issues/basin_plans/sacsjr_201902.pdf.

4. Environmental Setting

Department of Finance, California (DOF). 2012, November 9. E-4 Population Estimates for Cities, Counties, and the State, 2001-2010, with 2000 & 2010 Census Counts.

_____. 2025, May 1. E-4 Population Estimates for Cities, Counties, and the State, 2021–2025, with 2020 Census Benchmark. https://dof.ca.gov/forecasting/demographics/estimates/

HANA Resources, Inc. 2025, May 25. Historical/Archaeological Resources Survey Report. Appendix E.

Kaweah Delta Water Conservation District (KDWCD). 2015, July. Groundwater Management Plan. https://kdwcd.com/tenancy/assets/documents/2vGroundwater%20Management%20Plan%20Amended%20%2807-07-15%29.pdf.

Mid-Kaweah Groundwater Sustainability Agency (GSA). 2022, July. 2022 First Amended Groundwater Sustainability Plan. https://sgma.water.ca.gov/portal/service/gspdocument/download/9093.

PlaceWorks. 2025, May. Geological and Environmental Hazards Assessment. Appendix G.

Tulare, County of. 2025, October 7 (accessed). Tulare County Public Parcel Zoning Lookup. https://tularecounty.maps.arcgis.com/apps/webappviewer/index.html?id=e7d7da648dab43e1a9eb0233889b7c32

_____. 2025, October 7 (accessed). "Water Well Forms". Tulare County Office of Environmental Health. https://tularecountyeh.org/eh/forms/water-wells

_____. 2012. Tulare County General Plan Update. https://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/000General%20Plan%202030%20Part%20I%20and%20Part%20II/GENERAL%20PLAN%202012.pdf.

_____. 1972. Section 9.6: "AE-20" Exclusive Agricultural Zone 20 Acre Minimum. https://tularecounty.ca.gov/rma/rma-documents/planning-documents/tulare-county-zoning-ordinance/chapter-3-section-9-6-ae20/

Tulare Basin Watershed Partnership. 2025, September 11. Kaweah River Basin Integrated Regional Water Management. https://www.tularebasinwatershedpartnership.org/kaweah-river-basin-irwm.

Tulare County Association of Government (TCAG). 2022, August 1. 2022 Regional Transportation Plan/Sustainable Communities Strategy. https://tularecog.org/tcag/planning/rtp/rtp-2022/.

5. Environmental Analysis

Chapter 5 examines the environmental setting of the proposed project, analyzes its effects and the significance of its impacts, and recommends mitigation measures to reduce or avoid impacts. This chapter has a separate section for each environmental issue area that was determined to need further study in the environmental impact report (EIR). This scope was determined in the notice of preparation (NOP), which was published April 23, 2025, and through public and agency comments received during the NOP comment period from April 23 to May 23, 2025 (see Appendix A). Environmental issues analyzed and their corresponding sections are:

- 5.1, Aesthetics
- 5.2, Agriculture and Forestry Resources
- 5.3, Air Quality
- 5.4, Biological Resources
- 5.5, Cultural Resources
- 5.6, Energy
- 5.7, Geology and Soils
- 5.8, Greenhouse Gas Emissions
- 5.9, Hazards and Hazardous Materials
- 5.10, Hydrology and Water Quality
- 5.11, Land Use and Planning
- 5.12, Noise
- 5.13, Population and Housing
- 5.14, Public Services
- 5.15, Recreation
- 5.16, Transportation
- 5.17, Tribal Cultural Resources
- 5.18, Utilities and Service Systems
- 5.19, Wildfire

Sections 5.1 through 5.19 provide a detailed discussion of the environmental setting, impacts associated with the proposed project, mitigation measures designed to reduce significant impacts where required and when feasible, and an analyses evaluating cumulative impacts. The residual impacts following the implementation of any mitigation measure are also discussed.

5. Environmental Analysis

Based on the conditions of the project site and nature of the proposed project, it was determined that one environmental impact category would not be significantly affected by the proposed project: mineral resources. This is discussed further in Chapter 8, *Impacts Found Not to Be Significant*, of this Draft EIR (DEIR).

Organization of Environmental Analysis

To assist the reader with comparing information between environmental issues, each section is organized under nine major headings:

- Environmental Setting
  - Regulatory Background
  - Existing Conditions
- Thresholds of Significance
- Environmental Impacts
  - Methodology
  - Impact Analysis
- Cumulative Impacts
- Level of Significance Before Mitigation
- Mitigation Measures
- Level of Significance After Mitigation
- References

In addition, Chapter 1, *Executive Summary,* has a table that summarizes all impacts by environmental issue.

Terminology Used in this DEIR

The level of significance is identified for each impact in this DEIR. Although the criteria for determining significance are different for each topic area, the environmental analysis applies a uniform classification of the impacts based on definitions consistent with the California Environmental Quality Act (CEQA) and the CEQA Guidelines:

- **No impact.** The project would not change the environment.
- **Less than significant.** The project would not cause any substantial, adverse change in the environment.
- **Less than significant with mitigation incorporated.** Prior to mitigation, the project would cause a substantial adverse effect on the environment. The EIR includes mitigation measures that would reduce the impact to a less-than-significant level.
- **Significant and unavoidable.** The project would cause a substantial adverse effect on the environment, and no feasible mitigation measures are available to reduce the impact to a less-than-significant level.

5.1 AESTHETICS

This section of the DEIR discusses the potential impacts on the aesthetic resources of the project site and its surroundings. This section includes a qualitative discussion of the aesthetic characteristics of the environment that could potentially be altered by the proposed project's implementation and evaluates the proposed project's potential impacts on scenic vistas and scenic highways, its potential for light and glare, and its consistency with established relevant regulations governing scenic quality.

No public comment letters were received in response to the Notice of Preparation (NOP) related to aesthetics. Refer to Appendix A for all NOP comment letters.

5.1.1 Environmental Setting

5.1.1.1 REGULATORY BACKGROUND

State and local laws, regulations, plans, or guidelines that are potentially applicable to the proposed project are summarized below.

State Regulations

State Scenic Highway Program

The State Scenic Highway Program was created in 1963 by the State Legislature to protect and enhance the natural scenic beauty along portions of the state highway system that are determined to be scenic highways. Scenic highways can have an "eligible" designation or be "officially designated." The status of a proposed state scenic highway changes from eligible to officially designated when a local jurisdiction adopts a scenic corridor protection program, then applies to the California Department of Transportation (Caltrans) for scenic highway approval and receives notification from Caltrans that the highway has been officially designated as a Scenic Highway.

California Building Code: Building Energy Efficiency Standards

Energy conservation standards for new residential and non-residential buildings were adopted by the California Energy Resources Conservation and Development Commission (now the California Energy Commission) in June 1977 and most recently revised in 2019 (California Code of Regulations Title 24, Part 6). The Building Energy Efficiency Standards are designed to reduce wasteful, uneconomic, inefficient, or unnecessary energy consumption and enhance outdoor and indoor environmental quality. These standards include provisions related to lighting. For example, the Building Energy Efficiency Standards outline mandatory requirements for lighting control devices and luminaires. The standards are updated every three years to allow for the consideration and possible incorporation of new energy efficiency technologies and methods. The 2022 Building Energy Efficiency Standards became effective on January 1, 2023, and apply to all newly constructed buildings, additions, and alterations.

5. Environmental Analysis
AESTHETICS

Local Regulations

Tulare County General Plan

The General Plan has a number of policies that apply to projects in Tulare County. The policies listed below are General Plan policies that relate to aesthetics.

- **ERM-1.15 Minimize Lighting Impacts.** The County shall ensure that lighting associated with new development or facilities (including street lighting, recreational facilities, and parking) shall be designed to prevent artificial lighting from illuminating adjacent natural areas at a level greater than one foot candle above ambient conditions.

- **LU-2.3 Open Space Character.** The County shall require that all new development requiring a County discretionary approval, including parcel and subdivision maps, be planned and designed to maintain the scenic open space character of open space resources including, but not limited to, agricultural areas, rangeland, riparian areas, etc., within the view corridors of highways. New development shall utilize natural landforms and vegetation in the least visually disruptive way possible and use design, construction and maintenance techniques that minimize the visibility of structures on hilltops, hillsides, ridgelines, steep slopes, and canyons.

- **LU-7.9 Visual Access.** The County shall require new development to maintain visual access to views of hillsides, creeks, and other distinctive natural areas by regulating building orientation, height, and bulk.

- **LU-7.14 Contextual and Compatible Design.** The County shall ensure that new development respects Tulare County's heritage by requiring that development respond to its context, be compatible with the traditions and character of each community, and develop in an orderly fashion which is compatible with the scale of surrounding structures.

- **LU-7.19 Minimize Lighting Impacts.** The County shall ensure that lighting in residential areas and along County roadways shall be designed to prevent artificial lighting from reflecting into adjacent natural or open space areas unless required for public safety.

- **SL-1.1 Natural Landscapes.** During review of discretionary approvals, including parcel and subdivision maps, the County shall as appropriate, require new development to not significantly impact or block views of Tulare County's natural landscapes. To this end, the County may require new development to:

  1. Be sited to minimize obstruction of views from public lands and rights-of-ways,
  2. Be designed to reduce visual prominence by keeping development below ridge lines, using regionally familiar architectural forms, materials, and colors that blend structures into the landscape,
  3. Screen parking areas from view,
  4. Include landscaping that screens the development,
  5. Limit the impact of new roadways and grading on natural settings, and
  6. Include signage that is compatible and in character with the location and building design.

- **SL-1.2 Working Landscapes.** The County shall require that new non-agricultural structures and infrastructure located in or adjacent to croplands, orchards, vineyards, and open rangelands be sited so as to not obstruct important viewsheds and to be designed to reflect unique relationships with the landscape by:

  1. Referencing traditional agricultural building forms and materials,
  2. Screening and breaking up parking and paving with landscaping, and
  3. Minimizing light pollution and bright signage.

- **SL-2.1 Designated Scenic Routes and Highways.** The County shall protect views of natural and working landscapes along the County's highways and roads by maintaining a designated system of County scenic routes and State scenic highways by:

  1. Requiring development within existing eligible State scenic highway corridors to adhere to land use and design standards and guidelines required by the State Scenic Highway Program,
  2. Supporting and encouraging citizen initiatives working for formal designation of eligible segments of State Highway 198 and State Highway 190 as State scenic highways,
  3. Formalizing a system of County scenic routes throughout the County, and
  4. Requiring development located within County scenic route corridors to adhere to local design guidelines and standards.

- **SL-2.3Historic and Cultural Landscapes**. The County shall use the County's scenic routes and highways to connect cultural landscapes, historic landmarks and communities, and points of interest including:

  1. Historic travel routes and trails,
  2. Historic settlements,
  3. Historic places, events, sites, buildings and structures,
  4. Prehistoric and archeological features, and
  5. Majestic trees, streetscapes, and parks.

5.1.1.2 EXISTING CONDITIONS

Visual Character

Tulare County's visual character is made up of natural landscapes, agricultural fields and uses, and urban and rural communities. Tulare County's natural and working landscapes include growing communities and cities with expanding urban edges.

The project site is located in unincorporated county within the City of Tulare's Urban Area Boundary (UAB). An aerial photograph of the project site is shown on Figure 3-3, *Aerial View with Photograph Locations*. Figure 3-4, *Project Site Photographs*, shows a fallow agricultural field, disturbed land, fencing, and landscaping on the adjacent Tulare County Office of Education (COE) campus (see Photos 3 and 8). The project site is primarily surrounded by farmland, commercial, educational, and residential uses (see Figure 3-5, *Surrounding Uses Photographs*). Figure 3-5 shows farmland, residential, and commercial uses to the north; farmland, residential,

commercial uses, and the COE Liberty campus to the northeast; commercial and agricultural uses to the east; farmland to the south; and educational, agricultural and commercial uses to the west.

Visual Resources

The Tulare County General Plan identifies both working and natural landscapes as visual resources (Tulare County 2012). Working landscapes are landscapes shared by human activities such as agricultural lands (i.e., croplands, orchards, vineyards), ranch lands, and timber lands. Natural landscapes are naturally formed resources that contribute to the visual scenery within Tulare County. The Tulare County General Plan identifies scenic landscapes as agricultural lands, woodlands, forestlands, watercourses, mountains, meadows, structures, communities, and other types of scenery that contribute to the visual beauty of Tulare County. Other visual resources include but are not limited to hillsides, foothills, ridge lines, creeks, rivers, lakes, and irrigation canals.

The project site is primarily undeveloped with fallow agricultural land and partially developed with fencing, a paved drive aisle, disturbed land, and parking/landscaping area within the adjacent COE Liberty campus. The project site has a General Plan land use designation of "Valley Agriculture" and is zoned Exclusive Agricultural Zone–20 Acre Minimum (AE-20), which allows for agricultural production on 15.23 acres of parcel 149-030-005 of the project site ceased between 2022 and 2023 (Tulare County 2025, 2012; DWR 2023). As seen on Figure 3-4, *Project Site Photographs*, no visual agricultural resources are present on the project site. Additionally, as seen on Figure 3-5, *Surrounding Uses Photographs*, no mountains are visible from the public right-of-way or the project site.

Landform

The western half of Tulare County is composed of the flat valley lands of the southern San Joaquin Valley, and rolling foothills associated with the Sierra Nevada characterize its eastern half (Tulare County 2012).

The project site is within a relatively flat area. As shown on Figure 3-5, there are no significant landforms within or surrounding the project site.

Scenic Vistas and Corridors

Based on the California State Scenic Highway System Map by Caltrans, the closest officially designated scenic highway is State Route 183 (SR-183), 31.25 miles northwest of the project site (Caltrans 2025). The closest eligible scenic highway is SR-91, 4.15 miles north of the project site. Additionally, the Tulare County General Plan identified various county scenic routes; the closest county scenic route is Avenue 256, approximately 0.9 mile to the south of the project site (Tulare County 2012).

The Tulare County General Plan does not identify specific scenic vistas. However, the General Plan identifies viewsheds, an area of scenic value preserved by open space areas, green belts, and urban separators designations.

5.1.2 Thresholds of Significance

Appendix G of the CEQA Guidelines states that, "except as provided in Public Resources Code Section 21099," a project would normally have a significant effect on the environment if the project would:

AE-1 Have a substantial adverse effect on a scenic vista.

AE-2 Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

AE-3 In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality.

AE-4 Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

5.1.3 Environmental Impacts

5.1.3.1 METHODOLOGY

Nighttime illumination and glare impacts are the effects of a project's exterior lighting upon adjoining uses and areas. Light and glare impacts are determined through a comparison of the existing light sources with the proposed lighting plan or policies. The following provides relevant lighting assessment terminology used in this analysis.

Terminology

The **foot-candle (fc)** is a unit based on English measurements. Although foot-candles are considered obsolete in some scientific circles, they are nevertheless used because many existing light meters are calibrated in foot-candles. Moonlight produces approximately 0.01 fc, and sunlight can produce up to 10,000 fc. The general benchmarks for light levels are shown in Table 5.1-1, *General Light Levels Benchmark*.

Table 5.1-1 General Light Levels Benchmark

Outdoor Light	Foot-Candles
Direct Sunlight	10,000
Full Daylight	1,000
Overcast Day	100
Very Dark Day	10
Twilight	1
Deep Twilight	0.1
Full Moon	0.01
Quarter Moon	0.001

Table 5.1-1 General Light Levels Benchmark

Outdoor Light	Foot-Candles
Starlight	0.0001
Overcast Night	0.00001

Source: HSI 2019

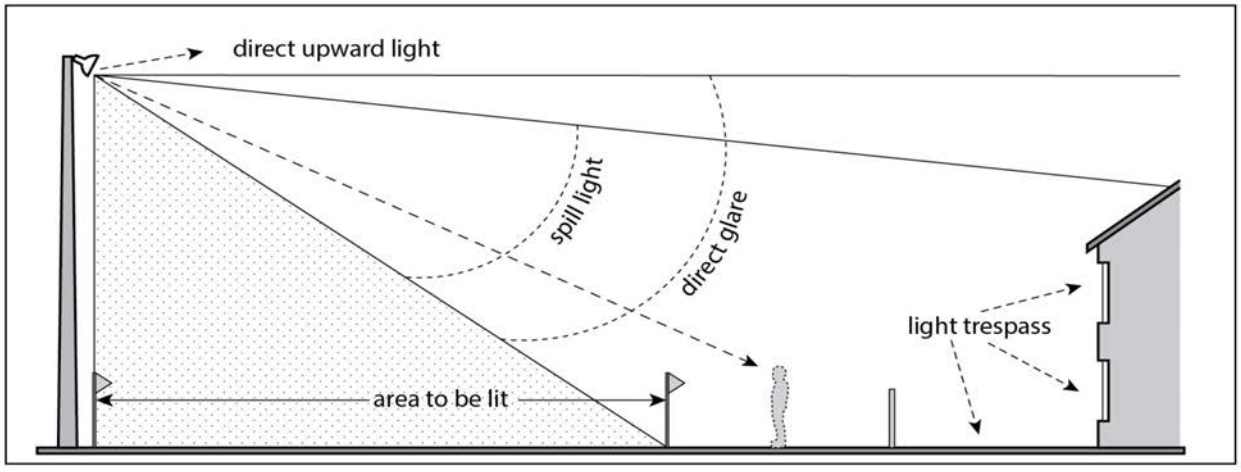
Horizontal foot-candle. The amount of light received on a horizontal surface such as a roadway or parking lot pavement.

Vertical foot-candle. The amount of light received on a vertical surface such as a billboard or building façade.

Glare means lighting entering the eye directly from a light fixture or indirectly from reflective surfaces that causes visual discomfort or reduced visibility. Glare can be generated by building-exterior materials, surface-paving materials, vehicles traveling or parked on roads and driveways, and sports lights. Any highly reflective façade material is a concern because buildings can reflect bright sunrays. The concepts of spill light, direct glare, and light trespass are illustrated in Exhibit A, Spill Light, Direct Glare, and Light Trespass, adapted from the Institution of Lighting Engineers (ILE 2003).

Direct glare is caused by looking at an unshielded lamp or a light at maximum candlepower. Direct glare is dependent on the brightness of the light source, the contrast in brightness between the light source and the surrounding environment, the size of the light source, and its position.

Exhibit A: Spill Light, Direct Glare, and Light Trespass



Illuminance is the amount of light on a surface or plane, typically expressed in a horizontal plane (e.g., on the ground) or in a vertical plane (e.g., on the side of a building).

Lumen means the unit of measure used to quantify the amount of visible light produced by a light source or emitted from a luminaire (as distinct from "watt," a measure of power consumption).

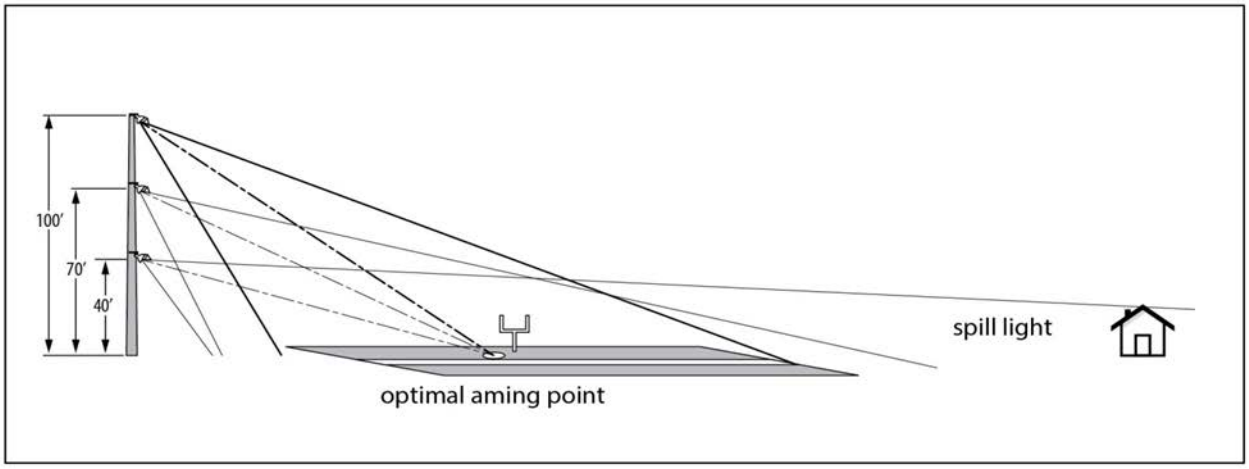
Luminaire means outdoor electrically powered illuminating devices that include a light source, outdoor reflective or refractive surfaces, lenses, electrical connectors and components, and all parts used to mount the assembly, distribute the light, and/or protect the light source, whether permanently installed or portable. An important component of luminaires is their shielding:

- Fully shielded. A luminaire emitting no light above the horizontal plane.
- Shielded. A luminaire emitting less than 2 percent of its light above the horizontal plane.
- Partly shielded. A luminaire emitting less than 10 percent of its light above the horizontal plane.
- Unshielded. A luminaire that may emit light in any direction.

Light trespass means light that falls beyond the property on which it originates. The amount of trespass is expressed in foot-candles and is measured in the vertical plane at five feet above grade at the property line of the site on which the light(s) is located. If the adjacent property is a street, alley, or sidewalk, the point at which trespassing light is measured is the center of the street, alley, sidewalk, or right-of-way. Field measurements to determine light trespass compliance do not include the effect of light produced by streetlights.

As a general rule, taller poles allow fixtures to be aimed more directly on the playing surface, which reduces the amount of light spilling into surrounding areas. Proper fixture angles ensure even light distribution across the playing area and reduce spill light, as shown in Exhibit B, Pole Heights and Lighting Angles.

Exhibit B: Pole Heights and Lighting Angles



Sky Glow is light that reflects into the night sky and reduces visibility of the sky and stars. It is a concern in many jurisdictions, especially those with observatories.

5.1.3.2 IMPACT ANALYSIS

The applicable thresholds are identified in brackets after the impact statement.

Impact 5.1-1: The proposed project would not impact scenic vistas. [Thresholds AE-1]

A scenic vista is a viewpoint that provides expansive views of a highly valued landscape for the benefit of the public. As discussed above in Section 5.1.1.2, *Existing Conditions*, the County General Plan does not identify specific scenic vistas, but generally identifies a viewshed as "[a]n area of land, water, or other environmental features that is visible from a fixed vantage point. Viewsheds tend to be areas of particular scenic or historic value that are deemed worthy of preservation against development or other change. The preservation of viewsheds is typically the goal in the designation of open space areas, green belts, and urban separators" (Tulare County 2012).

The project site largely contains an undeveloped, fallow agricultural field and portions of the adjacent COE Liberty campus that is developed with fencing, a paved drive aisle, disturbed land, and, parking/landscaping areas within the adjacent COE Liberty campus. The project site is surrounded by farmland and agricultural uses and education, commercial and residential uses. Based on Figure 8-1, *Tulare County Plan for Open Space*, the project site is within an area identified as urban expansion (Tulare County 2012). Further, the project site is not an area that contributes to the open space or greenbelt viewsheds. The project site and surrounding area contain working landscapes between urban areas typical of agricultural uses; however, no natural landscapes exist in the surrounding area. Additionally, as defined by Figure 8-1, *Tulare County Plan for Open Space*, of the General Plan, the project site is within an area designated as "urban expansion," and not part of the plan for open space (Tulare 2012). Therefore, the project site is not considered an urban separator nor is it identified as an urban separator, which is an area maintaining natural and working landscapes between urban areas. Therefore, there are no unique scenic vistas nor viewsheds that the proposed project may impact.

The Tulare County General Plan identifies various county scenic routes. The closest county scenic route is Avenue 256 approximately 0.9 mile to the south (Tulare County 2012). The project site is not visible from Avenue 256 due to distance from the project site and existing development and agricultural production between the project site and Avenue 256. Therefore, the proposed project would not affect views from Avenue 256.

The proposed project would construct a performing arts theater, AcCEL center, and library that would be visible from the surrounding public rights-of-way. The proposed project buildings would be similar in height and appearance as the existing Liberty campus, such as the planetarium, and would not introduce out-of-scale structures that could degrade public reviews. Since no unique scenic vistas nor viewsheds are identified near the project site and the proposed project would be visually consistent with existing development near the project site, the proposed project would result in a less than significant impact to scenic vistas.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.1-2: The proposed project would not alter scenic resources within a state scenic highway. [Threshold AE-2]

The closest officially designated scenic highway is SR-183, and the closest eligible scenic highway is SR-191, which are 31.25 miles northwest and 4.15 miles north of the project site, respectively (Caltrans 2025). Due to the distance, topography, and intervening development, the project site is not visible from a designated state scenic highway or county scenic route. The proposed project would not damage scenic resources within a state scenic highway.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.1-3: The proposed project is in a non-urbanized area and would not substantially degrade the existing visual character or quality of public views of the site and its surroundings [Threshold AE-3]

As defined by Public Resources Code Section 21071, an "urbanized area" is a city that either by itself or in combination with two contiguous incorporated cities has a population of at least 100,000 persons. Although the project site is within the UAB for the City of Tulare, the project site not part of an incorporated city but unincorporated Tulare County. Therefore, the project site is considered to be within a non-urbanized area.

The project site is in a rural area in unincorporated Tulare County. The County of Tulare General Plan identifies working and natural landscapes as visual resources. While the proposed project is considered a "working landscape" as identified by the General Plan, which is described as "landscapes shaped by human activities that produce economic commodities such as agricultural lands, ranch lands, and timber lands. They may also include picturesque commercial districts in communities, crops, orchards, agricultural structures, stands of timber, and canals" (Tulare County 2015), the project site largely contains fallow agricultural land and does not contain active agricultural uses. Thus, no scenic resources exist on-site. However, the existing adjacent farmlands may be considered scenic resources. No other scenic resources, including mountains, are visible from the project site or the public right-of-way near the project site because existing development and vegetation obstruct views of potential scenic resources.

Section 5.1.1.1, *Regulatory Background*, lists goals and policies from the Tulare General Plan related to aesthetics and that apply to the proposed project. General Plan Policies LU-2.3, LU-7.9, LU-7.14, and SL-1.1 are related to new development which shall fit within the character of the community and maintain visual access of views. As discussed above, the adjacent farmlands are the only potentially scenic resources visible from the project site and adjacent public rights-of-way. The proposed project would construct a performing arts theater, AcCEL Center, and library that would be visible from the surrounding public rights-of-way and may obstruct views of agricultural working landscapes from certain vantage points. However, the proposed project would not substantially obstruct access to agricultural views as local public rights-of-way would continue to provide views of agricultural working landscapes around the project site. In addition, the proposed project buildings would be similar in height and appearance as the existing Liberty campus, such as the planetarium, and would not introduce out-of-scale structures.

General Policy SL-1.2, states that new non-agricultural structures within or adjacent to working landscape are required to not obstruct important viewsheds, reference traditional agricultural building form, break up parking and paving with landscape, and minimize light pollution and bright signage. As discussed in Impact 5.1-2, the proposed project would not impact unique scenic vistas nor viewsheds. As discussed below in Impact 5.1-4, the proposed project would not introduce significant sources of light and glare. In addition, the proposed project contains landscape planters within the parking areas (see Figure 3-6), and project design/materials would conform to County standards. Thus, the proposed project would be consistent with General Plan Policy SL-1.2. General Plan Policies SL-2.1, and SL-2.3, are responsibilities designated to the County. Additionally, General Plan Policies ERM-1.15 and LU-7.14 are related to lighting and are discussed below. With adherence to Tulare County General Plan policies, not substantially degrade visual character nor the quality of public views.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.1-4: The proposed project would generate new sources light and glare on the project site, but new light and glare sources would not be significant. [Threshold AE-4]

Lighting

There are no existing sources of permanent lighting on the project site. The proposed project would construct a performing arts theater, AcCEL center, and library. These structures would include new on-site sources of artificial light—light emanating from building interiors, building and security lights, wayfinding and security lighting, landscape accent lighting, and parking lot lighting. Additionally, the proposed project would increase the number vehicles along the roadway associated with student pick-up and drop-off activities, staff, and spectators for events at the performing arts center.

The proposed project would represent a new source of lighting to project site and the surrounding area. Existing off-site lighting sources include light emanating from building interiors, vehicle headlights from vehicles traveling on public rights-of-way and associated with agricultural uses, exterior lighting on existing residential, educational (COE), and commercial uses within the vicinity of the project site. The nearest light-sensitive receptors are the residences north of the project site, across Avenue 264/Liberty Road. The new sources of artificial light emanating from the proposed structures would be limited to the project site.

Additionally, the lighting engineer or construction contractor would ensure incorporation of design elements such as angle of illumination, visors and shielding, reflective housing around the luminaires, and appropriate light levels would control and reduce spill lighting. Such design elements would ensure the proposed project would not create light spill into the adjacent residential uses or roadways. Also perimeter landscaping and fences would reduce light spill to surrounding roadways and uses. Due to project design elements and perimeter landscaping, lighting would not emanate to adjacent natural areas, since none exist adjacent to the project site. Because the proposed project would not include more than 1-foot candle above ambient conditions, and since no open space areas are nearby (see Impact 5.1-1) the proposed project would be consistent with General Plan policies ERM-1.15, LU-7.19, and SL-1.2. All school activities, including events at

the theater and after-school uses, are scheduled to end by 8:00 p.m. With adherence to General Plan policies, impacts would be reduced to less than significant.

Glare

There are no existing sources of glare on the project site. The proposed project would construct a performing arts theater, AcCEL center, and library. These structures would include new on-site sources of glare with light-colored building materials, glazing, and windows, including associated vehicles.

The design elements for glare control include visors and shielding, illumination angle, and reflective housing around the lamp housing. As part of the proposed project, the lighting engineer or construction contractor would ensure that the lights are properly adjusted so that glare would not impact the surrounding residential uses or roadway. Additionally, perimeter landscaping and fences would reduce glare to surrounding roadways and uses. All school activities, including events at the theater and after-school uses, are scheduled to end by 8:00 p.m. The proposed project would not result in a substantial new source of glare that would affect nighttime views in the area.

Level of Significance Before Mitigation: Less Than Significant.

5.1.4 Cumulative Impacts

Aesthetic impacts are localized to the project site and its immediate surroundings. The proposed project would not result in significant impacts related to aesthetics. Continued development around the project site could contribute to a cumulative impact to aesthetic resources. However, the only known cumulative project near the project site is the relocation of UPHS students which does not involve new development.

The proposed project does not contain any scenic resources and would not impact unique scenic vistas, viewsheds, or views from public rights of way, including Avenue 256, a county scenic route. Therefore, the proposed project would not result in cumulatively significant impacts on scenic vistas. Additionally, there are no state scenic highways within the vicinity of the proposed project, and the proposed project would not be visible from a designated highway or county scenic route (e.g. Avenue 256) due to distance, topography, and intervening development. Therefore, the proposed project would not result in cumulatively significant impacts on scenic highways.

The project site and surrounding area are within a non-urbanized area. Locally, farmland are identified as working landscapes and are the only potentially scenic resource in the vicinity of the proposed project. While the proposed project would obstruct views of adjacent agricultural working landscapes from certain vantage points, views of agricultural landscapes would remain along public rights-of-way and the proposed project would result in a less than significant impact to visual character as discussed in Impact 5.1-4.

The proposed project would introduce new sources of light and glare into the project site. All cumulative projects, including the proposed project, would be required to comply with General Plan policies regarding light and glare. The proposed project would not conflict with the General Plan policies regarding light and glare.

In particular, the relocation of 250 UPHS students onto the existing COE Liberty campus would result in a greater number of vehicles traveling to and from the site. An additional cumulative project would consist of the construction of a permanent new sewer line from the existing COE Liberty campus to a City of Visalia sewer connection. The new sewer connection would temporarily increase the volume of vehicles generating additional light and glare sources during the construction phase. However, these increases would not be substantial because the project would only relocate 250 students as part of the UPHS project while the construction of the new sewer line, as part of a separate project, would be short term. Additionally, the UPHS project nor the sewer line construction project include the construction of any buildings or structures that could produce additional lighting and/or glare. Therefore, the proposed project would not combine with the UPHS project or Liberty sewer connection project to generate a new substantial source of light and glare.

As with the proposed project, cumulative projects within the project vicinity and each cumulative project would be expected to prepare an appropriate environmental analysis and evaluate site-specific impacts, implement mitigation measures (if needed), and comply with applicable regulations.

Therefore, the proposed project is not cumulatively considerable and does not combine with other projects to create a cumulative impact to aesthetic resources. A less than significant impact would occur.

5.1.5 Level of Significance Before Mitigation

Upon implementation of regulatory requirements, proposed project impacts related to viewsheds, visual resources and character, and light and glare would be less than significant.

5.1.6 Mitigation Measures

No mitigation measures are required.

5.1.7 Level of Significance After Mitigation

Impacts would be less than significant.

5.1.8 References

California Department of Transportation (Caltrans). 2025. State Scenic Highways. https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa.

California Department of Water Resources (DWR). 2023. California Department of Water Resources Land Use Viewer. https://gis.water.ca.gov/app/CADWRLandUseViewer/?page=home.

Health and Safety International (HSI). December, 2019. Lighting Levels. https://www.healthandsafetyinternational.com/article/1843821/lighting%20levels.

Institution of Lighting Engineers (ILE). 2003, May. Guidance Notes for the Reduction of Light Pollution. https://www.gov.je/SiteCollectionDocuments/Planning%20and%20building/SPG%20Lightpollution%202002.pdf.

Tulare County. 2012, August. Tulare County General Plan. https://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/000General%20Plan%202030%20Part%20I%20and%20Part%20II/GENERAL%20PLAN%202012.pdf.

———. 2025. Tulare County Zoning Ordinance. https://tularecounty.ca.gov/rma/rma-documents/planning-documents/tulare-county-zoning-ordinance/chapter-3-section-9-6-ae20/.

5. Environmental Analysis
AESTHETICS

This page intentionally left blank.

5.2 AGRICULTURE AND FORESTRY RESOURCES

This section of the DEIR evaluates the potential for implementation of the proposed project to impact agriculture and forestry resources in unincorporated Tulare County.

The analysis in this section is based in part on the following technical report:

- *Tulare County Office of Education Performing Arts Theater, AcCEL Center, and Library Project Land Evaluation and Site Assessment Report*, PlaceWorks, April 2025

A complete copy of this report is included as Appendix B to this DEIR.

Public comments were received in response to the Notice of Preparation (NOP) related to agricultural and forestry resources. One comment letter was received from the California Department of Conservation (DOC) regarding the proposed project's potential to impact agricultural land. The relevant issues raised from the comment letter are addressed throughout this section. Refer to Appendix A for the response to the NOP comment letter.

5.2.1 Environmental Setting

5.2.1.1 REGULATORY BACKGROUND

State Regulations

California Department of Conservation: Farmland Mapping and Monitoring Program

The California Department of Conservation (DOC) Farmland Mapping and Monitoring Program (FMMP) prepares, updates, and maintains Important Farmland Series Maps (Maps), as defined in subdivision (f) of Section 6550 of the Government Code, and prepares and maintains an automated map and database system to record and report changes in the use of agricultural lands every two years on even numbered calendar years. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called Prime Farmland. In preparing Maps, the DOC considers all information collected or received on the amount of land converted to or from agricultural use, and between agricultural categories (DOC 2025a). The farmland categories are defined below.

- **Prime Farmland (P):** "Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date."

- **Farmland of Statewide Importance (S):** "Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date."

5. Environmental Analysis
AGRICULTURE AND FORESTRY RESOURCES

- **Unique Farmland (U):** "Farmland of less quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated. Land must have been cropped at some time during the four years prior to the mapping date."

- **Farmland of Local Importance (L):** "Land of importance to the local agricultural economy as determined by each county's board of supervisors and local advisory committee."

- **Farmland of Local Potential (LP):** "Farmland of Local Potential is a subcategory of Farmland of Local Importance and aggregated with Farmland of Local Importance acreage in the land use conversion table. Four counties include Farmland of Local Potential: Glenn County, San Luis Obispo County, Santa Clara County, and Yolo County."

- **Grazing Land (G):** "Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities."

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

- **Other Land (X):** Land not included in any other mapping category. Common examples include low-density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry, or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.
  - The Other Land category includes rural land, which include:
    - Rural Residential Land (R)
    - Semi-Agricultural and Rural Commercial Land (SAC)
    - Vacant or Disturbed Land (V)
    - Confined Animal Agriculture (CI)
    - Nonagricultural or Natural Vegetation (nv)

- **Water (W):** Perennial water bodies with an extent of at least 40 acres.
- **Areas Not Mapped (Z):** Area that falls outside of the Natural Resources Conservation Service (NRCS) soil survey. Not mapped by the FMMP.

Optional Designation

- **Land Committed to Nonagricultural Use:** "Land Committed to Nonagricultural Use is defined as existing farmland, grazing land, and vacant areas which have a permanent commitment for development."

According to CEQA Guidelines Section 21060.1(a), "agricultural land" is defined as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland as defined by the United States Department of Agriculture (USDA) land inventory and monitoring criteria, as modified for California.

Williamson Act Program

The Williamson Act, also known as the California Land Conservation Act of 1965, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments that are much lower than normal because they are based on farming and open space uses as opposed to full-market value (DOC 2025b).

The DOC assists all levels of government, and landowners in the interpretation of the Williamson Act-related government code. The DOC also researches, publishes, and disseminates information regarding the policies, purposes, procedures, and administration of the Williamson Act according to Government Code. Participating counties and cities are required to establish their own rules and regulations regarding implementation of the act in their jurisdiction. These rules include, but are not limited to, enrollment guidelines, acreage minimums, enforcement procedures, allowable uses, and compatible uses (DOC 2025b).

Local Regulations

Tulare County General Plan

The Tulare County General Plan has a number of policies that relate to agriculture and forestry resources that may be applicable to the proposed project.

Goal AG-1: To promote the long-term preservation of productive and potentially productive agricultural lands and to accommodate agricultural support services and agriculturally related activities that support the viability of agriculture and further the County's economic development goals.

- **AG-1.16 Schools in Agricultural Zones.** The County shall discourage the location of new schools in areas designated for agriculture, unless the School District agrees to the construction and maintenance of all necessary infrastructure impacted by the project.

Tulare County Municipal Code

Right to Farm Ordinance (Section 7-29-100)

Tulare County's Right to Farm Ordinance, also known as Ordinance Code Part VII, Chapter 29, aims to protect agricultural operations from nuisance lawsuits and to inform residents about the potential

inconveniences of living near farms. It acknowledges that agricultural activities can cause noise, odors, dust, etc., and residents should be prepared to accept these as part of living near farms. The ordinance essentially protects established agricultural operations from being considered a nuisance due to changes in the surrounding area.

Tulare County Agricultural Conservation Easement Program

The Tulare County Agricultural Conservation Easement Program (ACEP) was established to allow the use of agricultural easements to reduce or mitigate any significant impacts resulting from the conversion of certain agricultural land to nonagricultural uses. Agricultural easements consist of a legal agreement that permanently limits the use of a piece of land to agricultural purposes to protect it from being developed for nonagricultural uses.

Resolution 2016-0323, adopted by the Tulare County Board of Supervisors on May 3, 2016, requires the use of farmland conservation easements, or other farmland conservation mechanisms, for projects requiring County discretionary land use entitlements and the conversion of five or more acres of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural uses.

5.2.1.2 EXISTING CONDITIONS

The project site is within the Urban Area Boundary for the City of Tulare and is owned by the Tulare County Office of Education (COE).

Agricultural Lands

According to the Tulare County General Plan, agriculture is the most important sector in Tulare County's economy. Agriculture lands are also the County's most visible source of open space land (Tulare County 2012).

Tulare County is one of the two most productive agricultural counties in the United States. According to the *2023 Tulare County Annual Crop and Livestock Report*, the total gross production value for 2023 was $7,866,730,100, which represents an approximately 8.7 percent decrease as compared to 2022's production value. The decrease in value is due to the decrease in value of crops and livestock (Tulare County 2023). However, it should be noted that when farmland is converted to nonagricultural uses, it directly reduces the land available for agricultural production.

The amount of Prime Farmland in Tulare County has been declining since the DOC started compiling farmland classifications in 1998. Table 5.2-1, *Land Use Category Summary and Change*, identifies the net acres changed between 2018 and 2020 (the most recent data available). As identified in Table 5.2-1, in 2020, Tulare County had a total of 1,297,851 acres of agricultural land consisting of 365,490 acres of Prime Farmland, 327,522 acres of Farmland of Statewide Importance, 11,800 Unique Farmland, 152,860 acres of Farmland of Local Importance, and 440,179 acres of Grazing Land. Between 2018 and 2020, Tulare County lost 373 acres of agricultural land overall.

Table 5.2-1 Land Use Category Summary and Change

Land Use Category	Total Acreage Inventoried		2018-2020 Changes			
	2018	2020	Acres Lost	Acres Gained	Total Acreage Changed	Net Acreage Changed Between Acres Gained and Lost
Prime Farmland	365,942	365,490	2,304	1,852	4,156	-452
Farmland of Statewide Importance	326,478	327,522	2,022	3,066	5,088	1,044
Unique Farmland	11,811	11,800	207	196	403	-11
Farmland of Local Importance	153,781	152,860	4,876	3,955	8,831	-921
Grazing Land	440,212	440,179	236	203	439	-33
Agricultural Land Subtotal	**1,298,224**	**1,297,851**	**9,645**	**9,272**	**18,917**	**-373**
Urban and Built-up Land	66,114	67,250	114	1,250	1,364	1,136
Other Land	216,927	216,164	1,416	653	2,069	-763
Water Area	4,655	4,655	0	0	0	0
Total	**1,585,920**	**1,585,920**	**11,175**	**11,175**	**22,350**	**0**

Source: DOC 2020.

Similar to farmland, the amount of land under Williamson Act Contracts has been declining (Tulare County 2012). According to the Tulare County Assessor, approximately 1.1 million acres in Tulare County are enrolled in a Williamson Act contract as of the 2024/2025 roll year, or assessment year for property taxes (Tulare County 2025a). In Tulare County, a Farmland Security Zone (FSZ) is an agricultural preserve surrounding municipal boundaries to limit urban sprawl. FSZ contracts are similar to Williamson Act contracts but have a longer term of 18 years. Approximately 10,597 acres are under FSZ contracts (Tulare County 2024).

Project Site

The project site currently includes a fallow agricultural field on parcel 149-030-005 (15.2 acres) and a paved driveway and parking area, disturbed land, fencing, and landscaping/grass turf on parcel 149-030-008 (0.4 acres) for a total of approximately 15.6 acres. Agricultural production occurred on 15.2 acres of parcel 149-030-005 of the project site and ceased between 2022 and 2023 (DWR 2023). The project site is designated as "Valley Agriculture" and is zoned Exclusive Agricultural Zone – 20 Acre Minimum (AE-20). The "Valley Agriculture" designation allows for intensive agricultural activities on prime valley agricultural soils. The AE-20 zoning is an exclusive zone for intensive agricultural uses and for those uses that are a necessary and integral part of the agricultural operation (Tulare County 2025b). Specifically, the project site was used for deciduous fruits and nuts (DWR 2023). According to the DOC's Important Farmland Finder Map, the majority of the project site is classified as Prime Farmland and a minor portion is identified as Urban and Built-Up Land (refer to Figure 5.2-1, *Farmland Mapping Monitoring Program Map*).

Although 15.2 acres of the project site was historically used for agricultural production, the project site is not enrolled in a Williamson Act contract (refer to Figure 5.2-2, *Williamson Act Contract*). Additionally, the project site is not within an agricultural preserve subject to an FSZ.

Surrounding Area

The project site is bordered to the north by Avenue 264/Liberty Road, an existing COE campus and N Mooney Boulevard to the east, farmland to the south, and farmland and commercial uses to the west. Residential uses are further north, across Avenue 264/Liberty Road and agricultural uses are further east on the opposite side of N Mooney Boulevard.

As shown in Figure 5.2-1, the land to the north, across Avenue 264/Liberty Road is classified as Urban and Built-up Land; the land to the east is classified as Urban and Built-up Land and Prime Farmland, the land to the south is classified as Prime Farmland; and land to the west is classified as Prime Farmland and Confined Animal Agriculture. The lands to the east on the opposite side of N Mooney Boulevard are classified as Urban and Built-up Land and Prime Farmland.

Additionally, as shown in Figure 5.2-2, there are several properties located off-site that are enrolled in a Williamson Act contract. None of these properties abut the project site boundaries.

Forest Lands

Project Site

The project site does not contain any forest land. The project site is vacant and disturbed.

Surrounding Area

The area surrounding the project site does not contain any forest land.

5.2.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

AG-1 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 nonagricultural use.

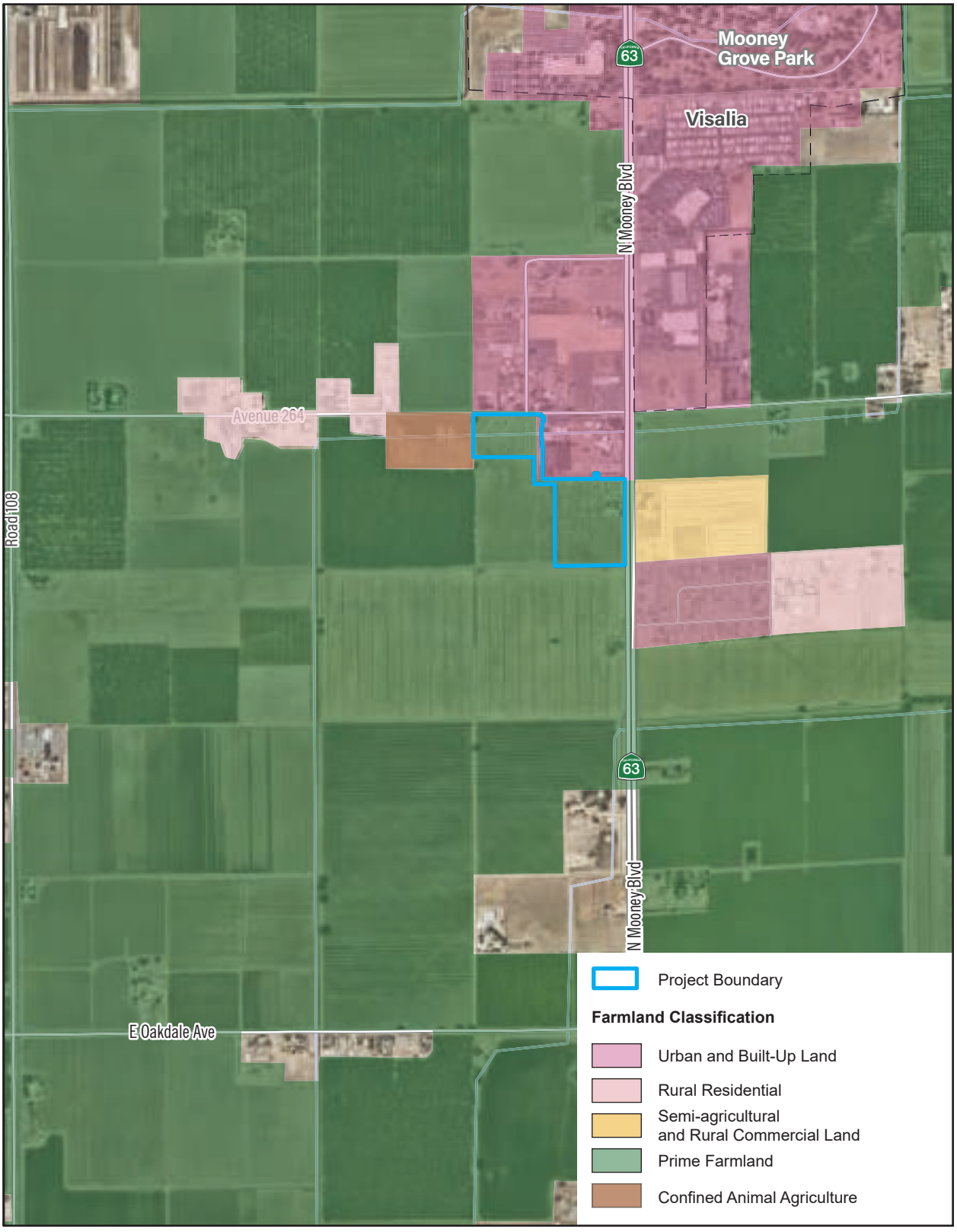
AG-2 Conflict with existing zoning for agricultural use, or a Williamson Act contract.

AG-3 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)).

AG-4 Result in the loss of forest land or conversion of forest land to non-forest use.

AG-5 Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to nonagricultural use or conversion of forest land to non-forest use.

Figure 5.2-1 - Farmland Mapping Monitoring Program

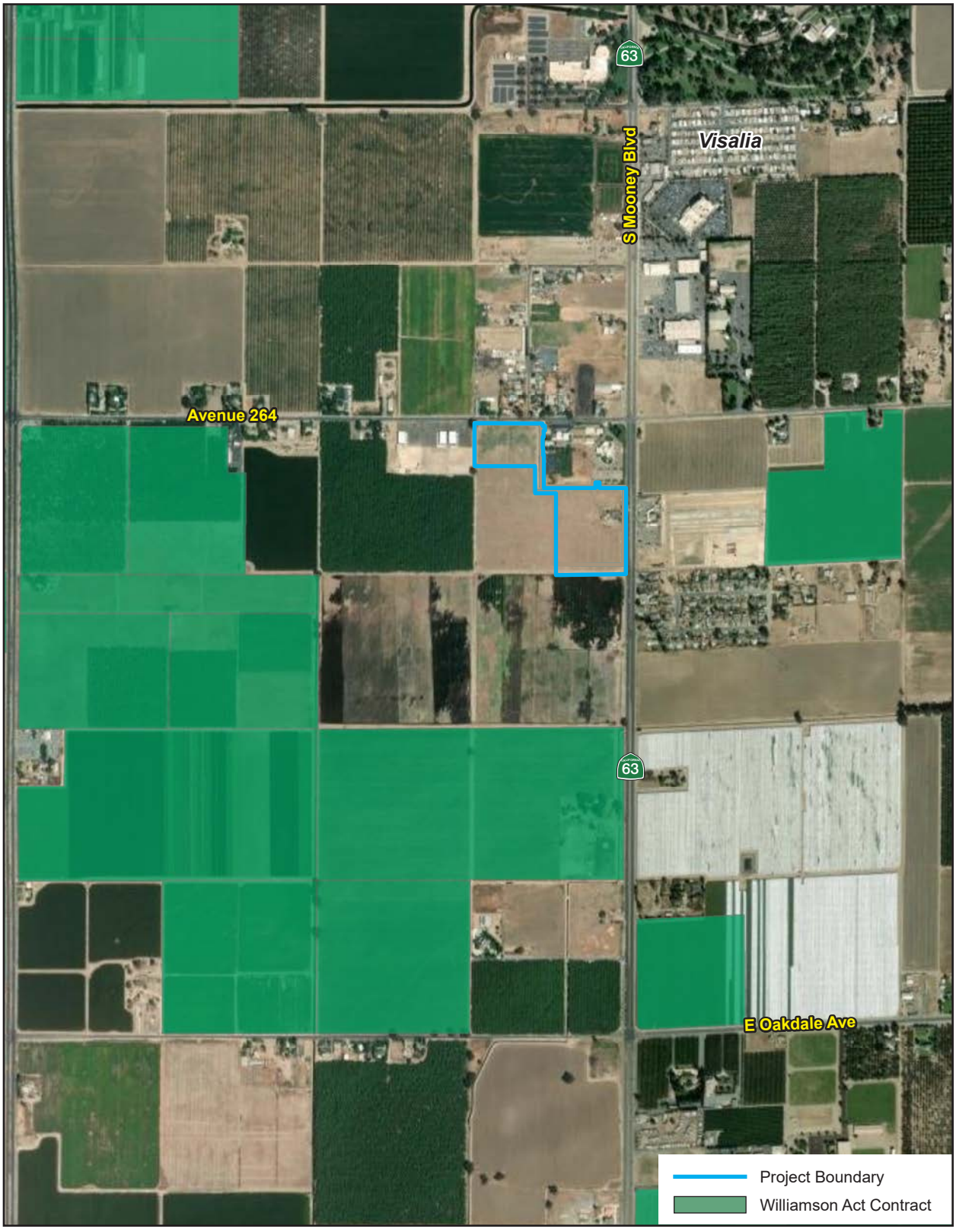


Source: Generated using ArcMap 2025; FFMP 2020; Nearmap 2025

5. Environmental Analysis
AGRICULTURE AND FORESTRY RESOURCES

This page intentionally left blank.

Figure 5.2-2 - Williamson Act Contract



Source: Generated using ArcMap 2025; California Department of Conservation 2023.

5. Environmental Analysis
AGRICULTURE AND FORESTRY RESOURCES

This page intentionally left blank.

5.2.3 Environmental Impacts

5.2.3.1 METHODOLOGY

The analysis is based in part on the Land Evaluation and Site Assessment (LESA) Model (Appendix B), which is a point-based approach that uses measurable factors to quantify the relative value of agricultural land resources and assist in the determination of the significance of agricultural land conversions. Many states have developed LESA Models specific to their local contexts. The California LESA Model was created as a result of Senate Bill 850 (Chapter 812/1993) and provides lead agencies with an optional methodology to ensure that potentially significant effects on the environment associated with agricultural land conversions are quantitatively and consistently considered in the environmental review process (DOC 1997). The California LESA Model is the methodology used by the COE to determine whether important agricultural resources are present on a property. Refer to Appendix B of this DEIR for a detailed discussion of the California LESA Model scoring system.

5.2.3.2 IMPACT ANALYSIS

The applicable thresholds are identified in brackets after the impact statement.

Impact 5.2-1: The proposed project would convert farmland to nonagricultural land use. [Threshold AG-1]

As previously stated, pursuant to CEQA Guidelines Section 21060.1(a), "agricultural land" is defined as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland, as defined by the USDA land inventory and monitoring criteria, as modified for California.

As identified in Appendix B, approximately 14.9 acres of the project site is classified as Prime Farmland and approximately 0.79 acres of the project site is classified as Urban and Built-up Land. As previously discussed, 15.2 acres of parcel 149-030-005 of the project site is fallow agricultural land that was historically used for agricultural production, which ceased between 2022 and 2023, and a paved driveway and parking area, disturbed land, fencing, and landscaping/grass turf on parcel 149-030-008 (0.4 acres). The proposed project would be required to comply with Tulare County General Plan Policy AG-1.16 to support the viability of agriculture in the county.

The proposed project would directly convert 14.9 acres of Prime Farmland to nonagricultural use. Additionally, the project site's LESA score was calculated to be 70.1 with a Land Evaluation (LE) score of 46.8 and a Site Assessment (SA) score of 23.3. The California LESA Model Scoring Threshold identifies that LESA scores between 60 and 79 are considered significant unless either the LE or SA subscore is less than 20 points. Because neither the LE score nor the SA score for the project site is less than 20 points, the proposed project would have a significant impact on agriculture. Thus, impacts related to the conversion of farmland to nonagricultural uses would be potentially significant.

Level of Significance Before Mitigation: Potentially Significant.

Impact 5.2-2: The proposed project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. [Threshold AG-2]

The project site is zoned AE-20 and has a General Plan designation of "Valley Agriculture." The AE-20 zoning is an exclusive zone for intensive agricultural uses and for those uses that are a necessary and integral part of the agricultural operation (Tulare County 2025b). The "Valley Agriculture" General Plan designation allows for intensive agricultural activities on prime valley agricultural soils.

Pursuant to Government Code Section 53094, the Tulare County Board of Education rendered, by a two-thirds vote, county zoning ordinance inapplicable to the proposed use of property by the Tulare County Office of Education. On October 1, 2025, the Tulare County Board of Education passed Resolution 25/26-14, rendering the county zoning ordinances inapplicable to the project site (APNs 149-030-005 and 149-030-008). As such, the zoning designation on the project site does not apply and eliminates the zoning inconsistency onsite. Historically, the County has allowed educational uses to be constructed on agriculturally zoned sites, such as the adjacent COE Liberty campus which is also an educational use on a site zoned AE-20. Therefore, the proposed project is exempt from the AE-20 zoning designation pursuant to Government Code 53094 and is consistent with the County's standard practice.

Additionally, as shown in Figure 5.2-2, the project site is not enrolled in a Williamson Act contract and the properties immediately abutting the project site are not enrolled in a Williamson Act contract. The proposed project would not conflict with an existing Williamson Act contract.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.2-3: The proposed project would not conflict with existing zoning for, or cause rezoning of, forest land. [Threshold AG-3]

The project site is not zoned for forest land. Accordingly, the proposed project would not result in a conflict with existing zoning for forest land. No impacts would occur.

Level of Significance Before Mitigation: No Impact.

Impact 5.2-4: The proposed project would not result in the loss of forest land or conversion of forest land to non-forest use. [Threshold AG-4]

As previously discussed, 15.2 acres of parcel 149-030-005 of the project site are fallow agricultural land that was historically used for agricultural production, which ceased between 2022 and 2023, and a paved driveway and parking area, disturbed land, fencing, and landscaping/grass turf on parcel 149-030-008 (0.4 acres). The project site does not contain forest land or any vegetation communities associated with forest land. No impacts would occur.

Level of Significance Before Mitigation: No Impact.

Impact 5.2-5: The proposed project would not result in other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to nonagricultural use or conversion of forest land to non-forest use. [Threshold AG-5]

The proposed project is site-specific and does not apply to any off-site properties. As discussed under Impact 5.2-1, the proposed project would result in the conversion of 14.9 acres of Prime Farmland to nonagricultural use. The property to the immediate south and west of the project site is used for agricultural purposes. The proposed project would be required to comply with the County's Right to Farm Ordinance. While the lead agency is not a school district, the Tulare County Office of Education is constructing educational-related facilities on a property that is designated as agriculture and would comply with General Plan Policy AG-1.16, which states, "The County shall discourage the location of new schools in areas designated for agriculture, unless the School District agrees to the construction and maintenance of all necessary infrastructure impacted by the project."

The proposed project would be limited to the project site which borders established roads to the north of the project site (Avenue 264/Liberty Road) and to the east of the project site (N Mooney Boulevard/State Route 63) and a private dirt access route associated with the agricultural uses along the south of the property. This dirt access route is offsite (see Figure 3-3, *Aerial View of Photograph Locations*). The proposed project would not remove the dirt access route nor alter the existing surrounding roadways. As seen in Section 5.16, *Transportation*, the proposed project would not conflict with a program, plan, ordinance, or policy addressing the circulation system. Therefore, the proposed project would not impede access to surrounding agricultural uses.

As further discussed in Section 5.18, *Utilities and Services Systems,* the proposed project would be served by existing utility infrastructure which have available capacity to serve the proposed project. As such, the proposed project would not impact water resources serving surrounding agricultural uses.

While General Plan Policy AG-1.16 indicates that the COE would be responsible for constructing and maintaining all necessary infrastructure affected by the proposed project, the proposed project would not impact infrastructure supporting agriculture.

The construction and operation of the proposed project would be limited to the project site with standard utility connections that would occur in the public rights of way. The construction of utility connections would be temporary and would not affect the use of surrounding properties. Therefore, the proposed project would not involve changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to nonagricultural use. Impacts would be less than significant.

As previously discussed, the project site and surrounding area do not contain any forest land or vegetation communities associated with forest land. No impacts would occur.

The proposed project would not involve other changes in the environment, which may result in the conversion of other agricultural lands to nonagricultural use or forest land to non-forest use.

Level of Significance Before Mitigation: Less Than Significant.

5.2.4 Cumulative Impacts

For purposes of evaluating cumulative impacts to agricultural resources, the County is used as the appropriate cumulative study area because agricultural activity operates at a regional level and the County is the unit by which state agencies generally report farmland conversion data. This geographic scope ensures that the cumulative impact analysis is comprehensive, data-supported, and appropriately scaled to capture regionally significant trends in farmland loss and policy conflicts.

The proposed project would directly convert Prime Farmland to nonagricultural use. As previously discussed, farmland acreage in Tulare County has been declining since 1998. Therefore, the proposed project would contribute to the cumulative conversion of agricultural land to nonagricultural use in Tulare County. Impacts would be significant and unavoidable.

The proposed project includes a Zone Change and General Plan Update to modify the project site's zoning and General Plan designation to develop the project site with the proposed performing arts theater, AcCEL Center, and library in an area that is zoned exclusively for agricultural uses. The proposed project would not conflict with the zoning and General Plan designations of properties off-site, including the remaining portion of APN 149-030-005, which is fallow agriculture. The proposed project would not have a cumulative significant impact due to conflict with existing agricultural zoning. The project site is not enrolled in a Williamson Act contract and the properties adjacent to the project site are not enrolled in an active Williamson Act contract. The proposed project would not conflict with Williamson Act contracts for properties off-site. Accordingly, the proposed project would not have a cumulative significant impact due to conflict with a Williamson Act contract.

There are no forest lands, timberlands, or Timberland Production zones within the project site or surrounding the project site. Additionally, there are no lands in proximity to the project site that is in active timberland production. Therefore, the proposed project would not result in cumulatively significant impacts on forestry resources.

In addition to the proposed project, the UPHS Relocation project UPHS students would be moved onto the current COE Liberty campus during the summer of 2027 and would consist of 250 students. The Liberty sewer connection project would connect the COE Liberty campus to the City of Visalia sewer system and would be permanent. Construction of the sewer line would be short term and would be located in developed land and within an existing right-of-way. The new sewer line project and moving 250 UPHS students would not occur on agriculture or forest land. Therefore, the proposed project would not combine with UPHS relocation project to create a cumulative impact to agriculture and forestry resources.

5.2.5 Level of Significance Before Mitigation

The proposed project would result in no impact or less-than-significant impacts for the following thresholds: Impacts 5.2-2 through 5.2-5.

Without mitigation, these impacts would be **potentially significant**:

- **Impact 5.2-1** The proposed project would directly convert Prime Farmland to nonagricultural uses.

5.2.6 Mitigation Measures

Impact 5.2-1

No feasible mitigation measures are identified.

5.2.6.1 MITIGATION MEASURES CONSIDERED BUT REJECTED

In compliance with the California Environmental Quality Act (CEQA), "each public agency shall mitigate or avoid the significant effects on the environment of the project it carries out or approves whenever it is feasible to do so."[1] The term "feasible" is defined in CEQA to mean, "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors."[2] CEQA Guidelines Section 15370 defines "mitigation" as: (1) avoiding the impact altogether by not taking a certain action or parts of an action; (2) minimizing impacts by limiting the degree or magnitude of an action and its implementation; (3) rectifying the impact by repairing, rehabilitating, or restoring the impacted environment; (4) reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and (5) compensating for the impact by replacing or providing substitute resources or environments. The following is a brief discussion of the mitigation measures considered and their inability to mitigate or avoid the impact of the conversion of agricultural lands to other uses. As shown, no feasible mitigation measures are available that would reduce the agricultural resource impact to less-than-significant levels.

- **Tulare County Agricultural Conservation Easement Program.** This measure would require the COE to contribute funds or develop an easement with the Tulare County Agricultural Conservation Easement Program (ACEP) for the purpose of protecting and preserving agricultural lands. While the ACEP is identified in the County's General Plan, the ACEP has not been developed and is not established. As such, there is no mechanism for the COE to contribute funds or develop an easement through the Tulare County ACEP. This mitigation measure would not be feasible, since the ACEP has not been established.

- **Relocation of Prime Farmland Topsoil.** This measure would remove the top 12 to 18 inches of topsoil from the project site and haul this soil to a farm site or several farm sites that have lower-quality soils. The Prime Farmland soils may assist in increasing crop yield at the relocated site. This measure would have its own environmental impacts, including increased truck traffic on local roadways from both hauling soil off-site and replacement of soil on-site, increased diesel truck emissions, construction noise, and increased duration of construction. The relocation of prime farmland soils on another active farm would increase other environmental impacts and is therefore considered infeasible.

[1] Public Resources Code, Section 21002.1(b).
[2] Public Resources Code, Section 21061.1

As described, these measures were considered and found to be infeasible for mitigating or avoiding the impact of the conversion of agricultural lands to other uses pursuant to the definition of CEQA in that there is (1) no mechanism to participate in the ACEP, and (2) no guarantee that measures would result in successfully establishing qualifying farmland, if doing so could happen within a reasonable period of time, that their implementation would not potentially cause greater environmental impacts.

Further, even with the implementation of these mitigation measures or similar mitigation measures, development of the proposed project would still directly convert 14.9 acres of Prime Farmland to nonagricultural use. Implementation of these mitigation measures or similar mitigation measures would not reduce impacts to farmland, specifically Prime Farmland, onsite to less than significant. Impacts would remain significant and unavoidable.

5.2.7 Level of Significance After Mitigation

Impact 5.2-1

The proposed project would directly convert 14.9 acres of Prime Farmland to nonagricultural use. The proposed project would permanently replace existing Prime Farmland to a nonagricultural use. As demonstrated in Section 5.2.6.1, *Mitigation Measures Considered but Rejected*, no mitigation measures are available that would reduce Impact 5.2-1 to less than significant level. Therefore, impacts would be **significant and unavoidable** as the proposed project would result in a permanent conversion of farmland to nonagricultural use.

5.2.8 References

California Department of Conservation (DOC). 1997. *Land Evaluation and Site Assessment (LESA) Model Manual*. https://www.conservation.ca.gov/dlrp/Pages/qh_lesa.aspx.

———. 2020. *Alternate Tulare County 2028-2020 Land Use Conversion*. https://www.conservation.ca.gov/dlrp/fmmp/Pages/Tulare.aspx.

———. 2025a. *Important Farmland Categories*. https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx.

———. 2025b. *Williamson Act Program*. https://www.conservation.ca.gov/dlrp/wa.

———.2025c. *Farmland Security Zones: Questions and Answers*. https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/planning-applications/williamson-act/24farmland-security-zones-questions-and-answers-7132020.pdf?la=en.

California Department of Water Resources (DWR). 2023. *California Department of Water Resources Land Use Viewer*. https://gis.water.ca.gov/app/CADWRLandUseViewer/?page=home.

Tulare County. 2012. *Tulare County General Plan*. https://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General

%20Plan%20Materials/000General%20Plan%202030%20Part%20I%20and%20Part%20II/GENERAL%20PLAN%202012.pdf.

———. 2023. *Tulare County Crop and Livestock Report 2023*. https://agcomm.co.tulare.ca.us/pest-exclusion-standardization/crop-reports1/crop-reports-2021-2030/crop-and-livestock-report-2023/.

———. 2024. *Tulare County Clerk 2024 Annual Report*. https://tularecounty.ca.gov/assessor/news/annual-reports/annual-report-2024/annual-report-2024/.

———. 2025a. *The Williamson Act*. https://tularecounty.ca.gov/assessor/news/fact-sheets/williamson-act-fact-sheet/williamson-act-fact-sheet/#:~:text=The%20Williamson%20Act%2C%20also%20known,exchange%20for%20property%20tax%20relief.

———. 2025b. Tulare County Zoning Ordinance. https://tularecounty.ca.gov/rma/rma-documents/planning-documents/tulare-county-zoning-ordinance/chapter-3-section-9-6-ae20/.

5. Environmental Analysis
AGRICULTURE AND FORESTRY RESOURCES

This page intentionally left blank.

5.3 AIR QUALITY

This section of the DEIR discusses the potential local and regional impacts on air quality from development of the proposed project, including those related to air quality plans and standards, criteria pollutants, sensitive receptors, and objectionable odors. This section provides context regarding air quality standards and local air quality, as well as relevant federal, State, and local regulations and programs.

This evaluation is based on the methodology recommended by the San Joaquin Valley Air Pollution Control District (SJVAPCD) and focuses on criteria air pollutants and toxic air contaminants. Greenhouse gases (GHGs) are evaluated in Section 5.8, *Greenhouse Gas Emissions*, of this DEIR. Criteria air pollutant emissions modeling is included in Appendix C of this DEIR.

A public comment was received in response to the Notice of Preparation (NOP) related to air quality. A letter from the San Joaquin Valley Air Pollution Control District received on May 8, 2025, discusses relevant regulations administered by the SJVAPCD for air quality. The relevant issues raised from the comment letter are addressed throughout this section. Refer to Appendix A for the response to the NOP comment letter.

5.3.1 Environmental Setting

5.3.1.1 TERMINOLOGY

The following are definitions for terms used throughout this section.

- **AAQS:** Ambient Air Quality Standards that define clean air, established to protect the health of sensitive communities.
- **Concentrations:** The amount of pollutant material per volumetric unit of air. Concentrations are measured in parts per million (ppm), parts per billion (ppb), or micrograms per cubic meter ($\mu g/m^3$).
- **Criteria Air Pollutants:** Those air pollutants specifically identified for control under the Federal Clean Air Act (currently six: carbon monoxide, nitrogen oxides, lead, sulfur oxides, ozone, and particulates).
- **DPM:** Diesel particulate matter, exhaust from trucks, buses, trains, ships, and other equipment with diesel engines, containing a mixture of gases and solid particles.
- **Emissions:** The actual quantity of pollutant, measured in pounds per day or tons per year.
- **ppm:** Parts per million.
- **Sensitive receptor:** Land uses that are considered more sensitive to air pollution compared to others due to the types of population groups or activities involved. These land uses include residential, retirement facilities, hospitals, and schools.
- **TAC:** Toxic air contaminant.

- **µg/m³:** Micrograms per cubic meter.
- **VMT:** Vehicle miles traveled.

5.3.1.2 AIR POLLUTANTS OF CONCERN

Criteria Air Pollutants

The pollutants emitted into the ambient air by stationary and mobile sources are categorized as primary and/or secondary pollutants. Primary air pollutants are emitted directly from sources. Carbon monoxide (CO), volatile organic compounds (VOC), nitrogen oxides (NO_X), sulfur dioxide (SO_2), coarse inhalable particulate matter (PM_{10}), fine inhalable particulate matter ($PM_{2.5}$), and lead (Pb) are primary air pollutants. Of these, CO, SO_2, nitrogen dioxide (NO_2), PM_{10}, and $PM_{2.5}$ are "criteria air pollutants," which means that AAQS have been established for them. VOC and NO_X are criteria pollutant precursors that form secondary criteria air pollutants through chemical and photochemical reactions in the atmosphere. Ozone (O_3) and NO_2 are the principal secondary pollutants.

Each of the primary and secondary criteria air pollutants and its known health effects are described below.

Carbon Monoxide (CO) is a colorless, odorless gas produced by incomplete combustion of carbon substances, such as gasoline or diesel fuel. CO is a primary criteria air pollutant. CO concentrations tend to be the highest during winter mornings with little to no wind, when surface-based inversions trap the pollutant at ground levels. The highest ambient CO concentrations are generally found near traffic-congested corridors and intersections. The primary adverse health effect associated with CO is interference with normal oxygen transfer to the blood, which may result in tissue oxygen deprivation (USEPA 2025a). The San Joaquin Valley Air Basin (SJVAB) is designated as being in attainment/unclassified under both the California AAQS and National AAQS (CARB 2025a).

Nitrogen Oxides (NO_X) are a byproduct of fuel combustion and contribute to the formation of O_3, PM_{10}, and $PM_{2.5}$. The two major forms of NO_X are nitric oxide (NO) and nitrogen dioxide (NO_2). The principal form of NO_2 produced by combustion is NO, but NO reacts with oxygen to form NO_2, creating the mixture of NO and NO_2 commonly called NO_X. NO_2 acts as an acute irritant and, in equal concentrations, is more injurious than NO. At atmospheric concentrations, however, NO_2 is only potentially irritating. NO_2 absorbs blue light; the result is a brownish-red cast to the atmosphere and reduced visibility. NO_2 exposure concentrations near roadways are of particular concern for susceptible individuals, including asthmatics, children, and the elderly. Current scientific evidence links short-term NO_2 exposures, ranging from 30 minutes to 24 hours, with adverse respiratory effects, including airway inflammation in healthy people and increased respiratory symptoms in people with asthma. Also, studies show a connection between elevated short-term NO_2 concentrations and increased visits to emergency departments and hospital admissions for respiratory issues, especially asthma (USEPA 2025a). The SJVAB is designated in attainment/unclassified under the National AAQS and attainment under the California AAQS (CARB 2025a).

Sulfur Dioxide (SO_2) is a colorless, pungent, irritating gas formed by the combustion of sulfurous fossil fuels. It enters the atmosphere as a result of burning high-sulfur-content fuel oils and coal and chemical

processes at plants and refineries. Gasoline and natural gas have very low sulfur content and do not release significant quantities of SO_2. When sulfur dioxide forms sulfates (SO_4) in the atmosphere, together these pollutants are referred to as sulfur oxides (SO_X). Thus, SO_2 is both a primary and secondary criteria air pollutant. At sufficiently high concentrations, SO_2 may irritate the upper respiratory tract. Current scientific evidence links short-term exposures to SO_2, ranging from 5 minutes to 24 hours, with an array of adverse respiratory effects, including bronchoconstriction and increased asthma symptoms. These effects are particularly adverse for asthmatics at elevated ventilation rates (e.g., while exercising or playing) at lower concentrations and when combined with particulates, SO_2 may do greater harm by injuring lung tissue. Studies also show a connection between short-term exposure and increased visits to emergency facilities and hospital admissions for respiratory illnesses, particularly in at-risk populations such as children, the elderly, and asthmatics (USEPA 2025a). The SJVAB is designated attainment under the California and as attainment/unclassified under the National AAQS (CARB 2025a).

Suspended Particulate Matter (PM_{10} and $PM_{2.5}$) consists of finely divided solids or liquids such as soot, dust, aerosols, fumes, and mists. Two forms of fine particulates are now recognized and regulated. Inhalable coarse particles, or PM_{10}, include the particulate matter with an aerodynamic diameter of 10 microns (i.e., 10 millionths of a meter or 0.0004 inch) or less. Inhalable fine particles, or $PM_{2.5}$, have an aerodynamic diameter of 2.5 microns (i.e., 2.5 millionths of a meter or 0.0001 inch) or less. Particulate discharge into the atmosphere results primarily from industrial, agricultural, construction, and transportation activities. However, wind action on arid landscapes also contributes substantially to local particulate loading (i.e., fugitive dust). Both PM_{10} and $PM_{2.5}$ may adversely affect the human respiratory system, especially in people who are naturally sensitive or susceptible to breathing problems (South Coast AQMD 2005).

The EPA's scientific review concluded that $PM_{2.5}$, which penetrates deeply into the lungs, is more likely than PM_{10} to contribute to health effects and at concentrations that extend well below those allowed by the current PM_{10} standards. These health effects include premature death and increased hospital admissions and emergency room visits (primarily the elderly and individuals with cardiopulmonary disease); increased respiratory symptoms and disease (children and individuals with cardiopulmonary disease such as asthma); decreased lung functions (particularly in children and individuals with asthma); and alterations in lung tissue and structure and in respiratory tract defense mechanisms (South Coast AQMD 2005). There has been emerging evidence that ultrafine particulates, which are even smaller particulates with an aerodynamic diameter of <0.1 microns or less (i.e., ≤ 0.0001 millimeter) have human health implications because their toxic components may initiate or facilitate biological processes that may lead to adverse effects to the heart, lungs, and other organs (South Coast AQMD 2013). However, the EPA and CARB have not adopted AAQS to regulate these particulates. Diesel particulate matter is classified by CARB as a carcinogen (CARB 1998). Particulate matter can also cause environmental effects such as visibility impairment, environmental damage, and aesthetic damage (USEPA 2025a). The SJVAB is a nonattainment area for $PM_{2.5}$ under California and National AAQS and a nonattainment area for PM_{10} under the California AAQS and an attainment area under the National AAQS (CARB 2025a).

Ozone (O_3) is a key ingredient of "smog" and is a gas that is formed when VOCs and NO_X, both by-products of internal combustion engine exhaust, undergo photochemical reactions in sunlight. O_3 is a secondary criteria air pollutant. O_3 concentrations are generally highest during the summer months when

direct sunlight, light winds, and warm temperatures create favorable conditions for its formation. O_3 poses a health threat to those who already suffer from respiratory diseases as well as to healthy people. Breathing O_3 can trigger a variety of health problems, including chest pain, coughing, throat irritation, and congestion. It can worsen bronchitis, emphysema, and asthma. Ground-level O_3 also can reduce lung function and inflame the linings of the lungs. Repeated exposure may permanently scar lung tissue. O_3 also affects sensitive vegetation and ecosystems, including forests, parks, wildlife refuges, and wilderness areas. In particular, O_3 harms sensitive vegetation during the growing season (USEPA 2025a). The SJVAB is designated extreme nonattainment under the California AAQS (1-hour and 8-hour) and nonattainment under the National AAQS (8-hour) (CARB 2025a).

Volatile Organic Compounds (VOC) are composed primarily of hydrogen and carbon atoms. Internal combustion associated with motor vehicle usage is the major source of VOCs. Other sources include evaporative emissions from paints and solvents, asphalt paving, and household consumer products such as aerosols. There are no AAQS for VOCs. However, because they contribute to the formation of O_3, SJVAPCD has established a significance threshold for this pollutant.

Lead (Pb) is a metal found naturally in the environment as well as in manufactured products. Once taken into the body, lead distributes throughout the body in the blood and accumulates in the bones. Depending on the level of exposure, lead can adversely affect the nervous system, kidney function, immune system, reproductive and developmental systems, and the cardiovascular system. Lead exposure also affects the oxygen-carrying capacity of the blood. The effects of lead most commonly encountered in current populations are neurological effects in children and cardiovascular effects in adults (e.g., high blood pressure and heart disease). Infants and young children are especially sensitive to even low levels of lead, which may contribute to behavioral problems, learning deficits, and lowered IQ (USEPA 2025a). The major sources of lead emissions have historically been mobile and industrial sources. As a result of the EPA's regulatory efforts to remove lead from gasoline, emissions of lead from the transportation sector dramatically declined by 95 percent between 1980 and 1999, and levels of lead in the air decreased by 94 percent between 1980 and 1999. Today, the highest levels of lead in air are usually found near lead smelters. The major sources of lead emissions today are ore and metals processing and piston-engine aircraft operating on leaded aviation gasoline. However, in 2008 the EPA and CARB adopted stricter lead standards, and special monitoring sites immediately downwind of lead sources recorded very localized violations of the new state and federal standards. The SJVAB is designated attainment under the California AAQS for lead and No Designation/Classification under the National AAQS (CARB 2025a). There are no lead-emitting sources associated with this project, and therefore, lead is not a pollutant of concern for the proposed project.

Table 5.3-1, *Criteria Air Pollutant Health Effects Summary*, summarizes the potential health effects associated with the criteria air pollutants.

Table 5.3-1 Criteria Air Pollutant Health Effects Summary

Pollutant	Health Effects	Examples of Sources
Carbon Monoxide (CO)	• Chest pain in heart patients • Headaches, nausea • Reduced mental alertness • Death at very high levels	Any source that burns fuel such as cars, trucks, construction and farming equipment, and residential heaters and stoves
Ozone (O_3)	• Cough, chest tightness • Difficulty taking a deep breath • Worsened asthma symptoms • Lung inflammation	Atmospheric reaction of organic gases with nitrogen oxides in sunlight
Nitrogen Dioxide (NO_2)	• Increased response to allergens • Aggravation of respiratory illness	Same as carbon monoxide sources
Particulate Matter (PM_{10} and $PM_{2.5}$)	• Hospitalizations for worsened heart diseases • Emergency room visits for asthma • Premature death	Cars and trucks (particularly diesels) Fireplaces and woodstoves Windblown dust from overlays, agriculture, and construction
Sulfur Dioxide (SO_2)	• Aggravation of respiratory disease (e.g., asthma and emphysema) • Reduced lung function	Combustion of sulfur-containing fossil fuels, smelting of sulfur-bearing metal ores, and industrial processes
Lead (Pb)	• Behavioral and learning disabilities in children • Nervous system impairment	Contaminated soil

Source: CARB 2025b.

Toxic Air Contaminants

People exposed to toxic air contaminants (TAC) at sufficient concentrations and durations may have an increased chance of getting cancer or experiencing other serious health effects. These health effects can include damage to the immune system as well as neurological, reproductive (e.g., reduced fertility), developmental, respiratory, and other health problems (USEPA 2025b). By the last update to the TAC list in December 1999, CARB had designated 244 compounds as TACs (CARB 1999). Additionally, CARB has implemented control measures for a number of compounds that pose high risks and show potential for effective control. There are no air quality standards for TACs. Instead, TAC impacts are evaluated by calculating the health risks associated with a given exposure. The majority of the estimated health risks from TACs can be attributed to relatively few compounds, the most relevant to the proposed project being particulate matter from diesel-fueled engines.

Diesel Particulate Matter

In 1998, CARB identified diesel particulate matter (DPM) as a TAC. Previously, the individual chemical compounds in diesel exhaust were considered TACs. Almost all diesel exhaust particles are 10 microns or less in diameter. Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lungs. Long-term (chronic) inhalation of DPM is likely a lung cancer risk. Short-term (i.e., acute) exposure can cause irritation and inflammatory symptoms and may exacerbate existing allergies and asthma symptoms (USEPA 2002).

5.3.1.3 REGULATORY BACKGROUND

Ambient air quality standards have been adopted at the state and federal levels for criteria air pollutants. In addition, both the state and federal government regulate the release of TACs. The proposed project is in the SJVAB and is subject to the rules and regulations imposed by the SJVAPCD, the California AAQS adopted by CARB, and National AAQS adopted by the EPA. Federal, state, regional, and local laws, regulations, plans, or guidelines that are potentially applicable to the proposed project are summarized in this section.

Federal and State

Ambient Air Quality Standards

The Clean Air Act (CAA) was passed in 1963 by the US Congress and has been amended several times. The 1970 CAA amendments strengthened previous legislation and laid the foundation for the regulatory scheme of the 1970s and 1980s. In 1977, Congress again added several provisions, including nonattainment requirements for areas not meeting National AAQS and the Prevention of Significant Deterioration program. The 1990 amendments represent the latest in a series of federal efforts to regulate the protection of air quality in the United States. The CAA allows states to adopt more stringent standards or to include other pollution species. The California Clean Air Act, signed into law in 1988, requires all areas of the state to achieve and maintain the California AAQS by the earliest practical date. The California AAQS tend to be more restrictive than the National AAQS.

These National AAQS and California AAQS are the levels of air quality considered to provide a margin of safety in the protection of the public health and welfare. They are designed to protect "sensitive receptors" most susceptible to further respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise. Healthy adults can tolerate occasional exposure to air pollutant concentrations considerably above these minimum standards before adverse effects are observed.

Both California and the federal government have established health-based AAQS for seven air pollutants. As shown in Table 5.3-2, *Ambient Air Quality Standards for Criteria Pollutants*, these pollutants are ozone (O_3), nitrogen dioxide (NO_2), carbon monoxide (CO), sulfur dioxide (SO_2), coarse inhalable particulate matter (PM_{10}), fine inhalable particulate matter ($PM_{2.5}$), and lead (Pb). In addition, the state has set standards for sulfates, hydrogen sulfide, 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.

Table 5.3-2 Ambient Air Quality Standards for Criteria Pollutants

Pollutant	Averaging Time	California Standard[1]	Federal Primary Standard[2]	Major Pollutant Sources
Ozone (O_3)[3]	1 hour	0.09 ppm	*	Motor vehicles, paints, coatings, and solvents.
	8 hours	0.070 ppm	0.070 ppm	
Carbon Monoxide (CO)	1 hour	20 ppm	35 ppm	Internal combustion engines, primarily gasoline-powered motor vehicles.
	8 hours	9.0 ppm	9 ppm	
Nitrogen Dioxide (NO_2)	Annual Arithmetic Mean	0.030 ppm	0.053 ppm	Motor vehicles, petroleum-refining operations, industrial sources, aircraft, ships, and railroads.
	1 hour	0.18 ppm	0.100 ppm	
Sulfur Dioxide (SO_2)	Annual Arithmetic Mean	*	0.030 ppm	Fuel combustion, chemical plants, sulfur recovery plants, and metal processing.
	1 hour	0.25 ppm	0.075 ppm	
	24 hours	0.04 ppm	0.14 ppm	
Respirable Coarse Particulate Matter (PM_{10})	Annual Arithmetic Mean	20 µg/m^3	*	Dust and fume-producing construction, industrial, and agricultural operations, combustion, atmospheric photochemical reactions, and natural activities (e.g., wind-raised dust and ocean sprays).
	24 hours	50 µg/m^3	150 µg/m^3	
Respirable Fine Particulate Matter ($PM_{2.5}$)[4]	Annual Arithmetic Mean	12 µg/m^3	9 µg/m^3	Dust and fume-producing construction, industrial, and agricultural operations, combustion, atmospheric photochemical reactions, and natural activities (e.g., wind-raised dust and ocean sprays).
	24 hours	*	35 µg/m^3	
Lead (Pb)	30-Day Average	1.5 µg/m^3	*	Present source: lead smelters, battery manufacturing & recycling facilities. Past source: combustion of leaded gasoline.
	Calendar Quarter	*	1.5 µg/m^3	
	Rolling 3-Month Average	*	0.15 µg/m^3	
Sulfates (SO_4)[5]	24 hours	25 µg/m^3	*	Industrial processes.
Visibility Reducing Particles	8 hours	ExCo =0.23/km visibility of 10≥ miles	*	Visibility-reducing particles consist of suspended particulate matter, which is a complex mixture of tiny particles that consists of dry solid fragments, solid cores with liquid coatings, and small droplets of liquid. These particles vary greatly in shape, size and chemical composition, and can be made up of many different materials such as metals, soot, soil, dust, and salt.
Hydrogen Sulfide	1 hour	0.03 ppm	*	Hydrogen sulfide (H_2S) is a colorless gas with the odor of rotten eggs. It is formed during bacterial decomposition of sulfur-containing organic substances. Also, it can be present in sewer gas and some natural gas and can be emitted as the result of geothermal energy exploitation.

Table 5.3-2 Ambient Air Quality Standards for Criteria Pollutants

Pollutant	Averaging Time	California Standard[1]	Federal Primary Standard[2]	Major Pollutant Sources
Vinyl Chloride	24 hours	0.01 ppm	*	Vinyl chloride (chloroethene), a chlorinated hydrocarbon, is a colorless gas with a mild, sweet odor. Most vinyl chloride is used to make polyvinyl chloride (PVC) plastic and vinyl products. Vinyl chloride has been detected near landfills, sewage plants, and hazardous waste sites, due to microbial breakdown of chlorinated solvents.

Source: CARB 2024.
Notes: ppm: parts per million; µg/m^3: micrograms per cubic meter
* Standard has not been established for this pollutant/duration by this entity.
1 California standards for O_3, CO (except 8-hour Lake Tahoe), SO_2 (1 and 24 hour), NO_2, and particulate matter (PM_{10}, $PM_{2.5}$, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
2 National standards (other than O_3, PM, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The O_3 standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM_{10}, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m^3 is equal to or less than one. For $PM_{2.5}$, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard.
3 On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.
4 On December 14, 2012, the national annual $PM_{2.5}$ primary standard was lowered from 15 µg/m^3 to 12.0 µg/m^3. On February 7, 2024, it was further lowered to 9.0 µg/m^3. The existing national 24-hour $PM_{2.5}$ standards (primary and secondary) were retained at 35 µg/m^3, as was the annual secondary standard of 15 µg/m^3. The existing 24-hour PM_{10} standards (primary and secondary) of 150 µg/m^3 also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.
5 On June 2, 2010, a new 1-hour SO_2 standard was established, and the existing 24-hour and annual primary standards were revoked. 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.

California has also adopted a host of other regulations that reduce criteria pollutant emissions:

- **Assembly Bill (AB) 1493: Pavley Fuel Efficiency Standards.** Pavley I is a clean-car standard that reduces greenhouse gas emissions from new passenger vehicles (light-duty auto to medium-duty vehicles) from 2009 through 2016. In January 2012, CARB approved the Advanced Clean Cars program (formerly known as Pavley II) for model years 2017 through 2025.

- **Senate Bill (SB) 1078 and SB 107: Renewables Portfolio Standards**. A major component of California's Renewable Energy Program is the renewables portfolio standard (RPS) established under SB 1078 (Sher) and SB 107 (Simitian). Under the RPS, certain retail sellers of electricity were required to increase the amount of renewable energy each year by at least 1 percent to reach at least 20 percent by December 30, 2010.

- **24 CCR, Part 6: Building and Energy Efficiency Standards.** Energy conservation standards for new residential and nonresidential buildings adopted by the California Energy Resources Conservation and Development Commission (now the California Energy Commission) in June 1977.

- **24 CCR, Part 11: Green Building Standards Code.** Establishes planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants.[1]

Tanner Air Toxics Act and Air Toxics Hot Spot Information and Assessment Act

Public exposure to TACs is a significant environmental health issue in California. In 1983, the California legislature enacted a program to identify the health effects of TACs and reduce exposure to them. The California 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" (17 CCR Section 93000). A substance that is listed as a hazardous air pollutant pursuant to Section 112(b) of the federal Clean Air Act (42 US Code Section 7412[b]) is a TAC. Under state law, the California Environmental Protection Agency, acting through CARB, is authorized to identify a substance as a TAC if it is an air pollutant that may cause or contribute to an increase in mortality or serious illness or may pose a present or potential hazard to human health.

California regulates TACs primarily through Assembly Bill (AB) 1807 (Tanner Air Toxics Act) and AB 2588 (Air Toxics "Hot Spot" Information and Assessment Act of 1987). The Tanner Air Toxics Act sets forth a formal procedure for 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 (i.e., a point below 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. To date, CARB has established formal control measures for 11 TACs that are identified as having no safe threshold.

Under AB 2588, TAC emissions from individual facilities are quantified and prioritized by the air quality management district or air pollution control district. High-priority facilities are required to perform a health risk assessment, and if specific thresholds are exceeded, are required to communicate the results to the public through notices and public meetings.

CARB has promulgated the following specific rules to limit TAC emissions:

- **13 CCR Chapter 10 Section 2485: Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling.** Generally restricts on-road diesel-powered commercial motor vehicles with a gross vehicle weight rating of greater than 10,000 pounds from idling more than five minutes.

- **13 CCR Chapter 10 Section 2480: Airborne Toxic Control Measure to Limit School Bus Idling and Idling at Schools.** Generally restricts a school bus or transit bus from idling for more than five minutes when within 100 feet of a school.

[1] The green building standards became mandatory in the 2010 edition of the code.

- **13 CCR Section 2477 and Article 8: Airborne Toxic Control Measure for In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets and Facilities Where TRUs Operate.** Regulations established to control emissions associated with diesel-powered TRUs.

AB 617, Community Air Protection Program

AB 617 (C. Garcia, Chapter 136, Statutes of 2017) requires local air districts to monitor and implement air pollution control strategies that reduce localized air pollution in communities that bear the greatest burdens. In response to AB 617, CARB has established the Community Air Protection Program.

Air districts are required to host workshops to help identify disadvantaged communities disproportionately affected by poor air quality. Once the criteria for identifying the highest priority locations have been identified and the communities have been selected, new community monitoring systems would be installed to track and monitor community-specific air pollution goals. In 2018 CARB prepared an air monitoring plan (Community Air Protection Blueprint), that evaluates the availability and effectiveness of air monitoring technologies and existing community air monitoring networks. Under AB 617, the Blueprint is required to be updated every five years.

Under AB 617, CARB is also required to prepare a statewide strategy to reduce TACs and criteria pollutants in impacted communities; provide a statewide clearinghouse for best available retrofit control technology; adopt new rules requiring the latest best available retrofit control technology for all criteria pollutants for which an area has not achieved attainment of California AAQS; and provide uniform, statewide reporting of emissions inventories. Air districts are required to adopt a community emissions reduction program to achieve reductions for the communities impacted by air pollution that CARB identifies.

Regional

The state is divided into air pollution control districts/air quality management districts. These agencies are county or regional governing authorities that have primary responsibility for controlling air pollution from stationary sources. CARB and local air districts are also responsible for developing clean air plans to demonstrate how and when California will attain AAQS established under both the federal and California Clean Air Acts. For the areas in California that have not attained air quality standards, CARB works with air districts to develop and implement state and local attainment plans. In general, attainment plans contain a discussion of ambient air quality data and trends; a baseline emissions inventory; future year projections of emissions, which account for growth projections and already adopted control measures; a comprehensive control strategy of additional measures needed to reach attainment; an attainment demonstration, which generally involves complex modeling; and contingency measures. Plans may also include interim milestones for progress toward attainment. The SJVAB is managed by the SJVAPCD.

San Joaquin Valley Air Pollution Control District

The primary role of SJVAPCD is to develop plans and implement control measures in the SJVAB to control air pollution. These controls primarily affect stationary sources such as industry and power plants. Rules and regulations have been developed by SJVAPCD to control air pollution from a wide range of air pollution

sources. SJVAPCD also provides uniform procedures for assessing potential air quality impacts of projects and for preparing the air quality section of environmental documents.

Air Quality Management Planning

The EPA requires states that have areas that do not meet the National AAQS to prepare and submit air quality plans showing how the National AAQS will be met. If the states cannot show how the National AAQS will be met, then the states must show progress toward meeting the National AAQS. These plans are referred to as the State Implementation Plans (SIP). CARB requires regions that do not meet California AAQS for ozone to submit clean air plans that describe measures to attain the standard or show progress toward attainment. The following describes the air quality management plans (AQMP) prepared by the SJVAPCD, which are incorporated by reference per CEQA Guidelines Section 15150:

- **2022 Plan for the 2015 8-Hour Ozone Standard.** SJVAPCD adopted the 2022 plan for the 2015 8-hour ozone standard in December 2022. This plan satisfies CAA requirements and ensures expeditious attainment of the 70 parts per billion (ppb) 8-hour ozone standard.

- **2016 Plan for the 2008 8-Hour Ozone Standard.** SJVAPCD adopted the 2016 plan for the 2008 8-hour ozone standard in June 2016. This plan satisfies CAA requirements and ensures expeditious attainment of the 75 ppb 8-hour ozone standard (SJVAPCD 2016a).

- **2014 Reasonably Available Control Technology (RACT) SIP.** SJVAPCD adopted the RACT demonstration for ozone SIP in June 2014 (SJVAPCD 2014).

- **2013 Plan for the Revoked 1-Hour Ozone Standard.** SJVAPCD adopted the 2013 Plan for the Revoked 1-hour ozone standard in September 2013. In 2013, the Valley had zero violations of the 1-hour federal ozone standard. On May 6, 2014 and July 13, 2015 SJVAPCD submitted formal requests that the EPA determine that the Valley has attained the federal 1-hour ozone standard. On July 18, 2016, the EPA published in the Federal Register a final action determining that the San Joaquin Valley has attained the 1-hour ozone National AAQS (SJVAPCD 2013).

- **2009 Reasonably Available Control Technology (RACT) SIP.** SJVAPCD adopted the RACT demonstration for ozone SIP in April 2009 (SJVAPCD 2009).

- **2007 Ozone Plan.** SJVAPCD adopted the 2007 Ozone Plan in April 2007. This plan addresses the EPA's 8-hour ozone standard of 84 ppb, which was established in 1997 (SJVAPCD 2007a).

- **2018 Plan for the 1997, 2006, and 2012 $PM_{2.5}$ Standards.** SJVAPCD adopted the 2018 Plan for the 1997, 2006, and 2012 $PM_{2.5}$ Standards on November 15, 2018. This plan addresses the EPA federal 1997 annual $PM_{2.5}$ standard of 15 $\mu g/m^3$ and 24-hour $PM_{2.5}$ standard of 65 $\mu g/m^3$, the 2006 24-hour $PM_{2.5}$ standard of 35 $\mu g/m^3$, and the 2012 annual $PM_{2.5}$ standard of 12 μg (SJVAPCD 2018).

- **2016 Moderate Area Plan for the 2012 $PM_{2.5}$ Standard.** SJVAPCD adopted the 2016 Moderate Area Plan for the 2012 $PM_{2.5}$ standard on September 15, 2016. This plan addresses the EPA federal annual $PM_{2.5}$ standard of 12 $\mu g/m^3$, established in 2012. This plan includes an attainment impracticability

demonstration and request for reclassification of the Valley from Moderate nonattainment to Serious nonattainment (SJVAPCD 2016b).

- **2015 Plan for the 1997 $PM_{2.5}$ Standard.** SJVAPCD adopted the 2015 Plan for the 1997 $PM_{2.5}$ standard on April 16, 2015. This plan addresses the EPA's annual $PM_{2.5}$ standard of 15 μg/m³ and 24-hour $PM_{2.5}$ standard of 65 μg/m³, established in 1997 (SJVAPCD 2015a).

- **2012 $PM_{2.5}$ Plan.** SJVAPCD adopted the 2012 $PM_{2.5}$ Plan in December 2012. This plan addresses the EPA's 24-hour $PM_{2.5}$ standard of 35 μg/m³, which was established by in 2006 (SJVAPCD 2012).

- **2008 $PM_{2.5}$ Plan.** SJVAPCD adopted the 2008 $PM_{2.5}$ Plan in April 2008. This plan addresses the EPA's annual $PM_{2.5}$ standard of 15 μg/m³, which was established in 1997 (SJVAPCD 2008).

- **2007 PM_{10} Maintenance Plan.** SJVAPCD adopted the 2007 PM_{10} Maintenance Plan in September 2007 to ensure the San Joaquin Valley's continued attainment of the EPA's PM_{10} standard. The EPA designated the Valley as an attainment/maintenance area for PM_{10} (SJVAPCD 2007b).

- **2004 Revision to the California SIP for Carbon Monoxide.** On July 22, 2004, CARB approved an update to the SIP that shows how the ten areas will maintain the standard through 2018, revises emission estimates, and establishes new on-road motor vehicle emission budgets for transportation conformity purposes (CARB 2004).

SJVAPCD Local Rules and Regulations

Assembly Bill 170, Reyes

AB 170 was adopted by State lawmakers in 2003, creating Government Code Section 65302.1, which requires cities and counties in the San Joaquin Valley to amend their general plans to include data, analysis, and comprehensive goals, policies, and feasible implementation strategies designed to improve air quality. The elements to be amended include, but are not limited to, the elements dealing with land use, circulation, housing, conservation, and open space. Section 65302.1.c identifies four areas of air quality discussion required in these amendments:

- A report describing local air quality conditions, attainment status, and State and federal air quality and transportation plans.

- A summary of local, district, State, and federal policies, programs, and regulations to improve air quality.

- A comprehensive set of goals, policies, and objectives to improve air quality.

- Feasible implementation measures designed to achieve these goals.

Rule 9510: Indirect Source Review

On December 15, 2005, SJVAPCD adopted the Indirect Source Review Rule (or Rule 9510) to reduce ozone precursors (i.e., VOC and NO_X) and PM_{10} emissions from new land use development projects. Specifically,

Rule 9510 targets the indirect emissions from vehicles and construction equipment associated with these projects and applies to both construction- and operational-related impacts. The rule applies to any applicant that seeks to gain a final discretionary approval for a development project, or any portion thereof, which upon full buildout would include any one of the following:

- 50 residential units.
- 2,000 square feet of commercial space.
- 25,000 square feet of light industrial space.
- 100,000 square feet of heavy industrial space.
- 20,000 square feet of medical office space.
- 39,000 square feet of general office space.
- 9,000 square feet of educational space.
- 10,000 square feet of government space.
- 20,000 square feet of recreational space.
- 9,000 square feet of space not identified above.
- Transportation/transit projects with construction exhaust emissions of 2 or more tons of NO_x or 2 or more tons of PM_{10}.
- Residential projects on contiguous or adjacent property under common ownership of a single entity, in whole or in part, that is designated and zoned for the same development density and land use, regardless of the number of tract maps, and has the capability of accommodating more than 50 residential units.
- Nonresidential projects on contiguous or adjacent property under common ownership of a single entity, in whole or in part, that is designated and zoned for the same development density and land use, and has the capability of accommodating development projects that emit 2 or more tons per year of NO_X or PM_{10} during project operations.

The rule requires all subject, nonexempt projects[2] to mitigate both construction and operational period emissions by (1) applying feasible SJVAPCD-approved mitigation measures, or (2) paying any applicable fees to support programs that reduce emissions. Off-site emissions reduction fees (off-site fees) are required for projects that do not achieve the required emissions reductions through on-site emission reduction measures. Phased projects can defer payment of fees in accordance with an Offsite Emissions Reduction Fee Deferral Schedule (FDS) approved by the SJVAPCD.

[2] Development projects that have a mitigated baseline below 2 tons per year of NO_X and 2 tons per year of PM_{10} are exempt.

To determine how an individual project would satisfy Rule 9510, each project would submit an air quality impact assessment (AIA) to the SJVAPCD as early as possible, but no later than prior to the project's final discretionary approval, to identify the project's baseline unmitigated emissions inventory for indirect sources: on-site exhaust emissions from construction activities and operational activities from mobile and area sources of emissions (excludes fugitive dust and permitted sources).[3] Rule 9510 requires the following reductions, which are levels that the SJVAPCD has identified as necessary, based on its air quality management plans, to reach attainment for ozone and particulate matter.

- **Construction Equipment Emissions.** The exhaust emissions for construction equipment greater than 50 horsepower (hp) used or associated with the development project shall be reduced by the following amounts from the statewide average as estimated by CARB:

  - 20 percent of the total NO_X emissions
  - 45 percent of the total PM_{10} exhaust emissions

  Mitigation measures may include those that reduce construction emissions on-site by using less-polluting construction equipment, which can be achieved by utilizing add-on controls; cleaner fuels; or newer, lower-emitting equipment.

- **Operational Emissions**

  - **NO_x Emissions**. Applicants shall reduce 33.3 percent of the project's operational baseline NO_X emissions over a period of 10 years as quantified in the approved AIA.

  - **PM_{10} Emissions.** Applicants shall reduce of 50 percent of the project's operational baseline PM_{10} emissions over a period of 10 years as quantified in the approved AIA. Mitigation measures may include those that reduce construction emissions on-site by using less-polluting construction equipment, which can be achieved by utilizing add-on controls; cleaner fuels; or newer, lower-emitting equipment.

These requirements can be met through any combination of on-site emission reduction measures. In the event that a project cannot achieve the above standards through imposition of mitigation measures, the project would be required to pay the applicable off-site fees. These fees are used to fund various incentive programs that cover the purchase of new equipment, engine retrofit, and education and outreach.

Rule 2201: New and Modified Stationary Source Review

SJVAPCD adopted Rule 2201, New and Modified Stationary Source Review, to control emissions from new stationary sources and all modifications to existing stationary sources that are subject to SJVAPCD's permit requirements (i.e., "permit projects" for which the SJVAPCD is the lead agency). Permit projects that exceed the Source Performance Standards are required to install Best Available Control Technology to control emissions to the maximum extent practicable.

[3] Stationary sources of air pollutant emissions are covered separately under SJVAPCD's Rule 2201, New and Modified Stationary Source Review.

Regulation VIII: Fugitive PM_{10} Prohibitions

SJVAPCD controls fugitive PM_{10} through Regulation VIII, Fugitive PM_{10} Prohibitions. The purpose of this regulation is to reduce ambient concentrations of PM_{10} and $PM_{2.5}$ by requiring actions to prevent, reduce, or mitigate anthropogenic (human caused) fugitive dust emissions.

- **Regulation VIII, Rule 8021,** applies to any construction, demolition, excavation, extraction, and other earthmoving activities, including but not limited to land clearing, grubbing, scraping, travel on-site, and travel on access roads to and from the site.
- **Regulation VIII, Rule 8031,** applies to the outdoor handling, storage, and transport of any bulk material.
- **Regulation VIII, Rule 8041,** applies to sites where carryout or trackout has occurred or may occur on paved roads or the paved shoulders of public roads.
- **Regulation VIII, Rule 8051,** applies to any open area having 0.5 acre or more in urban areas or 3.0 acres or more in rural areas and contains at least 1,000 square feet of disturbed surface area.
- **Regulation VIII, Rule 8061,** applies to any new or existing public or private paved or unpaved road, road construction project, or road modification project.
- **Regulation VIII, Rule 8071,** applies to any unpaved vehicle/equipment traffic area.

Sources regulated are required to provide Dust Control Plans that meet the regulation requirements. Under Rule 8021, a Dust Control Plan is required for any residential project that will include 10 or more acres of disturbed surface area, a nonresidential project with 5 or more acres of disturbed surface area, or a project that relocates 2,500 cubic yards per day of bulk materials for at least three days. The Dust Control Plan is required to be submitted to SJVAPCD prior to the start of any construction activity. The Dust Control Plan must also describe fugitive dust control measure to be implemented before, during, and after any dust-generating activity. For sites smaller than those listed above, the project is still required to notify SJVAPCD a minimum of 48 hours prior to commencing earthmoving activities.

Rule 4102: Nuisance Odors

The SJVAPCD controls nuisance odors through implementation of Rule 4102, Nuisance. Pursuant to this rule,

> ... a person shall not discharge from any source whatsoever such quantities of air contaminants or other materials which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health, or safety of any such person or the public or which cause or have a natural tendency to cause injury or damage to business or property.

Rule 9410: Employer Based Trip Reduction Program

The SJVAPCD has implemented Rule 9410, Employer Based Trip Reduction. The purpose of this rule is to reduce vehicle miles traveled (VMT) from private vehicles used by employees to commute to and from their worksites to in turn reduce emissions of NO_x, VOC, and particulate matter (PM_{10} and $PM_{2.5}$). The rule applies to employers with at least 100 employees. Employers are required to implement an Employer Trip Reduction Implementation Plan (ETRIP) for each worksite with 100 or more eligible employees to meet applicable targets specified in the rule. Employers are required to facilitate the participation of the development of ETRIPs by providing information to their employees explaining the requirements and applicability of this rule. Employers are required to prepare and submit an ETRIP for each worksite to SJVAPCD. The ETRIP must be updated annually. Under this rule, employers shall collect information on the modes of transportation used for each eligible employee's commutes both to and from work for every day of the commute verification period, as defined by using either the mandatory commute verification method or a representative survey method. Annual reporting includes the results of the commute verification for the previous calendar year along with the measures implemented as outlined in the ETRIP and, if necessary, any updates to the ETRIP.

5.3.1.4 EXISTING CONDITIONS

San Joaquin Valley Air Basin

The proposed project is in the central portion of the SJVAB. The SJVAB consists of eight counties: Fresno, Kern (western and central), Kings, Tulare, Madera, Merced, San Joaquin, and Stanislaus. Air pollution from significant activities in the SJVAB includes a variety of industrial-based sources as well as on- and off-road mobile sources. These sources, coupled with geographical and meteorological conditions unique to the area, stimulate the formation of unhealthy air.

The SJVAB is approximately 250 miles long and an average of 35 miles wide. It is bordered by the Sierra Nevada in the east, the Coast Ranges in the west, and the Tehachapi mountains in the south. There is a slight downward elevation gradient from Bakersfield in the southeast end (elevation 408 feet) to sea level at the northwest end where the valley opens to the San Francisco Bay at the Carquinez Straits. At its northern end is the Sacramento Valley, which makes up the northern half of California's Central Valley. The bowl-shaped topography inhibits movement of pollutants out of the valley (SJVAPCD 2025a).

Climate

The SJVAB is in a Mediterranean climate zone, which is characterized by sparse rainfall, which occurs mainly in winter. Summers are hot and dry. Summertime maximum temperatures often exceed 100 degrees Fahrenheit (°F) in the valley. Winter-time high pressure events can often last many weeks, with surface temperatures often lowering to 30°F. During these events, fog can be present, and inversions are extremely strong. These wintertime inversions can inhibit vertical mixing of pollutants to a few hundred feet (SJVAPCD 2015b).

In addition, the SJVAB is influenced by a subtropical high-pressure cell for most of the year. The high-pressure cell is strongest during spring, summer, and fall and produces subsiding air, which can result in

temperature inversions in the valley. A temperature inversion can act like a lid, inhibiting vertical mixing of the air mass at the surface. Any emissions of pollutants can be trapped below the inversion. Most of the surrounding mountains are above the normal height of summer inversions (1,500 to 3,000 feet) (SJVAPCD 2015b).

Based on data available for the City of Visalia, which is near the project site, the average low for the area is reported at 37°F in December, and the average high is 97°F in July (USA.com 2025). Rainfall averages 11.79 inches per year in the project area (USA.com 2025).

Temperature

Solar radiation and temperature are particularly important in the chemistry of ozone formation. The SJVAB averages over 260 sunny days per year. Photochemical air pollution (primarily ozone) is produced by the atmospheric reaction of organic substances (such as volatile organic compounds) and nitrogen dioxide under the influence of sunlight. Ozone concentrations are very dependent on the amount of solar radiation, especially during late spring, summer, and early fall. Ozone levels typically peak in the afternoon. After the sun goes down, the chemical reaction between nitrous oxide and ozone begins to dominate. This reaction tends to scavenge and remove the ozone in the metropolitan areas through the early morning hours, resulting in the lowest ozone levels, possibly reaching zero at sunrise in areas with high nitrogen oxides emissions. At sunrise, nitrogen oxides tend to peak, partly due to low levels of ozone at this time and also due to the morning commuter vehicle emissions of nitrogen oxides.

Generally, the higher the temperature, the more ozone formed, since reaction rates increase with temperature. However, extremely hot temperatures can "lift" or "break" the inversion layer. Typically, if the inversion layer does not lift to allow the buildup of contaminants to be dispersed, the ozone levels will peak in the late afternoon. If the inversion layer breaks and the resultant afternoon winds occur, the ozone will peak in the early afternoon and decrease in the late afternoon as the contaminants are dispersed or transported out of the SJVAB. Ozone levels are low during winter periods when there is much less sunlight to drive the photochemical reaction (SJVAPCD 2015b).

Wind

Wind speed and direction play an important role in dispersion and transport of air pollutants. Wind at the surface and aloft can disperse pollution by mixing and transporting it to other locations. Winds in the valley most frequently blow from the northwest, especially during summer. The region's topographic features restrict air movement and channel the air mass towards the southeastern end of the valley. Marine air can flow into the basin from the San Joaquin River Delta and over Altamont Pass and Pacheco Pass, where it can flow along the axis of the valley, over the Tehachapi pass, into the Southeast Desert Air Basin. This wind pattern contributes to transporting pollutants from the Sacramento Valley and the Bay Area into the SJVAB. Approximately 27 percent of the total emissions in the northern portion, 11 percent of total emissions in the central region, and 7 percent of total emission in the south valley of the SJVAB are attributed to air pollution transported from these two areas (SJVAPCD 2015b). The Coastal Range is a barrier to air movement to the west, and the high Sierra Nevada range is a significant barrier to the east (the highest peaks in the southern Sierra Nevada reach almost halfway through the Earth's atmosphere). Many days in the winter are marked by

stagnation events where winds are very weak. Transport of pollutants during winter can be very limited. A secondary but significant summer wind pattern is from the southeast and can be associated with nighttime drainage winds, prefrontal conditions, and summer monsoons.

Two significant diurnal wind cycles that occur frequently in the valley are the sea breeze and mountain-valley upslope and drainage flows. The sea breeze can accentuate the northwest wind flow, especially on summer afternoons. Nighttime drainage flows can accentuate the southeast movement of air down the valley. In the mountains during periods of weak synoptic-scale winds, winds tend to be upslope during the day and downslope at night. Nighttime and drainage flows are especially pronounced during the winter when flow from the easterly direction is enhanced by nighttime cooling in the Sierra Nevada. Eddies can form in the valley wind flow and can recirculate a polluted air mass for an extended period (SJVAPCD 2015b).

Precipitation, Humidity, and Fog

Precipitation and fog may reduce or limit some pollutant concentrations. Ozone needs sunlight for its formation, and clouds and fog can block the required solar radiation. Wet fogs can cleanse the air during winter as moisture collects on particles and deposits them on the ground. Atmospheric moisture can also increase pollution levels. In fogs with less water content, the moisture acts to form secondary ammonium nitrate particulate matter. This ammonium nitrate is part of the valley's $PM_{2.5}$ and PM_{10} problem. The winds and unstable air conditions during the passage of winter storms result in periods of low pollutant concentrations and excellent visibility. Between winter storms, high pressure and light winds allow cold moist air to pool on the SJVAB floor. This creates strong low-level temperature inversions and very stable air conditions, which can lead to tule fog. Wintertime conditions favorable to fog formation are also favorable to high concentrations of $PM_{2.5}$ and PM_{10} (SJVAPCD 2015b).

Inversions

The vertical dispersion of air pollutants in the San Joaquin Valley can be limited by persistent temperature inversions. Air temperature in the lowest layer of the atmosphere typically decreases with altitude. A reversal of this atmospheric state, where the air temperature increases with height, is termed an inversion. The height of the base of the inversion is known as the "mixing height." This is the level to which pollutants can mix vertically. Mixing of air is minimized above and below the inversion base. The inversion base represents an abrupt density change where little air movement occurs.

Inversion layers are significant in determining pollutant concentrations. Concentration levels can be related to the amount of mixing space below the inversion. Temperature inversions that occur on the summer days are usually 2,000 to 2,500 feet above the valley floor. In winter months, overnight inversions occur 500 to 1,500 feet above the valley floor (SJVAPCD 2015b).

SJVAB Area Designations

The air quality management plans prepared by SJVAPCD provide the framework for SJVAB to achieve attainment of the State and federal AAQS through the SIP. Areas are classified as attainment or nonattainment areas for particular pollutants depending on whether they meet the ambient air quality

standards. Severity classifications for ozone nonattainment range in magnitude from marginal, moderate, and serious to severe and extreme.

- ***Unclassified.*** A pollutant is designated unclassified if the data are incomplete and do not support a designation of attainment or nonattainment.
- ***Attainment.*** A pollutant is in attainment if the AAQS for that pollutant was not violated at any site in the area during a three-year period.
- ***Nonattainment.*** A pollutant is in nonattainment if there was at least one violation of an AAQS for that pollutant in the area.
- ***Nonattainment/Transitional.*** A subcategory of the nonattainment designation. An area is designated nonattainment/transitional to signify that the area is close to attaining the AAQS for that pollutant.

The attainment status for the SJVAB is shown in Table 5.3-3, *Attainment Status of Criteria Pollutants in the San Joaquin Valley Air Basin*.

Table 5.3-3 Attainment Status of Criteria Pollutants in the San Joaquin Valley Air Basin

Pollutant	State	Federal
Ozone – 1-hour	Severe Nonattainment	No Federal Standard[1]
Ozone – 8-hour	Nonattainment	Extreme Nonattainment[2]
PM_{10}	Nonattainment	Attainment[3]
$PM_{2.5}$	Nonattainment	Nonattainment[4]
CO	Attainment/Unclassified	Attainment/Unclassified
NO_2	Attainment	Attainment/Unclassified
SO_2	Attainment	Attainment/Unclassified
Lead	Attainment	No Designation/Classification
Hydrogen Sulfide	Unclassified	No Federal Standard
Sulfates	Attainment	No Federal Standard
Visibility Reducing Particles	Unclassified	No Federal Standard
Vinyl Chloride	Attainment	No Federal Standard

Source: CARB 2025a; SJVAPCD 2025b.

[1] Effective June 15, 2005, the EPA revoked the federal 1-hour ozone standard, including associated designations and classifications. The US EPA had previously classified the SJVAB as extreme nonattainment for this standard. The US EPA approved the 2004 Extreme Ozone Attainment Demonstration Plan on March 8, 2010 (effective April 7, 2010). Many applicable requirements for extreme 1-hour ozone nonattainment areas continue to apply to the SJVAB.

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

[3] On September 25, 2008, the EPA redesignated the San Joaquin Valley to attainment for the PM_{10} National AAQS and approved the PM_{10} Maintenance Plan.

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

Existing Ambient Air Quality

Existing levels of ambient air quality and historical trends and projections in the vicinity of the project site are best documented by measurements taken by the SJVAPCD. The air quality monitoring station closest to the proposed project is the "Visalia-W. Ashland Avenue" Monitoring Station, which is one of 29 monitoring

stations SJVAPCD operates and maintains in the SJVAB. Data from this station include O_3, NO_2, PM_{10}, and $PM_{2.5}$ and are summarized in Table 5.3-4, *Ambient Air Quality Monitoring Summary*. The most current five years of data from these monitoring stations are included in the table and show regular violations of the state and federal O_3, state and federal PM_{10} standards, and federal $PM_{2.5}$ standards in the last five years.

Table 5.3-4 Ambient Air Quality Monitoring Summary

Pollutant/Standard	Number of Days Thresholds Were Exceeded and Maximum Levels[1]				
	2020	2021	2022	2023	2024
Ozone (O_3)					
State 1-Hour ≥ 0.09 ppm (days exceed threshold)	*	*	8	3	8
State/Federal 8-hour ≥ 0.070 ppm (days exceed threshold)	*	*	64/62	30/27	63/62
Max. 1-Hour Conc. (ppm)	*	*	0.114	0.100	0.103
Max. 8-Hour Conc. (ppm)	*	*	0.099	0.087	0.094
Nitrogen Dioxide (NO_2)					
State 1-Hour ≥ 0.18 ppm (days exceed threshold)	*	*	0	0	0
Max. 1-Hour Conc. (ppm)	*	*	0.0497	0.039	0.0427
Coarse Particulates (PM_{10})					
State 24-Hour > 50 µg/m^3 (days exceed threshold)	*	*	111	102	104
Federal 24-Hour > 150 µg/m^3 (days exceed threshold)	*	*	0	0	1
Max. 24-Hour Conc. (µg/m^3)	*	*	132.7	108.8	173.0
Fine Particulates ($PM_{2.5}$)					
Federal 24-Hour > 35 µg/m^3 (days exceed threshold)	*	*	17	6	8
Max. 24-Hour Conc. (µg/m^3)	*	*	48.3	42.9	64.7

Source: CARB 2025c.
Notes: ppm = parts per million; ppb = parts per billion; µg/m^3 = micrograms per cubic meter; * = Data not available
[1] Data obtained from the Visalia-W. Ashland Avenue Monitoring Station.

Existing Site Emissions

The project site is currently vacant and highly disturbed and does not generate criteria air pollutant emissions.

Sensitive Receptors

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. Sensitive population groups include children, the elderly, the acutely ill, and the chronically ill, especially those with cardiorespiratory diseases.

Residential areas are also considered sensitive receptors to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to any pollutants present. Other sensitive receptors include retirement facilities, hospitals, and schools. Recreational land uses are considered moderately sensitive to air pollution. Although exposure periods are generally short, exercise places a high demand on respiratory functions, which can be impaired by air pollution. In addition, noticeable air pollution can detract from the enjoyment of recreation. Industrial, commercial, retail, and office areas are considered the least sensitive to air pollution. Exposure periods are relatively short and

intermittent because the majority of the workers tend to stay indoors most of the time. In addition, the working population is generally the healthiest segment of the public.

Nearby off-site sensitive receptors include the single-family residences across Avenue 264 north of the project site in addition to the single-family residences to the southeast across State Route 63. Other nearby sensitive receptors also include students at the existing COE Liberty campus adjacent to the project site.

5.3.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

AQ-1 Conflict with or obstruct implementation of the applicable air quality plan.

AQ-2 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.

AQ-3 Expose sensitive receptors to substantial pollutant concentrations.

AQ-4 Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

5.3.2.1 SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT THRESHOLDS

As stated in Appendix G of the CEQA Guidelines, the significance criteria established by the applicable air quality management district may be relied on to make the above determinations. Thus, this analysis also evaluates the Specific Plan's air quality impacts pursuant to SJVAPCD's recommended guidelines and thresholds of significance, as discussed further below.

SJVAPCD developed the Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI) and adopted the latest version on March 19, 2015 (SJVAPCD 2015b). The 2015 GAMAQI is the latest guidance for addressing air quality impacts in the SJVAB. Changes to the GAMAQI are primarily administrative in nature to update air basin information, attainment status, and general guidance to reflect updated conditions. The following thresholds of significance from SJVAPCD's GAMAQI are used to determine whether a proposed project would result in a significant air quality impact.

Regional Significance Thresholds

SJVAPCD has identified regional construction and operational emissions thresholds to determine a project's cumulative impact on air quality in the SJVAB. Specifically, these thresholds gauge whether a project would significantly contribute to a nonattainment designation based on the mass emissions generated. Mass emissions from a project are not correlated with concentrations of air pollutants. Table 5.3-5, *SJVAPCD Regional Criteria Air Pollutants Significance Thresholds*, lists SJVAPCD's regional significance thresholds. It should be noted that SJVAPCD Rule 9510 and Regulation VIII may not reduce project-specific construction and operational emissions to below the SJVAPCD thresholds.

Table 5.3-5 SJVAPCD Regional Criteria Air Pollutants Significance Thresholds

Air Pollutant	Construction and Operation Phase
Reactive Organic Gases (ROG)	10 tons/year
Carbon Monoxide (CO)	100 tons/year
Nitrogen Oxides (NO_X)	10 tons/year
Sulfur Oxides (SO_X)	27 tons/year
Coarse Particulates (PM_{10})	15 tons/year
Fine Particulates ($PM_{2.5}$)	15 tons/year

Source: SJVAPCD 2015b.

Ambient Air Quality Analysis

The need to perform air quality dispersion modeling for typical development projects is determined on a case-by-case basis, depending on project size. SJVAPCD applies the following guidance in determining whether an ambient air quality analysis should be conducted for development projects. Compliance with Rule 9510 frequently reduces project-specific emissions to less than significant levels. However, for large construction projects, additional mitigation may be required. SJVAPCD recommends that an ambient air quality analysis be performed for all pollutants when on-site emissions of any criteria pollutant from construction activities would equal or exceed any applicable threshold of significance for criteria pollutants, or 100 pounds per day of any criteria pollutant, after compliance with Rule 9510 requirements and implementation of all enforceable mitigation measures. Similarly, SJVAPCD also recommends that an ambient air quality analysis be performed for all criteria pollutants when emissions of any criteria pollutant resulting from project operational activities exceed the 100 pounds per day screening level, after compliance with Rule 9510 requirements and implementation of all enforceable mitigation measures.

Consistency with the Applicable Air Quality Plan

SJVAPCD has prepared plans to attain federal and State AAQS. The significance thresholds in Table 5.3-5 are based on SJVAPCD's New Source Review offset requirements for stationary sources. Emission reductions achieved through implementation of SJVAPCD's offset requirements are a major component of SJVAPCD's air quality plans. Thus, projects with emissions below the thresholds of significance for criteria pollutants (see Table 5.3-5) would be determined to "not conflict or obstruct implementation of the [SJVAPCD's] air quality plan" (SJVAPCD 2015b).

Health Risk Thresholds

Whenever a project would require use of chemical compounds that have been identified in SJVAPCD's Rule 2201, placed on CARB's air toxics list pursuant to Assembly Bill 1807 (AB 1807), Toxic Air Contaminant Identification and Control Act (1983), or placed on the US EPA's National Emissions Standards for Hazardous Air Pollutants, a health risk assessment could be warranted. Table 5.3-6, *SJVAPCD Toxic Air Contaminants Incremental Risk Thresholds*, lists the SJVAPCD's TAC incremental risk thresholds for operation of a project or placement of sensitive land uses proximate to major sources of air pollution.

Table 5.3-6 SJVAPCD Toxic Air Contaminants Incremental Risk Thresholds

Risk Type	Threshold
Cancer Risk[1]	≥ 20 in 1 million
Hazard Index[2]	≥ 1.0

Source: SJVAPCD 2015b
[1] For the Maximum Exposed Individuals (MEI).
[2] Ground-level concentrations of noncarcinogenic TACs for the MEI.

The primary sources of potential air toxics associated with project operations include diesel particulate matter (DPM) from delivery trucks (e.g., truck traffic on local streets and idling on adjacent streets) and to a lesser extent building operations (e.g., natural gas-fired boilers). However, overall, school land uses are not the types of land uses that generate a substantial number of trucks or a substantial amount of TAC emissions. Land uses that have the potential to generate substantial stationary sources of emissions include industrial projects that require a permit from SJVAPCD, such as chemical processing or warehousing projects where substantial truck idling could occur on-site (CARB 2005). Due to the proposed project's land use type, toxic or carcinogenic air pollutants are not expected to occur in any meaningful amounts as a result of the operation of the proposed project. Therefore, an analysis of the proposed project's operational TAC emissions is not warranted. However, an analysis of the proposed project's construction-related TAC emissions is included based on the SJVAPCD risk prioritization screening tool.

The purpose of this environmental evaluation is to identify the significant effects of the proposed project on the environment, not the significant effects of the environment on the proposed project (*California Building Industry Association v. Bay Area Air Quality Management District* [2015] 62 Cal.4th 369 [Case No. S213478]).

5.3.2.2 ODOR

Odor impacts associated with a proposed project would be considered significant if the project has the potential to frequently expose members of the public to objectionable odors. There are two general scenarios where a project could expose people to substantial odors:

- **Odor Generator.** Projects that would potentially generate odorous emissions proposed to locate near existing sensitive receptors or other land uses where people may congregate.
- **Odor Receiver.** Residential or other sensitive receptor projects or other projects built for the intent of attracting people locating near existing odor sources.

Due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources, there are no quantitative or formulaic methodologies to determine if potential odors would have a significant impact. Rather, projects must be assessed on a case-by-case basis. As shown in Table 5.3-7, *SJVAPCD Screening Levels for Potential Odor Sources*, the SJVAPCD has identified buffer distances for common types of facilities that have been known to produce odors in the SJVAB. The degree of odors could be significant and may be based on a review of SJVAPCD's complaint records.

Table 5.3-7 SJVAPCD Screening Levels for Potential Odor Sources

Land Use/Type of Operation	Screening Distance
Wastewater Treatment Plant	2 miles
Sanitary Landfill	1 mile
Transfer Station	1 mile
Composting Facility	1 mile
Petroleum Refinery	2 miles
Asphalt Batch Plant	1 mile
Chemical Manufacturing	1 mile
Fiberglass Manufacturing	1 mile
Painting/Coating Operations	1 mile
Food Processing Facility	1 mile
Feed Lot/ Dairy	1 mile
Rendering Plant	1 mile

Source: SJVAPCD 2015b

For a project locating near an existing source of odors, per the CBIA court ruling, CEQA generally does not require an evaluation of impacts of the environment on a project unless a project will exacerbate an existing environmental hazard.

5.3.2.3 CUMULATIVE IMPACTS

By its very nature, air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development. Future attainment of federal and State AAQS is a function of successful implementation of the SJVAPCD's attainment plans. Consequently, SJVAPCD's application of thresholds of significance for criteria pollutants is relevant to the determination of whether a project's individual emissions would have a cumulatively significant impact on air quality. Pursuant to the SJVAPCD's guidance, if project-specific emissions would be less than the thresholds of significance for criteria pollutants, the project would not be expected to result in a cumulatively considerable net increase of any criteria pollutant for which the SJVAPCD is in nonattainment under applicable federal or State AAQS.

5.3.3 Environmental Impacts

5.3.3.1 METHODOLOGY

This air quality evaluation was prepared in accordance with the requirements of CEQA to determine if significant air quality impacts are likely in conjunction with the type and scale of development associated with the proposed project. Criteria air pollutant emissions are calculated using the California Emissions Estimator Model (CalEEMod), version 2022. CalEEMod compiles an emissions inventory of construction (fugitive dust, off-gas emissions, on-road emissions, and off-road emissions), area sources, indirect emissions from energy use, and mobile sources.

Construction and operation emissions are based on the following:

- **Transportation.** The average daily trip generation data for passenger vehicles and school buses is provided by Garland Associates (see Appendix M). The primary source of mobile criteria air pollutants emissions is tailpipe exhaust emissions from the combustion of fuel (i.e., gasoline and diesel). In addition, for criteria air pollutants, brake and tire wear along with fugitive dust created from vehicles traveling roadways also generate particulate matter. Although the proposed AcCEL Center and library would be relocated facilities that are currently operating within TCOE, for purposes of this analysis, vehicle trips to the proposed project site are considered new trips and utilizes the CalEEMod average trip lengths to account for any changes in the average vehicle trip distance traveled from relocation of existing programs and students to the new proposed TCOE facilities.

- **Energy Use.** Natural gas demand for the proposed project is based on the CalEEMod default energy rates.

- **Area Sources.** Area source emissions from use of consumer cleaning products and VOC emissions from paints are based on CalEEMod default values and the square footage of the proposed buildings.

- **Construction.** Project construction would occur in two phases. Phase one would consist of the construction of the AcCEL Center and library. Phase one is anticipated to start approximately May 2026 and end approximately June 2027. Phase two would consist of the construction of the performing arts theater. Phase two is anticipated to start approximately January 2028 and end approximately January 2030. Appendix C to this DEIR shows the assumed construction activities, phasing, and construction equipment based on information provided by TCOE and CalEEMod defaults.

5.3.3.2 IMPACT ANALYSIS

The applicable Appendix G thresholds are identified in brackets after the impact statement.

Impact 5.3-1: Construction activities associated with the proposed project would not generate short-term emissions in exceedance of SJVAPCD's threshold criteria. [Threshold AQ-2]

Construction activities produce combustion emissions from various sources, such as onsite heavy-duty construction vehicles, vehicles hauling materials to and from the project site, and motor vehicles transporting the construction crew. Site preparation activities produce fugitive dust emissions (PM_{10} and $PM_{2.5}$) from demolition and soil-disturbing activities, such as grading and excavation. The primary source of NO_X, CO, and SO_X emissions is the operation of construction equipment. The primary source of VOC emissions is the application of architectural coating and off-gas emissions associated with asphalt paving. Air pollutant emissions from construction activities onsite would vary daily as construction activity levels change.

Construction of the proposed project would occur over two development phases. Construction air pollutant emissions are based on the preliminary information provided by TCOE. An estimate of maximum annual construction emissions for the proposed project is provided in Table 5.3-8, *Maximum Annual Construction Emissions*. As shown in this table, pollutant emissions generated from project-related construction activities would not exceed

SJVAPCD's regional significance thresholds. Therefore, impacts to the regional air quality from project-related construction activities would be less than significant.

Table 5.3-8 Maximum Annual Construction Emissions

Construction Phase	Pollutants (tons/yr)[1, 2]					
	VOC	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Phase 1						
Year 2026	<1	1	1	<1	<1	<1
Year 2027	<1	1	1	<1	<1	<1
Maximum Annual Emissions[1]	<1	1	1	<1	<1	<1
SJVAPCD Annual Construction Threshold	10	10	100	27	15	15
Significant?	No	No	No	No	No	No
Phase 2						
Year 2028	<1	2	2	<1	1	<1
Year 2029	<1	1	2	<1	<1	<1
Year 2030	<1	<1	<1	<1	<1	<1
Maximum Annual Emissions[1]	<1	2	2	<1	1	<1
SJVAPCD Annual Construction Threshold	10	10	100	27	15	15
Significant?	No	No	No	No	No	No

Source: CalEEMod Version 2022.1.
Note: Totals may not add to 100 percent due to rounding.
[1] Based on the preliminary information provided by the District. Where specific information regarding project-related construction activities was not available, construction assumptions were based on either a comparable project or CalEEMod defaults, which are based on construction surveys conducted by South Coast Air Quality Management District (South Coast AQMD) of construction equipment and phasing for comparable projects.

Ambient Air Quality

SJVAPCD requires dispersion modeling for projects that result in an average daily construction- or operation-related emission that exceeds the screening criteria of 100 pounds per day. As shown in Table 5.3-9, *Average Daily Construction-Related Emissions*, the project-related construction activities would not generate emissions that would exceed the 100 pounds per day screening criteria.

Table 5.3-9 Average Daily Construction-Related Emissions

Construction Phase	Pollutants (pounds/day)[1, 2]					
	VOC	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Construction Related Emissions	2	10	13	<1	2	1
SJVAPCD Ambient Air Quality Screening Threshold	100	100	100	100	100	100
Exceeds Thresholds?	No	No	No	No	No	No

Source: CalEEMod Version 2022.1.
[1] Based on the preliminary information provided by the District. Where specific information regarding project-related construction activities was not available, construction assumptions were based on either a comparable high school field renovation project or CalEEMod defaults, which are based on construction surveys conducted by South Coast AQMD of construction equipment and phasing for comparable projects.
[2] Average daily emissions are calculated by dividing the total annual emissions by the total number of workdays estimated at 848 workdays.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.3-2: Long-term operation of the proposed project would not generate additional vehicle trips and associated emissions in exceedance of SJVAPCD's threshold criteria. [Thresholds AQ-2]

The major source of long-term air quality impacts is emissions produced from project-generated vehicle trips. Other sources of long-term air pollutant emissions generated by the proposed project include area sources (e.g., landscaping equipment and architectural coatings) and building-related natural gas usage. Table 5.3-10, *Maximum Annual Operational-Phase Emissions*, shows the operation phase emissions from the proposed school operations. As shown in the table, operational phase emissions for area-, energy-, and mobile-source emissions are below their respective threshold values, and the impact to the regional air quality would be less than significant.

Table 5.3-10 Maximum Annual Operational-Phase Emissions

Operation Emissions	Pollutants (tons/yr)					
	VOC	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Area	<1	<1	1	<1	<1	<1
Energy	<1	<1	1	<1	<1	<1
Mobile	<1	<1	1	<1	<1	<1
Maximum Annual Emissions[1]	<1	<1	1	<1	<1	<1
SJVAPCD Annual Operation Threshold	10	10	100	27	15	15
Significant?	No	No	No	No	No	No

Source: CalEEMod Version 2022.1
[1] Totals may not total to 100 percent due to rounding.

Ambient Air Quality

SJVAPCD requires dispersion modeling for projects that result in average daily construction- or operation-related emissions that exceed the screening criteria of 100 pounds per day. As shown in Table 5.3-11, *Average Daily Operation-Related Emissions*, the project-related operation-phase activities would not generate emissions that would exceed the 100 pounds per day screening criteria.

Table 5.3-11 Average Daily Operation-Related Emissions

Construction Phase	Pollutants (pounds/day)[1, 2]					
	VOC	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Operation Related Emissions	4	3	10	<1	2	1
SJVAPCD Ambient Air Quality Screening Threshold	100	100	100	100	100	100
Exceeds Thresholds?	No	No	No	No	No	No

Source: CalEEMod Version 2013.2.2.
[1] The average daily emissions are calculated by dividing the annual emissions by 260 days.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.3-3: Project construction would not expose sensitive receptors to substantial pollutant concentrations. [Threshold AQ-3]

The following health risk assessment evaluates potential health risk impacts associated with project-related construction activities. Project-related construction activities would temporarily elevate concentrations of TACs and DPM in the vicinity of sensitive land uses. The primary sources of TACs and DPM would be exhaust generated from operation of construction off-road equipment. Figure 5.3-1, *Project Construction Sources and Receptors*, shows the receptors and emission sources considered by the HRA. Overall, the proposed project would be developed in two development phases over approximately 39 months from mid-2026 to early 2030. Figure 5.3-2, *Project Construction DPM Concentrations*, shows the DPM concentrations from the project-related construction activities.

The estimated excess lifetime cancer risk and chronic noncancer hazard index at the nearest sensitive receptors are shown in Table 5.3-12, *Construction Risk Summary*.

Table 5.3-12 Construction Risk Summary

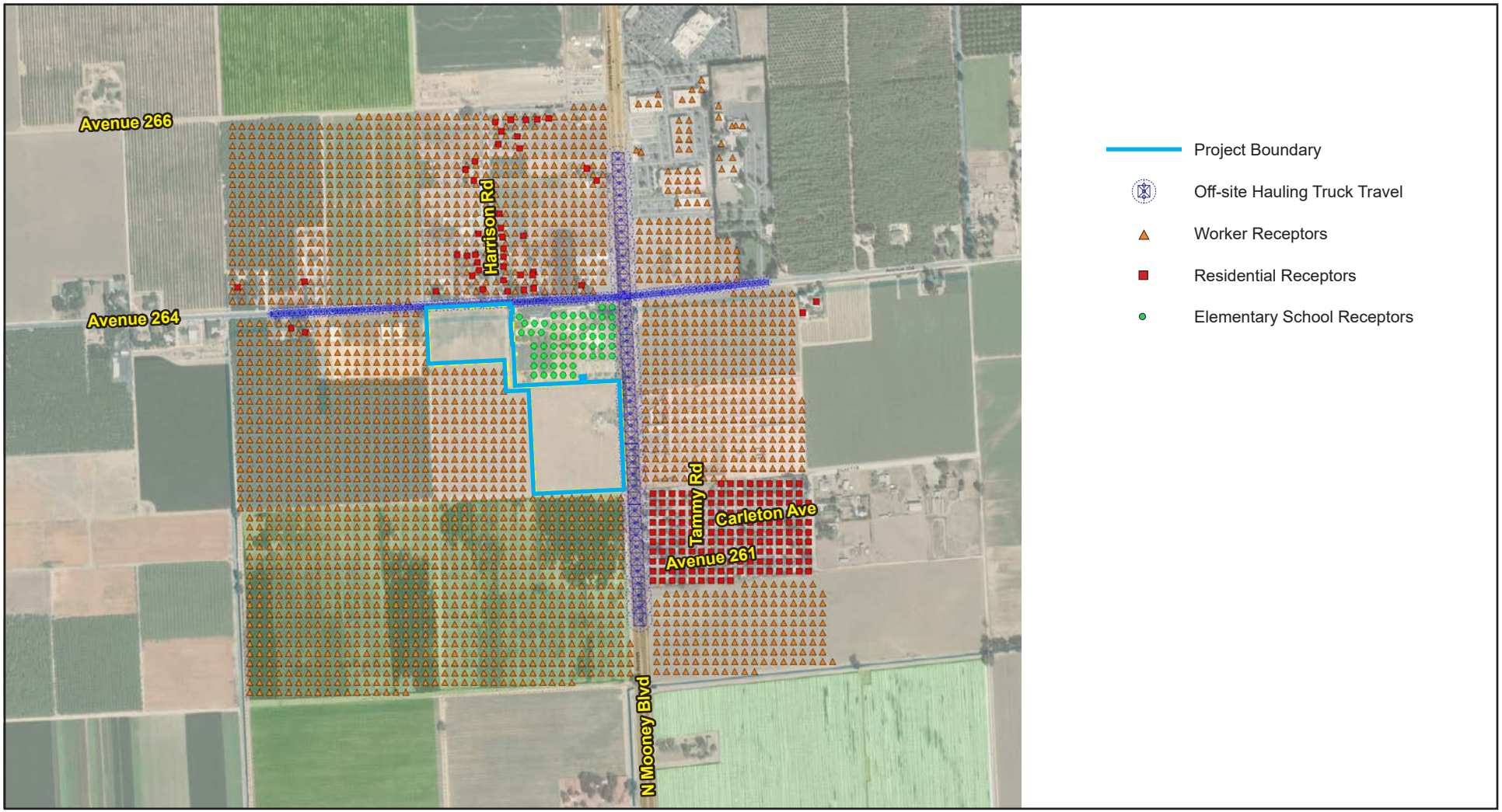
Receptor	Cancer Risk (per million)	Chronic Hazards
Maximum Exposed Individual Resident (MEIR)	**5**	<0.1
Maximum Exposed Individual Worker (MEIW)	**<1**	<0.1
Maximum Exposed Individual Student (MEIS)	**1**	<0.1
Significance Thresholds	20	1.0
Exceeds Threshold?	No	No

Source: Appendix C
Note: Cancer risk calculated using 2015 OEHHA HRA guidance.

The results of the HRA are based on the maximum modeled receptor concentration over the construction exposure period, conservatively assuming a 24-hour per day outdoor exposure and averaged over a 70-year lifetime. As shown in the table above, the maximum incremental cancer risk during the construction phase of the project at the MEIR is 5 per million, which would not exceed the cancer risk significance threshold of 20 per million. The cancer risks for the MEIS and MEIW of 1 per million and less than 1 per million, respectively, would also not exceed 20 per million. For noncarcinogenic effects, the hazard index identified for each toxicological endpoint totaled less than one for the MEIR, MEIS, and MEIW. Thus, chronic noncarcinogenic hazards are within acceptable limits, and project-related construction activities would not expose nearby sensitive receptors to substantial pollutant concentrations. Therefore, health risk impacts from project-related construction activities would be less than significant.

Level of significance Before Mitigation: Less Than Significant.

Figure 5.3-1 - Project Construction Sources and Receptors

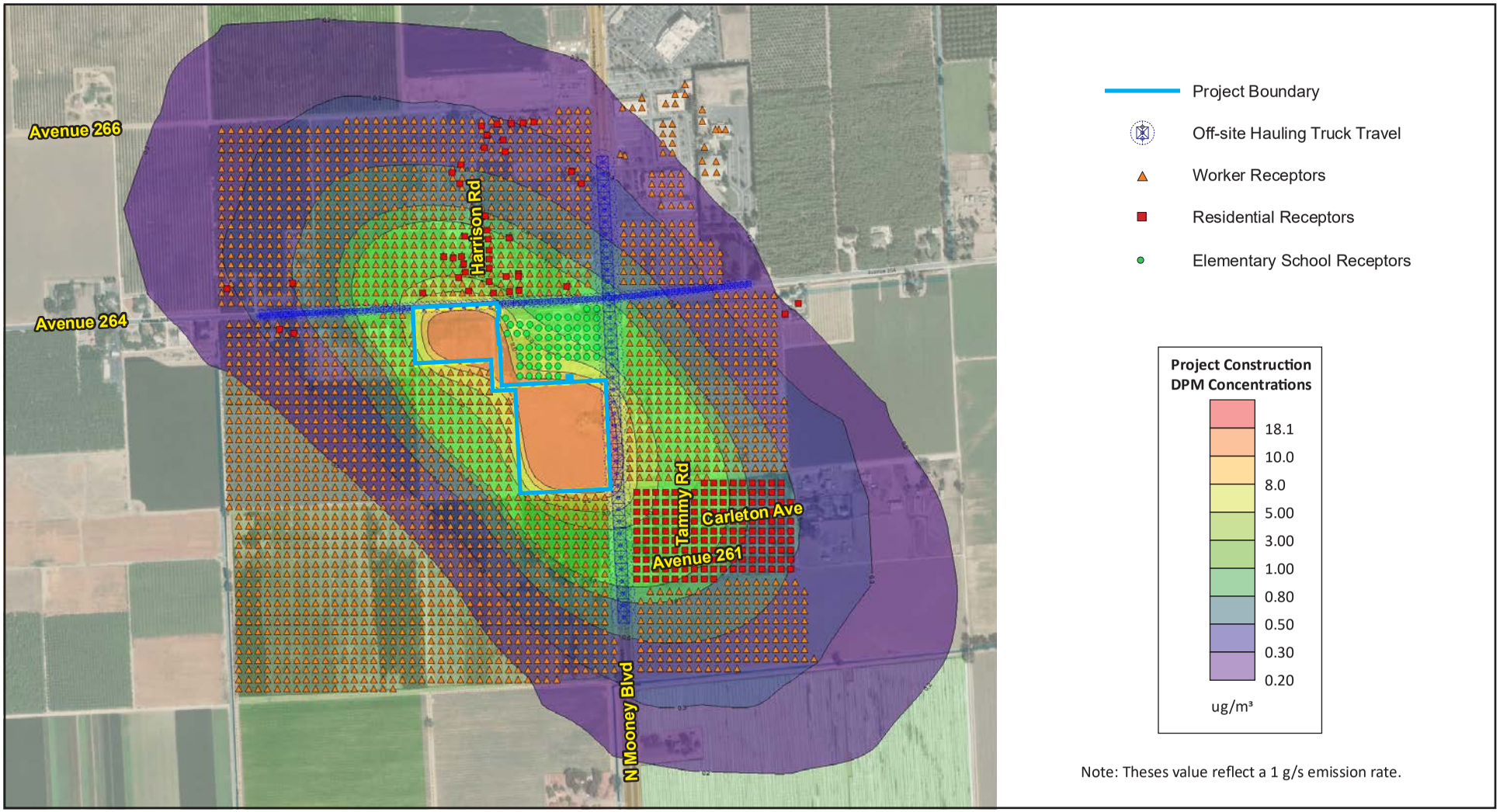


Source: Aermod 2025.

5. Environmental Analysis
AIR QUALITY

This page intentionally left blank
.

Figure 5.3-2 - Project Construction DPM Concentrations



Source: Aermod 2025.

5. Environmental Analysis
AIR QUALITY

This page intentionally left blank
.

Impact 5.3-4: Operation of the proposed project would not expose sensitive receptors to substantial pollutant concentrations. [Threshold AQ-3]

The following describes potential localized air quality impacts from operation of the proposed project to the nearby off-site sensitive receptors.

Operational Phase Health Risks to Off-Site Receptors

The types of land uses that typically generate substantial quantities of TACs are industrial (permitted stationary sources) and warehousing (truck idling) land uses. The proposed project includes the construction and operation of educational land uses; these types of major air pollutant emissions sources are not proposed. Operation of the proposed uses could include occasional use of landscaping equipment and natural gas consumption for heating. However, air pollutant emissions generated from these activities would be nominal. Furthermore, emissions of TACs from any stationary sources that may be associated with the proposed use (e.g., boiler) would be subject to further study and health risk assessment prior to the issuance of any necessary air quality permits under SJVAPCD Regulation II. Regulation II would ensure that stationary source emissions (permitted sources) would be reduced or mitigated below SJVAPCD significance thresholds of 20 in one million cancer risk and one for acute risk at the maximally exposed individual. Therefore, operation of the proposed project would not expose nearby off-site sensitive receptors to substantial concentrations of TACs and impacts would be less than significant.

CO Hotspots

Areas of vehicle congestion have the potential to create pockets of CO called hotspots. These pockets have the potential to exceed the State 1-hour standard of 20 ppm or the 8-hour standard of 9.0 ppm. Because CO is produced in greatest quantities from vehicle combustion and does not readily disperse into the atmosphere, adherence to AAQS is typically demonstrated through an analysis of localized CO concentrations. Hotspots are typically produced at intersections, where traffic congestion is highest because vehicles queue for longer periods and are subject to reduced speeds. However, emissions from motor vehicles, the largest source of CO emissions, have been declining since 1985, despite increases in VMT, due to the introduction of new automotive emission controls and fleet turnover (SJVAPCD 2015b). Furthermore, under existing and future vehicle emission rates, a project would have to increase traffic volumes at a single intersection to more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal air does not mix—in order to generate a significant CO impact (BAAQMD 2023).[4] Under "with project buildout" conditions, the roadway segments of Avenue 264/Liberty Road east and west of Mooney Boulevard/State Route 63 would have daily traffic volumes of 4,580 and 2,940 daily vehicle trips, respectively (see Appendix M). The roadway segments of Mooney Boulevard/State Route 63 north and south of Avenue 264/Liberty Road would have

[4] The CO hotspot analysis refers to the modeling conducted by the Bay Area Air Quality Management District (BAAQMD) for its CEQA Guidelines, which considers the improvement in mobile-source CO emissions. The modeling conducted by BAAQMD demonstrates that the net increase in peak hour traffic volumes at an intersection in a single hour would need to be substantial. This finding is consistent with the CO hotspot analysis South Coast Air Quality Management District prepared as part of its 2003 Air Quality Management Plan (South Coast AQMD 1992; South Coast AQMD 2003) to provide support in seeking CO attainment for the South Coast Air Basin (SoCAB). Based on the analysis prepared by South Coast AQMD, no CO hotspots were predicted for the SoCAB. The analysis included some of Los Angeles' busiest intersections, with daily traffic volumes of 100,000 or more peak hour vehicle trips operating at LOS E and F.

average daily volumes of 22,990 and 22,790 daily vehicle trips, respectively (see Appendix M). Based on these daily roadway segment traffic volumes and the general concept that peak hour trips are lower than daily trips, the proposed project would not result in peak hour traffic movements at the intersection of Mooney Boulevard/State Route 63 that would produce the volume of traffic required to generate a CO hotspot. Therefore, implementation of the proposed project would not have the potential to substantially increase CO hotspots at intersections in the vicinity of the project site, and impacts would be less than significant.

Level of significance Before Mitigation: Less Than Significant.

Impact 5.3-5: The proposed project would be consistent with the applicable air quality management plans. [Threshold AQ-1]

The following describes potential air quality impacts and consistency of the proposed project with the air quality management plans (AQMPs) developed by the SJVAPCD.

The SJVAPCD is responsible for reducing emissions from area, stationary, and mobile sources in the SJVAB to achieve the National and California AAQS. A consistency determination with the AQMPs plays an important role in local agency project review by linking local planning and individual projects to the AQMPs. It fulfills the CEQA goal of informing decision makers of the environmental efforts of the project under consideration early enough to ensure that air quality concerns are fully addressed. It also provides the local agency with ongoing information as to whether they are contributing to the clean air goals in the AQMPs.

Tulare County Association of Governments (TCAG) is one of SJVAPCD's partners in the preparation of the AQMPs, providing the latest economic and demographic forecasts and developing transportation measures in Tulare County. Regional population, housing, and employment projects developed by TCAG are based, in part, on a municipality's general plan land use designations. These projections form the foundation for the emissions inventory of the AQMPs and are incorporated into the regional transportation plan/sustainable communities strategy (RTP/SCS) prepared by TCAG to determine priority transportation projects and vehicle miles traveled in the TCAG region. Because the AQMPs' strategies are based on projections from local general plans, projects that are consistent with the local general plan are considered consistent with the air quality-related regional plan. Additionally, only large projects have the potential to substantially affect the demographic forecasts in the AQMPs. Implementation of the proposed project would not have potential to substantially affect the demographic forecasts in the AQMPs. As discussed in Section 5.13, *Population and Housing*, under the Impact 5.13-1 discussion, the proposed project does not propose the development of new housing nor would it result in direct population growth. In addition, any new potential employment growth resulting from implementation of the proposed project would be within the anticipated employment growth projections for unincorporated Tulare County. Furthermore, the proposed AcCEL Center and library would not be new uses. Rather, they are existing uses within TCOE jurisdiction that would be relocated to the project site. Thus, overall, the proposed project would not substantially affect demographic projections beyond what is accounted for in the AQMPs.

Moreover, per SJVAPCD guidance, project consistency with the AQMPs is based on whether project emissions would exceed the SJVAPCD regional significance thresholds shown in Table 5.3-5. As discussed in

Impact 5.3-2, above, the proposed project would not exceed the regional operation significance thresholds and would not cumulatively contribute to the nonattainment designations in the SJVAB. Therefore, overall, the proposed project would not be inconsistent with the AQMPs and impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.3-6: The proposed project would not result in other emissions that would adversely affect a substantial number of people. [Threshold AQ-4]

The following discusses potential odor impacts associated with development and operation of the proposed project. Due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources, there are no quantitative or formulaic methodologies to determine if potential odors would have a significant impact. Rather, projects must be assessed on a case-by-case basis. In general, odors from the types of land uses that could generate objectionable odors (see Table 5.3-7) are regulated under Regulation IV, Prohibitions, Rule 4102, Nuisance, which states:

> A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

The type of facilities that are considered to have objectionable odors include wastewater treatment plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, rendering plants, and food manufacturing facilities. The uses proposed by the project do not fall within these land uses. During project-related construction activities, construction equipment exhaust and application of asphalt and architectural coatings would temporarily generate odors. However, any construction-related odor emissions would be temporary and intermittent. Additionally, noxious odors would be confined to the immediate vicinity of the construction equipment. By the time such emissions reached any sensitive receptor, they would be diluted to well below any level of air quality concern. Furthermore, short-term construction-related odors would cease upon the drying or hardening of odor-producing materials. Thus, overall, construction and operation of the proposed project would not generate odors that would adversely affect a substantial number of people. Therefore, odor impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

5.3.4 Cumulative Impacts

In accordance with SJVAPCD's methodology, any project that produces a significant project-level regional air quality impact in an area that is in nonattainment contributes to the cumulative impact. The greatest source of emissions in the SJVAB is mobile sources. Due to the extent of the area potentially impacted from

cumulative emissions (i.e., the SJVAB), SJVAPCD considers a project cumulatively significant when project-related emissions exceed the SJVAPCD regional emissions thresholds shown in Table 5.3-5.

Construction

The SJVAB is designated nonattainment for O_3 and $PM_{2.5}$ under the California and National AAQS, and nonattainment for PM_{10} under the California AAQS. Construction of cumulative projects will further degrade the regional and local air quality. Air quality will be temporarily impacted during construction activities. However, construction emissions associated with the proposed project would not exceed the SJVAPCD's regional construction emissions thresholds. Therefore, the proposed project's contribution to cumulative air quality impacts would be less than cumulatively considerable.

Operation

For operational air quality emissions, any project that does not exceed or can be mitigated to less than the daily regional threshold values is not considered by the SJVAPCD to be a substantial source of air pollution and does not add significantly to a cumulative impact. As discussed under Impact 5.3-2, operation of the proposed project would not generate emissions that exceed the SJVAPCD regional operational significance thresholds. Furthermore, the proposed project would be consistent with regional plans to reduce air pollution. In addition, the proposed project would not be a land use type that would be expected to generate odors that would affect a substantial number of people. Therefore, the project's operational phase air pollutant emissions would not be cumulatively considerable.

5.3.5 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.3-1, 5.3-2, 5.3-3, 5.3-4, and 5.3-5.

5.3.6 Mitigation Measures

No mitigation measures are required.

5.3.7 Level of Significance After Mitigation

All impacts would be less than significant without mitigation.

5.3.8 References

Bay Area Air Quality Management District (BAAQMD). 2023, April. 2022 *California Environmental Quality Act Air Quality Guidelines*. https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines.

California Air Resources Board (CARB). 1998, April 22. *The Report on Diesel Exhaust*. http://www.arb.ca.gov/toxics/dieseltac/de-fnds.htm.

———. 1999. Final Staff Report: Update to the Toxic Air Contaminant List.

———. 2004, July 22. 2004 Revision to the California State Implementation Plan for Carbon Monoxide. Updated Maintenance Plan for Ten Federal Planning Areas. https://ww3.arb.ca.gov/planning/sip/co/final_2004_co_plan_update.pdf.

———. 2005, April. Air Quality and Land Use Handbook: A Community Health Perspective. https://ww2.arb.ca.gov/sites/default/files/2023-05/Land%20Use%20Handbook_0.pdf.

———. 2024, July 16. Table of Ambient Air Quality Standards. https://ww2.arb.ca.gov/sites/default/files/2024-08/AAQS%20Table_ADA_FINAL_07222024.pdf.

———. 2025a, November 3 (Accessed). Maps of State and Federal Area Designations. https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations.

———. 2025b, November 3 (Accessed). Common Air Pollutants. https://ww2.arb.ca.gov/resources/common-air-pollutants.

———. 2025c, November 3 (Accessed). Air Pollution Data Monitoring Cards (2020, 2021, 2022, 2023, and 2024). http://www.arb.ca.gov/adam/topfour/topfour1.php.

Garland Associates. 2025, December. Traffic/Transportation Analysis for the Proposed Performing Arts Theater, AcCEL Center, and Library Project Tulare County. Appendix M.

San Joaquin Valley Air Pollution Control District (SJVAPCD). 2007a, April 30. 2007 Ozone Plan. https://www.valleyair.org/media/xuapl4ek/2007_8hourozone_completeplan.pdf

———. 2007b, September 20. 2007 PM10 Maintenance Plan and Request for Redesignation. https://www.valleyair.org/media/xmxlzxff/pm10maintenanceplan209-07.pdf.

———. 2008 PM2.5 Plan. https://www.valleyair.org/rules-and-planning/air-quality-plans/particulate-matter-plans/2008-pm25-plan/.

———. 2009, April 16. 2009 Reasonably Available Control Technology (RACT) Demonstration for the 8-Hour Ozone State Implementation Plan (SIP). https://www.valleyair.org/media/npmhpexf/ractsip-2009.pdf.

———. 2012, December 20. 2012 $PM_{2.5}$ Plan. https://www.valleyair.org/media/b2jho5kt/completedplanbookmarked.pdf.

———. 2013. September 19. 2013 Plan for the Revoked 1-Hour Ozone Standard. https://www.valleyair.org/media/uwqfm4yq/adoptedplan.pdf.

———. 2014, June 19. 2014 Reasonably Available Control Technology (RACT) Demonstration for the 8-Hour Ozone State Implementation Plan (SIP). https://www.valleyair.org/media/42znjsez/2014-ract-sip.pdf.

———. 2015a, April 16. 2015 Plan for the 1997 PM2.5 Standard. https://www.valleyair.org/media/ipxjiz3r/2015-pm25-plan_bookmarked.pdf.

———. 2015b, March 19. Guidance for Assessing and Mitigating Air Quality Impacts. https://www.valleyair.org/media/g4nl3p0g/gamaqi.pdf.

———. 2016a, June 16. 2016 Ozone Plan for 2008 8-Hour Ozone Standard. http://valleyair.org/Air_Quality_Plans/Ozone-Plan-2016/Adopted-Plan.pdf.

———. 2016b, September 15. 2016 Moderate Area Plan for the 2012 PM2.5 Standard. https://www.valleyair.org/media/ascouxxn/2016-plan.pdf.

———. 2018. November 15. 2018 Plan for the 1997, 2006, and 2013 PM 2.5 Standards. https://archive.valleyair.org/pmplans/documents/2018/pm-plan-adopted/2018-Plan-for-the-1997-2006-and-2012-PM2.5-Standards.pdf.

———. 2025a. November 3 (Accessed). Frequently Asked Questions. https://www.valleyair.org/about/frequently-asked-questions/.

———. 2025b, November 3 (Accessed). Ambient Air Quality Standards & Valley Attainment Status. https://www.valleyair.org/air-quality-information/ambient-air-quality-standards-valley-attainmnet-status/.

South Coast Air Quality Management District (South Coast AQMD). 1992. Federal Attainment Plan for Carbon Monoxide.

———. 2003, August. Modeling and Attainment Demonstrations. Appendix V of 2003 Air Quality Management Plan. https://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan/2003-aqmp.

———. 2005, May. *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*. http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf.

———. 2013, February. 2012 Final Air Quality Management Plan. http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan/final-2012-air-quality-management-plan.

USA.com. 2025, November 3 (Accessed). Visalia, CA Weather. http://www.usa.com/visalia-ca-weather.htm.

U.S. Environmental Protection Agency (USEPA). 2002, May. Health Assessment Document for Diesel Engine Exhaust. Prepared by the National Center for Environmental Assessment, Washington, DC, for the Office of Transportation and Air Quality. EPA/600/8-90/057F.

———. 2025a, November 3 (Accessed). Criteria Air Pollutants. https://www.epa.gov/criteria-air-pollutants.

———. 2025b, November 3 (Accessed). Health and Environmental Effects of Hazardous Air Pollutants. https://www.epa.gov/haps/health-and-environmental-effects-hazardous-air-pollutants.

5. Environmental Analysis
AIR QUALITY

This page intentionally left blank.

5.4 BIOLOGICAL RESOURCES

The analysis in this section is based in part on the following technical report(s):

- *Biological Resource Evaluation for Preforming Arts Theater, ACCEL Center, and Library Project, Tulare County, California*, HANA Resources, Inc., October 9, 2025

A complete copy of this study is included in the Appendix D to this Draft EIR.

No public comment letters were received in response to the Notice of Preparation (NOP) related to biological resources. Refer to Appendix A for all NOP comment letters.

5.4.1 Environmental Setting

5.4.1.1 REGULATORY BACKGROUND

Federal, state, and local laws, regulations, plans, or guidelines that are related to protection and preservation of biological resources and applicable to the proposed project are summarized below.

Federal Regulations

Endangered Species Act

The federal Endangered Species Act of 1973 (US Code, Title 16, §§ 1531–1543) (ESA), as amended, designates and provides for protection of listed threatened and endangered plant and animal species, and their critical habitat. The US Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) share responsibility for administration of the ESA. These responsibilities include listing and delisting species, designating critical habitat, and formulating recovery plans. The USFWS has primary responsibility for terrestrial and freshwater organisms, and the responsibilities of NMFS are mainly marine wildlife.

Section 9: Prohibited Acts

Once a species is listed, section 9 of the ESA makes it unlawful for any person, including private and public entities, to "take" species listed as endangered or without a permit issued pursuant to section 10 or an incidental take statement issued pursuant to section 7. Section 9 defines "take" as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct." The term "harm" is defined as "an act which actually kills or injures wildlife. Such an act may include substantial habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering."

ESA Section 9's take prohibitions apply to listed wildlife and fish species, but not to plants. Endangered plants are not protected from take, although it is unlawful to remove, possess, or maliciously damage or destroy them on federal lands. Removing or damaging listed plants on state and private lands in knowing violation of state law, or in the course of violating a state criminal trespass law, also is illegal under the ESA.

Section 10: Incidental Take Permits and Habitat Conservation Plans

An incidental take permit pursuant to section 10(a)(1)(B) is required when non-federal, otherwise lawful activities, including lawful project development, will result in take of threatened or endangered wildlife. Under this provision, the USFWS and/or NMFS may, where appropriate, authorize the taking of federally listed wildlife or fish if such taking occurs incidentally during otherwise legal activities. Section 10(a)(2)(B) requires an application for an incidental take permit to include a Habitat Conservation Plan (HCP). The purpose of the habitat conservation planning process associated with the permit is to ensure there are adequate avoidance, minimization, and mitigation measures to address the effects of the authorized incidental take. Section 10 provides a clear regulatory mechanism to permit the incidental take of federally listed fish and wildlife species by private interests and non-federal governmental agencies.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) of 1918 (Title 16, US Code sections 703–712), as amended, implements various treaties and conventions between the United States and Canada, Japan, Mexico, and the former Soviet Union for the protection of migratory birds. The MBTA makes it unlawful to pursue, hunt, take, capture, kill, possess, sell, purchase, barter, import, export, or transport any migratory bird, or any part, nest, or egg of any such bird unless authorized under a permit issued by the Secretary of the Interior. Some regulatory exceptions apply. Take is defined in regulations implementing the MBTA as "to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to carry out these activities." The MBTA prohibits the collection and destruction of a migratory bird, its nest, and birds or eggs contained in the nest. The USFWS' Migratory Bird Permit Memorandum (MBPM-2) dated April 15, 2003, clarifies that destruction of most unoccupied bird nests is permissible under the MBTA; exceptions include nests of federally listed threatened or endangered migratory birds, bald eagles, and golden eagles. Take under the MBTA does not include habitat destruction or alteration, as long as there is not a direct taking of birds, nests, eggs, or parts thereof. The USFWS has statutory authority and responsibility for enforcing the MBTA.

Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act (16 US Code Section 668) provides for the protection of the bald eagle and the golden eagle by prohibiting, except under certain specified conditions, the taking, possession, and commerce of such birds. If compatible with the preservation of bald and golden eagles, the Secretary of the Interior may permit the taking, possession, and transportation of bald and golden eagles and nests for scientific or religious purposes or for the protection of wildlife, agriculture, or other interests. The Secretary of the Interior may authorize the take of golden eagle nests that interfere with resource development or recovery operations. Bald eagles may not be taken for any purpose unless the Secretary issues a permit prior to the taking.

Clean Water Act

The federal Clean Water Act (33 US Code Sections 1251–1376) (CWA) is the principal federal law governing pollution control and water quality of the nation's waterways. It establishes the basic structure for regulating discharges of pollutants into "waters of the United States" and for regulating water quality and establishing

water quality standards for surface waters. Sections 401, 402, and 404 of the CWA are pertinent to surface and coastal waters of the U.S. For purposes of Section 404 permitting under the CWA, "waters of the U.S." comprise wetland and non-wetland bodies of water that meet the criteria in the Code of Federal Regulations (CFR) Title 33, Section 328.3. These criteria have been interpreted by a number of court opinions, including *Solid Waste Agency of Northern Cook County (SWANCC) v. U.S. Army Corps of Engineers*, 531 U.S. 159 (2001) (SWANCC), consolidated cases *Rapanos v. United States (Rapanos)*, and *Carabell v. United States (Carabell)*, 547 U.S. 715 (2006). Joint guidance was issued by the U.S. Army Corps of Engineers (USACE) and United States Environmental Protection Agency (USEPA) in light of these judicial decisions, including the joint guidance memorandum regarding Clean Water Act jurisdiction following the U.S. Supreme Court's decision in *Rapanos v. United States* and *Carabell v. United States* (December 12, 2008) (2008 Regulatory Guidance).

Section 404: Discharge of Dredge and Fill Requirements

Section 404 of the CWA establishes a program to regulate the discharge of dredged or fill material into waters of the U.S. The USACE implementing regulations define "dredged material" as material that is excavated or dredged from waters of the U.S. The CWA's implementing regulations define "fill material" as material placed in waters of the U.S. where the material has the impact of either replacing any portion of waters of the U.S. with dry land or changing the bottom elevation of any portion of waters of the U.S. Examples include discharges into waters of the U.S. of rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mining or other excavation activities, and materials used to create any structure or infrastructure for development projects.

Section 401: Water Quality Certification

Although the CWA is a federal law, Section 401 of that law recognizes that states have the primary authority and responsibility for setting surface water quality standards and requires the USACE to obtain a state certification that their permits for discharge or dredge and fill material do not violate state water quality standards. Section 401 of the CWA requires every applicant for a Section 404 permit resulting in any discharge of dredge or fill material into waters of the U.S. to provide certification that any discharges will comply with the applicable state water quality standards set pursuant to the CWA and applicable state law.

State Regulations

California Endangered Species Act

The California Endangered Species Act (CESA) (California Fish and Game Code [CFGC] Section 2050 et seq.) was enacted in 1984 to parallel the federal ESA and allows the Fish and Game Commission to designate species, including plants, as "threatened" or "endangered." The CESA states that all native species of fishes, amphibians, reptiles, birds, mammals, plants, and their habitats threatened with extinction and those experiencing a significant decline which, if not halted, would lead to a threatened or endangered designation, will be protected or preserved. Unlike the ESA, the CESA does not include listing provisions for invertebrate species.

CESA makes it illegal to import, export, take, possess, purchase, sell, or attempt to do any of those actions to species that are designated as threatened, endangered, or candidates for listing, unless permitted by CDFW. Section 2080 of the CFGC prohibits take of any species that the commission determines to be an endangered species or a threatened species. "Take" is defined in section 86 of the CFGC as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

Under section 2081 of CESA, the California Department of Fish and Wildlife (CDFW) may permit take or possession of threatened, endangered, or candidate species for scientific, educational, or management purposes, and may also permit take of these species that is incidental to otherwise lawful activities if certain conditions are met. Some of the conditions for issuance of permits allowing incidental take are that the adverse effects of the take must be minimized and fully mitigated, adequate funding must be ensured for implementation of identified mitigation, and that the activity shall not jeopardize the continued existence of the listed species. CESA emphasizes early consultation to avoid potential impacts on candidate and listed endangered and threatened species, and to develop appropriate mitigation to offset project-caused losses of listed species' populations and their essential habitats.

California Fish and Game Code, Sections 1600 to 1616

Pursuant to sections 1600 to 1616 of the CFGC, the CDFW regulates all substantial diversions, obstructions, or changes to the natural flow or the bed, channel, or bank of any river, stream, or lake that provides habitat and supports fish or wildlife. CDFW defines a "stream" (including creeks and rivers) as "a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having surface or subsurface flow that supports or has supported riparian vegetation" (California Code of Regulations, Title 14, Division 1, Subdivision 1, Chapter 1, Section 1.72). "Bank" means the slope or elevation of land that bounds the bed of the stream in a permanent or longstanding way and that confines the stream water up to its highest level. "Lake" includes "natural lakes or man-made reservoirs."

Rivers, streams, lakes, and riparian vegetation that provide habitat for fish and wildlife species are subject to jurisdiction by the CDFW under sections 1600 to 1616 of the CFGC. Riparian areas are lands adjacent to streams, lakes, and estuarine-marine shorelines. Section 2785(e) defines "riparian habitat" as lands that contain habitat which grows close to and depends on soil moisture from a nearby freshwater source. CDFW regulates the bed, bank to bank, as well as associated riparian vegetation and fish and wildlife resources. CDFW has interpreted jurisdictional boundaries to be defined by the tops of stream banks (i.e., the limit of stream influence) and/or the limit of the canopy of riparian vegetation (outer drip line) that is hydrologically connected to river, stream, or lake, whichever is greatest. As a result, the area of CDFW jurisdiction is usually greater than the active channel and overlaps and extends beyond the USACE jurisdiction. Isolated wetlands not associated with a river, stream, or lake are not protected under CFGC sections 1600 et seq. In addition, CDFW does not have regulatory authority on tribal lands.

California Native Plant Protection Act

The California Native Plant Protection Act of 1977 (CFGC sections 1900 et seq.) prohibits importation of rare and endangered plants into California, "take" of rare and endangered plants, and sale of rare and

endangered plants. CESA defers to this Act, which ensures that state-listed plant species are protected when state agencies are involved in projects subject to CEQA. Plants listed as rare under the California Native Plant Protection Act are not protected under CESA; however, impacts to endangered, rare, or threatened species, including plants, are evaluated under CEQA.

Local Regulations

The General Plan has a number of goals and policies that apply to projects within Tulare County. General Plan goals and policies that relate to biological resources and the proposed project are listed below.

ERM-1: To preserve and protect sensitive significant habitats, enhance biodiversity, and promote healthy ecosystems throughout the County.

- **ERM-1.1 Protection of Rare and Endangered Species.** The County shall ensure the protection of environmentally sensitive wildlife and plant life, including those species designated as rare, threatened, and/or endangered by State and/or Federal government, through compatible land use development.

- **ERM-1.2 Development in Environmentally Sensitive Areas.** The County shall limit or modify proposed development within areas that contain sensitive habitat for special status species and direct development into less significant habitat areas. Development in natural habitats shall be controlled so as to minimize erosion and maximize beneficial vegetative growth.

- **ERM-1.4 Protect Riparian Areas.** The County shall protect riparian areas through habitat preservation, designation as open space or recreational land uses, bank stabilization, and development controls.

- **ERM-1.6 Management of Wetlands.** The County shall support the preservation and management of wetland and riparian plant communities for passive recreation, groundwater recharge, and wildlife habitats.

- **ERM-1.7 Planting of Native Vegetation.** The County shall encourage the planting of native trees, shrubs, and grasslands in order to preserve the visual integrity of the landscape, provide habitat conditions suitable for native vegetation and wildlife, and ensure that a maximum number and variety of well-adapted plants are maintained.

- **ERM-1.8 Open Space Buffers.** The County shall require buffer areas between development projects and significant watercourses, riparian vegetation, wetlands, and other sensitive habitats and natural communities. These buffers should be sufficient to assure the continued existence of the waterways and riparian habitat in their natural state.

- **ERM-1.14 Mitigation and Conservation Banking Program.** The County shall support the establishment and administration of a mitigation banking program, including working cooperatively with TCAG, Federal, State, not-for-profit and other agencies and groups to evaluate and identify appropriate lands for protection and recovery of threatened and endangered species impacted during the land development process.

- **ERM-1.15 Minimize Lighting Impacts.** The County shall ensure that lighting associated with new development or facilities (including street lighting, recreational facilities, and parking) shall be designed to prevent artificial lighting from illuminating adjacent natural areas at a level greater than one foot candle above ambient conditions.

- **ERM-1.16 Cooperate with Wildlife Agencies.** The County shall cooperate with State and federal wildlife agencies to address linkages between habitat areas.

- **ERM-1.17 Conservation Plan Coordination.** The County shall coordinate with local, State, and federal habitat conservation planning efforts (including Section 10 Habitat Conservation Plan) to protect critical habitat areas that support endangered species and other special-status species.

5.4.1.2 EXISTING CONDITIONS

The project site is a flat area at an elevation of approximately 297 feet above mean sea level (msl). The project site is in a rural area of Tulare County. Surrounding uses are mixed with commercial buildings, residential units, agricultural uses, and the COE Liberty campus that includes educational facilities and ancillary facilities.

As part of the Biological Resources Evaluation, a literature review and biological reconnaissance survey was performed within the biological study area (BSA). The BSA includes the project site and a 500-foot buffer zone around the project site (Appendix D).

Soils

Soil maps for the site were referenced online to determine the types of soil found on the project site. It was determined that the BSA is composed of two soil types.

- **130: Nord fine sandy loam, 0 to 2 percent slopes.** The Nord fine sandy loam is composed of fine sandy loam, stratified sandy loam to loam, stratified loamy coarse sand to coarse sandy loam, and stratified sandy loam to silt loam. The parent material is alluvium derived from mixed. The soil is well drained. The soil is not hydric.

- **143: Yettem sandy loam, 0 to 2 percent slopes.** The Yettem sandy loam is composed of sandy loam. The parent material is alluvium derived from granite. The soil is well drained. The soil is not hydric.

Wetlands

The BSA was referenced online to determine presence or absence of wetlands through USFWS's Natural Wetland Inventory (NWI) Wetland Mapper. The USFWS is the principal federal agency tasked with monitoring and providing information on the extent, status, characteristics, and functions of the county's wetlands, deep water, and other aquatic habitats. This inventory follows the national standard definition of wetlands. Wetlands are then categorized based upon landscape, substrate, vegetation cover, and hydrologic regime and is known as the Cowardin system (Appendix D).

Based on USFWS National Wetland Inventory's Wetland Mapper, it was determined that a single wetland is within the BSA. This wetland appears as a buried canal under the northern section of the project site and runs parallel to Avenue 264/Liberty Road (see Appendix D). Additionally, this wetland is classified as R5UBFx and is described as follows:

- **Riverine (R):** This wetland is contained within a channel, which is an open conduit that periodically or continuously moves water and can be either naturally forming or man-made.
- **Unknown Perennial (5):** This term is used when a distinction between perennial types (lower, upper, or tidal) cannot be made from aerial photography and no data is available.
- **Unconsolidated Bottom (UB):** This classifies the wetlands as having at least 25% substrate cover smaller than stones (less than 6-7 cm) and vegetation cover less than 30%.
- **Semi-permanently Flooded (F):** Surface water persists most of the year, when not present the water table is at or near the surface.
- **Excavated (X):** This is a special modifier code used to identify wetlands that were excavated by humans.

Due to this wetland appearing buried and the surrounding area occurring as agricultural land, the Tulare Irrigation District's most recent district map was consulted. This revealed the wetland to be documented as a Tulare Irrigation District Pipeline that allows for underground movement for the Liberty Ditch (Appendix D).

Jurisdictional Waters

HANA biologists examined the BSA to identify potential USACE jurisdiction pursuant to Sections 404 and 401 of the Clean Water Act and CDFW jurisdiction pursuant to Section 1602 of the CFGC. No jurisdictional drainages/areas were found on-site (Appendix D).

5.4.1.3 SENSITIVE RESOURCES

Sensitive Plants

There are 21 special-status plant species that have been known to occur within the BSA and surrounding five-miles, as seen in Table 5.4-1, *Special-Status Plant Species*. Of these 21 species, 5 have low potential for occurrence and 16 have no potential to occur in the BSA. Factors used to determine potential for occurrence include quality of habitat, soil type, impact from previous land use, and the date and location of prior California Natural Diversity Database and Jepson eFlora occurrence records. The project site is disturbed habitat dominated by non-native vegetation. Its location next to agricultural land and residential and business development means there is low to no potential for occurrence of the sensitive species identified. As a result, no focused botanical surveys would be required.

5. Environmental Analysis
BIOLOGICAL RESOURCES

Table 5.4-1 Special-Status Plant Species

Scientific Name	Common Name	Status	California Rare Plant Ranks	Potential for Occurrence in the BSA
Listed Endangered, Threatened, Candidate, and State Rare Plants				
Caulanthus Californicus	California jewelflower	FE, SE, CRPR:1B.1	1B.1	No Potential
Euphorbia hooveri	Hoover's spurge	FT, CRPR: 1B.2	1B.2	No Potential
Orcuttia inaequalis	San Joaquin Valley orcutt grass	FT, SE, CRPR: 1B.1	1B.1	Low Potential
Pseudobahia peirsonii	San Joaquin adobe sunburst	FT, SE, CRPR:1B.1	1B.1	No Potential
Sensitive Plants				
Amaranthus watsonii	Watson's amaranth	CRPR: 4.3	4.3	Low Potential
Atriplex cordulata var. erecticaulis	Earlimart orach	CRPR:1B.2	1B.2	Low Potential
Atriplex cordulata var. cordulata	Heartscale	CRPR: 1B.2, BLM: S	1B.2,	Low Potential
Atriplex depressa	Brittlescale	CRPR:1B.2	1B.2	No Potential
Atriplex minuscula	Lesser saltscale	CRPR:1B.1	1B.1	No Potential
Atriplex persistens	Vernal pool smallscale	CRPR:1B.2	1B.2	No Potential
Atriplex subtilis	Subtle orache	CRPR:1B.2	1B.2	Low Potential
Delphinium hansenii ssp. ewanianum	Ewan's larkspur	CRPR:4.2	4.2	No Potential
Delphinium recurvatum	Recurved larkspur	CRPR:1B.2, BLM:S	1B.2	No Potential
Eryngium Spinosepalum	Spiny-sepaled button-celery	CRPR:1B.2, BLM:S	1B.2	No Potential
Helianthus winteri	Winter's sunflower	CRPR: 1B.2	1.B2	No Potential
Hordeum Intercedens	Vernal barley	CRPR: 3.2	3.2	No Potential
Imperata brevifolia	California satintail	CRPR: 2B.1, USFS: S	2B.1,	No Potential
Lasthenia chrysantha	Alkali-sink goldfields	CRPR:1B.1	1B.1	No Potential
Lasthenia glabrata ssp. coulteri	Coulter's goldfields	CRPR: 1B.1, BLM: S	1B.1	No Potential
Puccinellia simplex	California alkali grass	CRPR:1B.2, BLM:S	1B.2	No Potential
Sagittaria sanfordii	Sanford's arrowhead	CRPR: 1B.2, BLM: S	1B.2	No Potential

Source: Appendix D.

FED: Federal Classifications
- FE Federally listed as endangered
- FT Federally listed as threatened
- FC Federal candidate for listing
- FPE Federally proposed for listing
- FPT Federally proposed for listed as threatened
- FPD Federally proposed for delisting
- C2* USFWS may, in the future, designate such taxa as Candidates. (*) indicates those C2 candidates that were removed from the list.
- C Candidate for listing.
- ND Not designated as a sensitive species

California Rare Plant Ranks:
- 1A Plants presumed by CNPS to be extinct in California
- 1B Plants considered by CNPS to be rare or endangered in California and elsewhere
- 2 Plants considered by CNPS to be rare, threatened or endangered

STATE: State Classifications
- SE State listed as endangered
- ST State listed as threatened
- SCE State Candidate for endangered listing
- SCT State Candidate for threatened listing
- SCD State Candidate for delisting
- SR State Rare

State Ranking: S-Rank
- SX Presumed Extirpated
- SH Possibly Extirpated
- S1 Critically Imperiled
- S2 Imperiled
- S3 Vulnerable
- S4 Apparently Secure
- S5 Secure
- SNR Unranked

Table 5.4-1 Special-Status Plant Species

Scientific Name	Common Name	Status	California Rare Plant Ranks	Potential for Occurrence in the BSA

in California, but which are more common elsewhere
3 Review list of plants suggested by CNPS for consideration as endangered but about which more information is needed.
4 Watch list of plants of limited distribution whose status should be monitored.

California Native Plant Society Threat Ranks:
.1 = seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)
.2 = moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)
.3 = not very threatened in California (<20% of occurrences threatened / low degree and immediacy of threat or no current threats known)

BLM: Bureau of Land Management
S Sensitive Species

Global Ranking: G
GX Presumed extinct
GH Possibly extinct; known only from historical occurrences but there is still some hope of rediscovery.
G1 Critically imperiled; at very high risk of extinction or elimination due to very restricted range, very few populations or occurrences, very steep declines, very severe threats, or other factors.
G2 Imperiled; at high risk of extinction or elimination due to restricted range, few populations or occurrences, steep declines, severe threats, or other factors. •
G3 Vulnerable; at moderate risk of extinction or elimination due to a fairly restricted range, relatively few populations or occurrences, recent and widespread declines, threats, or other factors. •
G4 Apparently secure; at fairly low risk of extinction or elimination due to an extensive range and/or many populations or occurrences, but with possible cause for some concern as a result of local recent declines, threats, or other factors.
G5 Secure; at very low risk of extinction or elimination due to a very extensive range, abundant populations or occurrences, and little to no concern from declines or threats.
T# Trinomial Rank: rangewide status of a subspecies or variety

Sensitive Wildlife

There are 24 special-status wildlife species that have been known to occur within the BSA, as seen in Table 5.4-2, *Special-Status Wildlife Species*. Of the 24 species, two were considered to have moderate potential, 15 were considered to have low potential, and 7 had no potential to occur in the BSA. None of the 24 special-status wildlife species were present in the BSA as found in the literature review or survey.

Table 5.4-2 Special-Status Wildlife Species

Scientific Name	Common Name	Status, Global Ranking, other rankings	Potential for Occurrence in the BSA
LISTED ENDANGERED, THREATENED, AND CANDIDATE WILDLIFE			
Listed Mammals			
Vulpes macrotis mutica	San Joaquin kit fox	FE, ST, SE	Low Potential
Sorex ornatus relictus	Buena Vista Lake ornate shrew	FE	No Potential
Dipodomys nitratoides nitratoides	Tipton kangaroo rat	FE	No Potential
Listed Amphibians			
Spea hammondii	Western spadefoot	PT	Low Potential
Listed Reptiles			
Actinemys marmorata	Northwestern pond turtle	FPT, SSC, BLM:S, USFS:S	No Potential
Gambelia silus	Blunt-nosed leopard lizard	FE	Low Potential

Table 5.4-2 Special-Status Wildlife Species

Scientific Name	Common Name	Status, Global Ranking, other rankings	Potential for Occurrence in the BSA
Listed Birds			
Buteo swainsoni	Swainson's hawk	ST, BCC Season of Concern: nesting	Moderate Potential
Coccyzus americanus occidentalis	Western yellow-billed cuckoo	FT, SE, BLM: S, USFS: S	Low Potential
Listed Invertebrates			
Bombus crotchii	Crotch's bumble bee	ST	Low Potential
Danaus plexippus	Monarch butterfly	PT	Low Potential
Branchinecta lunchi	Vernal pool fairy Shrimp	FT	Low Potential
SENSITIVE WILDLIFE			
Sensitive Invertebrates			
Bombus pensylvanicus	American bumble bee	IUCN: VU	Low Potential
Lytta hoppingi	Hopping's blister beetle	NatureServe: G1G2, S2	No Potential
Sensitive Reptiles			
Anniella pulchra	Northern California legless lizard	CDFW: SSC, USFS: S	Low Potential
Sensitive Birds			
Passerculus sandwichensis beldingi	Belding's savannah sparrow	USFWS: BCC, SE	No Potential
Icterus Bullockii	Bullock's oriole	BCC	Low Potential
Larus Californicus	California gull	USFWS: BCC, CDFW: WL	Low Potential
Spinus Lawrencei	Lawrences goldfinch	USFWS: BCC	Low Potential
Limosa Fedoa	Marbled godwit	USFWS: BCC	No Potential
Circus Hudsonius	Northern harrier	USFWS: BCC, CDFW: SSC	Moderate Potential
Dryobates Nuttallii	Nuttall's woodpecker	USFWS: BCC	Low Potential
Baeolophus Inornatus	Oak titmouse	USFWS: BCC	Low Potential
Melospiza Melodia Graminea	Channel Island song sparrow	USFWS: BCC, CDFW: SSC	No Potential
Sensitive Mammal			
Eumops Perotis Californicus	Western mastiff bat	CDFW: SSC, BLM: S	Low Potential

Source: Appendix D.

FED: Federal Classifications
FE Federally listed as endangered
FT Federally listed as threatened
FC Federal candidate for listing
FPE Federally proposed for listing
FPT Federally proposed for listed as threatened
FPD Federally proposed for delisting
C2* USFWS may, in the future, designate such taxa as Candidates. (*) indicates those C2 candidates that were removed from the list.
C Candidate for listing.
ND Not designated as a sensitive species

USFS: United States Forest Service
S Sensitive Species

IUCN: International Union for Conservation of Nature

STATE: State Classifications
SE State listed as endangered
ST State listed as threatened
SCE State Candidate for endangered listing
SCT State Candidate for threatened listing
SCD State Candidate for delisting
SR State Rare

CDFW Designations
SSC Species of special concern
WL Watch list

USFWS Designations
FSC Federal Species of Concern
BCC Bird of Conservation Concern

BLM: Bureau of Land Management
S Sensitive

G-Rank: Global Ranking
GX Presumed Extinct –
GH Possibly Extinct
G1 Critically Imperiled
G2 Imperiled
G3 Vulnerable
G4 Apparently Secure
G5 Secure
GNR Unranked
T# Trinomial Rank: rangewide status of a subspecies or variety

State Ranking: S-Rank
SX Presumed Extirpated
SH Possibly Extirpated
S1 Critically Imperiled
S2 Imperiled
S3 Vulnerable

Table 5.4-2 Special-Status Wildlife Species

Scientific Name	Common Name	Status, Global Ranking, other rankings		Potential for Occurrence in the BSA
VU	Vulnerable		S4 Apparently Secure	
		CDFW's California Natural Diversity Database (CNDDB) is a member of the NatureServe's network of natural heritage programs. This network is comprised of various agencies and agency programs across the United States and Canada, members use the same conservation status methodology. This ranking system was originally developed by The Nature Conservancy and is now maintained and revised by NatureServe. These ranking include a Global and State Rank to allow for status tracking between state's and across the whole network. NatureServe is not a regulatory agency and thus their rankings are not a legal status, rather they are used to inform and influence these regulatory agencies.	S5 Secure SNR Unranked	

As stated above, a biological reconnaissance survey was conducted for the proposed project. Wildlife species observed or detected during the site survey were characteristic of the existing site conditions. During the survey, 8 bird species were detected within the BSA. These include the following:

- American crow (Corvus brachyrhynchos)
- European starling (Sturnus vulgaris)
- cedar waxwing (Bombycilla cedrorum)
- killdeer (Charadrius vociferus)
- house finch (Haemorhous mexicanus)
- mourning dove (Zenaida macroura)
- song sparrow (Melospiza melodia)
- white-crowned sparrow (Zonotrichia leucophrys)

Additionally, a California ground squirrel (Otospermophilus beecheyi) was seen along the western edge of the property with their burrows on the project site. Additional burrows were identified in the southeastern part of the project site. These burrows exhibit characteristics consistent with those of Botta's pocket gopher (Thomomys bottae) and should be presumed to indicate their presence.

As stated above, none of the 24 special-status wildlife species identified in the literature review were present in the BSA. However, two sensitive species were considered to have moderate occurrence potential in the BSA and are described as follows:

Swainson's Hawk (Buteo swainsoni)

Swainson's hawk is a state listed threatened species and a Bird of Conservation Concern. The Swainson's hawk is a medium-sized buteo with a dark head and breast band that contrasts with its lighter colored

underparts. They have long, pointed wings that curve upward slightly, and the dark gray flight feathers are distinctive from the lighter colored linings.

The Swainson's hawk breeds in the western United States and Canada and winters in South America as far south as Argentina. They arrive on the breeding grounds between March and April, typically returning to the same territory year after year. Breeding pairs are generally monogamous and begin to build nests as soon as they arrive. Clutch size is between one to four eggs. Eggs are incubated for about 34 days and the young typically fledge about six weeks after hatching. The diet of the Swainson's hawk in California mainly consists of California voles (Microtus californicus), but also includes other small mammals, birds, and insects. Swainson's hawks often nest adjacent to riparian systems. They will also use snags (lone trees) in agricultural fields or pastures and roadside trees when available and adjacent to suitable foraging habitat.

The most recognized threat to Swainson's hawks is the loss of their native foraging and breeding grounds. As important foraging areas are converted to urban landscapes or other unsuitable habitat, the aptitude for the landscape to support breeding pairs decreases. Other threats include climate change, infrastructure placement, disease, pesticide poisoning, and electrocution. Suitable foraging habitat for Swainson's Hawk is present in the BSA.

Northern Harrier (Circus hudsonius)

The northern harrier is a USFWS Bird of Conservation Concern. The northern harrier is a medium-size raptor with a dark head, owl-like face, and sharply hooked bill. They have long, broad wings and long, rounded tail feathers. A sexually dimorphic species, the males have a dark trailing edge on their wings and have gray dorsally and white ventrally. Females and juveniles are largely brown with black bands on their tails, females have brown streaks and whitish coloring on their dorsum. Both sexes have a white rump patch that is most visible during flight and is a key characteristic for identification.

Occurring as both resident and long-distant migrants, the northern harrier breeds across much of North America. From Alaska and Canada in the north down into parts of California in the west to Michigan in the east and winter in the southern states of the United States and into Mexico and northern South America. A polygamous species, males usually have one to two mates but can have more if food resources are abundant. Clutch size is four to five eggs and incubated for 28 to 36 days. Young are precocial and fledge in about five to six weeks after hatching. The diet of the northern harrier consists primarily of small mammals, such as voles and mice, as well as birds, amphibians, and reptiles. They are often found in habitats such as wetlands, grasslands, and agricultural fields where they can forage for prey and nest adjacent to these habitats.

The primary threat to northern harriers is the loss of their foraging and breeding habitats, especially wetlands and grasslands, due to agricultural expansion and urban development. Other threats include pesticide poisoning, habitat disturbance, and the effects of climate change, which may alter the availability of prey or suitable nesting sites. Conservation efforts to protect and restore these critical habitats are essential to supporting the northern harrier's long-term survival. Suitable foraging habitat for the northern harrier is present in the BSA.

Vegetation Communities

One vegetation community was determined within the site: Disturbed/Developed. Disturbed/Developed areas have a high percentage of non-native vegetation and a low to zero percentage of native vegetation. The project site is dominated by non-native species like common mallow (*Malva neglecta*), lesser swine-cress (*Lepidium didymum*), greenstem filaree (*Erodium moschatum*), and non-native annual grasses like Bermuda grass (*Cynodon dactylon*) making up over 75 percent of ground cover. Other species such as Russian thistle (*Salsola australis*), Mexican fan palm (*Washingtonia robusta*), and stinkwort (*Dittrichia graveolens*) were found on the roadside and along the southern and western fence line of the developed area on the parcel.

Sensitive Natural Communities

Sensitive natural communities are communities that are of limited distribution statewide or within a county or region and are often vulnerable. These communities may or may not contain special-status plants or their habitat. The literature review and survey found no sensitive vegetation communities in the BSA.

5.4.1.4 CRITICAL HABITATS

Based on the USFWS mapper of critical habitat for threatened and endangered species, the project site is not within or the vicinity of a critical habitat (USFWS 2025). The closest identified critical habitat is vernal pool fairy shrimp (*Branchinecta lynchi*) that is 11.14 miles northwest of the project site.

5.4.1.5 WILDLIFE MOVEMENT CORRIDORS

Based on the CDFW BIOS6 data viewer, the project site is not within a California Essential Habitat Connectivity (essential connectivity areas and natural landscape blocks), wildlife linkages–San Joaquin Valley, or the San Joaquin Valley wildlife corridors (CDFW 2025a). The project site is within terrestrial connectivity rank 1, Limited Connectivity Opportunity, the lowest rated connectivity rank. Additionally, the BSA is considered a migratory pathway, which is a potential stopover location during migration, but does not provide suitable breeding or nesting habitat to resident or breeding species.

5.4.1.6 HABITAT MANAGEMENT PLANS

The Natural Community Conservation Planning (NCCP) Program is a cooperative effort designed to protect species and their habitats through an ecosystem approach (CDFW 2025b). The program helps identify and provide for large area-wide protection of plants, animals, and their habitats while allowing for compatible and appropriate economic activity. Additionally, a habitat conservation plan (HCP) is a planning document designed to accommodate economic development to the extent possible by authorizing the limited and unintentional take of listed species when it occurs incidental to otherwise lawful activities (USFWS 2025b).

Based on the CDFW Open Data Portal, Conservation Plan Boundaries HCP/NCCP, there are no NCCP/HCP in Tulare County, which includes the project site (CDFW 2025c).

5.4.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

B-1 Have a substantial effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

B-2 Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

B-3 Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

B-4 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.

B-5 Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

B-6 Conflict with the provisions of an adopted habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

5.4.3 Environmental Impacts

The applicable thresholds are identified in brackets after the impact statement.

Impact 5.4-1: The proposed project could have a substantial effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service including Swainson's hawk and northern harrier. [Threshold B-1]

The field survey determined that the project site contains disturbed and developed lands. No habitat exists onsite, except for possible foraging grounds for special-status bird species. During the site visit, the California ground squirrel was documented on the project site with over ten (10) individuals seen along the western edge of the parcel with burrows seen across the project site. Additionally, other burrows were documented on the project site that were inconsistent with California ground squirrel burrow entrance design and most

resembled that of the Botta's pocket gopher. While not seen during the survey, it should be treated as present due to the freshness of the excavated soil. The California ground squirrel and the Botta's pocket gopher are not special-status species. No mitigation measures are required for the California ground squirrel and Botta's pocket gopher, and a less than significant impact would occur.

Special-status species include those listed as endangered or threatened under the federal Endangered Species Act or California Endangered Species Act; species otherwise given certain designations by the California Department of Fish and Wildlife; and plant species listed as rare by the California Native Plant Society. None of the 21 sensitive plant species identified in the literature review were present in the BSA. Because the BSA's disturbed habitat is dominated by non-native vegetation and it is next to development and agricultural land, there is low to no potential for occurrence in the survey area, including the project site, for the sensitive species identified in Table 5.4-1. Therefore, no focused botanical surveys would be needed and the proposed project would not impact sensitive plant species.

Of the 24 sensitive wildlife species identified in the literature review, two have a moderate potential to occur on the project site due to potential foraging opportunities on site, and 22 have low to no potential to occur in the BSA. The two species are Swainson's hawk (state threatened) and the northern harrier (USFWS bird of conservation concern, state species of special concern).

As stated above, Swainson's hawk will use snags in agricultural fields or pastures and roadside trees when available and adjacent to suitable foraging habitat. The northern harrier requires dense grasses, sedges, and rushes for foraging habitat. The project site is fallow agriculture land and does not include any trees, dense grasses, sedges, or rushes. Therefore, the project site provides limited foraging opportunities. Additionally, development of the proposed project would be limited to the project site and would not impact other agricultural sites that may be used for foraging. Therefore, the proposed project would not substantially affect foraging habitat. The proposed project would have a less than significant impact on foraging habitat for the Swainson's hawk and the northern harrier.

The BSA is considered a migratory pathway, which is a potential stopover location during migration and can be used for limited foraging, but does not provide suitable breeding or nesting habitat to resident or breeding species. However, the project site should be treated with the potential for nesting to occur. If vegetation clearing or ground disturbing activities take place during breeding season (February 15 through August 31) a project could disturb nesting birds. The proposed project would require vegetation clearing and ground-disturbing activities, which have the potential to disturb and result in the take of nesting birds. Nesting birds are protected by the MBTA, which governs the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests (see under 5.4.1.1, *Regulatory Background*). The MBTA prohibits the take, possession, import, export, transport, sale, purchase, barter, or offering of these activities except under a valid permit or as permitted in the implementing regulations. The USFWS administers permits to take migratory birds in accordance with the MBTA. Since the proposed project would include vegetation clearing or ground-disturbing activities during the nesting bird season, the proposed project would have the potential to impact migratory and nesting birds protected by the MBTA. Impacts would be potentially significant.

Level of Significance Before Mitigation: Potentially Significant.

Impact 5.4-2: The proposed project would not result in the loss of any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. [Threshold B-2]

As stated in Section 5.4.1, *Environmental Setting*, riparian areas are lands adjacent to streams, lakes, and estuarine-marine shorelines. Riparian habitat is defined as lands which contain habitat which grows close to and which depends upon soil moisture from a nearby freshwater source. The Biological Resources Evaluation concluded that riparian vegetation does not occur in the survey area, including the project site. Therefore, no impacts to riparian areas and habitat would occur.

Sensitive natural communities are communities that are of limited distribution statewide or within a county or region and are often vulnerable. These communities may or may not contain special-status plants or their habitat. Based on the Biological Resources Evaluation, there are no sensitive vegetation communities within the project site (Appendix D). The only vegetation community within the project site is disturbed/developed lands, which contains a high percentage of non-native vegetation and a low to zero percentage of native vegetation. Based on the USFWS mapper of critical habitat for threatened and endangered species, the project site is not within or in the vicinity of a critical habitat. The closest identified critical habitat is vernal pool fairy shrimp (*Branchinecta lynchi*) 11.19 miles northwest of the project site (USFWS 2025a).

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.4-3: The proposed project would not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. [Threshold B-3]

As discussed about in Section 5.4.1.2, *Existing Conditions*, the project site consists of a single buried wetland. The single buried wetland identified from the NWI is defined as a pipeline by the Tulare Irrigation District and connects two stretches of an irrigation ditch. As this wetland is buried, and defined as a pipeline by the TID, the proposed project would not impact the single buried wetland. Additionally, two basins occur on the existing Tulare County Office of Education parcel, likely occurring as stormwater retention basins. These fenced-off basins lack native vegetation and occur outside of the proposed project's scope. Therefore, impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.4-4: The proposed project could potentially interfere 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. [Threshold B-4]

Based on the CDFW BIOS6 data viewer, the project site is not within a California Essential Habitat Connectivity (essential connectivity areas and natural landscape blocks), wildlife linkages–San Joaquin Valley, or the San Joaquin Valley wildlife corridors (CDFW 2025a). The project site is terrestrial connectivity rank 1, Limited Connectivity Opportunity, the lowest connectivity rank. No federally designated critical habitat exists on site or in the vicinity of the project site (USFWS 2025).

However, the proposed project would include vegetation clearing and ground-disturbing activities. As stated above, the BSA is considered a migratory pathway, which is a potential stopover location during migration, but does not provide suitable breeding or nesting habitat to resident or breeding species. However, the project site should be treated with the potential for nesting to occur as the proposed project could include vegetation clearing or ground disturbing activities taking place during breeding season (February 15 through August 31). As such, the proposed project has the potential to disturb nesting birds during breeding season. Therefore, potentially significant impacts to sensitive species may occur.

Level of Significance Before Mitigation: Potentially Significant.

Impact 5.4-5: The proposed project could potentially conflict with local policies or ordinances protecting biological resources, but would not conflict with the provisions of an adopted habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan [Thresholds B-5 and B-6]

As stated in Section 5.4.1.2, *Existing Conditions*, above, the project site is not located in an NCCP/HCP (CDFW 2025b).

Section 5.4.1.1, Regulatory Background, lists goals and policies found in the Tulare General Plan that relate to biological resources and the proposed project. Goal ERM-1 and Policies ERM-1.2, ERM-1.4, ERM-1.6, and ERM-1.8 are related to the protection and management of sensitive habitat for special status species, riparian areas, and wetlands. As stated above, the project site is disturbed habitat dominated by non-native vegetation and is next to agricultural land and residential and business development. Additionally, the project site does not contain any riparian areas or wetlands. Policies ERM-1.14, ERM-1.16, and ERM-1.17, are responsibilities designated to the County in coordination with federal, State, and local agencies and jurisdictions. Policy ERM-1.15 requires that new development would be designed to prevent artificial lighting from illuminating adjacent natural areas. The proposed project is not adjacent to any natural areas. Policy ERM-1.7 encourages the planting of native vegetation to preserve visual integrity. The proposed project would include landscaping. Lastly, Policy ERM-1.1 requires the protection of environmentally sensitive wildlife and plant life. As stated in Impact 5.4-1, the proposed project would not impact sensitive plant species but has the potential to impact the Swainson's hawk (state threatened) and the northern harrier (USFWS bird of conservation concern, state species of special concern), because the BSA is considered a migratory pathway. Therefore, without mitigation, the proposed project would potentially conflict with Policy ERM-1.1 in the Tulare General Plan. A potentially significant impact would occur.

Level of Significance Before Mitigation: Potentially Significant.

5.4.4 Cumulative Impacts

The area considered for cumulative impacts to biological resources is Tulare County. Cumulative development of natural habitat and agricultural lands would reduce foraging opportunities, nesting opportunities, and stopover sites. The project site contains fallow agriculture land and does not include any trees. Therefore, the project site provides limited foraging opportunities and nesting habitat. Nevertheless, without mitigation, the proposed project could contribute to a cumulative impact to the Swainson's hawk and the northern harrier.

With the implementation of Mitigation Measure BIO-1, the proposed project would result in a less than significant impact and would not be cumulatively considerable.

The project site is not within or in the vicinity of a critical habitat and the closest identified critical habitat is approximately 11.19 miles northwest of the project site. Additionally, the project site does not contain nor is it located near any riparian areas or habitat. As previously discussed, the project site does contain one wetland but is defined as a buried pipeline. As such the proposed project would not impact this wetland, as a result of it being buried, or any other wetlands. Therefore, development of the proposed project would not contribute to cumulative impact related to critical habitat, wetlands, or riparian areas.

As stated in Impact 5.4-5, the project site is not located in an NCCP/HCP. However, Policy ERM-1.1 requires the protection of environmentally sensitive wildlife and plant life. The proposed project has the potential contribute to cumulative impact associated with migratory pathway, including potential foraging and nesting grounds, for the Swainson's hawk and the northern harrier (two special-status species). Potential impacts to the Swainson's hawk and the northern harrier would conflict with Policy ERM-1.1. Therefore, without mitigation, the proposed project could contribute to a cumulative impact. With the implementation of Mitigation Measure BIO-1, the proposed project would result in a less than significant impact and would not be cumulatively considerable.

In addition to the proposed project, the UPHS students will be moved onto the current COE Liberty campus during the summer of 2027 and would consist of 250 students. An additional project in the project area would include construction of a sewer line to a City of Visalia sewer connection to the existing COE Liberty campus which would be permanent. Construction of the sewer line would be short term and would be located in developed land and within an existing right-of-way. The new sewer line project and moving 250 UPHS students would not occur on undisturbed habitat or would consist of removing any trees. Therefore, the proposed project would not combine with UPHS relocation project or the Liberty sewer project to create a cumulative impact to biological resources.

Similar to the proposed project, each cumulative project would be reviewed on a case-by-case basis for its impact on biological resources and would be expected to comply with existing regulations and local and regional plans, ordinances, and policies protecting biological resources, such as the MBTA. Additionally, similar to the proposed project, each related project would be expected to implement mitigation measures to reduce its impact, such as the implementation of preconstruction nesting bird surveys. With the incorporation of Mitigation Measure BIO-1, which would require preconstruction nesting bird surveys, the proposed project would not contribute to a cumulatively considerable impact. With adherence to federal, state, and local regulations protecting biological resources and implementation of site-specific mitigation measures, cumulative impacts would be less than significant.

5.4.5 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, some impacts would be less than significant: 5.4-1 and 5.4-4.

Without mitigation, these impacts would be **potentially significant**:

- **Impact 5.4-1** Development of the proposed project could have a substantial effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

- **Impact 5.4-4** Development of the proposed project could potentially interfere 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.

- **Impact 5.4-5** Development of the proposed project could potentially conflict with local polices or ordinances protecting biological resources but would not conflict with the provisions of an adopted habitat Conservation Plan, Naturak Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

5.4.6 Mitigation Measures

Impact 5.4-1, Impact 5.4-4, and Impact 5.4-5

BIO-1 **Preconstruction Avian Survey.** If project construction-related activities (i.e., vegetation clearing or ground disturbing activities) take place during the breeding season (February 15 through August 31), preconstruction surveys for nesting birds and raptors (birds of prey) within the existing vegetation onsite, which would be removed during construction, shall be conducted by a qualified biologist at least 3 days prior to the commencement of the vegetation clearing or ground disturbing activities. If any bird listed under the Migratory Bird Treaty Act is found to be nesting within the project site or within the area of construction-related activities, an adequate protective buffer zone shall be established by a qualified biologist to protect the nesting site. This buffer shall be a minimum of 75 feet from the project activities for passerine birds and a minimum of 200 feet for raptors. The distance shall be determined by a qualified biologist based on the site conditions (topography, if the nest is in a line of sight of the construction, and the sensitivity of the birds nesting). Additional protective measures shall include establishment of clearly delineated exclusion zones (i.e., demarcated by identifiable fencing, such as orange construction fencing or equivalent) around each nest location as determined by a qualified biologist, taking into account the species of birds nesting, their tolerance for disturbance, and proximity to existing development. The nest site(s) shall be monitored by a qualified biologist periodically to see if the birds are stressed by the construction activities and if the protective buffer needs to be increased. Once the young have fledged and are flying well enough to avoid project construction zones (typically by August), the project can proceed without further regard to the nest site(s).

5.4.7 Level of Significance After Mitigation

Impacts 5.4-1, 5.4-4, and 5.4-5 were potentially significant prior to mitigation. With the incorporation of Mitigation Measure BIO-1 and adherence to regulatory compliance measures, Impact 5.4-1, Impact 5.4-4, and Impact 5.4-5 would be reduced to a less than significant level.

5.4.8 References

California Department of Fish and Wildlife (CDFW). 2025a, June 23 (accessed). Biogeographic Information Observation System (BIOS 6). https://apps.wildlife.ca.gov/bios6/?bookmark=648.

———. 2025b, June 23 (accessed). Habitat Conservation Planning Branch. https://wildlife.ca.gov/Organization/HCPB.

———. 2025c, June 23 (accessed). Conservation Plan Boundaries: HCP and NCCP [ds760]. https://data-cdfw.opendata.arcgis.com/datasets/CDFW::conservation-plan-boundaries-hcp-and-nccp-ds760/explore.

United States Department of Fish and Wildlife Services (USFWS). 2025, June 23 (accessed). Critical Habitat for Threatened & Endangered Species. https://fws.maps.arcgis.com/apps/mapviewer/index.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77.

———. 2025b, June 23 (accessed). Habitat Conservation Plans. https://www.fws.gov/service/habitat-conservation-plans.

5.5 CULTURAL RESOURCES

Cultural resources comprise archaeological and historical resources. Archaeology studies human artifacts, such as places, objects, and settlements that reflect group or individual religious, cultural, or everyday activities. Historical resources include sites, structures, objects, or places that are at least 50 years old and are significant for their engineering, architecture, cultural use or association, etc. In California, historic resources cover human activities over the past 12,000 years. Cultural resources provide information on scientific progress, environmental adaptations, group ideology, or other human advancements. This section of the DEIR evaluates the potential for implementation of the proposed project to impact cultural resources in the County Tulare. The analysis in this section is based in part on the following information:

- *Historical/Archaeological Resources Survey Report*, HANA Resources, Inc., May 25, 2025

Complete copies of these technical reports are provided in Appendix E (Historical/Archaeological Resources Survey Report) of this DEIR.

No public comment letters were received in response to the Notice of Preparation (NOP) related to cultural resources. Refer to Appendix A for all NOP comment letters.

5.5.1 Environmental Setting

5.5.1.1 REGULATORY BACKGROUND

Federal, state, and local laws, regulations, plans, or guidelines related to cultural resources and potentially applicable to the proposed project are summarized below.

Federal Regulations

National Historic Preservation Act

The National Historic Preservation Act of 1966 coordinates public and private efforts to identify, evaluate, and protect the nation's historic and archaeological resources. The act authorized the National Register of Historic Places, which lists districts, sites, buildings, structures, and objects that are significant in American history, architecture, archaeology, engineering, and culture.

Section 106 (Protection of Historic Properties) of the act requires federal agencies to take into account the effects of their undertakings on historic properties. Section 106 Review ensures that historic properties are considered during federal project planning and implementation. The Advisory Council on Historic Preservation, an independent federal agency, administers the review process with assistance from state historic preservation offices.

National Register of Historic Places

The National Register of Historic Places is authorized by the National Historic Preservation Act of 1966 (Code of Federal Regulations, Title 36, Chapter I, Part 60). It is the nation's official list of buildings,

structures, objects, sites, and districts worthy of preservation because of their significance in American history, architectures, archaeology, engineering, and culture. The National Register recognizes resources of local, state, and national significance that have been documented and evaluated according to uniform standards and criteria.

The National Register is administered by the National Park Service. Properties are nominated to the register by the State Historic Preservation Officer of the state in which the property is located, by the Federal Preservation Officer for properties under federal ownership or control, or by the Tribal Historic Preservation Officer if a property is on tribal lands.

To be eligible for listing in the National Register, a resource must meet at least one of the following criteria:

A. Is associated with events that have made a significant contribution to the broad patterns of history.

B. Is associated with the lives of persons in our past.

C. Embodies the distinctive characteristics of a type, period, or method of construction; represents the work of a master; possesses high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction.

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

A final critical component of eligibility is "integrity." Integrity refers to the ability of a property to convey its significance and the degree to which the property retains the identity, including physical and visual attributes, for which it is significant under the four basic criteria. The National Register criteria recognize seven aspects or qualities of integrity: location, design, setting, materials, workmanship, feeling, association.

Archaeological Resources Protection Act

The Archaeological Resources Protection Act of 1979 regulates the protection of archaeological resources and sites on federal and Indian lands.

Native American Graves Protection and Repatriation Act

NAGPRA is a federal law passed in 1990 that mandates museums and federal agencies to return certain Native American cultural items—such as human remains, funerary objects, sacred objects, or objects of cultural patrimony—to lineal descendants or culturally affiliated Indian tribes.

State Regulations

California Public Resources Code

Archaeological, paleontological, and historical sites are protected under a wide variety of state policies and regulations in the California Public Resources Code (PRC). In addition, cultural and paleontological resources are recognized as nonrenewable resources and receive protection under the PRC and CEQA.

PRC Sections 5020 to 5029.5 continued the former Historical Landmarks Advisory Committee as the State Historical Resources Commission. The commission oversees the administration of the California Register of Historical Resources and is responsible for designating State Historical Landmarks and Historical Points of Interest.

PRC Sections 5079 to 5079.65 define the functions and duties of the Office of Historic Preservation, which administers federal- and state-mandated historic preservation programs in California as well as the California Heritage Fund.

PRC Sections 5097.9 to 5097.991 provide protection to Native American historical and cultural resources and sacred sites; identify the powers and duties of the Native American Heritage Commission (NAHC); require that descendants be notified when Native American human remains are discovered; and provide for treatment and disposition of human remains and associated grave goods.

California Register of Historical Resources

The State Historical Resources Commission designed this program for state and local agencies, private groups, and citizens to identify, evaluate, register, and protect California's historical resources. The California Register of Historical Resources is the authoritative guide to the state's significant historical and archaeological resources.

The California Register program encourages public recognition and protection of resources of architectural, historical, archaeological, and cultural significance; identifies historical resources for state and local planning purposes; determines eligibility for state historic preservation grant funding; and affords certain protections under CEQA.

To be eligible for listing in the California Register, a resource must meet at least one of the following criteria:

A. Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.

B. Associated with the lives of person important to local, California or national history.

C. Embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values.

D. Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation. (PRC Section 5024.1[c])

In addition to having significance, resources must have integrity for the period of significance. The period of significance is the date or span of time within which significant events transpired or significant individuals made their important contributions. Integrity is the authenticity of a historical resource's physical identity as evidenced by the survival of characteristics or historic fabric that existed during the resource's period of significance. Alterations to a resource or changes in its use over time may have historical, cultural, or architectural significance. In summary, resources must retain enough of their historic character or appearance

to be recognizable as historical resources and to convey the reasons for their significance. A resource that has lost its historic character or appearance may still have sufficient integrity for the California Register if, under Criterion D, it maintains the potential to yield significant scientific or historical information or specific data.

California Health and Safety Code

California Health and Safety Code, Section 7050.5, states that if human remains are found, the county coroner shall be notified within 24 hours of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the county coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the county coroner believes that the remains might be Native American, they shall notify the NAHC in Sacramento within 48 hours. In accordance with PRC Section 5097.98, the NAHC must immediately notify the most likely descendant of the deceased Native American. The descendants shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

Local Regulations

Tulare County General Plan

The General Plan has a number of policies that apply to projects within Tulare County. The policies listed below are General Plan policies that relate to cultural resources.

- **LU-7.12 Historical Buildings and Areas.** The County shall encourage preservation of buildings and areas with special and recognized historic, architectural, or aesthetic value. New development should respect architecturally and historically significant buildings and areas. Landscaping, original roadways, sidewalks, and other public realm features of historic buildings or neighborhoods shall be restored or repaired where ever feasible.

- **LU-7.13 Preservation of Historical Buildings.** The County shall encourage and support efforts by local preservation groups to identify and rehabilitate historically significant buildings.

- **ERM-6.1 Evaluation of Cultural and Archaeological Resources.** The County shall participate in and support efforts to identify its significant cultural and archaeological resources using appropriate State and Federal standards.

- **ERM-6.2 Protection of Resources with Potential State or Federal Designations.** The County shall protect cultural and archaeological sites with demonstrated potential for placement on the National Register of Historic Places and/or inclusion in the California State Office of Historic Preservation's California Points of Interest and California Inventory of Historic Resources. Such sites may be of Statewide or local significance and have anthropological, cultural, military, political, architectural, economic, scientific, religious, or other values as determined by a qualified archaeological professional.

- **ERM-6.3 Alteration of Sites with Identified Cultural Resources.** When planning any development or alteration of a site with identified cultural or archaeological resources, consideration should be given to ways of protecting the resources. Development can be permitted in these areas only after a site specific investigation has been conducted pursuant to CEQA to define the extent and value of resource, and mitigation measures proposed for any impacts the development may have on the resource.

- **ERM-6.4 Mitigation.** If preservation of cultural resources is not feasible, every effort shall be made to mitigate impacts, including relocation of structures, adaptive reuse, preservation of facades, and thorough documentation and archival of records.

- **ERM-6.5 Cultural Resources Education Programs.** The County should support local, State, and national education programs on cultural and archaeological resources.

- **ERM-6.6 Historic Structures and Sites.** The County shall support public and private efforts to preserve, rehabilitate, and continue the use of historic structures, sites, and parks. Where applicable, preservation efforts shall conform to the current Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.

- **ERM-6.7 Cooperation of Property Owners.** The County should encourage the cooperation of property owners to treat cultural resources as assets rather than liabilities, and encourage public support for the preservation of these resources.

- **ERM-6.8 Solicit Input from Local Native Americans.** The County shall continue to solicit input from the local Native American communities in cases where development may result in disturbance to sites containing evidence of Native American activity and/or to sites of cultural importance.

- **ERM-6.9 Confidentiality of Archaeological Sites.** The County shall, within its power, maintain confidentiality regarding the locations of archaeological sites in order to preserve and protect these resources from vandalism and the unauthorized removal of artifacts.

- **ERM-6.10 Grading Cultural Resources Sites.** The County shall ensure all grading activities conform to the County's Grading Ordinance and California Code of Regulations, Title 20, § 2501 et. seq.

5.5.1.2 EXISTING CONDITIONS

General Setting

The project site is in the northwest part of Tulare County, approximately 4.38 miles northeast of the City of Tulare downtown and approximately 4.45 miles southwest of the City of Visalia downtown. The project site includes a fallow agricultural field on parcel 149-030-005 (15.23 acres) and a paved driveway and parking area, disturbed land, fencing, and landscaping/grass turf on parcel 149-030-008 (0.4 acres) for a total of 15.63 acres. A dirt road used for internal access to the former agricultural uses also borders the western and southern parts of the project site on parcel 149-030-005. Parcel 149-030-005 of the project site also includes

irrigation infrastructure used for the former agricultural fields throughout the parcel. Existing landscaping and trees border the eastern part of the project site on parcel 149-030-008 and include disturbed land south of the existing paved driveway. (See Figure 3-3, *Aerial View with Photograph Location*; Figure 3-4, *Project Site Photos*; and Figure 3-5, *Surrounding Use Photographs*.

Cultural Setting

Ethnographic Context

The project site is situated in a region generally acknowledged as the traditional homeland of the Southern Valley Yokuts, which includes the southern end of the San Joaquin Valley and extends to the Tehachapi Mountains. The biological family formed the basic domestic and economic unit in the Southern Valley Yokuts society. No overall political unity existed among the Southern Valley Yokuts, but tribal lands were owned collectively, with resources shared by all members of the localized groups.

The Southern Valley Yokuts lived around the various rivers, lakes, sloughs, and the seasonal marshes in the valley, subsisting mainly on fish, waterfowl, shellfish, roots, and seeds. Baskets were important in securing and processing foods, along with nets, sinew-backed bows, stone-tipped arrows, and stone scrapers. Stone mortars, wooden mortars, and pestles were obtained through trade, as were the lithic materials used to make stone tools. Perforated marine shell disks were used as currency to acquire these items. There is no evidence of clay vessel manufacturing among the Southern Valley Yokuts, and the crafts of fashioning wooden and stone tools were poorly developed.

The native lifestyle of the Southern Valley Yokuts received little influence from early, casual contacts with Spaniards in the late 1700s and early 1800s. In 1833, however, an epidemic of introduced disease devastated the native population, with an estimated 75 percent mortality rate. After the annexation of California by the United States in 1848, the decline of Southern Valley Yokuts population and culture accelerated as Euroamerican settlers overran the tribal territory and displaced the native people. The Southern Valley Yokuts then were interned on the Tejon Reservation and later the Tule River and the Santa Rosa Reservations.

Historical Context

The region around the project site received its first European visitors between 1804 and 1810, when Gabriel Moraga, a Spanish army officer, led a series of expeditions into the San Joaquin Valley in search of a mission site. In 1827, Jedediah Smith became the first American to set foot in the San Joaquin Valley. Despite these early explorations, no non-Indians are known to have settled in the vicinity during the Spanish and Mexican Periods in California history (1769–1848). After the American annexation, almost the entire San Joaquin Valley, along with the southern Sierra Nevada and the northwestern Mojave Desert, was incorporated in 1850 into the County of Mariposa.

The oldest community between Stockton and Los Angeles was Visalia, which was founded in 1852, the same year that Tulare County was created. A year later, Visalia became the county seat.

The town of Tulare originated with construction of the Southern Pacific (now Union Pacific) Railroad in the 1870s. Tulare was founded in 1872 by the Southern Pacific Railroad to serve as the headquarters for the San

Joaquin Valley. The town was incorporated in 1888. The Southern Pacific Railroad relocated its headquarters in 1891 to Bakersfield, forcing the town to switch to agriculture. With the gradual settlement and development of the San Joaquin Valley, Fresno County was created in 1856 and Kings County in 1893. Throughout the late 19th century, railroad and irrigation had an influence on the growth of the region. The Tulare Irrigation District brought water from the Sierra Nevada mountains through an extensive canal system. The earliest recorded irrigation effort was in Visalia in 1854, when a group of settlers cut a small ditch from Upper Mill Creek. The region around the project area has experienced constantly shifting focuses in its agricultural economy. Today, the most important staples produced in the region include cotton, barley, hay, vegetables, beef, and dairy products (HANA Resources 2025).

Historical and Archaeological Resources

Records Search

The historical/archaeological resources records search for the project site was provided by the Southern San Joaquin Valley Information Center (SSJVIC) on January 13, 2025. SSJVIC staff examined maps and records on file for previously identified cultural resources and existing cultural resources studies within a one-mile radius of the project site. Previously identified cultural resources include properties designated as California Historical Landmarks or Points of Historical Interest as well as those listed in the National Register of Historic Places, the California Register of Historical Resources, or the California Historical Resources Inventory.

According to SSJVIC records, the project site had not been surveyed systematically for cultural resources prior to the proposed project. However, two linear surveys were previously carried out along the eastern project boundary in 1999 and 2010, both with negative findings. Additionally, a segment of site 54-005296 (CA-TUL-003103H), representing the Tulare Irrigation Canal (a.k.a. the Tulare Irrigation District Canal) network, was previously recorded as lying across the northern project boundary, along the south side of Avenue 264/Liberty Road.

The canal system features various branches extending throughout Tulare County, several segments of which have been recorded between 1997 and 2022. The segment across the project site was part of the North Branch of the Kaweah Canal, which was originally built in 1877. Segments of the canal recorded elsewhere have been evaluated as being potentially eligible for the California Historical Resources Inventory due to the importance of irrigation to agriculture in the Central Valley region and their ability to relate to the time of initial construction based on current condition and appearance.

Within the one-mile radius of the records search, SSJVIC records identified four additional studies completed between 1975 and 2015. One cultural resource was recorded within the one-mile search radius – Site TUL-PRO-007. Site TUL-PRO-007 consists of the Mooney Park Bridge, constructed in 1915. The bridge is not in the immediate vicinity of the project site, being nearly a mile to the northeast, and thus requires no further consideration (HANA Resources 2025).

5. Environmental Analysis
CULTURAL RESOURCES

Historical Research

Historical background research was conducted and sources included published literature in local and regional history, General Land Office (GLO) maps dated 1855-1886, USGS topographic maps dated 1927 to 1971, and aerial/satellite photographs taken in 1956 to 2025.

Historical sources suggest that the project site has experienced residential and agricultural development since the turn of the 20th century. In the 1850s to 1880s, when the U.S. government conducted the first systematic land survey in the San Joaquin Valley, no human-made features were noted near the immediate vicinity of the project site. By the 1920s, grid of roads with buildings along them had appeared and included Mooney Boulevard. A ranch building had appeared in the southeastern portion of the project site by that time, and Liberty School had been developed on the adjacent parcel. The building within the project site was the property of George W. Fillmore and his wife Anna E. Fillmore. The Fillmores resided primarily in Oakland but owned and operated a ranch in Tulare in the project vicinity by 1892.

During that same time frame, the northern section of the project site along Liberty Road (Avenue 264) belonged to Daniel Kindle "D. K." Zumwalt. D. K. Zumwalt and his wife Emma Frances Blackwedel (or Balchwedel) lived in Tulare County but did not develop the property. Zumwalt was a major landholder in Tulare County, owning several herds of cattle, a dairy, and a creamery, and he completed summaries for all records pertaining to land titles in the Land Office for the County.

From the 1920s through the 1940s, the ranch building remained the only built environment feature on the project site, with more buildings and roads appearing elsewhere in the area by the 1940s. The Tulare Irrigation Canal first appeared along the northern project boundary by the 1920s. By the end of the 1940s, the ranch building was still present on the project site, and the surrounding area demonstrated increased residential development and agricultural growth.

Aerial photographs from 1956 show the majority of the land in the project site being used for agriculture, as it has been to the present day. Buildings in a historical aerial photograph from the early 1950s appear to match the configuration of those that were still standing in March 2024. Street-view photographs from 2024 indicate that the house standing at that time was unlikely to be the same building present in 1892, but its location and shape did strongly resemble the main building in 1952. Agricultural buildings were also shown to the west, but they had been removed by 1956. The last surviving building on the project site had been removed prior to January 2025 (HANA Resources 2025).

Field Survey

On February 21, 2025, a field survey of the project site was completed. The survey was done on foot at an intensive level by walking a series of parallel north-south transects at 15-meter (approximately 50-foot) intervals. The entire project site was surveyed systematically for any evidence of human activities dating to the prehistoric or historic period (i.e., 50 years or older).

During the field survey, the segment of the Tulare Irrigation Canal (Site 54-005296) across the northern edge of the project site was found to have been covered and run entirely underground. A standpipe at the west

end of the segment and an access box at the east end are the only elements on the surface. Approximately 0.3 miles east of the segment is the location of the culvert where the canal goes underground which is just to the north of 11797 Avenue 264/Liberty Road. The concrete top of the culvert has the words "JR 56" written in it. Newspaper accounts from 1956 discuss the planning and implementation of the canal coverage projects across the north side of the city of Tulare, including on the North Branch of the Kaweah Canal, which suggests that the segment recorded herein was covered around that time.

In the southeastern portion of the project site, a small amount of refuse and building remains were observed at the approximate location of the buildings removed before January 2025. Fragments of brick and concrete are present around the footprints of the house and outbuilding, and a mailbox stands along N Mooney Boulevard/State Route 63. A fragment of a handmade ceramic bowl glazed with blue and gold, a colorless bottle body fragment with a yellow ACL label, and a "Tulare Trackmasters" belt buckle were the only nonstructural artifacts identified around the house location.

The artifacts observed all appear to be from the late 20th century on the threshold of historical age with no elements from the 1892 structure identified. The "Tulare Trackmasters" was a local organization around 1976 to 1979 that organized motorcycle track competitions. Due to the scarcity of materials remaining and their relatively late age, it was determined that the locality does not warrant formal recordation into the California Historical Resources Inventory as an archaeological site. No other cultural resources were encountered within project boundaries (HANA Resources 2025).

5.5.2 Thresholds of Significance

CEQA Guidelines Section 15064.5 provides direction on determining significance of impacts to archaeological and historical resources. Generally, a resource shall be considered "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated the with lives of persons important in our past;
- Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history. (PRC § 5024.1; 14 CCR § 4852)

The fact that a resource is not listed in the California Register of Historical Resources, not determined to be eligible for listing, or not included in a local register of historical resources does not preclude a lead agency from determining that it may be a historical resource.

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

C-1 Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.

C-2 Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

C-3 Disturb any human remains, including those interred outside of dedicated cemeteries.

Also see Section 5.7, *Geology and Soils*, regarding potential impacts to paleontological resources, and Section 5.17, *Tribal Cultural Resources*, regarding potential impacts to Native American cultural resources.

5.5.3 Environmental Impacts

The applicable thresholds are identified in brackets after the impact statement.

Impact 5.5-1: The proposed project would not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5. [Threshold C-1]

As discussed in Section 5.5.1.2, *Existing Conditions*, the Historical/Archaeological Resources Survey Report identified the Tulare Irrigation Canal along the northern edge of the project site. Off-site segments of the Tulare Irrigation Canal have been evaluated as being potentially eligible for the California Historical Resources Inventory due to the importance of irrigation to agriculture in the Central Valley region. Although other segments of the Tulare Irrigation Canal were previously evaluated as being potentially eligible for listing in the California Register of Historical Resources, the segment on the project site does not demonstrate the necessary historical character or retain its historical integrity for listing (HANA Resources 2025). Additionally, the proposed project would not demolish the segment.

One cultural resource, the Mooney Park Bridge, was identified approximately 1 mile northeast of the project site (TUL-PRO-007). The closest local designated historical resource is 3.7 miles north of the project site (Visalia 2014). Additionally, as mentioned above, a fragment of a handmade ceramic bowl, a bottle with a yellow ACL label, and a "Tulare Trackmasters" belt buckle were the only nonstructural artifacts identified around the house location. These are not considered historical resources. Therefore, impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.5-2: Development of the project could cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5. [Threshold C-2]

Implementation of the proposed project would result in ground disturbance to construct the proposed project. Earthwork associated with the proposed project would include grading for proper base and slope and utility trenching. The earthwork activities associated with the proposed project would generally be surface level since no subterranean levels are proposed, which typically requires extensive excavation. Additionally, the project site has been previously disturbed due to the previous residential and agricultural development, as

described in Section 5.5.1.2, *Existing Conditions*. Although it is unlikely that the proposed project would encounter archaeological resources, the potential still exists that ground-disturbing activities from the proposed project may uncover unknown archaeological resources. In the unlikely event that ground-disturbing activities, such as utility trenching and grading, encounter archaeological resources, the disturbance of these archaeological resources could cause a potentially significant impact to the resource(s) if not mitigated.

Level of Significance Before Mitigation: Potentially Significant.

Impact 5.5-3: The proposed project could disturb human remains, including those interred outside of dedicated cemeteries. [Threshold C-3]

The project site is primarily fallow agricultural land. However, as identified in Section 5.5.1.2,the project site has experienced past residential and agricultural development and activities that previously required earthwork activities. As such, potential for human remains would be low. However, earthwork activities of the proposed project, such as grading, may have the potential to unearth unknown human remains.

If human remains are encountered during ground-disturbing activities, California Health and Safety Code Section 7050.5 requires disturbance of the site to halt and remain halted. The county coroner is required to investigate the circumstances, manner, and cause of any death and recommend the treatment and disposition of the human remains to the person responsible for the excavation or to his or her authorized representative, in the manner provided in PRC Section 5097.98. The coroner is required to make a determination within two working days of being notified of the discovery of the human remains. If the coroner has reason to believe they are Native American, he or she is required to contact, by telephone within 24 hours, the NAHC, who will contact the "most likely descendant." The most likely descendant receives access to the discovery and will provide recommendations or preferences for treatment of the remains within 48 hours of accessing the discovery site. Disposition of human remains and any associated grave goods, if encountered, shall be treated in accordance with procedures and requirements in PRC Sections 5097.94 and 5097.98; Section 7050.5 of the California Health and Safety Code; and CEQA Guidelines Section 15064.5.

While unlikely, any accidental discovery of human remains during project construction and operation would be required to comply with all applicable laws and regulations establishing the proper handling of human remains. Compliance with these laws and regulations would ensure that proposed project would result in a less than significant impact.

Level of Significance Before Mitigation: Less Than Significant.

5.5.4 Cumulative Impacts

While implementation of the proposed project in conjunction with other development projects could unearth unknown significant cultural resources, each development project (including the UPHS relocation project and the Liberty sewer project) would be required to comply with applicable regulatory requirements.

In addition, the proposed project does not involve demolition nor removal of a historic resource. It is possible that other development projects could involve modifications to or demolition of existing buildings, some of which may be considered historic resources. However, under existing applicable regulations, site-specific cultural resources investigations would be required for other discretionary projects before ground disturbances, demolition, or substantial alteration of existing structures. Such investigations would include some degree of surface-level surveying and identify resources on the affected project sites. Such investigations would also be required to mitigate impacts (where needed) to protect and preserve any identified cultural and/or historic resources. As a part of the investigations, a cultural resources records search of the California Historical Resources Information System and a Sacred Land Files search would be required.

The proposed project would incorporate Mitigation Measure CUL-1, which would ensure that any buried archaeological resources, if encountered, would be properly handled. Additionally, existing federal, State, and local regulations and policies described in Section 5.5.1.1 protect any undiscovered cultural resources. Similarly, other development projects would be expected to implement applicable mitigation measures to reduce potential impacts and adhere to applicable regulations governing the treatment of cultural resources, including historic and archaeological resources and human remains. As with the proposed project, each development project would be required to comply PRC Section 21083.2(i), which address accidental discoveries of archaeological sites and resources.

Therefore, the proposed project would not alter historic resources, archaeological resources, nor human remains in a manner that could combine with other development projects to result in a cumulatively considerable impact to historic resources. The proposed project's contribution to cumulative cultural resource impacts would be rendered less than significant, and therefore, the proposed project's impacts would not be cumulatively considerable.

5.5.5 Level of Significance Before Mitigation

Upon implementation of regulatory requirements, two impacts would be less than significant: 5.5-1, and 5.5-3.

Without mitigation, these impacts would be **potentially significant**:

- **Impact 5.5-2** Development of the proposed project could potentially impact archaeological resources.

5.5.6 Mitigation Measures

Impact 5.5-2

CUL-1 Prior to the start of construction, the Tulare County Office of Education shall retain a qualified archaeologist. The qualified archaeologist shall be present onsite earthwork activities and monitor earthwork activities for the presence of archaeological resources. If buried cultural materials are encountered during any earth-moving operations associated

with the proposed project, all work within 50 feet of the discovery should be halted or diverted until the qualified archaeologist can evaluate the nature and significance of the find(s). If the qualified archaeologist determines that the find is significant, an archaeological treatment plan must be developed to mitigate harm to the resource and will include procedures for data recovery in the event that the resource cannot be avoided.

Work may continue on other parts of the project site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If a non-Native American resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources.

Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

5.5.7 Level of Significance After Mitigation

Mitigation Measure CUL-1 (MM CUL-1) would require all work within 50 feet of a discovery of cultural materials to be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds. MM CUL-1 would reduce potential impacts to cultural resources to a level that is less than significant. Therefore, no significant unavoidable adverse impacts to cultural resources have been identified.

5.5.8 References

HANA Resources, Inc. 2025, May 25. Historical/Archaeological Resources Survey Report. Appendix E.

Visalia, City of. 2014, October. Visalia General Plan: Historical Preservation. https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=30475.

5. Environmental Analysis
CULTURAL RESOURCES

This page intentionally left blank.

5.6 ENERGY

This section of the DEIR evaluates the potential for energy-related impacts associated with the proposed project and ways in which it would reduce unnecessary energy consumption, consistent with the suggestions in Appendix F of the California Environmental Quality Act (CEQA) Guidelines. Energy service providers to the project site include Southern California Edison (SCE) for electrical service and Southern California Gas Company (SoCalGas) for natural gas.

A public comment was received in response to the Notice of Preparation (NOP) related to energy. A letter from the San Joaquin Valley Air Pollution Control District received on May 8, 2025, discusses relevant regulations administered by the SJVAPCD for energy. The relevant issues raised from the comment letter are addressed throughout this section. Refer to Appendix A for the response to the NOP comment letter.

5.6.1 Environmental Setting

Section 21100(b)(3) of the CEQA Guidelines requires that an EIR include a detailed description of mitigation measures proposed to minimize significant effects on the environment, including, but not limited to, measures to reduce the wasteful, inefficient, and unnecessary consumption of energy. Appendix F of the CEQA Guidelines states that, to ensure that energy implications are considered in project decisions, the potential energy implications of a project shall be considered in an EIR, to the extent relevant and applicable to the project. Appendix F further states that a project's energy consumption and proposed conservation measures may be addressed, as relevant and applicable, in the project description, environmental setting, and impact analysis portions of technical sections as well as through mitigation measures and alternatives.

In accordance with Appendices G and F of the CEQA Guidelines, this DEIR includes relevant information and analyses that address the energy implications of the proposed project. This section summarizes the proposed project's anticipated energy needs, impacts, and conservation measures. Other aspects of the proposed project's energy implications are discussed elsewhere in this DEIR, including Chapter 3, *Project Description*, and Sections 5.3, *Air Quality,* and 5.8, *Greenhouse Gas Emissions*.

5.6.1.1 REGULATORY BACKGROUND

Federal

Federal Energy Policy and Conservation Act

The Energy Policy and Conservation Act of 1975 was established in response to the 1973 oil crisis. The act created the Strategic Petroleum Reserve, established vehicle fuel economy standards, and prohibited the export of U.S. crude oil (with a few limited exceptions). It also created Corporate Average Fuel Economy (CAFE) standards for passenger cars starting in model year 1978. The CAFE standards are updated periodically to account for changes in vehicle technologies, driver behavior, and/or driving conditions.

The federal government issued new Corporate Average Fuel Economy (CAFE) standards in 2012 for model years 2017 to 2025, which required a fleet average of 54.5 miles per gallon (mpg) in 2025. On March 30,

2020, the USEPA finalized an updated CAFE and GHG emissions standards for passenger cars and light trucks and established new standards covering model years 2021 through 2026, known as the Safer Affordable Fuel Efficient (SAFE) Vehicles Final Rule for Model Years 2021 to 2026.

On December 21, 2021, under direction of Executive Order (EO) 13990 issued by President Biden, the National Highway Traffic Safety Administration repealed SAFE Vehicles Rule Part One, which had preempted State and local laws related to fuel economy standards. In addition, on March 31, 2022, the National Highway Traffic Safety Administration finalized new fuel standards in response to EO 13990. Fuel efficiency under the standards proposed increased 8 percent annually for model years 2024 to 2025 and 10 percent annual for model year 2026. Overall, the new CAFE standards require a fleet average of 49 mpg for passenger vehicles and light trucks for model year 2026, which would be a 10 mpg increase relative to model year 2021 (NHTSA 2022).

On June 7, 2024, under the Biden Administration, NHTSA announced final CAFE standards for passenger cars and light trucks built in MY 2027-2031 and final fuel efficiency standards for heavy-duty pickup trucks and vans built in MY 2030-2035. The final rules establish standards that would require an industry fleet-wide average of approximately 50.4 mpg for passenger cars and light trucks in MY 2031, by increasing fuel economy by 2 percent year over year for passenger cars (MY 2027-2031) and for light trucks (model years 2029-2031). For heavy-duty pickup trucks and vans, the final rule would increase fuel efficiency at a rate of 10 percent per year (model years 2030-2032) and 8 percent per year (MY 2033-2035) (NHTSA 2024).

On June 11, 2025, the NHTSA published the final rule, "Resetting the Corporate Average Fuel Economy Program." This interpretive rule issued by the NHTSA does not immediately change or reverse current fuel economy standards; however, the rule clarifies the NHTSA's interpretation of its obligations for CAFE standards stemming from the Energy Policy and Conservation Act of 1975 and the Energy Independence and Security Act of 2007. The rule asserts that some regulations, such as those established under previous presidential administrations, improperly considered electric vehicles (EVs) when identifying the "maximum feasibility" average fuel economy level upon which CAFE standards are developed, thereby establishing a legal foundation for future rollbacks of CAFE standards (NHTSA 2025).

Energy Independence and Security Act of 2007

The Energy Independence and Security Act of 2007 (Public Law 110-140) seeks to provide the nation with greater energy independence and security by increasing the production of clean renewable fuels; improving vehicle fuel economy; and increasing the efficiency of products, buildings, and vehicles. It also seeks to improve the energy performance of the federal government. The act set higher CAFE standards; the Renewable Fuel Standard; appliance energy-efficiency standards; building energy-efficiency standards; and accelerated research and development tasks on renewable energy sources (e.g., solar energy, geothermal energy, and marine and hydrokinetic renewable energy technologies), carbon capture, and sequestration (USEPA 2022).

Energy Policy Act of 2005

Passed by Congress in July 2005, the Energy Policy Act includes a comprehensive set of provisions to address energy issues. This act includes tax incentives for energy conservation improvements in commercial and residential buildings, fossil fuel production and clean coal facilities, and construction and operation of nuclear power plants, among other things. Subsidies are also included for geothermal, wind energy, and other alternative energy producers.

National Energy Policy

Established in 2001 by the National Energy Policy Development Group, the National Energy Policy is designed to help the private sector and State and local governments promote dependable, affordable, and environmentally sound production and distribution of energy for the future. Key issues addressed by the energy policy are energy conservation, repair and expansion of energy infrastructure, and ways of increasing energy supplies while protecting the environment.

Natural Gas Pipeline Safety Act of 1968

The Natural Gas Pipeline Safety Act of 1968 authorizes the United States Department of Transportation to regulate pipeline transportation of flammable, toxic, or corrosive natural gas and other gases as well as the transportation and storage of liquefied natural gas. The Pipeline and Hazardous Materials Safety Administration within the Department of Transportation develops and enforces regulations for the safe, reliable, and environmentally sound operation of the nation's 2.6-million-mile pipeline transportation system.

State

California Energy Commission

The California Energy Commission (CEC) was created in 1974 under the Warren-Alquist Act as the State's principal energy planning organization to meet the energy challenges facing the state in response to the 1973 oil embargo. The CEC is charged with six basic responsibilities when designing state energy policy:

- Forecast statewide electricity needs
- License power plants to meet those needs
- Promote energy conservation and efficiency measures
- Develop renewable energy resources and alternative energy technologies
- Promote research, development, and demonstration
- Plan for and direct the State's response to energy emergencies

California Public Utilities Commission

In September 2008, the California Public Utilities Commission (CPUC) adopted the Long-Term Energy Efficiency Strategic Plan, which provides a framework for energy efficiency in California through the year 2020 and beyond. It articulates a long-term vision, as well as goals for each economic sector, identifying specific near-term, mid-term, and long-term strategies to assist in achieving these goals. This plan sets forth

the following four goals, known as Big Bold Energy Efficiency Strategies, to achieve significant reductions in energy demand:

- All new residential construction in California will be zero net energy by 2020.
- All new commercial construction in California will be zero net energy by 2030.
- Heating, Ventilation, and Air Conditioning (HVAC) will be transformed to ensure that its energy performance is optimal for California's climate.
- All eligible low-income customers will be given the opportunity to participate in the low-income energy efficiency program by 2020.

With respect to the commercial sector, the Long-Term Energy Efficiency Strategic Plan notes that commercial buildings, which include schools, hospitals, and public buildings, consume more electricity than any other end-use sector in California. The commercial sector's five-billion-plus square feet of space accounts for 38 percent of the State's power use and over 25 percent of natural gas consumption. Lighting, cooling, refrigeration, and ventilation account for 75 percent of all commercial electric use, and space heating, water heating, and cooking account for over 90 percent of gas use. In 2006, schools and colleges were in the top-five facility types for electricity and gas consumption, accounting for approximately 10 percent of the state's electricity and gas use.

The CPUC and CEC have adopted the following goals to achieve zero net energy (ZNE) levels by 2030 in the commercial sector:

Goal 1: New construction will increasingly embrace zero net energy performance (including clean, distributed generation), reaching 100 percent penetration of new starts in 2030.

Goal 2: 50 percent of existing buildings will be retrofit to zero net energy by 2030 through achievement of deep levels of energy efficiency and with the addition of clean distributed generation.

Goal 3: Transform the commercial lighting market through technological advancement and innovative utility initiatives.

Renewables Portfolio Standard

Senate Bills 1078, 107, X1-2, and Executive Order S-14-08

A major component of California's Renewable Energy Program is the renewables portfolio standard (RPS) established under Senate Bills (SB) 1078 (Sher) and 107 (Simitian). Under the RPS, certain retail sellers of electricity were required to increase the amount of renewable energy each year by at least 1 percent to reach at least 20 percent by December 30, 2010. EO S-14-08, signed in November 2008, expanded the State's renewable energy standard to 33 percent renewable power by 2020. This standard was adopted by the legislature in 2011 (SB X1-2). Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas. The increase in renewable sources for electricity production decreases

indirect GHG emissions from development projects because electricity production from renewable sources is generally considered carbon neutral.

Senate Bill 350

Governor Jerry Brown signed SB 350 on October 7, 2015, which expands the RPS by establishing a goal of 50 percent of the total electricity sold to retail customers in California per year by December 31, 2030. In addition, SB 350 includes the goal to double the energy-efficiency savings in electricity and natural gas final end uses (such as heating, cooling, lighting, or class of energy uses upon which an energy-efficiency program is focused) of retail customers through energy conservation and efficiency. The bill also requires the CPUC, in consultation with the CEC, to establish efficiency targets for electrical and gas corporations consistent with this goal. SB 350 also provides for the transformation of the California Independent System Operator (CAISO) into a regional organization to promote the development of regional electricity transmission markets in the western states and to improve the access of consumers served by the CAISO to those markets, pursuant to a specified process.

Senate Bill 100

On September 10, 2018, Governor Brown signed SB 100, which replaces the SB 350 requirements. Under SB 100, the RPS for publicly owned facilities and retail sellers consists of 44 percent renewable energy by 2024, 52 percent by 2027, and 60 percent by 2030. SB 100 also established a new RPS requirement of 50 percent by 2026. Furthermore, the bill establishes an overall state policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all state agencies by December 31, 2045. Under the bill, the state cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

Senate Bill 1020

SB 1020 was signed into law on September 16, 2022. It requires renewable energy and zero-carbon resources to supply 90 percent of all retail electricity sales by 2035 and 95 percent by 2040. Additionally, SB 1020 requires all state agencies to procure 100 percent of electricity from renewable energy and zero-carbon resources by 2035.

Appliance Efficiency Regulations

California's Appliance Efficiency Regulations contain energy performance, energy design, water performance, and water design standards for appliances (including refrigerators, ice makers, vending machines, freezers, water heaters, fans, boilers, washing machines, dryers, air conditioners, pool equipment, and plumbing fittings) that are sold or offered for sale in California (California Code of Regulations [CCR] Title 20, Parts 1600–1608). These standards are updated regularly to allow consideration of new energy-efficiency technologies and methods (CEC 2017).

Title 24, Part 6, Energy Efficiency Standards

Energy conservation standards for new residential and nonresidential buildings were adopted by the California Energy Resources Conservation and Development Commission (now the CEC) in June 1977 (24

California Code of Regulations [CCR] Part 6). Part 6 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy-efficiency technologies and methods.

The 2022 Building Energy Efficiency Standards were adopted on August 11, 2021, and went into effect on January 1, 2023. The 2022 standards encourage efficient electric heat pumps, establish electric-ready requirements for new homes, expand solar photovoltaic and battery storage standards, strengthen ventilation standards, and more. The 2022 standards require mixed-fuel single-family homes to be electric-ready to accommodate replacement of gas appliances with electric appliances. In addition, the standards also include prescriptive photovoltaic system and battery requirements for high-rise, multifamily buildings (i.e., more than three stories) and noncommercial buildings such as hotels, offices, medical offices, restaurants, retail stores, schools, warehouses, theaters, and convention centers (CEC 2021). The 2025 Building Energy Efficiency Standards were adopted September 24, 2024, and will become effective and replace the 2022 Building Energy Efficiency Standards on January 1, 2026. Updates under the 2025 Building Energy Efficiency Standards include electric-ready requirements for some multi-family buildings and commercial kitchens and solar and battery energy storage requirements for assembly buildings including religious worship, sports, and recreational buildings.

Under the prescriptive pathway, a new development's building design is considered the "Standard Design Building," which represents the energy-efficiency performance of that project should it include all prescribed features (e.g., solar, battery storage) with no additional energy-efficiency features beyond what is required at minimum under the mandatory requirements and prescriptive pathway. A project may still demonstrate compliance using the performance pathway without inclusion of prescriptive features like solar or battery storage. However, that building design must match or exceed the energy efficiency performance of the Standard Design Building. For example, if a project would be required to include solar and battery storage under the prescriptive pathway, it can choose to comply with the performance pathway and not include solar and battery storage so long as it can demonstrate that it would achieve the same energy-efficiency performance as if solar and battery storage were included.

Title 24, Part 11, Green Building Standards

On July 17, 2008, the California Building Standards Commission adopted the nation's first green building standards. The California Green Building Standards Code (24 CCR, Part 11, known as "CALGreen") was adopted as part of the California Building Standards Code. CALGreen established planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. The mandatory provisions of CALGreen became effective January 1, 2011, and were last updated in 2025. The 2025 CALGreen standards become effective January 1, 2026.

Assembly Bill 1493

California vehicle GHG emission standards were enacted under Assembly Bill (AB) 1493 (Pavley I). Pavley I is a clean-car standard that reduces GHG emissions from new passenger vehicles (light-duty auto to medium-duty vehicles) from 2009 through 2016 and is anticipated to reduce GHG emissions from new passenger

vehicles by 30 percent in 2016. California implements the Pavley I standards through a waiver granted to California by the USEPA. In 2012, the USEPA issued a Final Rulemaking that sets even more stringent fuel economy and GHG emissions standards for model year 2017 through 2025 light-duty vehicles (see also the discussion on the update to the CAFE standards in the "Federal Regulations" section above). In January 2012, the California Air Resources Board (CARB) approved the Pavley Advanced Clean Cars program (formerly known as Pavley II) for model years 2017 through 2025. The program combines the control of smog, soot, and global warming gases and requirements for greater numbers of zero-emission vehicles into a single package of standards. Under California's Advanced Clean Car program, by 2025, new automobiles will emit 34 percent fewer global warming gases and 75 percent fewer smog-forming emissions (CARB 2017).

Executive Order N-79-20

On September 23, 2020, EO N-79-20 was issued to set a time frame for the transition to zero-emissions (ZE) passenger vehicles, trucks, and off-road equipment. It directs CARB to develop and propose:

- Passenger vehicle and truck regulations requiring increasing volumes of new ZEVs (sold in California toward the target of 100 percent of in-state sales by 2035.
- Medium- and heavy-duty vehicle regulations requiring increasing volumes of new ZE trucks and buses sold and operated in California toward the target of 100 percent of the fleet transitioning to ZEVs by 2045 everywhere feasible, and for all drayage trucks to be ZE by 2035.
- Strategies to achieve 100 percent zero emissions from all off-road vehicles and equipment operations in California by 2035, in cooperation with other State agencies, the USEPA, and local air districts.

On August 25, 2022, CARB adopted the Advanced Clean Cars II (ACC II) regulations that codifies the EO goal of 100 percent of in-state sales of new passenger vehicles and trucks are ZE by 2035. Starting in year 2026, ACC II requires that 35 percent of new vehicles sold be ZE or plug-in hybrids (CARB 2025). However, on May 22, 2025, the U.S. Senate voted to revoke the waiver granted by the Biden administration for the ACC II program through congressional resolution (House Joint Resolution 88). On June 12, 2025, President Trump signed the resolution, which formally nullified ACC II. Currently, implementation of ACC II is unknown.

5.6.1.2 EXISTING CONDITIONS EXISTING CONDITIONS

Electricity

The project site is within the service area of SCE. Total electricity consumption in SCE's service area was 79,342 gigawatt-hours in 2024 (CEC 2025a).[1] Sources of electricity sold by SCE in 2023, the latest year for which data are available, were:

- 37.6 percent renewable, consisting mostly of solar and wind
- 4.5 percent large hydroelectric

[1] One gigawatt-hour is equivalent to one million kilowatt-hours.

- 20.0 percent natural gas
- 9.1 percent nuclear
- 0.1 percent other
- 28.8 percent unspecified sources—that is, not traceable to specific sources (CEC 2025b)[2]

The project site is currently vacant and does not currently generate a demand for electricity.

Natural Gas

SoCalGas provides gas service to project site area. The service area of SoCalGas spans much of the southern half of California, from Imperial County in the southeast to San Luis Obispo County in the northwest, to part of Fresno County in the north to Riverside County and most of San Bernardino County in the east (CEC 2025c). Total natural gas consumption in SoCalGas's service area was 4,959 million therms for 2024 (CEC 2025d). The project site is currently vacant and does not currently generate natural gas demands.

5.6.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

E-1 Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

E-2 Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

5.6.3 Environmental Impacts

5.6.3.1 METHODOLOGY

Based on CEQA Guidelines Appendix F, *Energy Conservation*, to ensure energy implications are considered in project decisions, CEQA requires that EIRs include a discussion of the potential impacts of proposed projects, with particular emphasis on avoiding or reducing wasteful, unnecessary, or inefficient use of energy resources. Environmental effects may include the proposed project's energy requirements and its energy use efficiencies by amount and fuel type during construction and operation; the effects of the proposed project on local and regional energy supplies; the effects of the proposed project on peak and base period demands for electricity and other forms of energy; the degree to which the proposed project complies with existing energy standards; the effects of the proposed project on energy resources; and the proposed project's projected transportation energy use requirements and its overall use of efficient transportation alternatives, if applicable. The provided energy and fuel usage information provided in this section are based on the following:

[2] The electricity sources listed reflect changes after the 2013 closure of the San Onofre Nuclear Generating Station, which is owned by SCE. Numbers are rounded up and may cause the total to not add up to exactly 100 percent.

- **Building Energy.** Based on the proposed building square footages and the California Emissions Estimator Model (CalEEMod) Version 2022.1 default energy (i.e., electricity and natural gas) rates for nonresidential land uses. The CalEEMod default energy rates are based on the CEC's 2018-2030 Uncalibrated Commercial Sector Forecast (commercial forecast), which was compiled by the CEC in 2019 (CAPCOA 2022). Use of the CalEEMod default energy rates for the nonresidential land uses result in conservative estimates compared to the recently adopted 2022 Building Energy Efficiency Standards because the commercial forecast is based on the energy demand per square foot of building space, land use subtype, and end use for the year 2019. It is anticipated new buildings under the 2022 Standards would generally result in lower electricity and natural gas demand compared to the CalEEMod default energy rates.

- **Fuel Usage.** Fuel usage associated with the proposed project operation-related vehicle trips and construction-related on-road vehicle trips (e.g. construction worker trips) are based on fuel usage data obtained from EMFAC2021, Version 1.0.2. Additionally, operational fuel usage calculations utilized average daily trip (ADT) generation provided by Garland Associates and CalEEMod default trip lengths. Fuel usage associated with project-related off-road construction equipment used for project construction activities is based on fuel usage data obtained from OFFROAD2021, Version 1.1.2.

5.6.3.2 IMPACT ANALYSIS

The applicable thresholds are identified in brackets after the impact statement.

Impact 5.6-1: The proposed project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. [Threshold E-1]

Short-Term Construction Impacts

Construction of the proposed project would create temporary increased demands for electricity and vehicle fuels compared to existing conditions and would result in short-term, energy use from off-road mobile equipment and on-road vehicles.

Electrical Energy

Construction of the proposed project would not require electricity to power most construction equipment. Electricity use during construction of the proposed project would vary during different phases of construction. The majority of construction equipment would be gasoline or diesel powered. Later construction phases (e.g., vertical building construction) could result in the use of electricity-powered equipment for interior construction and architectural coatings. However, it is anticipated that the majority of electric-powered construction equipment would be hand tools (e.g., power drills, table saws) and lighting, which would result in minimal electricity usage during construction activities. Additionally, it is anticipated that such equipment would be used on an as-needed basis. Therefore, project-related construction activities would not result in wasteful or unnecessary electricity demands. A less than significant impact would occur.

5. Environmental Analysis
ENERGY

Natural Gas Energy

It is not anticipated that construction equipment used for the proposed project would be powered by natural gas, and no other natural gas demand is anticipated during construction. Therefore, project-related construction activities would not result in wasteful or unnecessary natural gas usage. A less than significant impact would occur.

Transportation Energy

Transportation energy use during construction of the proposed project would come from delivery vehicles, haul trucks, and construction employee vehicles as well as off-road construction equipment. It is anticipated that the majority of off-road construction equipment, such as what is used during demolition and grading, would be gas or diesel powered. The use of energy resources by these vehicles would fluctuate according to the phase of construction. Fuel consumption during construction (2026 to 2030) was calculated based on fuel consumption data from the EMFAC2021 (v. 1.0.2) and OFFROAD2021 (v. 1.1.2) databases. The results are shown in Table 5.6-1, *Construction-Related Fuel Usage*.

Table 5.6-1 Construction-Related Fuel Usage

	Gas		Diesel		Electricity	
Year	VMT	Gallons	VMT	Gallons	VMT	kWh
Construction Worker Commute						
2026 (Phase 1)	20,657	736	32	1	886	323
2027 (Phase 1)	20,662	697	30	1	1,254	459
2028 (Phase 2)	27,997	1,007	32	1	891	324
2029 (Phase 2)	25,204	889	28	1	894	325
2030 (Phase 2)	130	4	0	0	8	3
Subtotal	**94,651**	**3,335**	**123**	**3**	**3,933**	**1,434**
Construction Vendor Trips						
2026 (Phase 1)	295	61	6,753	938	n/a	n/a
2027 (Phase 1)	149	30	3,438	471	n/a	n/a
2028 (Phase 2)	493	100	11,575	1,563	n/a	n/a
2029 (Phase 2)	300	60	7,164	954	n/a	n/a
2030 (Phase 2)	0	0	0	0	n/a	n/a
Subtotal	**1,237**	**252**	**28,929**	**3,925**	n/a	n/a
Onsite Trucks						
2026 (Phase 1)	n/a	n/a	16	2	n/a	n/a
2027 (Phase 1)	n/a	n/a	n/a	n/a	n/a	n/a
2028 (Phase 2)	n/a	n/a	125	20	n/a	n/a
2029 (Phase 2)	n/a	n/a	n/a	n/a	n/a	n/a
2030 (Phase 2)	n/a	n/a	n/a	n/a	n/a	n/a
Subtotal	n/a	n/a	**140**	**22**	n/a	n/a
Construction Off-Road Equipment						
2026 (Phase 1)	n/a	2,778	n/a	19,470	n/a	n/a
2027 (Phase 1)	n/a	0	n/a	12,570	n/a	n/a
2028 (Phase 2)	n/a	0	n/a	36,468	n/a	n/a

Table 5.6-1 Construction-Related Fuel Usage

Year	Gas		Diesel		Electricity	
	VMT	Gallons	VMT	Gallons	VMT	kWh
2029 (Phase 2)	n/a	0	n/a	29,937	n/a	n/a
2030 (Phase 2)	n/a	0	n/a	141	n/a	n/a
Subtotal	n/a	2,778	n/a	**98,586**	n/a	n/a
Total	**95,888**	**6,364**	**29,193**	**102,536**	**3,933**	**1,434**

Sources: EMFAC2021 v. 1.0.2; OFFROAD2021 v. 1.1.2.
Notes: VMT=vehicle miles traveled; kWh=kilowatt hour

To limit wasteful and unnecessary energy consumption from transportation, the construction contractors would minimize nonessential idling of construction equipment during construction in accordance with 13 CCR Article 4.8, Chapter 9, Section 2449, which limits nonessential idling of diesel-powered off-road equipment to five minutes. In addition, the project site is served by State Route (SR) 63 in addition to SR-99 and SR-183 that provide the most direct routes from various areas of the region. Moreover, all construction equipment would cease operating upon completion of project construction. Thus, transportation energy use during construction of the proposed project would not be considered inefficient, wasteful, or unnecessary. A less than significant impact would occur.

Long-Term Impacts During Operation

Operation of the proposed project would create additional demands for electricity and natural gas compared to existing conditions and would result in increased transportation energy use. Operational energy use would include heating, cooling, and ventilation of buildings; water heating; operation of electrical systems, use of on-site equipment and appliances; and indoor, outdoor, perimeter, and parking lot lighting.

Electrical Energy

Operation of the proposed project would consume electricity for various purposes, including but not limited to cooling and ventilation of buildings; operation of electrical systems; lighting; and use of on-site equipment and appliances. Electrical service to the proposed project would be provided by SCE through connections to existing off-site electrical lines and new on-site infrastructure. As shown in Table 5.6-2, *Project Electricity Demand*, the proposed project would have a total electricity demand of 669,728 kilowatt hours per year (kWh/yr).

Table 5.6-2 Project Electricity Demand

Land Use	Electricity (kWh/year)[1,2]
AcCEL Building, Library, and Performing Arts Theater	573,088
Parking Lot	96,640
Proposed Project Total	**669,728**

Source: CalEEMod version 2022.
[1] Based on information provided by TCOE.
[2] Accounts for total electricity use from proposed buildings and parking lots. See Appendix C.

While the proposed project would result in electricity demand, it would be designed and built to meet the 2022 Building Energy Efficiency Standards and CALGreen, which would contribute to increasing energy efficiency. In accordance with the 2022 Building Energy Efficiency Standards, the proposed project would install onsite photovoltaic (PV) systems and battery storage systems for the proposed buildings. Additionally, the PV systems would exceed the minimum power output required. Overall, these systems would contribute to offsetting a portion of the electricity demand shown in Table 5.6-2 with renewable electricity. The on-site PV systems and battery storage—in addition to compliance with the RPS requirements by SCE to increase electricity from renewable sources in the coming years—would further increase renewable electricity use. Furthermore, compliance with CALGreen would contribute to reducing indoor water use, which would also contribute to minimizing electricity demand from the transport and distribution of water. Thus, electricity use from operation of the proposed project would not be considered inefficient, wasteful, or unnecessary. A less than significant impact would occur.

Natural Gas Energy

The proposed project would generate natural gas demand for building and water heating. As shown in Table 5.6-3, *Project Natural Gas Demand*, the proposed land uses would generate a natural gas demand of 2,440,827 kilo British thermal units (kBTU) per year under full buildout conditions. Development pursuant to the proposed project would result in an increase in natural gas demands. However, the proposed project would be built to meet the current Building Energy Efficiency Standards and CALGreen, which would contribute to optimizing energy efficiency of the proposed buildings. For example, building insulation requirements would contribute to minimizing use of natural gas for heating. Thus, overall, the proposed project would not result in wasteful or unnecessary natural gas demands. A less than significant impact would occur.

Table 5.6-3 Project Natural Gas Demand

Land Use	Natural Gas (kBTU/year)[1,2]
AcCEL Building, Library, and Theater	2,440,827
Proposed Project Total	**2,440,827**

Source: CalEEMod version 2022.
Note: kBTU = kilo British thermal units
1 Based on information provided by TCOE.
2 Accounts for total natural gas use from proposed buildings. See Appendix C.

Transportation Energy

The proposed project would consume long-term transportation-related energy during operations from the use of motor vehicles. Estimates of transportation energy use are based on the overall VMT and EMFAC2021 fuel consumption data. Project-related vehicle trips would primarily be generated from students and staff.

Table 5.6-4, *Project Annual Operation-Related Fuel Usage*, show the annual energy usage from project-related vehicle trips at full buildout. As stated, project-related vehicle trips are assumed to be new vehicle trips for purposes of this analysis only. However, because the existing AcCEL Center and library would be relocated to the proposed project site, the vehicle trips associated with the proposed AcCEL Center and the library, which would constitute the majority of project-related annual vehicle trips and VMT, are existing trips. Furthermore, as discussed in Section 3.3, *Statement of Objectives*, in this DEIR, an objective of the proposed project is to provide educational sources in a centralized location. As discussed in Section 5.16, *Transportation*, under Impact 5.16-2, educational uses are generally considered local serving uses and implementation of the proposed project would result in less than significant VMT impacts. Thus, the operation-related fuel usage associated with the proposed project would not be considered inefficient, wasteful, or unnecessary. A less than significant impact would occur.

Table 5.6-4 Project Annual Operation-Related Fuel Usage

	Gasoline		Diesel		CNG		Electricity	
Source	Annual VMT[1]	Annual Gallons	Annual VMT[1]	Annual Gallons	Annual VMT[1]	Annual Gallons	Annual VMT[1]	Annual kWh
Project Vehicle Trips	540,979	21,519	56,294	5,790	10,273	1,751	38,252	96,101

Source: EMFAC2021 v. 1.0.2.
[1] Based on CalEEMod default trip lengths and trip generation data provided by Garland Associates (see Appendix M).

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.6-2: The proposed project would not conflict with nor obstruct a state or local plan for renewable energy or energy efficiency. [Threshold E-2]

The following evaluates consistency of the proposed project with California's RPS program and County Climate Action Plan.

California Renewables Portfolio Standard

The statewide RPS goal is not directly applicable to individual development projects, but to utilities and energy providers such as SCE, which would provide all of the electricity needs for the proposed project. Compliance of SCE in meeting the RPS goals would ensure that the State meets its objective of transitioning to renewable energy. The proposed project would be subject to the 2022 Building Energy Efficiency Standards and, in compliance with those standards, would install battery storage and PV systems. These systems would support the RPS program and the statewide transition to renewable energy. Therefore, implementation of the proposed project would not conflict with or obstruct plans for renewable energy and energy efficiency. A less than significant impact would occur.

Tulare County Climate Action Plan

The County of Tulare adopted the Tulare County Climate Action Plan 2018 Update (CAP) in 2018, which is an update to the 2012 CAP that was included as a component of the County of Tulare General Plan 2030 of

which the County adopted in August 2012. The 2018 CAP addresses post-2020 greenhouse gas reduction targets. Specifically, it incorporates new baseline and future year inventories to reflect the latest information and updates the County's strategy to address the SB 32 Year 2030 target and identifies the County's fair share of reductions required to maintain consistency with the State target (Tulare County 2018). In general, the 2018 CAP focuses on new projects demonstrating consistency with General Plan policies from various sectors, which include building energy efficiency/green building design to achieve consistency with the post-2020 reduction target (Tulare County 2018). As stated, the proposed project would install PV and battery energy storage systems to power the new proposed buildings. Additionally, the proposed project would be designed and built to meet or exceed the 2022 Title 24 building energy efficiency for Indoor Lighting Compliance, Outdoor Lighting Compliance, Power Compliance, Solar and Battery Compliance and all Nonresidential Performance Compliance Method. These components of the proposed project would result in onsite renewable electricity generation and promote building energy efficiency. Thus, the proposed project would be consistent with the energy-related 2018 CAP strategies and impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

5.6.4 Cumulative Impacts

The area considered for cumulative impacts to electricity and natural gas supplies are the service areas of SCE and SoCalGas. Other projects in the SCE and SoCalGas service areas would be required to comply with the Building Energy Efficiency Standards and CALGreen, which would contribute to minimizing wasteful energy consumption and promoting renewable energy sources. Furthermore, vehicles complying with the CAFE standards would be available statewide. Overall, as discussed under Impact 5.6-1, energy consumption (i.e., building energy and transportation fuels) resulting from implementation of the proposed project would not be considered inefficient, wasteful, or unnecessary. Implementation of the proposed project would therefore not contribute to any cumulative energy impacts when considered together with cumulative development projects and would not be cumulatively considerable.

5.6.5 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.6-1 and 5.6-2.

5.6.6 Mitigation Measures

No mitigation measures are required.

5.6.7 Level of Significance After Mitigation

All impacts would be less than significant without mitigation.

5.6.8 References

California Air Pollution Control Officers Association (CAPCOA). 2022. California Emissions Estimator Model (CalEEMod). Version 2022.1. Prepared by: ICF in collaboration with Sacramento Metropolitan Air Quality Management District.

California Air Resources Board (CARB). 2017, January 18. California's Advanced Clean Cars Midterm Review. https://ww2.arb.ca.gov/sites/default/files/2020-01/ACC%20MTR%20Summary_Ac.pdf.

———. 2025, November 3 (Accessed). Advanced Clean Cars Program https://ww2.arb.ca.gov/our-work/programs/drive-forward-light-duty-vehicle-program/advanced-clean-cars.

California Energy Commission (CEC). 2017, January. 2016 Appliance Efficiency Regulations. https://pdf4pro.com/cdn/2016-appliance-efficiency-regulations-5104f7.pdf.

———. 2021, May 19. Amendments to the Building Energy Efficiency Standards (2022 Energy Code) Draft Environmental Report. CEC-400-2021-077-D.

———. 2025a, November 3 (Accessed). Electricity Consumption. https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/california-energy-consumption-dashboards-0.

———. 2025b, November 3 (Accessed). 2023 Power Content Label: Southern California Edison Company. https://www.energy.ca.gov/filebrowser/download/7362.

———. 2025c, November 3 (Accessed). California Natural Gas Service Area. https://gis-california.opendata.arcgis.com/datasets/CAEnergy::california-natural-gas-service-area/explore.

———. 2025d, November 3 (Accessed). Natural Gas Consumption. https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/california-energy-consumption-dashboards-1.

Garland Associates. 2025, December. Traffic/Transportation Analysis for the Proposed Performing Arts Theater, AcCEL Center, and Library Project Tulare County. Appendix M.

National Highway Traffic Safety Administration (NHTSA). 2022, April 1. USDOT Announces New Vehicle Fuel Economy Standards for Model year 2024-2026. https://www.nhtsa.gov/press-releases/usdot-announces-new-vehicle-fuel-economy-standards-model-year-2024-2026.

———. 2024, June 7. Corporate Average Fuel Economy, NHTSA Announces Final Rule for CAFE and HDPUV Standards. https://www.nhtsa.gov/press-releases/new-fuel-economy-standards-model-years-2027-2031.

———. 2025, June 11. Resetting the Corporate Average Fuel Economy Program [Docket No. NHTSA-2025-0055]. https://www.federalregister.gov/documents/2025/06/11/2025-10586/resetting-the-corporate-average-fuel-economy-program.

Tulare County. 2018, December. Tulare County Climate Action Plan 2018 Update. http://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/220Climate%20Action%20Plan/CLIMATE%20ACTION%20PLAN%202018%20UPDATE.pdf.

5. Environmental Analysis
ENERGY

United States Environmental Protection Agency (USEPA). 2022, February 14 (accessed). Summary of the Energy Independence and Security Act Public Law 110-140 (2007). https://www.epa.gov/laws-regulations/summary-energy-independence-and-security-act.

5.7 GEOLOGY AND SOILS

This section of the DEIR evaluates the potential for implementation of the proposed project to impact geological and soil resources, paleontological resources, or unique geologic features in the project site. The following analysis is based in part on information contained in the following reports:

- *Paleontological Resources Assessment Report,* HANA Resources, Inc., May 28, 2025.
- *Geological and Environmental Hazards Assessment*, PlaceWorks, May 2025.
- *Preliminary Environmental Assessment*, Padre Associates, October 2025.

Complete copies of these technical reports are provided in Appendix F (Paleontological Resources Assessment Report) Appendix G (Geological and Environmental Hazards Assessment), and Appendix H (Preliminary Environmental Assessment) of this DEIR.

No public comment letters were received in response to the Notice of Preparation (NOP) related to geology and soils. Refer to Appendix A for all NOP comment letters.

5.7.1 Environmental Setting

5.7.1.1 REGULATORY BACKGROUND

Federal, state, and local laws, regulations, plans, or guidelines that are related to the protection and preservation of geologic and paleontological resources and applicable to the proposed project are summarized below.

Federal Regulations

There are no federal regulations directly applicable to the geotechnical conditions at the proposed project site. Nonetheless, installations of any underground utility lines are required to comply with industry standards specific to the type of utility (National Clay Pipe Institute for sewers; American Water Works Association for water lines, etc.), and the discharge of contaminants is required to be controlled through the National Pollutant Discharge Elimination System (NPDES) permitting program for management of construction and municipal stormwater runoff. These standards contain specifications for installation, design, and maintenance to reflect site-specific geotechnical conditions.

Clean Water Act

Under the Clean Water Act (CWA) of 1977, the United States Environmental Protection Agency (USEPA) seeks to restore and maintain the chemical, physical, and biological integrity of the nation's waters. The statute employs a variety of regulatory and nonregulatory tools to reduce direct pollutant discharges into waterways, finance municipal wastewater treatment facilities, and manage polluted runoff. The CWA authorizes the USEPA to implement water quality regulations. Please see Chapter 5.10, *Hydrology and Water Quality*, of this Draft EIR for more detail.

National Pollution Discharge Elimination System

The NPDES permit program was established by the CWA to regulate municipal and industrial discharges to surface waters of the United States from their municipal separate storm sewer systems.

Paleontological Resources Preservation Act

The federal Paleontological Resources Preservation Act of 2002 limits the collection of vertebrate fossils and other rare and scientifically significant fossils to qualified researchers who have obtained a permit from the appropriate state or federal agency. These researchers must agree to donate any materials recovered to recognized public institutions where they will remain accessible to the public and other researchers. The act incorporates key findings of a report, "Fossils on Federal Land and Indian Lands," issued by the Secretary of the Interior in 2000, which establishes that most vertebrate fossils and some invertebrate and plant fossils are considered rare resources.

Preservation of American Antiquities

The Federal Antiquities Act of 1906 was enacted with the primary goal of protecting cultural resources in the United States. It explicitly prohibits appropriation, excavation, injury, and destruction of any "historic or prehistoric ruin or monument, or any object of antiquity" on lands owned or controlled by the federal government without permission of the secretary of the federal department with jurisdiction. It also established criminal penalties for these acts, including fines and/or imprisonment. Neither the Antiquities Act itself nor its implementing regulations specifically mention paleontological resources. However, several federal agencies—including the National Park Service, the Bureau of Land Management, and the US Forest Service—have interpreted objects of antiquity to include fossils. Consequently, the Antiquities Act also represents an early cornerstone for efforts to protect the nation's paleontological resources.

State Regulations

California Alquist-Priolo Earthquake Fault Zoning Act

The California Alquist-Priolo Earthquake Fault Zoning Act was signed into state law in 1972, and amended, with its primary purpose being to mitigate the hazard of fault rupture by prohibiting the location of structures for human occupancy across the trace of an active fault. This state law was a direct result of the 1971 San Fernando Earthquake, which was associated with extensive surface fault ruptures that damaged numerous homes, commercial buildings, and other structures. The act requires the State Geologist of the California Geologic Survey to delineate regulatory zones known as "earthquake fault zones" along faults that are "sufficiently active" and "well defined" and to issue and distribute appropriate maps to all affected cities, counties, and state agencies for their use in planning and controlling new or renewed construction. Pursuant to this act and as stipulated in the California Code of Regulations (CCR), Title 14, Section 3603(a), structures for human occupancy are not permitted to be placed across the trace of an active fault. The act also prohibits structures for human occupancy within 50 feet of the trace of an active fault, unless proven by an appropriate geotechnical investigation and report that the development site is not underlain by active branches of the active fault, as stipulated in 14 CCR Section 3603(a). Furthermore, the act requires that cities

and counties withhold development permits for sites within an earthquake fault zone until geologic investigations demonstrate that the sites are not threatened by surface displacement from future faulting, as stipulated in 14 CCR Section 3603(d).

Seismic Hazard Mapping Act

The Seismic Hazard Mapping Act was adopted by the state in 1990 to protect the public from the effects of earthquake hazards other than surface fault rupture, such as strong ground shaking, liquefaction, seismically induced landslides, or other ground failure. The goal of the act is to minimize loss of life and property by identifying and mitigating seismic hazards. The California Geologic Survey prepares and provides local governments with seismic hazard zone maps that identify areas susceptible to amplified shaking, liquefaction, earthquake-induced landslides, and other ground failures. Section 2697(a) of the Act states that "cities and counties shall require, prior to the approval of a project located in a seismic hazard zone, a geotechnical report defining and delineating any seismic hazard."

Sustainable Groundwater Management Act

The Sustainable Groundwater Management Act was adopted by the state in 2014 to establish a statewide framework to help protect groundwater resources over the long term. The act established a priority framework for all 515 groundwater basins in California, categorizing them into very low, low, medium, and high priority based on eight components. The act requires local agencies to form groundwater sustainability agencies for the high and medium priority basins. These agencies develop and implement groundwater sustainability plans to avoid undesirable results and mitigate overdraft within 20 years.

California Building Code

Current law states that every local agency enforcing building regulations, such as cities and counties, must adopt the provisions of the California Building Code (CBC) within 180 days of its publication. The publication date of the CBC is established by the California Building Standards Commission, and the code is under Title 24, Part 2, of the CCR. The CBC provides minimum standards to protect property and public safety by regulating the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic shaking and adverse soil conditions. The CBC contains provisions for earthquake safety based on factors including occupancy type, the types of soil and rock on-site, and the strength of ground shaking with a specified probability at a site.

Soils Investigation Requirements

Requirements for soils investigations for new construction are in California Health and Safety Code Sections 17953 to 17955 and in Section 1803 of the California Building Code. Testing of samples from subsurface investigations is required, such as from borings or test pits. Studies must be done as needed to evaluate slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on load-bearing capacity, compressibility, liquefaction, differential settlement, and expansiveness, which are included as part of the geotechnical evaluation required by the California Building Code.

California Public Resources Code

Paleontological sites are protected under a wide variety of state policies and regulations in the California Public Resources Code (PRC). In addition, paleontological resources are recognized as nonrenewable resources and receive protection under the PRC and CEQA. PRC Division 5, Chapter 1.7, Section 5097.5, and Division 20, Chapter 3, Section 30244 state:

> No person shall knowingly and willfully excavate upon, or remove, destroy, injure or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor.

This statute prohibits the removal, without permission, of any paleontological site or feature from lands under the jurisdiction of the state or any city, county, district, authority, or public corporation, or any agency thereof. As a result, local agencies are required to comply with PRC 5097.5 for their own activities, including construction and maintenance, as well as for permit actions (e.g., encroachment permits) undertaken by others. PRC Section 5097.5 establishes the removal of paleontological resources as a misdemeanor and requires reasonable mitigation of adverse impacts to paleontological resources from developments on public (state, county, city, and district) lands.

Statewide General Construction Permit

Construction projects of one acre or more are regulated under the General Construction Permit, Order No. 2012-0006-DWQ, issued by the State Water Resources Control Board in 2012. Projects obtain coverage by developing and implementing a Stormwater Pollution Prevention Plan estimating sediment risk from construction activities to receiving waters and specifying best management practices (BMP) that would be used by the project to minimize pollution of stormwater.

Local Regulations

Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan

The Disaster Mitigation Act of 2000, Public Law 106-390 (Sections 322(a–d)), requires that local governments, as a condition of receiving federal disaster mitigation funds, adopt a mitigation plan that describes the process for identifying hazards, vulnerabilities, and risks; identifies and prioritizes mitigation actions; encourages the development of local mitigation; and provides technical support for those efforts. In response to this and the requirements of the California Office of Emergency Services, the County prepared the 2023 Tulare County Multi-jurisdictional Jurisdictional Local Mitigation Plan to reduce or eliminate long-term risk to people and property from hazards, and to serve as a tool to help decision makers direct mitigation activities and resources.

Tulare County Local Agency Management Program for Onsite Wastewater Treatment Systems

Onsite Wastewater Treatment Systems (OWTS) are currently regulated by State law. California Water Code sections 13290 et. seq. authorize a local agency to adopt or retain regulations and standards for OWTS that are at least equally protective of the public health or the environment than state laws and regulations. The Local Agency Management Program (LAMP) has been prepared in accordance with the requirements of the State Water Resources Control Board's (SWRCB) Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems, dated June 19, 2012, also referred to as the "OWTS Policy", with the intention of obtaining the SWRCB and the Central Valley Regional Water Quality Control Board (RWQCB) delegation to regulate OWTS in the incorporated and unincorporated areas of Tulare County. The document presents the proposed LAMP pertaining to the oversight of onsite wastewater treatment systems (OWTS) within the County of Tulare, California.

While the Tulare County Health Officer has designated the Director of the Public Health Services Department as a Deputy Health Officer for the purpose of enforcing State and local environmental health law, the County of Tulare Resource Management Agency (RMA) and the Environmental Health Division (EHD) of the Health and Human Services Agency are the regulatory agencies that oversees (1) the design, installation, and operation of on-site wastewater treatment systems (OWTS), (2) the management of non-discharging liquid waste systems, and (3) liquid waste dispersal requirements associated with land use modifications such as subdivisions, parcel splits, and lot line adjustments. The EHD regulates these elements within the various cities within Tulare County.

An OWTS may consist of tanks, treatment and dispersal components, and dispersal fields which are used to convey, treat, store, or dispose of potentially harmful wastewater when those wastewaters are not directly and immediately disposed of in a public sanitary sewer. The authority for the RMA and EHD to develop and adopt ordinances, regulations, and orders pertaining to environmental health and sanitation and the design and permitting of Onsite Wastewater Treatment Systems OWTS is established in the California Health and Safety Code, Section 101000 et seq. and the Ordinance Code of Tulare County Part IV, Chapters 1, 13 and 15 and Part VII, Chapters 1 and 15. The enactment of the Porter-Cologne Water Quality Control Act in 1971 resulted in the formation of California State Regional Water Quality Control Boards (RWQCB). The RWQCBs are vested with the authority to require individuals or entities to obtain waste discharge requirements (WDRs) from the appropriate RWQCB if such individuals or entities intend to dispose of wastewater that has the potential to contaminate surface or groundwater. WDRs are designed to ensure that surface and/or groundwater is not impaired by wastewater discharges. RWQCBs may conditionally waive WDRs for OWTS when a local enforcement agency (e.g. EHD) adopts and enforces regulations that protect water quality to a degree that is consistent with the applicable basin plan.

In accordance with the regulatory authority referenced above, the County of Tulare Board of Supervisors adopted the code entitled "California Plumbing Code, Title 24, California Code of Regulations, Part 5, 2016 Edition," together with appendices thereto, as published by the International Code Council, as adopted and modified by the State Building Standards Code by the State Building Standards Commission pursuant to Health and Safety Code section 17922, and as amended by the provisions of this Ordinance Code, is hereby referred to, adopted and made a part of this Article with the same effect as if fully set forth herein and is

hereby adopted as the Plumbing Code of the County of Tulare, and all the provisions thereof shall apply to all of the unincorporated territory of the County of Tulare. Additionally, Tulare County Code Part VII, Chapters 1 and 15 regulate various aspects of OWTS design, construction and permitting and Part IV addresses setbacks from domestic and public water system wells.

In order to comply with the Requirements of the Statewide OWTS policy, Tulare County has updated the applicable County Code sections and developed a guidance manual (On-site Wastewater Management Guidance Manual (Manual)) for the design and construction of OWTS. The Manual is also intended to complement Tulare County Code Parts IV and VII by providing additional requirements regarding the OWTS permitting process, site evaluation requirements, design submittal requirements, in such a manner that compliance with these Chapters can be easily achieved.

Tulare County General Plan

The General Plan has a number of policies that apply to projects within Tulare County. General Plan policies listed here relate to geology and soils, including paleontological resources.

- **ERM-2.7 Minimize Adverse Impacts.** The County will minimize the adverse effects on environmental features such as water quality and quantity, air quality, flood plains, geophysical characteristics, biotic, archaeological, and aesthetic factors.

- **ERM-7.1 Soil Conservation.** The County of Tulare shall establish the proper controls and ordinances for soil conservation.

- **ERM-7.2 Soil Productivity.** The County shall encourage landowners to participate in programs that reduce soil erosion and increase soil productivity. To this end, the County shall promote coordination between the Natural Resources Conservation Service, Resource Conservation Districts, UC Cooperative Extension, and other similar agencies and organizations.

- **HS-2.1 Continued Evaluation of Earthquake Risks.** The County shall continue to evaluate areas to determine levels of earthquake risk.

- **HS-2.4 Structure Siting.** The County shall permit development on soils sensitive to seismic activity permitted only after adequate site analysis, including appropriate siting, design of structure, and foundation integrity.

- **HS-2.7 Subsidence.** The County shall confirm that development is not located in any known areas of active subsidence. If urban development may be located in such an area, a special safety study will be prepared and needed safety measures implemented. The County shall also request that developments provide evidence that its long-term use of ground water resources, where applicable, will not result in notable subsidence attributed to the new extraction of groundwater resources for use by the development.

- **HS-2.8 Alquist-Priolo Act Compliance.** The County shall not permit any structure for human occupancy to be placed within designated Earthquake Fault Zones (pursuant to and as determined by the Alquist-Priolo Earthquake Fault Zoning Act; Public Resource code, Chapter 7.5) unless the specific provision of the Act and Title 14 of the California Code of Regulations have been satisfied.

Tulare County Code

Chapter 15. Building Regulations, Article 7, states that the purpose of this article is to safeguard the public, minimize hazards to property, control erosion and protect against sedimentation of watercourses and protect the safety, use and stability of public rights-of-way by establishing standards and providing regulations to control excavation, grading and earthwork construction.

5.7.1.2 EXISTING CONDITIONS

Geologic Setting

The project site is in the southeastern portion of the Great Valley Geomorphic Province (Appendix G). The Great Valley Geomorphic Province is a north-south trending valley that is approximately 400 miles long by 50 miles wide. The valley is an alluvial plain filled with nearly flat-lying sediments. The southern portion of the Great Valley Geomorphic Province encompasses the San Joaquin Valley and is bounded by the Sierra Nevada foothills to the east and Coastal Ranges to the west. The surface of the San Joaquin Valley is composed primarily of unconsolidated Pleistocene and alluvial sediments. The project site lies in the southern portion of the San Joaquin Valley within the Tulare Basin. The Quaternary Surficial Geology is identified as Q–Alluvium, lake, playa, and terrace deposits; unconsolidated and semi-consolidated; with marine and nonmarine (continental) sedimentary rock and an age of Pleistocene-Holocene (USGS 2025a).

Stratigraphically, the subsurface of the Great Valley is complex, comprised of tens of thousands of feet of marine and nonmarine sediments ranging in age from Jurassic to recent. The sediments are important sources of groundwater and petroleum hydrocarbon resources (oil and gas). The relatively flat surface of the San Joaquin Valley is underlain by alluvial, lacustrine, and marine sedimentary deposits that accumulated with the formation of the structural trough by the adjacent mountain ranges rising through tectonic processes. The thickness of the sediments varies from a thin veneer along the valley margins to thousands of feet thick at the axis of the trough. The main axis of the trough is oriented north-south along the valley's main drainage axis (Appendix G).

Faulting and Seismic Setting

The project site is in the California Central Valley; there are no active regional faults near the project site. The closest active fault to the project site is the Kern Canyon Fault Zone approximately 50 miles to the east (Appendix G). In addition, the Safety Element of the General Plan characterizes Tulare County as having very low ground-shaking potential (Tulare County 2016). The only other active fault in the county is the Owens Valley Fault Zone, approximately 72 miles northeast of the project site. Various other non-active faults are closer to the project site, such as the Poso Creek fault system, approximately 38.0 miles south (DOC 2025a).

Fault Rupture

Alquist-Priolo Earthquake Fault Zones are regulatory zones surrounding the surface traces of active faults in California that has ruptured in the last 11,000 years (DOC 2025b). An active fault has the potential for surface rupture, and a structure for human occupancy cannot be placed over the fault but must be a minimum distance from the fault (generally 50 feet). There are no known fault traces on or near the project site.

Earthquake Ground Shaking

California is generally a seismically active region, yet the project site is in Central California, where there are no active fault lines near the project site, decreasing the potential for seismic activity and associated ground shaking. However, the project site may still be susceptible to minor seismic activity, and based on historical activity, the project site is in a low to moderate range on the earthquake hazards scale (Tulare County 2017). The Safety Element of the General Plan characterizes Tulare County as having very low ground shaking potential (Tulare County 2012).

Liquefaction and Related Ground Failure

Liquefaction refers to loose, saturated sand, or gravel deposits that lose their load-supporting capability when subjected to intense shaking (Appendix G). Liquefaction potential varies based on three main contributing factors: 1) cohesionless, granular soils having relatively low densities (usually of Holocene age); 2) shallow groundwater (generally less than 50 feet); and 3) moderate to high seismic ground shaking. The project site is not in an area mapped as being susceptible to liquefaction. Also, shallow groundwater is not present beneath the project site, and the soil at the project site is not considered cohesionless or granular, so the project site is not susceptible to liquefaction (Appendix G).

The project site soil contains Nord fine sandy loam, 0 to 2 percent slope, and Yettem sandy loam, 0 to 2 percent slope. These soil types are considered well drained soils, with a hydraulic soil group A for the Yettem sandy soil and hydraulic soil group B for the Nord fine sandy loam (Appendix G and Appendix H). Additionally, the groundwater elevation of the closest state well (19S24E24A003M) approximately 10 feet from the project site has a groundwater depth of 184.5 feet (DWR 2025). As noted above, the project site is in an area with a low to moderate range for earthquake hazards. Therefore, liquefaction would not pose a hazard to the project site.

Lateral spreading involves lateral ground movements caused by seismic shaking. These lateral ground movements are often associated with a weakening or failure of an embankment or soil mass overlying a layer of liquefied sands or weak soils. Shallow groundwater; liquefiable, cohesionless soils; and the presence of a free-face such as a stream bank are all contributing factors to the likelihood of lateral spreading. Thick (likely approaching 3,000 feet at a minimum) deposits of younger and older Quaternary alluvium underlie the project site. The groundwater depth is reported to be 184.5 feet below ground surface (DWR 2025). The geotechnical evaluation required by the California Building Code prior to construction would address liquefaction and lateral spreading and provide recommendations, if necessary, to ensure building safety.

Geologic Hazards

Landslides

Landslides are a type of erosion in which masses of earth and rock move down slope as a single unit (Appendix G). Susceptibility of slopes to landslides and other forms of slope failure depend on several factors. These factors are usually present in combination and include steep slopes, condition of rock and soil materials, the presence of water, formational contacts, geologic shear zones, and seismic activity. The project site is nearly flat, and there are no steep slopes in the vicinity of the project site. The project site is not in a landslide zone (Appendix G). The map in the Safety Element of the Tulare General Plan also shows that the project is not in a landslide susceptibility area (Tulare County 2016).

Expansive Soils

Expansive soils swell when they become wet and shrink when they dry out, resulting in the potential for cracked building foundations and, in some cases, structural damage to the buildings. As discussed above, the underlying soil includes Nord fine sandy loam, 0 to 2 percent slope, and Yettem sandy loam, 0 to 2 percent slope, which are considered to have low shrink-and-swell potential (Appendix G). Thus, the project site is not subject to expansive soils.

Erosion

Erosion is a normal and inevitable geologic process whereby earthen materials are loosened, worn away, decomposed, or dissolved; removed from one place; and transported to another. Precipitation, running water, and wind are all agents of erosion. Ordinarily, erosion proceeds imperceptibly, but when the natural equilibrium of the environment is changed, the rate of erosion can be greatly accelerated. Accelerated erosion in a developed area can cause damage by undermining structures; blocking storm drains; and depositing silt, sand, or mud on roads and in tunnels. Eroded materials can eventually be deposited in local waters, where the carried silt remains suspended in the water for some time, constituting a pollutant and altering the normal balance of plant and animal life.

Land Subsidence

Subsidence occurs when a large portion of land sinks, usually due to the withdrawal of groundwater, oil, or natural gas. The San Joaquin Valley, including the project site, is in an area of known land subsidence due to groundwater pumping (USGS 2025b).

Collapsible Soils

Collapsible soils generally consist of relatively dry, low-density materials that become weaker and more compressible with the addition of water or excessive loading. All compacted soil types are susceptible to collapse, including clean sand, silty and clayey sands, and fine-grained materials (clays and silts). Four conditions are necessary for soil collapse:

- An open, partially unstable, partially saturated fabric.
- Sufficient total stress to make the soil structure metastable (in state of equilibrium).
- Presence of a bonding agent, such as water, or sufficient soil suction to stabilize the soil in the metastable condition.
- Addition of water, which reduces soil suction or softens/destroys the bonding agent, thereby causing shear failures at the inter-aggregate or inter-particle contacts. (Caltrans 2024)

Shallow groundwater is not present beneath the project site; groundwater is reported to be 184.5 feet below ground surface. Thus the potential is low for groundwater to create collapsible soils on-site (Appendix G). However, since the soil at the project site has the potential to bond with water and unknown underground sources of water may occur, the potential for collapse of soils is present.

Paleontological Resources

The Tulare County General Plan does not discuss paleontological resources (Tulare County 2012). A literature review and a systematic field survey of the project site was conducted in accordance with the guidelines of the Society of Vertebrate Paleontology (Appendix F). No specific information on paleontological records for the project site was found during the literature review. The field survey produced negative results for potential paleontological resources. The soils observed in the project site showed no indication of either surficial or immediately subsurficial paleontological deposits, and extensive ground disturbance has occurred in the past as a result of agricultural operations as well as construction and demolition activities. Freshwater mollusk shells were identified toward the northern end of the project site, in the area where an irrigation canal once flowed in the open, likely associated with invasive species in the canals rather than being representative of an ancient period of inundation. The results of the literature review indicate that the project site is on Holocene sedimentation that is unlikely to contain fossil materials due to their relatively recent age. However, these younger soils could potentially sit on top of Pleistocene-age alluvium, which has a high potential to contain significant, nonrenewable fossil remains. Deep-reaching earth-moving activities, therefore, may potentially disrupt or adversely affect paleontological resources. In summary, the proposed project's potential to impact significant, nonrenewable paleontological resources is low in the previously disturbed surface and near-surface soils of Holocene age but high in the subsurface deposits of older Pleistocene alluvial sediments potentially present at depth. Thus, the potential for paleontological resources exists on-site.

5.7.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

G-1 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.

G-2 Result in substantial soil erosion or the loss of topsoil.

G-3 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.

G-4 Be located on expansive soil, as defined in Table 18-1B of the Uniform building Code (1994), creating substantial direct or indirect risks to life or property.

G-5 Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

G-6 Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

5.7.3 Environmental Impacts

The applicable thresholds are identified in brackets after the impact statement.

Impact 5.7-1: Project occupants could be subject to low ground shaking; however, project development would not subject people or structures to seismic-related ground failure, including surface rupture, liquefaction, and landslides. [Threshold G-1 (i), (ii), (iii), (iv)]

The project site is not in an Alquist-Priolo Earthquake Fault Zone for fault rupture hazard. The nearest Alquist-Priolo Earthquake Fault Zone is the Kern Canyon Fault Zone approximately 50 miles to the east (Appendix G). Since no active faults exist on-site, surface rupture would be unlikely. As discussed under Section 5.7.1.2, *Existing Conditions*, the Safety Element of the General Plan characterizes Tulare County as having very low ground shaking potential (Tulare County 2012). Therefore, impacts related to rupture and ground shaking would be less than significant.

Additionally, the proposed project would be required to comply with the seismic design parameters of the CBC, which regulates all building and construction projects and implements a minimum standard for building design and construction that includes specific requirements for seismic safety, evacuation, foundations, retaining walls, and site demolition. Additionally, the Division of State Architects (DSA) would be required to review and approve the project plans, which will ensure that the structures are designed to meeting structural and fire, life and safety requirements, including withstanding ground-shaking. Compliance with the CBC, recommendations from the geotechnical hazards investigation, and DSA review would ensure that impacts related to ground shaking are less than significant.

As discussed under Section 5.7.1.2, *Existing Conditions*, liquefaction refers to loose, saturated sand, or gravel deposits that lose their load-supporting capability when subjected to intense shaking. Liquefaction potential varies based on three main contributing factors: 1) cohesionless, granular soils having relatively low densities (usually of Holocene age); 2) shallow groundwater (generally less than 50 feet below ground surface); and 3) moderate to high seismic ground shaking. The project site soil contains Nord fine sandy loam, 0 to 2 percent slope, and Yettem sandy loam, 0 to 2 percent slope. Groundwater was encountered at a depth of 184.5 feet at the closest state well (SGMA 2025). Additionally, the project site is in the low to moderate range for earthquake hazards. Due to the soils composition, which are not considered cohesionless soils, depth of groundwater which is more than 50 feet below ground surface, and low to moderate earthquake potential, the project site would not be subject to liquefaction. Impacts related to liquefaction would be less than significant.

Due to the generally flat nature of the project site and surrounding area, landslides would not impact the project site.

Further, the proposed project would be required to comply with the CBC, recommendations from the geotechnical hazards investigation, and be subject to DSA review, which would further ensure that the proposed project does not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving ground shaking, rupture, liquefaction, and landslides.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.7-2: The proposed project would not result in substantial soil erosion or loss of topsoil [Thresholds G-2]

Erosion is a normal and inevitable geologic process whereby earthen materials are loosened, worn away, decomposed, or dissolved and removed from one place and transported to another. The project site contains nearly flat terrain, which decreases the proposed project's potential to accelerate erosion. The proposed project does not contain any subterranean levels and would not require extensive excavation, which could expose more soils to erosion. As such, implementation of the proposed project would require minimal and typical earthwork for new buildings without subterranean levels, including grading for proper base and slope and utility trenching.

Additionally, because the proposed project encompasses an area of more than one acre, the proposed project would be subject to the NPDES permit requirements. These include the preparation of a Storm Water Pollution Prevention Plan (SWPPP) and implementation of BMPs that would describe minimum and

advanced construction BMPs to control erosion during construction at the project site. Adherence with existing state and local laws regulating construction activities would minimize soil erosion which would include the provisions of the CBC, implementation of County General Plan Policy ERM-7.2, and adherence to Chapter 15, Article 7. Excavation and Grading of the Tulare County Code. Therefore, the proposed project would not result in substantial soil erosion or loss of topsoil, and a less than significant impact would occur.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.7-3: The proposed project would not result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse or be located on expansive soils that would not create a direct or indirect risk to life and property. [Thresholds G-3 and G-4]

As discussed in Section 5.7.1.2 and Threshold 5.7-1, the project site and surrounding area are not subject to landslides and liquefaction hazards. Therefore, the proposed project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the proposed project and potentially result in on- or off-site landslide or liquefaction.

The project site is in the San Joaquin Valley, which has been subject to land subsidence due to groundwater pumping (USGS 2025b). The proposed project does not include any subterranean levels and would not extract groundwater. Further, the proposed project would have a stormwater retention basin that is designed to capture stormwater that originates on the project site and the existing COE Liberty campus. By capturing the stormwater originating on the project site and the adjacent COE Liberty campus, the proposed project would not interfere with groundwater recharge. As such, the proposed project does not include project components that could contribute to subsidence. The proposed project would be required to comply with the CBC, recommendations from the geotechnical hazards investigation, and be subject to DSA review, which would ensure that structures are designed to withstand unstable soils.

Lateral spreading is a type of ground failure that occurs when loose, water-saturated soils lose strength during an earthquake and move horizontally toward areas such as riverbanks, slopes, or excavations. The project site consists of Nord fine sandy loam and Yettem sandy loam with 0 to 2 percent slopes, and groundwater is located approximately 184.5 feet below the surface (SGMA 2025). Because the project site is in a low to moderate earthquake hazard zone, groundwater is at 184.5 feet below the surface, and is not subject to liquefaction, impacts related to lateral spreading would not occur.

Four conditions are necessary for soil collapse, one of which is shallow groundwater; however, groundwater beneath the project site is reported to be 184.5 feet below the surface. Thus, the potential is low for groundwater to create collapsible soils on-site (Appendix G). However, since the soil at the project site has the potential to bond and unknown sources of water may occur, the project site has the potential for soil collapse. As such, compliance with the CBC, recommendations from the geotechnical hazards investigation, and adherence to DSA review and requirements would ensure that structures are designed to withstand collapsible soils.

Expansive soils are typically clay-heavy soils that expand when wet and shrink when dry, and can cause cracking or movement in the ground that can damage buildings and infrastructure. As stated in Section 5.7.1.2, *Existing Conditions*, the project site consists of Nord fine sandy loam, 0 to 2 percent slope, and Yettem sandy loam, 0 to 2 percent slope. These soil types are considered to have a low shrink-and-swell potential (Appendix G). As such, the project site would not be subject to expansive soils.

Therefore, compliance with the CBC, recommendations from the geotechnical hazards investigation, and DSA review would ensure that the proposed project would not result in unstable soils that could potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. Impacts would be a less than significant impact would occur.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.7-4: The proposed project would not include the installation of septic tanks. [Threshold G-5]

The project site contains fallow agricultural land and had a former residence onsite that was served by a septic system. No installation of septic tanks is associated with the proposed project. However, the proposed project would include the abandoning of the existing septic system associated with the former residence onsite. According to the Tulare County Local Area Management Program, the septic tank abandonment process would involve removing any existing sewage and completely filling the septic tank with earth, sand, gravel, concrete, or another approved material after the top cover is removed and the bottom is punctured with holes to prevent it from holding liquid. An inspection must occur before filling the tank, ensuring compliance with all requirements. Once approved, the tank or pit would be filled to the level of the surrounding ground (Tulare County 2018). As noted in Section 5.18, *Utilities and Service Systems*, the proposed project would connect to sewer line operated by the City of Visalia. Therefore, no impact would occur.

Level of Significance Before Mitigation: No Impact.

Impact 5.7-5: The proposed project could directly or indirectly destroy a unique paleontological resource or site; the proposed project would not directly or indirectly description a unique geologic feature. [Threshold G-6]

Paleontological resources or fossils are remains of ancient plants and animals that can provide scientifically significant information about the history of life on earth. This sensitivity is determined by rock type, history of the geologic unit in producing significant fossils, and fossil localities that are recorded from that unit. As discussed in Section 5.7.1.2, no paleontological resources were found onsite nor are known to existing onsite or in the surrounding area. Freshwater mollusk shells were identified toward the northern end of the project site, in the area where an irrigation canal once flowed in the open, likely associated with invasive species in the canals rather than being representative of an ancient period of inundation.

The project site is on Holocene sedimentation that is unlikely to contain fossil materials due to its relatively recent age of deposition. However, younger soils could potentially sit on top of Pleistocene-age alluvium, which has a high potential to contain significant, nonrenewable fossil remains. The proposed project's potential to impact paleontological resources is low in the previously disturbed surface and near-surface soils

of Holocene age but high in the subsurface deposits of older Pleistocene alluvial sediments potentially present at depth (Appendix F). While paleontological resources are not expected to be discovered during project construction due the disturbed nature of the project site and minimal soil excavation needed during construction, it is possible that unknown paleontological resources could be discovered during ground-disturbing activities. As such, the proposed project has the potential to encounter paleontological resources, and impacts would potentially be significant.

A unique geological feature is a naturally occurring landform, rock formation, or soil structure that can have scientific, educational, aesthetic, or cultural value. Examples include volcanic cones, fossil beds, mineral formations, among other unique geological features. The project site contains fallow agricultural land. The project site is flat and does not contain any landforms, rock formations, or unique soil structures. Therefore, no impacts to unique geological structures would occur.

Level of Significance Before Mitigation: Potentially Significant.

5.7.4 Cumulative Impacts

Compliance with applicable federal, state, and applicable building regulations would be required of all development in unincorporated Tulare County and nearby cities of Tulare and Visalia. Individual projects would be designed and built in accordance with applicable standards in the CBC, including pertinent seismic design criteria, and the recommendation in a project-specific geotechnical report. Further, each project would be subject to be reviewed and approved by the applicable jurisdictional agency (such as the department of building and safety). These geologic investigations would identify the specific geologic and seismic characteristics on a site and provide guidelines for engineering design and construction to maintain the structural integrity of proposed structures and infrastructure. Therefore, compliance with applicable federal, state, and local building regulations and standard engineering practices related to seismic and geologic hazard reduction would prevent cumulative adverse impacts associated with geologic and seismic hazards. The proposed project would not contribute to a cumulative impact. Cumulative impacts to geological hazards and soil stability would be less than significant.

Implementation of the proposed project in conjunction with other planned projects in the area could result in cumulative impacts to paleontological resources. However, similar to the proposed project, other development projects would be required to undergo CEQA review and would be subject to the same regulatory requirements to protect paleontological resources. For example, other development projects that require some degree of ground disturbance but would be required to comply with applicable regulations, such as NPDES permit requirements, preparation of a SWPPP and implementation of BMPs, soils investigation for new construction per California Health and Safety Code Sections 17953 to 17955 and in Section 1803 of the CBC, and implementation of the provisions of the CBC, and implement appropriate mitigation measure to reduce the impacts to paleontological resources. If potential paleontological resources were found, they would be addressed through the necessary testing, archiving, and recovery processes prior to development of the site. Additionally, the proposed project has incorporated mitigation that would reduce the potential for the proposed project to contribute to cumulative impacts to paleontological resources. As such, cumulative

impacts to paleontological resources would be less than significant, and project impacts would not be cumulatively considerable.

As stated above, the project site does not contain any unique geological structures. Therefore, the proposed project would not have a cumulative impact on unique geological structures.

The UPHS relocation project does not involve any construction. The Liberty sewer connection project would be required to comply with all applicable regulations and code requirements and would be reviewed and approved by the City of Visalia. Therefore, the proposed project would not combine with a nearby cumulative project to create a cumulative impact to geology and soils.

5.7.5 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, some impacts would be less than significant: 5.7-1, 5.7-2, 5.7-3, and 5.7-4.

Without mitigation, this impact would be **potentially significant**:

- **Impact 5.7-5** Ground-disturbing activities could uncover unknown paleontological resources.

5.7.6 Mitigation Measures

Impact 5.7-5

GEO-1 Prior to construction, the Tulare County Office of Education shall retain a qualified paleontological monitor. Earth-moving operations during construction that reach beyond the depth of five feet below the current ground surface shall be monitored periodically by the qualified paleontological monitor to identify potentially fossil-bearing sediments when they are encountered, at which time continuous monitoring will become necessary. The frequency of the periodic monitoring, or "spot-checking," will be determined and adjusted upon inspection of exposed subsurface soils. The monitor should be prepared to quickly salvage fossils as they are unearthed to avoid construction delays and should collect samples of sediments that are likely to contain fossil remains of small vertebrates or invertebrates. However, the monitor must have the authority to temporarily halt or divert grading equipment to allow for the removal of abundant or large specimens.

Samples of sediment shall be collected and processed to recover small fossils, and all fossil remains shall be identified and curated at a repository with permanent retrievable storage, such as the Fossil Discovery Center of Madera County in Chowchilla, the Buena Vista Museum of Natural History in Bakersfield, or the Fresno Discovery Center in Fresno.

The qualified paleontological monitor shall prepare a report of findings, including an itemized inventory of recovered specimens, upon completion of on-site monitoring and sample processing. The report shall include a discussion of the significance of the paleontological findings, if any. The report and the inventory, when approved by the COE,

would signify completion of the program to mitigate potential impacts on paleontological resources.

5.7.7 Level of Significance After Mitigation

Implementation of mitigation measure GEO-1 would reduce potential impacts to paleontological resources to a level that is less than significant. Therefore, no significant unavoidable adverse impacts relating to geology and soils have been identified.

5.7.8 References

California Department of Transportation (Caltrans). 2024, February. Collapsible Soils. https://dot.ca.gov/-/media/dot-media/programs/engineering/documents/geotechnical-services/202402-gm-collapsiblesoil-a11y.pdf.

California Department of Water Resources (DWR). 2025, August 6 (accessed). SGMA Data Viewer. https://sgma.water.ca.gov/webgis/?appid=SGMADataViewer#currentconditions.

Department of Conservation (DOC), California. 2025a, February 28 (accessed). Fault Activity Map of California. https://maps.conservation.ca.gov/cgs/fam/.

———. 2025b, February 28 (accessed). Alquist-Priolo Earthquake Fault Zones. https://www.conservation.ca.gov/cgs/alquist-priolo.

———. 2025c, August 8 (accessed). CGS Seismic Hazards Program: Liquefaction Zones. https://maps-cnra-cadoc.opendata.arcgis.com/datasets/cadoc::cgs-seismic-hazards-program-liquefaction-zones/explore.

Federal Emergency Management Agency (FEMA). 2025, February 28 (accessed). National Risk Index. https://hazards.fema.gov/nri/map.

Sustainable Groundwater Management Act (SGMA). 2025, February 28 (accessed). SGMA Data Viewer. https://sgma.water.ca.gov/webgis/?appid=SGMADataViewer#gwlevels.

Tulare, County of. 2012. Tulare County General Plan Update. https://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/000General%20Plan%202030%20Part%20I%20and%20Part%20II/GENERAL%20PLAN%202012.pdf.

———. 2016. General Plan Safety Element. https://generalplan.co.tulare.ca.us/.

———. 2017, March. Tulare County 2023 Local Hazard Mitigation Plan. https://tularecounty.ca.gov/rma/rma-documents/planning-documents/tulare-county-2023-local-hazard-mitigation-plan-lhmp2/.

———. 2018, January. Local Area Management Program for Onsite Wastewater Treatment Systems. https://tularecountyeh.org/eh/guidance-library/septic-system/septic-system-lamp1

5. Environmental Analysis
GEOLOGY AND SOILS

United States Geologic Survey (USGS). 2025a, February 28 (accessed). https://maps.conservation.ca.gov/cgs/QSD/.

———. 2025b, February 28 (accessed). Areas of Land Subsidence in California. https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html.

5.8 GREENHOUSE GAS EMISSIONS

This section of the DEIR evaluates the potential for implementation of the proposed project to cumulatively contribute to greenhouse gas (GHG) emissions impacts. Because no single project is large enough to result in a measurable increase in global concentrations of GHG, climate change impacts of a project are considered on a cumulative basis. This evaluation is based on the methodology recommended by the San Joaquin Valley Air Pollution Control District (SJVAPCD). GHG emissions modeling is included in Appendix C of this DEIR.

A public comment was received in response to the Notice of Preparation (NOP) related to greenhouse gas emissions. A letter from the San Joaquin Valley Air Pollution Control District received on May 8, 2025, discusses relevant regulations administered by the SJVAPCD for greenhouse gas emissions. The relevant issues raised from the comment letter are addressed throughout this section. Refer to Appendix A for the response to the NOP comment letter.

5.8.1 Environmental Setting

5.8.1.1 TERMINOLOGY

The following are definitions for terms used throughout this section.

- **Greenhouse gases (GHG).** Gases in the atmosphere that absorb infrared light, thereby retaining heat in the atmosphere and contributing to a greenhouse effect.
- **Global warming potential (GWP).** Metric used to describe how much heat a molecule of a GHG absorbs relative to a molecule of carbon dioxide (CO_2) over a given period of time (20, 100, and 500 years). CO_2 has a GWP of 1.
- **Carbon-dioxide equivalent (CO_2e).** The standard unit to measure the amount of GHGs in terms of the amount of CO_2 that would cause the same amount of warming. CO_2e is based on the GWP ratios between the various GHGs relative to CO_2.
- **$MTCO_2e$.** Metric ton of CO_2e.
- **$MMTCO_2e$.** Million metric tons of CO_2e.

Greenhouse Gases and Climate Change

Scientists have concluded that human activities are contributing to global climate change by adding large amounts of heat-trapping gases, known as GHGs, to the atmosphere. The primary source of these GHGs is fossil fuel use. The Intergovernmental Panel on Climate Change (IPCC) has identified four major GHGs—water vapor, carbon dioxide (CO_2), methane (CH_4), and ozone (O_3)—that are the likely cause of an increase in global average temperatures observed in the twentieth and twenty-first centuries. Other GHGs identified by the IPCC that contribute to global warming to a lesser extent are nitrous oxide (N_2O), sulfur hexafluoride

(SF_6), hydrofluorocarbons, perfluorocarbons, and chlorofluorocarbons (IPCC 2001).[1,2] The major GHGs applicable to the proposed project are briefly described.

- **Carbon dioxide (CO_2)** enters the atmosphere through the burning of fossil fuels (oil, natural gas, and coal), solid waste, trees and wood products, and respiration, and also as a result of other chemical reactions (e.g., manufacture of cement). Carbon dioxide is removed from the atmosphere (sequestered) when it is absorbed by plants as part of the biological carbon cycle.

- **Methane (CH_4)** is 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 landfills and water treatment facilities.

- **Nitrous oxide (N_2O)** is emitted during agricultural and industrial activities as well as during the combustion of fossil fuels and solid waste.

GHGs are dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. Some GHGs have stronger greenhouse effects than others. These are referred to as high GWP gases. The GWP of GHG emissions are shown in Table 5.8-1, *GHG Emissions and Their Relative Global Warming Potential Compared to CO_2*. The GWP is used to convert GHGs to CO_2 equivalence (CO_2e) to show the relative potential that different GHGs have to retain infrared radiation in the atmosphere and contribute to the greenhouse effect. For example, under the IPCC Sixth Assessment Report (AR6), GWP values for CH_4, a project that generates 10 MT of CH_4 would be equivalent to 273 MT of CO_2.[3]

Table 5.8-1 GHG Emissions and Their Relative Global Warming Potential Compared to CO_2

GHGs	Fourth Assessment Report Global Warming Potential Relative to CO_2[1]	Fifth Assessment Report Global Warming Potential Relative to CO_2[1]	Sixth Assessment Report Global Warming Potential Relative to CO_2[1]
Carbon Dioxide (CO_2)	1	1	1
Methane (CH_4)[2]	25	28	30
Nitrous Oxide (N_2O)	298	265	273

Source: IPCC 2007, 2013, 2022.
Notes: The IPCC published updated GWP values in its Sixth Assessment Report (AR6) that reflect new information on atmospheric lifetimes of GHGs and an improved calculation of the radiative forcing of CO_2. However, GWP values identified in AR4 are used by the California Emissions Estimator Model (CalEEMod) program.
1 Based on 100-year time horizon of the GWP of the air pollutant compared to CO_2.
2 The methane GWP includes direct effects and indirect effects due to the production of tropospheric ozone and stratospheric water vapor. The indirect effect due to the production of CO_2 is not included.

1 Water vapor (H_2O) is the strongest GHG and the most variable in its phases (vapor, cloud droplets, ice crystals). However, water vapor is not considered a pollutant because it is considered part of the feedback loop rather than a primary cause of change.

2 Black carbon contributes to climate change both directly, by absorbing sunlight, and indirectly, by depositing on snow (making it melt faster) and by interacting with clouds and affecting cloud formation. Black carbon is the most strongly light-absorbing component of particulate matter (PM) emitted from burning fuels such as coal, diesel, and biomass. Reducing black carbon emissions globally can have immediate economic, climate, and public health benefits. California has been an international leader in reducing emissions of black carbon, with close to 95 percent control expected by 2020 due to existing programs that target reducing PM from diesel engines and burning activities (CARB 2017). However, state and national GHG inventories do not include black carbon due to ongoing work resolving the precise global warming potential of black carbon. Guidance for CEQA documents does not yet include black carbon.

3 The global warming potential of a GHG is dependent on the lifetime, or persistence, of the gas molecule in the atmosphere.

Human Influence on Climate Change

For approximately 1,000 years before the Industrial Revolution, the amount of GHGs in the atmosphere remained relatively constant. However, during the twentieth century, scientists observed a rapid change in the climate and the quantity of climate change pollutants in the Earth's atmosphere that is attributable to human activities.

The recent IPCC Sixth Assessment Report (AR6) summarizes the latest scientific consensus on climate change. It finds that atmospheric concentrations of CO_2 have increased by 50 percent since the Industrial Revolution and continue to increase at a rate of two parts per million each year. By the 2030s, and no later than 2040, the world will exceed 1.5 degrees Celsius (°C) warming (CARB 2022). These recent changes in the quantity and concentration of climate change pollutants far exceed the extremes of the ice ages, and the global mean temperature is warming at a rate that cannot be explained by natural causes alone. Human activities are directly altering the chemical composition of the atmosphere through the buildup of climate change pollutants (CAT 2006). In the past, gradual changes in the Earth's temperature changed the distribution of species, availability of water, and other conditions. Human activities are accelerating this process so that environmental impacts associated with climate change no longer occur in a geologic time frame but within a human lifetime (IPCC 2007).

Like the variability in the projections of the expected increase in global surface temperatures, the environmental consequences of gradual changes in the Earth's temperature are hard to predict. Projections of climate change depend heavily on future human activity. Therefore, climate models are based on different emission scenarios that account for historical trends in emissions and on observations of the climate record that assess the human influence of the trend and projections for extreme weather events. Climate-change scenarios are affected by varying degrees of uncertainty. For example, there are varying degrees of certainty on the magnitude of the trends for:

- Warmer and fewer cold days and nights over most land areas.
- Warmer and more frequent hot days and nights over most land areas.
- An increase in frequency of warm spells/heat waves over most land areas.
- An increase in frequency of heavy precipitation events (or proportion of total rainfall from heavy falls) over most areas.
- Larger areas affected by drought.
- Intense tropical cyclone activity increases.
- Increased incidence of extreme high sea level (excluding tsunamis).

Potential Climate Change Impacts for California

There is at least a greater than 50 percent likelihood that global warming will reach or exceed 1.5°C in the near-term, even for the very low GHG emissions scenario (IPCC 2022). Climate change is already impacting California and will continue to affect it for the foreseeable future. For example, the average temperature in most areas of California is already 1 degrees Fahrenheit (°F) (~0.56°C) higher than historical levels, and some areas have seen average increases in excess of 2°F (~1.1°C) (CalOES 2020). The California Fourth Climate Change Assessment identifies the following climate change impacts under a business-as-usual scenario, in which no new actions are taken to curb GHG emissions:

- Annual average daily high temperatures in California are expected to rise by 2.7°F by 2040, 5.8°F by 2070, and 8.8°F by 2100 compared to observed and modeled historical conditions. These changes are statewide averages. Heat waves are projected to become longer, more intense, and more frequent.
- Warming temperatures are expected to increase soil moisture loss and lead to drier seasonal conditions. Summer dryness may become prolonged, with soil drying beginning earlier in the spring and lasting longer into the fall and winter rainy season.
- High heat increases the risk of death from cardiovascular, respiratory, cerebrovascular, and other diseases.
- Droughts are likely to become more frequent and persistent through 2100.[4]
- Climate change is projected to increase the strength of the most intense precipitation and storm events affecting California.
- Mountain ranges in California are already seeing a reduction in the percentage of precipitation falling as snow. Snowpack levels are projected to decline significantly by 2100 due to reduced snowfall and faster snowmelt.
- Marine layer clouds are projected to decrease, though more research is needed to better understand their sensitivity to climate change.
- Extreme wildfires (i.e., fires larger than 10,000 hectares or 24,710 acres) would occur 50 percent more frequently. The maximum area burned statewide may increase 178 percent by the end of the century.
- Exposure to wildfire smoke is linked to increased incidence of respiratory illness.
- Sea level rise is expected to continue to increase erosion of beaches, cliffs, and bluffs. (CalOES 2020)

Global climate change risks to California are shown in Table 5.8-2, *Summary of GHG Emissions Risks to California*, and include impacts to public health, water resources, agriculture, coastal sea level, forest and biological resources, and energy demand.

[4] Overall, California has become drier over time, with five of the eight years of severe to extreme drought occurring between 2007 and 2016, and with unprecedented dry years in 2014 and 2015 (OEHHA 2018). Statewide precipitation has become increasingly variable from year to year, with the driest consecutive four years occurring from 2012 to 2015 (OEHHA 2018).

Table 5.8-2 Summary of GHG Emissions Risks to California

Impact Category	Potential Risk
Public Health Impacts	Heat waves will be more frequent, hotter, and longer Fewer extremely cold nights Poor air quality made worse Higher temperatures increase ground-level ozone levels
Water Resources Impacts	Decreasing Sierra Nevada snow pack Challenges in securing adequate water supply Potential reduction in hydropower Loss of winter recreation
Agricultural Impacts	Increasing temperature Increasing threats from pests and pathogens Expanded ranges of agricultural weeds Declining productivity Irregular blooms and harvests
Coastal Sea Level Impacts	Accelerated sea level rise Increasing coastal floods Shrinking beaches Worsened impacts on infrastructure
Forest and Biological Resource Impacts	Increased risk and severity of wildfires Lengthening of the wildfire season Movement of forest areas Conversion of forest to grassland Declining forest productivity Increasing threats from pest and pathogens Shifting vegetation and species distribution Altered timing of migration and mating habits Loss of sensitive or slow-moving species
Energy Demand Impacts	Potential reduction in hydropower Increased energy demand

Sources: CEC 2006, 2009; CCCC 2012; CNRA 2014; CalOES 2020.

5.8.1.2 REGULATORY BACKGROUND

This section describes the federal, State, regional, and local regulations applicable to GHG emissions.

Federal

United States Environmental Protection Agency

The US Environmental Protection Agency (USEPA) announced on December 7, 2009, that GHG emissions threaten the public health and welfare of the American people and that GHG emissions from on-road vehicles contribute to that threat. The USEPA's final findings respond to the 2007 U.S. Supreme Court decision that GHG emissions fit within the Clean Air Act definition of air pollutants. The findings do not impose any emission reduction requirements, but allow the USEPA to finalize the GHG standards proposed

in 2009 for new light-duty vehicles as part of the joint rulemaking with the Department of Transportation (USEPA 2009).

To regulate GHGs from passenger vehicles, the USEPA was required to issue an endangerment finding (USEPA 2025a). The finding identified emissions of six key GHGs—CO_2, CH_4, N_2O, hydrofluorocarbons, perfluorocarbons, and SF_6—that have been the subject of scrutiny and intense analysis for decades by scientists in the United States and around the world. The first three are applicable to the proposed project's GHG emissions inventory because they constitute the majority of GHG emissions and should be evaluated as part of a project's GHG emissions inventory.

On January 20, 2025, the President of the United States signed an executive order, *Unleashing American Energy*, which directed the USEPA to eliminate the social cost of carbon calculation from any federal permitting or regulatory decision and submit recommendations on the legality and continued applicability of the 2009 endangerment finding, among other directives (White House 2025). On July 29, 2025, the USEPA released its proposal to rescind the 2009 endangerment finding and repeal all GHG emission standards for light-duty, medium-duty, and heavy-duty vehicles and engines pursuant to CAA Section 202(a) (USEPA 2025c). The proposed rule would remove GHG-related provisions from 40 CFR Part 600 without affecting provisions related to Corporate Average Fuel Economy (CAFE) standards and fuel economy labeling (Vol. 90 Federal Register, No. 146, 36288.).

US Mandatory Reporting Rule for GHGs (2009)

In response to the endangerment finding, the USEPA issued the Mandatory Reporting of GHG Rule that requires substantial emitters of GHG emissions (e.g., large stationary sources) to report GHG emissions data. Facilities that emit 25,000 $MTCO_2e$ or more per year are required to submit an annual report.

Update to Corporate Average Fuel Economy Standards (2021 to 2035)

The federal government issued new Corporate Average Fuel Economy (CAFE) standards in 2012 for model years 2017 to 2025, which required a fleet average of 54.5 miles per gallon (mpg) in 2025. On March 30, 2020, the USEPA finalized an updated CAFE and GHG emissions standards for passenger cars and light trucks and established new standards covering model years 2021 through 2026, known as the Safer Affordable Fuel Efficient (SAFE) Vehicles Final Rule for Model Years 2021 to 2026.

On December 21, 2021, under direction of Executive Order (EO) 13990 issued by President Biden, the National Highway Traffic Safety Administration repealed SAFE Vehicles Rule Part One, which had preempted State and local laws related to fuel economy standards. In addition, on March 31, 2022, the National Highway Traffic Safety Administration finalized new fuel standards in response to EO 13990. Fuel efficiency under the standards proposed increased 8 percent annually for model years 2024 to 2025 and 10 percent annual for model year 2026. Overall, the new CAFE standards require a fleet average of 49 mpg for passenger vehicles and light trucks for model year 2026, which would be a 10 mpg increase relative to model year 2021 (NHTSA 2022).

On June 7, 2024, under the Biden Administration, NHTSA announced final CAFE standards for passenger cars and light trucks built in MY 2027-2031 and final fuel efficiency standards for heavy-duty pickup trucks and vans built in MY 2030-2035. The final rules establish standards that would require an industry fleet-wide average of approximately 50.4 mpg for passenger cars and light trucks in MY 2031, by increasing fuel economy by 2 percent year over year for passenger cars (MY 2027-2031) and for light trucks (model years 2029-2031). For heavy-duty pickup trucks and vans, the final rule would increase fuel efficiency at a rate of 10 percent per year (model years 2030-2032) and 8 percent per year (MY 2033-2035) (NHTSA 2024).

On June 11, 2025, the NHTSA published the final rule, "Resetting the Corporate Average Fuel Economy Program." This interpretive rule issued by the NHTSA does not immediately change or reverse current fuel economy standards; however, the rule clarifies the NHTSA's interpretation of its obligations for CAFE standards stemming from the Energy Policy and Conservation Act of 1975 and the Energy Independence and Security Act of 2007. The rule asserts that some regulations, such as those established under previous presidential administrations, improperly considered electric vehicles (EVs) when identifying the "maximum feasibility" average fuel economy level upon which CAFE standards are developed, thereby establishing a legal foundation for future rollbacks of CAFE standards (NHTSA 2025).

Multipollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles

In 2024, the USEPA issued a final rule, Multipollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles, that sets new, more protective standards to reduce harmful air pollutant emissions from light-duty and medium-duty vehicles starting with model year 2027 (USEPA 2024). The final rule builds on USEPA's final standards for federal GHG emissions standards for passenger cars and light trucks for model years 2023 through 2026 and leverages advances in clean car technology to help improve public health from vehicle emissions. These standards will phase in over model years 2027 through 2032. For light-duty vehicles, the standards are projected to result in an industry-wide average target for the light-duty fleet of 85 grams/mile (g/mile) of CO_2 in model year 2032, representing a nearly 50 percent reduction in projected fleet average emissions target levels relative to the existing model year 2026 standards (USEPA 2025b). The medium-duty vehicle standards are projected to result in an average target of 274 g/mile of CO_2 by model year 2032, representing a 44 percent reduction in projected fleet average emissions target levels relative to the existing model year 2026 standards (USEPA 2025b). Overall, USEPA projects that cumulative CO_2 reductions as a result of the new standards are approximately 7.2 billion metric tons over the life of the program (USEPA 2025b). Implementation of these standards is currently uncertain as the USEPA is currently reconsidering the 2009 endangerment finding and the related GHG emissions regulations.

State

Current State of California guidance and goals for reductions in GHG emissions are generally embodied in EO S-03-05 and EO B-30-15, EO B-55-18, Assembly Bill (AB) 32, Senate Bill (SB) 32, AB 1279, and SB 375.

Executive Order S-03-05

EO S-03-05 was signed June 1, 2005, and set the following GHG reduction targets for the state:

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

Assembly Bill 32, the Global Warming Solutions Act (2006)

AB 32 was passed by the California State legislature on August 31, 2006, to place the state on a course toward reducing its contribution of GHG emissions. AB 32 follows the 2020 tier of emissions reduction targets established in EO S-03-05. The California Air Resources Board (CARB) prepared the 2008 Scoping Plan to outline a plan to achieve the GHG emissions reduction targets of AB 32 (CARB 2008).

Executive Order B-30-15

EO B-30-15, signed April 29, 2015, set a goal of reducing GHG emissions within the state to 40 percent of 1990 levels by year 2030. EO B-30-15 also directed CARB to update the Scoping Plan to quantify the 2030 GHG reduction goal for the state and requires State agencies to implement measures to meet the interim 2030 goal as well as the long-term goal for 2050 in EO S-03-05. It also requires the Natural Resources Agency to conduct triennial updates of the California adaptation strategy, "Safeguarding California," in order to ensure climate change is accounted for in state planning and investment decisions.

Senate Bill 32 and Assembly Bill 197

In September 2016, Governor Brown signed SB 32 and AB 197 into law, making the EO B-30-15 goal for year 2030 into a statewide mandated legislative target. AB 197 established a joint legislative committee on climate change policies and requires CARB to prioritize direct emissions reductions rather than the market-based cap-and-trade program for large stationary, mobile, and other sources.

Executive Order B-55-18

EO B-55-18, signed September 10, 2018, sets a goal "to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter." EO B-55-18 directs CARB to work with relevant State agencies to ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal. The goal of carbon neutrality by 2045 is in addition to other statewide goals, meaning not only should emissions be reduced to 80 percent below 1990 levels by 2050, but that, by no later than 2045, the remaining emissions be offset by equivalent net removals of CO_2e from the atmosphere, including through sequestration in forests, soils, and other natural landscapes.

Assembly Bill 1279

On August 31, 2022, the California Legislature passed AB 1279, which requires California to achieve net-zero GHG emissions no later than 2045 and to achieve and maintain negative GHG emissions thereafter. Additionally, AB 1279 also establishes a GHG emissions reduction goal of 85 percent below 1990 levels by 2045. CARB will be required to update the scoping plan to identify and recommend measures to achieve the net-zero and GHG emissions-reduction goals.

2022 Climate Change Scoping Plan

CARB adopted the *2022 Scoping Plan for Achieving Carbon Neutrality* (2022 Scoping Plan) on December 15, 2022, which lays out a path to achieve carbon neutrality by 2045 or earlier and to reduce the state's anthropogenic (human-caused) GHG emissions (CARB 2022). The Scoping Plan provides updates to the previously adopted 2017 Scoping Plan and addresses the carbon neutrality goals of EO B-55-18 and the ambitious GHG reduction target as directed by AB 1279. Previous Scoping Plans focused on specific GHG reduction targets for our industrial, energy, and transportation sectors—to meet 1990 levels by 2020, and then the more aggressive 40 percent below that for the 2030 target. The 2022 Scoping Plan updates the target of reducing anthropogenic emissions to 85 percent below 1990 levels by 2045. Carbon neutrality takes it one step further by expanding actions to capture and store carbon including through natural and working lands and mechanical technologies, while drastically reducing anthropogenic sources of carbon pollution at the same time.

The path forward was informed by the recent Sixth Assessment Report (AR6) of the IPCC and the measures would achieve 85 percent below 1990 levels by 2045 in accordance with AB 1279. CARB's 2022 Scoping Plan identifies strategies as shown in Table 5.8-3, *Priority Strategies for Local Government Climate Action Plans*, which would be most impactful at the local level for ensuring substantial progress toward the State's carbon neutrality goals.

Table 5.8-3 Priority Strategies for Local Government Climate Action Plans

Priority Area	Priority Strategies
Transportation Electrification	Convert local government fleets to zero-emission vehicles (ZEV) and provide EV charging at public sites.
	Create a jurisdiction-specific ZEV ecosystem to support deployment of ZEVs statewide (such as building standards that exceed state building codes, permit streamlining, infrastructure siting, consumer education, preferential parking policies, and ZEV readiness plans).
VMT Reduction	Reduce or eliminate minimum parking standards.
	Implement Complete Streets policies and investments, consistent with general plan circulation element requirements.
	Increase access to public transit by increasing density of development near transit, improving transit service by increasing service frequency, creating bus priority lanes, reducing or eliminating fares, micro transit, etc.
	Increase public access to clean mobility options by planning for and investing in electric shuttles, bike share, car share, and walking.
	Implement parking pricing or transportation demand management pricing strategies.
	Amend zoning or development codes to enable mixed-use, walkable, transit-oriented, and compact infill development (such as increasing allowable density of the neighborhood).
	Preserve natural and working lands by implementing land use policies that guide development toward infill areas and do not convert "greenfield" land to urban uses (e.g., green belts, strategic conservation easements).
Building Decarbonization	Adopt all-electric new construction reach codes for residential and commercial uses.
	Adopt policies and incentive programs to implement energy efficiency retrofits for existing buildings, such as weatherization, lighting upgrades, and replacing energy-intensive appliances and equipment with more efficient systems (such as Energy Star-rated equipment and equipment controllers).
	Adopt policies and incentive programs to electrify all appliances and equipment in existing buildings such as appliance rebates, existing building reach codes, or time of sale electrification ordinances.

Table 5.8-3 Priority Strategies for Local Government Climate Action Plans

Priority Area	Priority Strategies
	Facilitate deployment of renewable energy production and distribution and energy storage on privately owned land uses (e.g., permit streamlining, information sharing).
	Deploy renewable energy production and energy storage directly in new public projects and on existing public facilities (e.g., solar photovoltaic systems on rooftops of municipal buildings and on canopies in public parking lots, battery storage systems in municipal buildings).

Source: CARB 2022.

Based on Appendix D of the 2022 Scoping Plan, for residential and mixed-use development projects, CARB recommends first demonstrating that these land use development projects are aligned with State climate goals based on the attributes of land use development that reduce operational GHG emissions while advancing fair housing. Attributes that accommodate growth in a manner consistent with the GHG and equity goals of SB 32 have all the following attributes:

- Transportation Electrification
  - Provide electric vehicle (EV) charging infrastructure that, at a minimum, meets the most ambitious voluntary standards in the California Green Building Standards Code at the time of project approval.

- Vehicle Miles Traveled (VMT) Reduction
  - Locate projects on infill sites that are surrounded by existing urban uses and reuse or redevelop previously undeveloped or underutilized land that is presently served by existing utilities and essential public services (e.g., transit, streets, water, sewer).
  - The project does not result in the loss or conversion of the State's natural and working lands.
  - The project consists of transit-supportive densities (minimum of 20 residential dwelling units/acre), or is in proximity to existing transit stops (within a half mile), or satisfies more detailed and stringent criteria specified in the region's Sustainable Communities Strategy (SCS).
  - The project reduces parking requirements by:
    - Eliminating parking requirements or including maximum allowable parking ratios (i.e., the ratio of parking spaces to residential units or square feet); or
    - Providing residential parking supply at a ratio of <1 parking space per dwelling unit; or
    - For multifamily residential development, require parking costs to be unbundled from costs to rent or own a residential unit.
  - At least 20 percent of the units are affordable to lower-income residents.
  - Result in no net loss of existing affordable units.

- Building Decarbonization
  - Uses all electric appliances without any natural gas connections and does not use propane or other fossil fuels for space heating, water heating, or indoor cooking (CARB 2022).

The second approach to project-level alignment with State climate goals is net-zero GHG emissions, especially for new residential development. The third approach to demonstrating project-level alignment with State climate goals is to align with GHG thresholds of significance, which many local air quality management and air pollution control districts have developed or adopted (CARB 2022).

Senate Bill 375

SB 375, the Sustainable Communities and Climate Protection Act, was adopted in 2008 to connect the GHG emissions reduction targets established in the 2008 Scoping Plan for the transportation sector to local land use decisions that affect travel behavior. Its intent is to reduce GHG emissions from light-duty trucks and automobiles (excludes emissions associated with goods movement) by aligning regional long-range transportation plans, investments, and housing allocations to local land use planning to reduce VMT and vehicle trips. Specifically, SB 375 required CARB to establish GHG emissions reduction targets for each of the 18 metropolitan planning organizations (MPO). The Tulare County Association of Governments (TCAG) is the MPO for the region. Pursuant to the recommendations of the Regional Transportation Advisory Committee, CARB adopted per-capita reduction targets for each of the MPOs rather than a total magnitude reduction target.

2017 Update to the SB 375 Targets

CARB is required to update the targets for the MPOs every eight years. CARB adopted revised SB 375 targets for the MPOs in March 2018 that became effective in October 2018. All SCSs adopted after October 1, 2018, are subject to these new targets. CARB's SB 375 targets for the TCAG region are 13 percent per-capita GHG reduction in 2020 from 2005 levels and a 16 percent per-capita GHG reduction in 2035 from 2005 levels (CARB 2018).

The targets consider the need to further reduce VMT, as identified in the 2017 Scoping Plan Update (for SB 32), while balancing the need for additional and more flexible revenue sources to incentivize positive planning and action toward sustainable communities. Like the 2010 targets, the updated SB 375 targets are in units of "percent per capita" reductions in GHG emissions from automobiles and light trucks relative to 2005; this excludes reductions anticipated from implementation of state technology and fuels strategies and any potential future state strategies, such as statewide road user pricing. The proposed targets call for greater per-capita GHG emission reductions from SB 375 than are currently in place, which for 2035 translate into proposed targets that either match or exceed the emission reduction levels in the MPO's currently adopted SCS to achieve the SB 375 targets. CARB foresees that the additional GHG emissions reductions in 2035 may be achieved from land use changes, transportation investment, and technology strategies (CARB 2018).

Transportation Sector Specific Regulations

Assembly Bill 1493

California vehicle GHG emission standards were enacted under AB 1493 (Health and Safety Code Sections 42823 and 43018.5) (also known as the Pavley I standards). Pavley I is a clean-car standard that reduces GHG emissions from new passenger vehicles (light-duty auto to medium-duty vehicles) manufactured in and after 2009 and was anticipated to reduce GHG emissions from new passenger vehicles by 30 percent in 2016. California implements the Pavley I standards through a waiver granted to California by the USEPA. In 2012, the USEPA issued a Final Rulemaking that sets even more stringent fuel economy and GHG emissions standards for model years 2017 through 2025 light-duty vehicles (see also the earlier discussion on the update to the CAFE standards under the "Federal" heading). In January 2012, CARB approved the Advanced Clean Cars program (formerly known as Pavley II) for model years 2017 through 2025. The program combined the control of smog, soot, and GHGs with requirements for greater numbers of zero-emissions (ZE) vehicles into a single package of standards. Under California's Advanced Clean Car program, by 2025, new automobiles will emit 34 percent less GHG emissions and 75 percent less smog-forming emissions.

Executive Order S-01-07

On January 18, 2007, the State set a new low-carbon fuel standard (LCFS) for transportation fuels sold in the state. EO S-01-07 mandated the following actions: (1) establish a statewide goal to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020; and (2) adopt an LCFS for transportation fuels in California. EO S-01-07 set a declining standard for GHG emissions measured in grams of CO_2e per unit of fuel energy sold in California. The LCFS required a reduction of 2.5 percent in the carbon intensity of California's transportation fuels by 2015 and a reduction of at least 10 percent by 2020. The standard applied to refiners, blenders, producers, and importers of transportation fuels and used market-based mechanisms to allow these providers to choose the most economically feasible methods for reducing emissions during the "fuel cycle." In 2018, CARB amended the LCFS to strengthen the carbon intensity benchmarks through 2030 in line with California's 2030 GHG emissions reduction target enacted through SB 32.

Executive Order B-16-2012

On March 23, 2012, the State identified that CARB, the California Energy Commission (CEC), the California Public Utilities Commission, and other relevant agencies worked with the Plug-in Electric Vehicle Collaborative and the California Fuel Cell Partnership to establish benchmarks to accommodate ZE vehicles in major metropolitan areas, including infrastructure to support them (e.g., electric vehicle charging stations). EO B-16-2012 also directed the number of ZE vehicles in California's state vehicle fleet to increase through the normal course of fleet replacement so that at least 10 percent of fleet purchases of light-duty vehicles are ZE by 2015 and at least 25 percent by 2020. The EO also established a target for the transportation sector of reducing GHG emissions to 80 percent below 1990 levels.

Executive Order N-79-20

On September 23, 2020, Governor Newsom signed EO N-79-20, which sets a course to end sales of internal combustion passenger vehicles. EO N-79-20 set a statewide goal that 100 percent of in-state sales of new

passenger cars and trucks will be ZE by 2035. Additionally, the fleet goals for truck are that 100 percent of drayage trucks be ZE by 2035 and 100 percent of medium- and heavy-duty vehicles in the state be ZE by 2045, where feasible. EO N-79-20 also identifies a goal for the state to transition to 100 percent ZE off-road vehicles and equipment by 2035, where feasible. Advanced Clean Cars II (ACC II) approved by CARB on August 25, 2022, codified the zero-emission vehicle transition goal established under EO-N-79-20 and set low-emission and zero-emission vehicle standards for model year 2026 through 2035 vehicles. However, on May 22, 2025, the U.S. Senate voted to revoke the waiver granted by the Biden administration for the ACC II program through congressional resolution (House Joint Resolution 88). On June 12, 2025, President Trump signed the resolution, which formally nullified ACC II. Currently, implementation of ACC II is unknown.

Renewables Portfolio: Carbon Neutrality Regulations

Senate Bills 1078, 107, and X1-2, and Executive Order S-14-08

The State of California has adopted regulations that establish the Renewables Portfolio Standard (RPS) to increase the proportion of electricity from renewable sources. A major component of California's Renewable Energy Program is the RPS established under SB 1078 (Sher) and SB 107 (Simitian). Under the RPS, certain retail sellers of electricity were required to increase the amount of renewable energy each year by at least 1 percent to reach at least 20 percent by December 30, 2010. EO S-14-08 was signed in November 2008, which expanded the State's RPS to 33 percent renewable power by 2020. This standard was adopted by the legislature in 2011 (SB X1-2). Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas. The increase in renewable sources for electricity production decreases indirect GHG emissions from development projects because electricity production from renewable sources is generally considered carbon neutral.

Senate Bill 350

SB 350 (de Leon) was signed into law in September 2015 and establishes tiered increases to the RPS—40 percent by 2024, 45 percent by 2027, and 50 percent by 2030. SB 350 also set a new goal to double the energy-efficiency savings in electricity and natural gas through energy-efficiency and conservation measures.

Senate Bill 100

On September 10, 2018, Governor Brown signed SB 100, which increased the RPS to require 50 percent renewable resources by December 31, 2026, and 60 percent by December 31, 2030, while requiring retail sellers and local publicly owned electric utilities to meet interim targets of 44 percent of retail sales by December 31, 2024, and 52 percent by December 31, 2027. Furthermore, the bill establishes an overall state policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all State agencies by December 31, 2045. Under the bill, the state cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

Senate Bill 1020

SB 1020 was signed into law on September 16, 2022. It requires renewable energy and zero-carbon resources to supply 90 percent of all retail electricity sales by 2035 and 95 percent by 2040. Additionally, SB 1020 requires all State agencies to procure 100 percent of electricity from renewable energy and zero-carbon resources by 2035.

Energy-Efficiency Regulations

California Building Code: Building Energy Efficiency Standards

Energy conservation standards for new residential and nonresidential buildings were adopted by the California Energy Resources Conservation and Development Commission (now the CEC) in June 1977 (24 California Code of Regulations [CCR] Part 6). Part 6 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy-efficiency technologies and methods.

The 2022 Building Energy Efficiency Standards were adopted on August 11, 2021, and went into effect on January 1, 2023. The 2022 standards encourage efficient electric heat pumps, establish electric-ready requirements for new homes, expand solar photovoltaic (PV) and battery storage standards, strengthen ventilation standards, and more. The 2022 standards require mixed-fuel single-family homes to be electric-ready to accommodate replacement of gas appliances with electric appliances. In addition, the standards also include prescriptive PV system and battery requirements for high-rise, multifamily buildings (i.e., more than three stories) and noncommercial buildings such as hotels, offices, medical offices, restaurants, retail stores, schools, warehouses, theaters, and convention centers (CEC 2022). The 2025 Building Energy Efficiency Standards were adopted September 24, 2024, and will become effective and replace the 2022 Building Energy Efficiency Standards on January 1, 2026. Updates under the 2025 Building Energy Efficiency Standards include electric-ready requirements for some multi-family buildings and commercial kitchens and solar and battery energy storage requirements for assembly buildings including religious worship, sports, and recreational buildings.

Under the prescriptive pathway, a new development's building design is considered the "Standard Design Building," which represents the energy-efficiency performance of that project should it include all prescribed features (e.g., solar, battery storage) with no additional energy-efficiency features beyond what is required at minimum under the mandatory requirements and prescriptive pathway. A project may still demonstrate compliance using the performance pathway without inclusion of prescriptive features like solar or battery storage. However, that building design must match or exceed the energy efficiency performance of the Standard Design Building. For example, if a project would be required to include solar and battery storage under the prescriptive pathway, it can choose to comply with the performance pathway and not include solar and battery storage so long as it can demonstrate that it would achieve the same energy-efficiency performance as if solar and battery storage were included.

California Building Code: CALGreen

On July 17, 2008, the California Building Standards Commission adopted the nation's first green building standards. The California Green Building Standards Code (24 CCR, Part 11, known as "CALGreen") was

adopted as part of the California Building Standards Code. CALGreen established planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. The mandatory provisions of CALGreen became effective January 1, 2011, and were last updated in 2025. The 2025 CALGreen standards become effective January 1, 2026.

2006 Appliance Efficiency Regulations

The 2006 Appliance Efficiency Regulations (20 CCR 1601–1608) were adopted by the CEC on October 11, 2006, and approved by the California Office of Administrative Law on December 14, 2006. The regulations include standards for both federally-regulated appliances and non–federally regulated appliances. Though these regulations are now often viewed as "business as usual," they exceed the standards imposed by all other states, and they reduce GHG emissions by reducing energy demand.

Solid Waste Diversion Regulations

AB 939: Integrated Waste Management Act of 1989

California's Integrated Waste Management Act of 1989 (AB 939, Public Resources Code Section 40050 et seq.) set a requirement for cities and counties throughout the state to divert 50 percent of all solid waste from landfills by January 1, 2000, through source reduction, recycling, and composting. In 2008, the requirements were modified to reflect a per-capita requirement rather than tonnage. To help achieve this, the act required that each city and county prepare and submit a source reduction and recycling element. AB 939 also established the goal for all California counties to provide at least 15 years of ongoing landfill capacity.

AB 341

AB 341 (Chapter 476, Statutes of 2011) increased the statewide goal for waste diversion to 75 percent by 2020 and requires recycling of waste from commercial and multifamily residential land uses. Section 5.408 of CALGreen also requires that at least 65 percent of the nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse.

AB 1327

The California Solid Waste Reuse and Recycling Access Act (AB 1327, Public Resources Code Section 42900 et seq.) required areas to be set aside for collecting and loading recyclable materials in development projects. The act required the California Integrated Waste Management Board to develop a model ordinance for adoption by any local agency requiring adequate areas for collection and loading of recyclable materials as part of development projects. Local agencies are required to adopt the model or an ordinance of their own.

AB 1826

In October 2014, Governor Brown signed AB 1826 requiring businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste they generate per week. This law also requires that on and after January 1, 2016, local jurisdictions across the state implement an organic waste recycling program to divert organic waste generated by businesses and multifamily residential dwellings with five or more units.

Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed with food waste.

Water-Efficiency Regulations

SBX7-7

The 20x2020 Water Conservation Plan was issued by the Department of Water Resources (DWR) in 2010 pursuant to SB 7, which was adopted during the 7th Extraordinary Session of 2009–2010 and therefore dubbed "SBX7-7." SBX7-7 mandated urban water conservation and authorized DWR to prepare a plan implementing urban water conservation requirement (20x2020 Water Conservation Plan). In addition, it required agricultural water providers to prepare agricultural water management plans, measure water deliveries to customers, and implement other efficiency measures. SBX7-7 required urban water providers to adopt a water conservation target of 20 percent reduction in urban per-capita water use by 2020 compared to 2005 baseline use.

AB 1881: Water Conservation in Landscaping Act

The Water Conservation in Landscaping Act of 2006 (AB 1881) requires local agencies to adopt the updated DWR model ordinance or an equivalent. AB 1881 also required the CEC to consult with the DWR to adopt, by regulation, performance standards and labeling requirements for landscape irrigation equipment, including irrigation controllers, moisture sensors, emission devices, and valves to reduce wasteful, uneconomic, inefficient, or unnecessary consumption of energy or water.

Short-Lived Climate Pollutant Reduction Strategy

Senate Bill 1383

On September 19, 2016, the Governor signed SB 1383 to supplement the GHG reduction strategies in the Scoping Plan to consider short-lived climate pollutants, including black carbon and CH_4. Black carbon is the light-absorbing component of fine particulate matter produced during the incomplete combustion of fuels. SB 1383 required the state board, no later than January 1, 2018, to approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants to achieve a reduction in methane by 40 percent, hydrofluorocarbon gases by 40 percent, and anthropogenic black carbon by 50 percent below 2013 levels by 2030. The bill also established targets for reducing organic waste in landfills.

On March 14, 2017, CARB adopted the Short-Lived Climate Pollutant Reduction Strategy, which identifies the state's approach to reducing anthropogenic and biogenic sources of short-lived climate pollutants. Anthropogenic sources of black carbon include on- and off-road transportation, residential wood burning, fuel combustion (e.g., charbroiling), and industrial processes. According to CARB, ambient levels of black carbon in California are 90 percent lower than in the early 1960s, despite the tripling of diesel fuel use (CARB 2017). In-use on-road rules were expected to reduce black carbon emissions from on-road sources by 80 percent between 2000 and 2020.

Regional

TCAG's 2022 RTP/SCS

SB 375 requires each MPO to prepare an SCS in its regional transportation plan (RTP/SCS). For the TCAG region, the 2022 RTP/SCS was adopted in August 2022, and is an update to the 2018 RTP/SCS. In general, the RTP/SCS outlines a development pattern for the region that, when integrated with the transportation network and other transportation measures and policies, would reduce VMT from automobiles and light-duty trucks and thereby reduce GHG emissions from these sources.

The 2022 RTP/SCS focuses on the continued efforts of the previous RTP/SCSs to integrate transportation and land use strategies in development of the TCAG region through the horizon year 2046 (TCAG 2022). It forecasts that the TCAG region will meet its GHG per-capita reduction targets of 16 percent by 2035. It also forecasts that implementation of the plan will reduce VMT per capita in year 2046 compared to baseline conditions for that year.

5.8.1.3 EXISTING CONDITIONS

California's GHG Sources and Relative Contribution

In 2024, the statewide GHG emissions inventory was updated for 2000 to 2022 emissions using the GWPs in IPCC's AR4 and reported that California produced 371.1 $MMTCO_2e$ GHG emissions in 2022 (59.9 $MMTCO_2e$ below the 2020 GHG Limit of 431 $MMTCO_2e$), a 9.3 $MMTCO_2e$ decrease (2.4 percent) from the 380.4 $MMTCO_2e$ generated in 2021 (CARB 2024). The decrease in statewide emissions from 2021 to 2022 likely reflects stabilization from the effects of the COVID-19 pandemic and a return to the general established long-term downward trend in GHG emissions for California.

California's transportation sector was the single-largest generator of GHG emissions, producing 37.7 percent of the state's total emissions. Industrial sector emissions made up 19.6 percent, and electric power generation made up 16.1 percent of the state's emissions inventory. Other major sectors of GHG emissions include residential and commercial (10.6 percent), agriculture and forestry (8.0 percent), high GWP (5.7 percent), and recycling and waste (2.2 percent) (CARB 2024).

Since the peak level in 2004, California's GHG emissions have generally followed a decreasing trend. In 2014, statewide GHG emissions dropped below the 2020 GHG Limit (AB 32 target for year 2020) and have remained below the limit since that time.

Transportation emissions decreased by 5.2 $MMTCO_2e$ (3.6 percent) from 2021, primarily due to a greater share of fuels used for on-road transportation being produced from non-fossil resources (CARB 2024). Electricity emissions also decreased compared to 2021 by 2.6 $MMTCO_2e$ (4.1 percent) despite an increase in overall energy demand. The decrease in electricity sector emissions is due to the continued growth of in-state solar generation and increases to in-state hydropower and imported wind power in addition to a general decrease in fossil gas-powered generation (CARB 2024). High-GWP emissions have continued to increase as high-GWP gases replace ozone-depleting substances being phased out under the 1987 Montreal Protocol. Overall trends in the inventory also continue to demonstrate that the carbon intensity of California's

economy (i.e., the amount of carbon pollution per million dollars of gross state product) is declining. From 2000 to 2022, the carbon intensity of California's economy decreased by 54.8 percent while the gross state product increased by 77.5 percent (CARB 2024).

Existing Emissions

The project site is currently fallow agriculture land and highly disturbed and does not generate GHG emissions.

5.8.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

GHG-1 Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

GHG-2 Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

5.8.2.1 SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

The issue of global climate change is, by definition, a cumulative environmental impact. The SJVAPCD adopted Guidance Methodology for addressing GHG emissions under CEQA on December 17, 2009 (SJVAPCD 2009a). In addition, SJVAPCD adopted a Climate Change Action Plan to identify strategies to reduce GHG emissions in the SJVAPCD (SJVAPCD 2009b). SJVAPCD's methodology includes a tiered approach:

- If a project is exempt from CEQA, individual-level and cumulative GHG emissions are treated as less than significant.
- If the project complies with a GHG emissions reduction plan or mitigation programs that avoid or substantially reduce GHG emissions in the geographic area where the project is located (i.e., city or county), individual-level and cumulative GHG emissions are treated as less than significant.
- SJVAPCD does not have thresholds of significance for construction-related GHG emissions. Construction emissions are one-time, nonrecurring emissions. For buildings in general, it is reasonable to look at a 30-year time frame, since this is a typical interval before a new building requires its first major renovation (IEA 2008). Therefore, construction emissions are amortized over a 30-year duration and included in the operational emissions analysis.

SJVAPCD's methodology for evaluating GHG emissions impacts also includes methodology to evaluate whether a project would comply with AB 32 by conducting an analysis of whether the project would reduce GHG emissions by 29 percent from business as usual through implementation of "best performance standards." The November 30, 2015, *Center for Biological Diversity v. California Department of Fish and Wildlife*

(Newhall Ranch) ruling effectively limits use of this performance metric. The 29 percent below business as usual established in the CARB Scoping Plan is derived from the statewide reduction target set by AB 32 for year 2020. The court held that the 29 percent is the statewide goal, but there is no substantial evidence that establishes a nexus between the statewide goal and the percentage reduction a specific land use project would need to achieve to be consistent with the goals of AB 32. Projects must determine the reduction target specific to the land use type being proposed. Because SJVAPCD's BAU significance criteria do not establish a nexus that connects the statewide GHG emissions reductions identified in the Scoping Plan to reductions needed for new development projects, the consistency with a GHG reduction plan approach is used to determine potential project-related GHG emissions impacts. For purposes of this analysis, and as described further below, the proposed project is evaluated to the Tulare County Climate Action Plan (CAP).

5.8.2.2 TULARE COUNTY CLIMATE ACTION PLAN

The County of Tulare adopted the Tulare County Climate Action Plan 2018 Update (CAP) on December 11, 2018. The 2018 CAP is an update to the 2012 CAP, which was included as a component of the County of Tulare General Plan 2030 of which the County adopted in August 2012. The 2018 CAP addresses post-2020 GHG reduction targets. Specifically, it incorporates new baseline and future year inventories to reflect the latest information and updates the County's strategy to address the SB 32 Year 2030 target and identifies the County's fair share of reductions required to maintain consistency with the State target (Tulare County 2018). In general, the 2018 CAP focuses on new projects demonstrating consistency with General Plan policies from the following areas to achieve consistency with the post-2020 reduction target (Tulare County 2018):

- Land Use and Transportation System Improvements
- Alternative, Non-automotive Travel Modes
- Building Energy Efficiency/Green Building Design
- Water Conservation
- Waste Reduction Program

CEQA Guidelines Section 15183.5, Tiering and Streamlining the Analysis of Greenhouse Gas Emissions, allows for lead agencies to analyze and mitigate the significant effects of GHG emissions at a programmatic level. Pursuant to CEQA Guidelines Section 15183.5, later project specific environmental documents may tier from and/or incorporate by reference the GHG reduction plan so long as it includes the following plan elements:

- *Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area.* The 2018 CAP includes communitywide GHG emissions for existing conditions and emissions forecast for years 2020 and 2030 for emissions sources within the County of Tulare. The inventory and forecast include emissions associated with schools within the County limits. For example, the energy sector (electricity and natural gas) includes building energy associated with all buildings within the County and the on-road transportation emissions includes VMT used for the TCAG Conformity Estimate that includes school trips (since these trips have an origin or destination with the County limits).

- *Establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable*. The 2018 CAP aligns the GHG emissions reduction targets for the County with the GHG reduction goals identified for Senate Bill 32 (for year 2030).

- *Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area.* The 2018 CAP identifies the business-as-usual forecast for emission sources within the County limits (including schools) and identifies the additional reductions needed to achieve the gap.

- *Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level.* The 2018 CAP identifies specific measures and quantifies individual measures that would achieve the gap and achieve the County's local GHG reduction goals. As part of this, the 2018 CAP included a CAP Consistency Checklist to ensure that new developments are consistent with the CAP strategies.

- *Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels*. The CAP was originally adopted in 2012 and updated in 2018. The 2018 CAP includes an implementation and monitoring plan to ensure tracking and monitoring. The County commits to providing an annual progress report and conducting a CAP update at the five-year mark.

- *Be adopted in a public process following environmental review*. The 2012 CAP was included as a component of the County of Tulare General Plan 2030 and analyzed in the General Plan 2030 Environmental Impact Report (EIR) (SCH No. 2006041162), which was certified by the County of Tulare in 2012. For the 2018 CAP update, which was adopted by the County of Tulare in 2018, the County prepared a Notice of Exemption (SCH No. 2018128321). Therefore, the CAP was adopted in a public process following environmental review.

Based on the above, the 2018 CAP is a qualified GHG reduction plan. Thus, the proposed project's GHG emissions impacts are evaluated based on consistency with the 2018 CAP in accordance with CEQA Guidelines Section 15183.5.

5.8.3 Environmental Impacts

5.8.3.1 METHODOLOGY

Although evaluation of potential project-related GHG emissions impacts are evaluated based on consistency with the 2018 CAP Consistency Checklist, an emissions inventory for the proposed project is provided for informational purposes. GHG emissions are calculated using the California Emissions Estimator Model (CalEEMod), version 2022. CalEEMod compiles an emissions inventory of construction (e.g., on-road emissions and off-road emissions), area sources, indirect emissions from energy use, mobile sources, indirect emissions from waste disposal, and indirect emissions from water/wastewater.[5]

[5] Life cycle emissions include indirect emissions associated with materials manufacture. However, these indirect emissions involve numerous parties, each of which is responsible for GHG emissions of their particular activity. The California Resources Agency, in

Construction and operation emissions are based on the following:

- **Transportation.** The average daily trip generation data for passenger vehicles and school buses is provided by Garland Associates (see Appendix M). The primary source of mobile criteria air pollutants emissions is tailpipe exhaust emissions from the combustion of fuel (i.e., gasoline and diesel). In addition, for criteria air pollutants, brake and tire wear along with fugitive dust created from vehicles traveling roadways also generate particulate matter. For purposes of this analysis, vehicle trips to the project site are considered new trips and utilizes the CalEEMod average trip lengths to account for any changes in the average vehicle trip distance traveled from relocation of existing programs and students to the new proposed TCOE facilities.

- **Energy Use.** Natural gas and electricity demands for the proposed project is based on the CalEEMod default energy rates.

- **Area Sources.** Area source emissions from use of consumer cleaning products and VOC emissions from paints are based on CalEEMod default values and the square footage of the proposed buildings.

- **Water/Wastewater.** Based on indoor and outdoor daily water demand of 1,650 gallons per day (gpd) and 8,911 gpd, respectively, as discussed in Impact 5.18-3 of the DEIR, and 365 days per year for purposes of this analysis.

- **Solid Waste.** Based on a solid waste generation rate of 26.6 pounds per person per day as discussed in Impact 5.18-5 of the DEIR and the anticipated activities and number persons per activity throughout the year.

- **Refrigerants.** GHG emissions from operation of building air conditioning and refrigeration equipment are based on CalEEMod default values based on land use type.

- **Construction.** Project construction would occur in two phases. Phase one would consist of the construction of the AcCEL Center and library. Phase one is anticipated to start approximately May 2026 and end approximately June 2027. Phase two would consist of the construction of the performing arts theater. Phase two is anticipated to start approximately January 2028 and end approximately January 2030. Appendix C to this DEIR shows the assumed construction activities, phasing, and construction equipment based on information provided by TCOE and CalEEMod defaults.

5.8.3.2 IMPACT ANALYSIS

The applicable thresholds are identified in brackets after the impact statement.

adopting the CEQA Guidelines Amendments on GHG emissions found that lifecycle analysis was not warranted for project-specific CEQA analysis in most situations, for a variety of reasons, including lack of control over some sources, and the possibility of double-counting emissions (see Final Statement of Reasons for Regulatory Action, December 2009). Because the amount of materials consumed during the operation or construction of the proposed project is not known, the origin of the raw materials purchased is not known, and manufacturing information for those raw materials is also not known, calculation of life cycle emissions would be speculative. A life-cycle analysis is not warranted (LCI 2008).

Impact 5.8-1: The proposed project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. [Threshold GHG-1])

Global climate change is not confined to a particular project area and is generally accepted as the consequence of global industrialization over the last 200 years. A typical project, even a very large one, does not generate enough GHG emissions on its own to influence global climate change significantly; hence, the issue of global climate change is, by definition, a cumulative environmental impact.

As stated, the proposed project's GHG emissions impacts are evaluated below based on consistency with the 2018 CAP in accordance with CEQA Guidelines Section 15183.5. However, construction and operation-related GHG emissions associated with the proposed project are provided in Table 5.8-4, *Project Construction-Related GHG Emissions*, and Table 5.8-5, *Project Operation-Related GHG Emissions*, for informational purposes.

Table 5.8-4 Project Construction-Related GHG Emissions

Year	GHG Emissions ($MTCO_2e$)
2026	220
2027	122
2028	414
2029	284
2030	1
Total	**1,042**

Source: CalEEMod, Version 2022.1.
Notes: $MTCO_2e$ = metric tons carbon dioxide-equivalent

Table 5.8-5 Project Operation-Related GHG Emissions

Source	GHG Emissions ($MTCO_2e$/Year)	Percent of Total
Mobile	266	36%
Area	1	<1%
Energy	292	40%
Water	3	<1%
Solid Waste	168	23%
Refrigerants	<1	<1%
Total	**730**	**100%**

Source: CalEEMod, Version 2022.1.
Notes: $MTCO_2e$ = metric tons carbon dioxide-equivalent

County of Tulare Climate Action Plan

Project consistency with the 2018 CAP checklist is evaluated in Table 5.8-6, *Project Consistency With the County of Tulare Climate Action Plan*. As shown in the table, the proposed project would generally be consistent with the applicable 2018 CAP strategies. For example, the proposed project would be designed and built to meet

or exceed the 2022 Building Energy Efficiency Standards and 2022 CALGreen, which would contribute in increasing building energy efficiency. Additionally, the proposed project would install onsite PV and battery storage systems for the proposed buildings. Furthermore, the proposed project would also comply with the mandatory CALGreen EV parking standards. The proposed AcCEL Center and library would also not be new uses, but are current existing uses that would be relocated to the proposed project site. Overall, as discussed under Impact 5.13-1 of this DEIR, the proposed project would not directly or indirectly result in population growth. While the proposed project could introduce up to 40 jobs (which is a conservative estimate), it would be within the County's employment growth forecast. Thus, overall, the proposed project would not interfere with the implementation of the 2018 CAP. Therefore, implementation of the proposed project would result in less than significant GHG emissions impacts.

Table 5.8-6 Project Consistency with the County of Tulare Climate Action Plan

Applicable 2018 CAP Strategies	Consistency Method and Criteria	Consistency Assessment
1. Is the project consistent with applicable General Plan goals and policies listed in CAP?	Review CAP General Plan policies to identify applicable policies. If not consistent, provide additional justification for approving the project in light of the inconsistency or revise the project or perform quantitative analysis.	**Consistent –** The proposed project would be designed and built to meet the 2022 Building Energy Efficiency Standards and 2022 CALGreen. A PV system in addition to a battery energy storage system would be installed, which would be consistent with General Plan (GP) Policy LU-7.15, *Energy Conservation*, Policy ERM-4.1, *Energy Conservation and Efficiency Measures*, and Policy ERM-4.6, *Renewable Energy*. Furthermore, all plants would be drought tolerant, which would be consistent with Policy WR-3.5, *Use of Native and Drought Tolerant Landscaping*. Additionally, the proposed project would be designed to comply with the Plumbing Code and MAWA water usage requirements, which would contribute to water conservation and be consistent with the overall water conservation goal of the water conservation-related GP policies.
2. Is the project within a rural community plan or hamlet plan? If yes, is the project consistent with the plan?	If the project requires a plan amendment make findings on why the project is appropriate for the site and will be consistent with plan goals and policies after approval of the amendment. Amendments for large non-residential projects (100 square feet of retail or projects generating 4,200 ADT or higher) in community plan or hamlets should perform a GHG analysis to identify best management practices including site design for walking and bicycling, energy efficiency and self-generation measures, and water conservation as part of the environmental review.	**Not Applicable** – The project site is not within rural community plan or hamlet plan.
3. Is the project an agriculture oriented commercial or industrial project in a rural	If yes and the project is consistent with the General Plan, the project will comply with	**Not Applicable** – The proposed project is not an agriculture oriented commercial or

5. Environmental Analysis
GREENHOUSE GAS EMISSIONS

Table 5.8-6 Project Consistency with the County of Tulare Climate Action Plan

Applicable 2018 CAP Strategies	Consistency Method and Criteria	Consistency Assessment
area of the County?	applicable State and local regulations. No further GHG review is required.	industrial project.
4. Is the project a general commercial or industrial project in a rural area of the County? If yes, is the project consistent with the General Plan?	If a plan amendment is required, perform a GHG analysis to identify best management practices including site design to encourage walking and bicycling, energy efficiency and self-generation measures, and water conservation as part of the environmental review. Sites in rural areas with no other development nearby would need to assess pedestrian measures; however, carpool and vanpool parking may be appropriate.	**Not Applicable** – The proposed project would involve development of educational uses and would neither be a commercial nor industrial project.
5. Is the project required to construct a portion of a bicycle or pedestrian path that is part of an approved bicycle or mobility plan?	If yes, ensure that funding for construction of the project's fair share is included as a condition of approval.	**Not Applicable** – The proposed project would not be required to construct a portion of a bicycle or pedestrian path that is part of an approved bicycle or mobility plan.
6. Is the development site appropriate for locating an improved TCAT transit stop?	Review TCAT transit maps to determine if project is on an existing line. For large projects consult with TCAG and TCAT to determine if project is on a planned route and is suitable for a future transit stop. Work with TCAG to identify a fair share contribution for the transit stop construction and reserve right of way if needed.	**Not Applicable –** The proposed project would not generate high public transit ridership, as it primarily involves relocating existing uses and hosting occasional performing arts events, and would employ only about 40 staff members. Additionally, the project site is already served by TCRTA Route C40 along Mooney Boulevard/State Route 63, with existing bus stops at the intersection of N Mooney Boulevard/State Route 63 and Avenue 264/Liberty Road, and no future transit stops are planned**.**
7. Does the site plan have space set aside for recycling bins or compost collection?	Review site plan to determine if refuse collection area dimensions and location is consistent with County standards.	**Consistent –** The proposed project would include a three-bin waste disposal enclosure for recyclables, green waste and general waste in compliance with County standards.
9. Does the site include shared EV charging stations per CALGreen requirements?	Review site plan and/or project description to determine if charger installations meet CALGreen requirements. Currently only conduits to future charger locations are required.	**Consistent** – The proposed project would comply with the mandatory CALGreen EV parking charging requirements and provide For example, the proposed northern surface parking lot would, per CBC Table 5.106.5.3.1, include a total of 13 EV capable stalls for the 67 public parking stalls provided, which would consists of 4 installed EV charging stalls (2 accessible and 2 van accessible) and 9 EV capable stalls. At full build out including the theater parking, the proposed project would meet the mandatory 20 percent EV capable and 25 percent (of total EV capable spaces) EV chargers installed stalls requirements under CALGreen.

Table 5.8-6 Project Consistency with the County of Tulare Climate Action Plan

Applicable 2018 CAP Strategies	Consistency Method and Criteria	Consistency Assessment
10. Does the project comply with Tulare County Solar Roof Ordinance and/or Title 24 solar installation whichever is more stringent?	The project description should include the solar installation plans for the project. Compare installation plans to Solar Ordinance and Title 24 to determine if the project is in compliance.	**Consistent** – The proposed project would install PV systems for the proposed buildings that would exceed the minimum solar requirements under the 2022 Building Energy Efficiency Standards of Title 24. In addition, the proposed project would also install battery energy storage systems in compliance with the 2022 Building Energy Efficiency Standards of Title 24.
11. Does the project include drought tolerant landscaping and Irrigation systems meeting County standards and the MWELO.	Ensure developers are aware of drought tolerant landscaping and Irrigation requirements from County standards and the MWELO. Include the requirement as a standard condition of approval or similar mechanism.	**Consistent.** The proposed project would be designed to meet the MWELO requirement. In addition, all plants would be drought tolerant.
12. Does the project comply with Title 24 building energy efficiency, lighting, and interior water efficiency requirements?	Prior to issuing building permits, the County will review building plans to ensure Title 24 compliance.	**Consistent** – The proposed project would meet or exceed current (2022) Title 24 building energy efficiency for Indoor Lighting Compliance, Outdoor Lighting Compliance, Power Compliance, Solar and Battery Compliance and all Nonresidential Performance Compliance Method. Additionally, the proposed project would also meet the water efficiency requirements per the California Plumbing Code.
13. Is the project required to comply with SJVAPCD Rule 9510 Indirect Source Review	Review project description to determine if the project meets Rule 9510 applicability criteria. For example, 50 single family residential units or 2,000 square feet of retail development. Include Rule 9510 compliance as a condition of approval if applicable.	**Consistent** – The proposed project is subject to SJVAPCD Rule 9510 Indirect Source Review and would be required to comply with the requirements under the rule. The project would submit an Air Impact Assessment application to the SJVAPCD pursuant to Rule 9510. If necessary, TCOE would either pay a mitigation fee or implement direct actions if SJVAPCD determines the proposed project would exceed the threshold limits under Rule 9510.
14. Does the project employ over 100 employees arriving for work during peak traffic hours?	Determine if the project has the potential to be a large employer. Include a standard condition of approval to inform the applicant that the project may be subject to Rule 9410 Employer Trip Reduction Plans.	**Not Applicable** – The proposed project would not employ over 100 employees.

Source: Tulare County 2018.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.8-2: The proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. [Threshold GHG-2])

Applicable plans adopted for the purpose of reducing GHG emissions include the Tulare County 2018 CAP, CARB Scoping Plan, and TCAG RTP/SCS. A consistency analysis with these plans is presented below.

Tulare County Climate Action Plan

As discussed above under Impact 5.8-1, the proposed project would be consistent with the 2018 CAP Consistency Checklist. Therefore, impacts would be less than significant.

CARB Scoping Plan

The CARB Scoping Plan is applicable to state agencies but is not directly applicable to cities/counties and individual projects (i.e., the Scoping Plan does not require the City to adopt policies, programs, or regulations to reduce GHG emissions). However, new regulations adopted by the state agencies outlined in the Scoping Plan result in GHG emissions reductions at the local level. As a result, local jurisdictions benefit from reductions in transportation emissions rates, increases in water efficiency in the building and landscape codes, and other statewide actions that affect a local jurisdiction's emissions inventory from the top down. Statewide strategies to reduce GHG emissions include the LCFS and changes in the corporate average fuel economy standards (e.g., Pavley I and Pavley California Advanced Clean Cars program).

The proposed project would adhere to the programs and regulations identified by the Scoping Plan and implemented by state, regional, and local agencies to achieve the statewide GHG reduction goals of AB 32 and SB 32. For example, new buildings under the proposed project would be required to, at minimum, meet the current CALGreen and Building Energy Efficiency standards. Project GHG emissions shown in Table 5.8-5 include reductions associated with statewide strategies that have been adopted since AB 32 and SB 32. Additionally, as discussed under Impact 5.8-1 the proposed project would be consistent with the 2018 CAP, which has been prepared to align with the SB 32 year 2030 GHG reduction target. Overall, development of the proposed project would not obstruct implementation nor be inconsistent with the CARB Scoping Plan. Therefore, impacts would be less than significant.

TCAG Regional Transportation Plan/Sustainable Communities Strategy

The SCS does not require that local general plans, specific plans, or zoning be consistent with the SCS, but provides incentives for consistency for governments and developers. The proposed project would provide recreational facilities and educational/community services for community use. As shown in Table 5.11-1 of this DEIR, the proposed project would be consistent with the applicable goals and policies of the TCAG RTP/SCS. In addition, as discussed in Impact 5.16-2, of this DEIR, because the proposed project would be locally serving public facility, it would have less than significant VMT impacts. Therefore, the proposed project would not obstruct implementation nor be inconsistent with the TCAG RTP/SCS and impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

5.8.4 Cumulative Impacts

Project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Therefore, impacts identified under Impact 5.8-1 are not project-specific impacts to global warming, but the proposed project's contribution to this cumulative impact. Overall, the analysis of impacts in Section 5.8.3 above showed that the proposed project would not cumulatively contribute to GHG emissions impacts. As shown in Table 5.8-6, the proposed project would be consistent with the Tulare County 2018 CAP. Additionally, the proposed project would be consistent with the applicable plans to reduce GHG emissions. Thus, the proposed project's GHG emissions and contribution to global climate change impacts are not considered cumulatively considerable, and would therefore be less than significant.

5.8.5 Level of Significance Before Mitigation

Upon implementation of regulatory requirements, the following impacts would be less than significant: 5.8-1 and 5.8-2.

5.8.6 Mitigation Measures

No mitigation measures are required.

5.8.7 Level of Significance After Mitigation

All impacts would be less than significant without mitigation.

5.8.8 References

California Air Pollution Control Officer's Association (CAPCOA). 2022, April. CalEEMod, California Emissions Estimator Model User Guide, Version 2022.1. https://www.caleemod.com/user-guide.

California Air Resources Board (CARB). 2008, December. Climate Change Proposed Scoping Plan: A Framework for Change.

_____. 2017, March. Short-Lived Climate Pollutant Reduction Strategy. https://www.arb.ca.gov/cc/shortlived/shortlived.htm.

_____. 2018, February. Proposed Update to the SB 375 Greenhouse Gas Emission Reduction Targets. https://ww2.arb.ca.gov/sites/default/files/2020-06/SB375_Updated_Final_Target_Staff_Report_2018.pdf.

_____. 2022. 2022 Scoping Plan for Achieving Carbon Neutrality. https://ww2.arb.ca.gov/sites/default/files/2022-12/2022-sp.pdf.

_____. 2024, September 24. *California Greenhouse Gas 2000-2022: Trends of Emissions and Other Indicators.* https://ww2.arb.ca.gov/sites/default/files/2024-09/nc-2000_2022_ghg_inventory_trends.pdf.

California Climate Action Team (CAT). 2006, March. Climate Action Team Report to Governor Schwarzenegger and the Legislature.

California Climate Change Center (CCCC). 2012, July. Our Changing Climate 2012: Vulnerability and Adaptation to the Increasing Risks from Climate Change in California.

California Energy Commission (CEC). 2006. Our Changing Climate: Assessing the Risks to California. 2006 Biennial Report. CEC-500-2006-077. California Climate Change Center.

_____. 2009, May. The Future Is Now: An Update on Climate Change Science, Impacts, and Response Options for California. CEC-500-2008-0077.

_____. 2022, August. Building Energy Efficiency Standards for Residential and Nonresidential Buildings (2022 Energy Code). CEC-400-2021-077. https://www.energy.ca.gov/sites/default/files/2022-12/CEC-400-2022-010_CMF.pdf.

California Natural Resources Agency (CNRA). 2014, July. Safeguarding California: Reducing Climate Risk: An Update to the 2009 California Climate Adaptation Strategy.

California Office of Emergency Services (CalOES). 2020, June. California Adaptation Planning Guide. https://www.caloes.ca.gov/HazardMitigationSite/Documents/CA-Adaptation-Planning-Guide-FINAL-June-2020-Accessible.pdf.

Garland Associates. 2025, December. Traffic/Transportation Analysis for the Proposed Performing Arts Theater, AcCEL Center, and Library Project Tulare County. Appendix M.

Governor's Office of Land Use and Climate Innovation (LCI). 2008, June. CEQA and Climate Change: Addressing Climate Change through CEQA Review. Technical Advisory. https://lci.ca.gov/docs/june08-ceqa.pdf.

International Energy Agency (IEA), 2008, March. Energy Efficiency Requirements in Building Codes, Energy Efficiency Policies for New Buildings.

Intergovernmental Panel on Climate Change (IPCC). 2001. Third Assessment Report: Climate Change 2001. New York: Cambridge University Press.

_____. 2007. Fourth Assessment Report: Climate Change 2007. New York: Cambridge University Press.

_____. 2013. Fifth Assessment Report: Climate Change 2013. New York: Cambridge University Press.

_____. 2022, February. Impacts, Adaptation and Vulnerability: Summary for Policymakers. Sixth Assessment Report: Climate Change 2022. https://www.ipcc.ch/report/ar6/wg2/downloads/report/IPCC_AR6_WGII_SummaryForPolicymakers.pdf.

National Highway Traffic Safety Administration (NHTSA). 2022, April 1. USDOT Announces New Vehicle Fuel Economy Standards for Model Year 2024-2026. https://www.nhtsa.gov/press-releases/usdot-announces-new-vehicle-fuel-economy-standards-model-year-2024-2026.

_____. 2024, June 7. Corporate Average Fuel Economy, NHTSA Announces New Proposal for CAFE and HDPUV Standards. https://www.nhtsa.gov/laws-regulations/corporate-average-fuel-economy.

———. 2025, June 11. Resetting the Corporate Average Fuel Economy Program [Docket No. NHTSA-2025-0055]. https://www.federalregister.gov/documents/2025/06/11/2025-10586/resetting-the-corporate-average-fuel-economy-program.

Office of Environmental Health Hazards Assessment (OEHHA). 2018, May. Indicators of Climate Change in California. https://oehha.ca.gov/media/downloads/climate-change/report/2018caindicatorsreportmay2018.pdf.

San Joaquin Valley Air Pollution Control District (SJVAPCD). 2009a, December 17. Guidance for Valley Land-Use Agencies in Addressing GHG Emissions for New Projects Under CEQA. https://www.valleyair.org/media/dnsnicdv/3-ccap-final-lu-guidance-dec-17-2009.pdf.

———. 2009b, December 17. Climate Change Action Plan, Final Staff Report, Addressing Greenhouse Gas Emissions Impacts under the California Environmental Quality Act. https://ww2.valleyair.org/media/mdfm0lsd/1-ccap-final-ceqa-ghg-staff-report-dec-17-2009.pdf.

The White House. 2025. January 20. Unleashing American Energy. Accessed September 12, 2025. https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-american-energy/.

Tulare County. 2018, December. Tulare County Climate Action Plan 2018 Update. http://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/220Climate%20Action%20Plan/CLIMATE%20ACTION%20PLAN%202018%20UPDATE.pdf.

Tulare County Association of Government (TCAG). 2022, August 1. 2022 Regional Transportation Plan/Sustainable Communities Strategy. https://tularecog.org/tcag/planning/rtp/rtp-2022.

U.S. Environmental Protection Agency (USEPA). 2009, December. EPA: Greenhouse Gases Threaten Public Health and the Environment: Science Overwhelmingly Shows Greenhouse Gas Concentrations at Unprecedented Levels due to Human Activity. https://archive.epa.gov/epapages/newsroom_archive/newsreleases/08d11a451131bca585257685005bf252.html.

_____. 2024, March. Regulatory Announcement: Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles: Final Rule. https://nepis.epa.gov/Exe/ZyPDF.cgi/P1019VP5.PDF?Dockey=P1019VP5.PDF.

5. Environmental Analysis
GREENHOUSE GAS EMISSIONS

———. 2025a, February 27 (updated). USEPA: Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act. https://www.epa.gov/climate-change/
endangerment-and-cause-or-contribute-findings-greenhouse-gases-under-section-202a.

_____. 2025b, March 12. Final Rule: Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles. https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-multi-pollutant-emissions-standards-model#:~:text=On%20March%2020%2C%202024%2C%20EPA,starting%20with%20model%20year%202027.

_____. 2025c, July 29. EPA Releases Proposal to Rescind Obama-Era Endangerment Finding, Regulations that Paved the Way for Electric Vehicle Mandates news release. Accessed July 29, 2025. https://www.epa.gov/newsreleases/epa-releases-proposal-rescind-obama-era-endangerment-finding-regulations-paved-way.

5.9 HAZARDS AND HAZARDOUS MATERIALS

This section evaluates the potential impacts of the proposed project on human health and the environment due to exposure to hazardous materials or conditions associated with the project site, project construction, and project operations. Potential project impacts and appropriate mitigation measures or standard conditions are included as necessary. The analysis in this section is based, in part, on the following reports prepared for the proposed project:

- *Geological and Environmental Hazards Assessment,* PlaceWorks, May 2025
- *Preliminary Environmental Assessment (PEA)*, Padre Associates, December 2025
- *Pipeline Safety Hazard Assessment*, PlaceWorks, May 2025
- *No Further Action Determination Letter*, December 2025

Complete copies of these technical reports are provided in Appendix G, *Geological and Environmental Hazards Assessment*; Appendix H, *Preliminary Environmental Assessment (PEA)*; Appendix I, *Pipeline Safety Hazard Assessment*; and Appendix J, *No Further Action Determination Letter*.

No public comment letters were received in response to the Notice of Preparation (NOP) related to hazards and hazardous materials. Refer to Appendix A for all NOP comment letters.

5.9.1 Environmental Setting

5.9.1.1 REGULATORY BACKGROUND

Federal, state, and local laws, regulations, plans, or guidelines related to hazards and hazardous materials that apply to the proposed project are summarized in this section.

Federal

United States Environmental Protection Agency

The United States Environmental Protection Agency (USEPA) is the primary federal agency that regulates hazardous materials and waste. In general, the USEPA works to develop and enforce regulations that implement environmental laws enacted by Congress. The agency is responsible for researching and setting national standards for a variety of environmental programs and delegates to states and tribes the responsibility for issuing permits and for monitoring and enforcing compliance. USEPA programs promote handling hazardous waste safely, cleaning up contaminated land, and reducing trash. Under the authority of the Resource Conservation and Recovery Act (RCRA) and in cooperation with state and tribal partners, the USEPA's Waste Management Division manages a hazardous waste program, an underground storage tank (UST) program, and a solid waste program that includes development of waste reduction strategies such as recycling.

Title 26, Part 1926 of the Code of Federal Regulations

Title 26, Part 1926 of the Code of Federal Regulations (CFR) establishes standards for general safety and health provisions, occupational health and environmental controls, demolition, toxic and hazardous substances, and other aspects of construction work. For example, it establishes standards for general safety and health, such as development and maintenance of an effective fire protection and prevention program at jobsites. It also establishes standards for occupational health and environmental controls, such as for exposure to lead and asbestos.

Comprehensive Environmental Response, Compensation and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) protects water, air, and soil resources from the risks created by past chemical disposal practices. This law is also called the Superfund Act and regulates sites on the National Priority List (NPL), which are called Superfund sites. The act was intended to encompass the prevention of and response to uncontrolled hazardous substances releases. It provides mechanisms for reacting to emergencies and chronic hazardous material releases. In addition to procedures to prevent and remedy problems, it established a system for compensating appropriate individuals and assigning appropriate liability. It is designed to plan for and respond to failure in other regulatory programs and remedy problems resulting from action taken before the era of comprehensive regulatory protection.

Emergency Planning and Community Right-to-Know Act

The Emergency Planning Community Right-to-Know Act (EPCRA), also known as Title III of the Superfund Amendments and Reauthorization Act, was enacted in October 1986. This law requires any infrastructure at the state and local levels to plan for chemical emergencies. Reported information is made publicly available so that interested parties can be informed about potentially dangerous chemicals in their community. EPCRA Sections 301 through 312 are administered by the USEPA's Office of Emergency Management. The USEPA's Office of Information Analysis and Access implements the program in EPCRA Section 313. In California, Superfund Amendments and Reauthorization Act Title III is implemented through the California Accidental Release Prevention program.

Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) of 1976 gives the USEPA the authority to require reporting, record-keeping, testing requirements, and restrictions related to chemical substances and/or mixtures. TSCA addresses the production, importation, use, and disposal of specific chemicals, including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint. Title IV of the TSCA directs the USEPA to regulate lead-based paint hazards.

TSCA Sections 402 and 404 require those engaged in lead abatements, risk assessments, and inspections in homes or child-occupied facilities before 1978 (such as in daycare centers and kindergartens) to be trained and certified in specific practices to ensure accuracy and safety. TSCA Section 403, Residential Hazard

Standards for Lead in Paint, Dust, and Soil, sets standards for dangerous lead levels in paint, household dust, and residential soil.

Hazardous Materials Transportation Act

The US Department of Transportation regulates hazardous materials transportation under CFR Title 49. State agencies that have primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies are the California Highway Patrol and the California Department of Transportation. The California State Fire Marshal's Office has oversight authority for hazardous materials liquid pipelines. The California Public Utilities Commission has oversight authority for natural gas pipelines. These agencies also govern permitting for hazardous materials transportation.

Federal Response Plan

The Federal Response Plan of 1999 is a signed agreement among 27 federal departments and agencies and other resource providers, including the American Red Cross, that: (1) provides the mechanism for coordinating delivery of federal assistance and resources to augment efforts of state and local governments overwhelmed by a major disaster or emergency; (2) supports implementation of the Robert T. Stafford Disaster Relief and Emergency Act as well as individual agency statutory authorities; and (3) supplements other federal emergency operations plans developed to address specific hazards. The Federal Response Plan is implemented in anticipation of a significant event likely to result in a need for federal assistance or in response to an actual event requiring federal assistance under a Presidential declaration of a major disaster or emergency. The Federal Response Plan is part of the National Response Framework, which was most recently updated in October 2019.

Occupational Safety and Health Administration

The federal Occupational Safety and Health Act of 1970 authorizes each state (including California) to establish its own safety and health programs with the U.S. Department of Labor, Occupational Safety and Health Administration's (OSHA) approval. The California Department of Industrial Relations regulates implementation of worker health and safety in California. Cal/OSHA enforcement units conduct on-site evaluations and issue notices of violation to enforce necessary improvements to health and safety practices. California standards for workers dealing with hazardous materials are in Title 8 of the California Code of Regulations (CCR); they include practices for all industries (General Industrial Safety Orders) and specific practices for construction and other industries. Workers at hazardous waste sites (or working with hazardous wastes that might be encountered during excavation of contaminated soil) must receive specialized training and medical supervision according to the Hazardous Waste Operations and Emergency Response regulations.

OSHA Regulation 29 CFR Standard 1926.62 regulates the demolition, renovation, or construction of buildings involving lead materials. Federal, state, and local requirements also govern the removal of asbestos or suspected asbestos-containing materials (ACM), including the demolition of structures where asbestos is present. All friable (crushable by hand) ACMs and nonfriable ACMs subject to damage must be abated following all applicable regulations and prior to demolition.

State

California Environmental Protection Agency

CalEPA was created in 1991 by governor's executive order. Under the CalEPA umbrella are six boards and departments—Air Resources Board; Department of Resources, Recycling, and Recovery; Department of Pesticides Regulations; DTSC; Office of Environmental Health Hazard Assessment; and State Water Resources Control Board—to create a cabinet-level voice for the protection of human health and the environment and to ensure the coordinated deployment of state resources. CalEPA oversees the unified hazardous waste and hazardous materials management regulatory program.

California Department of Toxic Substances Control

The DTSC is a department of CalEPA, which authorizes DTSC to administer the RCRA program in California to protect people from exposure to hazardous waste. The department regulates hazardous waste, cleans up existing contamination, and implements regulations to control and reduce the hazardous waste produced in California, primarily under the authority of RCRA and in accordance with the California Hazardous Waste Control Law (California Health and Safety Code [HSC], Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (22 CCR Divisions 4 and 4.5). Permitting, inspection, compliance, and corrective action programs ensure that people who manage hazardous waste follow state and federal requirements and other laws that affect hazardous waste specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning.

DTSC's Brownfields Restoration and School Evaluation Branch is responsible for assessing, investigating, and cleaning up proposed school sites and existing school sites. The oversight is to ensure that selected properties are free of contamination or, if the properties were previously contaminated, that they have been cleaned up to a level that protects the students and staff who will occupy the new school. All proposed school sites and existing school sites that will receive State funding for acquisition or construction are required to go through an environmental review and cleanup process under DTSC's oversight.

Government Code Section 65962.5 (Cortese List)

Government Code Section 65962.5 requires, among other items, that the DTSC compile and update as appropriate, but at least annually, a list (Cortese List) of the following sites and submit the list to the Secretary for Environmental Protection.

- All hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code.
- All land designated as hazardous waste property or border zone property pursuant to former Article 11 (commencing with Section 25220) of Chapter 6.5 of Division 20 of the Health and Safety Code.
- All information received by the Department of Toxic Substances Control pursuant to Section 25242 of the Health and Safety Code on hazardous waste disposals on public land.

- All sites listed pursuant to Section 25356 of the Health and Safety Code.

Government Code Section 65962.5 also requires:

- (b) The State Department of Health Services shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis pursuant to Section 116395 of the Health and Safety Code.

- (c) The State Water Resources Control Board shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all of the following:

    - All underground storage tanks for which an unauthorized release report is filed pursuant to Section 25295 of the Health and Safety Code.

    - All solid waste disposal facilities from which there is a migration of hazardous waste and for which a California regional water quality control board has notified the Department of Toxic Substances Control pursuant to subdivision (e) of Section 13273 of the Water Code.

    - All cease and desist orders issued after January 1, 1986, pursuant to Section 13301 of the Water Code, and all cleanup or abatement orders issued after January 1, 1986, pursuant to Section 13304 of the Water Code, which concern the discharge of wastes that are hazardous materials.

- (d) The local enforcement agency, as designated pursuant to Section 18051 of Title 14 of the California Code of Regulations, shall compile as appropriate, but at least annually, and shall submit to the Department of Resources Recycling and Recovery, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste. The Department of Resources Recycling and Recovery shall compile the local lists into a statewide list, which shall be submitted to the Secretary for Environmental Protection and shall be available to any person who requests the information.

California Occupational Health and Safety Administration

Occupational safety standards in federal and state laws minimize worker safety risks from both physical and chemical hazards in the workplace. Cal/OSHA is responsible for developing and enforcing workplace safety standards and ensuring worker safety in the handling and use of hazardous materials.

California Building Code

The State of California provides a minimum standard for building design through the California Building Code (CBC), which is in 24 CCR Part 2. The 2022 CBC is based on the 2021 International Building Code but has been modified for California conditions. It is updated every three years, most recently in July 2022 with an effective date of January 1, 2023. The CBC, as adopted by local cities or counties, may be further modified based on local conditions.

California Department of Forestry and Fire Protection

California Department of Forestry and Fire Protection (CAL FIRE) is dedicated to the fire protection and stewardship of over 31 million acres of California's wildlands. The Office of the State Fire Marshal (OSFM) supports CAL FIRE's mission to protect life and property through fire prevention engineering programs, law and code enforcement, and education. OSFM provides for fire prevention by enforcing fire-related laws in state-owned or -operated buildings; investigating arson fires; licensing those who inspect and service fire protection systems; approving fireworks for use in California; regulating the use of chemical flame retardants; evaluating building materials against fire safety standards; regulating hazardous liquid pipelines; and tracking incident statistics for local and state government emergency response agencies. The California Fire Plan is the state's road map for reducing the risk of wildfire through planning and prevention to reduce firefighting costs and property losses, increase firefighter safety, and contribute to ecosystem health. The California Fire Plan is a cooperative effort between the State Board of Forestry and Fire Protection and CAL FIRE.

California Fire Code

The California Fire Code (CFC) is in 24 CCR Part 9. It is also updated every three years, most recently in 2022 with an effective date of January 1, 2023. The 2022 CFC is based on the 2021 International Fire Code but has been modified for California conditions. The CFC includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution. Similar to the CBC, the CFC is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions.

Resource Conservation and Recovery Act

Federal hazardous waste laws are generally promulgated under the Resource Conservation and Recovery Act (RCRA) of 1976, as amended by the Hazardous and Solid Waste Amendments of 1984. These laws provide for the "cradle to grave" regulation of hazardous wastes. Any business, institution, or other entity that generates hazardous waste is required to identify and track its hazardous waste from the point of generation until it is recycled, reused, or disposed. The California Department of Toxic Substances Control (DTSC) is responsible for implementing the RCRA program as well as California's own hazardous waste laws.

California Governor's Office of Emergency Services

The California Governor's Office of Emergency Services (Cal OES) coordinates California's statewide response to disasters by managing the State Operations Center, directing mutual aid systems, and ensuring emergency agencies can support one another across jurisdictions. It oversees public safety communications, including 911 systems and deployable communication units, while also handling homeland security programs related to terrorism prevention, cybersecurity, and critical infrastructure protection. The agency leads disaster recovery by coordinating FEMA assistance and administering relief programs, and it works to reduce future risks through hazard mitigation projects. Additionally, Cal OES provides emergency management training, develops statewide emergency plans, and supports preparedness efforts for state, county, and local agencies.

Hazardous Materials Management Act

A hazardous material is any substance that possesses qualities or characteristics that could produce physical damage to the environment and/or cause deleterious effects upon human health (Title 22 of the CCR). The Hazardous Materials Management Act (Title 22 of the CCR) requires that businesses and public entities handling or storing certain amounts of hazardous materials prepare a hazardous materials business plan that includes an inventory of hazardous materials stored on-site (above specified quantities), an emergency response plan, and an employee training program. Businesses that use, store, or handle 55 gallons of liquid, 500 pounds of solid, or 200 cubic feet of compressed gas at standard temperature and pressure require a hazardous materials business plan. Plans must be prepared prior to facility operation and are reviewed/updated biennially (or within 30 days of a change).

California Accidental Release Prevention Program

California Accidental Release Prevention Program includes the Federal Accidental Release Prevention Program with certain additions specific to California and pursuant to HSC Article 2, Chapter 6.95. The purpose of this program is to prevent the accidental release of regulated substances. Businesses using regulated substances exceeding a threshold quantity are evaluated under this program to determine the potential for and impacts of accidental releases. Depending on the potential hazards, business owners may be required to develop and submit a risk management plan.

California Health and Safety Code and Code of Regulations

California HSC Chapter 6.95 and 19 CCR Section 2729 set out the minimum requirements for business emergency plans and chemical inventory reporting. A business that uses hazardous materials or a mixture containing hazardous materials must establish and implement a business plan if the hazardous material is handled in certain quantities. These regulations require businesses to provide emergency response plans and procedures, training program information, and a hazardous material chemical inventory disclosing hazardous materials stored, used, or handled on-site.

California Code of Regulations, Title 22, Division 4.5

Title 22, Division 4.5, of the CCR sets out the requirements for hazardous waste generators; transporters; and owners or operators of treatment, storage, or disposal facilities. These regulations include the requirements for packaging, storage, labeling, reporting, and general management of hazardous waste prior to shipment. In addition, the regulations identify standards applicable to transporters of hazardous waste. These regulations specify the requirements for transporting loads of hazardous waste, including manifesting, vehicle registration, and accidental emergency discharges during transportation.

California Code of Regulations, Title 5, Sections 14010, 14011, and 14012

Under Education Code Section 17251, the California Department of Education (CDE) has authority to approve the acquisition of proposed school sites. The school district must obtain CDE approval for sites to receive state funds under the state's School Facilities Program administered by the State Allocation Board.

CDE standards and regulations for this process are presented in 5 CCR Sections 14010, 14011, and 14012. Information on assessing safety hazard related to pipelines is discussed in Section 14010(h):

The site shall not be located near an above-ground water or fuel storage tank or within 1,500 feet of the easement of an above-ground or underground pipeline that can pose a safety hazard as determined by a risk analysis study, conducted by a competent professional, which may include certification from a local public utility commission.

By CDE policy,

> . . . any pipeline that has a maximum operating capacity of at least 80 pounds per square inch (psi), including but not limited to those that carry natural gas, liquid petroleum, fuels or hazardous chemicals, shall be included in a pipeline survey, regardless if the pipeline is classified as a transmission or distribution line. Pipelines located within a railroad or other easement or those pipelines serving gas and oil well sites and fields shall also be included. (CDE 2000)

Additional information on pipelines is in CDE's School Site Selection and Approval Guide. This document states that CDE will not approve a proposed school site if the site "contains one or more pipelines, situated underground or aboveground, which carries hazardous substances, acutely hazardous materials, or hazardous wastes, unless the pipeline is a natural gas line which is used only to supply natural gas to that school or neighborhood" (CDE 2000).

The CDE's School Site Selection and Approval Guide also contain provisions for evaluating high-pressure water pipelines.

> To ensure the protection of students, faculty, and school property if the proposed school site is within 1,500 feet of the easement of an aboveground or underground pipeline that can pose a safety hazard, the school district should obtain the following information from the pipeline owner and operator:
>
> - Pipeline alignment, size, type of pipe, depth of cover
> - Operating water pressures in pipelines near the proposed school site
> - Estimated volume of water that might be released from the pipeline should a rupture occur on the site
> - Owner's assessment of the structural condition of the pipeline.

Regulations for Hazardous Materials in Structures

Asbestos is regulated as a hazardous air pollutant under the Clean Air Act and as a potential worker safety hazard under the authority of the federal Occupational Safety and Health Administration. Cal/OSHA considers ACM a hazardous substance when a bulk sample contains more than 0.1 percent asbestos by weight and requires a qualified contractor licensed to handle asbestos. Any activity that involves cutting, grinding, or drilling during building renovation or demolition or relocation of underground utilities could release friable asbestos fibers unless proper precautions are taken.

Lead is regulated as a hazardous material, and inorganic lead is regulated as a toxic air contaminant. Lead-containing paints, according to Cal/OSHA, are defined as paints reported with any detectable levels of lead by paint chip analysis (8 CCR Section 1532.1(d)). When disturbed for construction purposes, these surfaces are subject to Cal/OSHA exposure assessment requirements.

Several regulations and guidelines pertain to abatement of and protection from exposure to ACM and lead-based paint:

- Lead-based paint
  - 8 CCR Subchapter 4, Construction Safety Orders, Section 1532.1
  - 29 CFR 1926, Subpart D
- Asbestos
  - 8 CCR Subchapter 4, Section 1529
  - 29 CFR 1926, Subpart Z
  - 40 CFR 61, Subpart M

These rules and regulations provide exposure limits, exposure monitoring, respiratory protection, and good working practice for workers exposed to lead and ACM. In California, ACM and lead-based-paint abatement must be performed and monitored by contractors with appropriate certification from the California Department of Health Services. HSC Sections 17920.10 and 105255 require lead to be contained during demolition activities.

Polychlorinated biphenyls (PCBs) were commonly used in the small capacitor in fluorescent light ballasts through 1979. PCB regulations are included in 40 CFR 761, which requires the material to be incinerated. The entire lighting fixture does not need special handling and disposal as long as the ballast (electrical box) is not leaking. The nonleaking ballasts can be removed and recycled or disposed of properly.

Hazardous Waste Control

HSC Division 20, Chapter 6.5, and 22 CCR Division 4.5, Environmental Health Standards for the Management of Hazardous Waste, address how hazardous waste must be handled, stored, transported, treated, and disposed. They provide an effective process for hazardous waste management planning at the local level to ensure adequate handling, storing, transporting, treating, and disposing of hazardous materials.

Hazardous Materials Disclosure Programs

The Unified Program administered by the State of California consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities for environmental and emergency management programs, which include: Hazardous Materials Release Response Plans and Inventories (business plans), Hazardous Materials Management Plan/Hazardous Materials Inventory Statement, Underground Storage Tanks, Hazardous Waste Generator and Hazardous Waste Treatment, Aboveground Petroleum Storage Act, and the California Accidental Release Prevention (CalARP) Program.

The Unified Program is implemented at the local government level by Certified Unified Program Agencies (CUPA).

California Accidental Release Prevention Program

AB 3777, enacted in 1986, was designed to reduce emergencies involving acutely hazardous materials by requiring facilities that handle such substances to submit Risk Management Prevention Plans. These Risk Management Plans (RMPs) form a core component of the California Accidental Release Prevention (CalARP) Program and, similar to a Business Plan, outline the equipment and procedures used to prevent, mitigate, and respond to releases of regulated materials. RMPs must also include worst-case spill scenarios, potential impacts on the surrounding community, and detailed emergency response procedures.

Aboveground Petroleum Storage Act Program

The Aboveground Petroleum Storage Act (APSA) applies to facilities that store 1,320 gallons or more of petroleum and requires owners and operators to prepare and implement a Federal Spill Prevention, Control, and Countermeasure (SPCC) Plan to prevent petroleum releases. Petroleum includes crude oil and its liquid fractions as defined by state law, and certain facilities with less than 1,320 gallons—such as those with tanks in underground areas—may also fall under APSA. Some agricultural, logging, and construction-related sites may qualify for conditional exemptions if they meet specific criteria in state statute. Facilities storing more than 10,000 gallons must have their SPCC Plan certified by a state-registered engineer, and those with 1,320 to 10,000 gallons and limited spill history are considered "qualified facilities" and may use Tier I or Tier II templates to prepare and self-certify their SPCC Plans using USEPA guidance.

Local Regulations

Certified Union Program Agency for Tulare County

The Tulare County Environmental Health Services Division (Tulare County EHSD) was designated as the CUPA for the County of Tulare in 1993 by the State Secretary for Environmental Protection. The CUPA serves as an administrative agency that coordinates regulation of hazardous materials and waste in Tulare County. The CUPA oversees five programs: Hazardous Materials Disclosure Business Plan, Underground Storage Tank, California Accidental Release Prevention, Aboveground Petroleum Storage Tank, and Hazardous Waste Generator.

Hazardous Materials Disclosure Business Emergency Plan Program

To protect public health, safety, and the environment, the Hazardous Materials Disclosure Business Emergency Plan Program regulates the storage and handling of hazardous materials through education, inspections, and enforcement of state laws, with the Tulare County EHSD (the CUPA) serving as the countywide oversight agency. A key requirement is the development and maintenance of a Business Emergency Plan, which includes an electronic chemical inventory made available to first responders for emergency response. Facilities must submit a Business Plan if they store hazardous materials at or above threshold quantities—55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas—with lower thresholds applying to acutely or extremely hazardous materials.

Underground Storage Tank Program

An underground storage tank (UST) system includes any tank, associated piping, and equipment used to store hazardous substances in which at least ten percent of the system's volume lies beneath the ground surface. The Tulare County EHSD regulates these systems by permitting their operation and overseeing construction, repairs, upgrades, operation, and removals in accordance with California Code of Regulations Title 23 and Health and Safety Code Sections 25280–25299.8, which require regular testing and inspections. These regulations aim to protect state waters from hazardous releases while educating UST owners and operators, ensuring compliance, and pursuing enforcement when necessary. Through its central area offices, the Division conducts routine inspections, reviews and approves electronic submissions for UST system work, and performs installation, repair, and upgrade inspections throughout Tulare County.

Hazardous Watse Generator Program

The Tulare County EHSD oversees all hazardous waste generation in the County to ensure wastes are properly managed and disposed of in ways that protect human health and the environment. Hazardous wastes—whether liquid, solid, or gas—may be generated as byproducts or unwanted materials, and generators are responsible for identifying them, with inspectors evaluating waste for toxic, reactive, ignitable, or corrosive characteristics and sometimes requiring laboratory analysis. Certain wastes may be further classified as acutely or extremely hazardous, subject to stricter regulations under Title 22. Facilities are regulated based on their monthly waste generation and classified as Conditionally Exempt Small Quantity Generators, Small Quantity Generators, or Large Quantity Generators, each with specific accumulation limits. All hazardous waste must be stored safely to prevent fires, explosions, or releases, kept in compatible and properly labeled containers, segregated when incompatible, and stored within required time limits. Additionally, some materials are managed as Universal Waste under relaxed standards to facilitate accumulation, transport, and recycling; these include electronic devices, certain batteries, lamps, mercury-containing equipment, Cathode Ray Tubes (CRTs), CRT glass, and non-empty aerosol cans.

Tulare County Multi-jurisdictional Local Hazard Mitigation Plan

The 2018 Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan (Tulare County LHMP) defines measures to reduce risks from natural disasters in Tulare County, including unincorporated areas and incorporated cities. The Tulare County LHMP was created in coordination with Tulare County and the cities of Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia, and Woodlake; the Tule River Tribe; and COE. The plan complies with federal and state hazard mitigation planning requirements to establish eligibility for funding under the Federal Emergency Management Agency (FEMA) grant programs for all planning partners.

Tulare County Office of Emergency Services

Tulare County's Office of Emergency Services (OES) is the County's emergency management agency, responsible for coordinating multiagency responses to complex, large-scale emergencies and disasters in Tulare County. The Office of Emergency Services is the source for information and resource coordination between the State of California and the local governments of Tulare County (the Tulare Operational Area),

as defined in California's SEMS. The Tulare County OES also maintains the Emergency Operations Center (EOC) for the county and administers the AlertTC notification system and WebEOC crisis information management system. The AlertTC notification system is the County's public mass notification system, designed to keep people in Tulare County informed of important information during emergency events, including emergency evacuation.

Tulare County Emergency Operations Plan

The Tulare Emergency Operations Plan (EOP) is a guide document in the event of a large-scale emergency or disaster and addresses response activities within Tulare County. In the event of a large-scale emergency or disaster, response activities within Tulare County are guided by the Tulare County Emergency Operations Plan (EOP). The EOP, adopted by the Board of Supervisors, implements the California Standardized Emergency Management System (SEMS), and provides organizational structure and functional guidance through the Initial Response, Extended Response, and Recovery phases of operations.

The County Administrative Officer (CAO) is the Director of Emergency Services for the Operational Area, assisted by an Emergency Services Coordinator, an Emergency Services Manager, and support staff from the Office of Emergency Services. These individuals manage and coordinate the day-to-day operations and emergency response activities of the emergency organization.

The Emergency Operations Center (EOC) is activated during large emergencies to coordinate the efforts of all responders operating within the county's boundaries (the "Operational Area"). The Operational Area is recognized as a level of the state emergency services organization, and serves to coordinate resources and information between the Local Government level and the Regional level of emergency management. The Tulare Operational Area is comprised of Tulare County, its eight incorporated cities, and all special districts (i.e. utility districts, hospital districts, school districts) and tribes within its boundaries. The County EOP is not publicly accessible.

Tulare County Hazard Abatement Program

The Hazard Abatement and Inspection program addresses enforcement and safety issues related to wildfire risk. Parcels in a local responsibility area (LRA) and very high fire hazard severity zone (FHSZ) are required to adhere to certain actions, but the proposed project is outside of a very high FHSZ.

Tulare County Community Wildfire Protection Plan

The 2022 Tulare County Community Wildfire Protection Plan addresses hazards and risks of wildland fire throughout Tulare County and makes recommendations for fuel reduction projects, public outreach and education, structural ignitability reduction, and fire response capabilities. Tulare County comprises a diverse landscape and land ownership with the need to prepare for wildfire to reduce the risk of loss of life and property, as well as environmental damage. As such, the Tulare County Community Wildfire Protection Plan focuses on the communities and areas that are at high risk of wildfire; collectively these communities comprise the draft planning area. The project site is outside of the areas for high risk of wildfire and not in the draft planning area.

Tulare County General Plan

The General Plan has a number of goals and policies that apply to projects in Tulare County. General Plan goals and policies that relate to hazards and hazardous materials and the proposed project are listed below.

- **AQ-4.6. Asbestos Airborne Toxic Control and Dust Protection.** Asbestos is of concern to Tulare County because it occurs naturally in surface deposits of several types of ultramafic materials (materials that contain magnesium and iron and a very small amount of silica). Asbestos emissions can result from the sale or use of asbestos-containing materials, road surfacing with such materials, grading activities, and surface mining.

- **HS-1.1 Maintain Emergency Public Services.** The County shall ensure that during natural catastrophes and emergency situations, the County can continue to provide essential emergency services.

- **HS-1.3 Hazardous Lands.** The County shall designate areas with a potential for significant hazardous conditions for open space, agriculture, and other appropriate low intensity uses.

- **HS-1.4 Building and Codes.** Except as otherwise allowed by State law, the County shall ensure that all new buildings intended for human habitation are designed in compliance with the latest edition of the California Building Code, California Fire Code, and other adopted standards based on risk (e.g., seismic hazards, flooding), type of occupancy, and location (e.g., floodplain, fault).

- **HS-1.5 Hazard Awareness and Public Education**. The County shall continue to promote awareness and education among residents regarding possible natural hazards, including soil conditions, earthquakes, flooding, fire hazards, and emergency procedures.

- **HS-1.9 Emergency Access**. The County shall require, where feasible, road networks (public and private) to provide for safe and ready access for emergency equipment and provide alternate routes for evacuation.

- **HS-4.1 Hazardous Materials.** The County shall strive to ensure hazardous materials are used, stored, transported, and disposed of in a safe manner, in compliance with local, State, and Federal safety standards, including the Hazardous Waste Management Plan, Emergency Operations Plan, and Area Plan.

- **HS-4.2 Establishment of Procedures to Transport Hazardous Wastes.** The County shall continue to cooperate with the California Highway Patrol (CHP) to establish procedures for the movement of hazardous wastes and explosives within the County.

- **HS-4.3 Incompatible Land Uses.** The County shall prevent incompatible land uses near properties that produce or store hazardous waste.

- **HS-4.4 Contamination Prevention.** The County shall review new development proposals to protect soils, air quality, surface water, and groundwater from hazardous materials contamination.

- **HS-4.8 Hazardous Materials Studies.** The County shall ensure that the proponents of new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or State cleanup standards outlined in the studies will be implemented as part of the construction phase for each project.

- **HS-6.1 New Building Fire Hazards.** The County shall ensure that all building permits in urban areas, as well as areas with potential for wildland fires, are reviewed by the County Fire Chief. The following minimum requirements should be met to review developments or uses within areas of varying fire hazards:

  a. Very High Hazard – Extreme caution should be used in allowing development, particularly critical facilities.
  b. High Hazard – Strict compliance with existing State statutes and local ordinances should provide adequate fire protection.
  c. Moderate Hazard – Development should be allowed, with recommendations for mitigation of hazard by Fire Warden.

- **HS-6.5 Fire Risk Recommendations.** The County shall encourage the County Fire Chief to make recommendations to property owners regarding hazards associated with the use of materials, types of structures, location of structures and subdivisions, road widths, location of fire hydrants, water supply, and other important considerations regarding fire hazard that may be technically feasible but not included in present ordinances or policies.

- **HS-6.7 Water Supply System.** The County shall require that water supply systems be adequate to serve the size and configuration of land developments, including satisfying fire flow requirements. Standards as set forth in the subdivision ordinance shall be maintained and improved as necessary.

- **HS-6.12 Weed Abatement.** The County shall continue to encourage weed abatement programs throughout the County in order to promote fire safety.

- **HS-7.1 Coordinate Emergency Response Services with Government Agencies.** The County shall coordinate emergency response with local, State, and Federal governmental agencies, community organizations, volunteer agencies, and other response partners during emergencies or disasters utilizing SEMS and NIMS.

- **HS-7.2 Mutual Aid Agreement.** The County shall participate in established local, State, and Federal mutual aid systems. Where necessary and appropriate, the County shall enter into agreements to ensure the effective provision of emergency services, such as mass care, heavy rescue, hazardous materials, or other specialized function.

- **HS-7.3 Maintain Emergency Evacuation Plans.** The County shall continue to create, revise, and maintain emergency plan for the broad range of natural and human-made disasters and response

activities that could foreseeably impact Tulare County. This shall include, but not be limited to, flooding, dam failure, extreme weather, evacuation/transportation, mass care and shelter, and animal evacuation and sheltering. Emergency Planning projects shall be in line with the County's Strategic Plan and Emergency Operations Plan, and incorporate current guidance and initiatives from State and Federal Emergency Management Agencies.

- **HS-7.4 Upgrading for Streets and Highways.** The County shall evaluate and upgrade vital streets and highways to an acceptable level for emergency services.

- **HS-7.5 Emergency Centers.** The County shall require emergency backup systems to enable uninterrupted continuous operations as required by the California Essential Facilities Act.

- **HS-7.8 Tulare County Multi-Jurisdiction Hazard Mitigation Plan.** The County incorporates the adopted Tulare County Multi-Jurisdiction Hazard Mitigation Plan into the Tulare County General Plan Health and Safety Element. The plan provides guidance and insight into the hazards that exist in Tulare County and suggests possible mitigation projects. The plan should be consulted when addressing known hazards to ensure the general health and safety of Tulare County residents.

Tulare County Fire Department

The Tulare County Fire Department (TCFD) is responsible for safeguarding the lives and property of over 500,000 residents across the unincorporated areas of Tulare County. The TCFD's responsibilities also include fire suppression and emergency response, fire prevention and safety education, training and personnel development, emergency communications and coordination, and administering community programs and support services to the public. TCFD's responsibilities also include reviewing any new development permit applications.

Tulare County Code

Chapter 15, Building Regulations, outlines the CFC adopted with local amendments. Chapter 15 states that the Fire Chief of the County of Tulare or authorized representatives shall enforce the CFC, including Chapter 50, Hazardous Materials, Appendix H, Hazardous Materials Management Plan (HMMP), and Hazardous Materials Inventory Statement (HMIS) instructions in the unincorporated areas of the county. Enforcement issues regarding Chapter 50 and Appendix H that are not within the purview of the Tulare County Health Services Division CUPA will be enforced by the Tulare County Fire Department.

5.9.1.2 EXISTING CONDITIONS

Current Use of the Project Site and Surrounding Uses

The project site consists of 15.63 acres near the southwest corner of Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63 in unincorporated Tulare County. The project site is owned by the Tulare COE and currently includes a fallow agricultural field and an irrigation well on parcel 149-030-005 (15.23 acres) and a paved driveway and parking area, disturbed land, fencing, and landscaping/grass turf on parcel 149-030-008 (0.4 acres). See Section 3.2.2, *Project Site*, for additional information. The project site also

has a Tulare County General Plan land use designation of "Valley Agriculture", has a zoning designation of Exclusive Agricultural Zone–20 Acre Minimum (AE-20), and is located within an Urban Area Boundary (UAB) for the city of Tulare.[1]. The project site is primarily surrounded by farmland, commercial, and residential uses.

Additionally, as part of the Preliminary Environmental Assessment (Appendix H), a site reconnaissance of the project site was conducted on January 9, 2025, which consisted of walking the property and photographing site features. No orchard trees were present, and the residential building had previously been removed. A gravel driveway enters the property from N Mooney Boulevard/State Route 63 at the location of the former residential building. Two adjacent surface depressions (1 to 2 feet deep) were observed and appear to be the result of removing the building's foundation. Pole-mounted electrical transformers (two transformers) are approximately 100 feet west of the former residence, and a water well is approximately 80 feet west of the transformers. No surface irrigation or drainage ditches were observed at the project site (Appendix H).

Historical Uses of the Project Site

Based on a review of historical aerial photographs, the project site has been in agricultural use since at least 1937. In the 1937 aerial photograph the project site appears as field and row crops, and a residential building is situated near the eastern property boundary along N. Mooney Blvd. An elongated farm building is present west of the residential building. In the 1952 aerial photograph, two additional farm buildings are present north of the elongated building. In the 1956 aerial photograph, all three farm buildings are no longer present. A review of GoogleEarth satellite imagery indicates that a walnut orchard was present in September 1994 through April 2022. The orchard is no longer present in the April 2023 satellite image. The residential building, which was present in 1937, reportedly was removed in August 2024.

Geological and Environmental Hazards Assessment

A Geological and Environmental Hazards Assessment (GEHA) was prepared to evaluate the school site in accordance with State of California's standards in 5 CCR Section 14010, and additional codes and regulations applicable to school facilities are in the Education, Government and Public Resources Codes (see Appendix G).

Agricultural Land Use

The project site was previously used for agriculture. Therefore, organochlorinated pesticides (OCPs) and arsenic/lead could be present in shallow soil at the site. In addition, OCPs from the application of termiticides and lead-based paint could be present around the perimeter of the former residence on the property (Appendix G). Due to the historical uses and the potential presence of chemicals of potential concern (COPC), a PEA was prepared (Appendix H), and COPCs are further discussed below under *Preliminary Environmental Assessment*.

[1] UABs establish areas around incorporated cities where the county and cities may coordinate plans and policies relating to street and highway construction, public utility systems, and future right-of-way preservation, affecting the orderly development of urban fringe areas.

Transmission Lines

According to Southern California Edison (SCE), there are no SCE transmission lines that are 50 kilovolt (kV) or greater within 100 feet of the site. There are 12 kV power lines along Avenue 264/Liberty Road and N. Mooney Boulevard, but these lines are below the voltage that requires CDE setback distances. Therefore, there are no high voltage power lines that would impact the project site (Appendix G).

Hazardous Waste Sites

The following environmental databases were searched to determine if the project site was listed as a current or former hazardous waste or solid waste disposal site:

- GeoTracker (State Water Resources Control Board)
- EnviroStor (Department of Toxic Substances Control)
- EnviroMapper (US Environmental Protection Agency)
- Solid Waste Information System (SWIS) (California Department of Resources Recovery and Recycling)
- Cortese List (Department of Toxic Substances Control)

None of the databases identified the project site as being a current or former hazardous waste disposal site or solid waste disposal site and the project site is not within one-quarter mile of a current or former hazardous waste disposal site or solid waste disposal site. Based on a review of the Cortese list, the project site is not identified as a hazardous substance release site. Additionally, the project site is not within 2,000 feet of a significant disposal of hazardous waste (Appendix G).

Oil or Natural Gas Well

According to the Department of Conservation Division of Oil, Gas, and Geothermal Resources (CalGEM) Well Finder, the project site is not within 300 feet of an active oil or natural gas well. The closest oil well is approximately 1.2 miles northeast of the project site. The well is identified as plugged and was formerly operated by Jordan Oil & Gas Company (Appendix G).

Aboveground Water or Fuel Storage Tanks

Based on a review of Google Earth Pro, there are no large aboveground water tanks or fuel storage tanks within a 1,500-foot radius of the project site (Appendix G).

Preliminary Environmental Assessment

Former Agricultural Uses

According to the Tulare County Agricultural Commissioner, pesticide use reports were provided for Spring Ranch Inc., for 103-acres of almond orchards for the years 2021, 2022 and 2023. Reportedly, the project site is represented within this 103-acres. According to GoogleEarth imagery, the project site was planted as an orchard in 1994 through 2022. The pesticide use reports lists the use of miticides/insecticides, herbicides, and fungicides. Based on review of insecticides, herbicides, and fungicides used at the project site, the PEA did

not identify any chemicals that would require additional laboratory analyses of soil, other than the standard requirement of organochlorine pesticides (OCPs), arsenic, and lead.

Hazardous Sites Database Search

The PEA conducted a search of database records for hazardous sites within a mile of the project site, using the Environmental Data Resources (EDR) Radius Map Report. The EDR report did not identify facilities that present a recognized environmental condition (REC) to the project site. According to the EDR Environmental Lien Search, no environmental liens or activity and use limitations were identified for the project site.

Additionally, the PEA reviewed DTSC's EnviroStor Database and the State Water Resources Control Board's GeoTracker website for facilities that may present an REC to the project site; none were identified (Appendix H).

Chemicals of Potential Concern

These COPCs were identified at the project site.

Organochlorine Pesticides, Arsenic, Lead, and Polychlorinated Biphenyls

- Organochlorine pesticides (OCPs), arsenic, and lead in soil from historic agriculture use since at least 1937.
- OCPs, arsenic, and lead in soil around a water well, potentially used for mixing agricultural pesticides.
- OCPs in soil from the application of termiticides around the foundations of former building structures.
- Lead in soil from weathering of lead-based paint around the perimeter of former building structures.
- Polychlorinated biphenyls (PCBs) in soil at the base of pole-mounted electrical transformers.

Naturally Occurring Asbestos

According to the PEA, ultrabasic rock outcrops have been identified approximately 10 miles northeast of the project site. Several proposed school sites in the Visalia area have been sampled for the presence of naturally occurring asbestos related to these outcrops, and according to reported analytical results, soil samples did not contain detectable concentrations of naturally occurring asbestos. The nearest site containing naturally occurring asbestos is approximately three miles northeast of the project site (Appendix H).

Radon

Radon is a colorless, odorless, tasteless, and radioactive gas produced as a natural decay product of uranium. Because of its radioactivity, studies have shown a link between elevated concentrations of radon and lung cancer. Persons living in a building with high radon concentrations may have an increased risk of contracting lung cancer.

The USEPA created the Map of Radon Zones in 1993 to identify areas of the U.S. with the potential for elevated indoor radon levels. The map is intended to help governments and other organizations target risk reduction activities and resources. The map includes three areas: Zone 1, Zone 2, and Zone 3. Zone 1 has the highest potential for radon while Zone 2 has a moderate potential and Zone 3 has a low potential (USEPA 2025). The PEA indicates that Tulare County is a Zone 2 county. Zone 2 counties have a predicted average indoor radon screening level greater than 2 pCi/L and less than 4 pCi/L. According to the California database of indoor radon levels for Tulare County, 27 out of 92 (29 percent) site radon tests exceeded 4.0 pCi/L. Therefore, the potential for radon gas hazard at the project site is considered moderate (Appendix H).

5.9.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

H-1 Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

H-2 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.

H-3 Emit hazardous emissions or handle hazardous or acutely hazardous materials, substance, or waste within one-quarter mile of an existing or proposed school.

H-4 Be located on a site which is included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.

H-5 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 result in a safety hazard or excessive noise for people residing or working in the project area.

H-6 Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

H-7 Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

5.9.3 Environmental Impacts

Methodology

Conceptual Site Model

The conceptual site model is the tool used to identify the primary sources of COPC identified at the Project site, release mechanisms for the COPC, points of exposure at the Project site, and the exposure pathways

(ingestion, inhalation, and dermal contact) for the screening level evaluation of chronic health risks. The objective of the PEA is to evaluate the project site for an unrestricted land use (residential) scenario.

There are several ways a receptor may be exposed to COPC (i.e., pesticides, metals, etc.). Receptors can include humans, animals, vegetation, surface water, and/or groundwater. Typical pathways for exposure to COPC include:

- Physical transport via tracking chemicals of concern on people, clothing, and/or equipment; and
- Transport by airborne particulate matter.

For humans and animals, exposure usually occurs by the following exposure routes:

- Ingestion or inhalation of contaminated soil particles; and
- Dermal contact with contaminated soil particles.

The conceptual site model for the project site was developed based on the following assumptions:

- Exposure of students, staff, site visitors, and construction workers to COPC in soil via the ingestion and dermal contact routes is considered a complete exposure pathway;
- Exposure of students, staff, site visitors, and construction workers to COPC in airborne particulate matter via the inhalation route is considered a complete exposure pathway;
- Exposure of students, staff, site visitors, and construction workers to COPC in soil vapor via the inhalation route is considered an incomplete exposure pathway;
- Municipal drinking water and irrigation water will be provided to the project site. Therefore, the assessment of groundwater beneath the project site is not proposed;
- Surface water was not observed at the project site. Therefore, exposure to surface water at the project site is an incomplete exposure pathway; and
- Ingestion of vegetation and animals is considered an incomplete exposure pathway because of the proposed use as a school site.

A conceptual site model is presented in Plate 4-1 in Appendix H.

PEA Assessment

The PEA soil sampling activities were completed on August 26, 27 and September 11, 2025, in general accordance with the DTSC approved PEA workplan dated August 7, 2025. At the time of field sampling activities, the project site consisted of a vacant property and fallow agricultural field.

Prior to initiating field activities for the PEA, a field activities notification letter presented on COE letterhead was delivered to nearby residents (line-of-sight) and posted at the project site. Site photographs are presented in Appendix B of the PEA, and a copy of the Health & Safety Plan is presented in Appendix C of the PEA.

Sample Locations

The project site has been categorized into the following areas of investigation: former orchard; former residence buildings; irrigation well; and two pole-mounted electric transformers. Sample location areas are presented on Plates 5-1, 5-2 and 5-3 in the PEA.

Sample locations were identified using an EOS Arrow 100 handheld electronic navigating device operating with the United States Government's Global Positioning Satellite system. The GPS coordinates for the soil sample locations are presented in Table 5-1 of the PEA. The field sampling schedule is presented in Table 5-2 in the PEA, and the sample collection information is presented in Table 5-3 in the PEA. Specific soil sample locations and sample depths are described below:

Soil Sampling

Based on site conditions and DTSC's sampling guidance documents the following sampling plan was implemented:

Former Orchard

A total of 28 discrete surface soil samples were collected from a grid-pattern across the project site. The discrete soil samples were made into seven 4-point composite soil samples by the analytical laboratory. The composite soil samples were chemically analyzed for the presence of OCPs. One discrete soil sample was selected from each composite sample grouping and analyzed for the presence of arsenic and lead.

Former Residence Buildings

The former residence buildings consisted of the main residence house and a detached garage. The buildings and foundations have been removed, and rough grading of the area has occurred. At 16 locations, discrete soil samples were collected from within the grid at approximate depths of surface to 0.5-ft and from 2.0- to 2.5-ft bgs. The discrete soil samples were made into four 4-point composite soil samples by the analytical laboratory for both surface and subsurface samples. The composite soil samples were chemically analyzed for the presence of OCPs. One discrete soil sample was selected from each composite sample grouping and analyzed for the presence of lead.

Irrigation Well

One irrigation well is located west of the former residence buildings. Reportedly, this well will be properly abandoned during site development. The practice of mixing pesticides with water for flood irrigation and/or spray application may have occurred at this location. Therefore, four discrete soil samples were collected from around the well location at approximate depths of surface to 0.5-ft and from 1.0- to 1.5-ft bgs. The discrete soil samples were made into one 4-point composite soil samples by the analytical laboratory for both surface and subsurface samples. The composite soil samples was chemically analyzed for the presence of OCPs. One discrete soil sample was selected from each composite sample grouping to be analyzed for the presence of arsenic and lead. The subsurface soil samples were placed on "hold" with the analytical laboratory pending results of the surface samples.

Pole-Mounted Electrical Transformers

One pole-mounted electrical transformer containing two transformers is located between the irrigation well and former residence buildings. A second pole-mounted electrical transformer is located along Avenue 264/Liberty Road. Directly beneath each transformer discrete soil samples were collected at approximate depths of surface to 0.5-ft and from 1.0- to 1.5-ft bgs and chemically analyzed for the PCBs. The subsurface soil samples were placed on "hold" with the analytical laboratory pending the results the surface samples.

Quality Analysis/Quality Control Samples

For quality assurance/quality control (QA/QC), approximately 10% of the discrete soil samples were analyzed as duplicate soil samples for selected analyses. Padre requested the analytical laboratory to split selected soil samples to be chemically analyzed as duplicates for OCPs, arsenic, and lead.

One equipment blank sample and one field blank sample per soil sampling event (water samples) were also collected and analyzed for the presence of arsenic and lead.

Sample Collection

Soil Sample Collection

Surface soil samples were collected using hand sampling tools including a hand pick and hand auger. Soil sampling equipment was decontaminated prior to use at each sample collection location and sampling event. Soil samples were collected in 2-inch x 6-inch stainless steel sleeves and sealed with plastic end caps. Surface soil was loosened with the hand pick and placed into the sample sleeves.

The soil samples were sealed, labeled, and preserved on ice in the field. After completion of soil sampling activities, the soil samples were transferred to a State-certified analytical laboratory under chain-of-custody protocol for chemical analyses. Field sampling methods conformed to guidelines set forth in the Health and Safety Plan (Appendix C in PEA).

Decontamination Procedures

Equipment that came into contact with potentially contaminated soil was decontaminated consistently so as to assure the quality of samples collected. Disposable equipment intended for one-time use was not decontaminated but packaged for appropriate disposal. Decontamination occurred prior to and after each use of a piece of equipment. All sampling devices used were decontaminated using the following procedures:

- Non-phosphate detergent and tap water wash, in a 5-gallon plastic bucket, using a brush;
- Deionized/distilled water rinse, in a 5-gallon plastic bucket; and
- Final deionized/distilled water rinse in a 5-gallon plastic bucket.

At the completion of soil sample collection activities, the small amount of wash water was dispersed to the planting area. The wash water consisted of water, non-phosphate detergent, and a small amount of surface soil.

Sample Analyses

The laboratory analytical program schedule is summarized in Table 5-2 in the PEA. Analytical methods, types of containers, preservative, and holding times are summarized in Table 5-3 in the PEA. The laboratory analytical program consisted of chemical analyses of soil samples collected from the project site for the presence of:

- OCPs by U.S. Environmental Protection Agency (USEPA) Method 8081B;
- Arsenic by USEPA Method 6020;
- Lead by USEPA Method 6020;
- PCBs by USEPA Method 8082.

Equipment blanks (water sample) and field blanks (water sample) were also collected and analyzed for the presence of arsenic and lead by USEPA Method 200.8.

Chain-of-Custody Records

Chain-of-custody (C-O-C) records are used to document sample collection and shipment to the laboratory for analysis. A C-O-C record accompanied all samples shipped for analysis. Form(s) were completed and sent with the samples for each laboratory and each shipment. If multiple coolers were sent to a single laboratory on a single day, C-O-C form(s) were completed and sent with the samples for each cooler. The C-O-C record identified the contents of each shipment and maintained the custodial integrity of the samples. Generally, a sample was considered to be in someone's custody if it was either in someone's physical possession, in someone's view, locked up, or kept in a secure area that was restricted to authorized personnel. Until receipt by the laboratory, the custody of the samples was the responsibility of the sample collector.

Field Variances

Based on the analytical laboratory results of the initial PEA sampling event, Padre returned to the Project site on September 11, 2025, and collected step-out soil samples at the location of soil sample R-11, which is within the former residence area of the Project site. The step-out soil samples were analyzed for the presence of lead. Refer to Plate 5-2 in the PEA.

Human Health Screening-Level Evaluation

Chemicals of Potential Concern

Based on the laboratory analytical results for soil samples collected at the project site, the following chemicals of potential concern (COPC) were evaluated for risk assessment purposes:

- OCPs – Chlordane, DDD, DDE, and DDT
- Metals – Arsenic and Lead

Soil Risk Assessment

The DTSC-modified screening levels provided in Human Health Risk Assessment (HHRA) Note 3 dated June 2020 (revised May 2022) were used to conduct a screening-level human health risk assessment using the residential land-use scenario. Carcinogenic screening levels are typically based on a predicted excess long-term cancer risk of one in a million. Non-carcinogenic screening levels are based on maintaining the daily COPC intake below the level at which deleterious health effects are considered possible.

In accordance with PEA guidance documents and DTSC's HHRA Note No. 4, dated May 2019, chemical concentrations in soil detected were evaluated as potential exposure point concentrations (EPCs). The maximum EPCs for the COPC were evaluated.

The EPCs were compared to their respective screening levels. The ratio of an EPC to the corresponding carcinogenic screening level was multiplied by 1E-06 to estimate the chemical-specific screening cancer risk. For noncarcinogens, the chemical-specific hazard index is the ratio of the EPC to the screening level based on noncarcinogenic effects.

Screening Level

The sums of the chemical-specific screening cancer risk and screening hazard index are the cumulative screening cancer risk and hazard index, respectively.

The total estimated risk from OCPs identified in soils is estimated to be 3.6×10^{-7}, which does not provide an increased cancer risk of greater than 1 in 1,000,000 ($>10^{-6}$). The total health hazard from OCPs identified in soils is estimated to be 0.05 which does not present an increased health hazard (i.e., >1). The results of the screening-level evaluation are presented in Table 7-1 in the PEA.

Arsenic concentrations identified in soil at the project site ranged from 2.8 to 4.8 mg/kg. Arsenic concentrations were compared to an arsenic data set from a school site located approximately 4.5 miles northeast from the Project site. The background school site is referenced as Blue Oak Academy (EnviroStor ID No. 60003134), and arsenic concentrations in soil ranged from 4.5 to 7.1 mg/kg. Arsenic concentrations identified in surface soil at the project site are comparable to background concentrations. A copy of the background arsenic concentrations is presented in Appendix E in the PEA.

Lead concentrations identified in soil related to former agricultural activities ranged from 6.2 to 9.0 mg/kg. Except for one soil sample, lead concentrations identified in soil related to the former residential structures ranged from 3.8 to 54 mg/kg. One soil sample located at the area of the former residential structures was reported with a lead concentration of 99 mg/kg, which exceeds DTSC's residential screening level of 80 mg/kg. Therefore, step-out soil samples were collected at this location. The lead in soil concentrations of the step-out samples ranged from 4.3 to 56 mg/kg.

The 95% upper confidence limit (UCL) for lead in soil at the location of the former residential structures was estimated to 23 mg/kg. Using 23 mg/kg as the input concentration, a risk assessment was performed using DTSC's lead risk assessment spreadsheet model (LeadSpread Version 9). Based on the LeadSpread output, exposure to the lead concentrations detected at the Project site will result in a 90th percentile blood lead concentration of 0.3 micrograms per deciliter (µg/dl) in children which is below the California Office of

Environmental Health Hazard Assessment (OEHHA) blood toxicity level of 1 µg/dl. A copy of the 95% UCL output sheet and the LeadSpread Risk Assessment Spreadsheet is presented in Appendix F in the PEA.

Impact Analysis

The applicable thresholds are identified in brackets after the impact statement.

Impact 5.9-1: Project construction and operations would not create a significant hazard to the public or the environment through the routine transport, use, and/or disposal of hazardous materials. [Thresholds H-1]

Construction

The proposed project would include grading, construction of new buildings, and minimal soil excavation. Potentially hazardous materials used during construction include paints, sealants, solvents, adhesives, cleaners, gasoline, and diesel fuel. However, the potentially hazardous materials are typical materials used during construction and would not be used or stored in quantities that pose a significant safety hazard. Further, the potentially hazardous materials would be stored, handled, and transported in accordance with manufacturers' specifications. The handling, use, transport, and disposal of hazardous materials during the construction phase of the proposed project would comply with existing regulations of several agencies—the United States Environmental Protection Agency, the Tulare County EHSD (the CUPA), the Occupational Safety and Health Administration, the California Division of Occupational Safety and Health, and the United States Department of Transportation. In the event that a spill occurs, supplies are maintained on-site for containing and cleaning small spills of hazardous materials. Project construction workers are be trained on the proper use, storage, and disposal of hazardous materials. Construction activities associated with the proposed project would be short term or one time in nature, which further limits the use of these materials onsite.

Construction activities would also be conducted in accordance with the Storm Water Pollution Prevention Plan (SWPPP) as part of the National Pollution Discharge Elimination System (NPDES) permit. The primary objective of the SWPPP is to identify, construct, implement, and maintain best management practices (BMP) to reduce or eliminate pollutants in stormwater discharges and authorized non-storm water discharges from the construction site. BMPs for hazardous materials may include, but are not limited to, off-site refueling, placement of generators on impervious surfaces, establishing cleanout areas for cement, etc. Adherence to existing regulations would ensure compliance with safety standards related to the use, storage, transport, and disposal of hazardous materials and with the safety procedures mandated by applicable federal, state, and local laws and regulations.

There is nothing unique about the construction of the proposed project or the project site that could create significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Compliance with applicable federal, state, and local laws and regulations governing the use, storage, transport, and disposal of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts to occur. Therefore, the proposed project construction would not create substantial hazards to the public or the environment. Impacts would be less than significant.

Operation

The proposed project would consist of educational uses and would not involve use of substantial quantities of hazardous materials. No manufacturing, industrial, or other uses using large amounts of hazardous materials would occur within the project site. Operation of the proposed project would transport, use, store, or dispose of hazardous materials typical school facilities, such as cleaning and maintenance supplies (e.g., cleaners, paint, pesticides). Operation of the proposed project would use cleaners and other chemicals in small quantities, which is not considered hazardous materials that could result in a significant hazard to the public or the environment. Federal, State, and local regulations require adherence to specific guidelines regarding the use, transportation, disposal, and accidental release of hazardous materials, as described in Section 5.9.1.1, *Regulatory Background*. With the exercise of normal safety practices, the proposed project operation would not create substantial hazards to the public or the environment either through the routine transport, use, and/or disposal of hazardous materials. Therefore, a less than significant impact would occur.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.9-2: Project construction and operations could 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. [Thresholds H-2]

Soil and Test Results

According to the PEA, soil sampling, and subsequent laboratory testing of the soils, included the former orchard, former residence buildings, irrigation well, and two pole-mounted electric transformers. Soil samples were specifically analyzed for OCP, PCB, and metals. The results of the soil sampling and laboratory testing concluded that the levels of OCPs, PCBs, arsenic, and lead are not significant enough to potentially pose a threat to human health via ingestion, dermal contact (skin contact), and inhalation exposure.

The total estimated risk from OCPs identified in soils is estimated to be 3.6×10^{-7}, which does not provide an increased cancer risk of greater than 1 in 1,000,000 ($>10^{-6}$). The total health hazard from OCPs identified in soils is estimated to be 0.05, which does not present an increased health hazard (i.e., >1).

Arsenic concentrations identified in soil at the project site ranged from 2.8 to 4.8 mg/kg. Arsenic concentrations were compared to an arsenic data set from a school site located approximately 4.5 miles northeast from the project site. The background school site is referenced as Blue Oak Academy (EnviroStor ID No. 60003134), and arsenic concentrations in soil ranged from 4.5 to 7.1 mg/kg. Arsenic concentrations identified in surface soil at the project site are comparable and further assessment or remedial action for arsenic in soil is not warranted.

Lead concentrations identified in soil related to former agricultural activities ranged from 6.2 to 9.0 mg/kg. Except for one soil sample, lead concentrations identified in soil related to the former residential structures ranged from 3.8 to 54 mg/kg. One soil sample located at the area of the former residential structures was reported with a lead concentration of 99 mg/kg, which exceeds DTSC's residential screening level of 80

mg/kg. Therefore, step-out soil samples were collected at this location. The lead in soil concentrations of the step-out samples ranged from 4.3 to 56 mg/kg.

The 95 percent upper confidence limit (UCL) for lead in soil at the location of the former residential structures was estimated to 23 mg/kg. Using the 95 percent UCL of 23 mg/kg in soil at the location of the former residential structures as the input concentration, a risk assessment was performed using DTSC's lead risk assessment spreadsheet model (LeadSpread Version 9). Based on the LeadSpread output, exposure to the lead concentrations detected at the project site will result in a 90th percentile blood lead concentration of 0.3 µg/dl in children which is below the OEHHA blood toxicity level of 1 µg/dl.

Based on these results, the PEA recommends a "No Further Action" (NFA) Letter from DTSC. The issuance of an NFA Letter marks the close of the PEA process. On December 16, 2025, an NFA Letter was issued by DTSC to the COE stating that the DTSC concurs with the conclusion of the PEA Report which recommends "No Further Action" at the project site; see Appendix J.

Construction Materials

As discussed in Impact 5.9-1, construction activities would require small amounts of hazardous materials, including paints, sealants, solvents, adhesives, cleaners, and diesel fuel. The use, transportation, and disposal of hazardous materials would be in accordance with regulatory standards and manufacturers' specifications. Hazardous materials would be used in small quantities and stored so they do not pose significant safety hazards. As such, potentially hazardous materials associated with proposed project construction would not 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.

Operation Materials

As discussed in Impact 5.9-1, operation of the proposed project would transport, use, store, and dispose of small amounts of hazardous materials typical of school facilities such as cleaning and maintenance supplies (e.g., cleaners, paint, pesticides). Operation of the proposed project would use cleaners and other chemicals in small quantities, which are not considered hazardous materials that could result in a significant hazard to the public or the environment. Compliance with applicable federal, state, and local laws and regulations governing the use, storage, transport, and disposal of hazardous materials would ensure impacts would be less than significant. As such, potentially hazardous materials associated with proposed project operation would not 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.

No mitigation measures are needed, and impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

5. Environmental Analysis
HAZARDS AND HAZARDOUS MATERIALS

Impact 5.9-3: Project construction and operations would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. [Thresholds H-3]

The COE Liberty campus borders the northeastern corner of the project site and is the only school located within one-quarter mile.

As a result of the proposed project being a new school site, Public Resources Code (PRC) 21151.8 and CEQA Guidelines 15186, School Facilities apply. An evaluation of the proposed project in light of PRC 21151.8 and CEQA Guidelines 15186, is shown in Table 5.9-1, *Public Resources Code 21151.8 and CEQA Guidelines 15186 Analysis*.

Table 5.9-1 Public Resources Code 21151.8 and CEQA Guidelines 15186 Analysis

Code	Consistency Analysis
Public Resources Code 21151.8.(a)(1): The environmental impact report or negative declaration includes information that is needed to determine if the property proposed to be purchased, or to be constructed upon, is any of the following:	
21151.8.(a)(1)(A): The site of a current or former hazardous waste disposal site or solid waste disposal site and, if so, whether the wastes have been removed.	As substantiated in the Geological and Environmental Hazards Assessment (Appendix G), the project site is not a current or former hazardous waste site or solid waste disposal site.
21151.8.(a)(1)(B): A hazardous substance release site identified by the Department of Toxic Substances Control in a current list adopted pursuant to Article 5 (commencing with Section 78760) of Chapter 4 of Part 2 of Division 45 of the Health and Safety Code for removal or remedial action pursuant to Part 2 (commencing with Section 78000) of Division 45 of the Health and Safety Code.	As substantiated in the Geological and Environmental Hazards Assessment (Appendix G), the project site is not a current or former hazardous waste site or solid waste disposal site.
21151.8.(a)(1)(C): A site that contains one or more pipelines, situated underground or aboveground, that carries hazardous substances, extremely hazardous substances, or hazardous wastes, unless the pipeline is a natural gas line that is used only to supply natural gas to that school or neighborhood, or other nearby schools.	The Pipeline Safety Hazard Assessment (PSHA) evaluates potential exposure and fatality risk to staff and students from underground or at-grade natural gas or hazardous liquid pipeline releases and the potential for flooding from large volume water pipelines. The results of the analysis indicate a total individual risk of 4.7 x 10-10 for the 8-inch high pressure natural gas distribution pipeline, which is much smaller than the CDE significance threshold of one in a million (1.0 x 10-6). Therefore, the pipeline would not pose a risk to students or staff at the proposed school site. If a rupture or leak should occur in any of the water pipelines within 1,500 feet of the school site, the results of the flooding analysis indicate that the released water would not result in water depths at the school site that would pose a significant risk to students and staff (Appendix I).
21151.8.(a)(1)(D): A site that is within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor.	As substantiated in the Geological and Environmental Hazards Assessment (Appendix G), the project site is not located within 500 feet of a freeway or other busy traffic corridor.

Table 5.9-1 Public Resources Code 21151.8 and CEQA Guidelines 15186 Analysis

Code	Consistency Analysis
CEQA Guidelines Section 15186(c): When the project involves the purchase of a school site or the construction of a secondary or elementary school by a school district, the negative declaration or EIR prepared for the project shall not be adopted or certified unless: **CEQA Guidelines Section 15186(c)(1):** The negative declaration, mitigated negative declaration, or EIR contains sufficient information to determine whether the property is:	
15186(c)(1)(A): The site of a current or former hazardous waste or solid waste disposal facility and, if so, whether wastes have been removed.	As substantiated in the Geological and Environmental Hazards Assessment (Appendix G), the project site is not a current or former hazardous waste site or solid waste disposal site.
15186(c)(1)(B): A hazardous substance release site identified by the Department of Toxic Substances Control in a current list adopted pursuant to Section 25356 of the Health and Safety Code for removal or remedial action pursuant to Chapter 6.8 (commencing with Section 25300) of Division 20 of the Health and Safety Code.	As substantiated in 15186(c)(1)(A), the project site is not a current or former hazardous waste site or solid waste disposal site.
15186(c)(1(C): The site of one or more buried or above ground pipelines which carry hazardous substances, acutely hazardous materials, or hazardous wastes, as defined in Division 20 of the Health and Safety Code. This does not include a natural gas pipeline used only to supply the school or neighborhood.	The Pipeline Safety Hazard Assessment (PSHA) evaluates potential exposure and fatality risk to staff and students from underground or at-grade natural gas or hazardous liquid pipeline releases and the potential for flooding from large volume water pipelines. The results of the analysis indicate a total individual risk of 4.7 x 10-10 for the 8-inch high pressure natural gas distribution pipeline, which is much smaller than the CDE significance threshold of one in a million (1.0 x 10-6). Therefore, the pipeline would not pose a risk to students or staff at the proposed school site. If a rupture or leak should occur in any of the water pipelines within 1,500 feet of the school site, the results of the flooding analysis indicate that the released water would not result in water depths at the school site that would pose a significant risk to students and staff (Appendix I).
15186(c)(1)(D): Within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor.	As substantiated in the Geological and Environmental Hazards Assessment (Appendix G), the project site is not located within 500 feet of a freeway or other busy traffic corridor.

Source: Public Resources Code 21151.8 (2023); CEQA Guidelines Section 15186.

As substantiated in Tables 5.9-1, the proposed project would be consistent with PRC 21151.8 and CEQA Guidelines 15186. Therefore, impacts would be less than significant.

Construction

As discussed in Impact 5.9-1, construction activities would require small amounts of hazardous materials, including paints, sealants, solvents, adhesives, cleaners, and diesel fuel. The use, transportation, and disposal of hazardous materials would be in accordance with regulatory standards and manufacturers' specifications. Hazardous materials would be used in small quantities and stored so they do not pose significant safety hazards. As such, potentially hazardous materials associated with proposed project construction would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of the existing COE Liberty campus. A less than significant impact would occur.

Operation

Upon completion, the proposed project would operate as an educational facility and involve only small quantities of common maintenance-related hazardous materials, such as cleaners, paints, fertilizers, and pesticides. The project would not involve the use, generation, storage, or transport of substantial quantities of hazardous or acutely hazardous materials typically associated with industrial, manufacturing, or medical facilities. As stated in Impact 5.9-1, the proposed project would include handling, use, transport, and disposal of hazardous materials during the construction phase. Additionally, operation of the proposed project would not include the transport, use, storage, or disposal of hazardous materials beyond typical school facilities such as cleaning and maintenance supplies (e.g., cleaners, paint, pesticides). The proposed project would also comply with applicable federal and state laws and regulations governing the use, storage, transport, and disposal of hazardous materials. Therefore, the project would not emit hazardous emissions or involve the handling of hazardous or acutely hazardous substances within 0.25 mile of an existing or proposed school, and impacts would be less than significant.

As mentioned in Impact 5.9-3, a "No Further Action" Letter was issued by DTSC for the proposed project stating that the DTSC concurs with the conclusion of the PEA Report, which recommends "No Further Action" at the project site; see Appendix J. Therefore, no mitigation measures are needed, and impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.9-4: The project site is not on a list of hazardous materials sites. [Threshold H-4]

California Government Code Section 65962.5 requires referencing a list of hazardous materials sites, hazardous waste discharges for which the State Water Control Board has issued certain types of orders, public drinking water wells collecting detectable levels of organic contaminants, underground storage tanks with reported unauthorized releases, and solid waste disposal facilities from which hazardous waste has mitigated.

As mentioned above, as part of the GEHA, five environmental databases were searched to determine if the project site was listed as a current or former hazardous waste or solid waste disposal site (Appendix G).

- **GeoTracker.** State Water Resources Control Board
- **EnviroStor.** Department of Toxic Substances Control
- **EnviroMapper.** US Environmental Protection Agency
- **Solid Waste Information System (SWIS).** California Department of Resources Recovery and Recycling
- **Cortese List.** Department of Toxic Substances Control

The GEHA also includes a search for oil or natural gas wells on the project site and in the project area using the CalGEM Well Finder. The search concluded that the project site is not within 300 feet of an active oil or natural gas well (Appendix G).

Additionally, as mentioned Section 5.9.1, as part of the PEA, environmental database records for sites within one mile of the project site were searched using the EDR Radius Map. The databases included the EnviroStor database and GeoTracker. The EDR report did not identify facilities in the database records search that present a REC to the project site (Appendix H).

In addition to the databases above, the CalEPA database was searched for hazardous waste or solid waste disposal sites on or within one-quarter mile of the project site. Two sites were identified and are shown in Table 5.9-2, *Hazardous Material Sites Within 0.25 Mile of the Project Site*.

Table 5.9-2 Hazardous Material Site On-Site or Within 0.25 Mile of the Project Site

Site Address	Database	Identifier	Cleanup Status	Proximity to Site
AT&T Enterprises: Expanded National Mgmt Corp – SD1U3 11535 Avenue 264 Tulare, CA 93274 (10820083)	CalEPA	Chemical Storage Facility	Active since 7/25/2019	300 feet north and east
Ed's Self Haul 26300 N Mooney Boulevard Tulare, CA 93274 (110058369251)	CalEPA	Other Chlorinated Hydrocarbons, PFAS, Trichloroethylene	Active since 12/31/1999	311 feet east

Source: CalEPA 2025.

According to CalEPA, the "AT&T Enterprises: Expanded National Mgmt Corp SD1U3" site is a chemical storage facility that stores nickel cadmium batteries, used for telecommunications, and has been active since July 25, 2019. The site does not have any violations and is subject to oversight from the Tulare County EHSD. The Ed's Self Haul site is in the US Environmental Protection Agency's Emission Inventory System (EIS), which maintains an inventory of large stationary sources and voluntarily reported smaller sources of point emitters of air pollution. The site is categorized as a ready-mix concrete manufacturing site that does not include any violations. The proposed project is limited to the project site and would not impact these sites. Further, given the lack of violations and compliance with the applicable oversight agencies, these sites would not impact the proposed project.

In addition, although neighboring agricultural uses have the potential to create health and safety issues at the proposed school site, the implementation of Rule 16-004, Pesticide Use Near School Sites, which prohibits pesticide application within a quarter mile of a public K-12 school during school hours, would mitigate any potential issues due to pesticide drift (Appendix H). Also, according to California Pesticide Information Portal (CalPIP), the agricultural properties within a 0.25-mile radius of the proposed school site are primarily orchards growing almonds, wine grapes, and walnuts. All of the applied chemicals are ground applications with no aerial spraying, which minimizes the potential for pesticide drift. Since the chemicals are not applied

during school hours and there is no aerial spraying, the agricultural zoning of adjacent parcels does not pose a significant hazard.

The project site is not included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment. In addition, the proposed project would be consistent with requirements of 5 CCR Sections 14010, 14011, and 14012. Therefore, impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.9-5: The project site is not located in the vicinity of an airport or within the jurisdiction of an airport land use plan. [Threshold H-5]

The project site is approximately 4.75 miles southeast of the Visalia Municipal Airport and approximately 7.3 miles northeast of the Mefford Field Airport. The project site is not within two miles of a public airport or public use airport and would not be located within the jurisdiction of an airport land use plan (Tulare County 2012). Therefore, no impact would occur.

Level of Significance Before Mitigation: No Impact.

Impact 5.9-6: Project development would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. [Threshold H-6]

The project site would be subject to the Tulare County LHMP, a multi-jurisdictional plan with the purpose of reducing or eliminating long-term risk to people and property from hazards in Tulare County. According to the Tulare County LHMP, all campuses are considered Class 3 Critical Facilities, including the adjacent COE Liberty School, and are open and accessible during emergencies. Class 3 Critical Facilities can be used as evacuation centers, shelters, and mass prophylaxis sites (Tulare County 2018). The proposed project would be expected to increase the volume of vehicles traveling to and from the project site. The proposed project would not interfere with the use of the adjacent COE Liberty School during an emergency.

The Tulare County LHMP does not identify specific evacuation routes. The Tulare County Office of Emergency Services, via AlertTC, would provide evacuation instructions in emergency situations. The proposed project construction would occur within the project site boundaries, would not expand or modify existing roads, and would not interfere with an adopted emergency response plan or emergency evacuation plan. The proposed project would not interfere with any known evacuation routes. Construction-related vehicles and materials would be stored and parked on-site and would not block vehicle circulation or access to the project site. No vehicles or materials would be stored on public rights-of-way. The proposed project would comply with the CBC, California Fire Code, and CDE regulations for site design and life and safety. DSA would review the project plans to ensure adequate emergency access and circulation during operation. Therefore, the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. A less than significant impact would occur.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.9-7: The proposed project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. [Threshold H-7]

A wildland fire hazard area is typically characterized by areas with limited access, rugged terrain, limited water supply, and combustible vegetation. As discussed further in Impact 5.19-1, the proposed project is in a LRA and is not in a FHSZ; the nearest FHSZ is approximately 11.6 miles east of the project site (CAL FIRE 2025). Additionally, according to Figure 10-2, Fire Threat, of the Tulare County General Plan, the project site is in a "non-fuel" area of the county, which means the threat of wildfires is considered low (Tulare County 2012). Therefore, no impact would occur.

Level of Significance Before Mitigation: No Impact.

5.9.4 Cumulative Impacts

The area considered for cumulative impacts is Tulare County, which is the service area for Tulare County EHSD, the affected CUPA.

As with the proposed project, other development projects in the county would be required to comply with laws and regulations governing hazardous materials and hazardous waters used and generated, as described in Section 5.9.1, *Environmental Setting*.

In the immediate vicinity of the proposed project, the UPHS students will be relocated to the current COE Liberty campus during the summer of 2027. An additional project in the project area would include construction of a sewer line from the COE Liberty campus to a City of Visalia sewer connection. The UPHS relocation project does not involve construction. Additionally, operation of the Liberty campus already uses hazardous materials and would continue with the relocation of the UPHS students. Construction of the sewer line would be short term and would be in developed land and within an existing right-of-way and developed campus. The new sewer line project may involve the use of hazardous materials during the construction phase of the project, but they would not be used during the operation phase. Similar to the proposed project, all potentially hazardous material use would be used, stored, and handled in accordance with manufacturers' specifications and applicable Federal, State, and local regulations. Therefore, the proposed project would not combine with UPHS relocation project nor sewer line project to create a cumulative impact to hazards and hazardous materials during construction nor operation.

Other development projects would be required to conduct a similar review and to comply with applicable local Airport Land Use Plans. Visalia Municipal Airport is 4.75 miles southeast of the project site; however, the site is not within Visalia Municipal airport safety zones or the 2019 aircraft noise contours, and they have no impact on the proposed project. Therefore, the proposed project would not be cumulatively considerable.

Other development projects would be required to comply with the adopted emergency response plans or emergency evacuation plans and the California Building Code and Fire Code to prevent significant risk of loss, injury, or death involving wildland fires. The proposed project would not interfere with the Tulare County LMHP and would comply with the CBC, California Fire Code, and CDE regulations for site design

and life and safety. In addition, the project site is not in an FHSZ, and no impact related to fire hazards would occur. Therefore, the proposed project would not be cumulatively considerable.

Cumulative impacts would be less than significant after compliance with applicable regulations and site-appropriate mitigation measures.

5.9.5 Level of Significance Before Mitigation

Upon implementation of regulatory requirements, all impacts would be less than significant or no impact: 5.9-1, 5.9-2, 5.9-3, 5.9-4, 5.9-5, 5.9-6 and 5.9-7.

5.9.6 Mitigation Measures

No mitigation measures are required.

5.9.7 Level of Significance After Mitigation

No significant impacts related to hazards and hazardous materials were identified; therefore, no significant and unavoidable adverse impacts would occur.

5.9.8 References

CalEPA (California Environmental Protection Agency). 2025, November 20 (accessed). CalEPA. https://siteportal.calepa.ca.gov/nsite/map/help.

CAL FIRE (California Department of Forestry and Fire Protection). 2025, September 5. Fire Hazard Severity Zone Viewer. https://fire-hazard-severity-zones-rollout -calfire-forestry.hub.arcgis.com/pages/access-map.

CDE (California Department of Education). 2000. Resources for School Facilities Planning, School Selection and Approval Guide. Prepared by School Facilities Planning Division, CDE, Sacramento, CA. https://www.cde.ca.gov/ls/fa/schoolsiteguide.asp.

DTSC (Department of Toxic Substances). 2025, December 16. No Further Action Determination Letter. Appendix J.

Padre Associates. 2025, October. Preliminary Environmental Assessment (PEA). Appendix H.

PlaceWorks. 2025, May. Pipeline Safety Hazard Assessment. Appendix I.

———. 2025, May. Geological and Environmental Hazards Assessment. Appendix G.

Tulare County. 2012. *Tulare County General Plan*. https://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/000General%20Plan%202030%20Part%20I%20and%20Part%20II/GENERAL%20PLAN%202012.pdf.

Tulare County Airport Land Use Commission. 2012, December. Tulare County Comprehensive Airport Land Use Plan. Linked on https://tularecounty.ca.gov/rma/rma-documents/planning-documents.

USEPA (United States Environmental Protection Agency). 2025, September 22. The EPA Map of Radon Zones. https://www.epa.gov/radon/epa-map-radon-zones.

5. Environmental Analysis
HAZARDS AND HAZARDOUS MATERIALS

This page intentionally left blank.

5.10 HYDROLOGY AND WATER QUALITY

This section of the Draft Environmental Impact Report (DEIR) evaluates the potential impacts of the proposed project to hydrology and water quality conditions. Hydrology deals with the distribution and circulation of water, both on land and underground. Water quality deals with the quality of surface- and groundwater. Surface water includes lakes, rivers, streams, and creeks; groundwater is under the earth's surface.

Public comments were received in response to the Notice of Preparation (NOP) related to hydrology and water quality. A letter from the Central Valley Regional Water Quality Control Board (RWQCB) received on May 21, 2025, discusses relevant regulations administered by the Central Valley RWQCB for wastewater and stormwater quality control, in addition to groundwater well abandonment. The relevant issues raised from the comment letter are addressed throughout this section. Refer to Appendix A for the NOP comment letter.

5.10.1 Environmental Setting

5.10.1.1 REGULATORY BACKGROUND

Federal Regulations

Clean Water Act

The Clean Water Act (CWA) is a 1977 amendment to the Federal Water Pollution Control Act of 1972. The CWA is the principal statute governing water quality. It establishes the basic structure for regulating discharges of pollutants into the waters of the United States[1] and gives the federal Environmental Protection Agency (USEPA) the authority to implement pollution-control programs, such as setting wastewater standards for industry. The statute's goal is to end all discharges entirely and to restore, maintain, and preserve the integrity of the nation's waters. The CWA regulates both the direct and indirect discharge of pollutants into the nation's waters. The CWA sets water quality standards for all contaminants in surface waters and makes it unlawful for any person to discharge any pollutant from a point source into navigable waters, unless a permit is obtained under its provisions. The CWA mandates permits for wastewater and stormwater discharges, requires states to establish site-specific water quality standards for navigable bodies of water, and regulates other activities that affect water quality, such as dredging and the filling of wetlands. The CWA also funded the construction of sewage treatment plants and recognized the need for planning to address nonpoint sources of pollution. The following CWA Sections assist in ensuring water quality in surrounding water bodies.

- **Section 208** of the CWA requires the use of best management practices (BMPs) to control discharge of pollutants in stormwater during construction.

- **Section 303(d)** requires creation of a list of impaired water bodies by states, territories, and authorized tribes; evaluation of lawful activities that may impact impaired water bodies;[2] and preparation of plans to improve the quality of these water bodies. Water bodies on the list do not meet water quality standards,

[1] Waters of the US generally include surface waters—lakes, rivers streams, bays, the ocean, dry streambeds, wetlands—and storm sewers that are tributary to any surface water body.

[2] Impaired water bodies are water bodies that do not meet or are not expected to meet water quality standards.

even after point sources of pollution have installed the minimum required levels of pollution-control technology.

- **Section 402(p)** establishes a framework to control water pollution by regulating point-source discharges under the National Pollutant Discharge Elimination System (NPDES) permit program. Point-source discharges are readily identifiable, discrete inputs where waste is discharged to the receiving waters from a pipe or drain. Nonpoint discharges occur over a wide area and are associated with particular land uses (such as urban runoff from streets and stormwater from construction sites).

National Pollutant Discharge Elimination System

The NPDES permit program was established by the CWA to regulate municipal and industrial discharges to surface waters of the United States, including discharges from municipal separate storm sewer systems (MS4). Federal NPDES permit regulations have been established for broad categories of discharges, including point-source municipal waste discharges and nonpoint-source stormwater runoff. NPDES permits generally identify effluent and receiving water limits on allowable concentrations and/or mass emissions of pollutants in the discharge; prohibitions on discharges not specifically allowed under the permit; and provisions that describe required actions by the discharger, including industrial pretreatment, pollution prevention, self-monitoring, and other activities.

Under the NPDES Program, all facilities that discharge pollutants into waters of the United States are required to obtain a NPDES permit. Requirements for stormwater discharges are also regulated under this program. In California, the NPDES permit program is administered by the SWRCB through the nine RWQCBs.

Federal Emergency Management Agency

The Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program to provide subsidized flood insurance to communities that comply with FEMA regulations limiting development in floodplains. FEMA also issues Flood Insurance Rate Maps (FIRMs) that identify which land areas are subject to flooding. These maps provide flood information and identify flood hazard zones in the community. The design standard for flood protection is established by FEMA. FEMA's minimum level of flood protection for new development is the 100-year flood event, also described as a flood that has a 1-in-100 chance of occurring in any given year.

As required by the FEMA regulations, all development constructed within the Special Flood Hazard Zone (as delineated on the FIRM) must be elevated so that the lowest floor is at or above the base flood elevation level. The term "development" is defined by FEMA as any human-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials. Per these regulations, if development in these areas occurs, a hydrologic and hydraulic analysis must be performed prior to the start of development and must demonstrate that the development does not cause any rise in base flood elevation levels, because no rise is permitted within regulatory floodways. Upon completion of any development that changes existing Special Flood Hazard Area boundaries, the National Flood Insurance Program directs all participating

communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision, as soon as practicable, but not later than six months after such data becomes available.

State Regulations

Porter-Cologne Water Quality Act

The Porter-Cologne Water Quality Act (Water Code sections 13000 et seq.) is the basic water quality control law for California. This act established the SWRCB and divided the state into nine regional basins, each under the jurisdiction of an RWQCB. The SWRCB is the primary State agency responsible for the protection of California's water quality and groundwater supplies. The RWQCBs carry out the regulation, protection, and administration of water quality in each region. Each regional board is required to adopt a water quality control plan or basin plan that recognizes and reflects the regional differences in existing water quality, the beneficial uses of the region's ground and surface water, and local water quality conditions and problems.

The Porter-Cologne Act also authorizes the SWRCB and RWQCBs to issue and enforce waste discharge requirements, NPDES permits, Section 401 water quality certifications, and other approvals. Other State agencies with jurisdiction over water quality regulation in California include the California Department of Health Services for drinking water regulations, the CDFW, and the Office of Environmental Health and Hazard Assessment.

State Water Resources Control Board

In California, the SWRCB has broad authority over water quality control issues for the State. The SWRCB is responsible for developing statewide water quality policy and exercises the powers delegated to the State by the federal government under the CWA. It also regulates public drinking water systems, NPDES wastewater discharges, water quality monitoring, water recycling programs, landfill disposal, water rights, and implements drought restrictions.

General Construction Permit

Construction activities that disturb one or more acres of land that could impact hydrologic resources must comply with the requirements of the newly reissued SWRCB Construction General Permit (Order WQ 2022-0057-DWQ). Under the terms of the permit, applicants must file Permit Registration Documents (PRDs) with the SWRCB before the start of construction. The PRDs include a Notice of Intent, risk assessment, site map, Storm Water Pollution Prevention Plan (SWPPP), annual fee, and a signed certification statement. The PRDs are submitted electronically to the SWRCB via the Stormwater Multiple Application and Report Tracking System (SMARTS) website.

Applicants must also demonstrate conformance with applicable best management practices (BMPs) and prepare a SWPPP containing a site map that shows the construction site perimeter, existing and proposed buildings, lots, roadways, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns across the project site. The SWPPP must list BMPs that would be implemented to prevent soil erosion and discharge of other construction-related pollutants that could contaminate nearby water resources. Additionally, the SWPPP must contain a visual monitoring program, a

sampling program to ensure compliance with water quality standards, and on-site collection of samples and inspection of BMPs during a qualifying precipitation event.

Trash Amendments

On April 7, 2015, the SWRCB adopted an amendment to the *Water Quality Control Plan for Ocean Waters of California* to control trash and Part 1, Trash Provisions, of the *Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (SWRCB 2025). They are collectively referred to as "the Trash Amendments." The Trash Amendments apply to all surface waters of California and include a land use-based compliance approach to focus trash controls on areas with high trash-generation rates. Areas such as high-density residential, industrial, commercial, mixed urban, and public transportation stations are considered priority land uses. There are two compliance tracks for Phase I and Phase II MS4 permittees:

- **Track 1:** Permittees must install, operate, and maintain a network of certified full-capture systems in storm drains that capture runoff from priority land uses.
- **Track 2:** Permittees must implement a plan with a combination of full capture systems, multi-benefit projects, institutional controls, and/or other treatment methods that have the same effectiveness as Track 1 methods.

The Trash Amendments provide a framework for permittees to implement their provisions. Full compliance must occur within 10 years of the permit, and permittees must also meet interim milestones such as average load reductions of 10 percent per year. The amendment mandates that jurisdictions covered under the Central Valley Phase II MS4 need to install catch basin filters on all catch basins by December 2, 2030.

Water Conservation in Landscaping Act of 2006

The Water Conservation in Landscaping Act includes the State of California's Model Water Efficient Landscape Ordinance (MWELO), which requires cities and counties to adopt landscape water conservation ordinances. The MWELO was revised in July 2015 via Executive Order B-29-15 to address the ongoing drought and build resiliency for future droughts. State law requires all land use agencies, which includes cities and counties, to adopt a Water Efficient Landscape Ordinance that is at least as efficient as the MWELO prepared by the DWR. The 2015 revisions to the MWELO improve water conservation in the landscaping sector by promoting efficient landscapes in new developments and retrofitted landscapes. The revisions increase water efficiency by requiring more efficient irrigation systems, incentives for grey water usage, improvements in on-site stormwater capture, and limiting the portion of landscapes that can be covered in high-water-use plants and turf. New development projects that include landscape areas of 500 square feet or more are subject to the MWELO. This applies to residential, commercial, industrial, and institutional projects that require a permit, plan check, or design review. The size threshold for rehabilitated landscapes has not changed and remains at 2,500 square feet.

Sustainable Groundwater Management Act

The historic passage of the Sustainable Groundwater Management Act (SGMA) in 2014 set forth a statewide framework to help protect groundwater resources over the long term. SGMA is comprised of a three-bill legislative package, including Assembly Bill (AB) 1739, Senate Bill (SB) 1168, and SB 1319, and subsequent

statewide regulations. The Governor's signing message states that "groundwater management in California is best accomplished locally." Under SGMA, in groundwater basins that are designated as medium and high priority, local public agencies and groundwater sustainability agencies (GSAs) must assess conditions in their local groundwater basins and then prepare groundwater sustainability plans (GSPs) or alternatives to GSPs to avoid undesirable results and mitigate overdraft within 20 years. DWR serves two roles to support local SGMA implementation 1) regulatory oversight through the evaluation and assessment of GSPs and 2) providing ongoing assistance to locals through the development of: best management practices and guidance, planning assistance, technical assistance, and financial assistance.

Regional Water Management Planning Act

In 2000, the Legislature passed the Integrated Regional Water Management Planning Act, which allows a regional water management group to prepare and adopt an Integrated Regional Water Management Plan (IRWMP) that includes qualified programs or projects or qualified reports or studies identified in Water Code § 10540 et seq. Many of the water management elements identified in the Act are also part of an Urban Water Management Plan. The intent of the Legislature is to encourage local agencies to work cooperatively to manage their available local and imported water supplies to improve the quality, quantity, and reliability of those supplies. Tulare County has several IRWMPs covering the County. The Kaweah River Basin IRWMP covers the project area.

California Water Code Section 13751, Water Wells

In 1949, the California Legislature concluded that collecting information on newly constructed, modified, or destroyed wells would be valuable in the event of underground pollution and would also provide geologic information to better manage California's groundwater resources. Section 13751 of the California Water Code (CWC) requires Well Completion Report forms to be filed with DWR within 60 days of the date that construction, alteration, abandonment, or destruction of a well is completed. Completed forms are sent to the DWR regional office whose boundaries include the well (DWR 2024).

Regional Regulations

Central Valley Regional Water Quality Control Board

The proposed project is within the jurisdiction of the Central Valley RWQCB (Region 5). The Central Valley RWQCB addresses region-wide water quality issues through the creation and triennial update of the Water Quality Control Plan for the Central Valley Region specifically the Water Quality Control Plan for the Tulare Lake Basin (Basin Plan). The Basin Plan was adopted in 1975 and most recently amended in 2018. The Basin Plan designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters designated in the Basin Plan (Central Valley RWQCB 2018).

Tulare County is also subject to the Central Valley RWQCB's waste discharge requirements of the General Permit for Stormwater Discharges for Phase II Small MS4s Order No. 2013- 0001-DWQ (as amended by Order No. WQ 2015-0133-EXEC, Order No. WQ 2016-0069-EXEC, Order No. WQ 2017-XXXX-DWQ, Order No. WQ 2018-0001-EXEC, and Order No. WQ 2018-0007-EXEC)..

Mid-Kaweah Groundwater Sustainability Agency Groundwater Sustainability Plan

The Kaweah Subbasin (No. 5-22.11 per DWR Bulletin 118, 2003, 2016) covers 696 square miles within the larger San Joaquin Valley Basin and is situated primarily within Tulare County with a small portion in eastern Kings County. Groundwater supplies in the Subbasin are managed by three agencies, including the Mid-Kaweah GSA, which administers the portion of the Subbasin underlying the proposed project site. The Mid-Kaweah GSA was formed September 14, 2015, through execution of a joint powers agreement between the City of Tulare, City of Visalia, and Tulare Irrigation District to establish the Mid-Kaweah Groundwater Subbasin Joint Powers Authority. The Mid-Kaweah GSP was adopted in December 2019 and last updated in July 2022 (Mid-Kaweah GSA 2022). However, this update of the GSP has not been adopted.

Kaweah River Basin Integrated Regional Water Management Plan

The Kaweah River Basin Integrated Regional Water Management (IRWM) group, established in 2007, is a collaborative effort to manage all aspects of water resources in the Kaweah River Basin Region. The Kaweah IRWM group meets monthly to evaluate how the water in the region can best be managed as well as discuss future projects for grant applications. Projects must conform to the group's objectives, which include groundwater management, water supply, water quality, flood control, and ecosystem restoration.

The Kaweah River Basin IRWMP is a blueprint to guide regional water resource management and addresses issues such as water supply reliability, surface and groundwater quality protection, protection of aquatic, riparian, and watershed resources, flood protection, and drainage. The Plan was last updated in 2016 and is currently in the process of being updated per current DWR guidelines (Tulare Basin Watershed Partnership 2025).

Kaweah Delta Water Conservation District

The Kaweah Delta Water Conservation District (KDWCD) is the agency that directly manages the groundwater supplies of the Kaweah Subbasin. KDWCD and other irrigation districts and companies have historically managed groundwater through the conjunctive use of surface water. KDWCD regularly provides programs that benefit local agricultural customers by making available additional surface water supplies for irrigation. These programs effectively reduce the withdrawals of groundwater resulting in in-lieu recharge of the aquifer. Groundwater is normally used by agriculture as an alternate source when surface supplies are not available and is the sole source in areas within KDWCD jurisdiction that do not have access to surface water (KDWCD 2015).

KDWCD operates about 40 dedicated water management basins with a total area of approximately 2,100 acres for the multiple purposes of flood control and groundwater replenishment. The basins have the capacity to recharge approximately 983 acre-feet per day under optimal conditions (Cal Water 2021).

Tulare County Well Abandonment Guidelines

The Tulare County Office of Environmental Health (TCOEH) has published guidance documents outlining the procedures for groundwater well abandonment in the County. This includes well inactivation and well

destruction applications and specific instructions for the process, pursuant to the Tulare County Well Ordinance (Tulare County 2025).

Local Regulations

Tulare County Code

Part IV, Chapter 27, Storm Water Quality and Regulation

This chapter regulates non-storm water discharges to the storm drainage systems owned by the County of Tulare to the maximum extent practicable as required by Federal and state law, including but not limited to the Clean Water Act (33 U.S.C. §1251 et seq.), the Porter-Cologne Water Quality Control Act (Cal. Water Code § 13000 et seq.), and any subsequent amendments. This chapter establishes methods for controlling the introduction of pollutants into the storm drain system to comply with requirements of the NPDES permit process. Section 4-27-1235, Requirement to Prevent, Control, and Reduce Storm Water Pollutants, directs the County to adopt Best Management Practices to control the volume, flow rate, and potential pollutant load of storm water runoff from residential, commercial, or industrial activities and processes carried on within the unincorporated areas of the County in accordance with the most recent version of the California BMP Handbooks prepared by the California Stormwater Quality Association (CASQA).

Part IV, Chapter 13, Construction of Wells

This chapter of the County Code is known as the Tulare County Well Ordinance and is intended to regulate the construction, location, reconstruction, and destruction of water wells in the County for the purpose of protecting groundwater resources. This chapter notes that projects involving well destruction must submit a well permit to the County for review and approval as well as a Well Completion Report pursuant to CWC Section 13751.

Part VIII, Chapter 9, County Service Area No. 1 Water Conservation Program

This chapter of the County Code establishes the control measures for preserving water from uses in County Service Area #1. This includes specific regulations for four stages of water conservation that correspond to drought conditions. This chapter also requires all new construction in the County to use low-flush-volume toilets.

Part VII, Chapter 27, Flood Damage Prevention

This chapter of the County Code is intended to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas subject to flood hazards. It outlines the requirements needed to develop in areas of special flood hazard, which include specific construction standards and a separate site plan review process.

Tulare County General Plan

The following policies from Tulare County's 2030 General Plan relate to hydrology and water quality (Tulare County 2012):

- **WR-2.3** Best Management Practices (BMPs). The County shall continue to require the use of feasible BMPs and other mitigation measures designed to protect surface water and groundwater from the adverse effects of construction activities and agricultural operations requiring a County Permit and urban runoff in coordination with the Water Quality Control Board.

- **WR-2.4 Construction Site Sediment Control.** The County shall continue to enforce provisions to control erosion and sediment from construction sites.

City of Visalia Engineering Standard Specifications

The City of Visalia's Engineering Standard Specifications establishes the technical standards and procedural requirements for public works construction, subdivision development, building improvements, and parks projects undertaken within the City's of Visalia's jurisdiction. Specifically, these standards address the design, materials, construction, quality control, and environmental compliance to ensure reliable flood control and water quality protection for all projects connecting to the City's stormwater drainage system (Visalia 2008).

Cal Water Urban Water Management Plan (UWMP) – Visalia District

The proposed project would be provided water service by the California Water Service Company (Cal Water) Visalia District. Cal Water Visalia District's 2020 Urban Water Management Plan (UWMP) evaluates water demand and potential supply based on projected population and urban area growth. Water Code Section 10644(a) requires urban water suppliers to file UWMPs with the DWR, the California State Library, and any city or county within which the supplier provides water supplies. The UWMP describes the water system, system demands, system supplies, water supply reliability and water shortage contingency planning, and demand management measures (Cal Water 2021).

5.10.1.2 EXISTING CONDITIONS

Hydrology

Surface Water

The project site is in the Kaweah River Delta system, which is part of the Tulare Lake Hydrologic Region covering 10.9 million acres south of the San Joaquin River. Water in the Kaweah River watershed originates from snowmelt in the Sierra Mountains, specifically in Sequoia National Park. The Kaweah River is fed by Lake Kaweah in eastern Tulare County and splits into St. John's River, Mill Creek, Parkwood Creek, and Deep Creek in the vicinity of the City of Visalia. Surface runoff from the Kaweah River Delta generally flows from east to west and terminates in the Tulare Lake Basin. Major surface water resources in the area include the St. John's River, Modoc Ditch, Mill Creek Ditch, Mill Creek, Tulare Irrigation District Canal, Packwood Creek, Cameron Creek, Deep Creek, Evans Creek, Persian Ditch, and several other local ditches. Except for the Tulare Irrigation District Canal, most watercourses are intermittent drainages that receive a significant portion of flow from stormwater runoff during the rainy season. This intermittent flow is typically supplemented from water released from Terminus Dam on Lake Kaweah, which was constructed in 1962 and is operated by the United States Army Corps of Engineers (USACE). When drier conditions return in the spring, groundwater generally provides base flow for a portion of the summer (Visalia 2014).

Cal Water Visalia District would provide water services to the proposed project, operates and maintains a municipal storm drainage system that consists of drainage channels, 23 detention and retention basins, 33 pump stations and 250 miles of pipe. Historically, runoff was disposed of by directing it to the natural creeks, rivers, and irrigation ditches that flow through the Visalia area including the St. John's River, Mill Creek, Packwood Creek, Modoc Ditch, Evans Ditch and Persian Ditch. To mitigate the increased runoff due to urbanization, the City of Visalia has invested in the purchase of land and the construction of permanent retention basins (Visalia 2014).

Groundwater

Groundwater in Tulare County is present in valley deposits of alluvium that are several thousand feet thick and occur in confined and unconfined conditions. The depth to groundwater varies significantly throughout the valley floor area of Tulare County. In the vicinity of the City of Visalia, depth to groundwater varies from about 120 feet below ground surface along the western portion of the city to approximately 100 feet below ground surface to the east, as measured in spring 2010. Groundwater levels measured in the city have declined since the 1940s, from approximately 30 feet below ground surface in 1940 to 120 feet below ground surface in 2010 (Visalia 2014). According to groundwater monitoring data from a nearby remediation site that is approximately 0.5-mile north of the project site, the depth to groundwater was approximately 120 to 140 below ground surface in 2020 (SWRCB 2025).

The project site is located within the San Joaquin Valley Groundwater Basin, more specifically the Kaweah Subbasin. The total surface area of the Kaweah Subbasin is 446,000 acres or 696 square miles. The Subbasin lies between the Kings Groundwater Subbasin on the north, the Tule Subbasin on the south, crystalline bedrock of the Sierra Nevada foothills on the east, and the Kings River Conservation District on the west. The sole source of water supply for the customers of the Cal Water Visalia District is groundwater. The Cal Water Visalia District pumps from the Kaweah Subbasin, which has been designated by DWR as critically over drafted (DWR 2025). The main factors driving the designation in the Kaweah Subbasin include irrigated acreage per square mile, population growth, and groundwater reliance (Cal Water 2021).

As part of the regional efforts to sustainably manage and prevent overdraft of the Kaweah Subbasin, the City of Visalia administers a groundwater recharge program. The City presently operates 10 recharge basins and is in the process of developing additional recharge facilities at the Eastside Regional Park (Visalia 2025). This program is noted as a groundwater sustainability strategy in Cal Water Visalia District's 2020 UWMP.

Water Quality

Surface Water

The surface water quality of the Kaweah River Delta system is considered excellent and typical of Sierra Nevada snowmelt runoff. There are no known water quality impairments in the area according to the Clean Water Act (CWA) Section 303(d) List of impaired waters (SWRCB 2024).

Groundwater

Groundwater quality in the Kaweah Subbasin faces a number of groundwater quality issues from agricultural practices including the leaching from past pesticide and fertilizer applications, septic system discharges, and contamination from industrial activities. The Subbasin has high nitrate areas on its eastern side where total dissolved solid values typically range from 300-600 milligrams per liter (Kaweah Subbasin GSA 2025). Several constituents of concern have been identified due to concentrations near Maximum Contaminant Levels or due to increasing trends, including arsenic, nitrate, certain volatile organics, and 1,2,3-trichloropropane (Mid-Kaweah GSA 2022).

Water Supply

The proposed project would receive water service from the Cal Water, Visalia District. Cal Water Visalia District currently produces about 27 million gallons of local groundwater per day from 75 active wells and delivers it to customers through more than 519 miles of pipeline. Cal Water Visalia District delivers water to residential, commercial, industrial, and governmental customers. Residential customers account for most of Cal Water Visalia District's service connections and 69 percent of its water use. Non-residential water uses account for 28 percent of total demand, while distribution system losses account for 3 percent. The system produced 30,152 acre-feet (AF) of groundwater in 2020 (Cal Water 2021). While Cal Water Visalia District limits its extraction of the groundwater supplies to only meet the demand of its existing and projected service areas, it has the capacity to pump a maximum of 100,829 acre-feet per year (AFY) of groundwater (Visalia 2014). The projected demand is expected to 35,276 AF in 2030, 38,310 AF in 2035, and 41,258 AF in 2040 (Cal Water 2021).

Flooding

The Visalia area experienced major floods in 1950, 1955, 1966, and 1969. The waterways within the vicinity of the City (Mill Creek, Cameron Creek, St. John's River) have historically been used for flood control, stormwater conveyance, riparian, and recreational uses. In addition, the City maintains parks and detention ponds that serve to detain stormwater runoff when significant storm events occur (Visalia 2005).

The project site ranges in elevation from about 308 to 323 feet above mean sea level (msl) at north latitude 36.267690 and west longitude -119.315275. No water bodies are located in the vicinity of the project site. Cameron Creek is the closest waterway to the project site and is approximately 0.66-mile to the north. The project site is currently fallow agricultural land that is graded with a bare surface. The current drainage direction is to the southwest. Rainfall at the project site currently infiltrates into the exposed surface areas (TCOE 2025).

The project site is not within a 100-year flood zone per FEMA's FIRM data. The project site is within Zone X (unshaded), which is designated as an area of minimal flood hazard above the 500-year flood zone limit (FEMA 2025). Additionally, the project site is not within a dam inundation zone (DWR 2025; Army Corps of Engineers 2014).

5.10.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

HYD-1 Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

HYD-2 Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

HYD-3 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 a substantial erosion or siltation on- or off-site.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite.

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

iv) Impede or redirect flood flows.

HYD-4 In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.

HYD-5 Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

5.10.3 Environmental Impacts

Impact 5.10-1: The proposed project would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. [Threshold HYD-1]

Urban runoff from storms or nuisance flows (runoff during dry periods) from development projects can carry pollutants to receiving waters. Runoff can contain pollutants such as oil, fertilizers, pesticides, trash, and sediment. This runoff can flow directly into local streams or into storm drains and continue through pipes until it is released untreated into a local waterway and eventually the ocean. Untreated stormwater runoff degrades water quality in surface waters and groundwater and can affect drinking water, human health, and plant and animal habitats.

The construction and operational phases of the proposed project could have the potential to impact water quality. Construction activities may impact water quality due to the erosion of exposed soils. During the

operational phase of the proposed project, erosion potential would decrease but impacts from urban runoff would increase. The following is a discussion of the potential impacts that the construction and operational phases of the proposed project could have on water resources and quality.

Construction

Clearing, grading, excavation, and construction activities associated with the proposed project may impact water quality through soil erosion and increasing the amount of silt and debris carried in runoff. Additionally, the use of construction materials such as fuels, solvents, and paints may present a risk to surface water quality. Finally, the refueling and parking of construction vehicles and other equipment during construction may result in oil, grease, or related pollutant leaks and spills that may discharge into the storm drain system.

Since the proposed project would disturb more than one acre of land, it is subject to the requirements under SWRCB's Construction General Permit (CGP), which includes the preparation and implementation of a SWPPP. A SWPPP requires the incorporation of BMPs to control sediment, erosion, and hazardous materials contamination of runoff during construction and prevent contaminants from reaching receiving water bodies.

The CGP also requires that prior to the start of construction activities, the project applicant must file PRDs with the SWRCB, which includes a Notice of Intent, risk assessment, site map, annual fee, signed certification statement, and a SWPPP. The construction contractor is required to maintain a copy of the SWPPP at the site and implement all construction BMPs identified in the SWPPP during construction activities. Prior to the issuance of a grading permit, the project applicant is required to provide proof of filing of the PRDs with the SWRCB. Categories of potential BMPs that would be implemented are described in Table 5.10-1, *Construction Best Management Practices to Prevent Erosion*.

Table 5.10-1 Construction Best Management Practices to Prevent Erosion

Category	Purpose	Examples
Erosion Controls and Wind Erosion Controls	• Use project scheduling and planning to reduce soil or vegetation disturbance (particularly during the rainy season) • Prevent or reduce erosion potential by diverting or controlling drainage • Prepare and stabilize disturbed soil areas	Scheduling, preservation of existing vegetation, hydraulic mulch, hydroseeding, soil binders, straw mulch, geotextile and mats, wood mulching, earth dikes and drainage swales, velocity dissipation devices, slope drains, streambank stabilization, compost blankets, soil preparation/roughening, and non-vegetative stabilization
Sediment Controls	• Filter out soil particles that have been detached and transported in water	Silt fence, sediment basin, sediment trap, check dam, fiber rolls, gravel bag berm, street sweeping and vacuuming, sandbag barrier, straw bale barrier, storm drain inlet protection, manufactured linear sediment controls, compost socks and berms, and biofilter bags
Wind Erosion Controls	• Apply water or other dust palliatives to prevent or minimize dust nuisance	Dust control soil binders, chemical dust suppressants, covering stockpiles, permanent vegetation, mulching, watering, temporary gravel construction, synthetic covers, and minimization of disturbed area
Tracking Controls	• Minimize the tracking of soil offsite by vehicles	Stabilized construction roadways and construction entrances/exits, and entrance/outlet tire wash.

Table 5.10-1 Construction Best Management Practices to Prevent Erosion

Category	Purpose	Examples
Wind Erosion Controls Tracking Controls	• Apply water or other dust palliatives to prevent or minimize dust nuisance • Minimize the tracking of soil offsite by vehicles	Dust control soil binders, chemical dust suppressants, covering stockpiles, permanent vegetation, mulching, watering, temporary gravel construction, synthetic covers, and minimization of disturbed area Stabilized construction roadways and construction entrances/exits, and entrance/outlet tire wash.
Waste Management and Controls (i.e., good housekeeping practices)	• Manage materials and wastes to avoid contamination of stormwater.	Stockpile management, spill prevention and control, solid waste management, hazardous waste management, contaminated soil management, concrete waste management, sanitary/septic waste management, liquid waste management, and management of material delivery storage and use.

Source: Compiled by PlaceWorks from information provided in the California Stormwater Quality Association's Construction Best Management Practices (BMP) Handbook.

Submittal of the PRDs and implementation of the SWPPP throughout the construction of the proposed project will address anticipated and expected pollutants of concern as a result of construction activities. The proposed project would comply with all applicable state, regional and local water quality standards and waste discharge requirements. Furthermore, the proposed project would be required to comply with Tulare County's stormwater management regulations outlined in County Code Part IV, Chapter 27.

Additionally, as part of construction of the proposed project, an existing irrigation well present on the project site would be properly abandoned in compliance with the procedures of the CWC Section 13751. Per the TCOEH guidelines and the Tulare County Well Ordinance, a well destruction application and plan shall be submitted to the County for approval prior to the issuance of permits for any construction activity. Compliance with the County's Well Ordinance and related guidelines, in addition to CWC Section 13751, would ensure that the proposed project does not result in impacts to groundwater quality onsite.

Therefore, water quality impacts associated with construction activities under the proposed project would be less than significant.

Operation

Once the proposed project has been constructed, urban runoff could include a variety of contaminants that could impact water quality. Runoff from buildings and parking lots typically contain oils, grease, fuel, antifreeze, byproducts of combustion (such as lead, cadmium, nickel, and other metals), as well as fertilizers, herbicides, pesticides, and other pollutants. Precipitation at the beginning of the rainy season may result in an initial stormwater runoff with high pollutant concentrations.

The proposed project would also be subject to the requirements of the Phase II Small MS4 permit for the Central Valley (Order No. 2013-0001-DWQ, last amended in 2018). This requires new development and significant redevelopment projects to incorporate low impact development (LID) site design and BMPs to

address post-construction stormwater runoff. Projects that involve the creation and/or replacement of 2,500 square feet or more of impervious surfaces would trigger the implementation of site design measures to reduce stormwater runoff. In addition, stormwater treatment measures are required to temporarily retain site runoff for regulated projects that create or replace 5,000 square feet or more of impervious surface. As discussed in the project description, the proposed project would include a storm water retention system along the west side of the performing arts theater parking lot. Bioretention BMPs provide water quality benefits by removing pollutants from stormwater runoff prior to discharge to the storm drain system (SWRCB 2013). The following is a discussion of site-design, source-control, and treatment-control BMPs that are required for projects that create or replace 2,500 to 5,000 square feet of impervious surfaces under the Central Valley RWQCB Phase II Small MS4 permit.

Site Design BMPs

Site design BMPs would be incorporated into the proposed project's design to reduce the potential impacts on surface and groundwater quality, thereby reducing stormwater runoff from the existing conditions. Site design measures required by the Phase II Small MS4 permit include limits on clearing, grading, and soil compaction; minimizing impervious surfaces; conserving the natural areas of the site as much as possible and protecting slopes and channels from erosion. The proposed project would incorporate these measures in accordance with the procedures of Section E.12 of the Phase II Small MS4 permit.

Source Control BMPs

Source control BMPs effectively minimize the potential for typical urban pollutants to contact stormwater, thereby limiting water quality impacts downstream. A variety of source control BMPs would be incorporated into the proposed project and implemented throughout the operation of the facility, as outlined in Section E.12 of the Phase II Small MS4 permit.

Treatment Control BMPs

Treatment control BMPs (single or in combination) remove anticipated pollutants of concern from runoff. Additionally, LID design features are proposed for the proposed project to avoid and/or minimize impacts to hydrology and water quality. The proposed project includes a stormwater retention basin along the west side of the performing art theater parking lot that would be designed to accommodate stormwater runoff from the proposed project and existing COE Liberty campus. Stormwater collected at the basin would be held onsite and allow for groundwater recharge.

Summary

With the implementation of the BMP features described above as well as compliance with State regulations, the proposed project would have a less than significant impact on surface or groundwater quality during the operational phase.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.10-2: The proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the proposed project may impede sustainable groundwater management of the basin. [Threshold HYD-2]

Construction

As part of the construction of the proposed project, an existing onsite irrigation well would be abandoned under the procedures of CWC Section 13751. In compliance with the Tulare County Well Ordinance, the proposed project shall submit a well destruction application subject to approval by the County prior to the issuance of permits for any construction activity. The proposed project shall also prepare and file a Well Completion Report with the DWR. Compliance with these procedures would ensure that destruction of the onsite water well does not impact groundwater supplies.

Due to the depth of groundwater supplies in the vicinity of the project site, construction activities associated with the proposed project are unlikely to encounter groundwater and interfere with recharge. Groundwater monitoring data from a nearby remediation site approximately 0.5-mile north of the project site noted that the depth to groundwater is more than 100 feet below ground surface. Additionally, while construction activities may utilize groundwater supplies, use of this water would subside once completed, and would not result in a substantial depletion of groundwater supplies that could result in a lowering of the groundwater table. Therefore, no impacts to groundwater supplies would occur during the construction of the proposed project.

Operation

The proposed project would include a stormwater retention basin designed to facilitate groundwater recharge at the project site. Therefore, the proposed project would not interfere with groundwater recharge on the project site.

Water service would be provided to the proposed project through Cal Water Visalia District. All water supply from Cal Water Visalia District is groundwater from the Kaweah Subbasin which is not adjudicated and considered to be critically overdrafted. However, the Cal Water projects having enough water to serve projected demand in the Visalia District service area through 2040 under drought conditions, per its 2020 Visalia District UWMP. While development of the proposed project was not projected within the City or County's General Plans, Cal Water expects to be able to extract additional groundwater supplies, if needed, to serve demand in its service area while continuing to adhere to the Kaweah Subbasin GSPs. The UWMP notes that the projected groundwater supply volumes listed in the UWMP do not determine, limit or represent Cal Water's water rights or maximum pumping volumes. The UWMP also states that management of agricultural groundwater use, rather than municipal and industrial use, will be a much larger determining factor in maintaining groundwater sustainability in the Kaweah Subbasin in the future and that water for domestic purposes is recognized as the "highest use" of water in the State of California pursuant to CWC (Cal Water 2021). Furthermore, Cal Water also coordinates with the City and applicable GSAs to ensure sustainable use of the Kaweah Subbasin water supply. Adherence to the County's Water Conservation Program strategies (Part VIII, Chapter 9 of the County Code) would also ensure that the proposed project complies with the initiatives to sustainably manage groundwater levels.

Therefore, the proposed project would not substantially decrease groundwater supplies and would not significantly lower the groundwater table of the aquifer or interfere substantially with the recharge of the underground aquifer, and there would be adequate water supply for the proposed project, the City of Visalia, and surrounding communities. With compliance with the applicable policies and regulations, payment of the required fees, and implementation of the water conservation measures, impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.10-3: The proposed project would not substantially alter existing drainage pattern of the site or area in a manner that would result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff which would result in potential flooding on- or offsite, create or contribute to runoff water that would exceed the capacity of storm drain systems, substantial additional sources of polluted runoff, or impede or redirect flood flows. [Thresholds HYD-3 (i), (ii), (iii), and (iv)]

Erosion

Construction

During construction of the proposed project, soils on the project site could experience erosion due to natural processes, such as wind and rain, or by earthwork activities, such as grading and excavation. However, preparation and implementation of site specific BMPs consistent with the CGP and the proposed project's SWPPP would control sediment and pollution from entering waterways. Additionally, compliance with the applicable County grading and erosion control measures would ensure that the proposed project does not result in substantial erosion or siltation on or off-site. Impacts related to substantial erosion or siltation during construction would be less than significant.

Operation

The proposed project would increase the amount of impervious surface at the project site since, under existing conditions, the majority of the project site contains fallow agricultural land. While this would result in alteration of the existing site's drainage patterns, it would not result in substantial erosion or siltation on or off-site. All areas within the project boundary would be developed with landscaped softscape or hardscape land cover, limiting the potential for erosion and siltation onsite. Adherence to the applicable BMPs including site design measures, source control measures, LID, and treatment measures that address stormwater runoff and would also reduce the potential for erosion and siltation. Impacts with respect to erosion and siltation during operation of the proposed project would be less than significant.

Surface Runoff and Stormwater Drainage Capacity

Construction

To ensure that stormwater flows on and off-site during construction activities do not result in flooding or exceedance of stormwater drainage system capacity, the proposed project would comply with the CGP and the project-specific SWPPP which would include the implementation of BMPs to control stormwater runoff.

Standard BMPs implemented under the requirements of the CGP during construction activities include diversion of runoff to berms or channels temporarily constructed onsite and installation of silt fences, fiber rolls, gravel bags, and wattles to intercept runoff. As the project site develops with more impervious surfaces throughout the course of construction activities, the construction and installation of operational BMPs under the proposed project would occur, as discussed below, to ensure that runoff on and off-site is controlled. Impacts associated with surface runoff flooding and exceedance of the capacity of stormwater drainage systems during construction activities would be less than significant.

Construction of the proposed project would also temporarily introduce potential sources of pollution on-site, such as oils, paints, solvents, and gasoline, that are typical of construction activities. If not controlled, such materials could enter the local stormwater drainage system. As further discussed in Chapter 5.9, *Hazards and Hazardous Materials*, equipment and potentially hazardous materials would be maintained and stored in accordance with manufacturer instructions. The proposed project would be required to prepare and implement BMPs consistent with the CGP and its project-specific SWPPP. BMPs would include structural and non-structural strategies to minimize pollution of stormwater. Adherence to County storm water quality regulations (part IV, Chapter 27 of the County Code) would also limit the runoff of polluted stormwater from the construction site. Therefore, impacts associated with polluted runoff from construction activities would be less than significant.

Operation

As noted, the proposed project would increase the amount of impervious surface on the project site, which could increase the rate and amount of stormwater conveyed off-site. However, in order to manage stormwater flows at the project site, the proposed project would construct a stormwater retention basin to allow for infiltration of stormwater into the water table and treat runoff for the proposed project and existing COE campus. Consistent with the City of Visalia's stormwater drainage standards, this stormwater retention basin would be required to store the projected volume resulting from a 10-day 10-year storm scenario, which includes accommodating a 4.17 inch rainfall depth within a 25.9-acre tributary area. The required storage volume for the onsite retention basin is 6.79 AF; the proposed design of the basin would accommodate a volume of 8.12 AF. Since the proposed project would be able to accommodate the necessary stormwater volume, it would not result substantially increase the amount or rate of runoff that could lead to flooding nor would it cause stormwater runoff to exceed the capacity of the existing stormwater drainage system. Impacts with respect to flooding and stormwater drainage capacity from surface runoff during operation of the proposed project would be less than significant.

As discussed in Impact 5.10-1, the proposed project would implement a series of site design, source control, and treatment control BMPs, in accordance with the Central Valley RWQCB Phase II Small MS4 permit, to ensure that stormwater runoff is retained and treated and contact to pollutant sources is minimized. Therefore, the proposed project would not provide substantial additional sources of polluted runoff during operational activities and impacts would be less than significant.

Flood Flows

The project site is within Zone X, which is designated as an area of 0.2 percent chance of annual flooding and would therefore not be subject to flooding from a 100-year storm event. Therefore, construction and operation of the proposed project would not impede or redirect flood flows, and impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.10-4: The proposed project would not risk release of pollutants due to project inundation due to flooding, tsunami or seiche. [Threshold HYD-4]

As previously noted, the proposed project is not in a 100-year or 500-year flood hazard zone. Additionally, there are no large inland bodies of water near the project site, a condition that precludes the possibility of seiche inundation. The project site is more than 100 miles from the Pacific Ocean and therefore is not susceptible to tsunami inundation. The project site is also not within a dam inundation zone (DWR 2025; Army Corps of Engineers 2014). Therefore, the proposed project would not be located in a flood hazard, tsunami, or seiche zone, or risk release of pollutants due to project inundation, and impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.10-5: The proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. [Threshold HYD-5]

Water quality in Tulare County is regulated by the Central Valley Regional Water Quality Control Board and its Water Quality Control Plan for the Central Valley Region, specifically the Water Quality Control Plan for the Tulare Lake Basin (Basin Plan). The Basin Plan contains water quality standards and identifies beneficial uses (wildlife habitat, agricultural supply, fishing, etc.) for receiving waters along with water quality criteria and standards necessary to support these uses consistent with federal and state water quality laws. As discussed in Impact 5.10-1, above, the proposed project would not violate any water quality standards and will therefore not obstruct the implementation of the Basin Plan. Therefore, no impact would occur.

Additionally, as discussed in Impact 5.10-2, the proposed project is within the Kaweah Subbasin which is managed in part under the Mid-Kaweah River Basin GSP. Coordination with KDWCD participating agencies helps to ensure that the Cal Water Visalia District can support the provision of an adequate, reliable, and sustainable water supply to its customers, which would include the proposed project. The proposed project would not contribute to impeding the implementation of the GSP and impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

5.10.4 Cumulative Impacts

Cumulative impacts related to hydrology and water quality typically occur within a defined watershed or basin. Therefore, the scope for cumulative impacts in this section includes all cumulative development within the Tulare Lake Basin and San Joaquin Valley Groundwater Basin, including the UPHS project listed in Chapter 4,

Environmental Setting, Table 4-1, *Cumulative Projects*. Cumulative impacts with respect to groundwater supply consider all cumulative development within the Cal Water Visalia District service area.

Hydrology

All cumulative projects, including the UPHS project and the Liberty Sewer Connection project, would be required to comply with applicable laws and regulations implemented by the relevant public agencies including the Central Valley RWQCB, as well as other applicable codes, ordinances, and policies in individual jurisdictions which prevent a project from increasing off-site surface water flow from existing conditions and further ensures that projects adhere to BMPs during construction to prevent pollutants from being carried off-site. Additionally, regional development would be required to comply with applicable regional, State, and federal laws and regulations regarding flooding to ensure impacts are less than significant in this regard. Like the proposed project, construction and operational activities associated with the relocation of the UPHS students and the Liberty Sewer Connection project would be required to adhere to requirements of the Central Valley RWQCB, including the Phase II MS4 Permit, where applicable, to reduce impacts associated with erosion, runoff, stormwater systems, and flooding. These regulations would result in a less than significant cumulative impact related to hydrology.

As discussed in detail above, the proposed project would also be required to comply with applicable laws and regulations implemented by the relevant public agencies, including the Central Valley RWQCB, related to preventing pollutants from being conveyed off-site. The combination of the requirement to adhere to these laws, regulations, and policies as well as identified BMPs would ensure that the proposed project's contribution to the less than significant cumulative impact would not be cumulatively considerable.

Water Quality

Cumulative projects that would involve short-term construction and long-term operational activities, have the potential to degrade water quality in downstream water bodies, including those in the vicinity of the project site like the Kaweah River. All cumulative project construction subject to the CGP would require preparation of a SWPPP that would control potential discharges of contaminants into downstream water bodies. Additionally, projects in the Central Valley subject to the Phase II Small MS4would be required to incorporate LID site design and BMPs to address post-construction stormwater runoff, when applicable. As discussed above, the proposed project would have a less than significant cumulative impact related to surface water quality and the proposed project's contribution to the less than significant cumulative impact would not be cumulatively considerable. Additionally, cumulative projects would be required, when applicable, to ensure that stormwater is pre-treated via bioretention and is otherwise handled pursuant to all applicable standards and requirements to ensure that percolation to the groundwater table would not result in degradation of groundwater quality. Therefore, the proposed project would be a less than significant cumulative impact to groundwater quality.

5.10.5 Level of Significance Before Mitigation

All impacts with respect to water quality and hydrology would be less than significant.

5.10.6 Mitigation Measures

No mitigation measures are required.

5.10.7 Level of Significance After Mitigation

All impacts would be less than significant without mitigation.

5.10.8 References

Army Corps of Engineers. 2014. Terminus Dam Failure Study, Lake Kaweah to Tulare Lakebed, Flood Inundation Report. https://www.visalia.city/depts/community_development/engineering/flood_information/know_your_flood_hazard.asp

California Department of Water Resources (DWR). 2025a. How to Fill Out a Well Completion Report. https://water.ca.gov/Programs/Groundwater-Management/Wells/Well-Completion-Reports.

———. 2025b. SGMA Portal. https://sgma.water.ca.gov/portal/gspar/preview/472.

California Water Service (Cal Water). 2021. 2020 Urban Water Management Plan Visalia District. https://www.calwater.com/docs/uwmp2020/VIS_2020_UWMP_FINAL.pdf.

Central Valley RWQCB. 2018 (Amended in February 2019). Water Quality Control Plan (Basin Plan) for the Central Valley Region. https://www.waterboards.ca.gov/rwqcb5/water_issues/basin_plans/sacsjr_201902.pdf.

FEMA (Federal Emergency Management Agency). 2025, September 9 (accessed). National Flood Hazard Layer (NFHL) Viewer. https://www.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9c.

Kaweah Delta Water Conservation District (KDWCD). 2015, July. Groundwater Management Plan. https://kdwcd.com/tenancy/assets/documents/2vGroundwater%20Management%20Plan%20Amended%20%2807-07-15%29.pdf.

Kaweah Subbasin Groundwater Sustainability Agency (GSA). 2025. Groundwater Quality Report. https://greaterkaweahgsa.org/wp-content/uploads/2025/09/KSB_GWQ_Spring2025_Report_FINAL.pdf.

Mid-Kaweah Groundwater Sustainability Agency (GSA). 2022, July. 2022 First Amended Groundwater Sustainability Plan. https://sgma.water.ca.gov/portal/service/gspdocument/download/9093.

State Water Resources Control Board (SWRCB). 2013. National Pollutant Discharge Elimination System (NPDES) General Permit For Waste Discharge Requirements (WDRs) for Storm Water Discharges

From Small Municipal Separate Storm Sewer Systems (MS4s) Order No. 2013-0001-DWQ NPDES No. Cas000004. https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2013/wqo2013_0001dwq.pdf.

———.2024. 2024 California Integrated Report, 303(d) List. https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2024-integrated-report.html.

———.2025. GeoTracker Database. http://geotracker.waterboards.ca.gov.

Tulare Basin Watershed Partnership. 2025, September 11. Kaweah River Basin Integrated Regional Water Management. https://www.tularebasinwatershedpartnership.org/kaweah-river-basin-irwm.

Tulare County Office of Education (TCOE). 2025, May. Geological and Environmental Hazards Assessment for the Performing Arts Theater, ACCEL Center, and Library Project (prepared by PlaceWorks).

Tulare, County of. 2012, August. 2030 Update Tulare County Tulare County General Plan. https://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/000General%20Plan%202030%20Part%20I%20and%20Part%20II/GENERAL%20PLAN%202012.pdf.

———. 2025. "Water Well Forms". Tulare County Office of Environmental Health. https://tularecountyeh.org/eh/forms/water-wells

Visalia, City of. 2005. Stormwater Management Program. https://www.waterboards.ca.gov/water_issues/programs/stormwater/swmp/visalia_swmp.pdf

———. 2008, March. City of Visalia Standard Specifications. https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=4911.

———. 2014. City of Visalia General Plan Update Environmental Impact Report (SCH No. 2010041078). https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=30496.

———. 2025, September 7. "Groundwater Recharge Basins". https://www-visalia-city.translate.goog/depts/administration/water_conservation/groundwater_recharge.asp?_x_tr_sl=fr&_x_tr_tl=ja&_x_tr_hl=en&_x_tr_pto=wapp#:~:text=In%20order%20to%20capture%20and,at%20the%20Eastside%20Regional%20Park.

5. Environmental Analysis
HYDROLOGY AND WATER QUALITY

This page intentionally left blank.

5.11 LAND USE AND PLANNING

This section of the DEIR evaluates the potential impacts to land use in the County of Tulare from implementation of the proposed project.

Land use impacts can be either direct or indirect. Direct impacts are those that result in land use incompatibilities, division of neighborhoods or communities, or interference with other land use plans, including habitat or wildlife conservation plans. This section focuses on direct land use impacts. Indirect impacts are secondary effects resulting from land use policy implementation, such as an increase in demand for public utilities or services, or increased traffic on roadways. Indirect impacts are addressed in other sections of this DEIR.

A public comment was received in response to the Notice of Preparation (NOP) related to land use and planning. A letter from the City of Visalia received on May 8, 2025, noted that the project site lies outside the City of Visalia's limits, Urban Development boundaries, and LAFCo sphere of influence, with no plans for annexation. The relevant issues raised from the comment letter are addressed throughout this section. Refer to Appendix A for the response to the NOP comment letter.

5.11.1 Environmental Setting

5.11.1.1 REGULATORY BACKGROUND

Regional Regulations

Tulare County Association of Governments

Tulare County Association of Governments (TCAG) is a council of governments representing Tulare County. TCAG is the federally recognized metropolitan planning organization (MPO) for Tulare County and has responsibilities as Tulare County's council of governments (COG). It serves as a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. TCAG's purpose is to assist local jurisdictions with obtaining federal assistance by providing advice, counsel, and professional direction; review and coordinate applications for programs utilizing federal funding; and as a local clearinghouse, coordinate state grants by circulating notices, collecting comments, and reporting to the TCAG board of governors. The proposed project is in unincorporated Tulare County in the TCAG region.

TCAG 2022 Regional Transportation Plan / Sustainable Communities Strategy

TCAG's 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) provides the goals and policies that guide growth in the region, including growth projections for the region's cities and counties. This long-range plan, required by the state of California and the federal government, is updated by TCAG every four years as demographic, economic, and policy circumstances change. In the 2022 RTP/SCS, TCAG provides growth forecasts for population, households, and employment for the year 2046.

5. Environmental Analysis
LAND USE AND PLANNING

Environmental Justice

Goal: Ensure that transportation investments do not discriminate based on race, color, national origin, sex, age, or disability.

Objective Require regional transportation planning that is consistent with Title VI and Environmental Justice Federal Requirements.

Policy

1. Assure that transportation project benefits and burdens are not inequitably distributed throughout the region.

Objective Include targeted outreach to environment justice communities in transportation planning.

Policy

1. Provide environmental justice communities opportunities for input into transportation plans, programs, and projects in a manner consistent with Title VI of the 1964 Civil Rights Act and Executive Order 12898 on Environmental Justice, including the prohibition of intentional discrimination and adverse disparate impact regarding race, ethnicity, or national origin.

2. Provide outreach to various environmental justice communities within Tulare County, including, but not limited to, the Tule River Tribe and primarily Spanish-speaking communities.

3. Avoid, minimize, or mitigate disproportionately high and adverse human health environmental effects, including social and economic effects, on minority populations and low-income populations.

4. Ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.

Air Quality and Green Houses Gases

Goal Promote the improvement of air quality and greenhouse gas reductions through congestion management coordination of land use, housing, and transportation systems; provision of alternative modes of transportation; and provision of incentives that reduce vehicle miles traveled.

Objective Encourage coordinated development to achieve an improved jobs-housing balance in the regional plan.

Policy

1. Encourage mixed-use developments in urbanized areas.

2. Encourage provision of an adequate supply of housing for the region's workforce and adequate sites to accommodate business expansion to minimize interregional trips and long-distance commuting.

Objective Plan for and implement coordination of land use and alternative modes of transportation that would reduce vehicle miles traveled by providing urban and rural residents with transportation options in multiple modes

Policy

1. Support coordinated alternative modes of transportation including transit, pedestrian, bicycle, and rideshare and van pool programs.

Objective Prioritize projects that contribute to improved air quality and reduced greenhouse gas emissions.

Policy

1. Support the implementation of alternative fuel and other power sources for surface transportation, such as Compressed Natural Gas and electricity.
2. Achieve United States Environmental Protection Agency National Ambient Air Quality Standards (NAAQS) by required attainment dates, or earlier if practicable.
3. Promote the equitable adoption of clean, renewable energy technologies to ensure a reliable energy supply, enhance the region's economy, and improve air quality locally and regionally.
4. Expand awareness of the need to reduce greenhouse gases to both agencies and the public and incorporate the latest scientific information into planning efforts.
5. Support and participate in efforts and coalitions promoting use of Cap-and-Trade funding for projects that help reduce greenhouse gas emissions in Tulare County.
6. Actively seek out Cap and Trade and other funds, if available, for various projects in Tulare County that will contribute to the reduction of greenhouse gas emissions.
7. Add "missing links" (streets) to roadway network that reduce out of direction travel and provide a free flow traffic connector that will improve air quality by reducing stop and go truck travel on local arterials.

Public Health

Goal Promote public health in the region by providing opportunities for residents to bicycle and walk to destinations such as home, work, school, medical facilities, and commercial and service businesses.

Objective Consider effects on public health when investing in the transportation system, giving specific attention to bicycle and pedestrian projects.

Policy

1. Support investment in bicycle and pedestrian systems, giving attention to projects and networks that will allow residents to walk and bicycle to frequented destinations and key service providers, including transit stops.

2. Provide outreach to employers regarding the benefits of active transportation and suggest measures employers can use to encourage its use.

Comprehensive

Goal Provide an efficient, integrated, multi-modal transportation system for the movement of people and goods that enhances the physical, economic, and social environment in the Tulare County region.

Objective Encourage and support a connected and Multi-modal regional circulation network that is convenient, safe, and efficient.

Policy

1. Encourage jurisdictions in Tulare County to consider bicycle lanes, public transit, transit-oriented and mixed-use development, pedestrian networks, rail, and other complete streets development during updates of general plans and other local planning processes.

2. Implement a Complete Streets Program whereby agencies will prepare plans to accommodate all transportations users, including pedestrians, bicyclists, transit riders, and motor vehicle operators and riders, and utilize existing revenue and other funding sources to coordinate with local agencies to implement those plans as aggressively as feasible.

3. Provide for continued coordination and evaluation of the planned circulation system among cities and the county.

4. Make existing road and bridge maintenance a high priority.

Objective Support communities in developing walkable, bikeable, and transit-ready neighborhoods that work in tandem with motor vehicle facilities for a safe and comprehensive local circulation system for people of all levels of income and various availability of resources.

Policy

1. Fund feasibility studies, complete streets studies, and community and neighborhood plans to evaluate and plan for transit readiness, walkability and bikeability, as funds are available.

2. Fund the development of capital improvement programs for complete streets and active transportation-type plans, as funds are available.

3. Provide funding as available for the implementation of complete streets and/or active transportation-type plans and related capital improvement programs as provided for in policies 1 and 2 above. Funding may include but is not limited to: Active Transportation Program (ATP) funds (including various safety, safe routes to schools, and transportation enhancement funds), Congestion Mitigation and Air Quality (CMAQ) funds, Cap and Trade funds, and others.

4. Ensure equitable access to effective and viable transportation options for all, regardless of race, gender, income, national origin, age, physical ability with a focus on benefitting the regions' most vulnerable populations and closing existing unmet transportation gaps that are warranted.

5. Consider conducting barrier studies, consistent with state recommendations.

6. Improve first-mile/last-mile linkages near transit stops throughout the region, with special attention to disadvantaged communities.

Objective Coordinate with transportation agencies across county borders to ensure an efficient flow of people and goods along key trade and interregional corridors.

Policy

1. Support coordinated transportation planning and programming.

2. Participate in multi-regional efforts and organizations such as the California Association of Councils of Governments (CALCOG) and the Self-Help Counties Coalition.

3. Coordinate with adjacent counties and transit service providers to connect Tulare County residents with the locations and destinations needed, such as, airports, colleges and universities, and employment sites.

Reliability and Congestion

Goal Maintain or improve reliability of the transportation network and maintain or reduce congestion.

Objective Follow TCAG's established Congestion Management Process (CMP) to monitor the performance of the street and highway network within Tulare County to ensure safe and efficient movement of people and goods and to maintain or improve reliability of the transportation network and maintain or reduce congestion.

Policy

1. Encourage alternative transportation solutions over roadway expansion to reduce congestion including Transportation Systems Management (TSM), Transportation Demand Management (TDM), Transportation Control Measures (TCMs), and Intelligent Transportation Systems (ITS) strategies as contained in the CMP.

2. Evaluate and consider current and future congestion conditions on the regional road network when investing in the transportation system.

3. Encourage non-single occupancy and lower/zero emission vehicle as preferred alternatives.

4. Implement the recommendations from completed transportation planning studies when appropriate and feasible.

5. Prioritize and program the "gap closure" related capital improvements for highways, regional roads, and interchanges for the RTP planning period, consistent with adopted goals and policies and the project eligibility requirements for each funding program. Example – SR 99 widen from four to six lanes as a gap-closure measure.

6. Enhance the development of a highway and street network which will relieve current and future congestion.

7. Support improvements of critical segments and interchanges along the State Highway System.

8. Encourage frontage roads along state highways, where appropriate.

9. Support improvements on regional roads to include safe accessibility for active modes of transportation.

Goal Achieve a safe transportation system for all motorized and nonmotorized users on all public roads in Tulare County.

Objective Reduce the number of roadway fatalities and serious injuries, including pedestrian and bicycle fatalities and serious injuries.

Policy

1. Develop regional implementation mechanism through funding processes to advance safety projects and achieve the safety targets.

2. Encourage and support member agencies to prioritize transportation projects that address safety issues.

3. Work with law enforcement and emergency medical service on developing strategies and programs to reduce accidents and casualties.

4. Support and work with responsible agencies in educating the public about safe driving practice; support the development of an education program / plan to increase awareness of the risky driving behaviors.

5. Work with federal, state, and regional partners and stakeholders to establish annual safety targets that are based on safety conditions in Tulare County and contribute to the overall state safety targets.

6. Assess the transportation system safety performance by collecting and analyzing historical collision data using official data sources.

Goal Support more efficient use of the transportation system through the implementation of Intelligent Transportation Systems (ITS) technology.

Objective Coordinate, monitor, and integrate planning and programming for intelligent transportation systems (ITS), smart infrastructure and demand-responsive transportation.

Policy

1. Encourage the use of Intelligent Transportation Systems (ITS) technology by participating in the upkeep and implementation of the San Joaquin Valley Intelligent Transportation System Strategic Deployment Plan and the local Urban Area ITS Plan(s).

2. Build upon ITS planning efforts in the San Joaquin Valley in conjunction with federal rules (ITS architecture and standards conformity and statewide and metropolitan planning) to expand ITS actions.

3. Build upon best practices from past and current transit ITS deployment experiences in the State of California.

4. Periodically update Tulare County Region's Urbanized Area ITS Plan(s).

5. Support and update the San Joaquin Valley ITS Strategic Deployment Plan as needed.

6. Support Intelligent Transportation Systems for upgrading state highway interchanges from rural to urban standards.

7. Coordinate ITS improvements and infrastructure with public safety agencies.

Transit

Goal Provide a safe, secure, coordinated, and efficient public transit system that can reasonably meet the needs of residents.

Objective Encourage and support the development of a safe, efficient, effective, and economical public transit system.

Policy

1. Encourage development of a transit system that interconnects and coordinates with other modes of transportation (e.g., passenger rail, intercity bus, multi-jurisdictional transit, bicycle facilities, pedestrian walkways, etc.).

2. Encourage the cities of Visalia, Porterville, Lindsay, Exeter, Farmersville, Dinuba, Woodlake, and Tulare to plan for and implement transit-oriented land use along the planned Cross Valley Corridor and its connections.

3. Require all transit plans to include evaluation and policies on transit safety and security.

4. Encourage transit agencies to annually review transit safety procedures.

5. Ensure transit agencies make use of all available federal, state, and local funding to sustain, expand, and improve local transit services, and ensure the timely and best use of those funds.

6. Encourage the consolidation of duplicate services within the region to make best use of funding and other resources.

7. Develop cohesion and cooperation among transit operators that will result in efficient and accessible transit service between and within communities.

8. Develop a minimum acceptable response time for transit Dial-a-Ride service and maximum delay times for fixed route service.

9. Support and encourage a network of fast, convenient, high quality transit services that are competitive with the cost and time to drive alone during peak periods.

10. Utilize Cap and Trade funds available for transit, if available, for projects in Tulare County.

11. Complete Triennial Performance Audits of all transit agencies and ensure that needed improvements are implemented as necessary as feasible.

12. Encourage employers to offer incentives, such as awards, flexible hours, and financial incentives for employees who use transit for their work commute.

13. Include transit networks and data in the Transportation Demand Model for use in evaluating the transit system.

14. Coordinate Intelligent Transportation Systems (ITS) technologies amongst transit agencies to ensure systems compatibility and to enable the use of uniform regional passes and other fare media.

15. Encourage and support the transitions to an all-electric/zero-emissions transit fleet.

Objective Support the increased coordination of all transit services in Tulare County.

Policy

1. Support transit agencies in the coordination and consolidation of transit operations, which may include but is not limited to provision of transit service, administration, facilities management, procurement procedures, fare structures, reporting, grant management, etc.

2. Support expansion and improvement of transit service between jurisdictions in Tulare County and connectivity with adjacent counties and services alongside the continued development of jurisdiction-specific transit service.

Objective Provide information and receive input from residents regarding transit needs within the region and work to implement feasible transit improvements.

Policy

1. Encourage each transit agency to further their citizen involvement processes, as well as participate in Social Services Transportation Advisory Committee (SSTAC) and Transit Forum meetings.

2. Update and adopt unmet transit needs definitions at least every five years and seek increasing public participation in the transit unmet needs process.

3. Work with local transit agencies to improve public outreach concerning the use of transit as an alternative to automobile travel.

4. Work with social services agencies on the development of the Coordinated Public Transit – Human Services Transportation Plan.

5. Coordinate the provision of Mobility Management and OnDemand services in the Tulare County region.

Active Transportation

Goal Improve, enhance, and expand the region's bicycle and pedestrian systems and connectivity to those systems, while keeping them safe and convenient.

Objective Encourage bicycle usage in Tulare County by providing safe and convenient bike routes and facilities.

Policy

1. Update the Regional Active Transportation Plan every five years or as appropriate to support the competitiveness of local proposals in the Active

Transportation Program application cycle and to identify bicycle routes that are appropriate for commuter, recreational, and student riders.

2. Convene public outreach and implement strategies for Share the Road concepts.
3. Designate and design regional bicycle routes that reduce conflicts with motor vehicles.
4. Encourage local agency review of bicycling needs with all new development.
5. Encourage local agencies to support implementation of bicycle support facilities such as bike racks, showers, and other facilities during the project review process.
6. Coordinate bicycle planning and implementation with other modes of transportation, particularly with transit.
7. Support development of designated regional bicycle paths adjacent to or separate from commute corridors, connecting cities and communities.
8. Support implementation of local bicycle and trail plans.
9. Utilize Cap and Trade funds along with other sources of funds for bicycle and pedestrian projects, if available, for projects in Tulare County.
10. Support the closure of gaps in the bicycle and pedestrian systems to improve connectivity and attractiveness of these modes of transportation.
11. Include active transportation modes in the Transportation Demand Model, when feasible.
12. Utilize SB-1 planning funds to continue completion of Complete Streets Plans for rural communities, when funds are available.

Objective Educate, incentivize, and enable residents to utilize active modes of transportation.

Policy

1. Encourage employers to offer incentives, such as awards, flexible hours, and financial incentives for employees who utilize active modes of transportation for their work commute.
2. Promote the placement of compatible land uses near each other and design them to provide for a high-quality environment where residents will enjoy walking and/or bicycling to their destinations.

3. Encourage and support maintenance and enhancement of existing bicycle and pedestrian facilities.

4. Encourage utilization of highway, streets, and road shoulders for bicycle use and pedestrian access when safe.

5. Develop collaborative partnerships with irrigation districts, rail companies, and other agencies to utilize canals, waterways, abandoned right of ways, and other land/corridors as multi-use trails.

6. Monitor key corridors for bicycle usage and develop strategies for improvement.

Objective Support safe pedestrian walkways within the transportation network in Tulare County.

Policy

1. Encourage removal of barriers (walls, fences, etc.) for safe and convenient movement of pedestrians. Special emphasis should be placed on Americans with Disabilities Act (ADA) compliance.

2. Encourage cities and county agencies to consider needs of pedestrians and people with disabilities including greater accessibility within the multi-modal system as envisioned in the 2018 RTP/SCS during the project review process and policies in their general plans.

Goods Movement

Goal Provide a transportation system that efficiently and effectively transports goods to, from, within, and throughout Tulare County.

Objective Encourage the ***interaction*** of truck, rail, and air freight transportation.

Policy

1. Work with Caltrans and adjacent regions in the development of intermodal corridors.

2. Include comprehensive goods movement planning in the RTP.

3. Implement the San Joaquin Valley Goods Movement Plan.

Goal Improve goods movement within the region to increase economic vitality, meet the growing needs of freight and passenger services, and improve traffic safety, air quality, and overall mobility.

Objective Increase the use of freight rail transportation.

Policy

1. Restore and maintain freight rail service in Tulare County as a significant transportation mode, providing service to commerce and industry.
2. Coordinate with other agencies to restore and enhance rail service to existing facilities to attract new industries to Tulare County.
3. Coordinate with regional partners to extend track in west Visalia Industrial Park and promote the development of an inter-modal yard to transition from truck to freight rail.
4. Support the concept of an Inland Inter-modal Port(s) in the San Joaquin Valley that would increase rail capacity at the LA ports while alleviating truck congestion and thereby achieving a zero-emissions freight system using electric trucks to deliver goods to the state's metro areas from centralized inland ports.

Objective Support an efficient truck transportation system.

Policy

1. Give special consideration to transportation projects that improve air quality and the operational efficiency of goods movement.
2. Explore the possibility of a zero-emission freight corridor on SR 99 utilizing a catenary hybrid-electric system through a Valley-wide feasibility study.

Rail

Goal Promote safe, economical, convenient rail systems and schedules that meet the needs of passenger and freight services in the region.

Objective Support the growth of passenger rail systems that serve residents of Tulare County.

Policy

1. Support the development, extension, and maintenance of passenger rail service, including, but not limited to, Cross Valley Rail, High Speed Rail, and Amtrak.
2. Ensure that the high-speed rail system supports Tulare County in achieving its economic, environmental, land use, and mobility goals.
3. Determine potential Bus Rapid Transit alignments and undergo feasibility analysis, as practicable.
4. Participate in and support the activities of the San Joaquin Joint Powers Authority in improving services on the San Joaquins Amtrak route.

Objective Support the maintenance, preservation, and expansion of freight rail systems in Tulare County.

Policy

1. Support continued improvement of freight rail service and freight transfer points within Tulare County.
2. Coordinate with the Public Utilities Commission to notify Tulare County of any rail line abandonment proposals to evaluate possible impacts on the transportation system and consider preservation possibilities or alternative uses for such facilities.
3. Advocate for maintaining freight rail lines in the Tulare County region and prevent rail abandonments when feasible.
4. Utilize Cap and Trade funds for goods movement rail projects, if available, for projects supporting freight rail systems that benefit Tulare County.
5. Partner with owners and operators of all types of rail systems to result in safe, efficient, and beneficial rail systems for all users.

Aviation

Goal Support development of a regional system of airports that meets the air commerce and general aviation needs of the county.

Objective Include aviation connectivity in planning for region-wide transportation.

Policy

1. Encourage efforts to ensure that compatible land uses adjacent to airports are consistent with the Tulare County Comprehensive Airport Land Use Plan or the respective city's certified Airport Master Plan.
2. Coordinate airport planning with other components of the circulation system.

Emerging Technologies

Goal Support the development and implementation of emerging technologies in the Surface Transportation System.

Objective Monitor and support, as applicable, developing transportation technologies.

Policy

1. Support electric vehicle and facilities conversion in public transportation and for general public use.

2. Monitor the emergence of autonomous vehicles and evaluate potential impacts to the transportation system.

3. Support technologies that enhance the safety of the transportation system.

Objective Adapt and plan for significant and potentially rapid changes in transportation technology.

Policy

1. Plan for electric vehicle infrastructure and implementation.

2. Evaluate effects of autonomous vehicles on infrastructure and technology and assist agencies in planning and developing policies to accommodate this technology, as appropriate.

3. Explore the possibility zero emissions freight corridor on SR 99.

Tulare County General Plan

The General Plan has a number of goals and policies that apply to projects within Tulare County. General Plan goals and policies that relate to land use and the proposed project are listed below.

Chapter 3 – Agriculture

Goal AG-1: To promote the long-term preservation of productive and potentially productive agricultural lands and to accommodate agricultural support services and agriculturally related activities that support the viability of agriculture and further the County's economic development goals.

- **AG-1.1 Primary Land Use.** The County shall maintain agriculture as the primary land use in the valley region of the County, not only in recognition of the economic importance of agriculture, but also in terms of agriculture's real contribution to the conservation of open space and natural resources.

- **AG-1.3 Williamson Act.** The County should promote the use of the California Land Conservation Act (Williamson Act) on all agricultural lands throughout the County located outside established UDBs and HDBs. However, this policy carries with it a caveat that support for the Williamson Act as a tax reduction component is premised on continued funding of the State subvention program that offsets the loss of property taxes.

- **AG-1.6 Conservation Easements.** The County shall consider developing an Agricultural Conservation Easement Program (ACEP) to help protect and preserve agricultural lands (including "Important Farmlands"), as defined in this Element. This program may require payment of an in-lieu fee sufficient to purchase a farmland conservation easement, farmland deed restriction, or other farmland conservation mechanism as a condition of approval for conservation of important agricultural land to non-agricultural use. If available, the ACEP shall be used for replacement lands determined to be of statewide significance (Prime or other Important Farmlands), or sensitive and necessary for the preservation of

agricultural land, including land that may be a part of a community separator as part of a comprehensive program to establish community separators. The in-lieu fee or other conservation mechanism shall recognize the importance of land value and shall require equivalent mitigation.

- **AG-1.7 Preservation of Agricultural Lands.** The County shall promote the preservation of its agricultural economic base and open space resources through the implementation of resource management programs such as the Williamson Act, Rural Valley Lands Plan, Foothill Growth Management Plan or similar types of strategies and the identification of growth boundaries for all urban areas located in the County.

- **AG-1.8 Agriculture within Urban Boundaries.** The County shall not approve applications for preserves or regular Williamson Act contracts on lands located within a UDB and/or HDB unless it is demonstrated that the restriction of such land will not detrimentally affect the growth of the community involved for the succeeding 10 years, that the property in question has special public values for open space, conservation, other comparable uses, or that the contract is consistent with the publicly desirable future use and control of the land in question. If proposed within a UDB of an incorporated city, the County shall give written notice to the affected city pursuant to Government Code Section 51233.

- **AG-1.10 Extension of Infrastructure into Agricultural Areas.** The County shall oppose extension of urban services, such as sewer lines, water lines, or other urban infrastructure, into areas designated for agriculture use unless necessary to resolve a public health situation. Where necessary to address a public health issue, services should be located in public rights-of-way in order to prevent interference with agricultural operations and to provide ease of access for operation and maintenance. Service capacity and length of lines should be designed to prevent the conversion of agricultural lands into urban/suburban uses.

- **AG-1.11 Agricultural Buffers.** The County shall examine the feasibility of employing agricultural buffers between agricultural and non-agricultural uses, and along the edges of UDBs and HDBs. Considering factors include the type of operation and chemicals used for spraying, building orientation, planting of trees for screening, location of existing and future rights-of-way (roads, railroads, canals, power lines, etc.), and unique site conditions.

- **AG-1.16 Schools in Agricultural Zones.** The County shall discourage the location of new schools in areas designated for agriculture, unless the School District agrees to the construction and maintenance of all necessary infrastructure impacted by the project.

- **AG-1.17 Agricultural Water Resources.** The County shall seek to protect and enhance surface water and groundwater resources critical to agriculture.

- **AG-1.18 Farmland Trust and Funding Sources.** The in-lieu fees collected by the County may be transferred to the Central Valley Farmland Trust or other qualifying entity, which will arrange the purchase of conservation easements. The County shall encourage the Trust or other qualifying entity to

pursue a variety of funding sources (grants, donations, taxes, or other funds) to fund implementation of the ACEP.

Chapter 4 – Land Use

- **LU-1.3 Prevent Incompatible Uses.** The County shall discourage the intrusion into existing urban areas of new incompatible land uses that produce significant noise, odors, or fumes.
- **LU-1.10 Roadway Access.** The County shall require access to public roadways for all new development.
- **LU-2.1 Agricultural Lands**. The County shall maintain agriculturally-designated areas for agriculture use by directing urban development away from valuable agricultural lands to cities, unincorporated communities, hamlets, and planned community areas where public facilities and infrastructure are available.
- **LU-2.3 Open Space Character**. The County shall require that all new development requiring a County discretionary approval, including parcel and subdivision maps, be planned and designed to maintain the scenic open space character of open space resources including, but not limited to, agricultural areas, rangeland, riparian areas, etc., within the view corridors of highways. New development shall utilize natural landforms and vegetation in the least visually disruptive way possible and use design, construction and maintenance techniques that minimize the visibility of structures on hilltops, hillsides, ridgelines, steep slopes, and canyons.
- **LU-6.1 Public Activity Centers**. The County shall encourage the development of centrally located public activity centers that include parks, schools, libraries, and community centers in communities via accessible, multiple modes of travel.
- **LU-6.3 Schools in Neighborhoods.** The County shall encourage school districts to locate new schools in areas that allow students to safely walk or bike from their homes.
- **LU-6.4 Schools District Coordination**. The County shall work with school districts to coordinate the location of new schools and responsibility for developing and maintaining associated infrastructure.
- **LU-7.4 Streetscape Continuity**. The County shall ensure that streetscape elements (e.g., street signs, trees, and furniture) maintain visual continuity and follow a common image for each community.
- **LU-7.15 Energy Conservation.** The County shall encourage the use of solar power and energy conservation building techniques in all new development.

Chapter 9 – Air Quality

- **AQ-1.3 Cumulative Air Quality Impacts**. The County shall require development to be located, designed, and constructed in a manner that would minimize cumulative air quality impacts. Applicants shall be required to propose alternatives as part of the State CEQA process that reduce air emissions and enhance, rather than harm, the environment.

- **AQ-1.4 Air Quality Land Use Compatibility.** The County shall evaluate the compatibility of industrial or other developments which are likely to cause undesirable air pollution with regard to proximity to sensitive land uses, and wind direction and circulation in an effort to alleviate effects upon sensitive receptors.

- **AQ-1.5 California Environmental Quality Act (CEQA) Compliance.** The County shall ensure that air quality impacts identified during the CEQA review process are consistently and reasonable mitigated when feasible.

- **AQ-1.6 Purchase of Low Emission/Alternative Fuel Vehicles.** The County shall encourage County departments and agencies to replace existing vehicles with low emission/alternative fuel vehicles as appropriate.

- **AQ-1.7 Support Statewide Climate Change Solutions**. The County shall monitor and support the efforts of Cal/EPA, CARB, and the SJVAPCD, under AB 32 (Health and Safety Code §38501 et seq.), to develop a recommended list of emission reduction strategies. As appropriate, the County will evaluate each new project under the updated General Plan to determine its consistency with the emission reduction strategies.

Chapter 10 – Health and Safety

- **HS-1.4 Building and Codes.** Except as otherwise allowed by State law, the County shall ensure that all new buildings intended for human habitation are designed in compliance with the latest edition of the California Building Code, California Fire Code, and other adopted standards based on risk (e.g., seismic hazards, flooding), type of occupancy, and location (e.g., floodplain, fault).

Chapter 14 – Public Facilities and Services

- **PFS-1.2 Maintain Existing Levels of Services**. The County shall ensure new growth and developments do not create significant adverse impacts on existing County-owned and operated facilities.

- **PFS-1.3 Impact Mitigation.** The County shall review development proposals for their impacts on infrastructure (for example, sewer, water, fire stations, libraries, streets, etc.). New development shall be required to pay its proportionate share of the costs of infrastructure improvements required to serve the project to the extent permitted by State law. The lack of available public or private services or adequate infrastructure to serve a project, which cannot be satisfactorily mitigated by the project, may be grounds for denial of a project or cause for the modification of size, density, and/or intensity of the project.

- **PFS-1.7 Coordination with Service Providers**. The County shall work with special districts, community service districts, public utility districts, mutual water companies, private water purveyors, sanitary districts, and sewer maintenance districts to provide adequate public facilities and to plan/coordinate, as appropriate, future utility corridors in an effort to minimize future land use conflicts.

- **PFS-2.1 Water Supply.** The County shall work with agencies providing water service to ensure that there is an adequate quantity and quality of water for all uses, including water for fire protection, by, at a

minimum, requiring a demonstration by the agency providing water service of sufficient and reliable water supplies and water management measures for proposed urban development.

- **PFS-2.2 Adequate Systems**. The County shall review new development proposals to ensure that the intensity and timing of growth will be consistent with the availability of adequate production and delivery systems. Projects must provide evidence of adequate system capacity prior to approval.

- **PFS-2.4 Water Connections.** The County shall require all new development in UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, Area Plans, existing water district service areas, or zones of benefit, to connect to the community water system, where such system exists. The County may grant exceptions in extraordinary circumstances, but in these cases, the new development shall be required to connect to the water system when service becomes readily available.

- **PFS-3.3 New Development Requirements**. The County shall require all new development, within UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, Area Plans, existing wastewater district service areas, or zones of benefit, to connect to the wastewater system, where such systems exist. The County may grant exceptions in extraordinary circumstances, but in these cases, the new development shall be required to connect to the wastewater system when service becomes readily available.

- **PFS-3.5 Wastewater System Failures.** The County shall require landowners to repair failing septic tanks, leach field, and package systems that constitute a threat to water quality and public health or connect to an existing community system through applicable County and/or Regional Water Quality Control Board standards and requirements.

- **PFS-4.2 Site Improvements**. The County shall ensure that new development in UDBs, UABs, Community Plans, Hamlet Plans, Planned Communities, Corridor Areas, and Area Plans includes adequate stormwater drainage systems. This includes adequate capture, transport, and detention/retention of stormwater.

- **PFS-4.3 Development Requirements**. The County shall encourage project designs that minimize drainage concentrations and impervious coverage, avoid floodplain areas, and where feasible, provide a natural watercourse appearance.

- **PFS-4.4 Stormwater Retention Facilities.** The County shall require on-site detention/retention facilities and velocity reducers when necessary to maintain existing (pre-development) storm flows and velocities in natural drainage systems. The County shall encourage the multi-purpose design of these facilities to aid in active groundwater recharge.

- **PFS-4.5 Detention/Retention Basins**. Design The County shall require that stormwater detention/retention basins be visually unobtrusive and provide a secondary use, such as recreation, when feasible.

- **PFS-4.7 NPDES Enforcement**. The County shall continue to monitor and enforce provisions to control non-point source water pollution contained in the U.S. Environmental Protection Agency National Pollution Discharge Elimination System (NPDES) program.

- **PFS-5.7 Provisions for Solid Waste Storage, Handling, and Collection**. The County shall ensure all new development adequately provides for solid waste storage, screening, handling, and collection prior to issuing building permits.

- **PFS-5.8 Hazardous Waste Disposal Capabilities.** The County shall require the proper disposal and recycling of hazardous materials in accordance with the County's Hazardous Waste Management Plan.

- **PFS-8.2 Joint Use Facilities and Programs.** The County shall encourage the development of joint school facilities, recreation facilities, and educational and service programs between school districts and other public agencies.

- **PFS-8.3 Location of School Sites.** The County shall work with school districts and land developers to locate school sites consistent with current and future land uses. The County shall also encourage siting new schools near the residential areas that they serve and with access to safe pedestrian and bike routes to school.

- **PFS-8.4 Library Facilities and Services.** The County shall encourage expansion of library facilities and services as necessary to meet the needs (e.g., internet access, meeting rooms, etc.) of future population growth.

- **PFS-8.5 Government Facilities in Community Centers.** The County shall actively support development and expansion of federal, State, County, districts, and other governmental offices and facilities where infrastructure exists within community core areas.

Tulare County Code

The County Code is a set of regulations that govern all aspects of County operations. Pertinent chapters, include the zoning ordinance, building regulations, and county fire code.

The Tulare Zoning Code was established by Ordinance No. 352 and was effective December 20, 1947. The ordinance defined and made effective the land use plan of Tulare County and is called the zoning ordinance. The zoning ordinance includes the definitions of uses and establishes the characteristics of each zone within Tulare County. The project site is under the jurisdiction of Tulare County, and the Tulare County Zoning Code is applicable to the project site.

Tulare County Code, Chapter 15, Building Regulations, states that Tulare County adopts the 2022 California Building Standards Code, which is in Title 24 of the California Code of Regulations. Chapter 15, Article 3, of the Tulare County Code states that Tulare County adopts, as part of Article 3, the 2022 California Fire Code, which is based on the 2021 International Fire Code and is Part 9 in Title 24 of the California Code of Regulations. Additionally, Chapter 15, Article 26, states that Tulare County adopts the 2022 edition of the

California Green Building Standards Code. Together, the 2022 California Building Standards Code, the 2022 California Fire Code, and the 2022 California Green Building Standards Code provide building regulations and standards for development within Tulare County. The project site is in Tulare County, and the Tulare County Code is applicable.

EXISTING CONDITIONS

The project site encompasses portions of two parcels: APN 149-030-005 (15.23 acres) and APN 149-030-008 (0.4 acre). The 15.23-acre portion is currently a fallow agricultural field and has an irrigation well. The 0.4-acre portion encompasses portions of a paved driveway, parking area, disturbed land, fencing, and landscaping/grass turf associated with the neighboring Liberty campus. The project site has a General Plan land use designation of "Valley Agriculture" and is zoned Exclusive Agricultural Zone–20 Acre Minimum (AE-20). The "Valley Agriculture" designation allows for intense agricultural activities on prime valley agricultural soils (Tulare County 2012). The AE-20 zoning is an exclusive zone for intense agricultural uses and for uses that are a necessary and integral part of the agricultural operation (Tulare County 1972). As stated in the General Plan, the "Valley Agriculture" designation allows for "irrigated crop production, orchards and vineyards; livestock; resource extraction activities and facilities that directly support agricultural operations, such as processing; and other necessary public utility and safety facilities. Allowable residential development includes one principal and one secondary dwelling unit per parcel for relative, caretaker/employee, or farm worker housing."

The project site also lies within the Urban Area Boundary (UAB) for the city of Tulare.[1] According to the Tulare County General Plan, the County shall establish County Adopted Urban Area Boundaries (CAUABs), or UABs, which define the area where land uses are presumed to have an impact upon the adjacent incorporated city, and within which the cities' concerns may be given consideration as part of the land use review process. The lands within the UAB are considered to be the next logical area in which urban development may occur and the area within which Urban Development Boundaries (UDBs) may ultimately be expanded. Although it is the policy of the County that this area will at some time become appropriate for urban development, generally no public purpose is served by permitting intensive development therein.

5.11.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

LU-1 Physically divide an established community.

LU-2 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.

[1] UABs establish areas around incorporated cities where the county and cities may coordinate plans and policies relating to street and highway construction, public utility systems, and future right-of-way preservation, affecting the orderly development of urban fringe areas.

5.11.3 Environmental Impacts

The applicable thresholds are identified in brackets after the impact statement.

Impact 5.11-1: Project implementation would not divide an established community. [Threshold LU-1]

Projects with the potential to divide an established community typically include major highways or roadways, storm channels, utility transmission lines, or the closure of bridges or roadways. The physical division of an established community would impair mobility in an existing community or between a community and neighboring areas.

The proposed project is in unincorporated Tulare County. The proposed project would construct a performing arts theater, AcCEL Center, and library on a 15.63-acre project site that is south and west of the existing COE Liberty campus (an educational use similar to the proposed project). There is no established community within the project site. There are various uses surrounding the project site, such as the COE Liberty campus, farmland, commercial, and residential uses. Development of the proposed project would be limited to the project site and would not divide the surrounding parcels nor obstruct access.

Therefore, the proposed project would not physically divide an established community, and no impact would occur.

Level of Significance Before Mitigation: No Impact.

Impact 5.11-2: Project implementation would conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect. [Threshold LU-2]

This section discusses the proposed project's consistency with applicable regional and local plans that are adopted for the purpose of avoiding or mitigating a physical impact on the environment.

Tulare County General Plan

Chapter 3 – Agriculture

The Tulare County General Plan land use designation for the project site is "Valley Agriculture," which allows for intense agricultural activities on prime valley agricultural soils. The project site currently includes a fallow agricultural field and an irrigation well on APN 149-030-005 (15.23 acres) and a paved driveway, parking area, disturbed land, fencing, and landscaping/grass turf on APN 149-030-008 (0.4 acres) for a total of 15.63 acres. The proposed project would not be consistent with the Tulare County General Plan land use designation of "Valley Agriculture," because educational uses are not an allowed use under the "Valley Agriculture" General Plan land use designation. While the proposed project would not be consistent with the General Plan land use designation onsite, COE has rendered the agricultural zoning designation onsite inapplicable pursuant to Government Code 53094, as discussed under "Tulare County Zoning Ordinance" below, which would eliminate the zoning inconsistency onsite.

The proposed project would not be consistent with General Plan Goal AG-1 and Policy AG-1.1. Goal AG-1 promotes the preservation of productive and potentially productive agricultural lands and to accommodate agricultural support services and agriculturally related activities. Policy AG-1.1 states that the County maintain agriculture as the primary land use in the valley region of the County. The proposed project would be constructed on agricultural land and would not preserve the existing agricultural land. However, while TCOE is not a school district, the proposed project would not impact agricultural activities on surrounding agricultural properties and would not impact infrastructure that support surrounding agricultural activities.

Policy AG-1.3 states that the County should promote the use of the California Land Conservation Act (Williamson Act) on all agricultural lands throughout the County located outside established UDBs and HDBs. Policy AG-1.8 states the County shall not approve applications for preserves or regular Williamson Act contracts on lands located within a UDB and/or HDB unless it is demonstrated that the restriction of such land will not detrimentally affect the growth of the community involved for the succeeding 10 years, that the property in question has special public values for open space, conservation, other comparable uses, or that the contract is consistent with the publicly desirable future use and control of the land in question. Additionally, Policy AG-1.11 states that the County shall examine the feasibility of employing agricultural buffers between agricultural and non-agricultural uses, and along the edges of UDBs and HDBs. As substantiated in Section 5.2, *Agriculture and Forestry Resources*, the project site is not enrolled in a Williamson Act contract and the properties immediately abutting the project site are not enrolled in a Williamson Act contract nor is the project within a UDB and/or HDB. Thus, the proposed project would not hinder Policies AG-1.3 or AG-1.8.

Policy AG-1.6 states that the County shall consider developing an Agricultural Conservation Easement Program (ACEP) to help protect and preserve agricultural lands. This program may require payment of an in-lieu fee sufficient to purchase a farmland conservation easement, farmland deed restriction, or other farmland conservation mechanism as a condition of approval for conservation of important agricultural land to non-agricultural use. Further, AG-1.18 states that in-lieu fees collected by the County may be transferred to the Central Valley Farmland Trust or other qualifying entity, which will arrange the purchase of conservation easements. As discussed in Section 5.2, *Agriculture and Forestry Resources*, the Tulare County ACEP does not currently exist and there is no mechanism to contribute funds or develop an easement through the Tulare County ACEP. Therefore, the proposed project would not conflict with Policies AG-1.6 and AG-1.18.

Policy AG-1.7 states that the County shall promote the preservation of its agricultural economic base and open space resources through the implementation of resource management programs and the identification of growth boundaries for all urban areas located in the County. Policy AG-1.10 states that the County shall oppose extension of urban services, such as sewer lines, water lines, or other urban infrastructure, into areas designated for agriculture use unless necessary to resolve a public health situation and that services should be located in public rights-of-way in order to prevent interference with agricultural operations and to provide ease of access for operation and maintenance. The proposed project is located within the Tulare UAB and would connect to sewer line located on the COE Liberty campus and other existing utility lines in the public right-of-way. The proposed project would not conflict with Policies AG-1.7 and AG-1.10.

Policy AG-1.16 discourages the location of new schools in areas designated for agriculture unless the school district agrees to the construction and maintenance of all necessary infrastructure impacted by the project. Policy AG-1.17 states that the County shall seek to protect and enhance surface water and groundwater resources critical to agriculture. As discussed in Section 5.16, *Transportation*, the proposed project would not create an impact to the existing roadway system serving the project site and surrounding properties. As discussed in Section 5.18, *Utilities and Service System*, the proposed project would be adequately served by existing utilities and as stated in Section 5.10, *Hydrology and Water Quality*, the proposed project would include a stormwater retention basin that would be designed to accommodate stormwater runoff from the proposed project and existing COE Liberty campus and allow for groundwater recharge. Therefore, the proposed project would satisfy Policies AG-1.16 and AG-1.17.

Chapter 4 – Land Use

The proposed project would be consistent with other Tulare County General Plan policies. Policies LU-1.3 and LU-2.1 discuss incompatible uses and directing urban development away from agricultural lands to cities, unincorporated communities, hamlets, and planned community areas where public facilities and infrastructure are available. The proposed project would not result in an incompatible use because the COE facilities would be developed adjacent to the existing of COE Liberty campus and would be within a UAB, which is designated for urban development, thereby conforming to Policies LU-1.3 and LU-2.1.

Policy LU-6.1 states that the County should encourage the development of centrally located public activity centers including libraries and community centers in communities via accessible multiple modes of travel. The proposed project would include the construction of a library and performing arts center and be located in the Tulare UAB. The project site can be accessed by multiple modes of travel. The proposed project would consist of constructing approximately 1,290 feet of sidewalk improvements along Avenue 264/Liberty Road and approximately 1,280 feet of sidewalk improvements along N Mooney Boulevard/State Route 63 that would enhance pedestrian connectivity to existing bus stops and the crosswalks at the intersection. Additionally, the proposed project would provide bicycle connections onto the project site that would connect to the public right-of-way, and bicycle racks onsite.

Policy LU-6.3 encourages the development of new schools in communities with multiple modes of travel and in areas safe for students to walk or bike home. The proposed project would develop new educational facilities in an area serviced by Tulare County Regional Transit Agency (TCRTA) bus routes, public sidewalks, and access to Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. The proposed project would construct approximately 1,290 feet of sidewalk improvements along Avenue 264/Liberty Road and approximately 1,280 feet of sidewalk improvements along N Mooney Boulevard/State Route 63 that would enhance pedestrian connectivity to existing bus stops and the crosswalks at the intersection.

Consistent with Policy LU-1.10 and Policy LU-6.4, the proposed project would construct driveways and sidewalks along N Mooney Boulevard/State Route 63 and Avenue 264/Liberty Road which connect to public roadways and provide vehicle access to the project site. The proposed project would further construct sidewalks that would enhance connectivity to the project site and in the project site area. The proposed project would adequately maintain infrastructure on its property. Policies LU-7.4 addresses the

implementation of streetscape elements, such as street signs, trees and furniture, to maintain visual continuity. The proposed project would be visually consistent with the neighboring COE Liberty campus. The proposed project would also not hinder the installation of any streetscape elements on other properties.

As substantiated in Section 5.1, *Aesthetics*, the adjacent farmlands are the only potentially open space resource visible from the project site and adjacent public rights-of-way. The proposed project would be visible from the surrounding public rights-of-way and may obstruct views of agricultural working landscapes from certain vantage points. However, the proposed project would support to Policy LU-2.3 by maintaining the remaining agricultural lands on the COE-owned parcel (APN 149-030-005) and concentrating development near the existing COE Liberty campus, which would provide visual continuing with existing educational uses bordering the project site. Additionally, the proposed project would not substantially obstruct access to agricultural views as local public rights-of-way would continue to provide views of agricultural working landscapes around the project site. The proposed project buildings would be similar in height and appearance as the existing COE Liberty campus, such as the planetarium, and would not introduce out-of-scale structures.

Consistent with Policy LU-7.15, the proposed project would be built in conformance with the Green Building Code (Title 24) and would include the construction of a PV canopy structure with battery energy storage. As discussed in Section 5.8, *Greenhouse Gas Emission,* the proposed project would provide 20 percent EV capable and 25 percent EV chargers. As such, the proposed project supports Policy LU-7.15.

Chapter 9 – Air Quality

Policies AQ-1.3, AQ-1.4, AQ-1.5, AQ-1.6, and AQ-1.7 state that the County shall ensure that development minimizes cumulative air quality impacts; that projects evaluate their proposed air quality impacts, mitigate where feasible, and propose alternatives to reduce air quality impacts; evaluate the compatibility with other developments that are likely to cause undesirable air pollution with regard to proximity to sensitive land uses; that the project shall be consistent with emission reduction strategies from Cal/EPA, CARB, and the SJVAPCD; and that the County encourage County departments and agencies to replace existing vehicles with low emission/alternative fuel vehicles. As discussed in Chapter 5.3, *Air Quality*, all impacts would be less than significant and would not require any mitigation. The proposed project would consistent with the emission reduction strategies as the project's emissions are below the thresholds of significance for criteria pollutants. The project's contribution to cumulative air quality impacts during construction and the project's operational phase air pollutant emissions would not be cumulatively considerable. Additionally, the proposed project would provide 75 Electric Vehicle (EV) capable parking spaces and 25 EV charging parking spaces in the performing arts theater parking lot and 9 EV capable parking spaces and 4 EV charging parking spaces in the AcCEL Center and library parking lot which would encourage EV use.

Chapter 10 – Health and Safety

Policy HS-1.4 states that all new habitable buildings must meet the latest versions of the CBC and CFC and other risk-based standards for their occupancy and location. The proposed project would comply with the latest edition of the CBC, CFC, and other adopted standards consistent with Policy HS-1.4.

Chapter 14 – Public Facilities and Services

Consistent with Policy PFS-8.3, the COE would locate educational facilities near compatible land uses and in a centralized location, such as residents and other educational facilities (i.e. the COE Liberty campus), and near safe pedestrian and bike routes. The proposed project would further support this policy by providing pedestrian and bicycle connections onto the project site that would connect to the public right-of-way, and by providing walking paths and bicycle racks onsite. Further, the proposed project would improve the sidewalks along N Mooney Boulevard/State Route 63 and Avenue 264/Liberty Road.

The proposed project would support Policies PFS-8.2, PFS-8.4, and PFS-8.5 by constructing new educational facilities, library facilities, educational infrastructure, and a performing arts center in a central location near existing TCOE services and near Visalia and within the City of Tulare's UAB. The proposed project would further be available for joint use and community programs consistent with the Civic Center Act.

As discussed in Impact 5.10-2, the proposed project would also be subject to the requirements of the Phase II Small MS4 permit (NPDES) and subject to the SWRCB's Construction General Permit (CGP), which requires implementing site-design, source-control, and treatment-control best management practices, such as installation of a stormwater retention system, which would support Policies PFS-4.2 through PFS-4.5 and PFS-4.7.

The proposed project would connect to existing water lines. As discussed in Section 5.18, *Utilities and Service Systems*, Cal Water Visalia District provides adequate water supply for the proposed project, the City of Visalia, and surrounding communities. As such, the proposed project would be consistent and/or not hinder the implementation of Policies PFS-2.1, PFS-2.2, and PFS-2.4.

Consistent with Policies PFS-3.3 and PFS-3.5, the proposed project would also connect to a sewer line on the COE Liberty campus and not include the use of septic tanks. There are no current septic tanks onsite.

The proposed project would be required to comply with applicable State and local laws and regulations related to solid waste, such as AB 939, and comply with SB 1383 related to organic waste and AB 341 and AB 32 related to recycling and trash collection service, which would be provided by Waste Management. As such, the proposed project would adequately provide solid waste disposal and satisfy Policy PFS-5.7. The proposed project would also comply with existing regulations of several agencies—the US Environmental Protection Agency, Tulare County Environmental Health Division, US Occupational Safety and Health Administration, California Division of Occupational Safety and Health, and US Department of Transportation—that regulate the routine storage and use of hazardous materials, satisfying Policy 5.8.

Additionally, as substantiated in Section 5.14, *Public Services*, and Section 5.15, *Recreation,* the proposed project would not significantly impact county-operated facilities, including police and fire services, parks, schools, libraries, and recreational facilities. The proposed project would connect to existing utilities and roadways and would be required to pay applicable connection costs and service fees. As discussed in Section 5.18, *Utilities and Services Systems*, the proposed project would be adequately served by existing utilities and service systems and would result in a less than significant impact. As such, the proposed project would support Policies PFS-1.2 and PFS-1.3 and would not hinder the implementation of Policy PSF-1.7.

As demonstrated above, the proposed project would be consistent with applicable policies of the General Plan, except for policies in the Agriculture chapter since the proposed project would conflict with the existing General Plan land use designation (AE-20).

Tulare County Zoning Ordinance

As stated above, the project site is zoned AE-20, which is an exclusive zone for intense agricultural uses and for uses that are a necessary and integral part of the agricultural operation. However, pursuant to Government Code Section 53094, the Tulare County Board of Education rendered, by a two-thirds vote, county zoning ordinance inapplicable to the proposed use of property by the Tulare County Office of Education. On October 1, 2025, the Tulare County Board of Education passed Resolution 25/26-14, rendering the county zoning ordinances inapplicable to the project site (APNs 149-030-005 and 149-030-008). As such, the zoning designation on the project site does not apply.

Historically, the County has allowed educational uses to be constructed on agriculturally zoned sites, such as the adjacent COE Liberty campus which is also an educational use on a site zoned AE-20. Therefore, the proposed project is exempt from the AE-20 zoning designation pursuant to Government Code 53094 and is consistent with the County's standard practice. Therefore, the proposed project would have a less than significant impact related to consistency with the Tulare County Zoning Ordinance.

Tulare County Code

The proposed project would include the construction of two ingress and egress driveways off Avenue 264/Liberty Road that would provide access to a shared parking lot. The proposed project would construct approximately 1,290 feet of sidewalk improvements along Avenue 264/Liberty Road and approximately 1,280 feet of sidewalk improvements along N Mooney Boulevard/State Route 63 . This would require the COE to adhere to the applicable driveway and sidewalk standards in the Tulare County Code. Additionally, the COE would be required to get approval of the construction and design plans from the Tulare County Fire Department, which is also found in the Tulare County Code Chapter 15, Building Regulations. The proposed project would also adhere to the California Green Building Standards Code. Therefore, the proposed project would implement the applicable provisions of the Tulare County Code.

TCAG 2022 Regional Transportation Plan/Sustainable Communities Strategy

The 2022 RTP/SCS is a long-range visioning plan that provides the goals and policies that guide growth in the region, including growth projections for the region's cities and counties. Table 5.11-1, *TCAG's 2022 RTP/SCS Consistency Analysis*, evaluates the proposed project's consistency with applicable RTP/SCS goals and policies.

Table 5.11-1 TCAG's 2022 RTP/SCS Consistency Analysis

Goals	Consistency Analysis
Environmental Justice	
Goal: Ensure that transportation investments do not discriminate based on race, color, national origin, sex, age, or disability.	
Objective: Require regional transportation planning that is consistent with Title VI and Environmental Justice Federal Requirements. **Policy #1:** Assure that transportation project benefits and burdens are not inequitably distributed throughout the region.	**Not Applicable.** The proposed project is not a transportation project and would include driveway and sidewalk improvements along Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. No other transportation access, or pedestrian improvements would occur.
Objective: Include targeted outreach to environment justice communities in transportation planning. **Policy #1:** Provide environmental justice communities opportunities for input into transportation plans, programs, and projects in a manner consistent with Title VI of the 1964 Civil Rights Act and Executive Order 12898 on Environmental Justice, including the prohibition of intentional discrimination and adverse disparate impact regarding race, ethnicity, or national origin. **Policy #2:** Provide outreach to various environmental justice communities within Tulare County, including, but not limited to, the Tule River Tribe and primarily Spanish-speaking communities. **Policy #3:** Avoid, minimize, or mitigate disproportionately high and adverse human health environmental effects, including social and economic effects, on minority populations and low-income populations. **Policy #4:** Ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.	**Not Applicable.** The proposed project is not a transportation project and would include driveway and sidewalk improvements along Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. No other transportation access, or pedestrian improvements would occur.
Air Quality and Green Houses Gases:	
Goal: Promote the improvement of air quality and greenhouse gas reductions through congestion management coordination of land use, housing, and transportation systems; provision of alternative modes of transportation; and provision of incentives that reduce vehicle miles traveled.	
Objective: Encourage coordinated development to achieve an improved jobs-housing balance in the regional plan. **Policy #1:** Encourage mixed-use developments in urbanized areas. **Policy #2:** Encourage provision of an adequate supply of housing for the region's workforce and adequate sites to accommodate business expansion to minimize interregional trips and long-distance commuting.	**Not Applicable.** The proposed project would not include any residential development. Therefore, the objective and policies would not apply.
Objective: Plan for and implement coordination of land use and alternative modes of transportation that would reduce vehicle miles traveled by providing urban and rural residents with transportation options in multiple modes. **Policy #1:** Support coordinated alternative modes of transportation including transit, pedestrian, bicycle, and rideshare and van pool programs.	**Consistent.** The proposed project would enhance pedestrian connections via extended sidewalks from the project site to the existing sidewalks on Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. The enhanced pedestrian connections provide greater access to surrounding transit stops, such as the local TCRTA bus stops. The proposed project would not impact the existing crosswalks located at the intersection of Avenue 264/Liberty Road and N Mooney/State Route 63. Additionally, the proposed project would provide bicycle infrastructure by providing bicycle connections onto the project site and bicycle racks onsite.

Table 5.11-1 TCAG's 2022 RTP/SCS Consistency Analysis

Goals	Consistency Analysis
Objective: Prioritize projects that contribute to improved air quality and reduced greenhouse gas emissions. **Policy #1:** Support the implementation of alternative fuel and other power sources for surface transportation, such as Compressed Natural Gas and electricity. **Policy #2:** Achieve United States Environmental Protection Agency National Ambient Air Quality Standards (NAAQS) by required attainment dates, or earlier if practicable. **Policy #3:** Promote the equitable adoption of clean, renewable energy technologies to ensure a reliable energy supply, enhance the region's economy, and improve air quality locally and regionally. **Policy #4:** Expand awareness of the need to reduce greenhouse gases to both agencies and the public and incorporate the latest scientific information into planning efforts. **Policy #5:** Support and participate in efforts and coalitions promoting use of Cap-and-Trade funding for projects that help reduce greenhouse gas emissions in Tulare County. **Policy #6:** Actively seek out Cap and Trade and other funds, if available, for various projects in Tulare County that will contribute to the reduction of greenhouse gas emissions. **Policy #7:** Add "missing links" (streets) to roadway network that reduce out of direction travel and provide a free flow traffic connector that will improve air quality by reducing stop and go truck travel on local arterials.	**Consistent.** As described in Section 5.6, *Energy*, the proposed project would be designed and built to meet the 2022 Building Energy Efficiency Standards and CALGreen. In addition, the proposed project would install on-site PV systems and battery storage systems for the proposed buildings consistent with Title 24.
Public Health	
Goal: Promote public health in the region by providing opportunities for residents to bicycle and walk to destinations such as home, work, school, medical facilities, and commercial and service businesses.	
Objective: Consider effects on public health when investing in the transportation system, giving specific attention to bicycle and pedestrian projects. **Policy #1**: Support investment in bicycle and pedestrian systems, giving attention to projects and networks that will allow residents to walk and bicycle to frequented destinations and key service providers, including transit stops. **Policy #2:** Provide outreach to employers regarding the benefits of active transportation and suggest measures employers can use to encourage its use.	**Consistent.** The proposed project would enhance pedestrian connections via extended sidewalks from the project site to the existing sidewalks on Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. The enhanced pedestrian connections provide greater access to surrounding transit stops, such as the local TCRTA bus stops. The proposed project would not impact the existing crosswalks located at the intersection of Avenue 264/Liberty Road and N Mooney/State Route 63. Additionally, the proposed project would provide bicycle infrastructure by providing bicycle connections onto the project site and bicycle racks onsite.
Comprehensive	
Goal: Provide an efficient, integrated, multi-modal transportation system for the movement of people and goods that enhances the physical, economic, and social environment in the Tulare County region.	
Objective: Encourage and support a connected and Multi-modal regional circulation network that is convenient, safe, and efficient.	**Consistent**. The proposed project would enhance pedestrian connections via extended sidewalks from the project site to the

Table 5.11-1 TCAG's 2022 RTP/SCS Consistency Analysis

Goals	Consistency Analysis
Policy #1: Encourage jurisdictions in Tulare County to consider bicycle lanes, public transit, transit-oriented and mixed-use development, pedestrian networks, rail, and other complete streets development during updates of general plans and other local planning processes. **Policy #2**: Implement a Complete Streets Program whereby agencies will prepare plans to accommodate all transportations users, including pedestrians, bicyclists, transit riders, and motor vehicle operators and riders, and utilize existing revenue and other funding sources to coordinate with local agencies to implement those plans as aggressively as feasible. **Policy #3:** Provide for continued coordination and evaluation of the planned circulation system among cities and the county. **Policy #4:** Make existing road and bridge maintenance a high priority.	existing sidewalks on Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. The enhanced pedestrian connections provide greater access to surrounding transit stops, such as the local TCRTA bus stops. The proposed project would not impact the existing crosswalks located at the intersection of Avenue 264/Liberty Road and N Mooney/State Route 63. Additionally, the proposed project would provide bicycle infrastructure by providing bicycle connections onto the project site and bicycle racks onsite.
Objective: Support communities in developing walkable, bikeable, and transit-ready neighborhoods that work in tandem with motor vehicle facilities for a safe and comprehensive local circulation system for people of all levels of income and various availability of resources. **Policy #1:** Fund feasibility studies, complete streets studies, and community and neighborhood plans to evaluate and plan for transit readiness, walkability and bikeability, as funds are available. **Policy #2:** Fund the development of capital improvement programs for complete streets and active transportation-type plans, as funds are available. **Policy #3:** Provide funding as available for the implementation of complete streets and/or active transportation-type plans and related capital improvement programs as provided for in policies 1 and 2 above. Funding may include but is not limited to: Active Transportation Program (ATP) funds (including various safety, safe routes to schools, and transportation enhancement funds), Congestion Mitigation and Air Quality (CMAQ) funds, Cap and Trade funds, and others. **Policy #4:** Ensure equitable access to effective and viable transportation options for all, regardless of race, gender, income, national origin, age, physical ability with a focus on benefitting the regions' most vulnerable populations and closing existing unmet transportation gaps that are warranted. **Policy #5:** Consider conducting barrier studies, consistent with state recommendations. **Policy #6:** Improve first-mile/last-mile linkages near transit stops	**Consistent.** The proposed project would enhance pedestrian connections via extended sidewalks from the project site to the existing sidewalks on Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. The enhanced pedestrian connections provide greater access to surrounding transit stops, such as the local TCRTA bus stops. The proposed project would not impact the existing crosswalks located at the intersection of Avenue 264/Liberty Road and N Mooney/State Route 63. Additionally, the proposed project would provide bicycle infrastructure by providing bicycle connections onto the project site and bicycle racks onsite.

Table 5.11-1 TCAG's 2022 RTP/SCS Consistency Analysis

Goals	Consistency Analysis
throughout the region, with special attention to disadvantaged communities.	
Objective: Coordinate with transportation agencies across county borders to ensure an efficient flow of people and goods along key trade and interregional corridors. **Policy #1:** Support coordinated transportation planning and programming. **Policy #2:** Participate in multi-regional efforts and organizations such as the California Association of Councils of Governments (CALCOG) and the Self-Help Counties Coalition. **Policy #3:** Coordinate with adjacent counties and transit service providers to connect Tulare County residents with the locations and destinations needed, such as, airports, colleges and universities, and employment sites.	**Not Applicable.** The proposed project would enhance pedestrian connections via extended sidewalks from the project site to the existing sidewalks on Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. The enhanced pedestrian connections provide greater access to surrounding transit stops, such as the local TCRTA bus stops. However, the proposed project would not coordinate with transportation agencies across county borders.
Reliability and Congestion	
Goal: Maintain or improve reliability of the transportation network and maintain or reduce congestion.	
Objective: Follow TCAG's established Congestion Management Process (CMP) to monitor the performance of the street and highway network within Tulare County to ensure safe and efficient movement of people and goods and to maintain or improve reliability of the transportation network and maintain or reduce congestion. **Policy #1:** Encourage alternative transportation solutions over roadway expansion to reduce congestion including Transportation Systems Management (TSM), Transportation Demand Management (TDM), Transportation Control Measures (TCMs), and Intelligent Transportation Systems (ITS) strategies as contained in the CMP. **Policy #2:** Evaluate and consider current and future congestion conditions on the regional road network when investing in the transportation system. **Policy #3:** Encourage non-single occupancy and lower/zero emission vehicle as preferred alternatives. **Policy #4:** Implement the recommendations from completed transportation planning studies when appropriate and feasible. **Policy #5:** Prioritize and program the "gap closure" related capital improvements for highways, regional roads, and interchanges for the RTP planning period, consistent with adopted goals and policies and the project eligibility requirements for each funding program. Example – SR 99 widen from four to six lanes as a gap-closure measure. **Policy #6:** Enhance the development of a highway and street network which will relieve current and future congestion.	**Consistent.** The proposed project would support alternative transportation solutions by enhancing pedestrian connections via extended sidewalks from the project site to the existing sidewalks on Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. The enhanced pedestrian connections provide greater access to surrounding transit stops, such as the local TCRTA bus stops. Additionally, the proposed project would lower/zero emission vehicles by providing 75 Electric Vehicle (EV) capable parking spaces and 25 EV charging parking spaces in the performing arts theater parking lot and 9 EV capable parking spaces and 4 EV charging parking spaces in the AcCEL Center and library parking lot.

Table 5.11-1 TCAG's 2022 RTP/SCS Consistency Analysis

Goals	Consistency Analysis
Policy #7: Support improvements of critical segments and interchanges along the State Highway System. **Policy #8:** Encourage frontage roads along state highways, where appropriate. **Policy #9:** Support improvements on regional roads to include safe accessibility for active modes of transportation.	
Goal: Achieve a safe transportation system for all motorized and nonmotorized users on all public roads in Tulare County.	
Objective: Reduce the number of roadway fatalities and serious injuries, including pedestrian and bicycle fatalities and serious injuries. **Policy #1:** Develop regional implementation mechanism through funding processes to advance safety projects and achieve the safety targets. **Policy #2:** Encourage and support member agencies to prioritize transportation projects that address safety issues. **Policy #3:** Work with law enforcement and emergency medical service on developing strategies and programs to reduce accidents and casualties. **Policy #4:** Support and work with responsible agencies in educating the public about safe driving practice; support the development of an education program / plan to increase awareness of the risky driving behaviors. **Policy #5:** Work with federal, state, and regional partners and stakeholders to establish annual safety targets that are based on safety conditions in Tulare County and contribute to the overall state safety targets. **Policy #6:** Assess the transportation system safety performance by collecting and analyzing historical collision data using official data sources.	**Consistent.** The proposed project would help provide safe pedestrian and bicycle infrastructure by enhancing pedestrian connections via extended sidewalks from the project site to the existing sidewalks on Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. Additionally, the proposed project would provide bicycle infrastructure by providing bicycle connections onto the project site and bicycle racks onsite.
Goal: Support more efficient use of the transportation system through the implementation of Intelligent Transportation Systems (ITS) technology.	
Objective: Coordinate, monitor, and integrate planning and programming for intelligent transportation systems (ITS), smart infrastructure and demand-responsive transportation. **Policy #1:** Encourage the use of Intelligent Transportation Systems (ITS) technology by participating in the upkeep and implementation of the San Joaquin Valley Intelligent Transportation System Strategic Deployment Plan and the local Urban Area ITS Plan(s). **Policy #2:** Build upon ITS planning efforts in the San Joaquin Valley in conjunction with federal rules (ITS architecture and standards	**Not Applicable.** The proposed project would include the construction of driveways and sidewalks along Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. As such, these would not require the implementation of Intelligent Transportation Systems technology. Therefore, this goal, objective, and policies would not apply.

Table 5.11-1 TCAG's 2022 RTP/SCS Consistency Analysis

Goals	Consistency Analysis
conformity and statewide and metropolitan planning) to expand ITS actions. **Policy #3:** Build upon best practices from past and current transit ITS deployment experiences in the State of California. **Policy #4:** Periodically update Tulare County Region's Urbanized Area ITS Plan(s). **Policy #5:** Support and update the San Joaquin Valley ITS Strategic Deployment Plan as needed. **Policy #6:** Support Intelligent Transportation Systems for upgrading state highway interchanges from rural to urban standards. **Policy #7:** Coordinate ITS improvements and infrastructure with public safety agencies.	
Transit	
Goal: Provide a safe, secure, coordinated, and efficient public transit system that can reasonably meet the needs of residents.	
Objective: Encourage and support the development of a safe, efficient, effective, and economical public transit system. **Policy #1:** Encourage development of a transit system that interconnects and coordinates with other modes of transportation (e.g., passenger rail, intercity bus, multi-jurisdictional transit, bicycle facilities, pedestrian walkways, etc.). **Policy #2:** Encourage the cities of Visalia, Porterville, Lindsay, Exeter, Farmersville, Dinuba, Woodlake, and Tulare to plan for and implement transit-oriented land use along the planned Cross Valley Corridor and its connections. **Policy #3:** Require all transit plans to include evaluation and policies on transit safety and security. **Policy #4:** Encourage transit agencies to annually review transit safety procedures. **Policy #5:** Ensure transit agencies make use of all available federal, state, and local funding to sustain, expand, and improve local transit services, and ensure the timely and best use of those funds. **Policy #6:** Encourage the consolidation of duplicate services within the region to make best use of funding and other resources. **Policy #7:** Develop cohesion and cooperation among transit operators that will result in efficient and accessible transit service between and within communities. **Policy #8:** Develop a minimum acceptable response time for transit Dial-a-Ride service and maximum delay times for fixed route	**Consistent.** The proposed project would enhance pedestrian connections via extended sidewalks from the project site to the existing sidewalks on Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. The enhanced pedestrian connections provide greater access to surrounding transit stops, such as the local TCRTA bus stops. The proposed project would not impact the existing crosswalks located at the intersection of Avenue 264/Liberty Road and N Mooney/State Route 63. Additionally, the proposed project would provide bicycle infrastructure by providing bicycle connections onto the project site and bicycle racks onsite.

Table 5.11-1 TCAG's 2022 RTP/SCS Consistency Analysis

Goals	Consistency Analysis
service. **Policy #9:** Support and encourage a network of fast, convenient, high quality transit services that are competitive with the cost and time to drive alone during peak periods. **Policy #10:** Utilize Cap and Trade funds available for transit, if available, for projects in Tulare County. **Policy #11:** Complete Triennial Performance Audits of all transit agencies and ensure that needed improvements are implemented as necessary as feasible. **Policy #12:** Encourage employers to offer incentives, such as awards, flexible hours, and financial incentives for employees who use transit for their work commute. **Policy #13:** Include transit networks and data in the Transportation Demand Model for use in evaluating the transit system. **Policy #14:** Coordinate Intelligent Transportation Systems (ITS) technologies amongst transit agencies to ensure systems compatibility and to enable the use of uniform regional passes and other fare media. **Policy #15:** Encourage and support the transitions to an all-electric/zero-emissions transit fleet.	
Objective: Support the increased coordination of all transit services in Tulare County. **Policy #1:** Support transit agencies in the coordination and consolidation of transit operations, which may include but is not limited to provision of transit service, administration, facilities management, procurement procedures, fare structures, reporting, grant management, etc. **Policy #2:** Support expansion and improvement of transit service between jurisdictions in Tulare County and connectivity with adjacent counties and services alongside the continued development of jurisdiction-specific transit service.	**Not Applicable.** The proposed project is not a transit project and this objective and policies would not apply.
Objective: Provide information and receive input from residents regarding transit needs within the region and work to implement feasible transit improvements. **Policy #1:** Encourage each transit agency to further their citizen involvement processes, as well as participate in Social Services Transportation Advisory Committee (SSTAC) and Transit Forum meetings. **Policy #2:** Update and adopt unmet transit needs definitions at least every five years and seek increasing public participation in the	**Not Applicable.** The proposed project is not a transit project and this objective and policies would not apply.

Table 5.11-1 TCAG's 2022 RTP/SCS Consistency Analysis

Goals	Consistency Analysis
transit unmet needs process. **Policy #3:** Work with local transit agencies to improve public outreach concerning the use of transit as an alternative to automobile travel. **Policy #4:** Work with social services agencies on the development of the Coordinated Public Transit – Human Services Transportation Plan. **Policy #5:** Coordinate the provision of Mobility Management and OnDemand services in the Tulare County region.	
Active Transportation	
Goal: Improve, enhance, and expand the region's bicycle and pedestrian systems and connectivity to those systems, while keeping them safe and convenient.	
Objective: Encourage bicycle usage in Tulare County by providing safe and convenient bike routes and facilities. **Policy #1:** Update the Regional Active Transportation Plan every five years or as appropriate to support the competitiveness of local proposals in the Active Transportation Program application cycle and to identify bicycle routes that are appropriate for commuter, recreational, and student riders. **Policy #2:** Convene public outreach and implement strategies for Share the Road concepts. **Policy #3:** Designate and design regional bicycle routes that reduce conflicts with motor vehicles. **Policy #4:** Encourage local agency review of bicycling needs with all new development. **Policy #5:** Encourage local agencies to support implementation of bicycle support facilities such as bike racks, showers, and other facilities during the project review process. **Policy #6:** Coordinate bicycle planning and implementation with other modes of transportation, particularly with transit. **Policy #7:** Support development of designated regional bicycle paths adjacent to or separate from commute corridors, connecting cities and communities. **Policy #8:** Support implementation of local bicycle and trail plans. **Policy #9:** Utilize Cap and Trade funds along with other sources of funds for bicycle and pedestrian projects, if available, for projects in Tulare County. **Policy #10:** Support the closure of gaps in the bicycle and	**Consistent.** The proposed project would provide bicycle infrastructure by providing bicycle connections onto the project site and bicycle racks onsite.

Table 5.11-1 TCAG's 2022 RTP/SCS Consistency Analysis

Goals	Consistency Analysis
pedestrian systems to improve connectivity and attractiveness of these modes of transportation. **Policy #11:** Include active transportation modes in the Transportation Demand Model, when feasible. **Policy #12:** Utilize SB-1 planning funds to continue completion of Complete Streets Plans for rural communities, when funds are available.	
Objective: Educate, incentivize, and enable residents to utilize active modes of transportation. **Policy #1:** Encourage employers to offer incentives, such as awards, flexible hours, and financial incentives for employees who utilize active modes of transportation for their work commute. **Policy #2:** Promote the placement of compatible land uses near each other and design them to provide for a high-quality environment where residents will enjoy walking and/or bicycling to their destinations. **Policy #3:** Encourage and support maintenance and enhancement of existing bicycle and pedestrian facilities. **Policy #4:** Encourage utilization of highway, streets, and road shoulders for bicycle use and pedestrian access when safe. **Policy #5:** Develop collaborative partnerships with irrigation districts, rail companies, and other agencies to utilize canals, waterways, abandoned right of ways, and other land/corridors as multi-use trails. **Policy #6:** Monitor key corridors for bicycle usage and develop strategies for improvement.	**Consistent.** The proposed project would enhance pedestrian connections via extended sidewalks from the project site to the existing sidewalks on Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. The enhanced pedestrian connections provide greater access to surrounding transit stops, such as the local TCRTA bus stops. The proposed project would not impact the existing crosswalks located at the intersection of Avenue 264/Liberty Road and N Mooney/State Route 63. The proposed project would also provide bicycle infrastructure by providing bicycle connections onto the project site and bicycle racks onsite. As such, the proposed project would encourage and incentivize employees to use active modes of transportation.
Objective: Support safe pedestrian walkways within the transportation network in Tulare County. **Policy #1:** Encourage removal of barriers (walls, fences, etc.) for safe and convenient movement of pedestrians. Special emphasis should be placed on Americans with Disabilities Act (ADA) compliance. **Policy #2:** Encourage cities and county agencies to consider needs of pedestrians and people with disabilities including greater accessibility within the multi-modal system as envisioned in the 2018 RTP/SCS during the project review process and policies in their general plans.	**Consistent.** The proposed project would enhance pedestrian connections via extended sidewalks from the project site to the existing sidewalks on Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. The enhanced pedestrian connections provide greater access to surrounding transit stops, such as the local TCRTA bus stops. The proposed project would not impact the existing crosswalks located at the intersection of Avenue 264/Liberty Road and N Mooney/State Route 63.
Goods Movement	
Goal: Provide a transportation system that efficiently and effectively transports goods to, from, within, and throughout Tulare County.	
Objective: Encourage the interaction of truck, rail, and air freight transportation.	**Not Applicable.** The proposed project would not include the movement of goods. The proposed project would include the

Table 5.11-1 TCAG's 2022 RTP/SCS Consistency Analysis

Goals	Consistency Analysis
Policy #1: Work with Caltrans and adjacent regions in the development of intermodal corridors. **Policy #2:** Include comprehensive goods movement planning in the RTP. **Policy #3:** Implement the San Joaquin Valley Goods Movement Plan.	construction of driveways and sidewalks along Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. However, these improvements would not interfere with the movement of goods. Therefore, this goal, objective, and policies would not apply.
Goal: Improve goods movement within the region to increase economic vitality, meet the growing needs of freight and passenger services, and improve traffic safety, air quality, and overall mobility.	
Objective: Increase the use of freight rail transportation. **Policy #1:** Restore and maintain freight rail service in Tulare County as a significant transportation mode, providing service to commerce and industry. **Policy #2:** Coordinate with other agencies to restore and enhance rail service to existing facilities to attract new industries to Tulare County. **Policy #3:** Coordinate with regional partners to extend track in west Visalia Industrial Park and promote the development of an inter-modal yard to transition from truck to freight rail. **Policy #4:** Support the concept of an Inland Inter-modal Port(s) in the San Joaquin Valley that would increase rail capacity at the LA ports while alleviating truck congestion and thereby achieving a zero-emissions freight system using electric trucks to deliver goods to the state's metro areas from centralized inland ports.	**Not Applicable.** The proposed project is not a freight rail transportation project and does include the installation and construction of freight rail infrastructure. Therefore, this goal, objective, and policies would not apply.
Objective: Support an efficient truck transportation system. **Policy #1:** Give special consideration to transportation projects that improve air quality and the operational efficiency of goods movement. **Policy #2:** Explore the possibility of a zero-emission freight corridor on SR 99 utilizing a catenary hybrid-electric system through a Valley-wide feasibility study.	**Not Applicable.** The proposed project is not a truck transportation project and does include the installation and construction of truck transportation infrastructure. The proposed project would include the construction of driveways and sidewalks along Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. However, these improvements would not interfere with the movement of goods. Therefore, this objective and policies would not apply.
Rail	
Goal: Promote safe, economical, convenient rail systems and schedules that meet the needs of passenger and freight services in the region.	
Objective: Support the growth of passenger rail systems that serve residents of Tulare County. **Policy #1:** Support the development, extension, and maintenance of passenger rail service, including, but not limited to, Cross Valley Rail, High Speed Rail, and Amtrak. **Policy #2:** Ensure that the high-speed rail system supports Tulare County in achieving its economic, environmental, land use, and	**Not Applicable.** The proposed project is not a railway project and does include the installation and construction of railway infrastructure. Therefore, this goal, objective, and policies would not apply.

Table 5.11-1 TCAG's 2022 RTP/SCS Consistency Analysis

Goals	Consistency Analysis
mobility goals. **Policy #3:** Determine potential Bus Rapid Transit alignments and undergo feasibility analysis, as practicable. **Policy #4:** Participate in and support the activities of the San Joaquin Joint Powers Authority in improving services on the San Joaquins Amtrak route.	
Objective: Support the maintenance, preservation, and expansion of freight rail systems in Tulare County. **Policy #1:** Support continued improvement of freight rail service and freight transfer points within Tulare County. **Policy #2:** Coordinate with the Public Utilities Commission to notify Tulare County of any rail line abandonment proposals to evaluate possible impacts on the transportation system and consider preservation possibilities or alternative uses for such facilities. **Policy #3:** Advocate for maintaining freight rail lines in the Tulare County region and prevent rail abandonments when feasible. **Policy #4:** Utilize Cap and Trade funds for goods movement rail projects, if available, for projects supporting freight rail systems that benefit Tulare County. **Policy #5:** Partner with owners and operators of all types of rail systems to result in safe, efficient, and beneficial rail systems for all users.	**Not Applicable.** The proposed project is not a freight railway project and does include the installation and construction of freight railway infrastructure. Therefore, this goal, objective, and policies would not apply.
Aviation	
Goal: Support development of a regional system of airports that meets the air commerce and general aviation needs of the county.	
Objective: Include aviation connectivity in planning for region-wide transportation. **Policy #1:** Encourage efforts to ensure that compatible land uses adjacent to airports are consistent with the Tulare County Comprehensive Airport Land Use Plan or the respective city's certified Airport Master Plan. **Policy #2:** Coordinate airport planning with other components of the circulation system.	**Not Applicable.** The proposed project is not an aviation project. Therefore, this goal, objective, and policies do not apply.
Emerging Technologies	
Goal: Support the development and implementation of emerging technologies in the Surface Transportation System.	
Objective: Monitor and support, as applicable, developing transportation technologies. **Policy #1:** Support electric vehicle and facilities conversion in public transportation and for general public use. **Policy #2:** Monitor the emergence of autonomous vehicles and	**Consistent.** The proposed project would include installing 75 Electric Vehicle (EV) capable parking spaces and 25 EV charging parking spaces in the performing arts theater parking lot and 9 EV capable parking spaces and 4 EV charging parking spaces in the AcCEL Center and library parking lot. Therefore, the proposed project would support electric vehicles usage.

Table 5.11-1 TCAG's 2022 RTP/SCS Consistency Analysis

Goals	Consistency Analysis
evaluate potential impacts to the transportation system. **Policy #3:** Support technologies that enhance the safety of the transportation system.	
Objective: Adapt and plan for significant and potentially rapid changes in transportation technology. **Policy #1:** Plan for electric vehicle infrastructure and implementation. **Policy #2:** Evaluate effects of autonomous vehicles on infrastructure and technology and assist agencies in planning and developing policies to accommodate this technology, as appropriate. **Policy #3:** Explore the possibility zero emissions freight corridor on SR 99.	**Consistent.** The proposed project would include installing 75 Electric Vehicle (EV) capable parking spaces and 25 EV charging parking spaces in the performing arts theater parking lot and 9 EV capable parking spaces and 4 EV charging parking spaces in the AcCEL Center and library parking lot. Therefore, the proposed project would support electric vehicle infrastructure.

Source: TCAG 2022.

The proposed project would develop the fallow field to expand educational services to accommodate students who have multiple or profound disabilities, provide access to a performing arts theater for students and the community in Tulare County, and provide library services for students and districts in Tulare County. As seen in Table 5.11-1, the proposed project would support with applicable goals, objectives, and policies from the 2022 RTP/SCS. Therefore, the proposed project would not conflict with the 2022 RTP/SCS, and impacts would be less than significant.

Conclusion

As discussed under this impact, the proposed project would conflict with the Tulare County General Plan land use designation and would not be consistent with the agricultural-related policies. However, the project would be compatible with current surrounding land uses in the area due to the existing adjacent COE Liberty campus. Additionally, the proposed project would be consistent with other goals and policies of the Tulare County General Plan, the Tulare County Code, and TCAG's RTP/SCS. The County Board of Education has rendered local zoning inapplicable to the project site pursuant to Government Code Section 53094. However, because the proposed project would conflict with the Tulare County General Plan, impacts would be potentially significant.

Level of Significance Before Mitigation: Potentially Significant.

5.11.4 Cumulative Impacts

Similar to the proposed project, other development projects within the County would be required to comply with applicable regulatory requirements and evaluate if the project would do physically divide an established community. Other development projects in the County are also required to demonstrate consistency with the

County's General Plan and other applicable policies and regulations governing land use and zoning prior to approval. In addition, other development projects would also be required to demonstrate consistency with TCAG's RTP/SCS. Development projects would be required to be consistent with the applicable land use and zoning designation onsite or obtain appropriate discretionary approvals to deviate from the site land and use and zoning designations. As demonstrated in Impact 5.11-2, the proposed project would conflict with the County's General Plan land use designation and agricultural-related policies. However, the proposed project would result in educational land uses that are compatible with the neighboring Liberty campus and support with other County General Plan policies. While the proposed project would result in a localized land use inconsistency, this is site-specific and would not contribute to or influence the redevelopment of other agricultural parcels within the County to educational uses. Therefore, the project-specific significant and unavoidable impact is not cumulatively considerable.

The UPHS relocation project and the construction of a sewer line from the COE Liberty campus to Visalia would not include the demolition of housing or physically divide an established community. The UPHS relocation project would be located on the existing COE Liberty campus and does not include construction. The relocation of UPHS students to an existing campus and the Liberty sewer connection project would not conflict with applicable plans. Therefore, the proposed project would not combine with neighboring projects to create a cumulatively considerable impact. A less than significant cumulative impact would occur.

5.11.5 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.11-1.

Without mitigation, the following impact would be **potentially significant**:

- **Impact 5.11-2** The proposed project would conflict with the local zoning code and general plan land use designation.

5.11.6 Mitigation Measures

Impact 5.11-2

Since the proposed project would develop a project site that has a General Plan Land Use designation for agricultural-focused uses, the proposed project would conflict with the General Plan Land Use designation and agricultural-related policies in the General Pan. No mitigation measures are available that would reduce Impact 5.11-2 to less than significant level.

5.11.7 Level of Significance After Mitigation

The proposed project would conflict with the existing land use designation and the County General Plan applicable agricultural-related policies. No mitigation measures are available that would reduce Impact 5.11-2 to less than significant. Therefore, Impact 5.11-2 is significant and unavoidable.

5.11.8 References

TCAG (Tulare County Association of Government). 2022, August 1. 2022 Regional Transportation Plan/Sustainable Communities Strategy. https://tularecog.org/tcag/planning/rtp/rtp-2022.

Tulare, County of. 1972, August 31. Section 9.6: "AE-20" Exclusive Agricultural Zone 20 Acre Minimum. https://tularecounty.ca.gov/rma/rma-documents/planning-documents/tulare-county-zoning-ordinance.

———. 2012. *Tulare County General Plan*. https://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/000General%20Plan%202030%20Part%20I%20and%20Part%20II/GENERAL%20PLAN%202012.pdf.

———. 2025, August 5. Tulare County Code. https://www.codepublishing.com/CA/TulareCounty/.

5.12 NOISE

This section of the Draft Environmental Impact Report (DEIR) evaluates the potential for the Performing Arts Theater, AcCEL Center, and Library Project (proposed project) to impact the noise environment in the local vicinity. Specifically, this section summarizes relevant federal, state, and local noise guidelines, policies, and standards; reviews noise levels at existing receptor locations; and evaluates potential noise impacts. This evaluation uses procedures and methodologies specified by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). The analysis in this section is based in part on the noise monitoring and modeling data in Appendix K of this DEIR.

No public comment letters were received in response to the Notice of Preparation (NOP) related to noise. Refer to Appendix A for all NOP comment letters.

TERMINOLOGY

- **Sound.** A disturbance created by a vibrating object, which, when transmitted by pressure waves through a medium such as air, is capable of being detected by a receiving mechanism, such as the human ear or a microphone.
- **Noise.** Sound that is loud, unpleasant, unexpected, or otherwise undesirable.
- **Decibel (dB).** A unitless measure of sound on a logarithmic scale.
- **A-Weighted Decibel (dBA).** An overall frequency-weighted sound level in decibels that approximates the frequency response of the human ear.
- **Equivalent Continuous Noise Level (L_{eq}); also called the Energy-Equivalent Noise Level.** The value of an equivalent, steady sound level that, in a stated time period (often over an hour) and at a stated location, has the same A-weighted sound energy as the time-varying sound. Thus, the L_{eq} metric is a single numerical value that represents the equivalent amount of variable sound energy received by a receptor over the specified duration.
- **Statistical Sound Level (L_n).** The sound level that is exceeded "n" percent of time during a given sample period. For example, the L_{50} level is the statistical indicator of the time-varying noise signal that is exceeded 50 percent of the time (during each sampling period); that is, half of the sampling time, the changing noise levels are above this value and half of the time they are below it. This is called the "median sound level." The L_{10} level, likewise, is the value that is exceeded 10 percent of the time (i.e., near the maximum) and this is often known as the "intrusive sound level." The L_{90} is the sound level exceeded 90 percent of the time and is often considered the "effective background level" or "residual noise level."
- **Day-Night Sound Level (L_{dn} or DNL).** The energy-average of the A-weighted sound levels occurring during a 24-hour period, with 10 dB added to the sound levels occurring during the period from 10:00 pm to 7:00 am.

- **Community Noise Equivalent Level (CNEL).** The energy average of the A-weighted sound levels occurring during a 24-hour period, with 5 dB added from 7:00 pm to 10:00 pm and 10 dB from 10:00 pm to 7:00 am. For general community/environmental noise, CNEL and L_{dn} values rarely differ by more than 1 dB (with the CNEL being only slightly more restrictive, that is, higher than the L_{dn} value). As a matter of practice, L_{dn} and CNEL values are interchangeable and are treated as equivalent in this assessment.

- **Peak Particle Velocity (PPV).** The peak signal value of an oscillating vibration velocity waveform usually expressed in inches per second (in/sec).

- **Sensitive Receptor.** Noise- and vibration-sensitive receptors include land uses where quiet environments are necessary for enjoyment and public health and safety. Residences, schools, motels and hotels, libraries, religious institutions, hospitals, and nursing homes are examples.

Noise and Vibration Fundamentals

Noise is defined as unwanted sound and is known to have several adverse effects on people, including hearing loss, speech and sleep interference, physiological responses, and annoyance. Although sound can be easily measured, the perception of noise and the physical response to sound complicate the analysis of its impact on people. People judge the relative magnitude of sound sensation in subjective terms such as "noisiness" or "loudness." Based on these known adverse effects of noise, the federal government, the State of California, and many local governments have established criteria to protect public health and safety and to prevent disruption of certain human activities.

Sound Fundamentals

Sound is a pressure wave transmitted through the air. It is described in terms of loudness or amplitude (measured in decibels), frequency or pitch (measured in Hertz [Hz] or cycles per second), and duration (measured in seconds or minutes). The standard unit of measurement of the loudness of sound is the decibel (dB). Changes of 1 to 3 dBA are detectable under quiet, controlled conditions, and changes of less than 1 dBA are usually indiscernible. A 3 dBA change in noise levels is considered the minimum change that is detectable with human hearing in outside environments. A change of 5 dBA is readily discernable to most people in an exterior environment, and a 10 dBA change is perceived as a doubling (or halving) of the sound.

The human ear is not equally sensitive to all frequencies. Sound waves below 16 Hz are not heard at all and are "felt" more as a vibration. Similarly, while people with extremely sensitive hearing can hear sounds as high as 20,000 Hz, most people cannot hear above 15,000 Hz. In all cases, hearing acuity falls off rapidly above about 10,000 Hz and below about 200 Hz. Since the human ear is not equally sensitive to sound at all frequencies, a special frequency-dependent rating scale is usually used to relate noise to human sensitivity. The A-weighted decibel scale (dBA) performs this compensation by discriminating against frequencies in a manner approximating the sensitivity of the human ear.

Noise is defined as unwanted sound and is known to have several adverse effects on people, including hearing loss, speech and sleep interference, physiological responses, and annoyance. Based on these known adverse

effects of noise, the federal government, the State of California, and many local governments have established criteria to protect public health and safety and to prevent disruption of certain human activities.

Sound Measurement

Sound intensity is measured through the A-weighted scale to correct for the relative frequency response of the human ear. That is, an A-weighted noise level de-emphasizes low and very high frequencies of sound similar to the human ear's de-emphasis of these frequencies.

Unlike linear units such as inches or pounds, decibels are measured on a logarithmic scale, representing points on a sharply rising curve. On a logarithmic scale, an increase of 10 dBA is 10 times more intense than 1 dBA, while 20 dBA is 100 times more intense, and 30 dBA is 1,000 times more intense. A sound as soft as human breathing is about 10 times greater than 0 dBA. The decibel system of measuring sound gives a rough connection between the physical intensity of sound and its perceived loudness to the human ear. Ambient sounds generally range from 30 dBA (very quiet) to 100 dBA (very loud).

Sound levels are generated from a source and their decibel level decreases as the distance from that source increases. Sound dissipates exponentially with distance from the noise source. This phenomenon is known as "spreading loss." For a single point source, sound levels decrease by approximately 6 dBA for each doubling of distance from the source. This drop-off rate is appropriate for noise generated by on-site operations from stationary equipment or activity at a project site. If noise is produced by a line source, such as highway traffic, the sound decreases by 3 dBA for each doubling of distance in a hard site environment. Line source noise in a relatively flat environment with absorptive vegetation decreases by 4.5 dBA for each doubling of distance.

Time variation in noise exposure is typically expressed in terms of a steady-state energy level equal to the energy content of the time varying period (called L_{eq}), or alternately, as a statistical description of the sound level that is exceeded over some fraction of a given observation period. For example, the L_{50} noise level represents the noise level that is exceeded 50 percent of the time. Half the time the noise level exceeds this level and half the time the noise level is less than this level. This level is also representative of the level that is exceeded 30 minutes in an hour. Similarly, the L_2, L_8, and L_{25} values represent the noise levels that are exceeded 2, 8, and 25 percent of the time or 1, 5, and 15 minutes per hour. These "L" values are typically used to demonstrate compliance for stationary noise sources with a city's noise ordinance, as discussed below. Other values typically noted during a noise survey are the L_{min} and L_{max}. These values represent the minimum and maximum root-mean-square noise levels obtained over the measurement period.

Because community receptors are more sensitive to unwanted noise intrusion during the evening and at night, an artificial dB increment is added to quiet time noise levels in a 24-hour noise descriptor called the Community Noise Equivalent Level (CNEL) or Day-Night Noise Level (L_{dn}). The CNEL descriptor requires that an artificial increment of 5 dBA be added to the actual noise level for the hours from 7:00 am to 10:00 pm and 10 dBA for the hours from 10:00 pm to 7:00 am. The L_{dn} descriptor uses the same methodology except that there is no artificial increment added to the hours between 7:00 pm and 10:00 pm. Both descriptors give roughly the same 24-hour level with the CNEL being only slightly more restrictive (i.e., higher).

Psychological and Physiological Effects of Noise

Physical damage to human hearing begins at prolonged exposure to noise levels higher than 85 dBA. Exposure to high noise levels affects our entire system, with prolonged noise exposure in excess of 75 dBA increasing body tensions, and thereby affecting blood pressure, functions of the heart, and the nervous system. In comparison, extended periods of noise exposure above 90 dBA could result in permanent hearing damage. When the noise level reaches 120 dBA, a tickling sensation occurs in the human ear even with short-term exposure. This level of noise is called the threshold of feeling. As the sound reaches 140 dBA, the tickling sensation is replaced by the feeling of pain in the ear. This is called the threshold of pain. A sound level of 190 dBA will rupture the eardrum and permanently damage the inner ear.

Vibration Fundamentals

Vibration is an oscillatory motion through a solid medium, such as the ground or a building. Vibration is normally associated with activities stemming from operations of railroads or vibration-intensive stationary sources but can also be associated with construction equipment such as jackhammers, pile drivers, and hydraulic hammers.

Amplitude

Vibration amplitudes are usually described in terms of either the peak particle velocity (PPV) or the root mean square (RMS) velocity. PPV is the maximum instantaneous peak of the vibration signal, and RMS is the square root of the average of the squared amplitude of the signal. PPV inches per second (in/sec) is more appropriate for evaluating potential building damage. The units for PPV are normally inches per second (in/sec). Typically, groundborne vibration generated by human activities attenuates rapidly with distance from the source of the vibration.

The way in which vibration is transmitted through the earth is called propagation. As vibration waves propagate from a source, the energy is spread over an ever-increasing area such that the energy level striking a given point is reduced with the distance from the energy source. This geometric spreading loss is inversely proportional to the square of the distance. The amount of attenuation provided by material damping varies with soil type and condition as well as the frequency of the wave.

As with airborne sound, annoyance with vibrational energy is a subjective measure, depending on the level of activity and the sensitivity of the individual. To sensitive individuals, vibrations approaching the threshold of perception can be annoying. Persons accustomed to elevated ambient vibration levels, such as in an urban environment, may tolerate higher vibration levels. Table 5.12-1, *Human Reaction to Typical Vibration Levels,* shows the human response and the effects on buildings resulting from continuous vibration (in terms of various levels of PPV).

Table 5.12-1 Human Reaction to Typical Vibration Levels

Vibration Level Peak Particle Velocity	Human Reaction	Effect on Buildings
0.006–0.019 in/sec	Threshold of perception, possibility of intrusion	Vibrations unlikely to cause damage of any type
0.08 in/sec	Vibrations readily perceptible	Recommended upper level of vibration to which ruins and ancient monuments should be subjected
0.10 in/sec	Level at which continuous vibration begins to annoy people	Virtually no risk of "architectural" (i.e., not structural) damage to normal buildings
0.20 in/sec	Vibrations annoying to people in buildings	Threshold at which there is a risk to "architectural" damage to normal dwellings – houses with plastered walls and ceilings
0.4–0.6 in/sec	Vibrations considered unpleasant by people subjected to continuous vibrations and unacceptable to some people walking on bridges	Vibrations at a greater level than normally expected from traffic, but would cause "architectural" damage and possibly minor structural damage

Source: Caltrans 2013.

5.12.1 Environmental Setting

5.12.1.1 REGULATORY BACKGROUND

Federal Regulations

The Federal Transit Administration (FTA) oversees safety measures related to noise and vibration. The FTA's Transit Noise and Vibration Impact Assessment manual indicates that 80 A-weighted decibels (dBA) equivalent sound level (Leq) is reasonable criteria for assessing construction noise levels at residential uses (FTA 2018). In the absence of local construction noise limits, the FTA recommended 80 dBA Leq criteria is used to assess the significance of construction noise levels at residential receivers.

The FTA also provides criteria for acceptable levels of groundborne vibration for various types of buildings. Structures amplify groundborne vibration; wood-frame buildings, such as typical residential structures, are more affected by ground vibration than heavier buildings. The level at which groundborne vibration is strong enough to cause architectural damage has not been determined conclusively. According to FTA's Transit Noise and Vibration Impact Assessment Manual, standards recommended for engineered concrete and masonry (no plaster) structures are 0.3 PPV in/sec and for non-engineered timber and masonry structures are 0.2 PPV in/sec.

State Regulations

California Code of Regulations

Title 24, Part 11. The State of California's noise insulation standards for nonresidential uses are codified in the California Code of Regulations (CCR), Title 24, Building Standards Administrative Code, Part 11, California Green Building Standards Code (CALGreen). CALGreen noise standards are applied to new or renovation construction projects in California to control interior noise levels resulting from exterior noise sources. Proposed projects may use either the prescriptive method (Section 5.507.4.1) or the performance method

(5.507.4.2) to show compliance. Under the prescriptive method, a project must demonstrate transmission loss ratings for the wall and roof-ceiling assemblies and exterior windows when located within a noise environment of 65 dBA CNEL or higher. Under the performance method, a project must demonstrate that interior noise levels do not exceed 50 dBA Leq(1hr).

Title 5, Section 14040(q). Under Title 5, the California Department of Education (CDE) regulations require a school district to consider noise in the site selection process. As recommended by CDE guidance, if a school district is considering a potential school site near a freeway or other source of noise, it should hire an acoustical engineer to determine the level of sound that the site is exposed to and to assist in designing the school should that site be chosen.

Local Regulations

Tulare County General Plan

Tulare County General Plan Noise Element identifies the County's noise compatibility standards and identifies goals and policies aimed at maintaining a healthy noise environment. However, the County does not have specific numerical codes or ordinances relative to noise or vibration. The Health and Safety Element noise policies applicable to the project are as follows:

- **HS-8.2 Noise Impacted Areas.** The County shall designate areas as noise-impacted if exposed to existing or projected noise levels that exceed 60 dBA Ldn (or Community Noise Equivalent Level (CNEL)) at the exterior of buildings.

- **HS-8.3 Noise Sensitive Land Uses.** The County shall not approve new noise sensitive uses unless effective mitigation measures are incorporated into the design of such projects to reduce noise levels to 60 dBA Ldn (or CNEL) or less within outdoor activity areas and 45 dBA Ldn (or CNEL) or less within interior living spaces.

- **HS-8.4 Airport Noise Contours.** The County shall ensure new noise sensitive land uses are located outside the 60 dBA CNEL contour of all public use airports.

- **HS-8.6 Noise Level Criteria.** The County shall ensure noise level criteria applied to land uses other than residential or other noise-sensitive uses are consistent with the recommendations of the California Office of Noise Control (CONC).

- **HS-8.7 Inside Noise.** The County shall ensure that in instances where the windows and doors must remain closed to achieve the required inside acoustical isolation, mechanical ventilation or air conditioning is provided.

- **HS-8.8 Adjacent Uses.** The County shall not permit development of new industrial, commercial, or other noise generating land uses if resulting noise levels will exceed 60 dBA Ldn (or CNEL) at the boundary of areas designated and zoned for residential or other noise-sensitive uses, unless it is determined to be necessary to promote the public health, safety and welfare of the County.

- **HS-8.11 Peak Noise Generators.** The County shall limit noise generating activities, such as construction, to hours of normal business operation (7 a.m. to 7 p.m.). No peak noise generating activities shall be allowed to occur outside of normal business hours without County approval.

- **HS-8.12 Foothill and Mountain Noise.** For areas designated by Tulare County as being within Foothill and Mountain Planning Areas and outside Foothill Development Corridors, the hourly Leq resulting from the development or new noise-sensitive land uses or new noise-generating sources shall not exceed 50 dBA during the day (7:00 a.m.-10:00 p.m.) or 40 dBA during the night (10:00 p.m. - 7:00 a.m.) when measured at the boundary of areas containing or planned and zoned for residential or other noise-sensitive land uses. For these same areas and under the same circumstances, the maximum A-weighed noise level (Lmax) shall not exceed 70 dB during the day or 60 dB during the night.

- **HS-8.13 Noise Analysis.** The County shall require a detailed noise impact analysis in areas where current or future exterior noise levels from transportation or stationary sources have the potential to exceed the adopted noise policies of the Health and Safety Element, where there is development of new noise sensitive land uses or the development of potential noise generating land uses near existing sensitive land uses. The noise analysis shall be the responsibility of the project applicant and be prepared by a qualified acoustical engineer (i.e., a Registered Professional Engineer in the State of California, etc.). The analysis shall include recommendations and evidence to establish mitigation that will reduce noise exposure to acceptable levels (such as those referenced in Table 10-1 of the Health and Safety Element).

- **HS-8.14 Sound Attenuation Features.** The County shall require sound attenuation features such as walls, berming, heavy landscaping, between commercial, industrial, and residential uses to reduce noise and vibration impacts.

- **HS-8.16 State Noise Insulation.** The County shall enforce the State Noise Insulation Standards (California Administrative Code, Title 24) and Chapter 35 of the Uniform Building Code.

- **HS-8.18 Construction Noise.** The County shall seek to limit the potential noise impacts of construction activities by limiting construction activities to the hours of 7 am to 7pm, Monday through Saturday when construction activities are located near sensitive receptors. No construction shall occur on Sundays or national holidays without a permit from the County to minimize noise impacts associated with development near sensitive receptors.

- **HS-8.19 Construction Noise Control.** The County shall ensure that construction contractors implement best practices guidelines (i.e. berms, screens, etc.) as appropriate and feasible to reduce construction-related noise impacts on surrounding land uses.

5.12.1.2 EXISTING CONDITIONS

The project site is primarily surrounded by farmland, commercial and residential uses. To the north of the project site, across Avenue 264/Liberty Road, uses consist of farmland, residential and commercial uses. To the east of the project site, across N Mooney Boulevard/State Route 63, uses consist of farmland and commercial uses while residential uses are located southeast of the project site. The COE Liberty campus,

which includes the Bright Start Program, Hearing Center, Behavioral Health Services, Visually Impaired Program, Alternative Achievement Program, and Planetarium and Science Center is located to the north and east of the project site. The University Preparatory High School campus is currently located on the College of the Sequoias and will be moved to the current COE Liberty campus. The University Preparatory High School (UPHS) students will be moved onto the current COE Liberty campus during the summer of 2027 and would consist of 250 students. Approval of the change in campuses was approved in September 2023. Additionally, the AcCEL Center currently operates at a different COE Liberty property. To the south of the project site, uses consist of farmland, and to the west of the project site, uses consist of farmland and commercial uses (see Figure 3-5).

Ambient Noise Measurements

Short-Term

Three short-term (15-minute) measurement locations were selected and conducted around the project site. All measurements were conducted Wednesday, January 15, and Thursday January 16, 2025, in the afternoon and morning.

The short-term sound level meter used (Larson Davis LxT) for noise monitoring satisfies the American National Standards Institute (ANSI) standard for Type 1 instrumentation.[1] The short-term sound level meter was set to "slow" response and "A" weighting (dBA). The meter was calibrated prior to and after each monitoring period. All measurements were at least 5 feet above the ground and away from reflective surfaces. Short-term measurement locations are described below and shown in Figure 5.12-1, *Noise Monitoring Locations,* and results are summarized in Table 5.12-2, *Short-Term Noise Measurements Summary in A-weighted Sound Levels*.

Table 5.12-2 Short-Term Noise Measurements Summary in A-weighted Sound Levels

Monitoring Location	Description	15-minute Noise Level, dBA						
		L_{eq}	L_{max}	L_{min}	L50	L25	L8	L2
ST-1	Harrison Road north of the project site 1/15/25, 3:55 PM Noise Sources; birds chirping, and vehicles on roadway	63.8	78.6	43.2	56.5	63.9	69.1	72.3
	1/16/25, 11:51 AM Noise Sources; birds chirping, dog crying, and vehicles on roadway	61	77	36.7	50	58.9	66.5	70.8
ST-2	Path in between project site and 11431 Liberty Rd 1/15/25, 3:31 PM Noise Sources: birds chirping, vehicles on roadway, rooster noise, truck makes loud noise	54.3	73.1	39.5	49.4	54.2	57.8	60.9
	1/16/25, 11:28 PM Noise Sources: birds chirping, vehicles on roadway, rooster noise, truck makes loud noise	50.7	60.5	40.1	48.5	52.1	54.8	56.9

[1] Monitoring of ambient noise was performed using Larson-Davis model LxT sound level meters.

Table 5.12-2 Short-Term Noise Measurements Summary in A-weighted Sound Levels

Monitoring Location	Description	15-minute Noise Level, dBA						
		L_{eq}	L_{max}	L_{min}	L50	L25	L8	L2
ST-3	Located on a path in between farmland and the project site across from 26200 N Mooney Blvd. 1/15/25, 4:32 PM Noise Sources: vehicles on roadway, loud muffler sound, and water fountain	69.3	93.7	48.2	62.6	66.2	68.6	73
	1/16/25, 10:52 AM Noise Sources: vehicles on roadway, and construction across the street	67.2	79.1	51.1	63.7	67.9	72	74.6

Source: PlaceWorks 2025 (Appendix K)

- **Short-Term Location 1 (ST-1)** was conducted on Harrison Road outside the property line east of the residence on 26411 Harrison Road. A 15-minute noise measurement began at 3:55 PM on Wednesday, January 15, 2025. The noise environment is characterized by traffic noise on Avenue 264/Liberty Road and Harrison Road, dog barking and birds. Noise levels measured 63.8 dBA L_{eq} and 78.6 dBA L_{max} during the measurement period at ST-1. The second 15-minute noise measurement began at 11:51 AM on Thursday, January 16, 2025. The noise environment is characterized by traffic noise on Avenue 264/Liberty Road and Harrison Road Creek, dog crying and birds. Noise levels measured 61 dBA L_{eq} and 77 dBA L_{max} during the measurement period at ST-1.

- **Short-Term Location 2 (ST-2)** was conducted on an internal drive aisle that runs along the eastern border of the northern portion of the project site. A 15-minute noise measurement began at 3:31 PM on Wednesday, January 15, 2025. The noise environment is characterized primarily by residential traffic on Avenue 264/Liberty Road and farm animal activity from 11431 Liberty Road. Noise levels measured 54.3 dBA L_{eq} and 73.1 dBA L_{max} during the measurement period at ST-2. The second 15-minute noise measurement began at 11:28 AM on Thursday, January 16, 2025. The noise environment is characterized primarily by residential traffic on Avenue 264/Liberty Road, a water hose, and farm animal activity from 11431 Liberty Road. Noise levels measured 50.7 dBA L_{eq} and 60.5 dBA L_{max} during the measurement period at ST-2.

- **Short-Term Location 3 (ST-3)** was conducted across from 26200 N Mooney Boulevard and directly south of the project site. A 15-minute noise measurement began at 4:32 PM on Wednesday, January 15, 2025. The noise environment is characterized primarily by vehicle traffic on N Mooney Boulevard/State Route 63 and a water fountain across the street at Derrel's Mini Storage. Noise levels measured 69.3 dBA L_{eq} and 93.7 dBA L_{max} during the measurement period at ST-3. The second 15-minute noise measurement began at 10:52 AM on Thursday, January 16, 2025 The noise environment is characterized by traffic noise on Avenue 264/Liberty Road and Harrison Road Creek Loop Parkway and birds. Noise levels measured 67.2 dBA L_{eq} and 79.1 dBA L_{max} during the measurement period at ST-3.

Long-Term

The noise environment in the project site is primarily influenced by traffic noise on Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63. Long-term noise monitoring was conducted from January 15 to 16, 2025. Figure 5.12-1, *Noise Monitoring Locations*, shows two long-term (24-hour) noise measurement locations. Picollo II sound-level meters (SLM) were used for long-term measurements. The SLMs deployed for noise monitoring satisfies the American National Standards Institute (ANSI) standard for Type II instrumentation. The long-term sound level meters were set to "slow" response and "A" weighting (dBA). The meters were positioned 5 feet above the ground and away from reflective surfaces. The meters were calibrated prior to and after each measurement period. Long-term measurement results are detailed below and summarized in Table 5.12-3, *LT-1 Long-Term Noise Measurements – 63.1 dBA CNEL* and Table 5.12-4, *LT-2 Long-Term Noise Measurements – 64.6 dBA CNEL*. Figure 5.12-1, *Approximate Noise Monitoring Locations*, shows the long-term (24-hour) noise measurement locations. Additional noise monitoring data is shown in Appendix K to this Draft EIR.

Table 5.12-3 LT-1 Long-Term Noise Measurements – 63.1 dBA CNEL

Time	L_{eq} (dBA)	L_{max} (dBA)	L_{50} (dBA)	L_{90} (dBA)	Time	L_{eq} (dBA)	L_{max} (dBA)	L_{50} (dBA)	L_{90} (dBA)
12:00 PM	55.9	71.5	49.3	44.1	12:00 AM	50.2	69.5	46.8	43.7
1:00 PM	57.4	78.6	49.1	42.5	1:00 AM	49.7	67.7	46.7	42.8
2:00 PM	58.8	81.0	51.0	42.2	2:00 AM	49.2	67.8	46.1	43.8
3:00 PM	59.0	76.6	53.3	43.6	3:00 AM	52.1	71.6	47.9	44.6
4:00 PM	59.1	72.6	54.9	45.6	4:00 AM	57.0	76.3	50.4	47.3
5:00 PM	60.9	76.5	58.2	51.4	5:00 AM	58.8	71.5	53.5	50.0
6:00 PM	60.9	76.2	56.8	50.8	6:00 AM	60.8	72.5	56.4	52.5
7:00 PM	59.7	78.4	54.0	49.7	7:00 AM	64.3	79.2	62.3	56.3
8:00 PM	59.1	70.8	55.4	50.7	8:00 AM	61.6	73.0	59.4	56.0
9:00 PM	57.5	72.5	51.1	47.0	9:00 AM	59.3	73.6	55.6	49.8
10:00 PM	55.3	70.7	48.3	44.6	10:00 AM	56.6	72.1	49.7	43.6
11:00 PM	54.6	71.7	49.4	45.9	11:00 AM	56.9	70.9	50.7	43.2

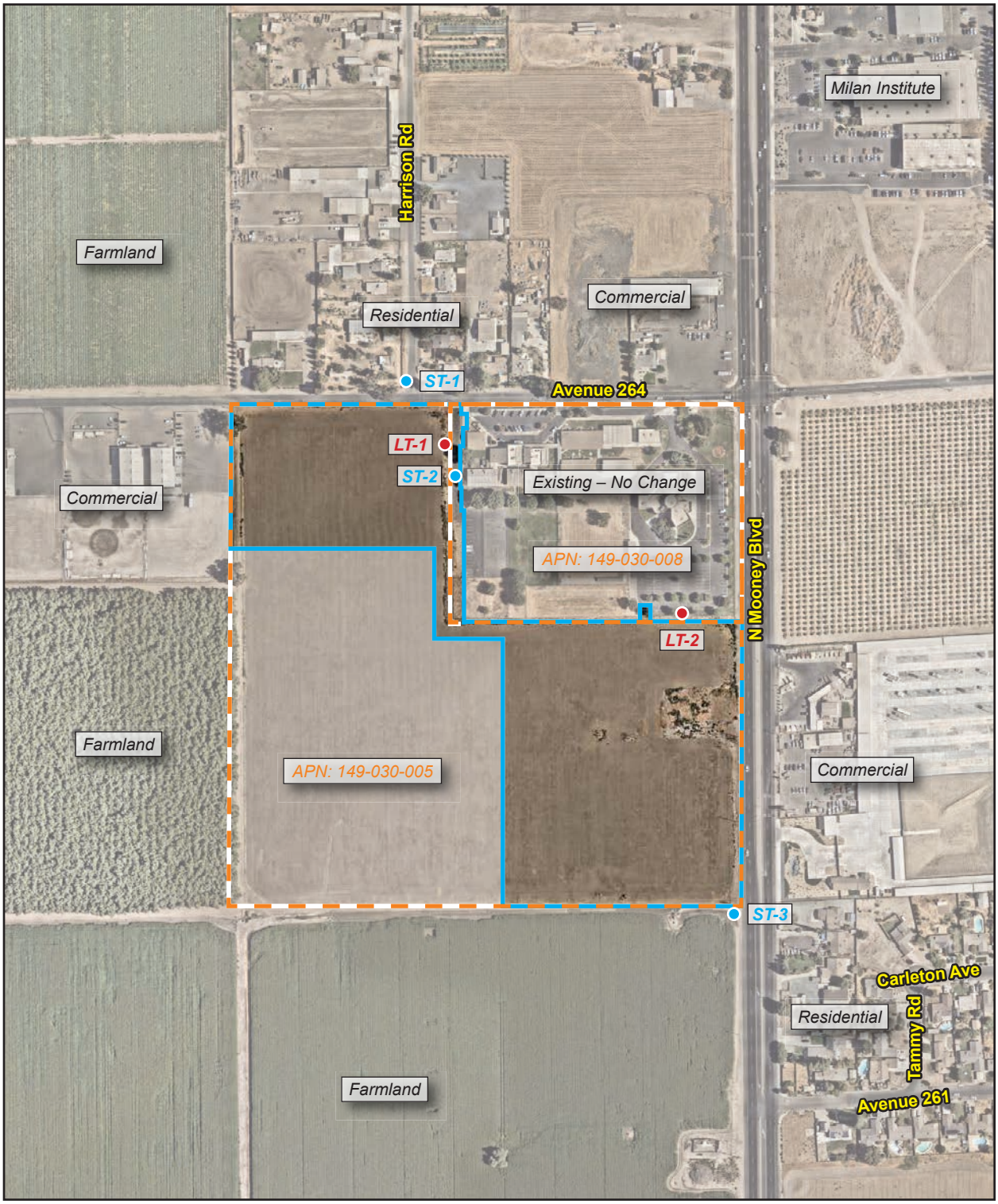
Source: PlaceWorks. See Appendix K.

Table 5.12-4 LT-2 Long-Term Noise Measurements – 64.6 dBA CNEL

Time	L_{eq} (dBA)	L_{max} (dBA)	L_{50} (dBA)	L_{90} (dBA)	Time	L_{eq} (dBA)	L_{max} (dBA)	L_{50} (dBA)	L_{90} (dBA)
12:00 PM	68.2	95.5	54.7	48.3	12:00 AM	54.7	80.7	46.1	42.6
1:00 PM	59.9	87.9	54.1	46.4	1:00 AM	52.2	80.7	45.4	42.0
2:00 PM	57.6	73.0	54.9	46.5	2:00 AM	50.0	68.9	45.1	42.5
3:00 PM	59.4	79.0	55.7	48.5	3:00 AM	53.1	64.8	46.4	43.6
4:00 PM	63.0	91.4	56.3	49.5	4:00 AM	56.4	74.0	49.8	45.8
5:00 PM	60.8	77.2	58.6	52.9	5:00 AM	58.0	77.2	55.4	50.2
6:00 PM	65.5	93.1	58.9	52.0	6:00 AM	59.9	69.9	57.9	52.8
7:00 PM	61.8	83.4	57.5	51.2	7:00 AM	61.3	78.8	59.9	56.5
8:00 PM	62.2	84.2	56.9	49.5	8:00 AM	60.3	71.7	58.7	55.3
9:00 PM	63.8	92.3	55.8	48.5	9:00 AM	58.5	79.3	56.1	51.7
10:00 PM	57.5	75.3	53.5	46.3	10:00 AM	58.3	76.4	54.0	45.9
11:00 AM	60.0	85.2	50.6	44.8	11:00 AM	52.2	79.7	53.1	44.9

Source: PlaceWorks. See Appendix K.

Figure 5.12-1 - Noise Monitoring Locations



Source: Nearmap 2025.

5. Environmental Analysis
NOISE

This page intentionally left blank.

- **Long-Term Location** 1 (LT-1) monitoring was conducted along the internal drive aisle that runs along the eastern border of the northern portion of the project site. The measurement location was 115 feet south of Avenue 264/Liberty Road. The existing chain fence on the property line wall measured 6 feet in height. A 24-hour noise measurement was conducted from Wednesday, January 15, 2025 to Thursday, January 16, 2025. The noise environment is characterized primarily by traffic noise on Avenue 264/Liberty Road and various residential noises across from Avenue 264/Liberty Road, including dogs barking, birds, rooster, goat, and wind. Avenue 264/Liberty Road traffic noise levels measured 63.1 dBA CNEL at 115 feet from the centerline.

- **Long-Term Location** 2 (LT-2) monitoring was conducted along the existing Liberty campus southern fence line in the parking lot. The measurement location was 195 feet west of N Mooney Boulevard/State Route 63. A 24-hour noise measurement was conducted from Wednesday January 15, 2025 to Thursday July 16, 2025. The noise environment is characterized primarily by traffic on N Mooney Boulevard/State Route 63 and parking lot movements. N Mooney Boulevard/State Route 63traffic noise levels measured 64.6 dBA CNEL at 195 feet from the centerline.

5.12.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would result in:

N-1 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.

N-2 Generation of excessive groundborne vibration or groundborne noise levels.

N-3 For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, if the project would expose people residing or working in the project area to excessive noise levels.

5.12.2.1 CONSTRUCTION NOISE

The County's General Plan policies HS-8.11 and HS-8.18 limit the potential noise impacts of construction activities by limiting construction activities to the hours of 7:00 am to 7:00 pm, Monday through Saturday when construction activities are located near sensitive receptors. No construction is permitted to occur on Sundays or national holidays without a permit from the County to minimize noise impacts associated with development near sensitive receptors. The County does not contain established numerical noise limits for temporary construction activities. The FTA recommends a noise level limit of 80 dBA Leq for residential receptors. In addition to the County's General Plan policies, the FTA noise level threshold of 80 dBA Leq at residential receptors will be used in this analysis to assess construction noise impacts that occur in the daytime hours when people are less sensitive to noise.

5.12.2.2 TRANSPORTATION NOISE

A project will normally have a significant effect on the environment related to noise if transportation noise would substantially increase the ambient noise levels for adjoining noise sensitive areas. Most people can detect changes in sound levels of approximately 3 dBA under normal, quiet conditions, and changes of 1 dBA to 3 dBA are detectable under quiet, controlled conditions. Changes of less than 1 dBA are usually indiscernible. A change of 5 dBA is readily discernible to most people in an exterior environment. Based on this, the following thresholds of significance similar to those recommended by the Federal Aviation Administration (FAA) are used to assess traffic noise impacts at sensitive receptor locations. A significant impact would occur if project traffic noise increases would exceed:

- 1.5 dBA in ambient noise environments of 65 dBA CNEL and higher
- 3 dBA in ambient noise environments of 60 to 64 dBA CNEL
- 5 dBA in ambient noise environments of less than 60 dBA CNEL

A significant cumulative traffic noise impact occurs when the thresholds above are exceeded under cumulative conditions (with project) and the contribution of the project to future traffic is calculated to be greater than 1.5 dBA to 3 dBA CNEL, based on ambient noise levels shown in Tables 5.12-2 through 5.12-4 above.

5.12.2.3 STATIONARY NOISE

Based on General Plan policy HS-8.8, the County shall not permit development of new industrial, commercial, or other noise generating land uses if resulting noise levels will exceed 60 dBA Ldn (or CNEL) at the boundary of areas designated and zoned for residential or other noise-sensitive uses.

5.12.2.4 VIBRATION

The County does not have an established vibration limit. Therefore, the FTA criteria for architectural damage to buildings is used. The FTA criterion is a maximum exposure of 0.2 in/sec PPV, for buildings with non-engineered timber and masonry (i.e., residential buildings).

5.12.3 Environmental Impacts

5.12.3.1 METHODOLOGY

This section analyzes impacts related to short-term construction noise and vibration, as well as operational noise and vibration associated with buildout of the proposed project.

Construction Noise

Construction noise includes two main sources: construction-related traffic (such as, worker, vendor, and haul truck trips) and construction equipment (associated with actual construction activities on-site). Construction noise modeling is conducted using the FHWA Roadway Construction Noise Model (RCNM) with construction equipment mix based on CalEEMod defaults (FHWA 2006). Project vibration impacts are addressed using reference vibration levels for construction equipment published by FTA (FTA 2018).

Operational Noise

Assessment of operational noise resulting from full buildout of the project site considers two main noise components: noise associated with increased traffic to the project site and noise associated with on-site operations.. Traffic noise increases along study roadway segments were estimated using the average daily segment volumes provided by Garland Associates (see Appendix M). Existing With Project No Event, Typical Event, and Project Capacity Event traffic volumes are compared to Existing No Project to estimate the proposed project's traffic noise increase and similarly, Future With Project No Event, Typical Event, and Project Capacity Event is compared to Future No Project to estimate cumulative traffic noise increases is compared to future buildout and cumulative data to generate the traffic noise increase. Parking lot noise was estimated based on previous noise analyses conducted for a similar use.

5.12.3.2 IMPACT ANALYSIS

The applicable thresholds are identified in brackets after the impact statement.

Impact 5.12-1: Construction activities would not result in temporary increases in ambient noise levels in the vicinity of the proposed project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. [Threshold N-1]

Two types of short-term noise could occur: (1) mobile-source noise from transport of workers, material deliveries, and debris and soil haul, and (2) stationary-source noise from construction equipment. Based on District-provided information, phase one construction is anticipated to start approximately May 2026 and end approximately June 2027. Phase two construction would consist of the construction of the performing arts theater. Phase two is anticipated to start approximately January 2028 and end approximately January 2030. Equipment may include, but is not limited to, items such as graders, excavators, tractors, loaders, backhoes, forklifts, air compressors, dozers, and trucks.

Construction Vehicles

The transport of workers and materials to and from the construction site would incrementally increase noise levels along roadways in the campus area. Individual construction vehicle pass-bys may create momentary noise levels of up to approximately 85 dBA Lmax at 50 feet from worker and vendor vehicles and haul trucks. Most of the haul trips would occur during asphalt demolition debris hauling. However, these occurrences would generally be infrequent and short lived.

Construction vehicles would access the project site via Avenue 264/Liberty Road or N Mooney Boulevard/State Route 63. Existing average daily traffic (ADT) along these access roads range between 2,750 to 21,700 ADT (Garland 2025). Based on CalEEMod construction modeling, the estimated worker and vendor trips would be 16 daily trips during construction phases. The additional temporary construction trips would result in a temporary, incremental traffic noise level increase of less than 1 dBA CNEL along both roadways. The existing traffic noise levels along Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63 range from 65 dBA to 74 dBA CNEL. Therefore the worker and vendor trips would not result in a significant

temporary increase that would exceed the 1.5 dBA threshold. Therefore, noise impacts from worker and vendor trips would be less than significant.

Construction Equipment

Noise generated by on-site construction equipment is based on the type of equipment used, its location relative to sensitive receptors, and the timing and duration of noise-generating activities. Each stage of construction involves different kinds of equipment and has distinct noise characteristics. Noise levels from construction activities are typically dominated by the loudest equipment. Equipment engines are typically the dominant equipment noise source during construction, although work-piece noise (such as dropping of materials) can also be noticeable.

The noise produced at each construction stage is determined by combining the Leq contributions from each piece of equipment used at a given time, while accounting for the ongoing time-variations of noise emissions. Heavy equipment, such as a dozer or a loader, can have maximum, short-duration noise levels of up to 85 dBA at 50 feet. However, overall noise emissions vary considerably, depending on the specific activity performed at any given moment. Noise attenuation due to distance, the number and type of equipment, and the load and power requirements to accomplish tasks at each construction phase would result in different noise levels from construction activities at a given receptor. Since noise from construction equipment is intermittent and diminishes at a rate of at least 6 dBA per doubling of distance (conservatively disregarding other attenuation effects from ground absorption and shielding effects), the average noise levels at noise-sensitive receptors could vary considerably, because mobile construction equipment would move around the project site with different loads and power requirements.

Average noise levels from project-related construction activities are calculated by modeling the three loudest pieces of equipment per activity phase. Equipment for each construction phase with the exception of building construction and architectural coating is modeled at spatially averaged distances (i.e., from the acoustical center of the general construction site to the property line of the nearest receptors) because the area around the center of construction activities best represents the potential average construction-related noise levels at the various sensitive receptors for mobile equipment. Equipment for building construction and architectural coating is modeled from the edge of the proposed building to the nearest sensitive receptors.

Using information provided by the District, the proposed project's expected construction equipment mix was categorized by construction activity using the FHWA RCNM. The associated, aggregate sound levels, grouped by construction activity, are summarized in Table 5.12-5, *Project-Related Construction Noise Levels*. Since the RCNM calculations do not account for shielding due to existing property line walls, intervening buildings and structures, ground effects, or air absorption, the results of these calculations are conservative (that is, they represent a "worst-case" scenario). As shown in Table 5.12-5, construction-related noise levels are estimated to reach up to 74 dBA and would not exceed the 80 dBA Leq threshold at the nearest sensitive receptors. Therefore, project construction noise impacts would be less than significant.

Table 5.12-5 Project-Related Construction Noise Levels

Construction Activity Phase	Noise Levels in dBA L_{eq}						
	RCNM Reference Noise Level	Receptor to North - School Campus	Receptor to East - School Campus	Receptor to East - Commercial	Receptor to Southeast - Residential	Receptor to West - Commercial	Receptor to North - Residential
Distance in feet	**50**	**325**	**200**	**200**	**195**	**275**	**200**
Site Prep	81	65	69	69	69	66	69
Grading	84	68	72	72	72	69	72
Distance in feet	**50**	**245**	**245**	**225**	**480**	**75**	**145**
Building Construction	79	65	65	66	59	75	70
Architectural Coating	74	60	60	61	54	70	65
Distance in feet	**50**	**220**	**220**	**175**	**180**	**100**	**85**
Paving	79	66	66	68	68	73	74
Maximum dBA L_{eq}		**69**	**73**	**73**	**73**	**73**	**74**
Exceeds FTA's 80 dBA L_{eq} hreshold?		**No**	**No**	**No**	**No**	**No**	**No**

Source: FHWA's RCNM software. Distance measurements were taken using Google Earth (2020) from the acoustical center of the project site.
dBA L_{eq} = Energy-Average (Leq) Sound Levels.

Liberty Campus Receptors

Students and staff would remain on the existing COE campus during site preparation and building construction. Construction activities could occur within 200 feet of existing classroom buildings. As shown in Table 5.12-5, construction noise levels would range between 60 and 73 dBA Leq at 200 feet. Typical exterior-to-interior noise attenuation is 25 dBA with windows and doors closed. This would result in interior noise levels of approximately 35 to 48 dBA Leq. Speech interference is considered intolerable when background noise levels exceed 60 dBA. However, average construction noise levels are not expected to exceed 60 dBA Leq within adjacent classrooms based on typical exterior-to-interior noise attenuation. In addition, to avoid classroom disruption, some work would be done during instructional breaks when students and staff are not on the existing Liberty campus. Additionally, construction would occur throughout the project site and thereby would be further than 200 feet at times, which would reduce interior noise levels. Therefore, construction noise impacts to the existing Liberty campus would be less than significant.

Level of significance Before Mitigation: Less Than Significant.

Impact 5.12-2: Project implementation would not result in temporary or permanent increases in ambient noise levels in the vicinity of the proposed project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. [Threshold N-1]

The proposed project's primary onsite operational noise sources would include heating ventilation and cooling (HVAC) equipment for the new performing arts theater, AcCEL Center, and library; parking lot activity; and an increase in traffic noise on project area roadways. The proposed project would include 500 parking spaces south of the proposed theater and 67 parking spaces north of AcCEL Center and library. Implementation of the proposed project would increase existing traffic volumes with the addition of daily project trips ranging

from 180 for the AcCEL Center and library activities to an increase of 1,190 daily trips for an at-capacity theater event. Operational noise evaluated for the proposed project activities would include HVAC, parking lot, and traffic noise.

Per General Plan policy HS-8.8, the County shall not permit development of new industrial, commercial, or other noise generating land uses if resulting noise levels will exceed 60 dBA Ldn (or CNEL) at the boundary of areas designated and zoned for residential or other noise-sensitive uses.

In addition, a project will normally have a significant effect on the environment related to noise if it substantially increases the ambient noise levels for adjoining areas. Most people can detect changes in sound levels of approximately 3 dBA under normal, quiet conditions, and changes of 1 to 3 dBA under quiet, controlled conditions. Changes of less than 1 dBA are usually indiscernible. A change of 5 dBA is readily discernible to most people in an outdoor environment. Noise levels up to 65 dBA CNEL are normally acceptable. Noise levels above 70 dBA CNEL are normally unacceptable at sensitive receptor locations, such as residences, and noise environments in these areas would be considered degraded. Based on this, a significant impact would occur if mechanical equipment, parking lot noise, or traffic noise increases of greater than 1.5 dBA to 3 dBA CNEL, based on ambient noise levels shown in Tables 5.12-2 through 5.12-4 above.

Mechanical Equipment

Noise from potential heating, ventilation, and air conditioning (HVAC) equipment associated with the new performing arts theater, AcCEL Center, and library was analyzed. Typical HVAC equipment generates noise levels ranging up to 78 dBA at a distance of 3 feet. To be conservative it is assumed that HVAC equipment would be installed at the nearest edge of the proposed new performing arts theater, AcCEL Center, and library buildings to sensitive receptors. The nearest residential property line to the proposed AcCEL Center and library buildings is approximately 160 feet to the north across Avenue 264/Liberty Road. At this distance, noise levels would attenuate to 44 dBA Leq. The nearest residential property line to the proposed performing arts theater building is approximately 560 feet to the southeast across N Mooney Boulevard/State Route 63. At this distance, noise levels would attenuate to 33 dBA Leq. The existing Liberty campus property line to the proposed AcCEL Center and library buildings is approximately 75 feet to the west. At this distance, noise levels would attenuate to 50 dBA Leq. The existing Liberty campus property line to the proposed performing arts theater building is approximately 135 feet to the north. At this distance, noise levels would attenuate to 45 dBA Leq.

HVAC equipment would not exceed General Plan policy HS-8.8 of 60 dBA Ldn (or CNEL) at adjacent receptors to the project site. Furthermore, operational noise from HVAC equipment would not substantially increase ambient noise levels at nearby residences. Thus, noise impacts from mechanical equipment would be less than significant.

Parking Lot Noise

The proposed project would accommodate 67 new parking spaces in the northern portion of the project site for the AcCEL Center and Library and 500 new parking spaces in the southern portion of the project site for the performing arts theater. Parking lot noise would consist of vehicles idling and maneuvering, doors opening and closing, and voices in the parking lot areas and driveways. Based upon previous noise measurements

conducted, the single event noise level (SEL) associated with a parking event is typically 71 dBA SEL at 50 feet. When quantifying the associated noise level for the project parking stalls adjacent to the existing nearby single-family residential uses, a conservative approach to the number of parking events, or a single car parking in a parking space, to occur within a peak hour was taken. Assuming that each parking stall was to fill and empty during the peak hour, the noise level is predicted to be 54 dBA Leq at 50 feet from the center of the AcCEL Center and library parking stalls and 62 dBA Leq at 50 feet from the center of the performing arts theater parking stalls.

The nearest single-family residential property line is approximately 90 feet from the center of the proposed AcCEL Center and library parking lot, resulting in a noise level of 49 dBA Leq. The nearest single-family residential property line is, conservatively, 150 feet from the center of the proposed performing arts theater parking lot, resulting in a noise level of 53 dBA Leq. The existing Liberty campus property line is approximately 225 feet from the center of the proposed AcCEL Center and library parking lot, resulting in a noise level of 41 dBA Leq. The existing Liberty campus property line is, conservatively, 400 feet from the center of the proposed performing arts theater parking lot, resulting in a noise level of 36 dBA Leq. Based on the measured ambient noise levels shown in Tables 5.12-2 through 5.12-4, ambient noise levels would result in an increase of less than 1 dBA to the existing noise environment due to the addition of the proposed project's parking lots.

General Plan policy HS-8.8, parking lot noise would not exceed the County noise standard 60 dBA Ldn (or CNEL) at the boundary of areas designated and zoned for residential or other noise-sensitive uses. Furthermore, project parking lot noise would not substantially increase ambient noise levels at nearby residences. Thus, noise impacts from the parking lot would be less than significant.

Traffic Noise

Future development and activities under the proposed project are expected to affect the community noise environment mainly by generating traffic on project area roadways due to onsite events. Implementation of the proposed project would not generate new vehicle trips, but rather trips would be diverted from the current locations of COE AcCEL, library, and theater uses locations to the project area roadways. Transportation-source noise levels were calculated using the FHWA Highway Noise Prediction Model (FHWA-RD-77-108) with traffic counts provided by Garland Associates (Garland 2025, See Appendix M). Modeled traffic volumes were derived from traffic turning movements at study intersections from the traffic report. The traffic noise model calculates the average noise level at specific locations based on traffic volumes, average speeds, roadway geometry, and site environmental conditions. The average vehicle noise rates (energy rates) used in the FHWA model have been modified to reflect average vehicle noise rates identified for California by Caltrans. Table 5.12-6, *Project-Related Traffic Noise*, summarizes project-related traffic-noise increases by study roadway segment. Cumulative traffic noise impacts are discussed in Section 5.12.4, *Cumulative Impacts*.

Table 5.12-6 Project-Related Traffic Noise

Roadway Segments	Noise Levels, dBA CNEL							
	Existing No Project	Existing With Project No Event	Existing With Project Typical Event	Existing With Project Capacity Event	Future No Project	Future With Project No Event	Future With Project Typical Event	Future With Project Capacity Event
Avenue 264/Liberty Road								
West of N Mooney Boulevard	67	67	67	67	67	67	67	68
East of N Mooney Boulevard	65	65	65	65	65	65	65	66
N Mooney Boulevard/SR-63								
North of Avenue 264	74	74	74	74	74	74	74	75
South of Avenue 264	74	74	74	74	74	74	74	74

Source: Traffic data provided by Garland Associates 2025. See Appendix M.

As shown in Table 5.12-6, project-related traffic noise increases would result in a 1 dBA and would not exceed the standard of 1.5 dBA for ambient noise environments of 65 dBA CNEL, 3 dBA for ambient noise environments of 60 to 64 CNEL, and 5 dBA for ambient noise environments of less than 60 dBA CNEL. Therefore, impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.12-3: The project would not generate excessive short-term or long-term groundborne vibration or groundborne noise levels. [Threshold N-2]

Construction

Potential vibration impacts associated with development projects are usually related to the use of heavy construction equipment during the demolition, site preparation, and grading phases of construction. Construction can generate varying degrees of ground vibration depending on the construction procedures and equipment. Construction equipment generates vibration that spreads through the ground and diminishes with distance from the source. The effect on buildings in the vicinity of the construction site varies depending on soil type, ground strata, and receptor-building construction. The effects from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to slight structural damage at the highest levels. Vibration from construction activities rarely reaches levels that can damage structures.

For reference, a vibration level of 0.2 in/sec PPV is used as the limit for nonengineered timber and masonry buildings, which would conservatively apply to the surrounding structures (FTA 2018). Typical construction equipment can generate vibration levels ranging from 0.21 in/sec PPV at 25 feet. Table 5.12-7, *Vibration Impact Levels for Typical Construction Equipment*, summarizes vibration levels for typical construction equipment at a reference distance of 25 feet and adjacent receptors. The nearest off-site receptors are residences along Avenue 264/Liberty Road are approximately 60 feet north of the nearest construction impact area. At this distance, construction vibration from a vibratory roller would attenuate to 0.056 in/sec PPV or less. The nearest non-

residential receptor, the existing Liberty campus, is approximately 45 feet east of the nearest construction impact area. At this distance, construction vibration from a vibratory roller would attenuate to 0.087 in/sec PPV or less. Proposed construction activities would not exceed the FTA vibration standard of 0.2 in/sec PPV at nearby structures. Therefore, impacts from construction vibration would be less than significant.

Table 5.12-7 Vibration Impact Levels for Typical Construction Equipment

	in/sec PPV					
Equipment	Reference Levels at 25 Feet	Receptor - School Campus at 45 feet[1]	Receptor to East - Commercial at 175 feet[1]	Receptor to South - Residential at 220 feet[1]	Receptor to West – Commercial at 160 feet[1]	Receptor to North – Residential at 60 feet[1]
Vibratory Roller	0.21	0.087	0.011	0.008	0.013	0.056
Clam shovel	0.202	0.084	0.011	0.008	0.012	0.054
Hoe Ram	0.089	0.037	0.005	0.003	0.005	0.024
Large Bulldozer	0.089	0.037	0.005	0.003	0.005	0.024
Caisson Drilling	0.089	0.037	0.005	0.003	0.005	0.024
Loaded Trucks	0.076	0.031	0.004	0.003	0.005	0.020
Jackhammer	0.035	0.014	0.002	0.001	0.002	0.009
Small Bulldozer	0.003	0.001	0.000	0.000	0.000	0.001

Notes: [1]As measured from the edge of construction site using Google Earth Pro.
Source: FTA 2018. See Appendix K for calculations

Operational Vibration

Proposed project operation would not include any substantial long-term vibration sources. Therefore, no significant vibration effects would occur; thus, impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.12-4: The proximity of the project site to an airport would not result in exposure of future students and/or workers to airport-related noise. [Threshold N-3]

The project site is approximately 4.75 miles southeast of the Visalia Municipal Airport and approximately 7.3 miles northeast of the Mefford Field Airport. Therefore, the proposed project would not expose people residing or working in the project area to excessive noise levels, and no impact would occur.

Level of Significance Before Mitigation: No Impact.

5.12.4 Cumulative Impacts

Noise and vibration are localized occurrences; they decrease rapidly in magnitude as the distance from the source to the receptor increases. Therefore, only those cumulative projects that are in the direct vicinity of the project site would have the potential to be considered in a cumulative context with the project's contribution. No major stationary sources of noise, construction noise, or groundborne vibration sources have been identified in the project area. The UPHS is located approximately 3.7 miles north of the project site and UPHS students would be relocated to the existing Liberty campus in summer 2027. Additionally, the Liberty Sewer

Connection project would occur within and near the intersection of Avenue 264/Liberty Road and N Mooney Boulevard/State Route 63.

Construction

Cumulative impacts would only occur if other projects are being constructed in the vicinity of the project site at the same time as the proposed project. The general area around the project site does not have future planned projects. Relocating UPHS students to the project site would not involve construction activities and construction activities from the Liberty Sewer Connection project would be short term Project construction noise would not combine with other planned and approved construction projects to create cumulatively considerable impacts. Therefore, cumulative construction noise and vibration impacts would be less than significant.

Operation

Operation of the proposed project would not exceed the County noise standards at residential uses located to the north and southeast of the project boundary. Noise sources associated with proposed HVAC equipment, parking lot events, and daily traffic noise increases would not result in a cumulative noise impact. As shown in Table 5.12-6, the cumulative traffic noise increase would be less than the most stringent significance threshold of 1.5 dBA for ambient noise environments of 65 dBA CNEL. In addition, implementation of the proposed project in conjunction with relocating UPHS students to the existing Liberty campus would not create a cumulative operational impact and no operational impacts would occur from the Liberty Sewer Connection project. As indicated in the traffic noise analysis above, relocating UPHS students would result in a less than 1 dBA increase in the future traffic noise condition, see Table 5.12-6. Therefore, cumulative operational noise impacts would be less than significant.

5.12.5 References

California Department of Transportation (Caltrans). 2013, November. Technical Noise Supplement ("TeNS"). https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tens-sep2013-a11y.pdf

_____. 2020, April. Transportation and Construction Vibration. https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tcvgm-apr2020-a11y.pdf

Federal Highway Administration (FHWA). 1978, December. Federal Highway Traffic Noise Prediction Model. U.S. Department of Transportation (DoT) Report No. FHWA-RD77-108.

_____. 2006, January. FHWA Roadway Construction Noise Model (RCNM) User's Guide. https://www.fhwa.dot.gov/environment/noise/construction_noise/rcnm/rcnm.pdf

Federal Transit Administration (FTA). 2018. Transit Noise and Vibration Impact Assessment Manual. 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

Garland 2025, December. Traffic/Transportation Analysis for the Proposed AcCel Center, Library, & Theater Project. Appendix M.

Tulare County. 2025. Tulare County General Plan Health and Safety Element. https://generalplan.co.tulare.ca.us/

5. Environmental Analysis
NOISE

This page intentionally left blank.

5.13 POPULATION AND HOUSING

This section of the Draft Environmental Impact Report (DEIR) examines the potential for the proposed project to result in substantial unplanned population growth or the displacement of people or housing.

No public comment letters were received in response to the Notice of Preparation (NOP) related to population and housing. Refer to Appendix A for all NOP comment letters.

5.13.1 Environmental Setting

5.13.1.1 REGULATORY BACKGROUND

State and local laws, regulations, plans, or guidelines related to population and housing and potentially applicable to the proposed project are summarized below.

State Regulations

California Housing Element Law

California planning and zoning law requires each city and county to adopt a general plan for future growth (California Government Code Section 65300). This plan must include a housing element that identifies housing needs for all economic segments and provides opportunities for housing development to meet that need. At the state level, the Housing and Community Development Department (HCD) estimates the relative share of California's projected population growth that would occur in each county based on California Department of Finance population projections and historical growth trends. These figures are compiled by HCD into a Regional Housing Needs Assessment (RHNA) for each region of California. Where there is a regional council of governments, the HCD provides the RHNA to the council. The council assigns a share of the regional housing need to each of its cities and counties. The process of assigning shares gives cities and counties the opportunity to comment on the proposed allocations. The HCD oversees the process to ensure that the councils of governments distribute their shares of the state's projected housing needs.

California Housing Element Law (Government Code Sections 65580 to 65589) requires that each city and county identify and analyze existing and projected housing needs in its jurisdiction and prepare goals, policies, and programs to further the development, improvement, and preservation of housing for all economic segments of the community, commensurate with local housing needs.

Regional Regulations

Tulare County Association of Governments

Tulare County Association of Governments (TCAG) is a council of governments representing Tulare County. TCAG is the federally recognized metropolitan planning organization (MPO) for Tulare County and has responsibilities as Tulare County's Council of Governments (COG). It serves as a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. TCAG's purpose is to assist local jurisdictions with obtaining federal assistance by providing advice, counsel,

and professional direction; review and coordinate applications for programs utilizing federal funding; and as a local clearinghouse, coordinate state grants by circulating notices, collecting comments, and reporting to the TCAG Board of Governors. The proposed project is in unincorporated Tulare County, within the TCAG region.

TCAG 2022 Regional Transportation Plan / Sustainable Communities Strategy

TCAG's 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) provides the goals and policies that guide growth in the region, including growth projections for the region's cities and counties. This long-range plan, required by the state of California and the federal government, is updated by TCAG every four years as demographic, economic, and policy circumstances change. In the 2022 RTP/SCS, TCAG provides growth forecasts for population, households, and employment for the year 2046.

Tulare County General Plan

Tulare County adopted its current General Plan in 2012. The 2015 Tulare County Housing Element Update includes the following goals and policies related to population and housing and the proposed project.

Housing Element

PF-1.1 Maintain Urban Edges: The County shall strive to maintain distinct urban edges for all unincorporated communities within the valley region or foothill region, while creating a transition between urban uses and agriculture and open space.

PF-1.2 Location of Urban Development: The County shall ensure that urban development only takes place in the following areas:

1. Within incorporated cities and County Adopted City Urban Development Boundary (CACUDBs);

2. Within the Urban Development Boundaries (UDBs) of adjacent cities in other counties, unincorporated communities, planned community areas, and Hamlet Development Boundary (HDBs) of hamlets;

3. Within foothill development corridors as determined by procedures set forth in Foothill Growth Management Plan;

4. Within areas set aside for urban use in the Mountain Framework Plan and the mountain sub-area plans; and

5. Within other areas suited for non-agricultural development, as determined by the procedures set forth in the Rural Valley Lands Plan."

PF-1.3 Land Uses in UDBs/HDBs: The County shall encourage those types of urban land uses that benefit from urban services to develop within UDBs and HDBs. Permanent uses which do not benefit from urban services shall be discouraged within these areas. This shall not apply to agricultural or agricultural support uses, including the cultivation of land or other uses accessory to the cultivation of land provided that such accessory uses are time-limited through Special Use Permit procedures.

- **Policy 3.21.** Promote and encourage "infill" development within the development boundaries of unincorporated communities and review current zoning to ensure that it is not impeding development.
- **Policy 4.15.** Enforce energy Efficiency Standards for Residential and Non-Residential properties (Title 24).
- **Policy 4.23.** Consider and include information regarding trip generation into staff reports and/or environmental assessments for development.

5.13.1.2 EXISTING CONDITIONS

Population

The population of all Tulare County, including the incorporated cities, from the 2010 decennial census and 2024 American Community Survey (ACS) estimates are shown in Table 5.13-1, *County of Tulare Population, 2010–2024*. According to Table 5.13-1, the population increased by 6.99 percent in Tulare County between 2010 and 2020, and 2.2 percent between 2020 and 2024.

Table 5.13-1 County of Tulare Population, 2010–2024

2010	2020	Change, 2010–2020	Percent Change, 2010–2020	2020	2024	Change, 2020–2024	Percent Change, 2020–2024
442,179	473,117	30,938	+6.99%	473,117	483,546	10,429	+2.2%

Source: Census 2025.

The population of unincorporated Tulare County from the 2010 and 2024 California Department of Finance (DOF) estimates are shown in Table 5.13-2, *Unincorporated County of Tulare Population, 2010–2024*. According to Table 5.13-2, the population decreased by 5.24 percent in unincorporated Tulare County between 2010 and 2020 and decreased by 0.19 percent between 2020 and 2024.

Table 5.13-2 Unincorporated County of Tulare Population, 2010–2024

2010	2020	Change, 2010–2020	Percent Change, 2010–2020	2020	2024	Change, 2020–2024	Percent Change, 2020–2024
142,872	135,760	-7,112	-5.24%	135,760	135,500	-260	-.0.19%

Source: DOF 2012, 2025

Employment

The average annual employment rate is seasonally adjusted, and percentage changes are shown in Table 5.13-3, *Employment Trends in Tulare County*. Data in Table 5.13-2 is provided by the State of California Employment Development Department (EDD), which provides the most current labor market data. According to Table 5.13-2, employment has increased in Tulare County over the past three years. Employment increased by 5.89 percent in 2022, 1.87 percent in 2023, and 1.17 percent in 2024 from the prior year. Additionally, the last year of employment decline was 4.01 percent in 2020. Overall, employment increased from 2014 to 2024.

Table 5.13-3 Employment Trends in Tulare County

Year	Employment	Percent Change
2014	171,800	N/A
2015	178,600	3.95%
2016	182,300	2.07%
2017	185,000	1.48%
2018	184,900	-0.05%
2019	184,500	-0.22%
2020	177,100	-4.01%
2021	181,500	2.48%
2022	192,200	5.89%
2023	195,800	1.87%
2024	198,100	1.17%

Source: EDD 2024.

Growth Projections

Tulare County Association of Governments

TCAG undertakes comprehensive regional planning with an emphasis on transportation. TCAG's 2022 RTP/SCS provides the most current projections of population, households, and total employment for Tulare County. TCAG projects that population, housing, and employment will grow in Tulare County between 2021 to 2046. According to the projections in Table 5.13-4, *TCAG's Growth Projections for Tulare County*, the population of all Tulare County, including the incorporated cities, would be 567,383 by 2046, the number of housing units would be 195,210, and the number of jobs would be 218,846 by 2046.

Table 5.13-4 TCAG Growth Projections for Tulare County

	2021	2046	Change, 2021–2046	Percentage Change, 2021–2046
Population	481,649	567,383	85,734	17.8%
Housing units	154,436	195,210	40,774	26.4%
Employment	187,137	218,846	31,709	16.9%

Source: TCAG 2022.

Additionally, based on the projections in Table 5.13-5, *TCAG's Growth Projections for unincorporated Tulare County*, the population of unincorporated Tulare County would be 170,801 by 2046, the number of housing units would be 57,259, and the number of jobs would be 29,596 by 2046.

Table 5.13-5 TCAG Growth Projections for Unincorporated Tulare County

	2021	2046	Change, 2021–2046	Percentage Change, 2021–2046
Population	144,992	170,801	25,809	17.8%
Housing units	45,299	57,259	11,960	26.4%
Employment	25,308	29,596	4,288	16.9%

Source: TCAG 2022.

5.13.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

P-1 Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).

P-2 Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

5.13.3 Environmental Impacts

The applicable thresholds are identified in brackets after the impact statement.

Impact 5.13-1: The proposed project would not either directly or indirectly induce unplanned substantial population growth in Tulare County [Threshold P-1]

Construction

The construction is assumed to occur in two phases; phase one is anticipated to start in May 2026 and end approximately June 2027, and phase two is anticipated to start in January 2028 and end approximately January 2030. Construction of the proposed project would require labor which would be available from the local and regional labor pool. Construction of the proposed project would be temporary and would cease after completion of each construction phase. Therefore, the proposed project would not result in a long-term increase in employment from short-term construction activities. Construction of additional housing for construction workers would not be necessary, and no additional infrastructure would be provided. Therefore, the proposed project would not directly nor indirectly induce substantial population growth in the project area during construction.

Operation

The proposed project does not include the development of housing units, and as such, would not generate direct new housing units nor population growth.

With respect to employment, TCAG's RTP/SCS projects that approximately 218,846 new jobs would be added within the County by 2046. As described in Chapter 3, Section 3.4.1, *Proposed Land Uses*, the proposed project would include development of the AcCEL Center, which would employ approximately 20 staff members; a library, which would employ approximately 5 staff members; and a performing arts theater, which would employ approximately 15 staff members. As such, the proposed project could generate up to 40 new employment positions. However, since some of the proposed project's uses, such as the library and the AcCEL Center, are existing uses and would be relocated to the project site, the existing COE staff for these facilities would come from other locations and the employment positions are existing and filled. As such, the proposed project's employment generation of 40 new positions is a conservative estimate. Existing staff are anticipated to already reside in Tulare County. For this reason, any new staff that would relocate to the county for an employment opportunity is expected to be minimal.

The proposed project's employment generation is consistent with the County's employment growth forecast, which projects an increase of employment opportunities of 31,709 by 2046 (see Table 5.13-4). Further, according to Table 5.13-3, the number of jobs in 2024 was 198,100, which represents the most current information. Based on the number of jobs in 2024, the proposed project would bring the total to approximately 198,140 jobs within the County, which is within TCAG's employment projections for 2046. The proposed project's employment contribution would represent less than 1 percent of the anticipated employment growth in the County[1], well within unincorporated Tulare County's anticipated employment growth (0.94 percent[2]; see Table 5.13-5). A portion of these jobs would also be filled by the existing labor pool. Therefore, the proposed project would not result in a substantial increase in employment. Therefore, the proposed project would not result in unplanned substantial population growth.

Further, the proposed project does not include the extension of roads or other infrastructure that could generate indirect population growth. The proposed project would develop a site with educational services to support the COE services. The proposed project's driveways would connect to existing roadways, and its utilities would connect to existing utilities in the public right-of-way. As such, the proposed project would not generate indirect population growth.

Therefore, the proposed project would not directly nor indirectly induce substantial population growth in the project area during operation.

Based on the above, the proposed project is consistent with the growth projections of the County. The proposed project would not induce substantial population, housing, nor employment growth. Impacts related to population growth would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

[1] (40 employment positions /31,709 employment positions) 100 = 0.126%.
[2] (40 employment positions /4,228 employment positions) 100 = 0.94%.

Impact 5.13-2: The proposed project would not displace substantial numbers of existing people or housing necessitating the construction of replacement housing elsewhere. [Threshold P-2]

The project site consists of a fallow agricultural field on parcel 149-030-005 and a paved driveway, parking area, disturbed land, fencing, and landscaping/grass turf on parcel 149-030-008. There are no existing housing units or residents on the project site. Furthermore, the proposed project does not include the development of any residential uses.

As such, the proposed project would not displace any existing housing or persons and would not necessitate the construction of replacement housing elsewhere. Therefore, no impact would occur with respect to the displacement of people or housing.

Level of Significance Before Mitigation: No Impact.

5.13.4 Cumulative Impacts

For purposes of evaluating cumulative impacts to population and housing, the geographic area considered for cumulative impacts is the County (incorporated and unincorporated). The proposed project would not generate population growth in the County since no residential development is proposed. The proposed project would not result in the net loss nor displacement of housing units. Although the proposed project would increase the number of jobs, these jobs would represent less than 1 percent of the growth employment for the County, which is well within TCAG's employment projections for 2046. Therefore, the proposed project would not result in impacts that could combine population and housing impacts in a way that would be cumulatively considerable; therefore, cumulative impacts would be less than significant.

In addition to the proposed project, the UPHS students will be moved onto the current COE Liberty campus during the summer of 2027 and would consist of 250 students. An additional project in the project area would include construction of a sewer line to a City of Visalia sewer connection to the existing COE Liberty campus which would be permanent. Construction of the sewer line would be short term and would be located in developed land and within an existing right-of-way. The new sewer line project and moving 250 UPHS students would not result in the construction of any housing units and would be located within an existing right-of-way and on the existing COE Liberty campus which would not displace any people or housing. Therefore, the proposed project would not combine with UPHS relocation project to create a cumulative impact to population and housing.

5.13.5 Level of Significance Before Mitigation

The following impacts would be less than significant: 5.9-1 and 5.9-2.

5.13.6 Mitigation Measures

No mitigation measures are required.

5.13.7 Level of Significance After Mitigation

No significant impacts related to population and housing were identified; therefore, no significant and unavoidable adverse impacts would occur.

5.13.8 References

Employment Development Department (EDD), State of California. 2025, May 15 (accessed). https://labormarketinfo.edd.ca.gov/cgi/dataanalysis/AreaSelection.asp?tableName=labforce.

Department of Finance, California (DOF). 2012, November 9. E-4 Population Estimates for Cities, Counties, and the State, 2001-2010, with 2000 & 2010 Census Counts.

_____. 2025, May 1. E-4 Population Estimates for Cities, Counties, and the State, 2021–2025, with 2020 Census Benchmark. https://dof.ca.gov/forecasting/demographics/estimates/

Tulare County Association of Government (TCAG). 2022, August 1. 2022 Regional Transportation Plan/Sustainable Communities Strategy. https://tularecog.org/tcag/planning/rtp/rtp-2022/.

United States Census Bureau (Census). 2025, May 15 (accessed). Quick Facts – Tulare County. https://www.census.gov/quickfacts/fact/table/tularecountycalifornia/POP010210#POP010210.

5.14 PUBLIC SERVICES

This section addresses the proposed project's impacts to public services providing fire protection and emergency services, police protection, school services, park services, and library services. Recreational services are addressed in Section 5.15, *Recreation*. Public and private utilities and service systems, including water, wastewater, and solid waste services and systems, are addressed in Section 5.18, *Utilities and Service Systems*.

The analysis in this section is based in part on the following public service letter:

- *Tulare County Fire Department Response Letter*, Tulare County Fire Department, September 30, 2025

A complete copy of this study is included in the Appendix L to this Draft EIR.

A public comment was received in response to the Notice of Preparation (NOP) related to public services. A letter from the Tulare County Fire Department received on April 24, 2025, discusses relevant regulations, codes, and standards administered by the Tulare County Fire Department for fire services. The relevant issues raised from the comment letter are addressed throughout this section. Refer to Appendix A for the response to the NOP comment letter.

5.14.1 Fire Protection and Emergency Services

5.14.1.1 ENVIRONMENTAL SETTING

Regulatory Background

State and local laws, regulations, plans, and guidelines related to fire protection and emergency services apply to the proposed project and are summarized below.

State Regulations

California Building Code

The California Building Code (CBC), in Part 2 of Title 24 of the California Code of Regulations, establishes the minimum state building standards. The CBC is currently updated every three years. The most recent update is the 2022 CBC, effective January 1, 2023. It is based on the 2021 International Building Code but amended to account for California conditions. The CBC is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local needs. Commercial and residential buildings are plan-checked by City building officials for compliance with the CBC. Typical fire safety requirements of the CBC include installing sprinklers in all high-rise buildings; establishing fire resistance standards for fire doors, building materials, and particular types of construction; and clearing debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas.

California Fire Code

The California Fire Code (CFC; California Code of Regulations Title 24, Part 9) regulates emergency access and emergency egress routes; interior and exterior design and materials; fire safety features, including sprinklers; and hazardous materials. The CFC is issued on a three-year cycle; the 2022 edition took effect January 1, 2023, and was adopted and incorporated by reference in Chapter 15, Article 3 of the Tulare County Code.

California Health and Safety Code

California Health and Safety Code Sections 13000 et seq. includes fire regulations for building standards (also in the CBC), fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, standards for high-rise buildings and childcare facilities, and fire suppression training.

California Occupational Safety and Health Administration

In accordance with the California Code of Regulations, Title 8, Sections 1270, "Fire Prevention," and 6773, "Fire Protection and Fire Fighting Equipment," the California Occupational Safety and Health Administration has established minimum standards for fire suppression and emergency medical services. The standards include but are not limited to guidelines on the handling of highly combustible materials, firehouse sizing requirements; restrictions on the use of compressed air; access roads; and the testing, maintenance, and use of all firefighting and emergency medical equipment.

Local Regulations

Tulare County Fire Department 2024 Annual Report

The Tulare County Fire Department's (TCFD) annual report serves to provide a transparent record of accomplishments, activities, and financial summaries from the past year, highlighting strategic initiatives and future goals to offer stakeholders insights into the department's impact and direction. It details the department's commitment to fire prevention, suppression, and emergency medical services, showcasing progress in achieving its mission to serve the community.

The 2024 Annual Report highlighted that the TCFD received over 16,000 calls for service and that new equipment purchased included five new firefighter engines, three new wildland firefighter engines, and two new ladder trucks. Of the over 16,000 calls for service, 11,704 were for emergency services, 4,420 were for fire related emergencies, and 1,336 were for mutual aid received, with 692 given; the average time on scene was 29 minutes and 34 seconds. The 2024 Annual Report also notes that the TCFD is separated into three battalions: North, East, and West. The project site is in the North Battalion, which handled approximately 45 percent of the calls in 2024. The West Battalion has nine stations. Four of the seven stations include at least one fulltime, two-person crew but also rely on "extra help firefighters", which are paid as-needed staff, to staff other stations (TCFD 2024).

Tulare County General Plan

The General Plan has a number of policies that apply to projects within Tulare County. General Plan policies that relate to fire protection and emergency services and the proposed project are listed below.

- **HS-1.1 Maintain Emergency Public Services.** The County shall ensure that during natural catastrophes and emergency situations, the County can continue to provide essential emergency services.

- **HS-1.4 Building and Codes.** Except as otherwise allowed by State law, the County shall ensure that all new buildings intended for human habitation are designed in compliance with the latest edition of the California Building Code, California Fire Code, and other adopted standards based on risk (e.g., seismic hazards, flooding), type of occupancy, and location (e.g., floodplain, fault).

- **HS-1.8 Response Times Planning in GIS.** The County shall utilize its Geographic Information Systems (GIS) technology to track fire and law enforcement responses times and provide technical assistance to fire and law enforcement agencies.

- **PFS-7.1 Fire Protection.** The County shall strive to expand fire protection service in areas that experience growth in order to maintain adequate levels of service.

- **PFS-7.2 Fire Protection Standards.** The County shall require all new development to be adequately served by water supplies, storage, and conveyance facilities supplying adequate volume, pressure, and capacity for fire protection.

- **PFS-7.4 Interagency Fire Protection Cooperation.** The County shall continue to promote cooperative fire protection agreements with municipal and special district fire departments, State and federal forest agencies, and adjacent County fire departments to provide added fire protection on a year round basis.

- **PFS-7.5 Fire Staffing and Response Time Standards.** The County shall strive to maintain fire department staffing and response time goals consistent with National Fire Protection Association (NFPA) standards.

Fire Staffing and Response Time Standards

	Demographics	Staffing/Response Time	% of Calls
Urban	> 1,000 people/sq.mi.	15 FF/9 min.	90
Suburban	500-100 people/sq.mi.	10 FF/10 min.	80
Rural	< 500 people/sq.mi.	6 FF/14 min.	80
Remote[1]	Travel Dist.>8 min.	4 FF/no specific response time	90

Source: 2030 Update Tulare County General Plan, Chapter 14. Public Facilities and Services
[1] Upon assembling the necessary resources at the emergency scene, the fire department should have the capacity to safety commence an initial attach within 2 minutes, 90% of the time.

- **PFS-7.6 Provision of Station Facilities and Equipment.** The County shall strive to provide sheriff and fire station facilities, equipment (engines and other apparatus), and staffing necessary to maintain the County's service goals. The County shall continue to cooperate with mutual aid providers to provide coverage throughout the County.

- **PFS-7.7 Cost Sharing.** The County shall require new development to pay public facility fees associated with new sheriff/fire station facilities and equipment necessary to maintain the County's service standards in that area. New development may also be required to create or join a special assessment district, or other funding mechanism, to pay the costs associated with the operation of a sheriff/fire station.

- **PFS-7.11 Locations of Fire and Sheriff Stations/Sub-stations.** The County shall strive to locate fire and sheriff sub-stations in areas that ensure the minimum response times to service calls.

Tulare County Code

The following provisions from Chapter 15, Article 3 of the Tulare County Code focus on incorporation of the CFC into the Tulare County Code and are relevant to the proposed project:

> Except as otherwise provided in this Article, the code and regulations known as the 2022 California Fire Code, based on the 2021 International Fire Code and found in Title 24, Part 9 of the California Code of Regulations, including Appendix D – Fire Apparatus Access Roads; Appendix F – Hazard Ranking; Appendix I – Fire Protection Systems – Non-Compliance Conditions; Appendix K – construction requirements for existing ambulatory care facilities; Appendix N – Indoor trade shows and exhibits; Appendix O – temporary haunted houses, Ghost Walks and Similar Amusement Uses; Section 503, Fire Apparatus Access Roads; Section 805, Upholstered Furniture and mattresses in new and existing buildings; and Section 5707, On-Demand Mobile Fueling Operations, are hereby adopted and made part of this Article as if fully set forth herein as the Fire Code of the County of Tulare, and shall hereinafter be referred to as the "California Fire Code."

Existing Conditions

Tulare County Fire Department

The project site is served by the Tulare County Fire Department (TCFD), which provides fire and emergency response services to all unincorporated areas of Tulare County. TCFD was established on July 1, 2007. Prior to that, the County of Tulare contracted with the California Department of Forestry and Fire Protection (CAL FIRE) to provide fire protection. The TCFD consists of three battalions: North Battalion, East Battalion, and West Battalion. There are a total of 26 fire stations across all three battalions. The TCFD fire stations rely on a mix of full-time firefighters and Extra Help firefighters to staff the TCFD fire stations. The North Battalion serves the project site. Fire Station #1, approximately 3.2 miles southeast of the project site, is the closest fire station to the project site.

TCFD responds to a variety of calls. These include fires, explosions, rescue and emergency, hazardous conditions, service calls, good intent calls, severe weather/natural disasters, and other calls. The TCFD also responds to wildfire incidents and provides mutual aid to other jurisdictions in and outside California. For 2024, the TCFD responded to 11,704 emergency medical service calls and 4,420 fire-related calls, gave mutual aid in 692 instances, and received mutual aid in 1,336 instances. Additionally, the average time on scene is 29 minutes and 34 seconds (TCFD 2024). Response times are included in the Tulare County General Plan and are divided into urban, suburban, rural, and remote under Policy PFS-7.5, as seen above. The proposed project is in a rural area of the county and has a response time of 14 minutes.

On September 23, 2025, the District sent the TCFD a public service letter that included a Fire Services Questionnaire asking TCFD to answer questions and comment on the potential impact of the proposed project on TCFD services; see Appendix L. On September 30, 2025, the District received a response to the public service letter from the TCFD. As stated in Appendix L, Fire Station #25 would also serve the project site in case of a fire in addition to Fire Station #1. Additionally, the TCFD provided information on the equipment type and staffing levels for Fire Stations #1 and #25, as seen in Table 5.14-1, *Fire Station and Equipment Serving the Proposed Project*.

Table 5.14-1 Fire Station and Equipment Serving the Proposed Project

Station	Address	Equipment	Daily Staffing
Tulare County Fire Department			
Tulare County Fire Department – Station #1	25456 Road 140, Visalia, CA 93292	Truck 1 Light & Air 1	2 People 24/7
Tulare County Fire Department – Station #25	2082 E Foster Drive, Tulare, CA 93274	Engine 25 Water Tanker 25	2 People 24/7

Source: Riggi 2025.

According to Table 5.14-1, each fire station serving the project site would include at least two people at the fire stations at all times. As stated in Appendix L, TCFD is not experiencing any deficiencies in fire protection services, there are no plans to expand fire service facility capacity that serve the project site. Additionally, TCFD does not collect development impact fees, and the proposed project would not be subject to development fees (Appendix l).

According to Appendix L, TCFD does not have any policies or standards regarding response times to the service area. TCFD stated that the average response time from Fire Station #1 to the project site would be approximately 7 minutes and the average response time from Fire Station #25 to the project site would be approximately 10 minutes.

5.14.1.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

FP-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services.

5.14.1.3 ENVIRONMENTAL IMPACTS

The applicable thresholds are identified in brackets after the impact statement.

Impact 5.14-1: The proposed project would not result in a substantial adverse physical impact associated with the provisions of new or physically altered fire protection facilities. [Threshold FP-1]

TCFD would provide fire and emergency response services to the project site. The nearest fire station to the project site is Fire Station #1 at 25456 Road 140, Visalia, CA, approximately 3.2 miles southeast of the project site. Fire Station #25 would also serve the project site in case of a fire, which is approximately 5.6 miles south of the project site. There are no existing plans for fire service facilities or expanded capacity (i.e., personnel, equipment, station) that would serve the project site (Appendix L).

Construction

During the construction phase of the proposed project, construction workers would be on-site temporarily. Construction of the proposed project would be required to comply with state building and fire codes to ensure on-site safety during construction. The code includes standards for building and construction and requirements for emergency access, hazardous material handling, and fire protection systems. Construction plans for the proposed project would be reviewed and inspected by the TCSD and Division of State Architect (DSA) to ensure all requirements are met, such as adequate emergency access to the project site during construction. Construction of the proposed project would further implement OSHA regulations to ensure the building would not interfere with access and travel of emergency vehicles. Therefore, project construction would not affect fire/emergency response protection services to the extent that new or physically altered fire facilities would be needed to maintain acceptable service ratios, response times, or other performance objectives for fire protection services; construction-related impacts on fire protection would be less than significant.

Operation

The proposed project would construct a performing arts theater, AcCEL center, and library, increasing the use and number of people on the project site. Compared to existing conditions, the proposed project has the potential to increase the demand on fire protection services. TCFD has reviewed the proposed project and determined the proposed project would have no or "minimal" impact on TCFD's ability to provide fire protection and emergency services to the planning area (see Appendix L).

The proposed access and circulation features at the project site, including new driveways, two parking lots, internal drive aisles connecting the two parking lots, and fire lanes, would be reviewed by TCFD to ensure that the proposed project is constructed under the applicable fire code and health and safety code and that adequate fire services and infrastructure are available. The proposed project would be designed to accommodate emergency access to the facility in accordance with the fire code and would be reviewed by the DSA. DSA review would ensure that plans, specifications, and construction comply with access, fire, and life safety design standards established by DSA and California's building codes (Title 24 of the California Code of Regulations). DSA would review fire department and emergency access roadways to ensure adequate emergency access is maintained. Although the proposed project may create an increase in the demand for fire protection services compared to existing conditions, the proposed project would not generate a substantial increase in fire protection facilities nor personnel in a manner that would require new or physically altered fire

protection facilities, as indicated by TCFD's response letter (see Appendix L). Impacts would be less than significant

Level of Significance Before Mitigation: Less Than Significant.

5.14.1.4 CUMULATIVE IMPACTS

The proposed project, along with other cumulative projects in Tulare County, could result in increased fire protection demands within TCFD service boundaries. The adjacent UPHS would utilize an existing campus and does not include new construction. The Liberty sewer project would be a minor utility project and would not generate an increased demand for fire services. As such, the proposed project would not combine with the relocation of UPHS project nor the Liberty sewer project to create a cumulative impact. Additionally, the proposed project and other development projects in the county would be required to conform with the California health and safety code and fire code; payment of applicable development public facility fees; and review and approval of building plans and emergency access plans by TCFD to reduce impacts. Therefore, with adherence to existing policies and standards, TCFD would be able to maintain adequate fire protection levels and response times in the county, and this cumulative impact would be considered less than significant.

5.14.1.5 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements, the following impacts would be less than significant: 5.14-1.

5.14.1.6 MITIGATION MEASURES

No mitigation measures are required.

5.14.1.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION

No significant impacts related to fire services were identified; therefore, no significant and unavoidable adverse impacts would occur.

5.14.2 Police Protection

5.14.2.1 ENVIRONMENTAL SETTING

Regulatory Background

Local laws, regulations, plans, and guidelines related to police protection that apply to the proposed project are summarized below.

Local Regulations

Tulare County General Plan

General Plan policies that relate to law enforcement services and the proposed project are listed below.

- **HS-1.1 Maintain Emergency Public Services.** The County shall ensure that during natural catastrophes and emergency situations, the County can continue to provide essential emergency services.

- **HS-1.6 Public Safety Programs.** The County shall promote public safety programs, including neighborhood watch programs, child identification and fingerprinting, public awareness and prevention of fire hazards, and other public education efforts.

- **HS-1.8 Response Times Planning in GIS.** The County shall utilize its Geographic Information Systems (GIS) technology to track fire and law enforcement responses times and provide technical assistance to fire and law enforcement agencies.

- **PFS-7.6 Provision of Station Facilities and Equipment.** The County shall strive to provide sheriff and fire station facilities, equipment (engines and other apparatus), and staffing necessary to maintain the County's service goals. The County shall continue to cooperate with mutual aid providers to provide coverage throughout the County.

- **PFS-7.7 Cost Sharing.** The County shall require new development to pay public facility fees associated with new sheriff/fire station facilities and equipment necessary to maintain the County's service standards in that area. New development may also be required to create or join a special assessment district, or other funding mechanism, to pay the costs associated with the operation of a sheriff/fire station.

- **PFS-7.8 Law Enforcement Staffing Ratios.** The County shall strive to achieve and maintain a staffing ratio of 3 sworn officers per 1,000 residents in unincorporated areas.

- **PFS-7.9 Sheriff Response Time.** The County shall work with the Sheriff's Department to achieve and maintain a response time of:
  - Less than 10 minutes for 90 percent of the calls in the valley region; and
  - 15 minutes for 75 percent of the calls in the foothill and mountain regions.

- **PFS-7.10 Interagency Law Enforcement Protection Cooperation.** The County shall continue to promote cooperative law enforcement protection agreements with the Sheriff's Department, California Highway Patrol (CHP), local city police, and adjacent County law enforcement agencies to provide added public protection on a year round basis.

- **PFS-7.11 Locations of Fire and Sheriff Stations/Sub-stations.** The County shall strive to locate fire and sheriff sub-stations in areas that ensure the minimum response times to service calls.

- **PFS-7.12 Design Features for Crime Prevention and Reduction.** The County shall promote the use of building and site design features as means for crime prevention and reduction.

Existing Conditions

Tulare County Sheriff's Office

The project site is served by the Tulare County Sheriff's Office (TCSO), which provides police protection services to all unincorporated areas of Tulare County. Service include general law enforcement, patrol duties, and public safety services. Other services include emergency services, such as search and rescue; detentions and jail operations; criminal investigations; civil services, such as serving court papers, handling evictions, levies, and other civil process matters; concealed weapons permits; animal services; and community outreach programs.

Response times are included in the Tulare County General Plan and are divided into the valley region or the foothill and mountain region under Policy PFS-7.9, above. The proposed project is in the valley region and has a response time of 10 minutes for 90 percent of calls. The closest TCSO location is the department headquarters at 833 S Akers Street in Visalia, CA, approximately 4.1 miles north of the project site.

5.14.2.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

PP-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection services.

5.14.2.3 ENVIRONMENTAL IMPACTS

Impact 5.14-2: The proposed project would not result in a substantial adverse physical impact associated with the provisions of new or physically altered police protection facilities. [Threshold PP-1]

Construction

During the construction phases of the proposed project, there would be a temporary increase of construction workers on-site. Construction of the proposed project would maintain emergency access and emergency egress routes during project construction. During construction, the active construction areas would be fenced, and construction site access would be limited to authorized personnel. Further, the storage and staging of construction equipment would occur on the project site, which would be fenced and hidden from view. Equipment and vehicles would be locked and only accessible by authorized personnel. These standard precautions during construction would reduce the likelihood for a crime of opportunity to occur. Therefore, the temporary construction of the proposed project would not materially increase the demand for police protection services. It would not result in the need for physically altered or new police facilities, which could result in environmental impacts, and impacts would be less than significant.

Operation

Currently the project site is fallow agriculture land and generates little demand for police protection services. The proposed project would construct a performing arts theater, AcCEL center, and library, increasing the use and number of people on the project site. Compared to existing conditions, the proposed project has the potential to increase the demand on police protection services.

The proposed project would be fenced and gated to control access to the project site and close access during non-operating hours. During operating hours, visitors would enter through the main door of buildings, which would be monitored by staff/COE personnel during school hours and after school during after-school activities, workshops, and other events. During non-operational hours the buildings and project site would be locked. Security lighting would provide an additional measure of visibility and security during evening and nighttime hours. Further, as discussed under Threshold (a) above, the proposed project would be reviewed by TCFD to ensure that the proposed project is constructed under the applicable fire code and health and safety code and have adequate circulation and access. DSA would review and approve project design plans to ensure adequate emergency access to the project site.

Although the proposed project may create an increase in the demand for police protection services compared to existing conditions, it would not generate an increase that would require new or physically altered police protection facilities. The proposed project would not require new or physically altered police protection facilities or routes and would not substantially increase demand for police services from the Tulare County Sheriff's Office (TCSO). The proposed project would have a less than significant impact on police protection services.

Level of Significance Before Mitigation: Less Than Significant.

5.14.2.4 CUMULATIVE IMPACTS

Implementation of the proposed project in conjunction with other developments in the County would not substantially increase the overall police service demands from the TCSO. UPHS would utilize an existing campus and does not include new construction. The Liberty sewer project would be a minor utility project and would not generate an increased demand for police services. The proposed project would not combine with the relocation of UPHS project nor the Liberty sewer project to create a cumulative impact. The proposed project and other development projects in the county would be required to conform with the California health and safety code and pay applicable development public facility fees to reduce impacts. Therefore, with adherence to existing policies and standards, TCSO would be able to maintain adequate police protection levels and response times in the county, and this cumulative impact would be considered less than significant.

5.14.2.5 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.14-2.

5.14.2.6 MITIGATION MEASURES

No mitigation measures are required.

5.14.2.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION

No significant impacts related to police services were identified; therefore, no significant and unavoidable adverse impacts would occur.

5.14.3 School Services

5.14.3.1 ENVIRONMENTAL SETTING

Regulatory Background

State and local laws, regulations, plans, or guidelines related to school services and potentially applicable to the proposed project are summarized below.

State Regulations

Senate Bill 50

Senate Bill (SB) 50 (funded by Proposition 1A, approved in 1998) limits the power of cities and counties to require mitigation of school facilities impacts as a condition of supporting new development. It provides instead for a standardized developer fee. SB 50 generally provides a 50/50 match of state and local school facilities funding. SB 50 also provides for three levels of statutory impact fees. The application-level depends on whether state funding is available; whether the school district is eligible for state funding; whether the school district meets specific additional criteria involving bonding capacity, year-round school, and the percentage of moveable classrooms in use.

California Government Code, Section 65995(b), and Education Code Section 17620

SB 50 amended California Government Code Section 65995, which contains limitations on Education Code Section 17620, the statute that authorizes school districts to assess development fees within school district boundaries. According to inflation adjustments, the Government Code Section 65995(b)(3) requires the maximum square footage assessment for development to be increased every two years. Per California Government Code Section 65995, the payment of fees is deemed to mitigate the impacts of new development on school facilities fully.

Local Regulations

Tulare County General Plan

The General Plan has a number of policies that apply to projects within Tulare County. General Plan policies that relate to school and education services and the proposed project are listed below.

- **PFS-8.1 Work with Local School Districts.** The County shall work with local school districts to develop solutions for overcrowded schools and financial constraints of constructing new facilities.

- **PFS-8.2 Joint Use Facilities and Programs.** The County shall encourage the development of joint school facilities, recreation facilities, and educational and service programs between school districts and other public agencies.

- **PFS-8.3 Location of School Sites.** The County shall work with school districts and land developers to locate school sites consistent with current and future land uses. The County shall also encourage siting new schools near the residential areas that they serve and with access to safe pedestrian and bike routes to school.

- **PFS-8.5 Government Facilities in Community Centers.** The County shall actively support development and expansion of federal, State, County, districts, and other governmental offices and facilities where infrastructure exists within community core areas.

- **PFS-8.6 School Funding.** To the extent allowed by State law, the County may require new projects to mitigate impacts on school facilities, in addition to the use of school fees. The County will also work with school districts, developers, and the public to evaluate alternatives to funding/providing adequate school facilities.

Existing Conditions

Tulare County Office of Education

The Tulare County Office of Education (COE) works directly with the school districts in the county to provide support and guidance for their operations. The COE provides assistance to districts through staff development and training programs related to new curriculum and instructional procedures; support for new teachers through Teacher Induction Programs; business services; credentialing and teacher recruitment; and technology. In addition to these services, the project site provides educational facilities for staff and students in the county with the Doe Avenue Complex, the Dream Center, CEE Workforce Development Program and A Ticket to Success Program, and TCOE Liberty Campus. The COE is responsible for providing educational services for students who generally have multiple or profound disabilities, and/or are able to function best in a more structured environment (COE 2025).

The Administration Building and Conference Center is half a mile northeast of the project site.

Liberty Elementary School District

The project site is within the Liberty Elementary School District service boundaries. Liberty Elementary School District provides educational services to pre-kindergarten through 8th grade students (Liberty Elementary 2025). Liberty Elementary School District has one campus, Liberty Elementary School at 1771 East Pacific Avenue in the City of Tulare, approximately 1.5 miles south of the project site.

Tulare Joint Union High School District

The project site is within the Tulare Joint Union High School District service boundaries. Tulare Joint Union High School District educational serves 9th through 12th grade students and adults at the Tulare Adult

School. Tulare Joint Union High School District includes to three comprehensive high schools—Tulare Union, Tulare Western, and Mission Oak; one continuation high school—Tech Prep; one community day school—Countryside; two charter high schools—Sierra Vista Independent Study High School and Accelerated Charter High School; Tulare Adult School; and a working school farm and nursery. The nearest Tulare Joint Union High School District campus is the Accelerated Charter High School campus at 4136 N Mooney Blvd in Tulare County, approximately 1.1 miles southeast of the project site.

Visalia Unified School District

The Visalia Unified School District (VUSD) does not serve the project site but does serve nearby students. VUSD includes 27 elementary schools, five middle schools, four comprehensive high schools, a continuation high school, an adult school, a charter independent study school, a K-8 charter home school, a charter technical early college high school, and a preschool. VUSD also operates a Family & Community Resource Center that provides wraparound services like transportation, language translation, and much more center. In addition to a traditional curriculum, students have access to dual enrollment opportunities with community colleges, dual immersion in Spanish and English curriculum programs, after school learning opportunities. The nearest VUSD campus is Cottonwood Creek Elementary School located at 4222 S Dans Street in Visalia, approximately 1.65 miles north of the project site.

Tulare City School District

The Tulare City School District (TCSD) does not serve the project site but does operate in the project area. TCSD includes 15 schools that are a mix of elementary schools and middle schools. Enrollment for TCSD is approximately 9,253 students. The nearest TCSD campus is Mission Valley Elementary School located at 1695 Bella Oaks Drive in Tulare, approximately 2.28 miles south of the project site.

5.14.3.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

SS-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for school services.

5.14.3.3 ENVIRONMENTAL IMPACTS

Impact 5.14-3: The proposed project would not result in a substantial adverse physical impact associated with the provisions of new or physically altered school facilities. [Threshold SS-1]

The proposed project would construct a performing arts theater, AcCEL center, and library to serve students' education-related needs. The COE is responsible for providing educational services for students who generally have multiple or profound disabilities and/or are able to function best in a more structured

environment. Additionally, COE provides education support services for school districts within the county. The proposed project includes the development of educational-related uses to support TCOE students and school districts within the county. The AcCEL center and the library are existing uses that would be relocated to the project site. As such, these two uses are not new uses to TCOE that would expand school-related facilities. The proposed performing arts theater would be a new use that would serve existing and allow for expanded and/or new performing arts theater events and uses.

Demand for new school facilities is largely generated by new housing development, since housing projects result in direct population ground and students. The proposed project would serve existing students throughout the county. As discussed in Section 5.13, *Population and Housing*, Impact 5.13-1, the proposed project would not generate direct nor indirect population growth. The proposed project has the potential to generate up to 40 new employment positions, which is within the growth projections for Tulare County. These positions are expected to be filled by existing TCOE staff and/or existing residents of Tulare County and surrounding cities and the proposed project's employment generation of 40 new positions is a conservative estimate. In the event that families relocated to the area for these job opportunities, the potential new students generated by the proposed project would be minimal and would be spread out between the multiple school districts within driving distance of the project site, such as Liberty Elementary School District and Tulare Joint Union High School District that serve the project site area or Tulare City School District and Visalia Unified School District that serve the surrounding area. Additionally, various mechanisms (such as inter- and intra-district transfer) would allow parents to select a school and school district that fit their needs. Given the minimal potential students generated by the proposed project and the likelihood of potential students to be served by various school districts, the proposed project would not generate a substantial demand for school facilities in a manner that would require new or physically altered school facilities.

The proposed project is an education facilities project, and its potential impacts to the environment are addressed throughout this DEIR. No new or expanded school facilities would occur as a result of the proposed project that has not been evaluated in this DEIR. Therefore, impacts to school facilities would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

5.14.3.4 CUMULATIVE IMPACTS

The area considered for cumulative impacts to school services is Tulare County.

The proposed project includes educational uses that would serve existing students and provide additional educational services and spaces to the county. While cumulative residential projects and large commercial projects could generate new residents and students, the proposed project would not generate direct or indirect population growth. The proposed project would therefore generate a minimal amount of potential new students (as discussed above). Because the proposed project is not residential, it would not create a development need for new school facilities beyond what is already planned. Additional students generated by development projects could exceed the available capacity for schools serving each development project. Each development project would be required to pay applicable development impact fees under SB 50. Under Government Code Section 65995, payment of these fees would be considered complete mitigation for

impacts on public school facilities generated by the development projects In the future, if new school facilities are needed to accommodate students, the local school districts would be required to evaluate the environmental impacts of future school projects pursuant to CEQA at that time. The scope for any future school projects and environmental review would be required at that time, it would be speculative and beyond the scope of this EIR to evaluate potential future school projects. Therefore, the proposed project would not result in a cumulatively considerable impact, and cumulative impacts related to school services would be less than significant.

5.14.3.5 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements, the following impacts would be less than significant: 5.14-3.

5.14.3.6 MITIGATION MEASURES

No mitigation measures are required.

5.14.3.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION

No significant impacts related to school services were identified; therefore, no significant and unavoidable adverse impacts would occur.

5.14.4 Parks

5.14.4.1 ENVIRONMENTAL SETTING

Regulatory Background

Local Regulations

Tulare County General Plan

The General Plan has a number of policies that apply to projects within Tulare County. General Plan policies that relate to park facilities and the proposed project are listed below.

- **ERM-5.3 Park Dedication Requirements.** The County shall require the dedication of land and/or payment of fees, in accordance with local authority and State law (for example the Quimby Act), to ensure funding for the acquisition and development of public recreation facilities.

- **ERM-5.5 Collocated Facilities.** The County shall encourage the development of parks near public facilities such as schools, community halls, libraries, museums, prehistoric sites, and open space areas and shall encourage joint-use agreements whenever possible.

- **ERM-5.10 Recreational Facilities for Special Use Groups.** The County should encourage the provision of recreation facilities and activities for special use groups such as physically disabled, mentally handicapped, and senior citizens.

- **PFS-8.2 Joint Use Facilities and Programs.** The County shall encourage the development of joint school facilities, recreation facilities, and educational and service programs between school districts and other public agencies.

Existing Conditions

Tulare County Office of Education

COE campuses and facilities located throughout the County include recreational uses. The Mid-County Community School, Senaida Garcia Center, and La Sierra Military Academy include recreational uses such as play structures, play areas, and basketball courts. The existing neighboring COE facility (Liberty Campus) contains educational facilities available for students use and one basketball court. The project site does not contain any parks facilities.

Tulare County Parks

Based on the Tulare County Parks division, a division of the Tulare County General Services Agency, a total of 11 parks are owned and operated by Tulare County (Tulare County Parks 2025). These parks range from 3 acres (Alpaugh Park) to 160 acres (Balch Park) in size (Tulare County 2012). The closest park to the project site is Mooney Grove Park, a 155-acre park approximately one mile northwest of the proposed project.

In addition, a number of state and federal recreation and open space resources are available in Tulare County, including Lake Kaweah, Lake Success, the Sequoia National Forest, the Mountain Home State Forest, the Giant Sequoia National Monument, and the Sequoia and Kings Canyon National Parks. The only State Park in Tulare County is Colonel Allensworth State Historic Park.

5.14.4.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

PL-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for library services.

5.14.4.3 ENVIRONMENTAL IMPACTS

Impact 5.14-4: The proposed project would not result in a substantial adverse physical impact associated with the provisions of new or physically altered park facilities. [Threshold P-1]

The need for new or the expansion of existing park facilities is typically tied to population growth. The proposed project does not include development of residential or commercial uses. As discussed in Section 5.13, *Population and Housing*, the proposed project would not induce population growth in the area, either

directly or indirectly. The proposed project would construct a performing arts theater, AcCEL center, and library to serve students and education-related needs in Tulare County. As part of the proposed project, the existing AcCEL Center and TCOE library would relocate to the project site. Additionally, the proposed project would include a play and recreational area that would be installed east of the basketball court space. Thus, the proposed project would not increase the demand for public facilities, such as parks facilities. As such, the proposed project would not require the provision of new or altered park facilities that could result in substantial adverse physical impacts, the need for new or physically altered park facilities. Therefore, this impact is less than significant.

Level of Significance Before Mitigation: Less than Significant.

5.14.4.4 CUMULATIVE IMPACTS

The area considered for cumulative impacts to park facilities is Tulare County.

Implementation of the proposed project in conjunction with other development projects in Tulare County could result in increased demand for park facilities in Tulare County. However, the proposed project would not contribute to a cumulatively considerable impact because it is not a residential project. Other development projects would also contribute to the property tax revenues that would fund county park facilities and would be required to pay park impact fees to offset their fair share of the cost of providing additional park facilities. No significant cumulative impacts are anticipated related to park facilities.

5.14.4.5 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements, the following impacts would be less than significant: 5.14-4.

5.14.4.6 MITIGATION MEASURES

No mitigation measures are required.

5.14.4.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION

No significant impacts related to libraries were identified; therefore, no significant and unavoidable adverse impacts would occur.

5.14.5 Library

5.14.5.1 ENVIRONMENTAL SETTING

Regulatory Background

Local Regulations

Tulare County General Plan

The General Plan has a number of policies that apply to projects within Tulare County. General Plan policies that relate to library services and the proposed project are listed below.

- **PFS-8.4 Library Facilities and Services.** The County shall encourage expansion of library facilities and services as necessary to meet the needs (e.g., internet access, meeting rooms, etc.) of future population growth.

Existing Conditions

Tulare County Library

The Tulare County Library is member of the San Joaquin Valley Library System, a cooperative network of 10 public library jurisdictions in California's Central Valley. The County operates 17 branch libraries across the county, four book machines, an online presence, and one administration center (Tulare County Library 2025). The online presence includes eBooks through Libby, Cloudlibrary, Overdrive, Palace Project, Project Gutenberg, and Beanstack Tracker. The County provides additional resource references online.

The closest library is the Visalia Branch Library of the Tulare County Library at 200 W Oak Avenue in Visalia, which is approximately 4.7 miles northeast of the project site.

5.14.5.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

PL-1 Result in a substantial adverse physical impact associated with the provisions of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for library services.

5.14.5.3 ENVIRONMENTAL IMPACTS

Impact 5.14-5: The proposed project would not result in a substantial adverse physical impact associated with the provisions of new or physically altered library facilities. [Threshold PL-1]

The need for new or the expansion of existing library services and facilities is tied to population growth. The proposed project does not include development of residential or commercial uses. As discussed in Section 5.13, *Population and Housing*, the proposed project would not induce population growth in the area, either directly or indirectly. The proposed project would construct a performing arts theater, AcCEL center, and library to serve students and education-related needs in Tulare County. As part of the proposed project, the existing AcCEL Center and TCOE library would relocate to the project site. Thus, the proposed project would not increase the demand for public facilities, such as library services or other administrative services in the Tulare County Library system. Further, the proposed project's library component would service the students and staff and would further offset the demand on public Tulare County Library system. As such, the proposed project would not require the provision of new or altered library facilities that could result in substantial adverse physical impacts, the need for new or physically altered library facilities. Therefore, this impact is less than significant.

Level of Significance Before Mitigation: Less than Significant.

5.14.5.4 CUMULATIVE IMPACTS

The area considered for cumulative impacts to library services is Tulare County.

Implementation of the proposed project in conjunction with other development projects in Tulare County could result in increased demand for library services in the Tulare County Library system. However, the proposed project would not contribute to a cumulatively considerable impact because it is not a residential project and it would provide a library facility onsite that would further offset demand on the public Tulare County Library system. Other development projects would also contribute to the property tax revenues that would fund the county library system and would be required to pay library impact fees to offset their fair share of the cost of providing additional library resources. No significant cumulative impacts are anticipated related to library services.

5.14.5.5 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements, the following impacts would be less than significant: 5.14-5.

5.14.5.6 MITIGATION MEASURES

No mitigation measures are required.

5.14.5.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION

No significant impacts related to libraries were identified; therefore, no significant and unavoidable adverse impacts would occur.

5.14.6 References

Liberty Elementary. 2025, September 17 (accessed). Liberty Elementary. https://www.libertyelementary.org/.

Riggi, Kevin. 2025, September 30. Tulare County Fire Department Response Letter. Appendix L.

Tulare County. 2012, August. Tulare County General Plan. https://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/000General%20Plan%202030%20Part%20I%20and%20Part%20II/GENERAL%20PLAN%202012.pdf.

Tulare County Fire Department (TCFD). 2024, December 31. 2024 Annual Report. https://tularecounty.ca.gov/fire/public-info/annual-reports-list.

Tulare County Library. 2025, September 17 (accessed). Tulare County Libraries - Locations. https://www.tularecountylibrary.org/locations.

Tulare County Office of Education (COE). 2025, September 17 (accessed). About TCOE: Locations. https://www.tcoe.org/about/locations.

Tulare County Parks. 2025, July 25 (accessed). Park Locations. https://www.tularecountyparks.org/park-cards.

5.15 RECREATION

This section of the Draft Environmental Impact Report (DEIR) evaluates the potential impacts for implementing the proposed project to public parks and recreational facilities in the County of Tulare.

No public comment letters were received in response to the Notice of Preparation (NOP) related to recreation. Refer to Appendix A for all NOP comment letters.

5.15.1 Environmental Setting

5.15.1.1 REGULATORY BACKGROUND

State and local laws, regulations, plans, or guidelines related to recreation and potentially applicable to the proposed project are summarized below.

State Regulations

California Government Code

The Government Code (Sections 65560–65568) requires a general plan to include an open space element to address: the preservation of natural resources, managed production of resources, outdoor recreation, public health and safety, support of military installations, and protection of places of cultural or historical interest. Building permits, subdivision approvals, and zoning approvals must be consistent with the open space plan. The Public Resources Code (Section 5076) also requires general plans to consider demands for trail-oriented recreational use, demands in developing open-space programs, the feasibility of integrating its trail routes with appropriate segments of the state system. Local jurisdictions may also create a separate parks and recreation element as part of or in addition to an open space and conservation element.

California Public Park Preservation Act

The primary instrument for protecting and preserving parkland is California's Public Park Preservation Act of 1971. Under the Public Resources Code, cities and counties may not acquire any real property that is in use as a public park for any nonpark use unless compensation, land, or both are provided to replace the parkland acquired. This provides no net loss of parkland and facilities.

Quimby Act

The Quimby Act (California Government Code Section 66477) authorizes cities and counties to require developers to dedicate land as parkland, pay in-lieu fees, or both as a condition of approval for a tentative or final tract map or parcel map for a residential subdivision. Revenue generated through the Quimby Act cannot be used for the operations or maintenance of existing park facilities. The Quimby Act also sets a statewide standard of three acres of parkland for every 1,000 residents unless the existing neighborhood and community park area exceeds that limit, in which case the city or county may establish a higher standard.

Mitigation Fee Act

The California Mitigation Fee Act (Government Code Sections 66000 et seq.) allows local agencies to impose fees on development projects to mitigate the project's impact on the local agencies ability to provide specified public facilities. To comply with the Mitigation Fee Act, a local agency must follow four primary requirements: 1) Make certain determinations regarding the purpose and use of a fee and establish a nexus or connection between a development project or class of project and the public improvement being financed with the fee; 2) Segregate fee revenue from the general fund to avoid commingling capital facilities fees and general funds; 3) Make findings each fiscal year describing the continuing need for fees that have been in the possession of the local agency for five years or more and that have not been spent or committed to a project; and 4) Refund any fees with interest for developer deposits for which the findings noted above cannot be made.

Civic Center Act

The Civic Center Act authorizes, and in some instances requires, the governing board of a school district to allow the use of school facilities or grounds as a civic center, for specified purposes. The act authorizes or requires, as applicable, the governing board of a school district to charge a fee, not to exceed the school districts direct costs, as defined, for use of its school facilities or grounds. Existing law, for these purposes, defines direct costs to mean the costs of supplies, utilities, janitorial services, services of school district employees, and salaries paid to school district employees directly associated with the administration of this section necessitated by the entity's use of the school facilities or grounds. Existing law, until January 1, 2025, expanded the definition of direct costs to include a specified share of the operating and maintenance costs proportional to the entity's use of the school facilities or grounds and a share of the costs for maintenance, repair, restoration, and refurbishment of the school facilities or grounds proportional to that entity's use of the school facilities or grounds, as specified.

Local Regulations

Tulare County General Plan

The General Plan has a number of policies that apply to projects within Tulare County. General Plan policies that relate to open space and recreational facilities and the proposed project are listed below.

- **ERM-5.3 Park Dedication Requirements**. The County shall require the dedication of land and/or payment of fees, in accordance with local authority and State law (for example the Quimby Act), to ensure funding for the acquisition and development of public recreation facilities.

- **ERM-5.5 Collocated Facilities**. The County shall encourage the development of parks near public facilities such as schools, community halls, libraries, museums, prehistoric sites, and open space areas and shall encourage joint-use agreements whenever possible.

- **ERM-5.10 Recreational Facilities for Special Use Groups.** The County should encourage the provision of recreation facilities and activities for special use groups such as physically disabled, mentally handicapped, and senior citizens.

- **PFS-8.2 Joint Use Facilities and Programs.** The County shall encourage the development of joint school facilities, recreation facilities, and educational and service programs between school districts and other public agencies.

5.15.1.2 EXISTING CONDITIONS

The project site is owned by the Tulare County Office of Education (COE) and consists of a portion of two parcels with Assessor's Parcel Numbers (APN) 149-030-005 and 149-030-008. The project site currently includes a fallow agricultural field on parcel 149-030-005 (15.23 acres) and a paved driveway and parking area, disturbed land, fencing, and landscaping/grass turf on parcel 149-030-008 (0.4 acres) for a total of 15.63 acres. No recreational facilities or uses exist on-site.

Tulare County Office of Education

COE campuses and facilities located throughout the County include recreational uses. The Mid-County Community School, Senaida Garcia Center, and La Sierra Military Academy include recreational uses such as play structures, play areas, and basketball courts. The existing neighboring COE facility (Liberty Campus) contains educational facilities available for students use and one basketball court. The project site does not contain any recreational facilities.

County of Tulare

Based on the Tulare County Parks division, a division of the Tulare County General Services Agency, a total of 11 parks are owned and operated by Tulare County (Tulare County Parks 2025). These parks range from 3 acres (Alpaugh Park) to 160 acres (Balch Park) in size (Tulare County 2012). The closest park to the project site is Mooney Grove Park, a 155-acre park approximately one mile northwest of the proposed project.

In addition, a number of state and federal recreation and open space resources are available in Tulare County, including Lake Kaweah, Lake Success, the Sequoia National Forest, the Mountain Home State Forest, the Giant Sequoia National Monument, and the Sequoia and Kings Canyon National Parks. The only State Park in Tulare County is Colonel Allensworth State Historic Park.

5.15.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project:

R-1 Would 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.

R-2 Includes recreational facilities or requires the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

5.15.3 Environmental Impacts

The applicable thresholds are identified in brackets after the impact statement.

Impact 5.15-1: The proposed project would not generate substantial additional residents that would increase the use of existing park and recreational facilities. [Threshold R-1]

Typically, residential projects increase the demand for park and recreational facilities. As discussed in Section 5.13, *Population and Housing*, the proposed project does not include the development of housing units, and as such, would not generate direct new housing units nor population growth. The proposed project could generate up to 40 new employment positions. However, since some of the proposed project's uses, such as the library and the AcCEL Center, are existing uses and would be relocated to the project site, the existing COE staff for these facilities would come from other locations and the employment positions are existing and filled. As such, the proposed project's employment generation of 40 new positions is a conservative estimate. Existing staff are anticipated to already reside in Tulare County. For this reason, any new staff that would relocate to the county for an employment opportunity is expected to be minimal.

Tulare County residents have access to a variety of parks and open space facilities throughout the county. The closest park to the project site is Mooney Grove Park, a 155-acre park approximately one mile northwest of the proposed project. The proposed project would construct a basketball court space and a play and recreational area east of the basketball court space, as shown in Figure 3-6, *Conceptual Site Plan*. As discussed in Section 5.13, the proposed project's employment contribution would represent less than 1 percent (0.94 percent) of the anticipated employment growth in the county. Further, the proposed project would not directly contribute to population growth by adding housing units. As such, the proposed project would not lead to a substantial increase in use of existing park and recreational facilities. Therefore, project implementation would result in a less than significant impact.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.15-2: The proposed project would not result in the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. [Threshold R-2]

The proposed project would provide educational facilities to serve students and staff in Tulare County. The proposed project would primarily serve the COE's existing student and staff population, with a focus on supporting the AcCEL students and the University Preparatory High School students at neighboring existing Liberty campus. The proposed project's facilities would be available for public use in accordance with the Civic Center Act. The proposed project does not include the development of substantial recreational facilities. The construction and operation of the proposed project would not result in the construction and/or expansion of recreational facilities beyond what has been evaluated as part of this Draft EIR. Therefore, a less than significant impact would occur.

Level of Significance Before Mitigation: Less Than Significant.

5.15.4 Cumulative Impacts

Population growth within the county would increase demand for parks and recreational facilities. Projects that are found by the County to require increases in parklands would also be required to pay development fees and/or provide recreation on-site. Residents of the county currently have access to local parks and open space as well as state and federal recreational areas. Similar to the proposed project, the University Preparatory High School (UPHS) students to be relocated to the neighboring Liberty campus would not generate new residents. UPHS students would utilize the existing recreational facilities on the Liberty campus and continue to utilize existing recreational facilities in the County.

An additional project in the project area would include construction of a sewer line to a City of Visalia sewer connection to the existing COE Liberty campus which would be permanent. Construction of the sewer line would be short term and would be located in developed land and within an existing right-of-way and would not impact any recreational facilities. The proposed project would not combine with the UPHS relocation project nor the Liberty sewer project to create a cumulative impact.

Cumulative impacts would be less than significant with compliance with existing regulations and development impact fees by other projects. Impacts of the proposed project would not be cumulatively considerable.

5.15.5 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.15-1 and 5.15-2.

5.15.6 Mitigation Measures

No mitigation measures are required.

5.15.7 Level of Significance After Mitigation

Impacts would be less than significant.

5.15.8 References

Tulare County. 2012, August. Tulare County General Plan. https://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/000General%20Plan%202030%20Part%20I%20and%20Part%20II/GENERAL%20PLAN%202012.pdf.

Tulare County Parks. 2025, July 25 (accessed). Park Locations. https://www.tularecountyparks.org/park-cards.

5. Environmental Analysis
RECREATION

This page intentionally left blank.

5.16 TRANSPORTATION

The analysis in this section is based in part on the following technical report:

- *Traffic/Transportation Analysis for the Proposed Performing Arts Theater, AcCEL Center, and Library Project Tulare County*, Garland Associates, December 2025

A complete copy of this study is included in Appendix M of this Draft EIR.

One public comment letter was received in response to the Notice of Preparation (NOP) related to transportation: a letter from the City of Visalia, received on May 8, 2025. Refer to Appendix A for the NOP comment letter.

5.16.1 Environmental Setting

5.16.1.1 REGULATORY BACKGROUND

State, regional, and local laws, regulations, plans, or guidelines that are related to transportation and applicable to the proposed project are summarized below.

State Regulations

Senate Bill 743

On September 27, 2013, Senate Bill (SB) 743 was signed into law. The legislature found that with the adoption of SB 375, the state had signaled its commitment to encourage land use and transportation planning decisions and investments that reduce VMT and thereby contribute to the reduction of greenhouse gas (GHG) emissions, as required by Assembly Bill (AB) 32. Additionally, AB 1358, described subsequently, requires local governments to plan for a balanced, multimodal transportation network that meets the needs of all users.

SB 743 started a process that fundamentally changes transportation impact analysis as part of CEQA compliance. These changes include the elimination of auto delay, level of service (LOS), and similar measures of vehicular capacity or traffic congestion as the basis for determining significant impacts in many parts of California (if not statewide). As part of the new CEQA Guidelines, the new criteria "shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses" (California Public Resources Code section 21099[b][1]). On January 20, 2016, the Governor's Office of Planning and Research—later renamed Governor's Office of Land Use and Climate Innovation (LCI)—released proposed revisions to its CEQA Guidelines for the implementation of SB 743. LCI developed alternative metrics and thresholds based on VMT. The guidelines were certified by the Secretary of the Natural Resources Agency in December 2018, and automobile delay, as described solely by LOS or similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment. As of July 1, 2020, lead agencies are required to consider VMT as the metric for determining transportation impacts under CEQA. The guidance provided relative to VMT significance criteria is focused primarily on land use projects, such as residential, office, and retail uses. However, as noted

in the updated CEQA Guidelines Section 15064.3, agencies are directed to choose metrics that are appropriate for their jurisdiction to evaluate the potential impacts of a project in terms of VMT.

Regional Regulations

Tulare County Association of Governments

Tulare County Association of Governments (TCAG) is a council of governments representing Tulare County. TCAG is the federally recognized metropolitan planning organization (MPO) for Tulare County and has responsibilities as Tulare County's Council of Governments (COG). It serves as a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. TCAG's purpose is to assist local jurisdictions with advice, counsel, and professional direction for obtaining federal assistance; to review and coordinate applications for programs utilizing federal funding; and, as a local clearinghouse, to coordinate state grants by circulating notices, collecting comments, and reporting to the TCAG Board of Governors. The proposed project is in unincorporated Tulare County within the TCAG region.

TCAG 2022 Regional Transportation Plan / Sustainable Communities Strategy

TCAG's 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) goals and policies provide for a fiscally constrained guide for the future of Tulare County's transportation system. The long-range plan extends to the year 2042 in its scope. The plan accomplishes its goals by forecasting future growth, identifying regional priorities, and planning for infrastructure improvements. The plan is required to include four elements: the policy element, the sustainable community element, the action element, and the financial element. The long-range plan is required by the state and the federal government and is updated by TCAG every four years as demographic, economic, and policy circumstances change.

Tulare County Regional Transit Agency

The Tulare County Regional Transit Agency (TCRTA) is a joint powers agency that provides local and commuter fixed route, ADA paratransit, and on-demand services to and for the cities of Dinuba, Exeter, Farmersville, Lindsay, Tulare, Woodlake, the Tule River Tribe of California, and the unincorporated communities of Tulare County. The purpose of the Joint Powers Agreement is to empower the Member Agencies to exercise their common powers by the formation and operation of TCRTA, with full power and authority to own, operate, and administer a public transportation system. TCRTA is and shall operate as a public agency separate and apart from the Member Agencies. TCRTA's mission is to deliver clean, sustainable mobility choices that link people, communities, and jobs. TCRTA's focus is to elevate customer service, safety, and seamless transportation alternatives by optimizing efficiencies through joining together and maximizing economies of scale.

Local Regulations

Tulare County General Plan

The General Plan has a number of goals and policies that apply to projects in Tulare County. General Plan goals and policies that relate to transportation and the proposed project are listed below.

- **LU-7.3 Friendly Streets.** The County shall encourage new streets within UDBs to be designed and constructed to not only accommodate traffic, but also serve as comfortable pedestrian and cyclist environments. These should include, but not be limited to:

  1. Street tree planting adjacent to curbs and between the street and sidewalk to provide a buffer between pedestrians and automobiles, where appropriate,
  2. Minimize curb cuts along streets,
  3. Sidewalks on both sides of streets, where feasible,
  4. Bike lanes and walking paths, where feasible on collectors and arterials, and
  5. Traffic calming devices such as roundabouts, bulb-outs at intersections, traffic tables, and other comparable techniques.

- **LU-7.4 Streetscape Continuity.** The County shall ensure that streetscape elements (e.g., street signs, trees, and furniture) maintain visual continuity and follow a common image for each community.

- **LU-7.7 Parking Location.** The County shall encourage automobile-oriented uses to locate parking in areas less visible from the street (e.g., reverse frontage commercial centers).

- **TC-1.13 Land Dedication for Roadways and Other Modes.** As required to meet the adopted County Improvement Standards, the County shall require, where warranted, an irrevocable offer of dedication to the right-of-way for roadways and other travel modes, as part of the development review process.

- **TC-1.14 Roadway Facilities.** As part of the development review process, new development shall be conditioned to fund, through impact fees, tonnage fees, and/or other mechanism, the construction and maintenance of roadway facilities impacted by the project. As projects or locations warrant, construction or payment of pro-rata fees for planned road facilities may also be required as a condition of approval.

- **TC-4.4 Nodal Land Use Patterns that Support Public Transit.** The County shall encourage land uses that generate higher ridership including; high density residential, employment centers, schools, personal services, administrative and professional offices, and social/recreational centers, to be clustered within a convenient walking distance of one another.

- **TC-4.7 Transit Ready Development.** The County shall promote the reservation of transit stops in conjunction with development projects in likely or potential locations for future transit facilities.

- **TC-5.3 Provisions for Bicycle Use.** The County shall work with TCAG to encourage local government agencies and businesses to consider including bicycle access and provide safe bicycle parking facilities at office buildings, schools, shopping centers, and parks.

- **TC-5.5 Facilities.** The County shall require the inclusion of bicycle support facilities, such as bike racks, for new major commercial or employment locations.

- **TC-6.4 Adequate Off-Street Parking.** Ensure the provision of adequate off-street parking for all land uses.

- **TC-7.2 Development and Transportation Project Review.** Development and Transportation proposals shall be reviewed for their impacts on all transportation modes through the study of Vehicle Miles Traveled (VMT) consistent with the Tulare County VMT Guidelines. Projects shall fund or construct proportional fair share mitigations and improvements to address their impacts on the transportation systems as feasible and appropriate.

- **TC-7.4 Screening Criteria.** Some projects are small enough that they can be presumed to have a less than significant transportation impact without doing a detailed VMT analysis. For Tulare County, projects that generate less than 500 trips per day can be presumed to have a less than significant impact. Consistent with OPR's Technical Advisory, local-serving retail uses are presumed to have a less than significant impact on VMT since they tend to attract vehicle trips from adjacent areas that would have otherwise been made to more distant retail locations. Similar to retail land uses, local-serving public facilities are presumed to have a less than significant impact on VMT. This would include government facilities intended to typically serve the local public, parks, and public elementary schools, public middle schools, and high schools. OPR's Technical Advisory allows for a less than significant finding for transportation impacts of residential projects that that are 100% affordable housing located in infill areas. Affordable housing is defined as affordable to all persons with a household income equal to or less than 50% of the area median income (as defined by California Health and Safety Code Section 50093), housing for senior citizens [as defined in Section 143,0720(e)], housing for transitional foster youth, disabled veterans, and homeless persons [as defined in Section 143,0720(f)]. For Tulare County, this screening category applies to all 100% affordable housing projects that meet the detailed criteria above, regardless of whether they are located in infill areas. In addition, it applies to all developments intended primarily for farmworker housing regardless of their status with respect to affordability. According to CEQA, projects are considered to have a less than significant impact if they result in a net reduction in the relevant performance measure (in this case VMT). Therefore, redevelopment projects in Tulare County that generate less VMT than the existing project they are replacing would be considered to have a less than significant impact on VMT. For the purposes of VMT analysis, a redevelopment project is any project that replaces an existing development rather than being built on vacant/undeveloped land.

- **TC-7.5 VMT Applicability.** It is important to note that VMT analysis, as described in the Tulare County VMT Guidelines only applies to passenger travel, not goods movement. The following (referring to CEQA) is contained in OPR's technical advisory: "Section 15064.3, subdivision (a), states, 'For the purposes of this section, vehicle miles traveled refers to the amount and distance of automobile travel

attributable to a project. Here, the term 'automobile' refers to on-road passenger vehicles, specifically cars and light trucks." Therefore, trips related to the movement of goods for agricultural or industrial purposes would not be subject to a VMT analysis and would be considered to have a less than significant impact on the transportation system. For projects that include both auto and truck (i.e., goods movement) trips only the auto trips would be analyzed. When determining mitigation measures, only a project's auto trips would be considered.

- **TC-7.6 Significance Thresholds.** Significance thresholds for land development projects are summarized below. Additional discussion and substantial evidence can be found in Tulare County VMT Guidelines Appendix C.
  - Residential Projects: A significant transportation impact occurs if the project VMT per capita equals or exceeds the average VMT per capita for the TAZ where the project is located.
  - Office Projects: A significant transportation impact occurs if the project VMT per employee equals or exceeds the average VMT per employee for the TAZ where the project is located.
  - Regional Retail Projects: A significant transportation impact occurs if the project results in a net increase in VMT.
  - Industrial Projects: A significant transportation impact occurs if the project VMT per employee exceeds the average VMT per employee for the TAZ where the project is located.
- **TC-7.10 Local Transportation Analysis.** Although SB 743 changes the CEQA transportation performance measure from level of service (LOS) to vehicle miles traveled (VMT), it does not affect a local agency's ability to analyze roadway operations and require land development projects to provide improvements when the traffic generated by a project will affect the local roadway system. In Tulare County, a local transportation analysis (LTA) should be generally be provided for land development projects that generate more than 100 peak hour trips. The purpose of the LTA is to analyze traffic generated by the project and recommend transportation improvements to accommodate increases in traffic. An LTA should generally be provided for transportation projects that add 100 or more trips to other roadways or intersections.

Tulare County Code

The Tulare County Code includes regulations and standards that govern traffic, parking and loading, encroachments on the public right-of-way, and development in unincorporate Tulare County. Part VII, Chapter 19, Regulations Concerning Streets and Highways, includes general traffic regulations and right-of-way access regulations. Any modifications to the roadway networks, which includes driveways, curbs, and sidewalks, would be subject to approval by the County. Construction work within the right-of-way of any public roadway would require the issuance of a permit by the County.

5.16.1.2 EXISTING CONDITIONS

The roadway network in the vicinity of the project site (which includes sidewalks and on-street parking areas) is described in this section, as are an inventory of the types of traffic control devices and crosswalk locations, the nearby transit routes, and the existing traffic volumes.

Existing Roadway Network

The roads that provide access to the project area include Avenue 264/Liberty Road, Mooney Boulevard/State Route 63, and Harrison Road.

Avenue 264/Liberty Road

Avenue 264/Liberty Road is a two-lane, east-west roadway that abuts the north side of the project site. There are no sidewalks or bike lanes, but parking and pedestrian travel is accommodated on unpaved shoulders. The speed limit on Avenue 264/Liberty Road is 55 miles per hour (mph), but signs east and west of the project site state "School – Speed Limit 25 – When Children Are Present."

Mooney Boulevard/State Route 63

Mooney Boulevard/State Route 63 is a four-lane, north-south roadway that abuts the east side of the project site. There are no continuous sidewalks, but there are short sidewalk segments in front of several of the developed properties. Parking and pedestrian travel is accommodated on paved and unpaved shoulders. There are no bike lanes, but bikes can use the paved shoulder where available. The speed limit on Mooney Boulevard/State Route 63 is 55 mph, but there are signs north and south of the project site that state "School – Speed Limit 25 – When Children Are Present." North of Avenue 264/Liberty Road, the road is designated as S Mooney Boulevard/State Route 63 because it extends south from the City of Visalia. South of Avenue 264/Liberty Road, the road is designated as N Mooney Boulevard/State Route 63 because it extends north from the City of Tulare.

Harrison Road

Harrison Road is a two-lane, north-south roadway that intersects with Liberty Road/Avenue 264 near the northwest corner of the existing COE campus. There are no sidewalks or bike lanes, but parking and pedestrian travel is accommodated on unpaved shoulders. The speed limit on Harrison Road is 55 mph, but there is a sign on Harrison Road north of Avenue 264/Liberty Road that states "School – Speed Limit 25 – When Children Are Present" for southbound traffic.

Existing Traffic Control and Crosswalks

All of the crosswalks are painted yellow to indicate that they are in a school zone. The crosswalks at the signalized intersection of Avenue 264/Liberty at Mooney Boulevard/State Route 63 are equipped with pedestrian signals and push buttons to activate the WALK signals.

The existing traffic control devices and crosswalks at the following intersections are as follows:

- **Avenue 264/Liberty Road at Mooney Boulevard/State Route 63:** traffic signal with crosswalks on all four legs.
- **Avenue 264/Liberty Road at Harrison Road:** no traffic signal with a crosswalk on the east leg.

Existing Bicycle System

The study area does not include any existing bicycle lanes. However, according to the Tulare County General Plan, the nearest bicycle lane is located at the intersection of Route 108/S Demaree Street and Avenue 264/Liberty Road, approximately 0.65 miles west of the project site.

Existing Transit System

The TCRTA operates Route C40 along Mooney Boulevard/State Route 63 with bus stops located adjacent to the project site at the intersection of N Mooney Boulevard/State Route 63 at Avenue 264/Liberty Road. Route C40 extends north for one-half mile to its terminus at the Tulare County Government Plaza and it extends south into the City of Tulare and locations east of the city. Transit riders can continue traveling north on S Mooney Boulevard/State Route 63 on Visalia Transit Routes 1A and 1B.

Existing Traffic Volumes

Manual traffic counts were taken on the study area roadways during a weekday morning peak period in May 2025. The traffic counts for this analysis were taken from 7:00 a.m. to 9:00 a.m. and the peak hour was observed to occur from 7:15 a.m. to 8:15 a.m. The morning peak hour for schools generally coincides with the peak hour for commuter traffic. Daily traffic volumes were obtained from Caltrans for Mooney Boulevard/State Route 63 and were estimated for Avenue 264/Liberty Road by assuming that the morning peak hour was 8 percent of the daily traffic volume. This 8 percent factor was used because it is consistent with data obtained from the City of Tulare for locations near the project site. The existing peak hour and daily traffic volumes are shown in Table 5.16-1, *Existing Traffic Volumes*, for the study area roadways.

Table 5.16-1 Existing Traffic Volumes

Street Segment	Morning Peak Hour Traffic Volume (vehicles per hour)	Daily Traffic Volume (vehicles per day)
Mooney Boulevard/State Route 63		
North of Liberty Road/Avenue 264	1,070	21,700
South of Liberty Road/Avenue 264	950	21,500
Liberty Road/Avenue 264		
West of Mooney Boulevard/State Route 63	340	4,250
East of Mooney Boulevard/State Route 63	220	2,750

Source: Garland Associates 2025. Appendix M.

5.16.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

T-1 Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

T-2 Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b).

T-3 Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

T-4 Result in inadequate emergency access.

5.16.3 Environmental Impacts

5.16.3.1 METHODOLOGY

As part of the proposed project, an analysis was conducted to evaluate the traffic and transportation impacts of the proposed project; see Appendix M. The analysis addresses the impacts on vehicular and pedestrian circulation, access, and safety. The existing and projected traffic conditions on the roadways that provide access to the project site were documented, including an analysis of the before-and-after traffic volumes; see above in Section 5.16.1.2, *Existing Conditions*.

In addition to the traffic and circulation analysis, Appendix M also addressed the transportation issue areas of the CEQA environmental checklist, which includes an evaluation of the proposed project's impacts on (1) a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, (2) vehicle miles traveled (VMT), (3) increased hazards or incompatible uses, and (4) emergency access.

To establish the existing conditions, an inventory was taken of the streets, sidewalks, bike lanes, and public transit routes in the vicinity of the project site. The inventory included physical features such as the number of lanes, types of traffic control devices, and crosswalk locations.

Traffic volumes on the streets in the vicinity of the project site were quantified for the following scenarios: existing conditions (2025), existing conditions plus the proposed project, future baseline conditions without the proposed project for the target year of 2030, and future conditions with the proposed project. The year 2030 was used for the future target year as that is anticipated to be the year of completion for the proposed project.

In addition, year 2030 traffic volumes without the project were estimated by expanding the existing traffic volumes by 5.1 percent (one percent per year for five years compounded annually) and adding the traffic that would be generated by the planned relocation of University Prep High School (UPHS) to the existing COE Liberty campus.

Project Generated Traffic

The volumes of traffic that would be generated by the proposed uses were determined in order to estimate the impacts of the proposed project on the study area roadways. A typical event at the performing arts theater would have 100 attendees and 15 staff members. A typical event of this size would occur up to 45 days per year. A capacity-level event at the theater would have 500 attendees and 15 staff members. A capacity-level event would occur 15 days per year. For the remainder of the weekdays throughout the year, when there would not be an event at the theater, the performing arts theater would be generally used for academic and after school uses, including performance rehearsals, special event camps, and workshops.

The volumes of traffic that would be generated by the proposed uses were determined in order to estimate the impacts of the proposed project on traffic volumes on the study area roadways. The anticipated volumes of traffic that would be generated by the AcCEL Center and library, by the theater on a typical day, and by the theater during a capacity-level event are shown in Table 5.16-2, *Project Generated Traffic*. As shown in Table 5.16-2, the AcCEL Center and library would generate an estimated 180 vehicle trips per day (which includes 24 bus trips) based on the assumption that 75 percent of the students would be bused to and from the facility (60 students) and that each bus would transport 10 students. The theater on a typical day would generate an estimated 210 trips, and a capacity-level event at the theater would generate an estimated 910 trips per day. This is based on a trip generation rate of 1.76 trips per attendee, which is the trip rate from the Institute of Transportation Engineers' *Trip Generation Manual* for a theater plus 30 vehicle trips for 15 staff members.

The lower section of Table 5.16-2 shows the volumes of traffic that would be generated by each scenario. On a day with no event at the theater, the project site would generate 180 vehicle trips. On a day with a typical event at the theater, the project site would generate 390 trips. On a day with a capacity-level event at the theater, the site would generate 910 trips.

Table 5.16-2 Project Generated Traffic

Facility/Scenario	Daily Traffic
GENERATED TRAFFIC VOLUMES – PER FACILITY	
AcCEL Center & Library (80 students - 75% bused, 25 staff)	180 (24 bus trips, 156 auto trips)
Performing Arts Theater – Typical Day of Event (100 attendees, 15 staff)	210
Performing Arts Theater – Capacity-Level Event (500 attendees, 15 staff)	910
GENERATED TRAFFIC VOLUMES – PER SCENARIO	
With No Event at Theater – AcCEL Center & Library Only	180 (24 bus trips, 156 auto trips)
With Typical Event at Theater – AcCEL Center, Library, & Theater Typical Day	390 (24 bus trips, 366 auto trips)
With Capacity Event at Theater – AcCEL Center, Library, & Theater at Capacity	1,190 (24 bus trips, 1166 auto trips)

Source: Garland Associates 2025. Appendix M.

5. Environmental Analysis
TRANSPORTATION

Impacts on Daily Traffic Volumes

To quantify the increase in traffic volumes on each nearby roadway associated with the proposed project, the project generated traffic shown in Table 5.16-2 was geographically distributed onto the roadway network using the following directional percentages. This distribution assumption is based on the layout of the existing roadway network.

The distribution of the proposed project generated would be as follows:

- Liberty Road/Avenue 264 west of Mooney Boulevard/State Route 63 would be 20 percent.
- Liberty Road/Avenue 264 east of Mooney Boulevard/State Route 63 would be 10 percent.
- S. Mooney Boulevard/State Route 63 north of Liberty Road/Avenue 264 would be 35 percent.
- N. Mooney Boulevard/State Route 63 north of Liberty Road/Avenue 264 would be 35 percent.

The impacts of the proposed project on daily traffic volumes are shown in Table 5.16-3, *Project Impact on Daily Traffic Volumes*, for each study area roadway segment. The existing conditions scenario and the year 2030 scenario are shown as baseline (without project) conditions. The table shows the traffic volumes for the No Event at Theater, Typical Event at Theater, and Capacity-Level Event at Theater scenarios. The daily traffic volume on Avenue 264/Liberty Road for the No Event at Theater scenario, for example, would increase from 4,250 vehicles per day (vpd) for existing conditions to 4,290 vpd with the project, which is an increase of 40 vehicles per day.

Table 5.16-3 Project Impact on Daily Traffic Volumes

Street/Location	Existing Without Project	Project Traffic	Existing With Project	2030 Without Project	2030 With Project
NO EVENT AT THEATER					
Liberty Road/Avenue 264					
West of Mooney Blvd/SR 63	4,250	40	4,290	4,580	4,620
East of Mooney Blvd/SR 63	2,750	20	2,770	2,940	2,960
Mooney Blvd/State Route 63					
North of Avenue 264/Liberty Road	21,700	60	21,760	22,990	23,050
South of Avenue 264/Liberty Road	21,500	60	21,560	22,790	22,850
TYPICAL EVENT AT THEATER					
Avenue 264/Liberty Road					
West of Mooney Blvd/SR 63	4,250	80	4,330	4,580	4,660
East of Mooney Blvd/SR 63	2,750	40	2,790	2,940	2,980
Mooney Blvd/State Route 63					
North of Avenue 264/Liberty Road	21,700	140	21,840	22,990	23,130
South of Avenue 264/Liberty Road	21,500	140	21,640	22,790	22,930
CAPACITY-LEVEL EVENT AT THEATER					
Avenue 264/Liberty Road					
West of Mooney Blvd/SR 63	4,250	220	4,470	4,580	4,800
East of Mooney Blvd/SR 63	2,750	110	2,860	2,940	3,050

Table 5.16-3 Project Impact on Daily Traffic Volumes

Street/Location	Existing Without Project	Project Traffic	Existing With Project	2030 Without Project	2030 With Project
Mooney Blvd/State Route 63					
North of Avenue 264/Liberty Road	21,700	380	22,080	22,990	23,370
South of Avenue 264/Liberty Road	21,500	380	21,880	22,790	23,170

Source: Garland Associates 2025. Appendix M.

Additionally, Table 5 in the Traffic/Transportation Analysis indicates that the 250- student school would generate an estimated 540 vehicle trips per day based on the trip generation rate of 2.17 trips per student from the "Trip Generation Manual."

VMT Impact Criteria

As discussed in Section 5.16.1.1, *Regulatory Background*, Tulare County General Plan Policy TC-7.4 outlines screening criteria for projects presumed to have a less-than-significant impact on VMT. The applicable portion of Policy TC-7.4 states that "local-serving public facilities are presumed to have a less-than-significant impact on VMT." This screening criterion was applied in determining the proposed project's level of significance related to VMT impacts.

5.16.3.2 IMPACT ANALYSIS

The applicable thresholds are identified in brackets after the impact statement.

Impact 5.16-1: The proposed project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. [Threshold T-1]

Section 5.16.1.1 outlines Tulare General Plan policies related to transportation, including those addressing pedestrian and bicycle access, parking, public transit, and VMT as they pertain to the proposed project. Policy LU-7.3 encourages new streets within urban development boundaries (UDB) to accommodate vehicles, pedestrians, and cyclists, and Policy LU-7.4 promotes maintaining visual continuity along streetscapes. The proposed project would not construct new streets or modify existing ones, and the project site is outside of a UDB.

Policies LU-7.7 and TC-6.4 address parking considerations. Policy LU-7.7 encourages automobile-oriented uses to place parking areas in locations that are less visible from the street, and Policy TC-6.4 requires that all land uses provide adequate off-street parking. The proposed project is not considered an automobile-oriented use, such as a drive-thru restaurant, and would provide a total of 567 parking spaces, sufficient to accommodate the proposed uses, including capacity events at the performing arts theater. The proposed project supports these policies.

Policy TC-7.10 states that a local transportation analysis (LTA) should be generally be provided for land development projects that generate more than 100 peak hour trips. As shown in Table 5.16-3, the proposed

project has the potential to generate more than 100 vehicle trips during events at the performing arts theater. A Traffic/Transportation Analysis was prepared for the proposed project and is included as Appendix M. As discussed herein and in the Traffic/Transportation Assessment, the proposed project would not create a significant impact to the vehicle and pedestrian infrastructure. Roadways are designed to accommodate the anticipated vehicles trips associated with the proposed project. The proposed would further include construction of approximately 1,290 feet of sidewalk improvements along Avenue 264/Liberty Road and approximately 1,280 feet of sidewalk improvements along N Mooney Boulevard/State Route 63 along with bicycle parking onsite, which would support pedestrian access and circulation. Driveways would be signed to meet applicable County and Caltrans requirements. Driveways and access would be reviewed by the County, Caltrans, and DSA, and to the extent applicable, the driveways would also be coordinated with the City of Visalia and City of Tulare. Refer to Impact 5.16-2 through Impact 5.16-4 for further discussion related to vehicle miles traveled, geometric design features and incompatibilities, and emergency access. The proposed project would not conflict with this policy. Policies TC-7.2, TC-7.4, TC-7.5, and TC-7.6 address VMT by requiring VMT analyses for new development projects and establishing thresholds and screening criteria for specific land uses. As detailed in the Traffic/Transportation Analysis (Appendix M), the proposed project qualifies as a local-serving public facility and is therefore presumed to have a less-than-significant VMT impact, exempting it from the County's VMT thresholds. The proposed project would not conflict with these policies.

Policies TC-4.4, TC-4.7, TC-5.3, and TC-5.5 pertain to public transit and bicycle facilities. Policies TC-4.4 and TC-5.5 require new developments that generate high public transit ridership or serve as major commercial or employment centers to be clustered and to provide bicycle support facilities. Policy TC-5.3 encourages local agencies and businesses to include bicycle access and safe parking, and Policy TC-4.7 promotes reserving space for potential future transit stops in new developments. The proposed project would not generate high public transit ridership because it primarily involves relocating the existing AcCEL Center and library uses to the project site and operating a performing arts theater that would serve academic purposes and hosting occasional performing arts events. Additionally, when there would not be an event at the theater, the performing arts theater would generally be used for academic and after school uses, including performance rehearsals, special event camps, and workshops. The majority of AcCEL students would arrive to the project site by school bus. The proposed project is not a major commercial or employment center. The proposed project could generate up to 40 new employment positions. However, since some of the proposed project's uses, such as the library and the AcCEL Center, are existing uses and would be relocated to the project site, the existing COE staff for these facilities would come from other locations and the employment positions are existing and filled. As such, the proposed project's employment generation of 40 new positions is a conservative estimate. Additionally, existing staff are anticipated to already reside in Tulare County. For this reason, any new staff that would relocate to the county for an employment opportunity is expected to be minimal. Additionally, the project site is already served by TCRTA Route C40 along Mooney Boulevard/State Route 63, with existing bus stops at the intersection of N Mooney Boulevard/State Route 63 and Avenue 264/Liberty Road, and no future transit stops are planned. Consistent with Policy TC-5.3, the proposed project would include safe bicycle parking on the project site for use by students, staff, and visitors. Additionally, the proposed project would support Policy 4.7 because the proposed project would not hinder the ability for the installation of any future TCAG transit stops.

Policies TC-1.13 and TC-1.14 consist of County requirements for new developments. Policy TC-1.13 requires that, where warranted, an irrevocable offer of dedication to the right-of-way for roadways be made as part of the development review process. Policy TC-1.14 states that new development shall be conditioned to fund, through impact fees, tonnage fees, and/or other mechanisms, the construction and maintenance of roadway facilities impacted by a project. As discussed herein, the proposed project would create a significant impact to the public right of way. The proposed project includes the construction of new driveways that would connect to the roadways surrounding the project site. The construction and connection of the new driveways would be coordinated with the applicable County departments, such as the General Services Agency and Fire Department, Caltrans (for driveway connections to the N Mooney Boulevard/State Route 63), and to the extent applicable the cities of Visalia and Tulare. Project site access would further be reviewed and approved by DSA for fire, life, safety requirements and emergency access.

The proposed project would be consistent and/or not hinder the transportation related policies in the County's General Plan. Therefore, a less than significant impact would occur.

Level of Significance Before Mitigation: Less than Significant.

Impact 5.16-2: The proposed project would not conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b). [Threshold T-2]

Vehicle delays and levels of service (LOS) have historically been used as the basis for determining the significance of traffic impacts as standard practice in CEQA documents. On September 27, 2013, SB 743 was signed into law, starting a process that fundamentally changed transportation impact analyses as part of CEQA compliance. SB 743 eliminated automobile delay, LOS, and other similar measures of vehicular capacity or traffic congestion as the sole basis for determining significant impacts under CEQA. As part of the current CEQA Guidelines, the criteria "shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses" (Public Resources Code Section 21099(b)(1)). Pursuant to SB 743, the California Natural Resources Agency adopted revisions to the CEQA Guidelines on December 28, 2018, to implement SB 743. CEQA Guidelines Section 15064.3 describes how transportation impacts are to be analyzed after SB 743. Under the Guidelines, metrics related to VMT were required beginning July 1, 2020, to evaluate the significance of transportation impacts under CEQA for development projects, land use plans, and transportation infrastructure projects. State courts ruled that under the Public Resources Code Section 21099, subdivision (b)(2), "automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment under CEQA, except for roadway capacity projects."

SB 743 eliminates the need for some projects to be analyzed for CEQA purposes and these projects can be screened from requiring a VMT analysis. "Screened" is defined as projects that do not need to be analyzed for CEQA purposes. As stated previously, Tulare County's Transportation and Circulation Element of the General Plan includes Screening Criteria (Policy TC-7.4) that says "local-serving public facilities are presumed to have a less than significant impact on VMT." This would include government facilities intended to typically serve the local public, parks, and public elementary schools, public middle schools, and high schools. As the proposed project is a locally-serving public school with public educational uses, it can be screened from

requiring a detailed VMT analysis. Based on these guidelines, the proposed project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b), and would have a less than significant impact.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.16-3: The proposed project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). [Threshold T-3]

As seen in Chapter 3, *Project Description*, the proposed project would include a parking lot for the AcCEL Center and library, located at the northwest side of the project site. The parking lot would be accessed by two driveways on the south side of Avenue 264/Liberty Road. The parking lot would have drive aisles that have an east-west orientation with perpendicular parking spaces on each side of the drive aisle. The south side of the parking lot would have a student drop-off/pick-up zone and a bus loading/unloading area adjacent to the AcCEL building. Students that are dropped off and picked up at this location would have direct access the AcCEL Center and library without crossing a drive aisle.

The parking lot for the performing arts theater, located at the southeast side of the project site, would be accessed by two driveways on the west side of N Mooney Boulevard/State Route 63. The parking lot would have seven drive aisles with a north-south orientation with parking spaces perpendicular to the drive aisle. This parking lot would also have three drive aisles with an east-west configuration, which would improve vehicle circulation within the parking lot. The northernly and southernly east-west aisles would align with the two driveways from N Mooney Boulevard/State Route 63. The driveways would only accommodate right turns into and out of the parking lot because an existing raised median on N Mooney Boulevard/State Route 63 prevents left turns.

The proposed project would result in increased vehicles and traffic associated with the project site compared to existing conditions. This would include increased number of vehicular turning movements to access project driveways and at the nearby intersections could result in an increased number of traffic conflicts and a corresponding increase in the probability of an accident occurring. However, the proposed project does not include any off-site access or circulation improvements that could create or increase any design hazards or incompatible uses and existing roadways and intersections are designed to accommodate the anticipated levels of vehicular and pedestrian activity. The proposed project includes the construction of new driveways that would connect to the roadways bordering the project site. The driveways would be coordinated with the applicable County department, Caltrans, and to the extent applicable the cities of Visalia and Tulare. Further, sidewalk improvements along N Mooney Boulevard/State Route 63 would be designed and constructed in accordance with Caltrans and the County's requirements. Sidewalk improvements along Avenue 264/Liberty Road would be designed and constructed in accordance with the County's requirements. Further, project site access would further be reviewed and approved by DSA for fire, life, safety requirements and access.

As discussed above under Impact 5.16-1, parking for the proposed project would be adequately accommodated onsite, including providing enough parking for capacity-level events. This would reduce the potential for project-related vehicles to park along public rights-of-way. Should project-related vehicles park

along public rights-of-way bordering the project site, drivers are expected to follow applicable driving laws and park in permitted areas. In addition to the proposed project's parking lots, the proposed project would include internal drive aisles that would connect the two parking lots and connect the performing arts theater parking lot with the existing parking lot on COE Liberty campus. This feature would locate vehicle circulation associated with the proposed project onto the project site, instead of using public rights of way to access the different components of the proposed project. Drivers are required to follow applicable driving laws to access project driveways. Adequate parking onsite and internal drive aisles to access different project components would reduce potential vehicle conflicts or delays along public rights of way.

Therefore, the proposed project would not introduce an increase in hazards due to geometric design features.

Further, the proposed project includes the construction of education uses, similar to the existing neighboring COE Liberty campus. As such, the proposed project does not introduce incompatible uses.

As such, the proposed project would not substantially increase hazards due to a geometric design feature or incompatible uses. Therefore, a less than significant impact would occur.

Level of Significance Before Mitigation: Less than Significant.

Impact 5.16-4: The proposed project would not result in inadequate emergency access. [Threshold T-4]

Emergency access to the project site would be provided by two new driveways on the south side of Avenue 264/Liberty Road, two new driveways on the west side of N Mooney Boulevard/State Route 63, and an existing gated driveway on the south side Avenue 264/Liberty Road. Further, if needed, the project site can also be accessed from the existing COE Liberty campus (see Figure 3-6). The proposed access and circulation features at the project site, including the driveways, parking lots, fire lanes, and on-site drive aisles provide linkage to all parking lots, would accommodate emergency ingress and egress by fire trucks, police units, and ambulance/paramedic vehicles. The proposed project would be designed to accommodate emergency access to the buildings, the outdoor areas, and the parking lots. The access/circulation features at the project site are subject to and must satisfy the COE's design requirements and would be subject to approval by the Tulare County Fire Department and DSA. The proposed project would not result in inadequate emergency access. Therefore, a less than significant impact would occur.

Level of Significance Before Mitigation: Less than Significant.

5.16.4 Cumulative Impacts

The area considered for cumulative impacts to transportation is Tulare County. As shown in Impact 5.16-1, the proposed project would be consistent with the Tulare General Plan policies related to transportation, including those addressing pedestrian and bicycle access, parking, level of service (LOS), public transit, and VMT, and no impacts would occur that could result in any cumulative impacts. Additionally, the proposed project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) because the proposed project would be screened from VMT analysis required under Policy TC-7.4 of the Tulare County General Plan. Therefore, related to VMT, project impacts would not be cumulatively considerable. As

substantiated in Impacts 5.16-3 and 5.16-4, the proposed project would not substantially increase hazards due to a geometric design feature or incompatible uses and would not result in inadequate emergency access.

Similar to the proposed project, each development project would need to show consistency with applicable plans that govern circulation and evaluate VMT. Each development project would need to be designed and constructed in accordance with applicable County and Caltrans requirements and any school projects would need to be consistent with the criteria of DSA.

The relocation of UPHS to the current COE Liberty campus is a known cumulative project adjacent to the proposed project. The "Future without Project" and "Future with Project" scenarios capture the anticipated trips associated with this cumulative project. As estimated in the Traffic/Transportation Analysis (Appendix M), the UPHS relocation project would include a trip generation rate of 2.17 trips per students and generate 540 trips per day. The existing transportation system would accommodate Since the UPHS project would relocate an existing use, it does not represent new trips to TCOE service area, but does represent new trips to the adjacent roadways. The existing COE Liberty campus has sufficient capacity to accommodate the UPHS students and no physical improvements are proposed as part of this cumulative project. Similar to the proposed project, the UPHS project is a local serving use and would not increase VMT. The UPHS is not proposing any construction on the existing COE Liberty campus which would not substantially increasing hazards due to a geometric design feature or incompatible uses and inadequate emergency access. Additionally, the UPHS relocation project does not consist of any new development which might conflict with the Tulare General Plan policies related to transportation. Therefore, the proposed project would not combine with the UPHS relocation project to create a cumulative impact.

An additional project in the project area would include construction of a sewer line to a City of Visalia sewer connection to the existing COE Liberty campus which has previously been approved. Construction of the sewer line would be temporary and would be located in developed land and within an existing right-of-way. Construction activities and possible lane closures would be temporary and typical of utility connections. As such, it would not generate a long-term nor cumulative transportation impact. Therefore, the proposed project would not combine with the sewer line project to create a cumulative impact.

As such, the proposed project's less than significant impacts are not cumulatively considerable and the proposed project would not combine with other cumulative projects to create a cumulative impact. A less than significant cumulative impact would occur.

5.16.5 Level of Significance Before Mitigation

All impacts with respect to transportation would be less than significant.

5.16.6 Mitigation Measures

No mitigation measures are required.

5.16.7 Level of Significance After Mitigation

All impacts would be less than significant without mitigation.

5.16.8 References

Garland Associates. 2025, December. Traffic/Transportation Analysis for the Proposed Performing Arts Theater, AcCEL Center, and Library Project Tulare County. Appendix M.

5. Environmental Analysis
TRANSPORTATION

This page intentionally left blank.

5.17 TRIBAL CULTURAL RESOURCES

This section of the DEIR evaluates the potential for implementation of the proposed project to impact Tribal Cultural Resources (TCR). TCRs include landscapes, sacred places, or objects with a cultural value to a California Native American tribe. This section of the DEIR evaluates the potential for the proposed project to impact TCRs in Tulare County.

Potential impacts on other cultural resources (i.e., historic resources, archeological resources, and human remains) are evaluated in Section 5.5, *Cultural Resources*.

The analysis in this section is based in part on the following information:

- *Historical/Archaeological Resources Survey Report,* HANA Resources, Inc., May 25, 2025.

A complete copy of this study is included in Appendix E of this DEIR.

A public comment was received in response to the Notice of Preparation (NOP) related to tribal cultural resources. A letter from the Native American Heritage Commission received on April 22, 2025, discusses the CEQA requirements related to the Assembly Bill 52 (AB 52) tribal consultation process. The relevant issues raised from the comment letter are addressed throughout this section. Refer to Appendix A for the response to the NOP comment letter.

5.17.1 Environmental Setting

5.17.1.1 REGULATORY BACKGROUND

Federal, state, and local laws, regulations, plans, or guidelines related to tribal cultural resources and potentially applicable to the proposed project are summarized below.

Federal Regulations

Archaeological Resources Protection Act

The Archaeological Resources Protection Act (United States Code, Title 16, Sections 470aa–mm) became law on October 31, 1979, and has been amended four times. It regulates the protection of archaeological resources and sites that are on federal and Indian lands.

Native American Graves Protection and Repatriation Act

The Native American Graves Protection and Repatriation Act (United States Code, Title 25, Sections 3001 et seq.) is a federal law passed in 1990 that provides a process for museums and federal agencies to return certain Native American cultural items—such as human remains, funerary objects, sacred objects, or objects of cultural patrimony—to lineal descendants and culturally affiliated Indian tribes.

5. Environmental Analysis
TRIBAL CULTURAL RESOURCES

State Regulations

California Public Resources Code Sections 5097.9 to 5097.991

Archaeological resources are protected pursuant to a wide variety of state policies and regulations under the California Public Resources Code (PRC). In addition, cultural resources are recognized as a nonrenewable resource and therefore receive protection under the PRC and CEQA.

California PRC Sections 5097.9 to 5097.991 protect Native American historical and cultural resources and sacred sites and identify the powers and duties of the Native American Heritage Commission (NAHC). It also requires notification to descendants regarding Native American human remains and provide for treatment and disposition of human remains and associated grave goods.

PRC Sections 21073 and 20174

PRC Sections 21073 and 21074 define California Native American tribe and tribal cultural resources, respectively. PRC Section 21073 defines a "California Native American tribe" as a Native American tribe located in California that is on the contact list maintained by the NAHC.

TCRs are defined in Section 21074 as sites, features, places, cultural landscapes (geographically defined in terms of the size and scope), sacred places, and objects with cultural value to a California Native American tribe that are either included in or determined to be eligible for inclusion in the CRHR, or are included in a local register of historical resources as defined in subdivision (k) of Section 5020.1, or are a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1.

PRC Section 21083.2(i)

PRC Section 21083.2(i) states that a lead agency may make provisions for archaeological sites accidentally discovered during construction. These provisions may include an immediate evaluation of the find. If the find is determined to be a unique archaeological resource, contingency funding and a time allotment sufficient to allow recovering an archaeological sample or to employ one of the avoidance measures may be required under the provisions set forth in this section. Construction work may continue on other parts of the building site while archaeological mitigation takes place.

California Health and Safety Code

California Health and Safety Code Section 7050.5 requires that if human remains are discovered on the project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation or to his or her authorized representative. If the coroner has reason to believe the human remains are those of a Native American, he or she shall contact the NAHC by telephone within 24 hours.

California Register of Historical Resources

The California Register of Historic Resources is the state version of the National Register of Historic Resources program (see also Section 5.5). It was enacted in 1992 and became official January 1, 1993. The California Register was established to serve as an authoritative guide to the state's significant historical and archaeological resources. Resources that may be eligible for listing include buildings, sites, structures, objects, and historic districts. According to subsection (c) of PRC Section 5024.1, a resource may be listed as a historical resource in the California Register if it meets any of the four National Register criteria.

Assembly Bill 52 (AB 52)

AB 52 took effect July 1, 2015, and requires inclusion of a new section in CEQA documents titled Tribal Cultural Resources, which include heritage sites. Under AB 52, a tribal cultural resource is defined as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either included or eligible for inclusion in the California Register of Historic Resources or included in a local register of historical resources. Or the lead agency, supported by substantial evidence, chooses at its discretion to treat the resource as a tribal cultural resource.

AB 52 requires consultation with tribes at an early stage to determine whether the project would have an adverse impact on TCRs and define mitigation to protect them. Per AB 52, within 14 days of deciding to undertake a project or determining that a project application is complete, the lead agency must provide formal written notification to all tribes who have requested it. The tribe then has 30 days after receiving the notification to respond if it wishes to engage in consultation. The lead agency must initiate consultation within 30 days of receiving the request from the tribe. Consultation concludes when both parties have agreed on measures to mitigate or avoid a significant effect to a tribal cultural resource, or a party, after a reasonable effort in good faith, decides that mutual agreement cannot be reached. Regardless of the outcome of consultation, the CEQA document must disclose significant impacts on tribal cultural resources and discuss feasible alternatives or mitigation that avoid or lessen the impact.

Local Regulations

Tulare County General Plan

The General Plan has a number of policies that apply to projects within Tulare County. The policies listed below are General Plan policies that relate to tribal cultural resources.

- **ERM-6.1 Evaluation of Cultural and Archaeological Resources.** The County shall participate in and support efforts to identify its significant cultural and archaeological resources using appropriate State and Federal standards.

- **ERM-6.2 Protection of Resources with Potential State or Federal Designations**. The County shall protect cultural and archaeological sites with demonstrated potential for placement on the National Register of Historic Places and/or inclusion in the California State Office of Historic Preservation's California Points of Interest and California Inventory of Historic Resources. Such sites may be of

Statewide or local significance and have anthropological, cultural, military, political, architectural, economic, scientific, religious, or other values as determined by a qualified archaeological professional.

- **ERM-6.3 Alteration of Sites with Identified Cultural Resources.** When planning any development or alteration of a site with identified cultural or archaeological resources, consideration should be given to ways of protecting the resources. Development can be permitted in these areas only after a site specific investigation has been conducted pursuant to CEQA to define the extent and value of resource, and mitigation measures proposed for any impacts the development may have on the resource.

- **ERM-6.7 Cooperation of Property Owners.** The County should encourage the cooperation of property owners to treat cultural resources as assets rather than liabilities, and encourage public support for the preservation of these resources.

- **ERM-6.8 Solicit Input from Local Native Americans**. The County shall continue to solicit input from the local Native American communities in cases where development may result in disturbance to sites containing evidence of Native American activity and/or to sites of cultural importance.

- **ERM-6.10 Grading Cultural Resources Sites.** The County shall ensure all grading activities conform to the County's Grading Ordinance and California Code of Regulations, Title 20, § 2501 et. seq.

5.17.1.2 EXISTING CONDITIONS

Ethnohistoric Context

The project site is situated in a region generally acknowledged as the traditional homeland of the Southern Valley Yokuts, which includes the southern end of the San Joaquin Valley and extends to the Tehachapi Mountains. The biological family formed the basic domestic and economic unit in the Southern Valley Yokuts society. No overall political unity existed among the Southern Valley Yokuts, however, and tribal lands were owned collectively, with resources shared by all members of the localized groups.

The Southern Valley Yokuts lived around the various rivers, lakes, sloughs, and the seasonal marshes in the valley, subsisting mainly on fish, waterfowl, shellfish, roots, and seeds. Baskets were important in securing and processing foods, along with nets, sinew-backed bows, stone-tipped arrows, and stone scrapers. Stone mortars, wooden mortars, and pestles were obtained through trade, as were the lithic materials used to make stone tools. Perforated marine shell disks were used as currency to acquire these items. There is no evidence of clay vessel manufacturing among the Southern Valley Yokuts, and the crafts of fashioning wooden and stone tools were poorly developed.

The native lifestyle of the Southern Valley Yokuts received little influence from early, casual contacts with Spaniards in the late 1700s and early 1800s. In 1833, however, an epidemic of introduced disease devastated the native population with an estimated 75 percent mortality rate. After the annexation of California by the United States in 1848, the decline of Southern Valley Yokuts population and culture accelerated as Euroamerican settlers overran the tribal territory and displaced the native people. The Southern Valley Yokuts then were interned on the Tejon Reservation and later the Tule River and the Santa Rosa Reservations.

Records Search

The historical/archaeological resources records search for the project site was provided by the Southern San Joaquin Valley Information Center (SSJVIC) on January 13, 2025. SSJVIC staff examined maps and records on file for previously identified cultural resources and existing cultural resources studies within a one-mile radius of the project site. Previously identified cultural resources include properties designated as California Historical Landmarks or Points of Historical Interest as well as those listed in the National Register of Historic Places, the California Register of Historical Resources, or the California Historical Resources Inventory.

According to SSJVIC records, the project site had not been surveyed systematically for cultural resources prior to the proposed project. However, two linear surveys were previously carried out along the eastern project boundary in 1999 and 2010, both with negative findings. Additionally, a segment of site 54-005296 (CA-TUL-003103H), representing the Tulare Irrigation Canal (a.k.a. the Tulare Irrigation District Canal) network, was previously recorded as lying across the northern project boundary, along the south side of Avenue 264/Liberty Road. No tribal cultural resources were identified in the records search. Refer to Section 5.5, *Cultural Resources*, for a full description of the field survey (HANA Resources 2025).

Field Survey

On February 21, 2025, a field survey of the project site was completed. The survey was done on foot at an intensive level by walking a series of parallel north-south transects at 15-meter (approximately 50-foot) intervals. The entire project site was surveyed systematically for any evidence of human activities dating to the prehistoric or historic period (i.e., 50 years or older). No tribal cultural resources were encountered. Refer to Section 5.5, *Cultural Resources*, for a full description of the field survey (HANA Resources 2025).

Native American Heritage Commission

On December 17, 2024, HANA Resources submitted a written request to the State of California NAHC for a records search in the commission's Sacred Lands File (SLF). The NAHC is the State of California's trustee agency for the protection of "tribal cultural resources," as defined by PRC Section 21074, and is tasked with identifying and cataloging properties of Native American cultural value, including places of special religious, spiritual, or social significance and known graves and cemeteries throughout the state. Correspondence between HANA Resources and the NAHC is summarized below, and a complete record is attached to this report in Appendix E.

The NAHC states in a letter dated December 27, 2024, that the SLF identified no Native American cultural resources in the project vicinity (HANA Resources 2025). Note that the absence of specific information does not necessarily indicate the absence of cultural resources.

Tribal Consultation (AB 52)

The Tulare County Office of Education does not have a tribal consultation list pursuant to AB 52. As stated in their April 22, 2025, NOP comment letter, the NAHC recommended that local Native American groups be consulted for further information and provided a referral list of 10 individuals associated with five local Native American groups who may have knowledge of such resources.

The Tulare County of Education (COE) invited the tribal representatives on NAHC's Tribal Consultation list to consult on the proposed project. These letters were mailed via certified mail to the following tribes on April 23, 2025.

- Delia Dominguez, Chairperson, Kitanemuk & Yowlumne Tejon Indians
- Samantha McCarty, Cultural Specialist II, Santa Rosa Rancheria Tachi Yokut Tribe
- Michelle Heredia-Cordova, Chairperson, Table Mountain Rancheria
- Neil Peyron, Chairperson, Tule River Indian Tribe
- Kenneth Woodrow, Chairperson, Wuksachi Indian Tribe/Eshom Valley Band

Pursuant AB 52, tribes have 30 calendar days to notify the lead agency in writing that they wish to consult regarding the project. Following the 30-day notification window, no tribal responses were received.

5.17.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

TCR-1 Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

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

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

5.17.3 Environmental Impacts

Impact 5.17-1: The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). [Threshold TCR-1.i]

As discussed in Impact 5.5-1 of Section 5.5, *Cultural Resources*, of this DEIR, no resources under the California Register of Historical Resources or a local register have been recorded within the project site.

The existing project site is vacant with fallow agricultural land and ruderal grasses. As discussed in Section 5.5, the Tulare Irrigation Canal network along the northern area of the project site and segments of the canal recorded elsewhere have been evaluated as being potentially eligible for the California Historical Resources Inventory. However, the segment on the project site was turned into an underground tunnel in the 1950s and does not demonstrate the necessary historical character or retain its historical integrity for listing. One cultural resource, the Mooney Park Bridge, was identified approximately 1 mile northeast of the project site (HANA Resources 2025). Additionally, the closest locally designated historical resource is 3.7 miles north of the project site (Visalia 2014). No listed or eligible TCRs were identified for listing in the California Register or a local register.

A Sacred Land File request was submitted to the NAHC to inquire about the presence/absence of sacred or religious sites in the vicinity of the project site. The NAHC's SLF record search received a negative result on December 27, 2024; thus, no tribal resources are known to exist on or near the project site. Additionally, a field survey was conducted on February 21, 2025, and no tribal cultural resources were found. The proposed project would not impact TCRs listed or eligible for the California Register or a local register. Therefore, impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.17-2: The proposed project could cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency to be significant pursuant to criteria in Public Resources Code section 5024.1(c). [Threshold TCR-1.ii]

In accordance with Public Resources Code Section 21080.1(d), a lead agency is required to provide formal notification of intended development projects to California Native American tribes that have requested to be on the lead agency's list for receiving such notification. The formal notification is required to include a brief description of the proposed project and its location, lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation.

Pursuant to AB 52, the COE mailed tribal consultation letters to five tribes on April 23, 2025, inviting the tribes to consult on the project—the Kitanemuk & Yowlumne Tejon Indians, Santa Rosa Rancheria Tachi Yokut Tribe, Table Mountain Rancheria, Tule River Indian Tribe, and Wuksachi Indian Tribe/Eshom Valley Band. Following the 30-day notification window, no tribal responses were received.

The NAHC's SLF record search received a negative result on December 27, 2024; thus, no tribal resources are known to exist on the project site. Based on the records search, the potential to uncover tribal cultural resources for the project site is low, because of previous disturbance associated with the historical agricultural uses of the project site. However, because the proposed project would require grading, utility trenching, and other ground-disturbing activities for construction, there is potential to uncover unknown TCRs during ground-disturbing activities.

The disturbance of these TCRs could cause a substantial adverse change in the significance of the resource(s) if not mitigated.

Level of Significance Before Mitigation: Potentially Significant.

5.17.4 Cumulative Impacts

Cumulative impacts to TCRs would occur when the impacts of the proposed project, in conjunction with other projects and development in Tulare County, result in multiple and/or cumulative impacts to TCRs in the area. The presence of tribal cultural resources is site specific. The SLF did not identify any recorded TCR on or near the project site. The proposed project incorporates Mitigation Measure TCR-1, which would reduce potential impacts to a less than significant level. Similar to the proposed project, it is anticipated that other development projects would consult with NAHC and comply with AB 52, as required. As with the proposed project, each development project would be required to comply PRC Section 21083.2(i), which address accidental discoveries of archaeological sites and resources, including tribal cultural resources. Each development project would consult with California Native American tribes that request consultation and develop appropriate mitigation measures. With compliance with federal and state regulations for the treatment of Native American and archaeological resources, and appropriate mitigation measures, the proposed project in conjunction with other development projects would not result in a cumulatively considerable impact to tribal cultural resources. A less than significant impact would occur.

5.17.5 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.17-1.

Without mitigation, the following impacts would be **potentially significant:**

- **Impact 5.17-2** The proposed project could cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency to be significant pursuant to criteria in Public Resources Code section 5024.1(c).

5.17.6 Mitigation Measures

Impact 5.17-2

TCR-1 If tribal cultural resources are inadvertently discovered during ground disturbing activities for this project, the following procedures will be carried out for treatment and disposition of the discoveries:

- Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 50 feet) until the find can be assessed.
- All Tribal Cultural Resources unearthed by project activities shall be evaluated by the qualified archaeologist. If the resources are Native American in origin, the proper Tribe(s) will retain it/them in the form and/or manner the Tribe(s) deems appropriate, for educational, cultural and/or historic purposes.

- If human remains and/or grave goods are discovered or recognized at the project site, all ground disturbance shall immediately cease, and the county coroner shall be notified per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).
- Work may continue on other parts of the project site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]).
- Unless otherwise requested by a California Native American Tribe in consultation on this project, preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis.

5.17.7 Level of Significance After Mitigation

The Mitigation Measure TCR-1 identified above would reduce potential impacts associated with tribal cultural resources to a level that is less than significant. Therefore, no significant unavoidable adverse impacts relating to tribal cultural resources remain.

5.17.8 References

HANA Resources, Inc. 2025, May 25. Historical/Archaeological Resources Survey Report. Appendix E.

Visalia, City of. 2014, October. Visalia General Plan: Historical Preservation. https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=30475.

5. Environmental Analysis
TRIBAL CULTURAL RESOURCES

This page intentionally left blank.

5.18 UTILITIES AND SERVICE SYSTEMS

This section of the Draft Environmental Impact Report (DEIR) evaluates the potential impacts of the proposed project related to utilities and service systems (water, wastewater, stormwater, solid waste, electric power, natural gas, and telecommunications facilities) that serve the project site. As described in Chapter 3, *Project Description*, while the project site is within Tulare County, Cal Water Visalia District would provide water service the project site, the proposed project would connect to a sewer line located on the COE Liberty campus as part of a previously approved project, and stormwater capture would occur via a stormwater retention basin as part of the proposed project. Impacts to hydrology (e.g., surface water, groundwater, and flooding) and water quality can be found in Section 5.10, *Hydrology and Water Quality*.

Public comments were received in response to the Notice of Preparation (NOP) related to utilities and service systems. A letter from the Tulare County Fire Department was received on April 24, 2025, discusses the potential environmental impacts to fire flow/fire hydrants, and service water from water provider or private water and notes that regulations, codes, and standards will be required at the permit phase. A letter from the City of Visalia received on May 8, 2025, requests that this EIR explain and analyze potential impacts of the proposed project on wet utilities provided by the City Visalia. A letter from the Central Valley Regional Water Quality Control Board (RWQCB) received on May 21, 2025, discusses relevant regulations administered by the Central Valley RWQCB for wastewater and stormwater infrastructure capacity. The relevant issues raised from the comment letter are addressed throughout this section. Refer to Appendix A for the response to the NOP comment letter.

5.18.1 Wastewater Treatment and Collection

5.18.1.1 ENVIRONMENTAL SETTING

Regulatory Background

Federal Regulations

Clean Water Act and National Pollution Elimination Discharge System

The federal Clean Water Act requires that wastewater be treated before it is discharged to Waters of the United States (US Code Title 33, Sections 1251 et seq.). Requirements for waste discharges from publicly owned treatment works to navigable waters are addressed in National Pollution Elimination Discharge System (NPDES) regulations under the Clean Water Act (Section 402 of the CWA). NPDES permits for such discharges in the project region are issued by the Central Valley Regional Water Quality Control Board.

Under the NPDES program, all facilities that discharge pollutants from any point source into waters of the U.S. must have a NPDES permit. The term "pollutant" broadly applies to any type of industrial, municipal, and agricultural waste discharged into water. Point sources can be publicly owned treatment works, industrial facilities, and urban runoff. The NPDES program addresses certain agricultural activities, but the majority are considered nonpoint sources and are exempt from NPDES regulation. Direct sources discharge directly to receiving waters, and indirect sources discharge to publicly owned treatment works, which in turn discharge to receiving waters. Under the national program, NPDES permits are issued only for direct, point-source

discharges. The NPDES has a variety of measures designed to minimize and reduce pollutant discharges. All counties with storm drain systems that serve a population of 50,000 or more, as well as construction sites one acre or more in size, must file for and obtain an NPDES permit.

State Regulations

State Water Resources Control Board: Statewide General Waste Discharge Requirements

The General Waste Discharge Requirements specify that all federal and state agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility in the State of California need to develop a Sewer Master Plan ("Master Plan"). The Master Plan evaluates existing sewer collection systems and provides a framework for undertaking the construction of new and replacement facilities in order to maintain proper levels of service. The Master Plan includes inflow and infiltration studies to analyze flow monitoring and water use data, a capacity assurance plan to analyze the existing system with existing land use and unit flow factors, a condition assessment and sewer system rehabilitation plan, and a financial plan with recommended capital improvements and financial models.

Regional Regulation

National Pollution Discharge Elimination Permits for the City of Visalia Water Conservation Plant

Wastewater from the City of Visalia is treated by the City of Visalia Water Conservation Plant (WCP) which is located at 7579 Ave 288 in Visalia. The WCP is permitted under NPDES No. CA0079189 (Order No. R5-2018-0046). The permit outlines the requirements that the WCP is subject concerning wastewater treatment, recycled water discharge, groundwater protection, and regulatory compliance. The WCP is permitted to discharge up to 18 million gallons per day of treated wastewater to city-owned lands and contracted users for reuse and irrigation.

Local Regulations

City of Visalia Municipal Code

Chapter 13.08, Sewer Service System, of the City of Visalia Municipal Code sets the requirements for discharges of domestic and industrial waste and drainage water into the city sewerage system for the purpose of meeting the water quality requirements set by the RWQCB and the applicable effluent limitations, national standards of performance, toxic and pretreatment effluent standards, and any other discharge criteria. Among other criteria for the sewer connections, this chapter notes that all development in the City must connect to the City's sewer system, however the proposed project would not be within the City limits.

Visalia Sewer System Master Plan

The City of Visalia's Sewer System Master Plan (SSMP) was adopted in 1994 to study and project the City's sewer system needs for a horizon of 50 years. The area studied in the SSMP includes the City of Visalia and its service area. While the project site is not within the area studied by the SSMP, the Tulare Office of Education would contract sewer services from the City as part of a previously approved project. The SSMP notes the maximum daily flow rates that can be accommodated by the City's wastewater treatment plant, which range

from 15 to 25 gallons per day per student for school uses. The flow coefficient assumed for commercial uses in the City of Visalia was 1,000 gallons per day (gpd) per acre (Visalia 1994).

Existing Conditions

The project site is within unincorporated Tulare County, specifically County Service Area (CSA) #1. Sewer collection services are not provided for this portion of CSA #1. The City owns and operates a WCP, located west of State Route (SR) 99 and south of SR-198. The City's wastewater collection system consists of gravity sewers, pump stations, and force mains. The collected wastewater is discharged to trunk sewers and interceptors and conveyed to the City's WCP. In 2017, the City completed an upgrade project at the WCP which included replacement of the secondary and tertiary treatment processes with a membrane bioreactor system and ultraviolet (UV) light disinfection system, among other upgrades. The WCP has a capacity to treat 22 million gallons per day (mgd). As of 2010, the plant operates at an average daily flow of 13 mgd (Visalia 2025a).

The City's sewer collection system facilities consist of gravity sewer pipelines ranging in size from 6-inch to 42-inch, as well as 13 sewage lift stations and associated force mains (Visalia 2005). All of the pipelines within the city limits convey wastewater to the WCP. The project site is not currently served by sewer. Since the project site is not in current use, it does not generate wastewater.

5.18.1.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project:

U-1 Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

U-3 Result in a determination by the waste water 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.

5.18.1.3 ENVIRONMENTAL IMPACTS

Impact 5.18-1: Existing or planned wastewater treatment and conveyance facilities would be able to accommodate project-generated wastewater demands. [Thresholds U-1 and U-3]

The proposed project would construct a new performing arts theater, AcCEL Center, and library on the project site. The COE's existing AcCEL Center and library are currently served by an existing septic tank, and the proposed project would involve relocating these uses from their current locations to the project site. To serve

the proposed uses on the project site, the proposed project would connect to a sewer line on the existing COE Liberty campus.[1]

Additionally, the wastewater facilities would be designed so that wastewater flows from the proposed project can be accommodated by the City's existing sewer conveyance infrastructure. The proposed project would be required to pay applicable connection fees to ensure adequate sizing of sewer lines. Using the City's SSMP flow coefficient for commercial uses (1,000 gpd per acre), wastewater flows from the proposed project are estimated to consist of 1,500 gpd based on a total building square footage of 67,422 square feet (1.5 acres). These flows do not take into account the existing flows of the AcCEL center and library that are currently served by the Visalia WCP, making this estimate conservative. The Visalia WCP currently treats an average of 13 mgd and has a capacity to treat a maximum of 22 mgd. The proposed project's addition of 0.0015 mgd would result in a 0.01 percent over the current average daily flow. Therefore, the WCP would have adequate capacity to treat wastewater flows from the proposed project. Impacts regarding wastewater treatment and conveyance would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

5.18.1.4 CUMULATIVE IMPACTS

The geographic scope of cumulative impacts for wastewater utilities is the service area of the City of Visalia, which would provide wastewater collection and treatment services for the proposed project and all cumulative development in its service area. The City's SSMP projects wastewater generated from its existing and future development in the service area and forecasted the needed facility upgrades. The forecast included treatment facility upgrades needed to accommodate existing needs and the planned growth in the service area and to maintain compliance with applicable regulatory standards for wastewater treatment and discharge. The City has anticipated planned growth and determined that capacity would exist to service the demand for wastewater treatment facilities in its service area through buildout of the Visalia General Plan. Cumulative projects within the service area would be required to pay applicable fees in effect at the time building permits are issued.

Further, future development would undergo CEQA review and evaluate its impact on wastewater conveyance and treatment infrastructure. The Liberty Sewer Connection project would undergo appropriate review and approval by the City of Visalia to ensure that the system is adequately designed to accommodate anticipated wastewater flows. As such, the proposed project would not combine with the cumulative project to create a cumulatively considerable impact.

Therefore, the City of Visalia anticipates that all cumulative development within its sewer service area would be adequately served by sewer services and would not result in impacts with respect to the construction and relocation of wastewater infrastructure and wastewater treatment plant capacity. The proposed project's contribution to this less than significant cumulative impact related to wastewater generation and treatment would not be cumulatively considerable.

[1] The sewer line on the COE Liberty campus would be operated by the City of Visalia and connect to an existing sewer main on N Mooney Boulevard/State Route 63, which is part of a previously approved project (identified in this DEIR as a cumulative project).

5.18.1.5 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Wastewater treatment and collection impacts would be less than significant.

5.18.1.6 MITIGATION MEASURES

No mitigation measures are required.

5.18.1.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts would be less than significant.

5.18.2 Water Supply and Distribution Systems

5.18.2.1 ENVIRONMENTAL SETTING

Regulatory Background

Federal Regulations

Safe Drinking Water Act

The Federal Safe Drinking Water Act (SDWA) is enforced by the United States Environmental Protection Agency and sets standards for drinking water quality and oversees the states, localities, and water suppliers who implement those standards. SDWA requires many actions to protect drinking water and its sources including rivers, lakes, and groundwater.

State Regulations

Urban Water Management Planning Act

The Urban Water Management Planning Act of 1983, California Water Code Sections 10610 et seq., requires publicly or privately owned water suppliers that provide more than 3,000 acre-feet (AF) of water annually, or supply more than 3,000 customers, to prepare a plan that:

- Plans for water supply and assesses reliability of each source of water over a 20-year period in 5-year increments.
- Identifies and quantifies adequate water supplies, including recycled water, for existing and future demands, in normal, single-dry, and multiple-dry years.
- Implements conservation and the efficient use of urban water supplies. Significant new requirements for quantified demand reductions have been added by the Water Conservation Act of 2009 (Senate Bill 7 of Special Extended Session 7 [SBX7-7]), which amends the act and adds new water conservation provisions to the Water Code.

Sustainable Groundwater Management Act

The 1992 Groundwater Management Act, AB 3030, established provisions by which local water agencies could develop and implement Groundwater Management Plans (GMP). GMPs are generally designed to prevent local and regional aquifer over drafting, which reduces available groundwater resources and which, under certain conditions, can lead to degradation of water quality and to land subsidence. The City of Visalia has been, and continues to be, involved in both regional and local groundwater management efforts.

On August 29, 2014, the California Legislature passed comprehensive groundwater legislation contained in SB 1168, SB 1319, and AB 1739, which are collectively referred to as the Sustainable Groundwater Management Act (SGMA). The legislative intent of SGMA is to provide sustainable management of groundwater basins, enhance local management of groundwater, establish minimum standards for sustainable groundwater management, and provide local groundwater agencies with the authority and the technical and financial assistance necessary to sustainably manage groundwater.

The project site is within the Kaweah Subbasin (Subbasin) which is designated by DWR as a high priority basin that is critically over drafted (Cal Water 2021). As such, the Subbasin is subject to the requirements of SGMA, which include the formation of one or more GSAs and the development and implementation of one or more GSPs. The Subbasin is managed by three Groundwater Sustainability Agencies (GSAs); the Mid-Kaweah GSA, manages the area underlying the project site. The Mid-Kaweah GSA initially adopted a GSA in December 2019.

The Water Conservation Act of 2009 (Senate Bill X7-7)

The Water Conservation Act of 2009, SB X7-7, requires all water suppliers to increase water use efficiency. The legislation sets an overall goal of reducing per capita water use by 20 percent by 2020, with an interim goal of a 10 percent reduction in per capita water use by 2015. Effective in 2016, urban retail water suppliers who do not meet the water conservation requirements established by this bill are not eligible for state water grants or loans. SB X7-7 requires that urban water retail suppliers determine baseline water use and set reduction targets according to specified standards; it also requires that agricultural water suppliers prepare plans and implement efficient water management practices.

20x2020 Water Conservation Plan

The 20x2020 Water Conservation Plan, issued by the Department of Water Resources in 2010 pursuant to the Water Conservation Act of 2009 (SBX7-7), established a water conservation target of 20 percent reduction in water use by 2020 compared to 2005 baseline use.

Governor Brown's Executive Order B-29-15

The year 2013 marked the driest year recorded in state history and has led Governor Edmund G. Brown Jr. to proclaim a state of emergency regarding the dry conditions throughout California. This proclamation, announced on January 17, 2014, urged Californians to reduce their water use by 20 percent and directed state officials to take all necessary actions to prepare for these drought conditions by assisting farmers and communities that are economically impacted by dry conditions and directed state agencies to use less water and hire more firefighters. Governor Brown also gave state water officials more flexibility to manage supply throughout California under drought conditions.

In particular for local water agencies, the declaration orders that local urban water suppliers and municipalities implement their local water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought. Local water agencies should also update their legally required urban and agricultural water management plans, which help plan for extended drought conditions. The Department of Water Resources will make the status of these updates publicly available (State of California 2014).

On April 1, 2015, Governor Brown issued Executive Order B-29-15, finding that, among other things, "…conditions of extreme peril to the safety of persons and property continue to exist in California due to water shortage and drought conditions…" and ordering that, among other things, the "State Water Resources Control Board shall impose restrictions to achieve a statewide 25 percent reduction in potable urban water usage through February 28, 2016.

"These restrictions will require water suppliers to California's cities and towns to reduce usage as compared to the amount used in 2013. These restrictions should consider the relative per capita water usage of each water suppliers' service area, and require that those areas with high per capita use achieve proportionally greater reductions than those with low use." (State of California 2014).

On April 18, 2015, the State Water Resources Control Board released a draft of the water-use-reduction target they intend to impose on each individual urban water supplier; the final order was issued on July 15, 2015.

Mandatory Water Conservation

Following the declaration on July 15, 2014, of a state of emergency due to drought conditions, the SWRCB adopted Resolution No. 2014-0038 for emergency regulation of statewide water conservation efforts. These regulations, which went into effect on August 1, 2014, were intended to reduce outdoor urban water use and persuade all California households to voluntarily reduce their water consumption by 20 percent. Water companies with 3,000 or more service connections were required to report monthly water consumption to the SWRCB. The SWRCB readopted the regulations several times until Governor Brown issued Executive Order B-40-17 in April 2017, ending the drought emergency and directing the SWRCB to rescind portions of its existing drought emergency water conservation regulations but maintain the portions that prohibit wasteful water use practices until permanent requirements are in place. The prohibitions that are still in effect address: 1) the application of potable water to outdoor landscapes in a manner that causes excess runoff; 2) the use of a hose to wash a motor vehicle except where the hose is equipped with a shut-off nozzle; 3) the application of potable water to driveways and sidewalks; 4) the use of potable water in nonrecirculating ornamental fountains; and 5) the application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall. Also, urban water suppliers are still required to submit monthly water monitoring reports to the SWRCB.

Assembly Bill 1668 and Senate Bill 606

In 2018, the California Legislature enacted two policy bills to establish long-term improvements in water conservation and drought planning to adapt to climate change and longer and more intense droughts in California. The Department of Water Resources (DWR) and the State Water Resources Control Board (SWRCB) will develop new standards for:

- Indoor residential water use
- Outdoor residential water use
- Commercial, industrial, and institutional (CII) water use for landscape irrigation with dedicated meters
- Water loss

Urban water suppliers will be required to stay within annual water budgets, based on their standards for their service areas, and to calculate and report their urban water use objectives in an annual water use report. For example, the bills define a daily standard for indoor residential use of 55 gallons per person until 2025, when it decreases to 52.5 gallons and further decreases to 50 gallons by 2030. The legislation also includes changes to UWMP preparation requirements.

Governor Newsom's 2021 Drought Declaration

Governor Gavin Newsom declared a drought state of emergency on April 21, 2021, and asked state agencies to partner with local water districts and utilities to make Californians aware of drought and encourage actions to reduce water usage by promoting DWR's Save Our Water Campaign and other water conservation programs. The proclamation also included measures to be implemented by the DWR, SWRCB, the Department of Fish and Wildlife, and the Department of Food and Agriculture that included coordinated state and local actions to address issues stemming from continued dry conditions.

The governor issued subsequent drought emergency proclamations on May 10, June 8, and October 19 of 2021, and March 28 of 2022. The May 10 proclamation included further measures to be implemented by DWR, SWRCB, the Department of Fish and Wildlife, and the Department of Food and Agriculture. The July 8 proclamation called on Californians to voluntarily reduce water use by 15 percent from their 2020 levels. The October 19 proclamation required local water suppliers to implement water shortage contingency plans that are responsive to local conditions and prepare for the possibility of a third dry year. The March 28 proclamation required that by May 25, 2022, the SWRCB must consider adopting emergency regulations defining nonfunctional turf[2] and banning irrigation of nonfunctional turf in the commercial, industrial, and institutional sectors. The proclamation also required that by May 25, 2022, SWRCB must consider adopting emergency regulations to implement the shortage response actions specified in UWMPs for a water shortage level of up to 20 percent.

The SWRCB tracks and reports monthly on the state's progress toward achieving a 15 percent reduction in statewide urban water use compared to 2020 use.

State Water Resources Control Board Resolution No. 2022-002

On January 4, 2022, the SWRCB adopted an emergency regulation by resolution. On January 18, 2022, the emergency regulation became effective and would remain in effect for one year from the effective date unless the SWRCB acted to end, modify, or readopt it. The emergency regulation requirements include:

[2] Nonfunctional turf is turf that is ornamental and not otherwise used for human recreation purposes such as school fields, sports fields, and parks.

- Turning off decorative water fountains.
- Turning off/pausing irrigation systems when it rains and for two days after rain.
- Using an automatic shut-off nozzle on water hoses.
- Using a broom, not water, to clean sidewalks and driveways.
- Giving trees just what they need and avoid overwatering.

Water Conservation in Landscaping Act of 2006 (AB 1881)

The Water Conservation in Landscaping Act of 2006 (AB 1881) required the DWR to update the State Model Water Efficient Landscape Ordinance by 2009. The State's model ordinance was issued on October 8, 2009. Under AB 1881, cities and counties were required to adopt a State updated model landscape water conservation ordinance by January 31, 2010, or to adopt a different ordinance that is at least as effective in conserving water as the updated model ordinance. It also required reporting on the implementation and enforcement of local ordinances, with required reports due by December 31, 2015.

2015 Update of the State Model Water Efficient Landscape Ordinance (Executive Order B-29-15)

To improve water savings in the landscaping sector, the DWR updated the State Model Water Efficient Landscape Ordinance (MWELO) in accordance with Executive Order B-29-15. The Model Ordinance promotes efficient landscapes in new developments and retrofitted landscapes. The Executive Order called for revising the Model Ordinance to increase water efficiency standards for new and retrofitted landscapes through more efficient irrigation systems, greywater usage, and on-site stormwater capture, and by limiting the portion of landscapes that can be covered in turf.

New development projects that include landscaped areas of 500 square feet or more—including residential, commercial, industrial, and institutional projects that require a permit, plan check, or design review—are subject to the Model Ordinance. The previous landscape-size threshold for new development projects ranged from 2,500 square feet to 5,000 square feet.

California Green Building Standards Code

The nonresidential provisions of the 2022 California Green Building Standards (CALGreen) Code outline planning, design, and development methods that include environmentally responsible site selection, building design, building siting, and development to protect, restore, and enhance the environmental quality of the site and respect the integrity of adjacent properties. CALGreen also established planning and design standards for sustainable site development; energy efficiency (in excess of the California Energy Code requirements); means of achieving material conservation and resource efficiency; means of reducing the quantity of air contaminants; as well as means of conserving water used indoors, outdoors, and in wastewater conveyance.

CALGreen is updated on a three-year cycle; the 2022 CALGreen took effect on January 1, 2023. The 2025 CALGreen will become effective January 1, 2026.

California Plumbing Code

The California Plumbing Code was adopted as part of the California Building Code and specifies technical standards of design, materials, workmanship, and maintenance for plumbing systems. The code is updated on

a three-year cycle; the latest edition is dated 2022 and effective as of January 1, 2023. However, the 2025 code will become effective January 1, 2026. One of the purposes of the plumbing code is to prevent conflicting plumbing codes within local jurisdictions. Among many topics covered in the code are water fixtures, potable and nonpotable water systems, and recycled water systems.

Regional Regulations

Mid-Kaweah Groundwater Sustainability Agency Groundwater Sustainability Plan

The Kaweah Subbasin (No. 5-22.11 per DWR Bulletin 118, 2003, 2016) covers 696 square miles within the larger San Joaquin Valley Basin and is situated primarily within Tulare County with a small portion in eastern Kings County. Groundwater supplies in the Subbasin are managed by three agencies, including the Mid-Kaweah GSA, which administers the portion of the Subbasin underlying the proposed project site. The Mid-Kaweah GSA was formed September 14, 2015, through execution of a joint powers agreement between the City of Tulare, City of Visalia, and Tulare Irrigation District to establish the Mid-Kaweah Groundwater Subbasin Joint Powers Authority. The Mid-Kaweah GSP was adopted in December 2019 and last updated in July 2022 (Mid-Kaweah 2022). However, this update of the GSP has not been adopted.

Kaweah River Basin Integrated Regional Water Management Plan

The Kaweah River Basin Integrated Regional Water Management (IRWM) group, established in 2007, is a collaborative effort to manage all aspects of water resources in the Kaweah River Basin Region. The Kaweah IRWM group meets monthly to evaluate how the water in the region can best be managed as well as discuss future projects for grant applications. Projects must conform to the group's objectives, which include groundwater management, water supply, water quality, flood control, and ecosystem restoration.

The Kaweah River Basin IRWMP is a blueprint to guide regional water resource management and addresses issues such as water supply reliability, surface and groundwater quality protection, protection of aquatic, riparian, and watershed resources, flood protection, and drainage. The Plan was last updated in 2016 and is currently in the process of being updated per current DWR guidelines.

Kaweah Delta Water Conservation District

The Kaweah Delta Water Conservation District (KDWCD) is the agency that directly manages the groundwater supplies of the Kaweah Subbasin. KDWCD and other irrigation districts and companies have historically managed groundwater through the conjunctive use of surface water. KDWCD regularly provides programs that benefit local agricultural customers by making available additional surface water supplies for irrigation. These programs effectively reduce the withdrawals of groundwater resulting in in-lieu recharge of the aquifer. Groundwater is normally used by agriculture as an alternate source when surface supplies are not available and is the sole source in areas within KDWCD jurisdiction that do not have access to surface water (KDWCD 2015).

KDWCD operates about 40 dedicated water management basins with a total area of approximately 2,100 acres for the multiple purposes of flood control and groundwater replenishment. The basins have the capacity to recharge approximately 983 AF per day under optimal conditions (Cal Water 2021).

Local Regulations

Tulare County Code

Part VII, Chapter 31, Water Efficient Landscaping, outlines the County's standards for complying with the State's MWELO (Model Water Efficient Landscape Ordinance). This chapter establishes specific protocols for landscape plans from projects in the County. Part VIII, Chapter 9, County Service Area No. 1 Water Conservation Program, establishes the control measures for preserving water from uses in CSA #1. This includes specific regulations for four stages of water conservation that correspond to drought conditions. This chapter also requires all new construction in the County to use low-flush-volume toilets.

Tulare County General Plan

The following policies from Tulare County's 2030 General Plan relate to water supply and distribution (Tulare County 2012):

- **WR-3.5Use of Native and Drought Tolerant Landscaping.** The County shall encourage the use of low water consuming, drought-tolerant and native landscaping and emphasize the importance of utilizing water conserving techniques, such as night watering, mulching, and drip irrigation.

Cal Water Urban Water Management Plan (UWMP) – Visalia District

The most recent UWMP for the Visalia District was prepared by Cal Water in 2015 and updated in 2021 in compliance with the Urban Water Management Planning Act. The UWMP describes the Cal Water Visalia District service area, system demand and usage, available water resources, reliability of the water supply, and contingency planning for water shortage. It also contains a conservation section in compliance with SB X7-7 describing water usage reduction targets and implementation measures. The UWMP identifies five core programs for water conservation in the District that involve promotion of high-efficiency fixtures in residential settings, promotion of high-efficiency irrigation systems, and public information and education. The 2020 UWMP evaluates sources of the water supply for the City's projected population and future water demand until 2045, which is the planning horizon. The UWMPs are intended to help facilitate implementation of SB 610 and SB 221 (Cal Water 2021).

Existing Conditions

Water Supplier

The proposed project would be served by water supply and conveyance infrastructure provided by Cal Water Visalia District. The Cal Water Visalia District is part of a regional group of water agencies and providers as follows:

- Mid-Kaweah Groundwater Sustainability Agency
- Kaweah Delta Water Conservation District
- Kaweah River Basin Regional Water Management Group

The Cal Water Visalia District is an urban water supplier that provides the main source of water supply for the City and surrounding communities. The District is an urban retail water supplier, as defined by the California Water Code Section 10608.12. Groundwater is the sole source of water supply for the customers of the Cal Water Visalia District. The Cal Water Visalia District extracts water from the Kaweah Subbasin, which has been designated by the DWR as critically over drafted (Cal Water 2021).

The Cal Water Visalia District serves the City of Visalia and segments of unincorporated Tulare County, including the communities of Goshen, Mullen, and Tulco. The Cal Water Visalia District system includes 75 operational groundwater wells, about one-third of which have auxiliary power for backup. There are 519 miles of main pipeline in the system, ranging in size from two inches in diameter to 12 inches in diameter. The Cal Water Visalia District had 45,550 municipal connections and uses a total of 59 wells and four surface storage structures to pump groundwater to store during nonpeak hours.

The Cal Water Visalia District extracted a total of 30,152 AF of water in 2020. Average annual groundwater pumping in the Kaweah Subbasin between 1987 through 2017 totaled approximately 754,415 acre-feet per year (AFY), including approximately 685,375 AFY for irrigated agriculture and 69,040 AFY for municipal and industrial use (Mid-Kaweah GSA 2022). Therefore, the Cal Water Visalia District's groundwater extraction represents approximately 4 percent of the average annual groundwater pumping in the Kaweah Subbasin.

Water Demand and Supply

Since the project site is not in current use, it does not generate water demand. The Cal Water Visalia District's water demand per capita has been steadily decreasing since the early 2000s due to a combination of Cal Water implementing conservation pricing, the City of Visalia becoming fully metered, strict appliance efficiency standards and plumbing codes, and conservation programs. Residential customers account for most of the Cal Water Visalia District's service connections and 69 percent of its water use. Nonresidential water uses account for 28 percent of total demand. Distribution system losses account for 3 percent. The Cal Water Visalia District does not serve an agricultural uses (Cal Water 2021).

Although water demand per capita has been decreasing, the Cal Water Visalia District's water demand is anticipated to continue to increase as approved projects are constructed and new developments are approved and constructed in accordance with the General Plan within the City's water service area. Projected population and services in the UWMP are based on population and employment forecasts for Tulare County generated by the California Department of Transportation's (Caltrans) long-term socioeconomic forecast model. Over the 25-year planning period (2020-2045), the Cal Water Visalia District's water demand is expected to increase at an average rate of 1.8 percent annually. The 2020-2045 water demand projections include consideration for reduced future water use as a result of appliance standards and plumbing codes, demand management measures, and increases in the real cost of water service and household income (Cal Water 2021). Table 5.18-1, *Projected Water Demand*, shows the Cal Water Visalia District's projected water use through 2045 based on future normal hydrologic years, per the 2020 UWMP.

Table 5.18-1 Projected Water Demand

Year	Projected Water Use (AFY)
2025	32,520
2030	35,276
2035	38,310
2040	41,258
2045	44,529

Source: Cal Water 2021

Table 5.18-2, *Supply and Demand Comparison (AFY)*, shows the projected supply and demand totals for the normal year, single dry year, and multiple dry year scenarios, as reported in the Cal Water Visalia District's 2020 UWMP. As shown in this table, the Visalia District will have sufficient supplies to meet demands during both single dry year and multiple dry year conditions.

Table 5.18-2 Supply and Demand Comparison (AFY)

		2025	2030	2035	2040	2045
Normal Year	Supply Totals	32,520	35,276	38,310	41,258	44,529
	Demand Totals	32,520	35,276	38,310	41,258	44,529
	Difference	0	0	0	0	0
Single Dry Year	Supply Totals	33,152	35,962	39,057	42,063	45,400
	Demand Totals	33,152	35,962	39,057	42,063	45,400
	Difference	0	0	0	0	0
First Dry Year	Supply Totals	33,543	36,387	39,520	42,562	45,939
	Demand Totals	33,543	36,387	39,520	42,562	45,939
	Difference	0	0	0	0	0
Second Dry Year	Supply Totals	33,543	36,387	39,520	42,562	45,939
	Demand Totals	33,543	36,387	39,520	42,562	45,939
	Difference	0	0	0	0	0
Third Dry Year	Supply Totals	33,543	36,387	39,520	42,562	45,939
	Demand Totals	33,543	36,387	39,520	42,562	45,939
	Difference	0	0	0	0	0
Fourth Dry Year	Supply Totals	33,543	36,387	39,520	42,562	45,939
	Demand Totals	33,543	36,387	39,520	42,562	45,939
	Difference	0	0	0	0	0
Fifth Dry Year	Supply Totals	33,543	36,387	39,520	42,562	45,939
	Demand Totals	33,543	36,387	39,520	42,562	45,939
	Difference	0	0	0	0	0

Source: Cal Water 2021
Note: All water totals are in acre-feet-year (AFY)

Irrigation Well

An existing irrigation well is located on parcel 149-030-005 of the project site.

5.18.2.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project:

U-1 Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

U-2 Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.

5.18.2.3 ENVIRONMENTAL IMPACTS

Impact 5.18-2: Existing and proposed water supply and conveyance facilities would be able to accommodate project-generated water utility demands. [Threshold U-1]

The proposed project would construct water utility connections on the project site which would connect to existing water conveyance infrastructure owned by the Cal Water Visalia District. The existing AcCEL Center and library are currently served by the Cal Water Visalia District and would be relocated to the project site as part of the proposed project. Besides connecting the project site to the water main in the public right-of-way, no additional water conveyance facilities would need to be relocated or constructed to serve the proposed project. The impacts of constructing these project-related utility connections are considered within this EIR. Additionally, the Cal Water Visalia District, which would supply water to the proposed project, would have adequate supplies to serve the proposed project and would not require the construction of any additional water supply facilities. Additionally, the proposed project would not utilize the existing irrigation well located on parcel 149-030-005. The well would be properly abandoned in compliance with local regulations. Therefore, impacts associated with relocation or construction of water supply and conveyance facilities would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.18-3: Available water supplies are sufficient to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. [Threshold U-2]

The project site would be served by the Cal Water Visalia District which projects having adequate water supplies to serve all existing and projected growth in its service area by 2045, including under drought conditions. The proposed project includes a new performing arts theater, the AcCEL Center, and a library. Under existing conditions, the project site contains fallow agricultural fields. The existing AcCEL Center and library operated by the COE in the City of Visalia are currently served by the Cal Water Visalia District. However, for the purposes of this analysis, it is conservatively assumed that the relocation of these uses to the project site would

result in new generation within the Cal Water Visalia District service area Therefore, the proposed project would result in a net increase of water use at the project site. Since the project site is not within the existing service area of the Cal Water Visalia District and development under its proposed use was not anticipated within the City or County's General Plans, the project's water use was not included within the water demand projections of the Cal Water Visalia District's 2020 UWMP.

As shown in Table 5.18-2, the Cal Water Visalia District's water supply and demand totals are the same, which is due to the nature of the Cal Water Visalia District's water supply source (ground water). The Cal Water Visalia District limits groundwater extraction to only the amount needed to meet the current or projected demand of its service area. The 2020 UWMP notes that the projected groundwater supply volumes are not intended to and do not determine, limit or represent Cal Water's water rights or maximum pumping volumes (Cal Water 2021). The City of Visalia's 2014 General Plan EIR shows that the Cal Water Visalia District has a maximum pumping capacity of 100,829 AFY and would have the capacity to meet a projected 2030 demand of 57,364 AFY (Visalia 2014). As shown in the 2020 UWMP (see Table 5.18-2), the Cal Water Visalia District has since revised its 2030 projection for demand to 35,276 AFY, which is due to slowed growth and conservation practices (Visalia 2022). Its 2045 demand projection in the 2020 UWMP, 44,529 AFY, still remains well below the initial 2030 demand projection made in the Visalia General Plan EIR of 57,364 AFY.

As shown in Impact 5.18-1, the proposed project would generate 1,500 gpd of wastewater. Wastewater is assumed to account for 90 percent of indoor water demand; therefore, the total indoor water use for the proposed project would be 1,650 gpd (King County 2014). The landscape irrigation demand for the proposed project was estimated using the "Water Budget Workbook for New and Rehabilitated Non-Residential Landscapes, Maximum Applied Water Allowance," from the DWR, with the following assumptions (see Appendix N:

- An average Reference Evapotranspiration (ETo) of 51 inches per year per the Cal Water Visalia District's UWMP.
- An effective precipitation value of 2.75 inches per year, which is assumed to be 25 percent of the total annual precipitation of 17.2 inches per year from Cal Water Visalia District's 2020 UWMP.
- Conservatively, all landscaping is assumed to be overhead irrigation.

The proposed project's 243,126 square feet of landscaping would consume approximately 8,911 gpd of water as estimated by the DWR Water Budget Workbook for New and Rehabilitated Non-Residential Landscapes (DWR 2017). This estimate conservatively accounts for the maximum allowed water use of landscaping that would be allowed for the proposed project under the MWELO standards. Therefore, the proposed project would have a total annual water demand of approximately 10,561 gpd or 11.8 AFY which represents 0.03 percent of the Cal Water Visalia District's 2025 projected water demand of 32,520 AFY. By 2030, the Visalia District's water demand is expected to rise to 35,276 AFY. The project's contribution to water demand when added to the projected 2025 demand (32,532 AFY) would be within the Cal Water Visalia District's projected 2030 water demand. As such, the proposed project's increase in water demand along with existing and projected demand in the service area can be met by the supplies available to the Cal Water Visalia District.

Furthermore, the proposed project would adhere with the applicable requirements for water conservation required by Cal Water in addition to the water-efficiency requirements of CALGreen, California Plumbing Code, and the County's MWELO. Therefore, impacts associated with available water supplies for normal, dry, and multiple dry years would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

5.18.2.4 CUMULATIVE IMPACTS

The geographic scope of the cumulative water conveyance and supply impacts is the service area of Cal Water Visalia District, which provides potable water to residents and businesses within the City of Visalia service area. Cal Water's 2020 UWMP for the Visalia District notes that it has sufficient groundwater capacity to supply the projected demands within the City's service area through the year 2045. As described in Impact 5.18-3, the proposed project's water demand is not considered within the 2020 UWMP; however, the Visalia District has noted its access to additional groundwater supplies beyond the supply noted in the UWMP. Since the Visalia District anticipates being able to accommodate all water supply needs in its service area, the proposed project would have adequate water supply from Cal Water to meet its demand for normal and dry years.

Similarly, other cumulative development in the Cal Water Visalia District's service area would also have access to adequate supply from the Cal Water Visalia District. While the current UWMP does not account for all potential future development that could be added to its service area, future updates of the Cal Water Visalia District UWMP, which occur every five years, will reevaluate the Cal Water Visalia District's water supply and demand projections to include this future cumulative development and ensure the Cal Water Visalia District's compliance with sustainable groundwater extraction pursuant to the GSPs for the Kaweah Subbasin. Further, future development would undergo CEQA review and evaluate its impact on water supplies and infrastructure. Similar to the proposed project, cumulative development projects would be required to comply with applicable local, state, and federal regulatory compliance measures and implement water reduction features required by the CBC and local regulations. The UPHS relocation project nor the Liberty Sewer Connection project would affect regional water supply since it is an existing use within the Cal Water Visalia District being relocated to a new site within the Cal Water Visalia District.

Additionally, the City of Visalia's water conveyance infrastructure would continue to be updated to meet new demand in the service area. The proposed project would construct its own connections onsite and connect to the existing water conveyance infrastructure. Therefore, impacts associated with the proposed project with respect to water supply and conveyance would be less than cumulatively considerable, and cumulative water impacts would be less than significant.

5.18.2.5 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Water conveyance and supply impacts would be less than significant.

5.18.2.6 MITIGATION MEASURES

No mitigation measures are required.

5.18.2.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts would be less than significant.

5.18.3 Storm Drainage Systems

5.18.3.1 ENVIRONMENTAL SETTING

Regulatory Background

Federal Regulations

National Pollutant Discharge Elimination System (NPDES)

The NPDES permit program was established by the Clean Water Act to regulate municipal and industrial discharges to surface waters of the United States, including discharges from municipal separate storm sewer systems (MS4). Federal NPDES permit regulations have been established for broad categories of discharges, including point-source municipal waste discharges and nonpoint-source stormwater runoff. NPDES permits generally identify effluent and receiving water limits on allowable concentrations and/or mass emissions of pollutants in the discharge; prohibitions on discharges not specifically allowed under the permit; and provisions that describe required actions by the discharger, including industrial pretreatment, pollution prevention, self-monitoring, and other activities.

Under the NPDES Program, all facilities that discharge pollutants into waters of the United States are required to obtain a NPDES permit. Requirements for stormwater discharges are also regulated under this program. In California, the NPDES permit program is administered by the State Water Resources Control Board (SWRCB) through the nine Regional Water Quality Control Boards (RWQCBs).

State Regulations

State Water Quality Control Board Trash Amendment

On April 7, 2015, the SWQCB adopted an amendment to *The Water Quality Control Plan for Ocean Waters of California* to control trash. In addition, the *Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California* added the section, Part 1 Trash Provisions. Together, they are collectively referred to as "the Trash Amendments". The purpose of the Trash Amendments is to provide statewide consistency for the RWQCBs in their regulatory approach to protect aquatic life, public health beneficial uses, and reduce environmental issues associated with trash in State waters, while focusing limited resources on high trash generating areas (SWRCB 2015).

The Trash Amendments apply to all Phase I and II permittees under the NPDES municipal separate storm sewer systems (MS4) permits. Compliance with the Trash Amendment requires municipalities to install certified trash treatment control systems on all catch basins no later than December 2, 2030 (SWRCB 2019).

State Water Resources Control Board General Construction Permit

The SWRCB adopted the revised Statewide Construction General Permit on September 8, 2022 (Order WQ 2022-0057-DWQ), which became effective on September 1, 2023. Under the terms of the permit, applicants must file Permit Registration Documents (PRD) with the SWRCB prior to the start of construction. The PRDs include a Notice of Intent, risk assessment, site map, Stormwater Pollution Prevention Plan (SWPPP), annual fee, and a signed certification statement. The PRDs are submitted electronically to the SWRCB via the Stormwater Multiple Application and Report Tracking System (SMARTS) website.

Applicants must also demonstrate conformance with applicable best management practices (BMP) and prepare a SWPPP containing a site map that shows the construction site perimeter, existing and proposed buildings, lots, roadways, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns across the project site. The SWPPP must list BMPs that would be implemented to prevent soil erosion and discharge of other construction-related pollutants that could contaminate nearby water resources. Additionally, the SWPPP must contain a weekly visual monitoring program and BMP inspections prior to, during, and after qualifying precipitation events. Water quality monitoring is also required with a schedule based on the risk level of the site.

Regional Regulations

National Pollution Elimination Discharge System, Central Valley Phase II Small MS4s

Under the NPDES program, all facilities that discharge pollutants into waters of the United States are required to obtain an NPDES permit. Requirements for stormwater discharges are also regulated under this program. As previously described, the project site lies within the jurisdiction of the Central Valley RWQCB (Region 5). Tulare County is subject to the requirements of the General Permit for Storm Water Discharges for Phase II Small Municipal Separate Storm Sewer Systems (MS4s) Order No. 2013-0001-DWQ (as amended by Order No. WQ 2015-0133-EXEC, Order No. WQ 2016-0069-EXEC, Order No. WQ 2017- XXXX-DWQ, Order No. WQ 2018-0001-EXEC, and Order No. WQ 2018-0007-EXEC).

Local Regulations

Tulare County General Plan

The following policies from Tulare County's 2030 General Plan relate to stormwater drainage (Tulare County 2012):

- **PFS-4.4 Stormwater Retention Facilities.** The County shall require on-site detention/retention facilities and velocity reducers when necessary to maintain existing (pre-development) storm flows and velocities in natural drainage systems. The County shall encourage the multi-purpose design of these facilities to aid in active groundwater recharge.

Existing Conditions

Rainwater on the project site either percolates into the ground or leaves the project site as runoff to the surrounding public rights-of-way. A portion of rainwater that lands on the 0.4-acre developed portion of the project site is directed to the stormwater basins on the COE Liberty campus.

5.18.3.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project:

U-1 Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

5.18.3.3 ENVIRONMENTAL IMPACTS

Impact 5.18-4: Existing and proposed stormwater drainage facilities would be able to accommodate project-generated stormwater runoff. [Threshold U-1]

The proposed project would develop the primarily pervious surface of the existing project site with primarily impervious surfaces associated with the proposed uses. To manage stormwater flows at the project site, the proposed project would construct a stormwater retention basin to allow for infiltration of stormwater into the water table and treat runoff from the proposed project at the project site and the existing COE Liberty campus. Consistent with the City of Visalia's stormwater drainage standards, this stormwater retention basin would be required to store the projected volume resulting from a 10-day 10-year storm scenario, which includes accommodating a 4.17-inch rainfall depth within a 25.9-acre tributary area. The required storage volume for the onsite retention basin is 6.79 AF; the proposed design of the basin would accommodate a volume of 8.12 AF.

The impacts of these improvements are analyzed throughout this EIR as part of the proposed project. Since the proposed stormwater retention basin would be able to adequately accommodate potential runoff from the project site, no additional stormwater facilities would need to be constructed or relocated. Therefore, construction impacts related to planned construction, expansion, and relocation of stormwater facilities would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

5.18.3.4 CUMULATIVE IMPACTS

The geographic scope of the cumulative analysis of storm drainage is projects within Tulare County, consisting of areas that drain to the Kaweah River's Delta system. The future cumulative projects within the City and County would undergo review from the respective planning departments to evaluate and mitigate any potential impacts associated with storm drainage pursuant to applicable laws and regulations. In addition, consistent with applicable standards and evaluations required by the City and County, all new development and significant

redevelopment projects would be required to incorporate measures to address post-construction stormwater runoff per the Central Valley Phase II Small MS4 Permit. Therefore, cumulative impacts in this regard would be less than significant. As discussed above, the proposed project would have a less than significant impact on storm drainage. Therefore, the proposed project's contribution to this less than significant impact related to storm drainage would not be cumulatively considerable. Cumulative impacts to storm drainage system would be less than significant.

5.18.3.5 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Stormwater drainage and supply impacts would be less than significant.

5.18.3.6 MITIGATION MEASURES

No mitigation measures are required.

5.18.3.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts would be less than significant.

5.18.4 Solid Waste

5.18.4.1 ENVIRONMENTAL SETTING

Regulatory Background

Federal Regulations

Resource Conservation and Recovery Act of 1976

The Resource Conservation and Recovery Act of 1976 (RCRA) (Title 40 of the Code of Federal Regulations), Part 258, contains regulations for municipal solid waste landfills and requires states to implement their own permitting programs incorporating the federal landfill criteria. The federal regulations address the location, operation, design (liners, leachate collection, run-off control, etc.), groundwater monitoring, and closure of landfills.

State Regulations

California Green Building Standards Code

The nonresidential provisions of the 2022 California Green Building Standards (CALGreen) Code outline planning, design, and development methods that include environmentally responsible site selection, building design, building siting, and development to protect, restore, and enhance the environmental quality of the site and respect the integrity of adjacent properties. CALGreen also established planning and design standards for sustainable site development; energy efficiency (in excess of the California Energy Code requirements); means of achieving material conservation and resource efficiency; means of reducing the quantity of air contaminants; as well as means of conserving water used indoors, outdoors, and in wastewater conveyance.

CALGreen is updated on a three-year cycle; the 2022 CALGreen took effect on January 1, 2023. The 2025 CALGreen will become effective January 1, 2026.

Integrated Solid Waste Management Act (Assembly Bill [AB] 939)

Assembly Bill 939 (Integrated Solid Waste Management Act of 1989; Public Resources Code 40050 et seq.) established an integrated waste-management system that focused on source reduction, recycling, composting, and land disposal of waste. AB 939 required every California city and county to divert 50 percent of its waste from landfills by the year 2000. Compliance with AB 939 is measured in part by comparing solid waste disposal rates for a jurisdiction with target disposal rates. Actual rates at or below target rates are consistent with AB 939. AB 939 also requires California counties to show 15 years of disposal capacity for all jurisdictions in the county or show a plan to transform or divert its waste.

Mandatory Commercial Recycling Act (AB 341)

Assembly Bill 341 (Chapter 476) increases the statewide waste diversion goal to 75 percent by 2020, and mandates recycling for businesses producing four or more cubic yards of solid waste per week or multi-family residential dwellings of five or more units. AB 341 is designed to reduce greenhouse gas (GHG) emissions in the state by 5 million metric tons of carbon dioxide equivalents.

Solid Waste Reuse and the Recycling Access Act (AB 1327)

The California Solid Waste Reuse and the Recycling Access Act of 1991 (AB 1327) is codified in Public Resources Code Sections 42900 to 42911. As amended, AB 1327 requires each local jurisdiction to adopt an ordinance requiring commercial, industrial, institutional, and residential buildings having five or more living units to provide an adequate storage area for the collection and removal of recyclable materials. The size of these storage areas is determined by the appropriate jurisdictions' ordinance.

Organic Waste Methane Emissions Reduction Act (Senate Bill 1383)

In September 2016, SB 1383 was signed into law establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants in various sectors of California's economy. SB 1383 establishes goals to reduce the landfill disposal of organics by achieving a 50 percent reduction in the 2014 level of statewide disposal of organic waste by 2020 and a 75 percent reduction by 2025. SB 1383 grants CalRecycle the regulatory authority to achieve the organic waste disposal reduction targets and establishes an additional target that at least 20 percent of currently disposed edible food must be recovered for human consumption by 2025.

As of January 2022, SB 1383 affects all generators of organic waste, including businesses, institutions, and non-profit organizations, multi-family property owners or managers of buildings with five or more units, residents in single-family homes, apartments, and condos, public and private schools, and government agencies, such as State agencies and park districts. All generators must be provided with curbside organics service.

Mandatory Organics Recycling Act (AB 1826)

AB 1826, which was enacted in 2014, mandates organic waste recycling for businesses and multifamily dwellings with five or more units. Starting January 1, 2020, all generators of two cubic yards or more of garbage, recycling,

and compost combined per week must recycle organic waste. Organic waste includes food scraps, food-soiled paper waste, yard trimmings, and landscape materials. Organic waste can be recycled through composting, mulching, and anaerobic digestion which produces renewable energy and fuel. In addition to recycling food scraps, donating surplus food to local food banks can be part of the AB 1826 compliance effort. Multifamily dwellings do not need to have food-waste recycling on-site but must recycle yard and landscape materials.

Local Regulations

Tulare County Code

Part IV, Chapter 3, Management of Solid Waste, describes the County-wide program for the safe, economical and efficient collection, storage, transportation, and the disposal of refuse, recyclable materials, and other materials and to assure adequate standards of service for said collection, storage, transportation and disposal of solid wastes.

Tulare County General Plan

The following policies from Tulare County's 2030 General Plan relate to solid waste management (Tulare County 2012):

- **PFS-5.6 Ensure Capacity.** The County shall require evidence that there is adequate capacity within the solid waste system for the processing, recycling, transmission, and disposal of solid waste prior to approving new development.

- **PFS-5.7 Provisions for Solid Waste Storage, Handling, and Collection**. The County shall ensure all new development adequately provides for solid waste storage, screening, handling, and collection prior to issuing building permits.

Existing Conditions

Since the project site is not in current use, it generates no solid waste. The County contracts waste collection services from six companies which serve different portions of the County. Collection service would be provided for the project site by Waste Management (Tulare County 2025a). Per Part IV, Chapter 3 of the County Code, the haulers are required to serve all properties in their service area. The County currently operates two landfills, the Visalia Disposal Site and Woodville Disposal Site, in addition to six transfer stations throughout the County (Tulare County 2025b).

In 2019, unincorporated Tulare County deposited a total of 109,997 tons to the Visalia Disposal Site, constituting approximately 30 percent of the total waste deposited at this landfill and approximately 60 percent of the total waste deposited by the unincorporated County for that year. Waste from the unincorporated County was also deposited at the Teapot Dome Disposal Site, which accepted 35 percent of waste generated from the unincorporated County in 2019 (CalRecycle 2019a). The capacities of these landfills, which together accepted 95 percent of the waste generated by the unincorporated County are shown in Table 5.18-3, *Landfill Capacity*. However, as noted in the table, the Teapot Dome Disposal Site ceased operation in 2022. While data is not currently available for the County's disposal at the Woodville Disposal Site, it is assumed for the purpose of this analysis that waste from the unincorporated County is deposited at this landfill.

Table 5.18-3 Landfill Capacity

Name and Location	Current Remaining Capacity (Cubic Yards)	Estimated Close Date	Maximum Daily Load (tons)	Average Daily Disposal, (tons)[1]	Residual Daily Disposal Capacity (tons)
Visalia Disposal Site Road 80 At Avenue 328 Visalia, CA 93291	11,717,479	January 2045	2,000	1,113	887
Teapot Dome Disposal Site Avenue 128 And Road 208, Porterville, CA 93257	431,707	Ceased Operation	800	390	410
Woodville Disposal Site Rd 152 At Ave 198; 10 Mi Se Tulare Tulare, CA 93274	7,093,145	January 2043	1,078	148	930

Source: CalRecycle 2019b, 2019c, 2019d, 2025a, 2025b

[1] Average daily disposal is calculated from annual disposal based on 300 operating days per year; the landfills are assumed open six days per week, Monday through Saturday, except for certain holidays. 333,752 tons of waste were deposited at the Visalia Disposal Site in 2019; 117,125 tons of waste were deposited at the Teapot Dome Disposal Site in 2019; 44,442 tons of waste were deposited at the Woodville Disposal Site in 2014.

Compliance with AB 939 is measured by comparing the CalRecycle target disposal rates for residents and employees to actual disposal rates. The CalRecycle target calculated disposal rates for unincorporated Tulare County were 6.2 pounds per person per day (ppd) for residents and 21.3 ppd for employees in 2023. The actual disposal rates in 2023 were 9.4 ppd for residents and 26.6 ppd for employees (CalRecycle 2023). Therefore, the solid waste diversion goals for the County were not met in 2023.

5.18.4.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project:

U-4 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.

U-5 Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

5.18.4.3 ENVIRONMENTAL IMPACTS

Impact 5.18-5: The proposed project would not generate waste in excess of local standards or exceed the capacity of landfills, and the proposed project would comply with related solid waste regulations. [Thresholds U-4 and U-5]

The proposed project would be required to comply with applicable State and local laws and regulations related to solid waste such as AB 939, SB 1383 related to organic waste, and AB 341 and AB 32 related to recycling. Trash collection service would be provided by Waste Management. Waste generated by the proposed project

would be conveyed to the Visalia Disposal Site or Woodville Disposal Site. The proposed project would have approximately 40 staff members at the proposed AcCEL Center, library, and performing arts center. Additionally, the AcCEL Center would have a capacity of 80 students and library would have a capacity of 100 persons. The performing arts center has a capacity of 500 seats. Using CalRecycle's 2023 pounds per day disposal rate per staff member in the unincorporated county, the proposed project would generate 19,152 ppd. This conservatively accounts for the presence of all staff and the maximum number of visitors/attendees to the project site on a daily basis and uses the pounds per staff member per day rate (26.6 ppd) for both staff and visitors/attendees. This conservative estimate equates to 9.6 tons per day of waste generated by the proposed project which is well within the available capacity of Visalia Disposal Site and Woodville Disposal Site and would not exceed the residual daily disposal capacities of either landfill serving the proposed project. Therefore, impacts associated with solid waste disposal and regulations would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

5.18.4.4 CUMULATIVE IMPACTS

The geographical scope of cumulative impacts associated with solid waste are all areas served by the County's two operating landfills. These existing solid waste facilities provide sufficient capacity to serve all development anticipated in their service areas, as well as existing, planned, and probable future land uses in the County (Tulare 2010). The landfills serving the County have a combined remaining capacity of 18,810,624 cubic yards. Additionally, other projects within the cumulative geographic context, would be required to comply with applicable federal, State, and local laws, regulations and policies to address and mitigate, as necessary, any potentially significant impacts related to solid waste. For these reasons, cumulative impacts to solid waste would be less than significant.

The proposed project's contribution to this less than significant cumulative impact would not be cumulatively considerable. The anticipated waste volume of development associated with the proposed project represents less than 1 percent of the landfills' permitted daily capacity. Therefore, the proposed project, in conjunction with other cumulative projects, would result in a less than significant cumulative impact related to solid waste generation and landfill capacity

5.18.4.5 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Solid waste impacts would be less than significant.

5.18.4.1 MITIGATION MEASURES

No mitigation measures are required.

5.18.4.2 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts would be less than significant.

5.18.5 Other Utilities

5.18.5.1 ENVIRONMENTAL SETTING

Regulatory Background

Federal Regulations

National Energy Policy

Established in 2001 by the National Energy Policy Development Group, this policy is designed to help the private sector and state and local governments promote dependable, affordable, and environmentally sound production and distribution of energy for the future. Key issues addressed by the energy policy are energy conservation, repair, and expansion of energy infrastructure and ways of increasing energy supplies while protecting the environment.

Federal Communication Commission Regulations

The Federal Communications Commission regulates interstate and international communications by radio, television, wire, satellite and cable in all 50 states, the District of Columbia and US territories. The commission's regulatory powers include setting manufacturing standards for communications equipment, decency standards in radio and television broadcasts, and ensuring competition.

State Regulations

California Public Utility Commission

The California Public Utilities Commission regulates privately owned telecommunications, electric, natural gas, water, railroad, rail transit, and passenger transportation companies in addition to authorizing video franchises. Among the commission's goals for energy regulation are: establish service standards and safety rules, authorize utility rate changes, oversee markets to inhibit anti-competitive activity, prosecute unlawful utility marketing and billing activities, govern business relationships between utilities and their affiliates, resolve complaints by customers against utilities, implement energy efficiency and conservation programs and programs for low-income and disabled people, oversee the merger and restructure of utility corporations, and enforce the California Environmental Quality Act (CEQA) for utility construction.

California Energy Commission

The California Energy Commission (CEC) was created in 1974 as the State's principal energy planning organization in order to meet the energy challenges facing the State in response to the 1973 oil embargo. The CEC is charged with six basic responsibilities when designing state energy policy:

- Forecast statewide electricity needs.
- License power plants to meet those needs.
- Promote energy conservation and efficiency measures.
- Develop renewable energy resources and alternative energy technologies.

- Promote research, development and demonstration.
- Plan for and direct the State's response to energy emergencies.

AB 802: California Energy Benchmarking and Disclosure

On October 8, 2015, AB 802 directed the CEC to establish a statewide energy benchmarking and disclosure program and enhanced the CEC's existing authority to collect data from utilities and other entities for the purposes of energy forecasting, planning, and program design. Among its specific provisions, AB 802 requires utilities to maintain records of the energy usage data of all buildings to which they provide service for at least the most recent 12 complete months. AB 802 requires each utility, upon the request and authorization of the owner, owner's agent, or operator of a covered building, to deliver or provide aggregated energy usage data for a covered building to the owner, owner's agent, operator, or to the owner's account in the Energy Star Portfolio Manager, subject to specified requirements. AB 802 also authorized the CEC to specify additional information to be delivered by utilities for certain purposes.

California Building Code: Building Energy Efficiency Standards

Energy conservation standards for new residential and nonresidential buildings were adopted by the California Energy Resources Conservation and Development Commission (now the CEC) in June 1977 (Title 24, Part 6, of the California Code of Regulations). Title 24 Part 6 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods.

The CEC adopted the 2022 Building Energy Efficiency Standards on August 11, 2021, and they went into effect on January 1, 2023. The 2022 standards encourage efficient electric heat pumps, establish electric-ready requirements for new homes, expand solar photovoltaic and battery storage standards, strengthen ventilation standards, among other approaches. The 2022 standards require mixed-fuel single-family homes to be electric-ready to accommodate replacement of gas appliances with electric appliances. In addition, the new standards include prescriptive photovoltaic system and battery requirements for high-rise, multi-family buildings (i.e., more than three stories) and commercial buildings such as hotels, offices, medical offices, restaurants, retail stores, schools, warehouses, theaters, and convention centers. The 2025 Building Energy Efficiency Standards will become effective January 1, 2026.

California Green Building Code: CALGreen

CALGreen was adopted as part of the California Building Standards Code and established planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), as well as water conservation and material conservation, both of which contribute to energy conservation. The 2022 CALGreen standards became effective January 1, 2023. The 2025 CALGreen will become effective January 1, 2026.

2016 Appliance Efficiency Regulations

The 2016 Appliance Efficiency Regulations (Title 20, California Code of Regulations, Sections 1601 through 1608), combined with federal standards, set minimum efficiency levels for energy and water consumption in products, such as consumer electronics, household appliances, and plumbing equipment (CEC 2023a). Twenty-

three categories of appliances are included in the scope of these regulations. The standards apply to appliances that are sold or offered for sale in California, except those sold wholesale in California for final retail sale outside the State, and those designed and sold exclusively for use in recreational vehicles or other mobile equipment. These regulations exceed the standards imposed by all other states and they reduce GHG emissions and energy demand.

State Greenhouse Gas Regulations

Current State of California guidance and goals for reductions in GHG emissions from stationary sources are generally embodied in Executive Orders S-03-05 and B-30-15, AB 32 and AB 197, and SB 32. While these regulations are aimed at reducing GHG emissions, they have a direct relationship to energy conservation. A detailed discussion of these regulations is provided in Section 5.7, *Greenhouse Gas Emission,* of the EIR.

Local Regulations

The following policies from Tulare County's 2030 General Plan relate to dry utilities (Tulare County 2012):

- **ERM-4.1 Energy Conservation and Efficiency Measures.** The County shall encourage the use of solar energy, solar hot water panels, and other energy conservation and efficiency features in new construction and renovation of existing structures in accordance with State law.

- **ERM-4.8 Energy Efficiency Standards.** The County shall encourage renovations and new development to incorporate energy efficiency and conservation measures that exceed State Title 24 standards. When feasible, the County shall offer incentives for use of energy reduction measures such as expedited permit processing, reduced fees, and technical assistance.

- **PFS-9.1 Expansion of Gas and Electricity Facilities**. The County shall coordinate with gas and electricity service providers to plan the expansion of gas and electrical facilities to meet the future needs of County residents.

- **PFS-6.1 Telecommunications Services**. The County shall work with telecommunication providers to ensure that all residents and businesses have access to telecommunications services, including broadband internet service. To maximize access to inexpensive telecommunications services, the County shall encourage marketplace competition from multiple service providers.

Existing Conditions

Since the project site is not in current use, it does not generate a current demand for dry utilities. The project site is served by existing underground utilities lines for telephone, cable, electricity, and natural gas service; two pole mounted electric transformers exist onsite. Southern California Edison (SCE) would provide electricity service to the proposed project, SoCal Gas Company would provide natural gas service, and Comcast Cable Company and AT&T provide telecommunication services. Various internet service providers, including but not limited to AT&T, Xfinity Comcast, EarthLink, and T-Mobile, also operate broadband internet service within the vicinity of the project site in the County of Tulare.

SCE's service area spans much of southern California from Orange and Riverside counties on the south to Santa Barbara County on the west to Mono County on the north. Total electricity consumption in SCE's service area in 2024 was 282,783 giga-watt hours (GWh); the total electricity consumption in Tulare County was 4,615 Gwh in 2024 (CEC 2025a). The service area of SoCal Gas Company encompasses approximately 24,000 square miles throughout Central and Southern California, from Visalia to the Mexican border. Total natural gas consumption for SoCal Gas Company's service area was 11,104 million therms in 2024; 156.4 million therms of gas were consumed by Tulare County in 2024 (CEC 2025b).

5.18.5.2 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project:

U-1 Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

5.18.5.3 ENVIRONMENTAL IMPACTS

Impact 5.18-6: Existing and proposed dry electricity, natural gas, and communications services would be able to accommodate project-generated demands. [Threshold U-1]

Electricity

Electrical service for the proposed project would be provided by SCE through connections to existing electrical lines at the project site. The environmental impacts of constructing and installing these onsite connections are analyzed within this EIR. The proposed project would have an electricity demand of 669,728 kilowatt hours per year (see Section 5.6, *Energy*) which represents approximately 0.015 percent of the existing electricity consumption of the County in 2024. The total mid-electricity consumption in SCE's service area is forecast to increase by approximately 23,200 GWh between 2022 and 2035 (CEC 2024c). Therefore, the forecast increase in electricity demand for the proposed project would be well within the forecasted demand for SCE's service area. Additionally, project electricity demand would be reduced by compliance with energy efficiency standards set forth by Title 24 of the California Code of Regulations, appliance efficiency regulations set forth by Title 20 of the California Administrative Code, and CALGreen. Therefore, the proposed project would not require SCE to obtain new or expanded electricity supplies, and impacts would be less than significant.

Natural Gas

Natural gas service from SoCal Gas Company would be provided to the project site by existing pipelines and onsite connections that would be constructed as part of the proposed project. The proposed project would increase the natural gas demand at the project site by approximately 2,440,827 thousand British thermal units (see Section 5.6, *Energy*), or 24 therms, which represents approximately 0.2 percent of the natural gas consumed by SoCal Gas Company's service area in 2024. SoCalGas forecasts that it will have sufficient supplies to meet demands in its service area (CGEU 2018). Therefore, development pursuant to the proposed project would

not require SoCalGas to obtain new or expanded natural gas supplies, and impacts would be less than significant. Therefore, impacts to electrical and natural gas utilities would be less than significant.

Telecommunications

The proposed project would be served by existing cable and telephone utility connections provided by Comcast or AT&T, in addition to internet broadband service by one of the internet service providers that serve the County The impacts of installing telecommunications infrastructure at the project site is considered within the analysis of this EIR. No significant expansion or construction of the telecommunications network would be needed to serve the proposed project. Therefore, impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

5.18.5.4 CUMULATIVE IMPACTS

The area considered for cumulative impacts are the service areas of the respective dry utility providers mentioned in the impact analysis above. In addition to the proposed project, other cumulative projects within the service areas of these utility providers would increase demands for services.

The California Public Utilities Commission has identified the Integrated Energy Policy Report as "the appropriate venue for considering issues of load forecasting, resource assessment, and scenario analyses, to determine the appropriate level and ranges of resource needs for load serving entities in California." The 2023 report identified that California's GHG emission reduction goals are advancing building and transportation electrification across the state. Electrification policies in recent years have resulted in increased electricity load projections and decreased projections of gas demand.

As noted in Impact 5.18-6, SCE and SoCal Gas Company anticipate having the capacity to serve all future demands in their service areas. Additionally, cumulative projects would implement the requirements of the California Energy Code and CALGreen to reduce electricity and natural gas consumption. New buildings would also use new energy-efficient appliances and equipment, pursuant to the Appliance Efficiency Regulations. Counties and cities review project design plans against these codes and ensure compliance before issuing construction permits. These measures would reduce the overall consumption of electricity.

Furthermore, telecommunications service providers would continue to provide and extend services in their service areas in accordance with demand. The construction of these utilities would be regulated by jurisdiction-specific requirements, in addition to independent CEQA review to ensure less than significant environmental impacts with respect to cumulative development.

Therefore, the proposed project would not result in a cumulatively considerable impact to electric power, natural gas, or telecommunication facilities and cumulative impacts would be less than significant.

5.18.5.5 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Dry utility impacts would be less than significant.

5.18.5.6 MITIGATION MEASURES

No mitigation measures are required.

5.18.5.7 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts would be less than significant.

5.18.6 References

California Department of Resources Recycling and Recovery (CalRecycle). 2019a. Jurisdiction Disposal and Alternative Daily Cover (ADC) Tons by Facility, 2019, Tulare County. https://www2.calrecycle.ca.gov/LGCentral/DisposalReporting/Destination/DisposalByFacility

———.2019b. Jurisdiction or Origin Waste Disposal By Facility For Visalia Disposal Site.

———.2019c. Jurisdiction or Origin Waste Disposal By Facility For Teapot Dome Disposal Site.

———.2019d. Jurisdiction or Origin Waste Disposal By Facility For Woodville Disposal Site.

———. 2023. Countywide, Regionwide, and Statewide Jurisdiction Diversion / Disposal Progress Report. https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/DiversionDisposal

———.2025a, September 2. SWIS Facility/Site Activity Details, Teapot Dome Disposal Site (54-AA-0004). https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/817?siteID=3834

———.2025b, September 2. SWIS Facility/Site Activity Details, Woodville Disposal Site (54-AA-0008). https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/3838

———.2025c, September 2. SWIS Facility/Site Activity Details, Teapot Dome Disposal Site (54-AA-0004). https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/3834

California Department of Water Resources (DWR). June 13, 2017. Water Budget Workbook for New and Rehabilitated Non-Residential Landscapes. Appendix N.

California Energy Commission (CEC). 2025a, September 9. California Electricity Consumption Dashboard. https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/california-energy-consumption-dashboards-0

———.2025b, September 9. California Natural Gas Consumption Dashboard. https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/california-energy-consumption-dashboards-1

———. 2024c, December 5. California Energy Demand Update, 2022-2035. https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2022-integrated-energy-policy-report-update-2

California Gas and Electric Utilities (CGEU). 2018. 2018 California Gas Report. https://www.socalgas.com/regulatory/documents/cgr/2018_California_Gas_Report.pdf.182.

California Water Service (Cal Water). 2021. 2020 Urban Water Management Plan, Visalia District. https://www.calwater.com/docs/uwmp2020/VIS_2020_UWMP_FINAL.pdf

Executive Department State of California (State of California). January 2014. Executive Order B-29-15. https://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/docs/040115_executive_order.pdf.

Kaweah Delta Water Conservation District (KDWCD). 2015, July. Groundwater Management Plan. https://kdwcd.com/tenancy/assets/documents/2vGroundwater%20Management%20Plan%20Amended%20%2807-07-15%29.pdf

King County Department of Natural Resources and Parks. 2014, July. Updated Planning Assumptions for Wastewater Flow Forecasting. https://your.kingcounty.gov/dnrp/library/wastewater/wtd/construction/Planning/RWSP/CompReview/13/1407_UpdatedPlanningAssumptions2014.pdf.

Mid-Kaweah Groundwater Sustainability Agency (GSA). 2022, July. 2022 First Amended Groundwater Sustainability Plan. https://sgma.water.ca.gov/portal/gsp/preview/50

State Water Resources Quality Control Board (SWRCB). 2015, Amendment to the Water Quality Control Plan for the Ocean Waters of California to Control Trash and Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California. https://www.waterboards.ca.gov/water_issues/programs/trash_control/docs/01_final_sed.pdf

———. 2019, January. Storm Water Program - Trash Implementation Program. https://www.waterboards.ca.gov/water_issues/programs/stormwater/trash_implementation.html.

Tulare, County of. 2010, February. Tulare County General Plan 2030 Update Recirculated Draft Environmental Impact Report (SCH No. 2006041162). https://generalplan.co.tulare.ca.us/documents/generalplan2010/RecirculatedDraftEIR.pdf

———.2012, August. 2030 Update Tulare County Tulare County General Plan. https://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/000General%20Plan%202030%20Part%20I%20and%20Part%20II/GENERAL%20PLAN%202012.pdf

———. 2025a, September 6 (accessed). "Disposal Services". https://tularecounty.ca.gov/solid-waste/disposal-services

———. 2025b, September 6 (accessed). "Locations & Fees". https://tularecounty.ca.gov/solid-waste/locations-fees

Visalia, City of. 1994, February. Sewer System Master Plan. https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=32403.

———.2014. City of Visalia General Plan Update Environmental Impact Report (SCH No. 2010041078). https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=30496.

———.2022, September. Water Supply Technical Memorandum Shirk and Riggin Industrial Park (prepared by 4 Creeks Inc.). https://files.ceqanet.lci.ca.gov/281243-2/attachment/x-gSVf1aAWfIUC1Od8pX5ZyAH6qeQgr6zANozcHgYPZWnfruVilJOO0pmXNPRSOSl-FriOt1BoXdF4j50

———. 2025a, September 2. "Wastewater". https://www-visalia-city.translate.goog/depts/public_works/wastewater/default.asp?_x_tr_sl=fr&_x_tr_tl=ja&_x_tr_hl=en&_x_tr_pto=wapp

———. 2025b, September 2. "Sewer and Stormwater Viewer". https://experience.arcgis.com/experience/a2a2c8e2f672454196ced633b8dcc8b4/

5.19 WILDFIRE

5.19.1 Environmental Setting

This section of the DEIR evaluates the potential for implementation of the proposed project to exacerbate wildfires on the project site and project area. The evaluation related to wildfire is based on Fire Hazard Severity Zones (FHSZs) mapped by the California Department of Forestry and Fire Protection (CAL FIRE).

No public comment letters were received in response to the Notice of Preparation (NOP) related to wildfire. Refer to Appendix A for all NOP comment letters.

5.19.1.1 REGULATORY BACKGROUND

Federal Regulations

The Disaster Mitigation Act of 2000

The Disaster Mitigation Act of 2000 requires a state-level mitigation plan as a condition of disaster assistance. There are two different levels of state disaster plans: "Standard" and "Enhanced." States that develop an approved Enhanced State Plan can increase the amount of funding available through the Hazard Mitigation Grant Program. The act also established new requirements for local mitigation plans.

National Fire Plan

The National Fire Plan was developed in August 2000, following a historic wildfire season. Its intent is to establish plans for active response to severe wildfires and their impacts on communities while ensuring sufficient firefighting capacity. The plan addresses firefighting, rehabilitation, hazardous fuels reduction, community assistance, and accountability.

National Fire Protection Association Standards

National Fire Protection Association (NFPA) codes, standards, recommended practices, and guides are developed through a consensus standards development process approved by the American National Standards Institute. NFPA standards are recommended (advisory) guidelines in fire protection but are not laws or "codes" unless adopted or referenced as such by the California Fire Code (CFC) or local fire agency. Specific standards applicable to wildland fire hazards include, but are not limited to:

- **NFPA 1141**, Fire Protection Infrastructure for Land Development in Wildlands
- **NFPA 1142**, Water Supplies for Suburban and Rural Fire Fighting
- **NFPA 1143**, Wildland Fire Management
- **NFPA 1144**, Reducing Structure Ignition Hazards from Wildland Fire

- **NFPA 1710**, Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations

State Regulations

Division of State Architects

The Division of the State Architect (DSA) provides design and construction oversight for K–12 schools, community colleges, and various other state-owned and state-leased facilities in California to ensure that they comply with all structural, accessibility, and fire and life safety codes. Construction plans for public school construction and certain other state-funded building projects are reviewed to ensure that plans, specifications, and construction comply with California's codes (Title 24 of the California Code of Regulations). DSA's plan review and construction oversight focuses on new construction and alteration projects for K-12 schools and community college districts. DSA's plan review ensures the project's compliance with code requirements related to structural safety; fire and life safety; accessibility; and sustainability. DSA reviews construction projects under its jurisdiction for Title 24 compliance.

California Board of Forestry and Fire Safe Regulations

The Board of Forestry maintains the State's Fire Safe Regulations, Title 14 of the California Code of Regulations (CCR), Sections 1270-1276.04. The purpose of the Fire Safe Regulations is establishing minimum wildfire protection standards in conjunction with building, construction, and development in the State Responsibility Area (SRA) and the Very High Fire Hazard Severity Zones, as defined in Public Resources Code Section 51177(i). This includes requirements for road width, surface treatments, grade, radius, turnarounds, turnouts, structures, driveways, and gate entrances that are intended to ensure safe access for emergency wildland fire equipment and civilian evacuation.

California Fire and Building Code

The CFC is Chapter 9 of CCR Title 24. It establishes the minimum requirements consistent with nationally recognized good practices to safeguard public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises, and to provide safety and assistance to firefighters and emergency responders during emergency operations. It is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The CFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The CFC and California Building Code (CBC) use a hazard classification system to determine what protective measures are required to protect fire and life safety. These measures may include construction standards, separations from property lines, and specialized equipment. To ensure that these safety measures are met, the CFC employs a permit system based on hazard classification. The provisions of this code apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such building structures throughout California.

More specifically, the Fire Code is included in Title 24 of the CCR. Title 24, Part 9, Chapter 7 addresses fire-resistances-rated construction; CBC (Part 2), Chapter 7A addresses materials and construction methods for exterior wildfire exposure; Fire Code Chapter 8 addresses fire-related interior finishes; Fire Code Chapter 9 addresses fire protection systems; and Fire Code Chapter 10 addresses fire-related means of egress, including fire apparatus access road width requirements. Fire Code Section 4906 also contains existing regulations for vegetation and fuel management to maintain clearances around structures. These requirements establish minimum standards to protect buildings in FHSZs within SRAs and wildland-urban interface (WUI) fire areas. This code includes provisions for ignition-resistant construction standards for new buildings.

California Fire Plan

The Strategic Fire Plan for California is the State's road map for reducing the risk of wildfire. The most recent version of the plan was finalized in 2024 and directs each CAL FIRE unit to revise and update its locally specific Fire Management Plan (CAL FIRE 2024a). These plans assess the fire situation in each of the 21 operational units and 6 contract counties. These plans address wildfire protection areas, initial attack success, assets and infrastructure at risk, pre-fire management strategies, and accountability within their geographical boundaries.

California Office of Emergency Services

The California Office of Emergency Services (CalOES) prepares the State of California Multi-Hazard Mitigation Plan (SHMP) (CalOES 2023). The SHMP identifies hazard risks and includes a vulnerability analysis and a hazard mitigation strategy. The SHMP is federally required under the Disaster Mitigation Act of 2000 for the State to receive federal funding. The Disaster Mitigation Act of 2000 requires a State mitigation plan as a condition of disaster assistance.

State Emergency Plan

The foundation of California's emergency planning and response is a statewide mutual-aid system designed to ensure that adequate resources, facilities, and other support is provided to jurisdictions whenever their own resources prove to be inadequate to cope with a given situation.

The California Disaster and Civil Defense Master Mutual Aid Agreement (California Government Code Sections 8555–8561) requires signatories to the agreement to prepare operational plans to use within their jurisdiction, and outside their area. These plans include fire and non-fire emergencies related to natural, technological, and war contingencies. The State of California, all State agencies, all political subdivisions, and all fire districts signed this agreement in 1950.

Section 8568 of the California Government Code, the California Emergency Services Act, states that "the State Emergency Plan shall be in effect in each political subdivision of the state, and the governing body of each political subdivision shall take such action as may be necessary to carry out the provisions thereof." The act provides the basic authorities for conducting emergency operations following the proclamations of emergencies by the Governor or appropriate local authority, such as a City Manager. The provisions of the act are further reflected and expanded on by appropriate local emergency ordinances. The act further

describes the function and operations of government at all levels during extraordinary emergencies, including war.

All local emergency plans are extensions of the State of California Emergency Plan. The State Emergency Plan conforms to the requirements of California's Standardized Emergency Management System (SEMS), which is the system required by Government Code Section 8607(a) for managing emergencies involving multiple jurisdictions and agencies (CalOES 2024a). The SEMS incorporates the functions and principles of the Incident Command System (ICS), the Master Mutual Aid Agreement, existing mutual-aid systems, the operational area concept, and multiagency or inter-agency coordination. Local governments must use SEMS to be eligible for funding of their response-related personnel costs under state disaster assistance programs. The SEMS consists of five organizational levels that are activated as necessary, including field response, local government, operational area, regional, and state. CalOES divides the state into several mutual-aid regions. The County of Tulare is in Mutual Aid Region V, which also includes Kern, Fresno, Kings, Madera, Mariposa, and Merced Counties (CalOES 2024b).

Government Code Sections 65302 and 65302.5, Senate Bill 1241 (Kehoe) of 2012

Senate Bill (SB) 1241 requires cities and counties to address fire risk in SRAs and FHSZs in the Safety Element of their General Plans. The bill also amended the California Environmental Quality Act (CEQA) to direct amendments to the CEQA Guidelines Appendix G Environmental Checklist to include questions related to fire hazard impacts for projects in or near lands classified as SRAs and Very High FHSZs. In adopting these CEQA Guidelines amendments, the Office of Land Use and Climate Innovation (LCI) recognized that generally, low-density, leapfrog development[1] may create higher wildfire risks than high-density, infill development.

California Public Resources Code – State Responsibility Area

The California Public Resources Code (PRC) requires the designation of SRAs, which are identified based on cover, beneficial water uses, probable erosion damage, and fire risks and hazards. The financial responsibility of preventing and suppressing fires in an SRA is primarily the responsibility of the state. Fire protection in areas outside SRAs are the responsibilities of local or federal jurisdictions and are referred to as local responsibility areas and federal responsibility areas, respectively.

Local Regulations

Tulare County Community Wildfire Protection Plan

The 2022 Tulare County Community Wildfire Protection Plan addresses hazards and risks of wildland fire throughout Tulare County and makes recommendations for fuel reduction projects, public outreach and education, structural ignitability reduction, and fire response capabilities. Tulare County comprises a diverse landscape and land ownership with the need to prepare for wildfire to reduce the risk of loss of life and property, as well as environmental damage. As such, the Tulare County Community Wildfire Protection Plan

[1] Leapfrog development describes the construction of new development at a distance from existing development areas, with undeveloped land between the existing and new development.

focuses on the communities and areas that are at high risk of wildfire; collectively these communities comprise the draft planning area. The project site is outside of the areas for high risk of wildfire and not in the draft planning area.

Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan

The 2018 Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan defines measures to reduce risks from natural disasters in Tulare County, including unincorporated areas and incorporated cities. The Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan was created in coordination with Tulare County and the Cities of Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia, and Woodlake; the Tule River Tribe; and COE. The plan complies with federal and state hazard mitigation planning requirements to establish eligibility for funding under the Federal Emergency Management Agency (FEMA) grant programs for all planning partners.

Tulare County Office of Emergency Services

Tulare County's Office of Emergency Services (OES) is the County's emergency management agency, responsible for coordinating multiagency responses to complex, large-scale emergencies and disasters in Tulare County. The Office of Emergency Services is the source for information and resource coordination between the State of California and the local governments of Tulare County (the Tulare Operational Area), as defined in California's SEMS. The Tulare County OES also maintains the Emergency Operations Center (EOC) for the county. Tulare County OES also administers the AlertTC notification system and WebEOC crisis information management system. The AlertTC notification system is the County's public mass notification system, designed to keep people in Tulare County informed of important information during emergency events, including emergency evacuation.

Tulare County Hazard Abatement Program

The Hazard Abatement and Inspection program addresses enforcement and safety issues related to wildfire risk. Parcels in LRA Very High Severity Zones are required to adhere to the following actions:

- Maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line.
- The intensity of fuels management may vary within the 100-foot perimeter of the structure, with more intense fuel reductions being used between 5 and 30 feet around the structure, and an ember-resistant zone being required within 5 feet of the structure.
- Remove that portion of a tree that extends within 10 feet of the outlet of a chimney or stovepipe.
- Maintain a tree, shrub, or other plant adjacent to or overhanging a building free of dead or dying wood.
- Maintain the roof of a structure free of leaves, needles, or other vegetative materials.

Abatement standards with no structures (open lots) require the following actions:

- Parcels five acres or less in size: Maintain all weeds and grass at a height of 3 inches.
- Parcels greater than five acres in size: Shall have 30-foot fuelbreaks and 15-foot crossbreaks. Crossbreaks should divide the parcel into approximately 5-acre sections. Fence lines may require discing and mowing/weed eating to ensure completion of fuelbreak. All cut material should be mulched and scattered or raked and removed from property.
- Fuelbreaks along roadways & driveways: road right-of-ways & driveways shall be cleared to a minimum of 10 feet horizontally from the edge of the black top / cement.

Abatement standards with structures and combustible storage require the following actions:

- 30-foot fuelbreaks shall be provided around all structures and combustible storage.
- Mowed fuelbreaks and crossbreaks.
- Mowed fuelbreaks shall be 40 feet wide and mowed crossbreaks 20 feet wide at a height of 3 inches due to the ability of remaining surface material to sustain fire growth. All cut material should be mulched and scattered, or raked and removed from property.
- Rubbish: All rubbish shall be removed from property.

The proposed project is outside of any LRA Very High Severity Zones.

Tulare County General Plan

The General Plan has a number of policies that apply to projects within Tulare County. The policies listed below are General Plan policies that relate to wildfire.

Health and Safety Element

- **HS-6.1 New Building Fire Hazards.** The County shall ensure that all building permits in urban areas, as well as areas with potential for wildland fires, are reviewed by the County Fire Chief. The following minimum requirements should be met to review developments or uses within areas of varying fire hazards:

  a) Very High Hazard – Extreme caution should be used in allowing development, particularly critical facilities.

  b) High Hazard – Strict compliance with existing State statutes and local ordinances should provide adequate fire protection.

  c) Moderate Hazard – Development should be allowed, with recommendations for mitigation of hazard by Fire Warden.

- **HS-6.2 Development in Fire Hazard Zones.** The County shall ensure that development in very high or high fire hazard areas is designed and constructed in a manner that minimizes the risk from fire hazards and meets all applicable State and County fire standards. This shall include promoting the use of fire resistant materials designed to reduce fire vulnerability within high or very high fire hazard areas through use of Article 86-A of the 2001 California Fire Code, SRA Fire Safe Regulations, and other nationally recognized standards, as may be updated periodically. Special consideration shall be given to the use of fire-resistant-materials and fire-resistant-construction in the underside of eaves, balconies, unenclosed roofs and floors, and other similar horizontal surfaces in areas with steep slopes. Ensure new development proposals contain specific fire protection plans, actions, and codes for fire engineering features for structures in Very High Fire Hazard Safety Zones including automatic sprinklers as required by applicable codes

- **HS-6.3 Consultation with Fire Service Districts.** The County shall consult the appropriate fire service district in areas identified as subject to high and very high fire hazard, for particular regulations or design requirements prior to issuance of a building permit or approval of subdivisions.

- **HS-6.4 Encourage Cluster Development.** The County shall encourage cluster developments in areas identified as subject to high or very high fire hazard, to provide for more localized and effective fire protection measures such as consolidations of fuel build-up abatement, firebreak maintenance, firefighting equipment access, and water service provision.

- **HS-6.5 Fire Risk Recommendations.** The County shall encourage the County Fire Chief to make recommendations to property owners regarding hazards associated with the use of materials, types of structures, location of structures and subdivisions, road widths, location of fire hydrants, water supply, and other important considerations regarding fire hazard that may be technically feasible but not included in present ordinances or policies.

- **HS-6.6 Wildland Fire Management Plans.** The County shall require the development of wildland fire management plans for projects adjoining significant areas of open space that may have high fuel loads.

- **HS-6.9 Fuel Modification Programs.** The County shall actively support fuel modification and reduction programs on public and private lands throughout the County, including vacant residential lots and greenbelts and, with the relevant partners, on adjacent private wildlands or federal lands with fire hazards that threaten the entity's jurisdiction as feasible and appropriate.

- **HS-6.11 Fire Buffers.** The County shall strive to maintain fire buffers along heavily traveled roads within high and very high hazard zones by thinning, disking, or controlled burning. Parks, golf courses, utility corridors, roads, and open space areas shall be encouraged to locate so they serve a secondary function as a fuel break.

- **HS-6.12 Weed Abatement.** The County shall continue to encourage weed abatement programs throughout the County in order to promote fire safety.

- **HS-6.15 Coordination of Fuel Hazards on Public Lands.** The County shall work with local and Federal agencies to support efforts to reduce fuel related hazards on public lands.

- **HS-6.16 Consideration of Diverse Occupancies and their effects on Wildfire Protection.** The County shall strive to ensure risks to uniquely occupied structures, such as seasonally occupied homes, multiple dwelling structures, or other structures with unique occupancy characteristics, are considered for appropriate and unique wildfire protection needs.

- **HS-6.17 Integration of Open Space into Fire Safety Effectiveness.** The County shall strive to address the facilitation of safe fire suppression tactics, standards for adequate access for firefighting, fire mitigation planning with agencies/private landowners managing open space adjacent to the County jurisdictional area, water sources for fire suppression, and other fire prevention and suppression needs.

- **HS-6.20 Fire Suppression Defense Zones.** The County shall support the creation of wildfire defense zones for emergency services, including fuel breaks or other staging areas where WUI firefighting tactics could be most effectively deployed as appropriate consistent with the strategies identified in the Multi-Jurisdictional Local Hazard Mitigation Plan.

- **HS-6.21 Redevelopment of Structures in High and Very Hazardous Areas.** In High and Very hazardous areas, the County shall strive to ensure that the redevelopment of structures utilize state of the art fire resistant building and development standards to improve past 'substandard" fire safe conditions as feasible and appropriate according to applicable codes.

- **HS-6.22 Long Term Maintenance of Fire Hazard Reduction Mitigation Projects.** Consistent with the Multi-Jurisdictional Local Hazard Mitigation Plan, the County shall support maintenance of the post-fire-recovery projects, activities, or infrastructure as feasible and appropriate.

- **HS-6.23 Reassessment of Fire Hazards Following Wildfire Events.** The County shall strive as reasonable and appropriate to adjust fire prevention and suppression needs for both short- and long-term fire protection in the reassessment of fire hazards following wildfire events.

- **HS-6.24 Consideration of Wildlife Habitat/Endangered Species in Developing Long Term Fire Area Recovery and Protection Plans.** The County shall consider wildlife habitat/endangered species in developing long term fire area recovery and protection plans, including environmental protection agreements such as natural community conservation plans.

- **HS-6.25 Emergency Response Barriers.** The County shall support the identification of vital access routes that if removed would prevent fire fighter access (bridges, dams, etc.) as included in the Multi-Jurisdictional Local Hazard Mitigation Plan to address emergency access planning for these areas.

Tulare County Fire Department

The Tulare County Fire Department (TCFD) is responsible for safeguarding the lives and property of over 500,000 residents across the unincorporated areas of Tulare County. The TCFD's responsibilities also include

fire suppression and emergency response, fire prevention and safety education, training and personnel development, emergency communications and coordination, and administering community programs and support services to the public. TCFD's responsibilities also include reviewing any new development permit applications.

Tulare County Code

Chapter 15, *Building Regulations*, outlines the CFC adopted with local amendments. Chapter 15 states that the Fire Chief of the County of Tulare or authorized representatives shall enforce the CFC, including Chapter 50, *Hazardous Materials*, and Appendix H, *Hazardous Materials Management Plan* (HMMP), Hazardous Materials Inventory Statement (HMIS) instructions in the unincorporated areas of the county. Enforcement issues regarding Chapter 50 and Appendix H that are not within the purview of the Tulare County Health Certified Unified Program Agency (CUPA) will be enforced by the Tulare County Fire Department.

5.19.1.2 EXISTING CONDITIONS

The project site is in unincorporated Tulare County. The City of Visalia is to the north and the City of Tulare is to the south of the project site. The area is primarily surrounded by agricultural uses with dispersed commercial and residential uses. The project site includes fallow agriculture, and no buildings or major structures exist onsite. The project site and project area are relatively flat and do not contain any slopes.

Based on the CAL FIRE Fire Hazard Severity Zone Viewer, the project site is in a local responsibility area (LRA), which signifies that the local fire protection agency is responsible for serving the project site. According to Figure 10-2, Fire Threat, found in the Tulare County General Plan, the project site is within a Non-Fuel area of the County which means the threat of wildfires is considered low (Tulare County 2012). The project site is not in a Moderate (M), High (H), or Very High (VH) Fire Hazard Severity Zone (FHSZ). The nearest FHSZ is approximately 11.6 miles east of the project site (CAL FIRE 2024b). Additionally, based on the CAL FIRE Wildland Urban Interface (WUI) map, the project site is not in the WUI or intermix (CAL FIRE 2019).

5.19.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if located in or near SRAs or lands classified as VHFHSZs, the project would:

W-1 Substantially impair an adopted emergency response plan or emergency evacuation plan.

W-2 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.

W-3 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.

W-4 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.

5.19.3 Environmental Impacts

5.19.3.1 IMPACT ANALYSIS

Impacts related to wildfire hazards and risks were evaluated using a review of FHSZ mapping for the County and database research prepared in compliance with federal, State, and local ordinances and regulations and professional standards pertaining to wildfire. CEQA does not generally require an agency to consider the effects of existing environmental conditions of a project's future users. Consequently, impacts under the thresholds identified below would only be considered significant if the proposed project risks exacerbating those existing environmental conditions.

The applicable thresholds are identified in brackets after the impact statement.

Impact 5.19-1: Buildout of the proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan. [Threshold W-1]

The proposed project would be in an LRA and would not be in a VHFHSZ, HFHSZ, or a MFHSZ. Adopted emergency response plans and emergency evacuation plans include those discussed under Section 5.19.1.1. The proposed project would have a significant impact if it substantially impairs the implementation of these plans.

Regional access to the project site is provided by State Route (SR-) 99 and SR-198 and local access is provided by Avenue 264/Liberty Road and N Mooney Boulevard. The Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan does not identify specific evacuation routes. The Tulare County OES uses the AlertTC notification system to provide information about emergency evacuation. The Tulare County OES via AlertTC, would provide evacuation instructions in emergency situations. The proposed project construction would occur within the project site boundaries, would not include expanding or modifying existing roads, and would not interfere with an adopted emergency response plan or emergency evacuation plan. Additionally, the project site is outside of the areas for high risk of wildfire and not in the draft planning area of the Tulare County Community Wildfire Protection Plan and would not interfere with this plan.

The proposed project would serve the existing population in the COE's service area. The proposed project would provide educational services and resources, which would not result in substantial unplanned population growth in the area (see Section 5.13, *Population and Housing)*. As described in Section 5.14, *Public Services*, of this DEIR, the proposed project would not result in the need for new or expanded emergency services, including police and fire protection. Therefore, the implementation of emergency response services and emergency evacuation would not be impacted by the proposed project. Development of the project site would be

constructed in accordance with applicable federal, State, and local requirements, which are intended to ensure the safety of residents and structures to the extent feasible. Compliance with these standard regulations would be consistent with Tulare County's Multi-Jurisdictional Local Hazard Mitigation Plan. The proposed project would not substantially impair an adopted emergency response or emergency evacuation plan, and impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.19-2: The proposed project would not exacerbate wildfire risks due to slope, prevailing winds, and other factors, thereby exposing project occupants to elevated particulate concentrations from a wildfire. [Threshold W-2]

Wildfire risk is dependent on existing environmental conditions, including, but not limited to, the amount of vegetation present, topography, and climate. The project site is in a rural area of Tulare County and the project site and project area are relatively flat with little topographic changes. The project site contains fallow agricultural land and surrounded by agricultural uses and dispersed commercial and residential uses. Additionally, the climate of the area is characterized as Mediterranean, with cool wet winters and hot dry summers (CDPH 2017). As such, prevailing winds associated with the project site are those that are normally characterized by Mediterranean weather conditions. Additionally, as stated in Impact 5.19-1, the project site would be in an LRA and would not be in a VHFHSZ, HFHSZ, or MFHSZ. Therefore, development of the proposed project would not exacerbate wildfire risks due to slope, prevailing winds, or other factors.

Construction of the proposed project would not introduce new slopes. Additionally, the proposed project would construct buildings up to 60 feet above grade, which is similar to existing nearby buildings. As such, the proposed project would not affect prevailing winds. Development of the proposed project would be required to comply with the CBC and CFC. The proposed project would further be reviewed and approved by the Division of State Architects, which reviews plans for K-12 schools to ensure the proposed project complies with code requirements related to fire and life safety. Therefore, the proposed project would not exacerbate other factors that could affect wildfire.

Implementation of the Tulare County General Plan policies, compliance with the CFC and CBC, and review by the Division of State Architects would ensure that project construction and operation comply with existing building codes and fire protection and emergency practices. Therefore, the proposed project would not exacerbate wildfire risks due to slope, prevailing winds, and other factors, that could expose project occupants to elevated particulate concentrations from a wildfire.

Therefore, impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.19-3: The proposed project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. [Threshold W-3]

As stated in Impact 5.19-1, the project site is in an LRA, and is not in a VHFHSZ, HFHSZ, or MFHSZ. Additionally, based on the CAL FIRE WUI map, the project site is not in the WUI or intermix (CAL FIRE 2019).

The proposed project would be served by and connect to existing utility infrastructure that is within the project area, which includes water, electricity, and natural gas. Water and natural gas infrastructure would be underground. Electricity lines onsite would be underground and connect to the above-ground powerlines that currently run along Avenue 264/Liberty Road and State Route 63/Mooney Road adjacent to the project site. The proposed project would be served by existing roads around the project site. The proposed project would not require the construction of new roads, fuel breaks, emergency water sources, new power lines, or other utilities that could exacerbate fire risk. The proposed project would be designed and constructed in accordance with the CBC and the CFC. Utility connections and new driveway connections to the existing infrastructure are typical improvements associated with construction of new projects. These project features would not exacerbate fire risk. Therefore, the proposed project does not include the installation or maintenance of infrastructure that could exacerbate fire risk or result in temporary or ongoing impacts to the environment, and impacts would be less than significant.

Level of Significance Before Mitigation: Less Than Significant.

Impact 5.19-4: The proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. [Threshold W-4]

As previously mentioned in Section 5.7, *Geology and Soils*, Section 5.10, *Hydrology and Water Quality*, and Impact 5.19-2, the project site and surrounding area are relatively flat and is devoid of major topographic variations. Additionally, the project site is not designated as a VHFHSZ, HFHSZ, or MFHSZ, which would create a significant hazard due to flooding or landslides, as a result of runoff, slope instability, or drainage changes. Due to the relatively flat nature of the project site and surrounding area and since the area is not within a FHSZ, the proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Construction activities and project design are required to comply with the CBC, CFC, and would be reviewed and approved by the Division of State Architects. Since the proposed project is disturbing more than one acre, a Construction General Permit from the Central Valley Regional Water Quality Control Board is required. As part of the Construction General Permit, a stormwater pollution prevention plan (SWPPP) would be prepared, which would outline required best management practices to control stormwater during construction. During construction the proposed project would be required to implement best management practices which can include erosion controls, sediment controls, tracking controls, non-storm water management, materials and waste management, and good housekeeping practices. Construction BMPs

examples could include: soil binders, straw mulch, velocity dissipation devices, slope drains, sediment basin, sediment trap, sandbag barrier, straw bale barrier, storm drain inlet protection, chemical dust suppressants.

As discussed in Chapter 3, *Project Description*, the proposed project would include a storm water retention basin that would be located along the west side of the performing arts theater parking lot. The storm water retention basin would be large enough to receive storm water runoff from the project site and from the existing COE campus. Stormwater infrastructure would be designed to meet required stormwater flows per Chapter 27. Storm Water Quality and Regulation of the County Code.

Therefore, the proposed project would result in a less than significant impact.

Level of Significance Before Mitigation: Less Than Significant.

5.19.4 Cumulative Impacts

The analysis of cumulative wildfire impacts is based on impacts of the proposed project along with other development projects in unincorporated Tulare County. Other development projects proposed in a VHFHSZ, HFHSZ, or MFHSZ could subject people and structures to wildfire hazards. Similar to the proposed project, the UPHS relocation and sewer line projects would not exacerbate wildfire risk, since it is also not within a FHSZ, WUI, nor intermix area. Further, the UPHS relocation would utilize an existing campus and does not include new construction. The proposed project would not combine with the UPHS relocation and sewer line projects to create a cumulative impact.

As discussed previously, the proposed project is not in a VHFHSZ, HFHSZ, or MFHSZ nor within a WUI or intermix area. As such, the proposed project would not result in new impacts or a substantial increase in magnitude of impacts related to interfering with implementation of emergency response or evacuation plans; exacerbating wildfire risks exposing project occupants to pollutant concentrations or the uncontrolled spread of wildfire; exacerbating fire risks or result in temporary or ongoing impacts to the environment due to the installation or maintenance of infrastructure; or exposing people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes. The proposed project would not contribute to a cumulative impact.

The construction and operation of other development projects would be subject to the same State and local regulations, such as the CBC and CFC. Development projects would also be required to be reviewed and by the applicable jurisdictional authority, such as the public works, planning departments, and fire department, to ensure code compliance, appropriate connection to utilities and public rights of way, and adequate fire flow. Therefore, because development projects are required to comply with applicable fire code, stormwater management requirements, and other relevant code requirements and regulations related to fire safety, building construction, access, fire flow, and fuel modification, cumulative impacts related to wildfire would be less than significant.

5.19.5 Level of Significance Before Mitigation

With implementation of regulatory requirements, proposed project's potential impacts related to wildfire would be less than significant prior to mitigation, and no mitigation is required.

5.19.6 References

CAL FIRE. 2007, October. Tulare County – Draft Fire Hazard Severity Zones in LRA. https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net/-/media/osfm-website/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones/fire-hazard-severity-zones-map/upload-2/fhszl06_1_map54.pdf.

———. 2019. Wildland Urban Interface. https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net/-/media/calfire-website/what-we-do/fire-resource-assessment-program---frap/pdf-maps/wildland-urban-interface-2019.pdf?rev=e44c740c777940c6bda816c42c886c87&hash=52A9A0873B1CBF3E468DC52D4E5CB5B5

———. 2024a. *California Strategic Plan*. https://www.paperturn-view.com/cal-fire-communications/cal-fire-strategicplan24-web?pid=ODg8828162&p=17&v=2.

———. 2024b, April 1. Fire Hazard Severity Zone Viewer. https://experience.arcgis.com/experience/03beab8511814e79a0e4eabf0d3e7247/.

California Department of Public Health (CDPH). 2017, February. Climate Change and Health Profile Report Tulare County. https://www.cdph.ca.gov/Programs/OHE/CDPH%20Document%20Library/CHPRs/CHPR107Tulare_County2-23-17.pdf

California Office of Emergency Services (CalOES). 2023. *State of California Multi-Hazard Mitigation Plan*. https://www.caloes.ca.gov/wp-content/uploads/Hazard-Mitigation/Documents/2023-California-SHMP_Volume-1_11.10.2023.pdf.

———. 2024a. *State of California Emergency Plan*. https://www.caloes.ca.gov/office-of-the-director/operations/planning-preparedness-prevention/california-specialized-training-institute/hazardous-materials-program/standardized-emergency-management-system-sems/.

———. 2024b. Inland Region. https://www.caloes.ca.gov/office-of-the-director/operations/response-operations/regional-operations/inland-region/.

Tulare County. 2012. *Tulare County General Plan*. https://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/000General%20Plan%202030%20Part%20I%20and%20Part%20II/GENERAL%20PLAN%202012.pdf.

6. Significant Unavoidable Adverse Impacts

At the end of Chapter 1, *Executive Summary*, is a table that summarizes the impacts, mitigation measures, and levels of significance before and after mitigation. Mitigation measures would reduce the level of impact, but the following impacts would remain significant, unavoidable, and adverse after mitigation measures are applied:

Agricultural Resources

- **Impact 5.2-1: The proposed project would convert farmland to nonagricultural land use.**

  As substantiated in Section 5.2, *Agriculture and Forestry Resources*, the proposed project would directly convert 14.9 acres of Prime Farmland to nonagricultural use. The proposed project would permanently replace existing Prime Farmland to a nonagricultural use. No mitigation measures are available that would reduce Impact 5.2-1 to less than significant level. Therefore, impacts would be significant and unavoidable as the proposed project would result in a permanent conversion of farmland to nonagricultural use.

Land Use and Planning

- **Impact 5.11-2: Project implementation would conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect.**

  As substantiated in Section 5.11, *Land Us and Planning*, the proposed project would not be consistent with the Tulare County General Plan land use designation of "Valley Agriculture" because educational uses are not an allowed use under the "Valley Agriculture" General Plan land use designation. As such, no mitigation measures would reduce Impact 5.11-2 to less than significant. Therefore, Impact 5.11-2 and cumulative impacts are significant and unavoidable.

6. Significant Unavoidable Adverse Impacts

This page intentionally left blank.

7. Alternatives to the Proposed Project

7.1 INTRODUCTION

This section presents the alternatives analysis for the proposed project, as required by the California Environmental Quality Act (CEQA). CEQA requires that an EIR include a discussion of reasonable project alternatives that would "feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any significant effects of the project and evaluate the comparative merits of the alternatives" (CEQA Guidelines Section 15126.6[a]).

The discussion includes an explanation of the methodology used to select alternatives to the proposed project, with the intent of identifying potentially feasible alternatives that could avoid or substantially lessen the significant impacts identified for the proposed project while still meeting most of the basic project objectives, pursuant to CEQA Guidelines Section 15126.6(a). This section identifies a reasonable range of alternatives that meet these criteria, and these alternatives are evaluated with respect to minimizing adverse environmental effects as compared to the proposed project. It also describes other alternatives and alternative concepts that were considered but eliminated from detailed consideration and the reasons for their elimination. For the alternatives selected for analysis, this chapter evaluates the impacts of the alternatives against baseline environmental conditions and compares the potential impacts of the alternatives with those of the proposed project. Finally, as required under CEQA Guidelines Section 15126.6(e), based on this analysis, this chapter then discusses the Environmentally Superior Alternative.

Section 15126.6 of the CEQA Guidelines explains the foundation and legal requirements for the alternatives analysis in an EIR. Key provisions are:

- "[T]he discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly." (15126.6[b])

- "The specific alternative of 'no project' shall also be evaluated along with its impact." (15126.6[e][1])

- "The no project analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." (15126.6[e][2])

- "The range of alternatives required in an EIR is governed by a 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project." (15126.6[f])

- "Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries…, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent)" (15126.6[f][1]).

- "Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR." (15126.6[f][2][A])

- "An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative." (15126.6[f][3])

For each development alternative, this analysis:

- Describes the alterative.
- Analyzes the impact of the alternative as compared to the proposed project.
- Identifies the impacts of the project that would be avoided or lessened by the alternative.
- Assesses whether the alternative would meet most of the basic project objectives.
- Evaluates the comparative merits of the alternative and the project.

According to Section 15126.6(d) of the CEQA Guidelines, "[i]f an alternative would cause…significant effects in addition those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed."

7.2 FACTORS CONSIDERED WHEN DEVELOPING ALTERNATIVES

This section describes the basis for determining the range of CEQA alternatives and identifies the specific alternatives that are analyzed in this Draft EIR. The primary factors considered when determining feasible alternatives to the proposed project are the identified project objectives and those impacts that have been identified for the proposed project. Therefore, these two considerations are summarized below.

7.2.1 Project Objectives

As described in Chapter 3, Section 3.2, *Statement of Objectives*, the following objectives have been established for the proposed project and will aid decision makers in their review of the project, the project alternatives, and associated environmental impacts.

1. Provide a performing arts theater, library, and AcCEL Center adjacent to the existing Office of Education Liberty campus at 11535 Avenue 264, Visalia, to supplement existing educational resources on

the campus and provide educational resources in a centralized location and near the TCOE office at 6200 S. Mooney Boulevard in Visalia.

2. Develop an AcCEL Center that meets the need for high-quality instruction and a structured learning environment for students who have multiple or profound disabilities and is on a property owned by the Tulare County Office of Education and near Visalia to serve students who live in Visalia.

3. Provide a library on Tulare County Office of Education property whose resources and services are available to districts within the county, with facilities for e-sports, robotics lab, and additional programming for students at the adjacent Liberty campus (i.e., the new location for University Preparatory High School),[1] and that is adjacent to the AcCEL Center and available to AcCEL students.

4. Provide a performing arts facility to the students and districts in the county, the TCOE theater company, and the general public; a facility that can host elementary and middle-school events, artistic performances, speaking engagements, and various school and community events as a more cost-effective alternative to renting local theater facilities.

5. Provide other learning opportunities and skill-building activities for students under the jurisdiction of the Tulare County Office of Education as well as offering resources not available in the surrounding area.

7.2.2 Summary of Significant Effects of the Proposed Project

The following impacts have been identified for the proposed project, as discussed in Chapter 5, *Environmental Analysis*, of this DEIR.

7.2.2.1 SIGNIFICANT AND UNAVOIDABLE IMPACTS

- Impact 5.2-1: Agriculture and Forestry Resources (Farmland to Nonagricultural Land Use)
- Impact 5.11-2: Land Use and Planning (Conflict with Applicable Plans)

7.2.2.2 SIGNIFICANT IMPACTS THAT CAN BE MITIGATED TO LESS THAN SIGNIFICANT

- **Impact 5.4-1:** Biological Resources (Nesting Birds and Birds of Prey)
- **Impact 5.4-4:** Biological Resources (Wildlife Movement)
- **Impact 5.4-5:** Biological Resources (Conflict with Local Policies or Ordinances Protecting Biological Resources)
- **Impact 5.5-2:** Cultural Resources (Archaeological Resources)
- **Impact 5.7-5:** Geology and Soils (Paleontological Resources)
- **Impact 5.17-2:** Tribal Cultural Resources (Tribal Cultural Resource)

[1] The relocation of University Preparatory High School is a cumulative project.

7.3 ALTERNATIVES CONSIDERED AND REJECTED

The following is a discussion of the land use alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in this Draft EIR.

7.3.1 Alternative Site

CEQA requires that the discussion of alternatives focus on alternatives to the project or its location that are capable of avoiding or substantially lessening significant effects of the project. The key question and first step in the analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (CEQA Guidelines § 15126[5][B][1]). In general, any development of the size and type proposed by the project in a different location would have substantially the same impacts on aesthetics, air quality, cultural resources, energy, greenhouse gas emissions, population and housing, public services, recreation, transportation, tribal cultural resources, and utilities and service systems; however, impacts to agriculture and forestry resources, biological resources, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, and wildfire could differ (i.e., either greater or lesser impacts). The COE does not own any other properties of this size that could be used for the proposed project. Additionally, relocating the proposed project to another site would not meet the project objectives of providing a performing arts theater, library, and AcCEL Center adjacent to the existing Liberty campus and in a centralized location near the COE office at 6200 S Mooney Boulevard in the city of Visalia (Objective 1) and providing a library and educational programming for AcCEL students and the University Preparatory High School (UPHS) students (Objectives 2 and 3). Therefore, this alternative is rejected from further consideration.

7.3.2 AcCEL Center on Liberty Campus

The COE considered, but rejected, the alternative of relocated the AcCEL Center to the existing COE Liberty campus and constructing the library and performing arts center at their proposed locations on the project site. However, this alternative would not be possible with the approved relocation of UPHS students to the Liberty campus. It would conflict with UPHS programs and outdoor activities. It would also cause challenges for school bus pick-up/drop-off. Therefore, this alternative is rejected from further consideration.

7.4 ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

Based on the criteria listed in Section 7.1, three alternatives have been determined to represent a reasonable range of alternatives that have the potential to feasibly attain most of the basic objectives of the proposed project but may avoid or substantially lessen any of the significant effects of the proposed project. These alternatives are analyzed in detail in the following sections.

- No Project
- Performing Arts Theater on Liberty Campus
- Library Constructed Adjacent to Tulare County Office of Education Administration Building

An EIR must identify an "environmentally superior" alternative; where the No Project Alternative is identified as environmentally superior, the EIR is required to identify as environmentally superior an alternative from among the others evaluated. Each alternative's environmental impacts are compared to the proposed project and determined to be environmentally superior, neutral, or inferior. Section 7.7 identifies the environmentally superior alternative. The preferred land use alternative (proposed project) is analyzed in detail in Chapter 5 of this DEIR.

7.5 ALTERNATIVE 1: NO PROJECT ALTERNATIVE

The CEQA Guidelines require an analysis of a No Project Alternative. The purpose of this alternative is to describe and analyze a scenario under which the proposed project is not implemented so that decision makers can compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The No Project Alternative analysis must discuss the existing site conditions as well as what would reasonably be expected in the foreseeable future based on any current plans, and it must be consistent with available infrastructure and community services.

The existing TCOE AcCEL program and library would continue to operate at their existing locations. The TCOE would continue to rent local theater facilities to support TCOE performing arts programs. Further, no e-sports, robotics lab, nor additional programming would be provided for AcCEL students or the Liberty campus.

Under the No Project Alternative, the project site would not be developed with the proposed project and would remain fallow agricultural land.

7.5.1 Aesthetics

Under this alternative, the existing project site would remain as is. As a result, there would be no impacts to visual/aesthetics resources because no new physical development would occur on-site. This alternative would not construct any of the proposed project components and, as such, this alternative would not create impacts related to light and glare. Therefore, this alternative would eliminate the proposed project's less-than-significant impacts.

7.5.2 Agriculture and Forestry Resources

Under this alternative, existing project site would remain as fallow agriculture land. As a result, there would be no impacts to agriculture or forestry resources because no new physical development would occur on-site. This alternative would not install any of the proposed project components and, as such, this alternative would not create any impacts. Therefore, this alternative would eliminate the proposed project's significant and unavoidable impact and the less than significant impacts by not developing fallow agricultural land.

7.5.3 Air Quality

Under this alternative, no construction or new operational activities would occur. As such, no new emissions would be generated. Therefore, this alternative would eliminate the proposed project's less than significant impacts.

7.5.4 Biological Resources

No construction would occur under the No Project Alternative. The project site would continue to be fallow agricultural land. The No Project Alternative would have no impacts on biological resources, and Mitigation Measure BIO-1 would not be needed. Therefore, this alternative would eliminate the proposed project's less than significant impacts.

7.5.5 Cultural Resources

No ground-disturbing activities would occur under this alternative because no construction would occur. This alternative would eliminate the proposed project's potentially significant impacts, and Mitigation Measure CUL-1 would not be required.

7.5.6 Energy

No construction or new operational activities would occur under this alternative, and no new energy consumption would be generated. This alternative would eliminate the proposed project's less than significant impacts.

7.5.7 Geology and Soils

No new construction activities, including grading, would occur under the No Project Alternative. The No Project Alternative would eliminate the less than significant impacts of the proposed project. Mitigation Measure GEO-1, related to paleontological resources, would not be needed.

7.5.8 Greenhouse Gas Emissions

No construction or new operational activities would occur under this alternative, and no new emissions would be generated. This alternative would eliminate the proposed project's less than significant impacts.

7.5.9 Hazards and Hazardous Materials

Because no development would occur under the No Project Alternative, there would be no construction impacts related to hazards or hazardous materials, and impacts would be eliminated. This alternative would not change the project site's current land use as fallow agricultural land. This alternative would eliminate the proposed project's less than significant impacts.

7.5.10 Hydrology and Water Quality

Under this alternative, no construction or new operational activities would occur, and the project site would continue as fallow agriculture. Because this alternative would not involve any changes to the proposed project site, it would have no impact with respect to hydrology and water quality and would eliminate the proposed project's less than significant impacts.

7.5.11 Land Use and Planning

Under this alternative, the proposed project would not be constructed, and the project site would continue as fallow agriculture. This alternative would not physically divide an established community or conflict with any land use plan, policy, or regulation. This alternative would eliminate the significant and unavoidable and less than significant impacts.

7.5.12 Noise

No construction or new operational noise and vibration would be generated under this alternative. This alternative would eliminate the proposed project's less than significant impacts.

7.5.13 Population and Housing

The No Project Alternative would not introduce any housing, employment opportunities, or residents; therefore, this alternative would not induce population growth directly or indirectly. The project site does not contain any dwelling units, so this alternative would not displace any existing people or housing. This alternative would eliminate the proposed project's less than significant impacts.

7.5.14 Public Services

Under this alternative, the project site would remain as fallow agriculture. There would be no increase in employees or residents and no increase in demand for fire, police, school, library, or park services. Therefore, this alternative would eliminate the proposed project's less than significant impacts. However, the No Project Alternative would also not provide educational space (such as, the performing arts theater) and programming (such as, the e-sports and robotics lab to support the Liberty campus), which would reduce opportunities for the TCOE community.

7.5.15 Recreation

Under this alternative, the proposed project would not be developed and the project site would remain fallow agricultural land. This alternative would not add any residents, so it would not increase demand for recreational facilities. Therefore, this alternative would eliminate the proposed project's less than significant impacts.

7.5.16 Transportation

Under this alternative, the trips associated with developing the project site would not occur, and this alternative would eliminate the proposed project's less than significant impacts.

7.5.17 Tribal Cultural Resources

No earthwork or soil disturbance would occur under this alternative, and any undiscovered subsurface cultural resources at the project site would not be altered because no construction would occur. This alternative would eliminate the proposed project's potentially significant impacts, and Mitigation Measure TCR-1 would not be required.

7.5.18 Utilities and Service Systems

Under the No Project Alternative, the project site would not be developed, and the project site would remain as fallow agricultural land. Since no development on the project site would occur under this alternative, this alternative would have no impact on service system demand for water, wastewater, solid waste, storm water, electricity, natural gas, and telecommunications. Therefore, this alternative would eliminate the proposed project's less than significant impacts.

7.5.19 Wildfire

Under the No Project Alternative, the project site would not be developed and the project would remain fallow agricultural land. Additionally, under this alternative, the project site would still be within an LRA and not within a FHSZ. As a result of no development on the project site, impacts for wildfire would not occur. Therefore, this alternative would eliminate the proposed project's less than significant impacts.

7.5.20 Conclusion

The No Project Alternative would eliminate impacts to all the environmental topics analyzed in the EIR, including significant and unavoidable impacts to Agricultural Resources and Land Use and Planning. However, the No Project Alternative would not meet any of the project objectives.

7.6 ALTERNATIVE 2: PERFORMING ARTS THEATER ON LIBERTY CAMPUS

Under this alternative, the performing arts theater would be constructed on the Liberty campus, and the AcCEL Center and library would be constructed on the northwest side of the project site as described by proposed project. Instead of an indoor theater, the performing arts facility on the Liberty campus would consist of an outdoor amphitheater with a dance space and theater shop. The outdoor amphitheater would be west of the existing Planetarium and Science Center and south and east of the Bright Start Program, Hearing Center, Behavioral Health Services, Visually Impaired Program, and Alternative Achievement Program. This alternative would have a smaller development footprint than the proposed project; it would have an outdoor amphitheater capacity of 500 spectators (similar to the proposed project). This alternative would also not

include parking. Attendees would be required to use existing available parking onsite and/or park along public right of ways.

This alternative would provide opportunity for some performing arts theater programming. However, since this alternative would result in an outdoor amphitheater, programming would be reduced and limited compared to the proposed project due to weather and seasons. Further, the outdoor amphitheater would not have a fly space, which is used for certain productions, nor infrastructure to support certain events, such as e-sport tournaments. For these reasons, this alternative would require that COE continue to rent indoor theater space. The programming for the library component would the same as the proposed project.

Implementation of this alternative would require removal of some existing trees but would not involve the removal or relocation of any existing structures or campus facilities. This alternative would eliminate the performing arts theater component originally proposed for the southeast portion of the project site.

7.6.1 Aesthetics

This alternative would have a smaller development footprint than the proposed project. This alternative would consist of constructing the outdoor amphitheater on the Liberty campus while the AcCEL Center and library components would be constructed as described in the proposed project. As with the proposed project, this alternative would result in a less than significant impact. Since this alternative would reduce development on the project site and the outdoor amphitheater would be clustered with the other Liberty campus buildings, it would reduce the visual changes at the project site compared to the proposed project.

7.6.2 Agriculture and Forestry Resources

Similar to the proposed project, this alternative would impact agriculture resources. Under this alternative the outdoor amphitheater would be built on the Liberty campus, which is defined as Urban Built-up Land while the AcCEL Center and library components would be built on the project site which is located on Prime Farmland. Similar to the proposed project, no mitigation measures for this alternative would be available. However, compared to the proposed project, this alternative would reduce impacts to agricultural resources; nevertheless, impacts regarding the conversion of farmland to nonagricultural land use would be significant and unavoidable. All other impacts would be less than significant.

7.6.3 Air Quality

This alternative would result in a smaller development footprint than the proposed project. Similar to the proposed project, this alternative would also be subject to the regulations and requirements of the San Joaquin Valley Air Pollution Control District. Due to the smaller footprint, this alternative would slightly reduce construction emissions compared to the proposed project. Due to this alternative resulting in an outdoor amphitheater and no parking, it would have a smaller development footprint; as such, this alternative would reduce construction emissions compared to the proposed project. Further, this alternative would have reduced programming, which would reduce operational emission associated with the proposed project. As with the proposed project, this alternative would not require mitigation, and impacts would be less than significant.

7.6.4 Biological Resources

This alternative would include a smaller overall development footprint and would be located on the Liberty campus. The AcCEL Center and library components would still be located on the northwest side of the project site while the outdoor amphitheater would be located on the Liberty campus, which is developed and disturbed. Due to the smaller development footprint and removal of the performing arts theater from the project site, this alternative would reduce impacts to biological resources compared to the proposed project. However, this alternative would still require implementation of Mitigation Measure BIO-1. As such, this alternative would result in similar less than significant impacts (after mitigation) as the proposed project.

7.6.5 Cultural Resources

This alternative would reduce the amount of ground-disturbing activities (due to the smaller development footprint for the outdoor amphitheater), and, as such, the potential to discover cultural resources would also be reduced compared to the proposed project. Nevertheless, as with the proposed project, this alternative would require the implementation of Mitigation Measure CUL-1 to reduce impacts to less than significant.

7.6.6 Energy

Since this alternative would result in a smaller development footprint for the outdoor amphitheater, this alternative would result in lower energy use during construction compared to the proposed project. Since this alternative would have reduced programming as part of the proposed project, energy use associated with the operation of this alternative would be less than the proposed project. Similar to the proposed project, this alternative would not result in wasteful, inefficient, or unnecessary consumption of energy resources. Therefore, impacts of this alternative would be less than significant, as with the proposed project.

7.6.7 Geology and Soils

Overall, this alternative would have a smaller development footprint. This alternative would still be required to comply with the CBC and recommendations from a geotechnical hazards investigation, and it would be subject to DSA review. Additionally, because this alternative would encompass an area of more than one acre, it would be subject to the NPDES permit requirements, similar to the proposed project, which would include the preparation of a Storm Water Pollution Prevention Plan and implementation of best management practices. Similar to the proposed project, this alternative would have the potential to directly or indirectly destroy a unique paleontological resource or site. As with the proposed project, this alternative would require the implementation of Mitigation Measure GEO-1 to reduce impacts to paleontological resources to less than significant. Consistent with the proposed project, this alternative would not include installation of a septic tank and would have no impact in that regard. Remaining impacts would be less than significant.

7.6.8 Greenhouse Gas Emissions

Overall, this alternative would have a smaller development footprint, which would generate less greenhouse gas emissions during construction. Additionally, this alternative would generate less project traffic due to having less programming onsite, use less energy, and less solid waste. As a result, this alternative would

generate less GHGs during operation when compared to the proposed project. Similar to the proposed project, this alternative would not conflict with the Tulare County 2018 CAP, CARB's Scoping Plan, or TCAG's RTP/SCS. All other impacts would be less than significant with no mitigation required when compared to the proposed project.

7.6.9 Hazards and Hazardous Materials

Similar to the proposed project, this alternative would be required to comply with existing regulations of several agencies—the United States Environmental Protection Agency, Tulare County Environmental Health Division, US Occupational Safety and Health Administration, California Division of Occupational Safety and Health, and United States Department of Transportation. Additionally, because this alternative would encompass an area of more than one acre, it would be subject to the NPDES permit requirements, similar to the proposed project, which would include the preparation of a Storm Water Pollution Prevention Plan and implementation of best management practices.

Consistent with the proposed project, this alternative would have no impacts with regard to being within the vicinity of an airport or being in a fire hazard zone.

Similar to the proposed project, this alternative would still require the preparation of a PEA, receipt of a "No Further Action" Letter from DTSC, and incorporation of any applicable DTSC recommendations. As such, all other impacts would be less than significant with no mitigation required. Since this alternative would result in a smaller development footprint than the proposed project, it would reduce hazards and hazardous materials impacts.

7.6.10 Hydrology and Water Quality

Overall, this alternative would have a smaller development footprint. The proposed project and this alternative would still be required to prepare and implement a Storm Water Pollution Prevention Plan and file Permit Registration Documents and comply with the Tulare County Well Ordinance. Similar to the proposed project, this alternative would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality, substantially decrease groundwater supplies or interfere substantially with groundwater recharge, substantially alter the existing drainage pattern of the site or area or conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Additionally, similar to the proposed project, this alternative would not be located in a flood hazard or tsunami area or in a seiche zone. Since this alternative would result in a smaller building footprint than the proposed project, it would reduce the proposed project's less than significant impacts.

7.6.11 Land Use and Planning

Similar to the proposed project, this alternative would not physically divide an established community. The AcCEL Center and library components would be adjacent to the existing Liberty campus, and the outdoor amphitheater component would be constructed on the liberty campus. As a result, no impact would occur. Nevertheless, this alternative would be built on land that has land use designation of "Valley Agriculture" and

a zoning designation of Exclusive Agricultural Zone–20 Acre Minimum (AE-20). Both the land use designation and zoning code are intended for agricultural uses and do not allow for educational uses by right or through a conditional use permit. However, similar to the proposed project, the AcCEL Center and performing arts theater components would remain consistent with the Tulare County General Plan's goals and policies (except for agricultural-related policies) and would conflict with the General Plan's land use designation. Additionally, Government Code Section 53094 authorizes the Tulare County Board of Education, by a two-thirds vote, to render city or county zoning ordinances inapplicable. As such, this alternative would not conflict with the County's zoning.

As such, this alternative would continue to have a significant and unavoidable impact to General Plan Land Use consistency, similar to the proposed project. No applicable mitigation measures exist to reduce impacts to a less than significant level.

7.6.12 Noise

This alternative would generate less construction noise and groundborne vibration or noise because the outdoor amphitheater would have a smaller development footprint compared to the proposed project. The time needed for construction of this alternative would be less and would produce less noise and vibration for a shorter duration. However, this alternative would produce higher event noise since the performing arts space would be outdoors and this alternative would accommodate the same number of spectators. Additionally, this alternative would not expose people residing or working in the project area to excessive noise levels from an airport because it would be located on the Liberty campus. As with the proposed project, this alternative would not require mitigation during construction and would have no impact regarding excessive noise levels from an airport. This alternative may require mitigation to address operational noise.

7.6.13 Population and Housing

Under this alternative and similar to the proposed project, no unplanned substantial population growth would occur. Neither this alternative nor the proposed project would construct any housing units, nor would either induce substantial population growth by providing a substantial amount of employment opportunities. Additionally, the alternative and proposed project would be built on COE-owned property, which would not displace any existing people or housing. Similar to the proposed project, this alternative would result in a less than significant impact with regard to substantial population growth and no impact with regard to displacing any existing people or housing.

7.6.14 Public Services

This alternative would result in less programming associated with the performing arts component than the proposed project. As a result of the slightly smaller footprint and less programming, this alternative would be expected to generate less demand on police, fire, parks, schools, and libraries. Similar to the proposed project, impacts would be less than significant. Impacts would be less than significant and similar to the proposed project.

7.6.15 Recreation

Similar to the proposed project, this alternative would not generate substantial additional residents that would increase the use of existing park and recreational facilities This alternative would provide educational facilities to serve students and staff in Tulare County and would not require the development of recreational facilities. This alternative would be expected to generate similar demand to recreational facilities as the proposed project. As with the proposed project, this alternative would not require mitigation, and impacts would be less than significant.

7.6.16 Transportation

This alternative would create fewer vehicle trips and less project-generated traffic because this alternative would have less performing arts programming. This alternative would generate similar vehicle miles traveled because the outdoor amphitheater would be built and the AcCEL Center and library would operate similar to the proposed project. The alternative would utilize existing transportation infrastructure on the Liberty campus and construction driveways similar to the proposed project for the AcCEL Center and library. As such, would not increase hazards due to a geometric design feature or result in inadequate emergency access. Similar to the proposed project, the alternative would not introduce incompatible uses. Overall, similar to the proposed project, the alternative would not require any mitigation. Impacts would be less than significant.

7.6.17 Tribal Cultural Resources

This alternative would reduce the amount of ground-disturbing activities (due to the smaller development footprint for the outdoor amphitheater), and the potential to discover tribal cultural resources would also be reduced compared to the proposed project. Nevertheless, as with the proposed project, this alternative would require the implementation of Mitigation Measure TCR-1 to reduce impacts to less than significant.

7.6.18 Utilities and Service Systems

This alternative would create less demand for water and would generate less wastewater and solid waste compared to the proposed project because there would be less programming associated with the outdoor amphitheater component. Under this alternative, the outdoor amphitheater would be built on the Liberty campus while the AcCEL Center and library would be built on the project site. Impacts to utilities and service systems would be less as compared to the proposed project, but impacts would remain less than significant.

7.6.19 Wildfire

Similar to the proposed project, this alternative would be located in a local responsibility area (LRA) and not in a in a Moderate, High, or Very High Fire Hazard Severity Zone. The alternative would not exacerbate wildfire risk due to slope, prevailing winds, or other factors because the alternative site would not introduce new slopes, would comply with the CFC and CBC, and would be reviewed by the Division of State Architects. The alternative would not include the construction of new roads, fuel breaks, emergency water sources, new power lines, or other utilities because the alternative site would be on an existing developed COE property. Additionally, this alternative would be constructed on a site that is essentially flat and devoid

of major topographic variations. Therefore, it would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Similar to the proposed project, this alternative would result in less than significant impacts with regard to wildfire.

7.6.20 Conclusion

The Alternative 2 would result in less impacts to agriculture and forestry resources, but would still result in significant and unavoidable impacts. Additionally, similar to the proposed project, this alternative would still include the development of land designated "Valley Agriculture" which would conflict with the General Plan and cause a significant and unavoidable impact. The remaining impacts would be either less or similar to the proposed project, as demonstrated above, except for operational noise which is expected to increase due to the performing arts space being outdoors. However, this alternative would fail to meet all of the proposed project's objectives (see Table 7-1 below).

7.7 ALTERNATIVE 3: LIBRARY CONSTRUCTED ADJACENT TO TULARE COUNTY OFFICE OF EDUCATION ADMINISTRATION BUILDING

Under this alternative, a library would be constructed adjacent to the existing Tulare County Office of Education administration building at 6200 S Mooney Boulevard in Visalia, eliminating the library component proposed for the northwest corner of the project site, west of the Liberty campus. The library would be smaller than the library proposed as part of the proposed project. The AcCEL Center and performing arts theater would still be constructed as described by the proposed project; however, the AcCEL Center would shift to the east to be directly adjacent to the west side of the Liberty campus. The performing arts theater would remain in its proposed location in the southeast corner of the site, south of the Liberty campus. Under this alternative, the library would continue to serve Tulare County Office of Education students and staff, but from the alternative S Mooney Boulevard location.

This alternative would not allow for any of the programming contemplated for the library. Specifically, this alternative would not allow for events twice per year and would not provide e-sports, robotics lab, nor programming space. The programming for the performing arts theater component would be similar to the proposed project.

7.7.1 Aesthetics

This alternative would consist of constructing the library adjacent to the COE administration building and constructing the AcCEL Center and performing arts center on the project site. Constructing the AcCEL Center and performing arts center would have similar impacts to the proposed project. The library would be adjacent to the COE administration building at 6200 S Mooney Boulevard is in the City of Visalia. Therefore, the library component of this alternative would be subject to the City's municipal code and general plan regarding aesthetics. It is anticipated that the library would be designed to be visually consistent with the existing COE administration building and applicable requirements of the City's municipal code and general

plan. Since this alternative would reduce development on the project site, it would reduce the visual changes at the project site compared to the proposed project.

7.7.2 Agriculture and Forestry Resources

Similar to the proposed project, this alternative would impact agriculture resources. Though the library would be built on the developed COE administration campus, the AcCEL and performing arts center components would still be built on the project site, on land categorized as Prime Farmland. Similar to the proposed project, no mitigation measures for this alternative would be available. However, compared to the proposed project, this alternative would reduce impacts to agricultural resources; nevertheless, impacts regarding the conversion of farmland to nonagricultural land use would be significant and unavoidable. All other impacts would be less than significant.

7.7.3 Air Quality

This alternative would result in a smaller building footprint than the proposed project. Similar to the proposed project, this alternative would also be subject to the regulations and requirements of the San Joaquin Valley Air Pollution Control District. Due to the smaller footprint, this alternative would slightly reduce construction emissions compared to the proposed project. Due to this alternative resulting in a smaller library building and not having library programming, this alternative would slightly reduce operational emissions compared to the proposed project. As with the proposed project, this alternative would not require mitigation, and impacts would be less than significant.

7.7.4 Biological Resources

This alternative would include a slightly smaller overall building footprint and would be located on a different COE-owned property. The AcCEL Center and performing arts theater components would still be located on the project site while the library would be located adjacent to the COE administration building. Due to the slightly smaller building footprint and removal of the library component from the project site, this alternative would reduce impacts to biological resources compared to the proposed project. However, this alternative would still require implementation of Mitigation Measure BIO-1. As such, this alternative would result in similar less than significant impacts (after mitigation) as the proposed project.

7.7.5 Cultural Resources

This alternative would reduce the amount of ground-disturbing activities (due to the smaller building footprint for the library), and the potential to discover cultural resources would also be reduced compared to the proposed project. Nevertheless, as with the proposed project, this alternative would require the implementation of Mitigation Measure CUL-1 to reduce impacts to less than significant.

7.7.6 Energy

Since this alternative would result in a smaller building footprint for the library, this alternative would result in lower energy use during construction compared to the proposed project. Since this alternative would have a

smaller library building and would eliminate library programming, energy use associated with the operation of this alternative would be less than the proposed project. Similar to the proposed project, this alternative would not result in wasteful, inefficient, or unnecessary consumption of energy resources. Therefore, impacts of this alternative would be less than significant, as with the proposed project.

7.7.7 Geology and Soils

Overall, this alternative would include a smaller building footprint, and the library would be located on different COE-owned property. This alternative would still be required to comply with the CBC and recommendations from a geotechnical hazards investigation and would be subject to DSA review. Additionally, because this alternative would encompass an area of more than one acre, it would be subject to the NPDES permit requirements, similar to the proposed project, which would include the preparation of a Storm Water Pollution Prevention Plan and implementation of best management practices. This alternative would have the potential to directly or indirectly destroy a unique paleontological resource or site and would require the implementation of Mitigation Measure GEO-1 to reduce impacts to paleontological resources to less than significant. Similar to the proposed project this alternative would not impact unique geological features. Consistent with the proposed project, this alternative would not include installation of a septic tank and would have no impact with regard to alternative wastewater systems. Compared to the proposed project, this alternative would result in slightly reduced impact since the development footprint would be smaller. All remaining impacts would be less than significant.

7.7.8 Greenhouse Gas Emissions

Due to this alternative resulting in a smaller library building and not having library programming, this alternative would slightly reduce GHG emissions when compared to the proposed project during construction and operation. This alternative would generate less vehicles trips associated with the proposed project, generate less energy demand, and generate less amounts of solid waste. However, similar to the proposed project, this alternative would not conflict with the Tulare County 2018 CAP, CARB's Scoping Plan, or TCAG's RTP/SCS. All other impacts would be less than significant with no mitigation required.

7.7.9 Hazards and Hazardous Materials

Similar to the proposed project, this alternative would be required to comply with existing regulations of several agencies—the United States Environmental Protection Agency, Tulare County Environmental Health Division, US Occupational Safety and Health Administration, California Division of Occupational Safety and Health, and United States Department of Transportation. Additionally, because this alternative would encompass an area of more than one acre, it would be subject to the NPDES permit requirements, similar to the proposed project, which would include the preparation of a Storm Water Pollution Prevention Plan and implementation of best management practices.

Consistent with the proposed project, the library component and the AcCEL Center and performing arts theater components would have no impacts with regard to being within the vicinity of an airport or being in a fire hazard zone.

Similar to the proposed project, this alternative would still require the preparation of a PEA, receipt of a "No Further Action" Letter from DTSC, and incorporation of any applicable DTSC recommendations. However, the library component of this alternative would not be within one-quarter mile of existing or proposed school. As such, all other impacts would be less than significant with no mitigation required. Since this alternative would result in a smaller building footprint than the proposed project, it would reduce hazards and hazardous materials impacts.

7.7.10 Hydrology and Water Quality

This alternative would result in a smaller building footprint than the proposed project. However, this alternative would still be required to prepare and implement a Storm Water Pollution Prevention Plan, file Permit Registration Documents, and comply with the Tulare County Well Ordinance. Similar to the proposed project, this alternative would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; substantially decrease groundwater supplies or interfere substantially with groundwater recharge; substantially alter the existing drainage pattern of the site or area; or conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Additionally, similar to the proposed project, this alternative would not be in a flood or tsunami hazard area or in a seiche zone. As with the proposed project, this alternative would not require mitigation, and impacts would be less than significant. Since this alternative would result in a smaller building footprint than the proposed project, it would reduce the proposed project's less than significant impacts.

7.7.11 Land Use and Planning

Similar to the proposed project, this alternative would not physically divide an established community because components of this alternative would be built on COE-owned property, and no impact would occur. Even though the library would be built adjacent to the COE administration building, the AcCEL Center and performing arts center of this alternative would be built on land that has land use designation of "Valley Agriculture" and a zoning designation of Exclusive Agricultural Zone–20 Acre Minimum (AE-20). Both the land use designation and zoning code are intended for agricultural uses and do not allow for educational uses by right or through a conditional use permit. However, similar to the proposed project, the AcCEL Center and performing arts theater components would remain consistent with the Tulare County General Plan's goals and policies (except for agricultural-related policies) and would conflict with the General Plan's land use designation. Additionally, Government Code Section 53094 authorizes the Tulare County Board of Education, by a two-thirds vote, to render city or county zoning ordinances inapplicable and the AcCEL Center and performing arts theater components of this alternative would not conflict with the County's zoning.

The library component of this alternative would not be located within Tulare County's jurisdiction but would be located within the City of Visalia. The COE-owned property is zoned Mixed Use Commercial (CMU) and has a land use designation of Light Industrial. Additional discretionary actions may be needed to allow for the construction of the library component on COE-owned property in the City of Visalia.

As such, this alternative would continue to have a significant and unavoidable impact to General Plan Land Use consistency, similar to the proposed project. No applicable mitigation measures exist to reduce impacts to a less than significant level.

7.7.12 Noise

This alternative would result in a smaller building footprint than the proposed project; therefore, this alternative would result in less construction noise and groundborne vibration. Further, construction and associated noise would be separated between two project site, which would further reduce construction noise. The time needed for construction of this alternative would be slightly less because the library footprint would be smaller. Operational noise would also be reduced compared to the proposed project, due to smaller building size and no library programming, which reduces the number of vehicles associated with proposed project. Similar to the proposed project, construction and operational impacts related to noise would be less than significant.

Similar to the proposed project, this alternative would not expose people residing or working in the project area to excessive noise levels from an airport because the library would be located on the existing COE administration campus, approximately 0.38 mile north of the project site, and the AcCEL Center and performing arts center would be constructed on the project site, which is 4.75 miles southeast of the nearest airport. As with the proposed project, this alternative would have no impact regarding excessive noise levels from an airport.

7.7.13 Population and Housing

Under this alternative and similar to the proposed project, no unplanned substantial population growth would occur. Neither this alternative nor the proposed project would construct any housing units, nor would either induce substantial population growth by providing a substantial amount of employment opportunities. Additionally, the alternative and proposed project would be built on COE-owned properties, which would not displace any existing people or housing. Similar to the proposed project, this alternative would result in less than significant impact with regard to substantial population growth, and no impact with regard to displacing any existing people or housing.

7.7.14 Public Services

This alternative would result in a slightly smaller building footprint than the proposed project. As a result of the slightly smaller footprint and no programming at the library component, this alternative would be expected to generate less demand on police, fire, parks, schools, and libraries. Similar to the proposed project, impacts would be less than significant. However, this alternative would not provide programming (such as, the e-sports and robotics lab to support the Liberty campus), which would reduce opportunities for the TCOE community. Impacts would be less than significant and similar to the proposed project.

7.7.15 Recreation

Similar to the proposed project, this alternative would not generate substantial additional residents that would increase the use of existing park and recreational facilities This alternative would provide educational facilities to serve students and staff in Tulare County and would not require the development of recreational facilities. As a result of the slightly smaller footprint, this alternative would be expected to generate less demand on recreational facilities. As with the proposed project, this alternative would not require mitigation, and impacts would be less than significant.

7.7.16 Transportation

This alternative would result in a slightly smaller building footprint than the proposed project. This alternative would generate less vehicle trips and traffic because the library component would not include any programming as contemplated in the proposed project. The library would utilize existing transportation infrastructure on the COE administration site, which would not increase hazards due to a geometric design feature or result in inadequate emergency access. The AcCEL Center and performing arts theater would have driveways that would connect to public rights of way similar to the proposed project. Impacts related to geometric design features would be similar to the proposed project. Similar to the proposed project, the alternative would not introduce incompatible uses because the library component would be an educational use. Similar to the proposed project, the alternative would not require mitigation. Impacts would be less than significant.

7.7.17 Tribal Cultural Resources

This alternative would result in a smaller building footprint than the proposed project. As a result, this alternative would result in less amounts of ground-disturbing activities, so the potential to discover tribal cultural resources would be slightly less compared to the proposed project. However, as with the proposed project, this alternative would require the implementation of Mitigation Measure TCR-1 to reduce impacts to less than significant.

7.7.18 Utilities and Service Systems

This alternative would result in a smaller building footprint than the proposed project and would not include any programming for the library component. As a result, this alternative would create less demand for water and would generate less wastewater and solid waste compared to the proposed project. . As with the proposed project, this alternative would not require mitigation, and impacts would be less than significant.

7.7.19 Wildfire

Similar to the proposed project, this alternative would be in a LRA and not in a in a Moderate, High, or Very High Fire Hazard Severity Zone. The alternative would not exacerbate wildfire risk due to slope, prevailing winds, or other factors because the alternative site would not introduce new slopes; would comply with the CFC and CBC; and would be reviewed by the Division of State Architects. The alternative would not construct new roads, fuel breaks, emergency water sources, new power lines, or other utilities because the

alternative site would be on an existing developed COE properties. Additionally, this alternative would be constructed on two sites that are essentially flat and devoid of major topographic variations, so it would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Similar to the proposed project, this alternative would result in less than significant impacts with regard to wildfire and no mitigation measures would be applicable. Compared to the proposed project, this alternative would result in a similar degree of impacts.

7.7.20 Conclusion

Alternative 3 would result in slightly less impacts to agriculture and forestry resources, but would still result in significant and unavoidable impacts. Additionally, similar to the proposed project, this alternative would still include the development of land designated "Valley Agriculture" which would conflict with the General Plan and cause a significant and unavoidable impact. The remaining impacts would be either slightly less or similar to the proposed project, as demonstrated above. However, this alternative would fail to meet all of the proposed project's objectives (see Table 7-1 below).

7.8 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires a lead agency to identify the "environmentally superior" alternative and, in cases where the "No Project" Alternative is environmentally superior to the proposed project, the EIR must identify an environmentally superior development alternative from the others evaluated. Each alternative's environmental impacts are compared to the proposed project and determined to result in either reduced impacts compared to the project, the same or similar impacts as the project, or a more severe impact than the project. Alternative 1, No Project Alternative, was identified as "environmentally superior" to the proposed project.

Alternative 1, No Project Alternative, is environmentally superior to the proposed project because it reduces the significant unavoidable adverse impacts associated with agricultural and forestry resources and land use and planning since the southeast corner of the project site would not be developed. Under the No Project Alternative, no mitigation measures would be needed. Since the environmentally superior alternative is a No Project Alternative, a development alternative was selected, as required by CEQA. One alternative has been identified as "environmentally superior" to the proposed project:

- **Alternative 2:** Performing Arts Theater on Liberty Campus

Alternative 2, Performing Arts Theater on Liberty Campus, has been identified as the environmentally superior alternative. This alternative would result in the greatest reduction in impacts to agriculture and forestry resources, since the performing arts theater as contemplated by the proposed project would not be constructed on the southeast side of the project site and development would be focused on the north side of the project site. Compared to Alternative 3, Alternative 2 would have a smaller building footprint on the project site, therefore developing less Prime Farmland. Similar to the proposed project, the significant and unavoidable impact related to General Plan land use consistency would remain. Additionally, this alternative would lessen impacts associated with aesthetics, air quality, energy, cultural resources, geology and soils, GHG,

hazards and hazardous materials, hydrology and water quality, noise, public services, transportation, and utilities and service systems because this alternative would include a smaller overall building footprint. The remaining impacts would remain similar compared to the proposed project, as demonstrated above. However, this alternative would fail to fully meet all of the proposed project's objectives.

As seen in Table 7-1, *Ability of Alternatives to Meet Project Objectives*, this alternative would fully meet Objectives 2 and 3, since this alternative would only impact the performing arts theater and the AcCEL Center and library would similar to the proposed project. This alternative would only partially meet Objectives 1 and 5 since the theater facilities on the Liberty campus would be smaller in size, outdoor, and have reduced programming.

Alternative 2 would not meet Objective 4. This alternative would provide an outdoor amphitheater, not an indoor performing arts theater. This alternative would also not provide parking for the outdoor amphitheater. Spectators would be required to park at available spaces on the Liberty campus or park along public rights-of-way. Further, due to it being an outdoor amphitheater, programming would be reduced and limited compared to the proposed project due to weather and seasons. This alternative would not include flyspace nor infrastructure to support all anticipated events, such as performances that require flyspace for theatrical productions and e-sports tournaments that require indoor space and support facilities. This would require COE to continue renting indoor theater space and would not provide a cost-efficient alternative to existing theater needs.

While Alternative 2 would reduce the significant and unavoidable impacts of the proposed project by reducing the amount of Prime Agricultural land being developed and reduce other impacts; it does not outweigh the benefits the proposed project provides at full buildout. Alternative 2 would not meet Objective 4 and would only partially meet Objectives 1 and 5. As such, Alternative 2 would preclude the full realization of the objectives of the proposed project.

Table 7-1 Ability of Alternatives to Meet Project Objectives

Project Objective	Proposed Project	Performing Arts Theater on Liberty Campus Alternative	Library Constructed Adjacent to Tulare County Office of Education Administration Building
1. Provide a performing arts theater, library, and AcCEL Center adjacent to the existing Office of Education Liberty campus at 11535 Avenue 264, Visalia, to supplement existing educational resources on the campus and provide educational resources in a centralized location and near the TCOE office at 6200 S. Mooney Boulevard in Visalia.	Met	Partially Met	Partially Met
2. Develop an AcCEL Center that meets the need for high-quality instruction and a structured learning environment for students who have multiple or profound disabilities and is on a property owned by the Tulare County Office of Education and near Visalia to serve students who live in Visalia.	Met	Met	Met

7. Alternatives to the Proposed Project

Table 7-1 Ability of Alternatives to Meet Project Objectives

Project Objective	Proposed Project	Performing Arts Theater on Liberty Campus Alternative	Library Constructed Adjacent to Tulare County Office of Education Administration Building
3. Provide a library on Tulare County Office of Education property whose resources and services are available to districts within the county, with facilities for e-sports, robotics lab, and additional programming for students at the adjacent Liberty campus (i.e., the new location for University Preparatory High School), and that is adjacent to the AcCEL Center and available to AcCEL students.	Met	Met	Not Met
4. Provide an indoor performing arts facility with sufficient parking to the students and districts in the county, the TCOE theater company, and the general public; a facility that can host elementary and middle-school events, artistic performances, speaking engagements, e-sport tournaments, and various school and community events as a more cost-effective alternative to renting local theater facilities.	Met	Not Met	Met
5. Provide other learning opportunities and skill-building activities for students under the jurisdiction of the Tulare County Office of Education as well as offering resources not available in the surrounding area.	Met	Partially Met	Partially Met

8. Impact Found Not to Be Significant

California Public Resources Code Section 21003 (f) states: "…it is the policy of the state that…[a]ll persons and public agencies involved in the environmental review process be responsible for carrying out the process in the most efficient, expeditious manner in order to conserve the available financial, governmental, physical, and social resources with the objective that those resources may be better applied toward the mitigation of actual significant effects on the environment." This policy is reflected in the State California Environmental Quality Act (CEQA) Guidelines Section 15126.2(a), which states that "[a]n EIR [Environmental Impact Report] shall identify and focus on the significant environmental impacts of the proposed project" and Section 15143, which states that "[t]he EIR shall focus on the significant effects on the environment." CEQA Guidelines Section 15128 requires that an EIR contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the Draft EIR (DEIR).

As required by Section 15128 of the CEQA Guidelines, an EIR shall contain a brief discussion stating the reasons why various possible significant effects of a project were determined to not be significant and are therefore not discussed in detail in the EIR. In accordance with the CEQA Guidelines, this section discusses the environmental issue areas where impacts were found to not be significant and were therefore not discussed in detail in the DEIR. This chapter includes the analysis for the following environmental topics where the project would have no impact:

- Mineral Resources

The following 19 topics are analyzed in Chapter 5 of this DEIR.

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

8.1 MINERAL RESOURCES

Would the project:

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

No Impact. The California Geological Survey (CGS) Mineral Resources Project provides information about California's nonfuel mineral resources. The Mineral Resources Project classifies lands throughout the state that contain regionally significant mineral resources as mandated by the Surface Mining and Reclamation Act of 1975. The CGS classifies mineral resource areas as one of the four Mineral Resource Zones (MRZs), Scientific Resource Zones, or Identified Resource Areas. According to the *Mineral Land Classification of Concrete Aggregate Resources in the Tulare County Production-Consumption Region, California,* report from 1997, only lands in the Tulare County Production-Consumption Region deemed to have aggregate resource potential are assigned an MRZ classification. The project site does not have an MRZ classification which means that it is in an area that does not have the potential for an aggregate resource (CGS 1997). Therefore, the proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the state; no impact would occur.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

No Impact. The project site is in an area that does not have the potential for aggregate resources (CGS 1997). The project site contains fallow agricultural land, and no mineral extraction operations currently occur on the project site nor within its vicinity. According to the Tulare County General Plan, the County includes mineral resources such as aggregate, oil and gas as locally important mineral resources. However, the project site is not in an area where there is the potential for aggregate resources, and no oil and gas extraction operations exist on site (Tulare County 2012). According to the Geologic Energy Management Division's (CalGEM) online mapping application, Well Finder, the nearest oil and gas well is a plugged well approximately 1.2 miles northeast of the project site. No major oil and gas operations exist in the project area (CalGEM 2025). Therefore, the proposed project would not impact the availability of a locally important mineral resource, and no impacts would occur.

8.2 REFERENCES

California Geological Survey (CGS). 1997. Mineral Land Classification of Concrete Aggregate Resources in the Tulare County Production-Consumption Region, California. https://filerequest.conservation.ca.gov/?q=OFR_97-01

Geologic Energy Management Division (CalGEM). 2025, May 1 (accessed). Well Finder. https://maps.conservation.ca.gov/doggr/wellfinder/

Tulare County. 2012. *Tulare County General Plan*. https://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/000General%20Plan%202030%20Part%20I%20and%20Part%20II/GENERAL%20PLAN%202012.pdf.

9. Significant Irreversible Changes Due to the Proposed Project

The CEQA Guidelines requires that an EIR describe any significant irreversible environmental changes that would be caused by the proposed project should it be implemented. Specifically, Section 15126.2(c) of the CEQA Guidelines states:

> Uses of nonrenewable resources during the initial and continued phases of the Project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highways improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

Generally, a project would result in significant irreversible environmental changes if:

- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve a large commitment of nonrenewable resources;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The proposed irretrievable commitments of nonrenewable resources are not justified (e.g., the project involves the wasteful use of energy).

As such, the following significant irreversible changes would be caused by implementation of the proposed project:

- The proposed project would include construction activities that would require the commitment of nonrenewable and/or slowly renewable energy resources, human resources, and natural resources such as lumber and other forest products, sand and gravel, asphalt, steel, copper, lead, other metals, water, and fossil fuels. The proposed project would also require the use of natural gas and electricity, petroleum-based fuels, fossil fuels, and water. However, the proposed project does not represent an uncommon construction project that uses an extraordinary amount of raw materials in comparison to other development projects of a similar scope and magnitude.
- Operation of the proposed project would directly convert 14.9 acres of Prime Farmland to nonagricultural use. Additionally, compared to existing conditions, the proposed project may have

9. Significant Irreversible Changes Due to the Proposed Project

reduced nesting sites for migratory birds. Operation of the proposed project would create additional demands for electricity and natural gas compared to existing conditions and would result in increased transportation energy use. An increased commitment of social services and public maintenance services would also be required (e.g., police, fire, schools, libraries, and sewer and water services). The energy and social service commitments would be long-term obligations in view of the low likelihood of returning the land to its original condition once it has been developed.

Given the low likelihood that the land would revert to its current form, the proposed project would generally commit future generations to these environmental changes. However, these environmental changes would be necessary to achieve the objectives established for the proposed project.

10. Growth-Inducing Impacts of the Proposed Project

Pursuant to Sections 15126(d) and 15126.2(d) of the CEQA Guidelines, this section is provided to examine ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Also required is an assessment of other projects that would foster other activities which could affect the environment, individually or cumulatively. To address this issue, potential growth-inducing effects will be examined through analysis of the following questions:

- Would this project remove obstacles to growth, e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development?
- Would this project result in the need to expand one or more public services to maintain desired levels of service?
- Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?
- Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

Please note that growth-inducing effects are not to be construed as necessarily beneficial, detrimental, or of little significance to the environment. This issue is presented to provide additional information on ways in which this project could contribute to significant changes in the environment, beyond the direct consequences of developing the land use concept examined in the preceding sections of this EIR.

Would this project remove obstacles to growth, e.g., through the construction or extension of major infrastructure facilities that do not presently exist in the project area, or through changes in existing regulations pertaining to land development?

The proposed project would include the construction of educational facilities for students in Tulare County and a performing arts theater meant to serve the students, districts, and general public in Tulare County. As substantiated in Section 5.18, *Utilities and Service Systems*, the proposed project would not include the construction of major infrastructure facilities and that demand for water, solid waste, electricity, and other utilities would be met by existing infrastructure. Additionally, as stated in Section 5.11, *Land Use and Planning*, the COE would be exempt from zoning similar to the adjacent existing COE Liberty campus. This would not result in changes to land use regulations that would remove obstacles to growth.

10. Growth-Inducing Impacts of the Proposed Project

Would this project result in the need to expand one or more public services to maintain desired levels of service?

The proposed project would not result in an increase in student enrollment or capacity or increase the local population levels as substantiated in Section 5.13, *Population and Housing*. As substantiated in Section 5.14, *Public Services*, the proposed project may create a slight increase in the demand for public services such as fire protection, police services, school services, and library services but would not generate a substantial demand that would require new or physically altered public service facilities.

Would this project encourage or facilitate economic effects that could result in other activities that could significantly affect the environment?

Construction of the proposed project would require labor which would be available from the local and regional labor pool. Due to the short-term nature of construction, construction of the proposed project would not attract new workers that would relocate to the region. The proposed project would not result in an increase in student enrollment nor capacity. The proposed project could generate up to 40 new employment positions. However, since some of the proposed project's uses, such as the library and the AcCEL Center, are existing uses and would be relocated to the project site, the existing COE staff for these facilities would come from other locations and the employment positions are existing and filled. Any new staff are expected to be filled by the regional labor market and are within the Tulare County employment projections as substantiated in Section 5.14. The proposed project would serve the educational needs of the students, districts, and general public in Tulare County. As such, the proposed project is not anticipated to encourage or facilitate economic effects that could result in other activities that could significantly affect the environment.

Would approval of this project involve some precedent-setting action that could encourage and facilitate other activities that could significantly affect the environment?

The proposed project would provide a performing arts theater, library, and AcCEL Center adjacent to the existing COE Liberty campus to centralize and supplement educational resources for COE students, including those served at the AcCEL Center, who have multiple or profound disabilities, library, and performing arts theater. These facilities would offer high-quality instruction, specialized services, and additional programming such as e-sports, robotics, and library resources that support students at the Liberty campus, AcCEL students, and districts and students throughout the County. The performing arts theater would also provide students, districts, the COE theater company, and the general public with an accessible venue for artistic performances, school events, speaking engagements, and other community activities, reducing reliance on rented facilities and expanding learning and skill-building opportunities not otherwise available in the region. COE approval would not set a precedent that could encourage and facilitate local and regional activities and government actions that could significantly affect the environment. School construction activities to develop new educational facilities are common state- and nationwide.

The proposed project would not lead to other, off-site induced growth. The proposed project does not involve uses that could directly or indirectly result in growth-inducing impacts or other environmental effects not otherwise disclosed in this DEIR. The proposed project, discretionary actions, and ministerial approvals/permits are site-specific and do not affect the development standards of any other property. The

development of the proposed project would not indirectly cause significant growth, nor is it anticipated that the development of the proposed project would indirectly trigger additional population growth in the area. Overall, the proposed project's growth-inducing impacts would not be considered substantial.

10. Growth-Inducing Impacts of the Proposed Project

This page intentionally left blank.

11. Organizations and Persons Consulted

Kitanemuk & Yowlumne Tejon Indians

Delia Dominguez, Chairperson

Santa Rosa Rancheria Tachi Yokut Tribe

Samantha McCarty, Specialist II

Table Mountain Rancheria

Michelle Heredia-Cordova, Chairperson

Tule River Indian Tribe

Neil Peyron, Chairperson

Wuksachi Indian Tribe/Eshom Valley Band

Kenneth Woodrow, Chairperson

Tulare County Fire Department

Charlie Norman, Fire Chief

Tulare County Sheriff's Office

Sheriff Mike Boudreaux

11. Organizations and Persons Consulted

This page intentionally left blank.

12. Qualifications of Persons Preparing EIR

The following professionals contributed to the preparation of this document.

Tulare County Office of Education (Lead Agency and Applicant)

Jack Schreuder, Director, Operational Services

Jeff Ramsay, Director, General Services

Mangini Associates, Inc. (Architect)

Edgar Sanchez, Architect

PlaceWorks (Environmental Consultant)

Malia Durand, Principal-in-Charge

Mariana Zimmermann, Project Manager

Jared Bradford, Associate Planner

Angel Castro, Project Planner

Nicole Vermilion, Principal, Air Quality, GHG, and Noise Services

John Vang, Senior Associate, Air Quality, GHG, and Energy

Chris Sheilds, Senior Associate, Noise Services

Steve Bush, Senior Associate, Geological and Environmental Hazards Assessment and Pipeline Safety Hazard Assessment

Dina El Chammas Gass, PE, QSD, Senior Engineer

Lexie Zimny, Associate Planner, Air Quality, GHG, Energy, Public Services, and Utilities and Service Systems

Joseph Ruiz, Project Planner, Noise

Christhi Mrosla, Associate Planner, Land Evaluation and Site Assessment

Gina Froelich, Document Support Services

Laura Munoz, Document Support Services

12. Qualifications of Persons Preparing EIR

Garland Associates (Transportation Engineer)

Richard Garland, Owner

HANA Resources, Inc. (Biological Resources)

Sloan Sanchez, Senior Biologist

R. Austin Isakson, Associate Biologist

CRM Tech (Cultural Resources)

Bai "Tom" Tang, Principal Investigator

Michael Hogan, Principal Investigator

Ron Schmidtling, Principal Paleontologist

Nicole Raslich, Report Writer

Padre Associates, Inc. (Preliminary Endangerment Assessment)

Alan J. Klein, Project Manager

13. Bibliography

Army Corps of Engineers. 2014. Terminus Dam Failure Study, Lake Kaweah to Tulare Lakebed, Flood Inundation Report. https://www.visalia.city/depts/community_development/engineering/flood_information/know_your_flood_hazard.asp

Bay Area Air Quality Management District (BAAQMD). 2023, April. 2022 California Environmental Quality Act Air Quality Guidelines. https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines.

California Air Pollution Control Officers Association (CAPCOA). 2022. California Emissions Estimator Model (CalEEMod). Version 2022.1. Prepared by: ICF in collaboration with Sacramento Metropolitan Air Quality Management District.

California Air Resources Board (CARB). 1998, April 22. The Report on Diesel Exhaust. http://www.arb.ca.gov/toxics/dieseltac/de-fnds.htm.

———. 1999. Final Staff Report: Update to the Toxic Air Contaminant List.

———. 2004, July 22. 2004 Revision to the California State Implementation Plan for Carbon Monoxide. Updated Maintenance Plan for Ten Federal Planning Areas. https://ww3.arb.ca.gov/planning/sip/co/final_2004_co_plan_update.pdf.

———. 2005, April. Air Quality and Land Use Handbook: A Community Health Perspective. https://ww2.arb.ca.gov/sites/default/files/2023-05/Land%20Use%20Handbook_0.pdf.

———. 2008, December. Climate Change Proposed Scoping Plan: A Framework for Change.

———. 2017, January 18. California's Advanced Clean Cars Midterm Review. https://ww2.arb.ca.gov/sites/default/files/2020-01/ACC%20MTR%20Summary_Ac.pdf.

_____. 2017, March. Short-Lived Climate Pollutant Reduction Strategy. https://www.arb.ca.gov/cc/shortlived/shortlived.htm.

_____. 2018, February. Proposed Update to the SB 375 Greenhouse Gas Emission Reduction Targets. https://ww2.arb.ca.gov/sites/default/files/2020-06/SB375_Updated_Final_Target_Staff_Report_2018.pdf.

_____. 2022. 2022 Scoping Plan for Achieving Carbon Neutrality. https://ww2.arb.ca.gov/sites/default/files/2022-12/2022-sp.pdf.

13. Bibliography

———. 2024, July 16. Table of Ambient Air Quality Standards. https://ww2.arb.ca.gov/sites/default/files/2024-08/AAQS%20Table_ADA_FINAL_07222024.pdf.

_____. 2024, September 24. California Greenhouse Gas 2000-2022: Trends of Emissions and Other Indicators. https://ww2.arb.ca.gov/sites/default/files/2024-09/nc-2000_2022_ghg_inventory_trends.pdf.

———. 2025, November 3 (Accessed). Advanced Clean Cars Program https://ww2.arb.ca.gov/our-work/programs/drive-forward-light-duty-vehicle-program/advanced-clean-cars.

———. 2025, November 3 (Accessed). Maps of State and Federal Area Designations. https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations.

———. 2025, November 3 (Accessed). Common Air Pollutants. https://ww2.arb.ca.gov/resources/common-air-pollutants.

———. 2025, November 3 (Accessed). Air Pollution Data Monitoring Cards (2020, 2021, 2022, 2023, and 2024). http://www.arb.ca.gov/adam/topfour/topfour1.php.

California Climate Action Team (CAT). 2006, March. Climate Action Team Report to Governor Schwarzenegger and the Legislature.

California Climate Change Center (CCCC). 2012, July. Our Changing Climate 2012: Vulnerability and Adaptation to the Increasing Risks from Climate Change in California.

California Department of Conservation (DOC). 1997. Land Evaluation and Site Assessment (LESA) Model Manual. https://www.conservation.ca.gov/dlrp/Pages/qh_lesa.aspx.

———. 2020. Alternate Tulare County 2028-2020 Land Use Conversion. https://www.conservation.ca.gov/dlrp/fmmp/Pages/Tulare.aspx.

———. 2025. Important Farmland Categories. https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx.

———. 2025. Williamson Act Program. https://www.conservation.ca.gov/dlrp/wa.

———. 2025. Farmland Security Zones: Questions and Answers. https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/planning-applications/williamson-act/24farmland-security-zones-questions-and-answers-7132020.pdf?la=en.

CDE (California Department of Education). 2000. Resources for School Facilities Planning, School Selection and Approval Guide. Prepared by School Facilities Planning Division, CDE, Sacramento, CA. https://www.cde.ca.gov/ls/fa/schoolsiteguide.asp.

13. Bibliography

California Department of Fish and Wildlife (CDFW). 2025, June 23 (accessed). Biogeographic Information Observation System (BIOS 6). https://apps.wildlife.ca.gov/bios6/?bookmark=648.

———. 2025, June 23 (accessed). Habitat Conservation Planning Branch. https://wildlife.ca.gov/Organization/HCPB.

———. 2025, June 23 (accessed). Conservation Plan Boundaries: HCP and NCCP [ds760]. https://data-cdfw.opendata.arcgis.com/datasets/CDFW::conservation-plan-boundaries-hcp-and-nccp-ds760/explore.

CAL FIRE (California Department of Forestry and Fire Protection). 2007, October. Tulare County – Draft Fire Hazard Severity Zones in LRA. https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net/-/media/osfm-website/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones/fire-hazard-severity-zones-map/upload-2/fhszl06_1_map54.pdf.

———. 2019. Wildland Urban Interface. https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net/-/media/calfire-website/what-we-do/fire-resource-assessment-program---frap/pdf-maps/wildland-urban-interface-2019.pdf?rev=e44c740c777940c6bda816c42c886c87&hash=52A9A0873B1CBF3E468DC52D4E5CB5B5

———. 2024. California Strategic Plan. https://www.paperturn-view.com/cal-fire-communications/cal-fire-strategicplan24-web?pid=ODg8828162&p=17&v=2.

———. 2024, April 1. Fire Hazard Severity Zone Viewer. https://experience.arcgis.com/experience/03beab8511814e79a0e4eabf0d3e7247/.

———. 2025, September 5. Fire Hazard Severity Zone Viewer. https://fire-hazard-severity-zones-rollout-calfire-forestry.hub.arcgis.com/pages/access-map.

California Department of Public Health (CDPH). 2017, February. Climate Change and Health Profile Report Tulare County. https://www.cdph.ca.gov/Programs/OHE/CDPH%20Document%20Library/CHPRs/CHPR107Tulare_County2-23-17.pdf

California Department of Resources Recycling and Recovery (CalRecycle). 2019. Jurisdiction Disposal and Alternative Daily Cover (ADC) Tons by Facility, 2019, Tulare County. https://www2.calrecycle.ca.gov/LGCentral/DisposalReporting/Destination/DisposalByFacility

———. 2019. Jurisdiction or Origin Waste Disposal By Facility For Visalia Disposal Site.

———. 2019. Jurisdiction or Origin Waste Disposal By Facility For Teapot Dome Disposal Site.

———. 2019. Jurisdiction or Origin Waste Disposal By Facility For Woodville Disposal Site.

13. Bibliography

———. 2023. Countywide, Regionwide, and Statewide Jurisdiction Diversion / Disposal Progress Report. https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/DiversionDisposal

———. 2025, September 2. SWIS Facility/Site Activity Details, Teapot Dome Disposal Site (54-AA-0004). https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/817?siteID=3834

———. 2025, September 2. SWIS Facility/Site Activity Details, Woodville Disposal Site (54-AA-0008). https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/3838

——— .2025, September 2. SWIS Facility/Site Activity Details, Teapot Dome Disposal Site (54-AA-0004). https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/3834

California Department of Transportation (Caltrans). 2013, November. Technical Noise Supplement ("TeNS"). https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tens-sep2013-a11y.pdf

_____. 2020, April. Transportation and Construction Vibration. https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tcvgm-apr2020-a11y.pdf

_____. 2024, February. Collapsible Soils. https://dot.ca.gov/-/media/dot-media/programs/engineering/documents/geotechnical-services/202402-gm-collapsiblesoil-a11y.pdf.

_____. 2025. State Scenic Highways. https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa.

California Department of Water Resources (DWR). June 13, 2017. Water Budget Workbook for New and Rehabilitated Non-Residential Landscapes. Appendix N.

_____. 2023. California Department of Water Resources Land Use Viewer. https://gis.water.ca.gov/app/CADWRLandUseViewer/?page=home.

_____. 2025, August 6 (accessed). SGMA Data Viewer. https://sgma.water.ca.gov/webgis/?appid=SGMADataViewer#currentconditions.

———. 2025. How to Fill Out a Well Completion Report. https://water.ca.gov/Programs/Groundwater-Management/Wells/Well-Completion-Reports.

———. 2025. SGMA Portal. https://sgma.water.ca.gov/portal/gspar/preview/472.

California Energy Commission (CEC). 2006. Our Changing Climate: Assessing the Risks to California. 2006 Biennial Report. CEC-500-2006-077. California Climate Change Center.

_____. 2009, May. The Future Is Now: An Update on Climate Change Science, Impacts, and Response Options for California. CEC-500-2008-0077.

13. Bibliography

———. 2017, January. 2016 Appliance Efficiency Regulations. https://pdf4pro.com/cdn/2016-appliance-efficiency-regulations-5104f7.pdf.

———. 2021, May 19. Amendments to the Building Energy Efficiency Standards (2022 Energy Code) Draft Environmental Report. CEC-400-2021-077-D.

_____. 2022, August. Building Energy Efficiency Standards for Residential and Nonresidential Buildings (2022 Energy Code). CEC-400-2021-077. https://www.energy.ca.gov/sites/default/files/2022-12/CEC-400-2022-010_CMF.pdf.

_____. 2025, September 9. California Electricity Consumption Dashboard. https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/california-energy-consumption-dashboards-0

———. 2025, September 9. California Natural Gas Consumption Dashboard. https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/california-energy-consumption-dashboards-1

———. 2025, December 5. California Energy Demand Update, 2022-2035. https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2022-integrated-energy-policy-report-update-2

———. 2025, November 3 (Accessed). Electricity Consumption. https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/california-energy-consumption-dashboards-0.

———. 2025, November 3 (Accessed). 2023 Power Content Label: Southern California Edison Company. https://www.energy.ca.gov/filebrowser/download/7362.

———. 2025, November 3 (Accessed). California Natural Gas Service Area. https://gis-california.opendata.arcgis.com/datasets/CAEnergy::california-natural-gas-service-area/explore.

———. 2025, November 3 (Accessed). Natural Gas Consumption. https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/california-energy-consumption-dashboards-1.

CalEPA (California Environmental Protection Agency). 2025, November 20 (accessed). CalEPA. https://siteportal.calepa.ca.gov/nsite/map/help.

California Geological Survey (CGS). 1997. Mineral Land Classification of Concrete Aggregate Resources in the Tulare County Production-Consumption Region, California. https://filerequest.conservation.ca.gov/?q=OFR_97-01

California Gas and Electric Utilities (CGEU). 2018. 2018 California Gas Report. https://www.socalgas.com/regulatory/documents/cgr/2018_California_Gas_Report.pdf.182.

California Natural Resources Agency (CNRA). 2014, July. Safeguarding California: Reducing Climate Risk: An Update to the 2009 California Climate Adaptation Strategy.

13. Bibliography

California Office of Emergency Services (CalOES). 2020, June. California Adaptation Planning Guide. https://www.caloes.ca.gov/HazardMitigationSite/Documents/CA-Adaptation-Planning-Guide-FINAL-June-2020-Accessible.pdf.

———. 2023. State of California Multi-Hazard Mitigation Plan. https://www.caloes.ca.gov/wp-content/uploads/Hazard-Mitigation/Documents/2023-California-SHMP_Volume-1_11.10.2023.pdf.

———. 2024. State of California Emergency Plan. https://www.caloes.ca.gov/office-of-the-director/operations/planning-preparedness-prevention/california-specialized-training-institute/hazardous-materials-program/standardized-emergency-management-system-sems/.

———. 2024. Inland Region. https://www.caloes.ca.gov/office-of-the-director/operations/response-operations/regional-operations/inland-region/.

California Water Service (Cal Water). 2021. 2020 Urban Water Management Plan Visalia District. https://www.calwater.com/docs/uwmp2020/VIS_2020_UWMP_FINAL.pdf.

Central Valley RWQCB. 2018 (Amended in February 2019). Water Quality Control Plan (Basin Plan) for the Central Valley Region. https://www.waterboards.ca.gov/rwqcb5/water_issues/basin_plans/sacsjr_201902.pdf.

Executive Department State of California (State of California). January 2014. Executive Order B-29-15. https://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/docs/040115_executive_order.pdf.

Department of Conservation (DOC), California. 2025, February 28 (accessed). Fault Activity Map of California. https://maps.conservation.ca.gov/cgs/fam/.

———. 2025, February 28 (accessed). Alquist-Priolo Earthquake Fault Zones. https://www.conservation.ca.gov/cgs/alquist-priolo.

———. 2025, August 8 (accessed). CGS Seismic Hazards Program: Liquefaction Zones. https://maps-cnra-cadoc.opendata.arcgis.com/datasets/cadoc::cgs-seismic-hazards-program-liquefaction-zones/explore.

Department of Finance, California (DOF). 2012, November 9. E-4 Population Estimates for Cities, Counties, and the State, 2001-2010, with 2000 & 2010 Census Counts.

_____. 2025, May 1. E-4 Population Estimates for Cities, Counties, and the State, 2021–2025, with 2020 Census Benchmark. https://dof.ca.gov/forecasting/demographics/estimates/

DTSC (Department of Toxic Substances). 2025, December 16. No Further Action Determination Letter. Appendix J.

13. Bibliography

Employment Development Department (EDD), State of California. 2025, May 15 (accessed). https://labormarketinfo.edd.ca.gov/cgi/dataanalysis/AreaSelection.asp?tableName=labforce.

Federal Emergency Management Agency (FEMA). 2025, February 28 (accessed). National Risk Index. https://hazards.fema.gov/nri/map.

_____. 2025, September 9 (accessed). National Flood Hazard Layer (NFHL) Viewer. https://www.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9c.

Federal Highway Administration (FHWA). 1978, December. Federal Highway Traffic Noise Prediction Model. U.S. Department of Transportation (DoT) Report No. FHWA-RD77-108.

_____. 2006, January. FHWA Roadway Construction Noise Model (RCNM) User's Guide. https://www.fhwa.dot.gov/environment/noise/construction_noise/rcnm/rcnm.pdf

Federal Transit Administration (FTA). 2018. Transit Noise and Vibration Impact Assessment Manual. 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

Garland Associates. 2025, December. Traffic/Transportation Analysis for the Proposed Performing Arts Theater, AcCEL Center, and Library Project Tulare County. Appendix M.

Geologic Energy Management Division (CalGEM). 2025, May 1 (accessed). Well Finder. https://maps.conservation.ca.gov/doggr/wellfinder/

Governor's Office of Land Use and Climate Innovation (LCI). 2008, June. CEQA and Climate Change: Addressing Climate Change through CEQA Review. Technical Advisory. https://lci.ca.gov/docs/june08-ceqa.pdf.

HANA Resources, Inc. 2025, May 25. Historical/Archaeological Resources Survey Report. Appendix E.

Health and Safety International (HSI). December, 2019. Lighting Levels. https://www.healthandsafetyinternational.com/article/1843821/lighting%20levels.

International Energy Agency (IEA), 2008, March. Energy Efficiency Requirements in Building Codes, Energy Efficiency Policies for New Buildings.

Intergovernmental Panel on Climate Change (IPCC). 2001. Third Assessment Report: Climate Change 2001. New York: Cambridge University Press.

_____. 2007. Fourth Assessment Report: Climate Change 2007. New York: Cambridge University Press.

_____. 2013. Fifth Assessment Report: Climate Change 2013. New York: Cambridge University Press.

_____. 2022, February. Impacts, Adaptation and Vulnerability: Summary for Policymakers. Sixth Assessment Report: Climate Change 2022.

13. Bibliography

https://www.ipcc.ch/report/ar6/wg2/downloads/report/IPCC_AR6_WGII_SummaryForPolicymakers.pdf.

Institution of Lighting Engineers (ILE). 2003, May. Guidance Notes for the Reduction of Light Pollution. https://www.gov.je/SiteCollectionDocuments/Planning%20and%20building/SPG%20Lightpollution%202002.pdf.

Kaweah Delta Water Conservation District (KDWCD). 2015, July. Groundwater Management Plan. https://kdwcd.com/tenancy/assets/documents/2vGroundwater%20Management%20Plan%20Amended%20%2807-07-15%29.pdf.

King County Department of Natural Resources and Parks. 2014, July. Updated Planning Assumptions for Wastewater Flow Forecasting. https://your.kingcounty.gov/dnrp/library/wastewater/wtd/construction/Planning/RWSP/CompReview/13/1407_UpdatedPlanningAssumptions2014.pdf.

Liberty Elementary. 2025, September 17 (accessed). Liberty Elementary. https://www.libertyelementary.org/.

Mid-Kaweah Groundwater Sustainability Agency (GSA). 2022, July. 2022 First Amended Groundwater Sustainability Plan. https://sgma.water.ca.gov/portal/service/gspdocument/download/9093.

National Highway Traffic Safety Administration (NHTSA). 2022, April 1. USDOT Announces New Vehicle Fuel Economy Standards for Model year 2024-2026. https://www.nhtsa.gov/press-releases/usdot-announces-new-vehicle-fuel-economy-standards-model-year-2024-2026.

———. 2024, June 7. Corporate Average Fuel Economy, NHTSA Announces Final Rule for CAFE and HDPUV Standards. https://www.nhtsa.gov/press-releases/new-fuel-economy-standards-model-years-2027-2031.

———. 2025, June 11. Resetting the Corporate Average Fuel Economy Program [Docket No. NHTSA-2025-0055]. https://www.federalregister.gov/documents/2025/06/11/2025-10586/resetting-the-corporate-average-fuel-economy-program.

Office of Environmental Health Hazards Assessment (OEHHA). 2018, May. Indicators of Climate Change in California. https://oehha.ca.gov/media/downloads/climate-change/report/2018caindicatorsreportmay2018.pdf.

Padre Associates. 2025, October. Preliminary Environmental Assessment (PEA). Appendix H.

PlaceWorks. 2025, May. Pipeline Safety Hazard Assessment. Appendix I.

———. 2025, May. Geological and Environmental Hazards Assessment. Appendix G.

Riggi, Kevin. 2025, September 30. Tulare County Fire Department Response Letter. Appendix L.

13. Bibliography

San Joaquin Valley Air Pollution Control District (SJVAPCD). 2007, April 30. 2007 Ozone Plan. https://www.valleyair.org/media/xuapl4ek/2007_8hourozone_completeplan.pdf

———. 2007, September 20. 2007 PM10 Maintenance Plan and Request for Redesignation. https://www.valleyair.org/media/xmxlzxff/pm10maintenanceplan209-07.pdf.

———. 2008 PM2.5 Plan. https://www.valleyair.org/rules-and-planning/air-quality-plans/particulate-matter-plans/2008-pm25-plan/.

———. 2009, April 16. 2009 Reasonably Available Control Technology (RACT) Demonstration for the 8 Hour Ozone State Implementation Plan (SIP). https://www.valleyair.org/media/npmhpexf/ractsip-2009.pdf.

———. 2009, December 17. Guidance for Valley Land-Use Agencies in Addressing GHG Emissions for New Projects Under CEQA. https://www.valleyair.org/media/dnsnicdv/3-ccap-final-lu-guidance-dec-17-2009.pdf.

———. 2009, December 17. Climate Change Action Plan, Final Staff Report, Addressing Greenhouse Gas Emissions Impacts under the California Environmental Quality Act. https://ww2.valleyair.org/media/mdfm0lsd/1-ccap-final-ceqa-ghg-staff-report-dec-17-2009.pdf.

———. 2012, December 20. 2012 PM2.5 Plan. https://www.valleyair.org/media/b2jho5kt/completedplanbookmarked.pdf.

———. 2013. September 19. 2013 Plan for the Revoked 1-Hour Ozone Standard. https://www.valleyair.org/media/uwqfm4yq/adoptedplan.pdf.

———. 2014, June 19. 2014 Reasonably Available Control Technology (RACT) Demonstration for the 8 Hour Ozone State Implementation Plan (SIP). https://www.valleyair.org/media/42znjsez/2014-ract-sip.pdf.

———. 2015, April 16. 2015 Plan for the 1997 PM2.5 Standard. https://www.valleyair.org/media/ipxjiz3r/2015-pm25-plan_bookmarked.pdf.

———. 2015, March 19. Guidance for Assessing and Mitigating Air Quality Impacts. https://www.valleyair.org/media/g4nl3p0g/gamaqi.pdf.

———. 2016, June 16. 2016 Ozone Plan for 2008 8-Hour Ozone Standard. http://valleyair.org/Air_Quality_Plans/Ozone-Plan-2016/Adopted-Plan.pdf.

———. 2016, September 15. 2016 Moderate Area Plan for the 2012 PM2.5 Standard. https://www.valleyair.org/media/ascouxxn/2016-plan.pdf.

———. 2018. November 15. 2018 Plan for the 1997, 2006, and 2013 PM 2.5 Standards. https://archive.valleyair.org/pmplans/documents/2018/pm-plan-adopted/2018-Plan-for-the-1997-2006-and-2012-PM2.5-Standards.pdf.

13. Bibliography

———. 2025. November 3 (Accessed). Frequently Asked Questions. https://www.valleyair.org/about/frequently-asked-questions/.

———. 2025, November 3 (Accessed). Ambient Air Quality Standards & Valley Attainment Status. https://www.valleyair.org/air-quality-information/ambient-air-quality-standards-valley-attainmnet-status/.

South Coast Air Quality Management District (South Coast AQMD). 1992. Federal Attainment Plan for Carbon Monoxide.

———. 2003, August. Modeling and Attainment Demonstrations. Appendix V of 2003 Air Quality Management Plan. https://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan/2003-aqmp.

———. 2005, May. Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf.

———. 2013, February. 2012 Final Air Quality Management Plan. http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan/final-2012-air-quality-management-plan.

State Water Resources Quality Control Board (SWRCB). 2013. National Pollutant Discharge Elimination System (NPDES) General Permit For Waste Discharge Requirements (WDRs) for Storm Water Discharges From Small Municipal Separate Storm Sewer Systems (MS4s) Order No. 2013-0001-DWQ NPDES No. Cas000004. https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2013/wqo2013_0001dwq.pdf.

———. 2015, Amendment to the Water Quality Control Plan for the Ocean Waters of California to Control Trash and Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California. https://www.waterboards.ca.gov/water_issues/programs/trash_control/docs/01_final_sed.pdf

———. 2019, January. Storm Water Program - Trash Implementation Program. https://www.waterboards.ca.gov/water_issues/programs/stormwater/trash_implementation.html.

———. 2024. 2024 California Integrated Report, 303(d) List. https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2024-integrated-report.html.

———. 2025. GeoTracker Database. http://geotracker.waterboards.ca.gov.

Sustainable Groundwater Management Act (SGMA). 2025, February 28 (accessed). SGMA Data Viewer. https://sgma.water.ca.gov/webgis/?appid=SGMADataViewer#gwlevels.

13. Bibliography

The White House. 2025. January 20. Unleashing American Energy. Accessed September 12, 2025. https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-american-energy/.

Tulare Basin Watershed Partnership. 2025, September 11. Kaweah River Basin Integrated Regional Water Management. https://www.tularebasinwatershedpartnership.org/kaweah-river-basin-irwm.

Tulare County. 1972, August 31. Section 9.6: "AE-20" Exclusive Agricultural Zone 20 Acre Minimum. https://tularecounty.ca.gov/rma/rma-documents/planning-documents/tulare-county-zoning-ordinance/chapter-3-section-9-6-ae20/

———. 2010, February. Tulare County General Plan 2030 Update Recirculated Draft Environmental Impact Report (SCH No. 2006041162). https://generalplan.co.tulare.ca.us/documents/generalplan2010/RecirculatedDraftEIR.pdf

———. 2012, August. 2030 Update: Tulare County General Plan. https://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/000General%20Plan%202030%20Part%20I%20and%20Part%20II/GENERAL%20PLAN%202012.pdf

———. 2016. General Plan Safety Element. https://generalplan.co.tulare.ca.us/.

———. 2017, March. Tulare County 2023 Local Hazard Mitigation Plan. https://tularecounty.ca.gov/rma/rma-documents/planning-documents/tulare-county-2023-local-hazard-mitigation-plan-lhmp2/.

———. 2018, January. Local Area Management Program for Onsite Wastewater Treatment Systems. https://tularecountyeh.org/eh/guidance-library/septic-system/septic-system-lamp1

———. 2018, December. Tulare County Climate Action Plan 2018 Update. http://generalplan.co.tulare.ca.us/documents/GP/001Adopted%20Tulare%20County%20General%20Plan%20Materials/220Climate%20Action%20Plan/CLIMATE%20ACTION%20PLAN%202018%20UPDATE.pdf.

———. 2023. Tulare County Crop and Livestock Report 2023. https://agcomm.co.tulare.ca.us/pest-exclusion-standardization/crop-reports1/crop-reports-2021-2030/crop-and-livestock-report-2023/.

———. 2024. Tulare County Clerk 2024 Annual Report. https://tularecounty.ca.gov/assessor/news/annual-reports/annual-report-2024/annual-report-2024/.

———. 2025, September 6 (accessed). "Disposal Services". https://tularecounty.ca.gov/solid-waste/disposal-services

———. 2025. The Williamson Act. https://tularecounty.ca.gov/assessor/news/fact-sheets/williamson-act-fact-sheet/williamson-act-fact-

13. Bibliography

sheet/#:~:text=The%20Williamson%20Act%2C%20also%20known,exchange%20for%20property%20tax%20relief.

———. 2025, September 6 (accessed). "Locations & Fees". https://tularecounty.ca.gov/solid-waste/locations-fees

———. 2025. Tulare County Zoning Ordinance. https://tularecounty.ca.gov/rma/rma-documents/planning-documents/tulare-county-zoning-ordinance/chapter-3-section-9-6-ae20/.

———. 2025, October 7 (accessed). Tulare County Public Parcel Zoning Lookup. https://tularecounty.maps.arcgis.com/apps/webappviewer/index.html?id=e7d7da648dab43e1a9eb0233889b7c32

———. 2025, October 7 (accessed). "Water Well Forms". Tulare County Office of Environmental Health. https://tularecountyeh.org/eh/forms/water-wells.

———. 2025. Tulare County Zoning Ordinance. https://tularecounty.ca.gov/rma/rma-documents/planning-documents/tulare-county-zoning-ordinance/chapter-3-section-9-6-ae20/.

Tulare County Airport Land Use Commission. 2012, December. Tulare County Comprehensive Airport Land Use Plan. Linked on https://tularecounty.ca.gov/rma/rma-documents/planning-documents.

Tulare County Association of Government (TCAG). 2022, August 1. 2022 Regional Transportation Plan/Sustainable Communities Strategy. https://tularecog.org/tcag/planning/rtp/rtp-2022/.

Tulare County Fire Department (TCFD). 2024, December 31. 2024 Annual Report. https://tularecounty.ca.gov/fire/public-info/annual-reports-list.

Tulare County Library. 2025, September 17 (accessed). Tulare County Libraries - Locations. https://www.tularecountylibrary.org/locations.

Tulare County Office of Education (TCOE). 2025, May. Geological and Environmental Hazards Assessment for the Performing Arts Theater, ACCEL Center, and Library Project (prepared by PlaceWorks).

———.2025, September 17 (accessed). About TCOE: Locations. https://www.tcoe.org/about/locations.

Tulare County Parks. 2025, July 25 (accessed). Park Locations. https://www.tularecountyparks.org/park-cards.

USA.com. 2025, November 3 (Accessed). Visalia, CA Weather. http://www.usa.com/visalia-ca-weather.htm.

U.S. Environmental Protection Agency (USEPA). 2002, May. Health Assessment Document for Diesel Engine Exhaust. Prepared by the National Center for Environmental Assessment, Washington, DC, for the Office of Transportation and Air Quality. EPA/600/8-90/057F.

13. Bibliography

———. 2009, December. EPA: Greenhouse Gases Threaten Public Health and the Environment: Science Overwhelmingly Shows Greenhouse Gas Concentrations at Unprecedented Levels due to Human Activity. https://archive.epa.gov/epapages/newsroom_archive/newsreleases/08d11a451131bca585257685005bf252.html.

———. 2022, February 14 (accessed). Summary of the Energy Independence and Security Act Public Law 110-140 (2007). https://www.epa.gov/laws-regulations/summary-energy-independence-and-security-act.

———. 2024, March. Regulatory Announcement: Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles: Final Rule. https://nepis.epa.gov/Exe/ZyPDF.cgi/P1019VP5.PDF?Dockey=P1019VP5.PDF.

———. 2025, February 27 (updated). USEPA: Endangerment and Cause or Contribute Findings for Greenhouse Gases Under Section 202(a) of the Clean Air Act. https://www.epa.gov/climate-change/endangerment-and-cause-or-contribute-findings-greenhouse-gases-under-section-202a.

_____. 2025, March 12. Final Rule: Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles. https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-multi-pollutant-emissions-standards-model#:~:text=On%20March%2020%2C%202024%2C%20EPA,starting%20with%20model%20year%202027.

_____. 2025, July 29. EPA Releases Proposal to Rescind Obama-Era Endangerment Finding, Regulations that Paved the Way for Electric Vehicle Mandates news release. Accessed July 29, 2025. https://www.epa.gov/newsreleases/epa-releases-proposal-rescind-obama-era-endangerment-finding-regulations-paved-way.

———. 2025, September 22. The EPA Map of Radon Zones. https://www.epa.gov/radon/epa-map-radon-zones.

———. 2025, November 3 (Accessed). Criteria Air Pollutants. https://www.epa.gov/criteria-air-pollutants.

———. 2025, November 3 (Accessed). Health and Environmental Effects of Hazardous Air Pollutants. https://www.epa.gov/haps/health-and-environmental-effects-hazardous-air-pollutants.

United States Census Bureau (Census). 2025, May 15 (accessed). Quick Facts – Tulare County. https://www.census.gov/quickfacts/fact/table/tularecountycalifornia/POP010210#POP010210.

United States Department of Fish and Wildlife Services (USFWS). 2025, June 23 (accessed). Critical Habitat for Threatened & Endangered Species. https://fws.maps.arcgis.com/apps/mapviewer/index.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77.

13. Bibliography

———. 2025, June 23 (accessed). Habitat Conservation Plans. https://www.fws.gov/service/habitat-conservation-plans.

United States Geologic Survey (USGS). 2025, February 28 (accessed). https://maps.conservation.ca.gov/cgs/QSD/.

———. 2025, February 28 (accessed). Areas of Land Subsidence in California. https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html.

Visalia, City of. 1994, February. Sewer System Master Plan. https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=32403.

———. 2005. Stormwater Management Program. https://www.waterboards.ca.gov/water_issues/programs/stormwater/swmp/visalia_swmp.pdf

———. 2008, March. City of Visalia Standard Specifications. https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=4911.

———. 2014, October. Visalia General Plan: Historical Preservation. https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=30475.

———. 2014. City of Visalia General Plan Update Environmental Impact Report (SCH No. 2010041078). https://www.visalia.city/civicax/filebank/blobdload.aspx?BlobID=30496.

———.2022, September. Water Supply Technical Memorandum Shirk and Riggin Industrial Park (prepared by 4 Creeks Inc.). https://files.ceqanet.lci.ca.gov/281243-2/attachment/x-gSVf1aAWfIUC1Od8pX5ZyAH6qeQgr6zANozcHgYPZWnfruVilJOO0pmXNPRSOSl-FriOt1BoXdF4j50

———. 2025, September 2. "Wastewater". https://www-visalia-city.translate.goog/depts/public_works/wastewater/default.asp?_x_tr_sl=fr&_x_tr_tl=ja&_x_tr_hl=en&_x_tr_pto=wapp

———. 2025, September 2. "Sewer and Stormwater Viewer". https://experience.arcgis.com/experience/a2a2c8e2f672454196ced633b8dcc8b4/

———. 2025, September 7. "Groundwater Recharge Basins". https://www-visalia-city.translate.goog/depts/administration/water_conservation/groundwater_recharge.asp?_x_tr_sl=fr&_x_tr_tl=ja&_x_tr_hl=en&_x_tr_pto=wapp#:~:text=In%20order%20to%20capture%20and,at%20the%20Eastside%20Regional%20Park.